

PLANNING COMMISSION REPORT
Regular Agenda – Public Hearing Item

PC Staff Report
04/25/18

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

SUP-18-00076: Consider a Special Use Permit for a 30,342 SF 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 RECOMMENDATION: Planning Staff recommends approval of a 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 wavier 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.

Applicant’s Reason for Request: *Per the acquisition agreement between Alvamar Country Club (previous owner) and Bishop Seabury Academy, the swimming pool area may now be demolished. This space will accommodate a much-needed building addition to link the two classroom buildings and better accommodate an increased enrollment in the school.*

ASSOCIATED CASES/OTHER ACTION REQUIRED

Table 1: List of associated projects

<p>2014</p> <ul style="list-style-type: none"> • SP-14-00296; Sports Equipment Shed Addition • FP-14-00297; Local Floodplain Development Permit <p>2012</p> <ul style="list-style-type: none"> • SUP-03-02-12; Parking Lot Addition 	<p>2007</p> <ul style="list-style-type: none"> • SUP-09-09-07; Bishop Seabury Building Addition <p>2002</p> <ul style="list-style-type: none"> • SP-07-49-02; Bishop Seabury Academy – change of use CC approve July 23, 2002.
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<ul style="list-style-type: none">• B-04-08-12; Parking Lot Setback Reduction 2011-2010 <ul style="list-style-type: none">• FP-03-02-11; Local Floodplain Development Permit• SUP-12-08-10; Portable classrooms and parking• SP-11-60-10; Portable classrooms and parking lot restriping 2009 <ul style="list-style-type: none">• SUP-05-05-09; Bishop Seabury Building Addition• SP-05-22-09; Bishop Seabury Practice Field Addition• FP-06-08-09; Local Floodplain Development Permit	<ul style="list-style-type: none">• SP-07-56-02; Revision to Clubhouse 1980-1984 <ul style="list-style-type: none">• SP-10-57-84; Alvarado Racquet Club (Clubhouse Addition)• UPR-6-5-80; Withdrawn Application• UPR-6-4-80; Alvarado Tennis courts and Racquet Club Variations: <ul style="list-style-type: none">• B-10-37-02; Deferral of curb and gutter installation for period of 5 years.• B-04-08-12; Parking lot expansion and setback.
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Other Action Required

- City Commission approval of Special Use Permit and adoption of ordinance.
- Publication of Special Use Permit ordinance.
- Submission and approval of Local Floodplain Development Permit.
- Submission of an erosion control plan.
- Submission and approval of building permit.

PLANS AND STUDIES REQUIRED

- *Traffic Study* – The Traffic Study has been accepted by the City Traffic Engineer.
- *Downstream Sanitary Sewer Analysis* - The fixture count analysis and cover letter dated February 20, 2018, provided by BBN Architects, has been reviewed and is accepted for this project to satisfy the criteria required for the DSSA as outlined in Administrative Policy 76. The proposed number of plumbing fixtures is less than the current number.
- *Drainage Study* – The drainage letter dated 2-20-2018 meets the specified requirements and is approved.
- *Retail Market Study* – Not applicable to this development application.
- *Historic/Commercial/Industrial Review Standards* – Not applicable to this development application.
- *Alternative Compliance/Waivers* –
 - Reduced access aisle width along the east and north sides of the building from 24' to 20' and 12' as discussed in the body of the staff report.
 - Reduction of required bicycle parking from 43 to 12 as determined to be acceptable by the City Engineer.
 - Waiver from implementation of specific stormwater best management practices to accommodate 16 excess parking spaces.
 - Reduced perimeter landscape along Clinton parkway.

KEY POINTS

- Phased development. Project includes a building addition on the northwest side of the building.
- Existing mobile classrooms will be removed.
- Existing pool will be removed.
- Existing tennis courts will be removed and area will be returned to greenspace.
- Future addition include building on the north side of the structure, addition on the southeast side of the building, and future classroom addition to the west.
- Current enrollment is 206 students future enrolment is estimated to be 252 students (46 student increase).
- Existing access to the site is not changed with this revision.
- This application includes waivers to reduce the number of bicycle parking and to allow parking in excess to the maximum code requirement without implementing stormwater best management practices.

- This application includes waivers for reduced/alternative compliance for perimeter landscape requirements.
- Applicant acknowledged the requirements to provide a local floodplain development permit and related erosion control plan. They have deferred the preparation and submission of these documents pending approval of this application.

ATTACHMENTS

- A. Traffic Impact Study
- B. Site Plan
- C. Building Elevations and Cross Sections
- D. Public Communications

PUBLIC COMMENT RECEIVED PRIOR TO PRINTING

Wimbledon Townhomes Association representative expressed concerns about view, screening, vegetation, and property safety.

Terri Johnson, expressed concern about stormwater runoff.

GENERAL INFORMATION

Current Zoning and Land Use: RM12 (Multi-Dwelling Residential) District; Existing *School* campus grades 6-12.

Surrounding Zoning and Land Use: To the north: RS7 (Single-Dwelling Residential) District and PRD [Wimbledon Terraces and Wimbledon Townhomes]; Existing *Detached* and Townhouses (*Multi-Dwelling*) uses.

