City Council Introduction: July 11, 2016
Public Hearing: July 18, 2016

Bill No. 16R-142

FACTSHEET

TITLE: USE PERMIT NO. 151A - (8020 and 8040 O Street)

BOARD/COMMITTEE: Planning Commission

APPLICANT: Civil Design Group on behalf of DJT Enterprises, LLC

RECOMMENDATION: Conditional Approval (7-0: Beecham, Harris, Corr, Cornelius, Weber, Sunderman, and Hove voting 'yes; Lust and Scheer absent').

STAFF RECOMMENDATION: Conditional Approval

OTHER DEPARTMENTS AFFECTED: N/A

SPONSOR: Planning Department

OPPONENTS: None present at hearing.

REASON FOR LEGISLATION: Reduce required parking for the medical office use in the East "O" Office Park.

DISCUSSION/FINDINGS OF FACT:

1. This is a request to reduce required parking for doctors' and dentists' offices under Section *27.67.040 (f)* of the zoning ordinance from 1 stall per 225 square feet of floor area to 1 stall per 300 square feet of floor area.

2. The staff recommendation of conditional approval is based upon the "Analysis" as set forth on pp.3-4, concluding that this request is consistent with the Comprehensive Plan. The proposed medical office use is permitted in the district and is compatible with surrounding uses in the area. The waiver to parking is appropriate because it will allow an existing office building to be utilized for a permitted use and additional on-street parking is available if needed.

3. On June 22, 2016, the Planning Commission voted 7-0 to recommend conditional approval of this use permit application as part of the consent agenda. Conditions are found on p.4-5.

FACTSHEET PREPARED BY: Geri Rorabaugh, Administrative Officer

DATE: June 27, 2016

REVIEWED BY: David R. Cary, Planning Director

DATE: June 27, 2016

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LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for June 22, 2016 PLANNING COMMISSION MEETING

PROJECT #: Use Permit No. 151A

PROPOSAL: Reduce required parking for the medical office use in the East "O" Office Park.

LOCATION: 8020 and 8040 "O" Street

LAND AREA: 1.04 acres, more or less

EXISTING ZONING: O-3, Office Park

CONCLUSION: This request is consistent with the Comprehensive Plan. The proposed medical office use is permitted in the district and is compatible with surrounding uses in the area. The waiver to parking is appropriate because that it will allow an existing office building to be utilized for a permitted use and additional on-street parking is available if needed.

RECOMMENDATION:	Conditional Approval
Waivers/modifications:	
27.67.040 (f)	
Reduce required parking for doctors' and dentists' offices from 1 stall per 225 square feet of floor area to 1 stall per 300 square feet of floor area	Approval

GENERAL INFORMATION:

LEGAL DESCRIPTION: Lots 1-2, East "O" Street Office Park Addition, Lincoln, Lancaster County, Nebraska

EXISTING LAND USE: Office, Daycare

SURROUNDING LAND USE AND ZONING:

North:	Park	P, Public
South:	Commercial	O-3, Office Park
East:	Commercial	O-3, Office Park
West:	Commercial	O-3, Office Park

HISTORY:

May 1979	Parking ratio of 1 stall per 225 square feet of building area for medical office part of major update to zoning ordinance.

July 1999	Use Permit No. 120 approved to convert an existing home on the western portion of the site to a chiropractic office. The Use Permit was rescinded in 2003.
	Change of Zone No. 3183 approved to re-zone the western portion of the site from R-2 to O-3.
September 1999	Change of Zone No. 3197 approved to re-zone the remaining portion of the site from R-2 to O-3.
July 2003	Use Permit No. 151 approved to remove two homes and construct two office buildings.
August 2003	Administrative Final Plat for East "O" Street Office Park Addition approved to create lot layout currently existing on site.
September 2005	Administrative Amendment No. 05109 approved to change the use of Lot 2 from office to office/early childhood care and revise the parking lot layout to allow for a trash receptacle.

COMPREHENSIVE PLAN SPECIFICATIONS:

Page 1.9	The site is identified as commercial on the Future Land Use Plan.
Page 5.2	Business and economy guiding principle: seek to efficiently utilize investments in existing and future public infrastructure to advance economic development opportunities.