To the south: south side of Clinton Parkway RSO (Single-Dwelling Residential – Office) District and RM15 (Multi-Dwelling Residential) District. Developing duplex subdivision and existing *Multi-Dwelling* apartment known as Remington Square apartments.

To the east: RM12 (Multi-Dwelling Residential) District. Existing *Multi-Dwelling* use known as Courtside Apartments.

To the west: PRD [Wimbledon Terraces and Wimbledon Townhomes]; Existing Townhouses (*Multi-Dwelling*) uses.

Figure 1: Surrounding Zoning

SUMMARY OF SPECIAL USE

Bishop Seabury was approved as a change of use in 2002 from a *Participant Sports, Indoor* use to a *School* use. Prior to 2006 *School* uses were permitted in residential districts subject to site plan approval only. After the adoption of the Land Development Code in 2006, *School* uses located in residential districts require a Special Use Permit. Section 20-1306 (b) provides for uses that were allowed by-right at the time they were established but now are regulated as a Special Use. The use is considered an approved Special Use and was allowed to continue in 2006 without a public hearing. Alterations and expansions of the use are subject to the Special Use Amendment procedures of Section 20-1306.

This application is submitted for a proposed building addition that will be completed in phases. The total square feet of the new building is 30,086 SF or 59% of the existing building. Included in the change is the removal of portable classrooms and the pool/clubhouse improvements. A portion of

west end of the larger existing building will be demolished. The site plan also shows a small parking lot addition on the north side of the property.

SITE PLAN REVIEW

The site plan submitted with a Special Use Permit application is required to meet the site plan requirements in Section 20-1305(f) of the Development Code. Site plans are grouped into ‘minor’, ‘standard’, and ‘major’ classifications based on the degree of development being proposed. This classification determines the degree of compliance with City Codes that is required. While the Code does not provide this distinction for Special Use Permits, it is reasonable to extend these classifications to determine the degree of compliance that is required for various projects. The proposed building additions involves a 59% increase in building; therefore, this project fits the criteria for a Major Development Project and would be processed with a major site plan. (Section 20-1305(b), Development Code). A ‘major’ site plan requires the entire property to comply with the Development Code, and all other City Codes.

Table 2: Development Phase Summary

	<p>Phase I:</p> <ul style="list-style-type: none"> • Building Addition to classrooms and commons building • Removal of portable classrooms • Demolition of existing pool/clubhouse improvements • Demolition of existing tennis courts • Demolition of portion of existing building (Commons Room and Administrative Office wing) <p>Phase II:</p> <ul style="list-style-type: none"> • Classroom wing addition to the west • practice gymnasium to the north • New Parking lot to the north
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Figure 2: General location of Phase I and II

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: *This grade 6-12 private school is a permitted use in the RM district and was originally approved through the City of Lawrence Special Use Permit process in 2002 when Bishop Seabury Academy acquired the property from Alvarado County Club. Though the proposed improvements are significant, they do not constitute a change of use of the property. The old Alvarado County Club pool area was originally separated off as a separate parcel, allowing club members use of the pool for several years during summer months. That agreement has expired and now the pool is under the same contiguous ownership as the school. All of the improvements proposed will occur within the single platted lot.*

This section of the staff report evaluates the site plan component of the application.

A. Site Summary

This property is a single platted lot with existing buildings and surface parking. At the completion of the project the building coverage will only be 23% of the site and the total impervious cover will be 41%. The project complies with these density and dimensional standards per section 20-601.

Table 3: Site Summary

Site Summary: Proposed Lot 1, Research Park Addition			
Total area:	Existing	Proposed	The proposed improvements increase the total building footprint and increases the total area of greenspace for the site. This is accomplished through the demolition of the existing tennis courts that will be removed and converted to open space.
Lot Size:	350,720	350,720	
Building: (SF)	49,773 14%	79,859 23%	The maximum building coverage permitted in the RM12 District is 50% The maximum total impervious cover permitted in the RM12 District is 75%.
Impervious Cover: (SF)	153,331 44%	144,858 41%	
Pervious Cover: (SF) percent	197,389 56%	205,862 59%	

B. Access and Parking

Access: Access to this site is provided by Clinton Parkway frontage road.

On-site Parking: The site includes an existing parking lot located along Clinton Parkway and a future parking area to be located on the north side of the building. The proposed project will increase the available off-street parking for this use.

Parking Lot Design: The existing parking lot will only be modified on the west end to accommodate the new building entry, provide a circle drop-off lane and additional accessible parking spaces along the west side of the parking lot. The site includes a drive along the east and north sides of the property. The existing drive will be extended to access the future parking area. Off-street parking is required to be located 25’ from the public right-of-way in residential districts. A variance was approved in 2012 to accommodate the expanded parking lot and reduced parking lot setback from 25’ to 0’. This project retains that parking lot curb line along the south property line, without setback.