ANALYSIS:

1. This application is to add medical office as a permitted use for both lots in the East "O" Office Park. Office is the currently permitted use on Lot 1, and office/daycare is the currently permitted use on Lot 2. This is an existing office complex that is built as shown on the approved site plan. Potential medical office uses would be added through interior renovation of the existing buildings.

2. Per 27.64.010(j), adding medical office as a permitted use would typically be accomplished through an administrative amendment; however the change in use for this site requires a parking waiver that must be approved by City Council.

3. A waiver is requested to 27.67.040(f) to reduce the parking requirement for medical office uses. Medical offices have a parking requirement of 1 stall per 225 square feet of building area in all districts. Office uses in the O-3 district are required to have 1 stall per 300 square feet of building area. The site was designed and built to meet the required parking for office uses. There is not space to reasonably accommodate the additional parking that would be required for medical office uses.

4. The Planning Department is developing a proposed zoning text amendment that would change the parking ratio for medical office to 1 stall per 300 square feet. Office buildings and associated parking are built to serve a variety of users that come and go over time. Often these users include medical office mixed in with more general office uses. Having two different parking requirements for medical office and general office makes it difficult for property

managers to fully utilize office buildings. The proposed text amendment would make it easier for medical offices to locate in existing office buildings and support the efficient utilization of infrastructure.

The applicant for this use permit amendment has decided to go forward with this application prior to the larger text amendment so that the project can stay within a desired timeline.

5. The site contains 36 parking stalls. If the site were fully developed for general office uses (1 stall per 300 square feet) 34 stalls would be required. If the site were fully developed for medical office uses (1 stall per 225 square feet) 45 stalls would be required. Parking for daycares is based on the number of children and caregivers. The existing daycare on Lot 2 requires 19 stalls.

6. The developer has an agreement with a medical office user for the entire Lot 1 building, and it is expected that the entire Lot 2 building will eventually be utilized for medical office. This waiver would reduce the required parking from 45 to 34 parking stalls if the site were fully utilized for medical office.

7. Other nearby medical offices include an eye care clinic and dialysis center. Those uses meet the medical office parking standard.

8. The site is accessed by a frontage road along “O” Street. On-street parking is available on the frontage road if overflow parking were needed. Space for approximately nine vehicles is available on the frontage road in front of the office park.

9. Parking requirements for medical office have generally been decreasing in recent decades. This is reflected in the Institute of Transportation Engineers (ITE) *Parking Generation* manual. The most recent edition of the manual, the 4th Edition published in 2010, lists an average peak parking demand of 1 stall per 313 square feet. The ratio is based on a nationwide study of 86 medical office users. The 3rd Edition (2004) shows parking demand at 1 stall per 283 square feet, and the 2nd Edition (1987) shows 1 stall per 243 square feet.

10. This amendment would allow for the utilization of existing buildings and infrastructure by a permitted use in the district. The parking reduction for medical office aligns with ITE *Parking Generation* manual guidelines and overflow parking is available on the adjacent frontage road if needed.

CONDITIONS OF APPROVAL:

This approval permits medical office as a use within the East “O” Office Park Use Permit with a waiver to 27.67.040(f) to reduce the required parking for doctors’ and dentists’ offices from 1 stall per 225 square feet of total building area to 1 stall per 300 square feet of total building area.

Site Specific Conditions:

1. The permittee shall cause to be prepared and submitted to the Planning Department a revised and reproducible final plot plan including **3** copies with all required revisions and documents as listed below upon approval before receiving building permits:

1.1 Revise the Land Use & Parking Summary table to reflect the floor area for Lot 2 and number of parking stalls as shown on the site plan.

2. Landscaping shall be installed on the south side of Lot 2 per the landscaping plan approved with Use Permit #151 before receiving building permits for Lot 2.

Standard Conditions:

3. The following conditions are applicable to all requests:

3.1 Before occupying buildings all development and construction is to substantially comply with the approved plans.

3.2 All privately-owned improvements, including landscaping and recreational facilities, are to be permanently maintained by the Permittee or an appropriately established homeowners association approved by the City.

3.3 The physical location of all setbacks and yards, buildings, parking and circulation elements, and similar matters must be in substantial compliance with the location of said items as shown on the approved site plan.