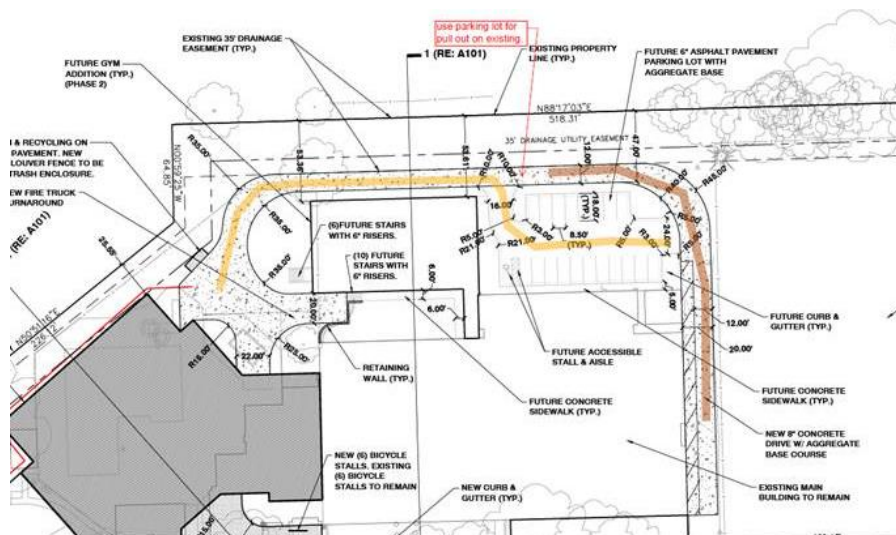


Figure 3: North access Drive to Service Area

The existing site includes an existing 20’ wide drive along the east side of the building providing access to the service area of the building. This drive will provide access to the new proposed parking lot. The width of the existing drive is less than 24’ and is not proposed to be widened with this project. The new parking lot includes a code compliant 24’ access aisle. Widening the drive will future encroach into the existing multi-purpose athletic field and the regulatory floodplain area. The current drive is not within the regulatory floodplain area of the site.

The perimeter driveway is extended along the north side of the site parallel to the 35' drainage easement along the north property line. This segment is 12' wide. This drive extends west to the service area in the rear of the building and includes a 16' wide driveway to the north side of the new parking lot. The width of the drive is limited by the existing improvements and the wide drainage easement. Widening the drive encroaches into the easement, disrupts surface drainage and encroaches on the sanitary sewer line. Pass by traffic movements will need to use the new parking lot which will accommodate two-way traffic as needed. The 12' wide access drive is intended only for service delivery, solid waste service, and emergency access as needed.

The site plan shows excess off-street parking; 110 spaces required with 126 spaces proposed at full buildout. The site exceeds the minimum required off-street parking by 16 spaces (15% of the required parking). Section 20-901 (c) requires the mitigation of additional impervious surface that results from excess parking through the implementation of stormwater best management practices. The applicant is requesting a waiver from this requirement. The applicant believes that the excess parking is necessary to meet demand and is not excess and therefore subject to mitigation required per section 20-901 (c).

Applicant Justification: This site includes 105 parking spaces. The proposed parking lot adds 21 spaces to the total available parking. This *School* is a private facility with students from around the region. The *School* accommodates 34 existing faculty and staff. School administration estimates that 75 students use this area for parking. A high rate of 10, 11 and 12 graders drive to school. The future additions will accommodate 39 total faculty and staff. Parking is provided at a ratio of 1 space per faculty and staff currently. The frontage road is currently used for overflow parking. The overall site changes reduce the total impervious surface area by 8,473 SF from 43.7 % coverage to 41.3% coverage. The additional parking spaces will provide parking on-site and will reduce the need for parking along the frontage road.

Staff Response: Staff acknowledges the applicant's request for additional parking. A small bio-retention cell can be added along the north property line to the north of the new parking lot in the existing 35' drainage easement. By shortening the storm sewer from the parking lot, stormwater can be directed in to this area. Staff recommends the site plan be revised per the approval of the City's Stormwater Engineer to implement this best management practice to meet the mitigation requirements per section 20-901 (c).

Table 4: Parking Summary

Use	Vehicle Parking Requirements	Spaces Required	Spaces Provided
School			
K-9 th Grade	1 space per 1.5 teachers & employees		
10 th Grade +	1 space per 1.5 teachers & employees + 1 space per 3 students		
Students all grades	206 students existing (29.4 per grade) 252 students proposed (36 per grade)	252/3 = 84 spaces	
Teachers/Employees	34 faculty existing; 39 faculty proposed	39/1.5 = 26 spaces	34 spaces provided at 1 space per staff (existing)
Total Spaces Required	106 spaces provided SUP-3-2-12	110 spaces	
Total Spaces Provided	105 spaces per 2016 aerial		105 existing spaces 126 proposed spaces
Accessible Spaces		5 spaces	6 spaces (2 van accessible)

Table 5: Bicycle Parking Summary

Bicycle Parking Spaces	Required Bicycle Parking					Bicycle Parking Provided
	K-9 1 space per 5 students 10-12 5 spaces or 1 per 10 auto spaces whichever is greater					
Student Summary	Average per grade	Total 6-9	Total 10-12	Total 6-9	Total 10-12	
Existing 206 Students	29.4	117.7	88.3	24	11	
Proposed 252 Students	36	144	108	28	13	
Total Required Existing				35 spaces		6 spaces
Total Required Proposed				42 spaces		6 spaces

The applicant estimates that the project would require 30 additional bicycle parking spaces. The applicant requests a waiver from the required bicycle parking requirement.

Applicant Justification: *"As Bishop Seabury Academy is a private school, it draws children from all parts of the City. The Owner estimates that only about 20 students live within 2 miles of the school and another 20 students within 5 miles of the school. The existing 6-staff bicycle rack has been in place for many years and on nice weather days there are never more than 3 bikes parked there. Most of the time it is empty. The City's requirements equate to an additional 30 bicycle parking stalls in order to be conforming."*

Staff Response: The City Engineer concurs with the applicant's assessment that the calculated bicycle parking spaces are high. The current student/staff demand does not necessarily reflect the future demand for this mode of transportation. Staff recommends that a minimum of 12 bicycle parking spaces be provided. Spaces shall meet minimum spacing design standards. The site plan drawing shows an area reserved for bicycle parking at the new front entry to the building. The site will retain the 6 existing spaces and will add an additional 6 spaces. The general note on the site plan does require an update so that the table summary and the drawing information align. This is reflected as a condition of approval.

C. Design Standards

Site Design: This site includes multiple buildings located on the north side of Clinton Parkway. The site was originally built in 1983 with various additions made in later years. The existing pool and associated accessory structures will be demolished to accommodate the proposed Phase I construction that will connect the two primary buildings. The existing tennis courts will also be removed, returning this area to open space. The building exceeds the minimum required front, rear and side setback requirements. Other than the parking lot discussed in the previous section, the off-street parking lot complies with the required setbacks. Appropriate screening is required for this site and is discussed in section D of this report.

Building Elevations: The building profile along Clinton Parkway is of a single story building. The east end of the main building includes a higher peaked roof that add height and bulk to the building giving an appearance of a two story structure. The existing building (41') exceeds the maximum building height (35') on the east side of the building. This is an existing condition of the site. There are no records of a variance that addressed building height. The Phase II weight room addition extends the building footprint south toward Clinton Parkway but does not modify the height of that portion of the building.

The bulk of the building additions are located on the north and west ends of the building. The attached building elevations show a two story addition on the back side. The building height steps up closer to the center of the building. The area facing the adjacent multi-dwelling residential uses on the

rear is only one story (14'). The Phase II addition of the practice gym is located on the north side of the building and aligned with the existing building.

Pedestrian accessibility: The proposed site changes creates a new building entry area and plaza space at the front of the site. A pedestrian sidewalk will extend from the front of the building to the public sidewalk along Clinton Parkway.

D. Landscaping and Screening

Street Trees: This site abuts Clinton Parkway along the south property line. The site requires a minimum of 26 shade trees per section 20-1002 is met. The site plan shows 27 trees.

Interior Parking Lot Landscaping: This project includes a new parking area located on the north side of the building (21 new spaces) and a revision to a portion of the existing parking lot (8 existing spaces) at the new building entrance (8 new spaces). Total vehicular parking spaces provided for this project is 126 spaces. As shown in the calculations below, the interior landscaping requirements per section 20-1003 are met.

Table 6: Interior Landscape Area Summary

		Required	Provided
		Landscaping Interior Parking Lot Area: # Spaces x 40 SF	
South Lot	Existing	105 spaces x 40 = 4,200 SF (8 existing spaces will be removed and replaced with 8 new spaces in other areas of south lot)	4,458 SF
North Lot	Proposed	21 new spaces x 40 = 1,120 SF	1,259 SF
Total Parking Area		126 stalls X 40 = 5,320 SF	5,717 SF
Total Interior Landscape Plants		Proposed 126 stalls/10 = 12.6 x 1 = 13 Trees	14 trees
		Proposed 126 stalls/10 = 12.6 x 3 = 38 shrubs	54 shrubs

Perimeter Parking Lot Landscaping: Per a previously granted variance to reduce the parking lot setback from 25' to 0' the perimeter landscape area is located in the public right-of-way of Clinton Parkway Frontage Road. Section 20-1004 of the Development Code requires that parking lots be screened from view of street right-of-way with a minimum of one tree per 25 linear feet. The parking perimeter is 240 linear feet along Clinton Parkway Frontage Road and requires 10 trees. The site plan shows 5 existing trees that will remain. These trees are located in public right-of-way.

Parking lots abutting public right-of-way are required to be screened with fences, landscape and or berms. The previously approved plan included shrubs along the south property line to show compliance with this design standard. These plants would have been located in the public right-of-way. These plants are missing from the site and were not installed as required. The proposed site plan shows a new landscape plants for perimeter screening that accounts for the limited planting area that is restricted by existing underground utilities.