3.4 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.

3.5 The applicant shall sign and return the letter of acceptance to the City Clerk. This step should be completed within 60 days following the approval of the special permit. The City Clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filing fees therefore to be paid in advance by the applicant. Building permits will not be issued unless the letter of acceptance has been filed.

Prepared by

Andrew Thierolf, Planner
athierolf@lincoln.ne.gov, 441-6371
June 14, 2016

APPLICANT/ OWNER: DJT Enterprises, LLC
8525 Executive Woods Drive
Lincoln, NE 68512

CONTACT: Civil Design Group
8535 Executive Woods Drive
Lincoln, NE 68512

USE PERMIT NO. 151A

CONSENT AGENDA
PUBLIC HEARING & ADMINISTRATIVE ACTION
BEFORE PLANNING COMMISSION: **June 22, 2016**

Members present: Beecham, Cornelius, Corr, Harris, Sunderman, Weber, Scheer, and Hove present; (Lust absent).

The Consent Agenda consisted of the following items: **COUNTY PRELIMINARY PLAT NO. 16002; CHANGE OF ZONE NO. 16017, COUNTY SPECIAL PERMIT NO. 16026, USE PERMIT NO. 145B, USE PERMIT 151A, and STREET AND ALLEY VACATION NO. 16003.**

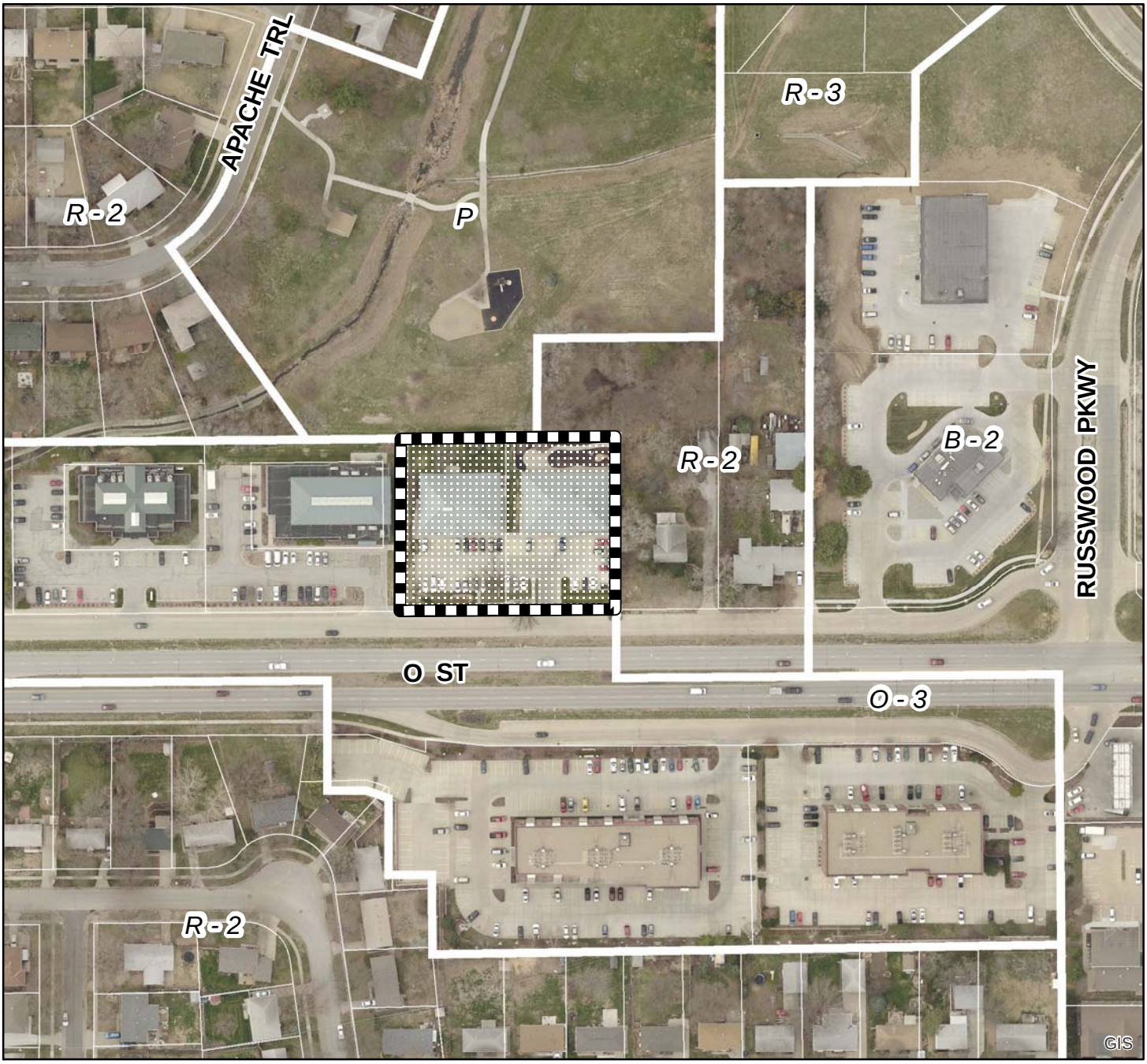
There were no ex parte communications disclosed.

Commissioner Scheer declared a conflict of interest on **Street and Alley Vacation No. 16003** and exited the chambers for the hearing and vote on the Consent Agenda.

Item 1.1, **County Preliminary Plat No. 16002**, was removed from the Consent Agenda and had separate public hearing.

Beecham moved approval of the remaining Consent Agenda, seconded by Corr and carried 7-0: Beecham, Cornelius, Corr, Harris, Sunderman, Weber and Hove voting 'yes'; Scheer abstaining; Lust absent.

Note: This is final action on **COUNTY SPECIAL PERMIT NO. 16026 and USE PERMIT NO. 145B,** unless appealed to the County Board or the City Council by filing a letter of appeal with the County or City Clerk within 14 days.



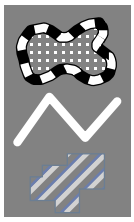
2013 aerial

Use Permit #: UP151A
East O Street Office Park
Russwood Pkwy & O St

Zoning:

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

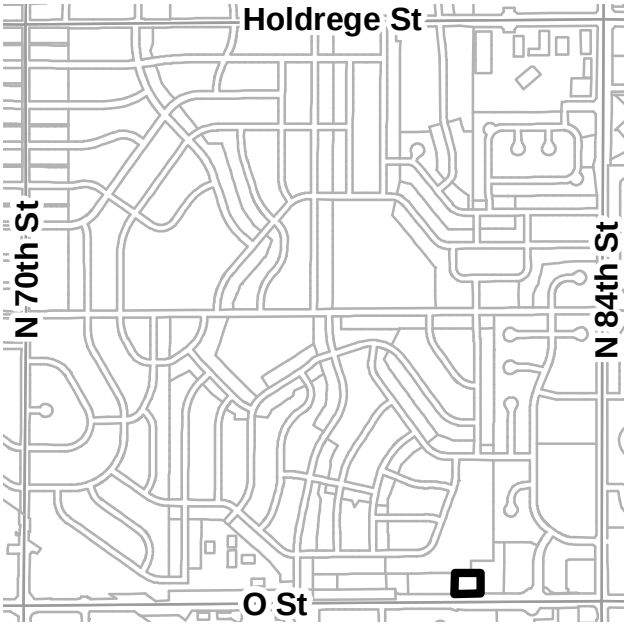
One Square Mile:
Sec.22 T10N R07E



Area of Application

Zoning Jurisdiction Lines

Lancaster County Jurisdiction



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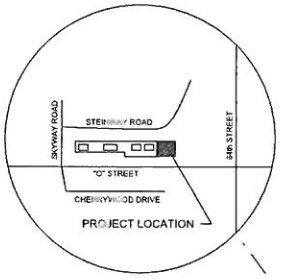
File: F:\DevReview\PlannerPacket\MXD\Agendadrawings.mxd (UP151A)