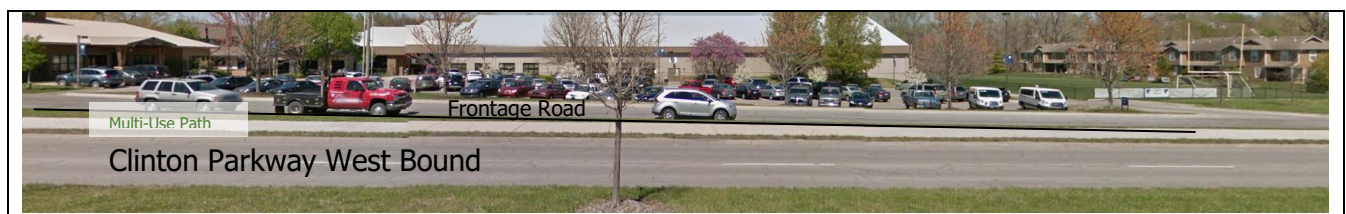


Figure 4: Parking Lot view from Clinton Parkway

A 24" water line is located south of the parking lot. In addition to the municipal water line, other underground utilities are located in the right-of-way. Plantings must be 8' from water and sanitary

sewer lines. The applicant is requesting a waiver from compliance with the design standard to add additional shrubs as discussed below.

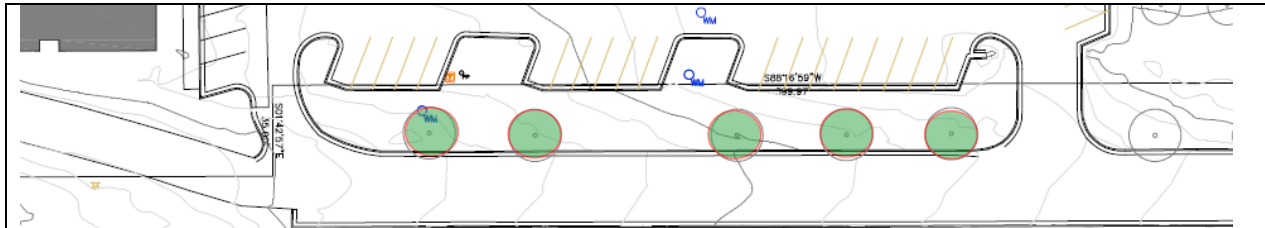


Figure 5: Proposed Landscape Plan – Street trees are located in public ROW

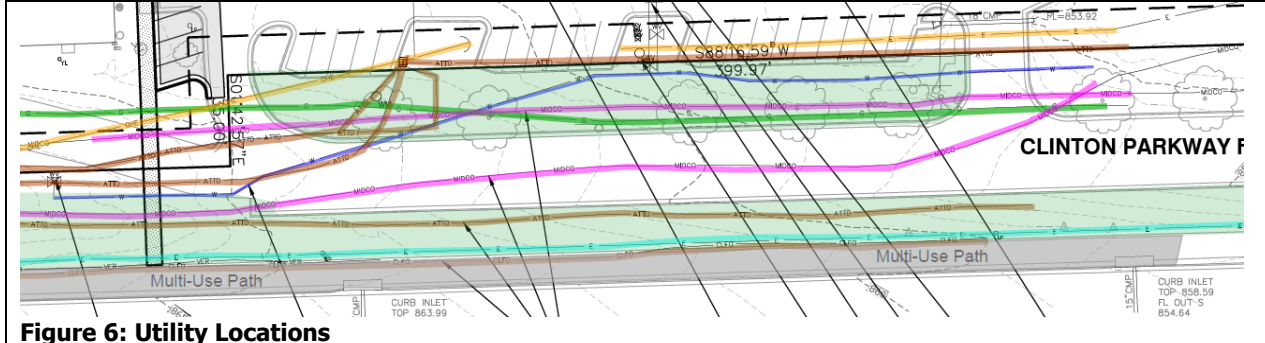


Figure 6: Utility Locations

Applicant Justification: *"Due to site constraints (Multiple utilities running the length of the island, including fiber, phone, gas, electrical and 24' main water line); we request a waiver of this recommendation per section 20-1004. Additionally, Clinton Parkway Frontage Road does not function as a public thoroughfare in this location. It terminates at Seabury and there is no cul-de-sac."*

Staff Response: Both the Utility Engineer and the City's Horticulture/Forestry Manager concurs that the addition of trees in this green space is not feasible. However, it is possible to plant small shrubs in specific locations. The full screening of the parking lot is not possible because of the existing utility locations. The proposed landscape landscape plan provides additional shrubs that will screen some of the perimeter parking lot along Clinton Parkway. This is preferable to granting a waiver. Staff recommends the waiver be denied and that the plan be revised to provide minimal landscape, per the approval of the City Horticulture/Forestry Manager.

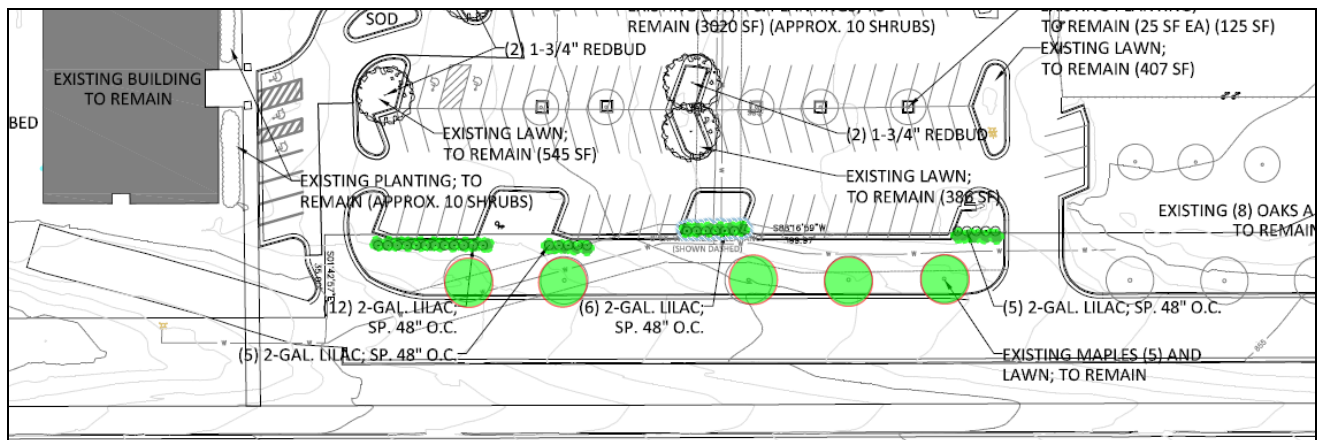


Figure 7: Perimeter Landscaping.

Bufferyard Requirements: The subject property is surrounded by residential development in all

directions. The adjacent property zoning includes RM, RS and Planned Unit Development District zoning. A bufferyard is required where RM and RS Districts are adjacent. The bufferyard applies to the portion of the north property line adjacent to RS7. The following figures show the location where bufferyard requirements are applicable to this development. The Land Development Code prescribes a Type I bufferyard with options for 10, 15, 20, and 25’ widths and corresponding landscape planting requirements. The proposed site plan shows a 35’ wide buffer yard with new vegetation along the north property line parallel to the building and existing vegetation along the north side of the athletic field along the east property line.

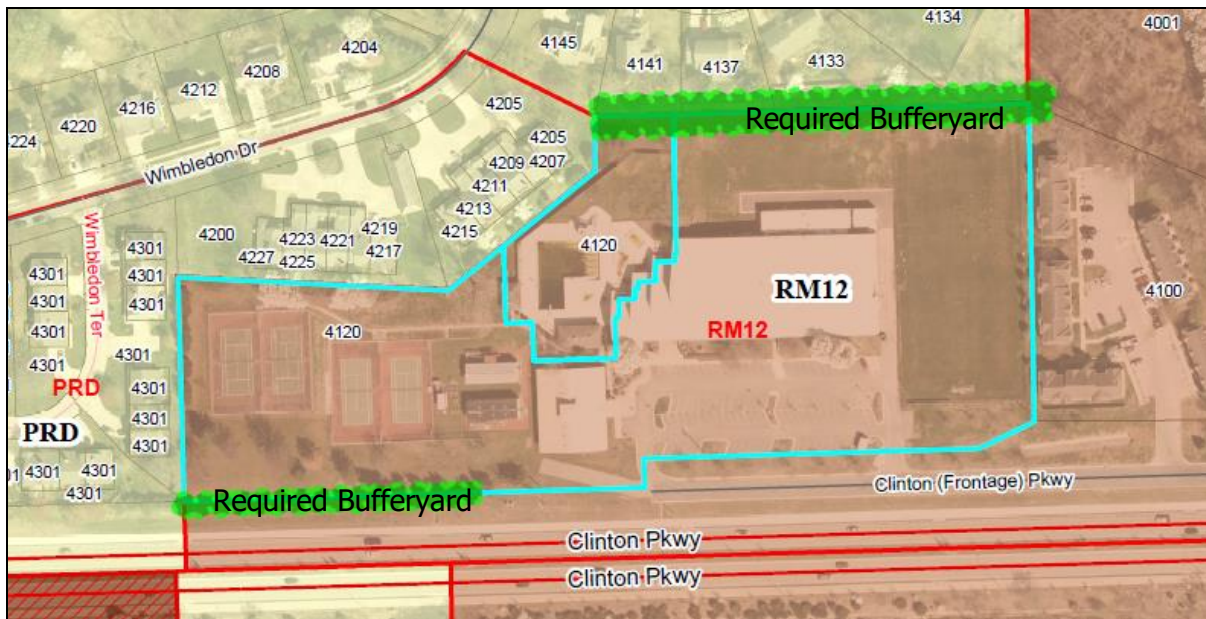


Figure 8: Type 1 Required Bufferyard Areas per 20-1005

The area to the south, zoned RSO is located on the south side of Clinton Parkway and does not abut the property but is separated by more than 200’. The site includes existing mature vegetation that provides appropriate screening along the public right-of-way and between the RS and RM district uses.