EAST "O" OFFICE PARK

AMMENDED USE PERMIT

SITE PLAN



VICINITY MAP
NOT TO SCALE

BLOCK 1 LAND USE & PARKING SUMMARY

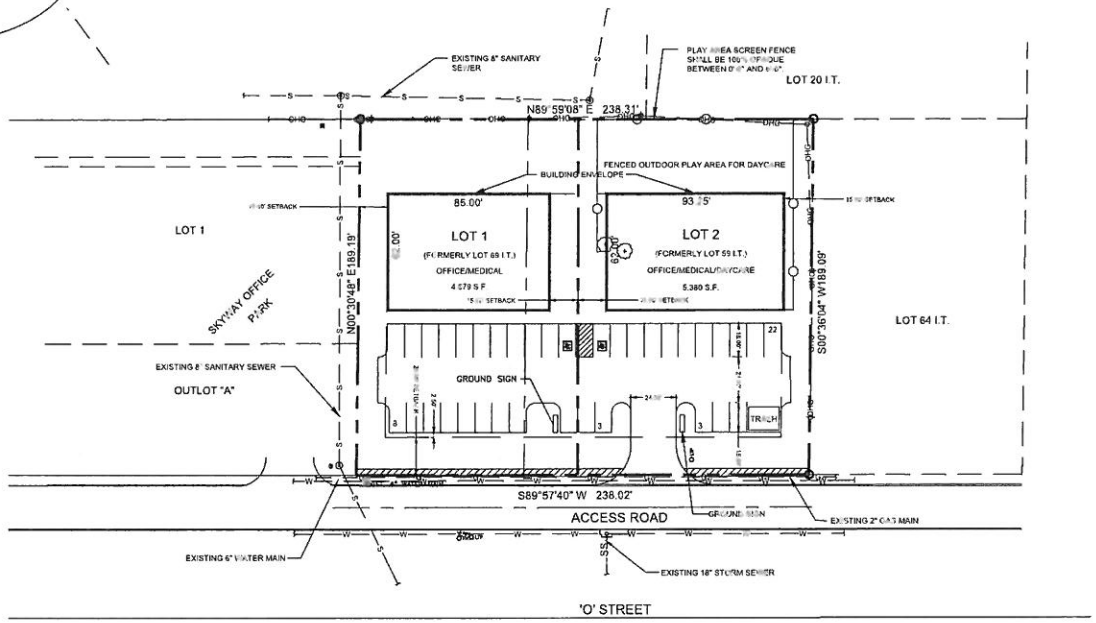
BLOCK	LOT	ZONE	FLOOR AREA (S.F.)	USE	PARKING	HEIGHT (ft)
1	1	O-3	4,679	OFFICE/MEDICAL	16	25
	2	O-3	5,330	OFFICE/MEDICAL/DAYCARE*	18	25
TOTAL			10,009		34	

* 10 STALLS FOR EMPLOYEES + 9 STALLS FOR LOADING UNLOADING = 19 STALLS
(60 CHILDREN MAX. CAPACITY) 10 + 9 STALLS (NOTED WITH * ON SITE PLAN)

SHEET INDEX

SHEET 1 OF 3	SITE PLAN
SHEET 2 OF 3	GRADING PLAN AND DRAINAGE STUDY
SHEET 3 OF 3	LANDSCAPE PLAN

SCALE: 1"=30'
0 15 30 60
SCALE IN FEET



ORIGINAL ENGINEER & PREPARER
OLSSON ASSOCIATES
1111 LINCOLN MALL
LINCOLN, NE 68501
PHONE 474-6311

OWNER & DEVELOPER
DJT ENTERPRISES, LLC
8525 EXECUTIVE WOODS DRIVE
LINCOLN, NE 68512

PREPARER OF AMENDMENT
CIVIL DESIGN GROUP, INC.
8535 EXECUTIVE WOODS DRIVE, SUITE 200
LINCOLN, NE 68512
PHONE 402-434-5494

LEGAL DESCRIPTION

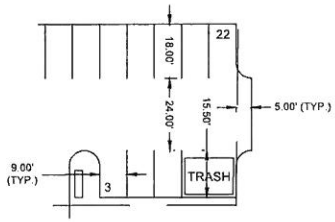
LOT 1 & LOT 2 EAST "O" STREET OFFICE PARK ADDITION