Table 7: Buffer Yard Summary Table

	Type	Requirement per 100’	Required	Provided
North Property Line	Type 1 – 25 ft 518’	2 Trees & 6 Shrubs	11 Trees & 32 Shrubs	35’ wide bufferyard proposed 7 new Trees & 38 new Shrubs and existing vegetation Requirement is met with proposed and existing vegetation
South Property Line (Partial)	Type 1 – 25 ft 549’	2 Trees & 6 Shrubs	7 Trees & 19 Shrubs	Existing vegetation meets requirement, No Proposed Changes
East Property Line	Not required	Not applicable	Not applicable	
West Property Line	Not required	Not applicable	Not applicable	Existing vegetation, No Proposed Changes

The Land Development Code does not prescribe a bufferyard for Planned Unit Developments. The property abuts PUD zoning along the west and portion of the north property line. The existing residential development includes individual attached units on a single lot with shared access and parking located on the north/west side of the property. This type of residential use is considered *Multi-dwelling*. The overall density is approximately 7 dwelling units per acre (medium density). The equivalent zoning district in the Land Development Code would be RM12 District. Typically, a bufferyard would not be required. This portion of the property is currently developed with an outdoor pool. The pool was separated from the residential uses by a fence. The revised site plan includes new landscape that will buffer the rear of the school building from the adjacent residential uses.

This property abuts residential development with access to Wimbledon Drive to the north. Per Code, screening is not required along this segment of the north property line. However, residents have expressed concern about the project and screening between the residences to the north and the proposed building additions. The plan submitted includes new trees and shrubs located along a portion of the north property line to augment the existing trees located on the residential side of the property line.

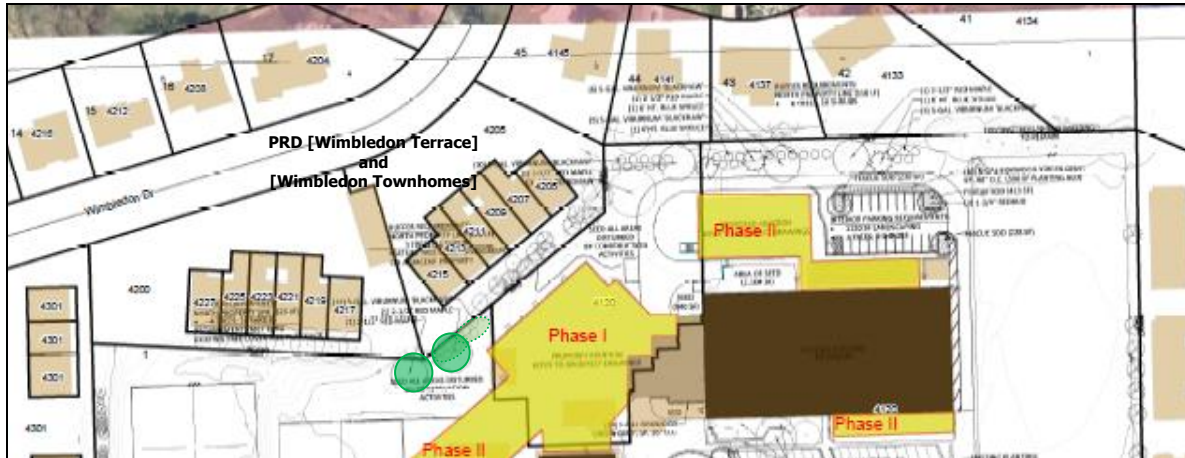


Figure 9: Bufferyard PUD to RM12

The property is currently buffered by a fence along the rear of the property, separating the pool area from the residential uses to the north. The new project does not include a fence.

Mechanical and Equipment Screening

The site plan includes a note indicating the project is subject to screening requirements per section 20-1006 of the Land Development Code. This applies to roof and building mounted equipment as well as trash storage areas.

Alternative Compliance: The applicant proposes wider bufferyards than required by the Land Development Code and provides adjusted landscape material accordingly. Along the south and west property line the applicant proposes to maintain existing vegetation.

As discussed above, the applicant requests a waiver from the provision of additional landscape along the south property line to screen the parking lot.

E. Lighting

A photometric plan is required for this special use. The applicant has provided an update to the existing site with a photometric plan for the new parking lot. The plan shows compliance with the minimum design requirements and maximum lighting levels for the parking lot.

F. Sensitive Lands / Floodplain

This property is partially encumbered by the regulatory floodplain. A portion of new parking lot and extended driveway will be located within the regulatory floodplain. There are no other identified sensitive lands on this property. A local Floodplain Development Permit is required for this project prior to issuance of a building permit. The floodplain boundary shown on the drawing is not correct. The City Stormwater Engineer noted this discrepancy that must be revised.

Staff Finding – This use, as conditioned, complies with the applicable provisions of the Development Code as an allowed use in the RM12 District subject to a Special Use Permit.

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 improvements of this SUP application include removal of the entire pool area (main pool, kiddie pool, concessions/restroom building and pump house), as well as the removal of the existing commons Room/Administrative Office wing of 5,300 SF, two temporary classroom buildings and six tennis courts. The adjoining neighbors have complained about the noise generated from the Alvamar Pool during summer months due to its extended hours of operation, and now due to its unsightly appearance while being used by the school as a science experiment. Additionally, they have requested that the tennis courts be removed so that the site can increase its green area. We believe the neighbors will be pleased with the proposed improvements, and the Head of School, Don Schawang, has maintained very positive communications with the President of the Homes Association to ensure good relations are maintained.*

Phase I improvements include a one-story classroom and commons building that will be built over the old pool area linking the two existing classroom buildings. The Phase II improvements include the addition of another classroom wing to the west, a small addition to the existing gymnasium and a practice gymnasium to the north. All of these structures will be within the prescribed height limitations of the Land Development Code.

The proposed improvements will have no impact on the existing hours of school operations, traffic generation, lighting, odor, dust, and other external conditions.

The site was originally developed as a *Participant Sports, Indoor* use. It was renovated and converted to a *School* use in 2002. The site currently provides education to students grades 6-12 (Middle and High School). The use, hours of operation, and other external impacts are not proposed to change. The applicant expects a maximum enrollment of 252 students, current enrollment is 204 per the proposed application documents. The proposed building additions are intended to provide a more efficient use of space. The site development is constrained by the location of existing improvements that limit the developable area for this site.

The proposed additions are intended to provide a similar massing to the existing buildings. The bulk of the structures and overall height are located toward the center of the facility. The proposed gym is located on the north side of the building with a greater separation between the building addition and the existing residential development than the classroom addition.

Staff Finding – The proposed use is compatible with the adjacent uses in terms of size, massing, orientation, as a school. The hours of operation and traffic will not be substantively altered by building expansion.

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: *Bishop Seabury Academy is now a well-established use within its neighborhood context and has been well accepted by the neighborhood. The school has been successful in implementing several capital improvements over the years at this location, all by virtue of private donations. These improvement will be the most significant in comparison and will greatly enhance the overall appearance of the entire complex as well as improve life safety and security for school operations.*

This application represents an expansion of the campus within the boundaries of the property (infill development). Major public services are available and currently serve this property. Within the context of the neighborhood, there are no changes in use or access for the proposed site.

The proposed building additions extend the building to the north and west. The existing pool and tennis court spaces will be removed to accommodate new construction. The current pool and surrounding deck extend to within 10' of the north property line and are separated from the adjacent residences by a fence. The revised plan shows a 25' wide green space along the back side of the building addition between the school building and the property line. The proposed landscape plan shows new landscape plantings to provide additional screening.

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 site is currently served by public utilities. The proposed parking lot is designed to preserve an existing transmission waterline along the frontage road. The north portion of the parking lot includes a wider access aisle to accommodate fire apparatus if needed for this use.

Minimum access standards are required to meet fire protection standards. The applicant has provided a turn analysis demonstrating that fire apparatus can adequate maneuver the site. However, the site plan must be revised to meet the minimum access requirements for all exterior surfaces (150'). The applicant can provide a dry standpipe or add a wall indicator valve with a 2.5" hose connection at the exterior of the building.

Staff Finding – As conditioned, adequate public facilities and transportation access is accommodated for this development.

5. WHETHER ADEQUATE ASSURANCES OF CONTINUING MAINTENANCE HAVE BEEN PROVIDED

The proposed request provides an enforceable tool 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 proposed Phase I improvements will have minimal impacts on the natural environment. The Phase I building addition will occupy the previously disturbed area of the old Alvamar swimming pool, kiddie pool, pool house, pool pump house and concrete decking areas which will be demolished to make room for the new construction. A new access drive is proposed around the north side of the site. The drive is an open yard area and has no impacts. There may be some minor disturbance to the natural environment along the 35 feet wide drainage easement along the north property to allow for drainage improvements. Additional site landscaping is proposed to mitigate any impacts.*

The future Phase II improvements including a new gym addition, additional parking and classroom addition have minimal impacts to the environment. Approximately one-half of the gym is located within the area of the old Alvamar pool complex to be removed and the remainder is open yard area. The additional parking located east of the gym is in the open yard area and will be constructed over the existing sand volleyball court. The classroom addition will occupy the same space as the old existing tennis courts where the temporary trailer are located.

The proposed improvements are located within the existing urban area. The property is encumbered by floodplain and is subject to the local floodplain regulations. A small portion of the new parking lot is located within the regulatory floodplain. A local floodplain development permit is required for this property prior to issuance of a building permit.

Staff Finding – The proposed development includes regulatory controls to protect the significant natural feature, floodplain, of this site. A local floodplain development permit is required for this property prior to issuance of a building permit.

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 and related improvements in this district. The intention of the development and purpose of the base zoning district is to accommodate a growing private education facility. The school has been located at this site since 2002.

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

CONCLUSION

Overall, the project complies with the Land Development Code and the development pattern of the area. The proposed building addition has been deferred until the ownership of the pool was conveyed to the current property owner. Alvamar Country Club has retained ownership until recently. The new development of the country club facilities made this pool obsolete. The transfer of the ownership of the property allows Bishop Seabury Academy to proceed with plans for full development and use of the site.