GENERAL NOTES

1. SANITARY SEWER AND WATER LINES TO BE 8" PIPE UNLESS OTHERWISE SHOWN. STORM SEWER SHALL BE CONSTRUCTED USING APPROVED PIPE MATERIALS OF THE BUILDING AND SAFETY PLUMING DEPARTMENT. PUBLIC AND PRIVATE UTILITIES TO BE BUILT TO CITY OF LINCOLN SPECIFICATIONS.
2. ALL PAVEMENT RETURN RADII TO BE 20' (MIN.) UNLESS OTHERWISE NOTED.
3. THE DEVELOPER AGREES TO COMPLY WITH THE DESIGN STANDARDS OF THE CITY OF LINCOLN FOR EROSION CONTROL AND SEDIMENTATION DURING AND AFTER LAND PREPARATION.
4. ALL SIDEWALKS SHALL BE 4' WIDE AND BUILT AS SHOWN.
5. ALL ELEVATIONS ARE TO NAVD 1988.
6. ALL OUTLOTS, MEDIANS, AND PRIVATE ROADWAYS WITHIN THIS USE PERMIT SHALL BE MAINTAINED BY AN ASSOCIATION OF PROPERTY OWNERS.
7. THE PROPERTY IS CURRENTLY ZONED O-3.
8. THE EXISTING BUILDINGS ARE TO BE DEMOLISHED.
9. ALL CONSTRUCTION ACTIVITIES ADJACENT TO HERBERT PARK WILL BE COORDINATED WITH THE PARKS AND RECREATION DEPARTMENT.
10. LOT 59 I.T. AND LOT 69 I.T. ARE CURRENTLY BEING REPLATTED IN ACCORDANCE WITH THE PROPOSED LOT CHANGES.

USE PERMIT NOTES

1. ALL EAVES, CANOPIES AND OTHER BUILDING PROJECTIONS MAY EXTEND OVER THE BUILDING ENVELOPES LINES BUT NOT LOT LINES.
2. THE DEVELOPER RESERVES THE RIGHT TO BUILD ANYWHERE WITHIN THE BUILDING ENVELOPES /LOT SHOWN ON EACH LOT.
3. ALL DRIVES SHALL BE 24' WIDE TYPICAL UNLESS OTHERWISE NOTED.
4. SIGN LOCATION IS CONCEPTUAL. THE EXACT LOCATION WILL BE SHOWN AT TIME OF BUILDING PERMIT & WILL BE PER ZONING ORDINANCE 27.69.
5. ALL DISABLED PARKING STALLS SHALL BE IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, (FEDERAL REGISTER/VOL. 56, NO. 144/RULES AND REGULATIONS).
6. ATHLETIC FENCES, DECORATIVE STRUCTURES, & ACCESSORY BUILDINGS ARE NOT SHOWN ON THE SITE PLAN IF THEY ARE 25' X 25' OR SMALLER AND ARE CONSTRUCTED OUTSIDE OR SETBACKS, SIGHT TRIANGLES, EATEMENTS AND REQUIRED MINIMUM PARKING, AND ARE BUILT ACCORDING TO THE ZONING ORDINANCE PROVISIONS, AND ARE IN CONFORMANCE WITH ALL OTHER APPLICABLE CODES.
7. MINOR ADJUSTMENTS IN THE FLOOR AREA OR EACH BUILDING MAY BE MADE AT TIME OF BUILDING PERMIT, PROVIDED THE TOTAL IN THE WHOLE USE PERMIT DOES NOT EXCEED 11,500 S.F., HOWEVER THE MINIMUM NUMBER OF PARKING STALLS AS SPECIFIED IN CHAPTER 27.67 OF THE ZONING ORDINANCE MUST BE MET.
8. WE ARE REQUESTING A COMMON ACCESS EASEMENT OVER ALL DRIVES AND PARKING STALLS.
9. ALL OUTSIDE LIGHTING SHALL MEET CITY OF LINCOLN DESIGN STANDARDS FOR PARKING LOTS.
10. A METES AND BOUNDS DESCRIPTION OF AN EASEMENT WHICH IS ACCEPTABLE TO LES WILL BE PROVIDED. THIS EASEMENT WILL BE COORDINATED WITH AND PROVIDED TO LES PRIOR TO LES INSTALLATION.
11. THE PARKING LOT LAYOUT SHALL COMPLY WITH CITY OF LINCOLN DESIGN STANDARDS.



TYPICAL PARKING DETAIL
N.T.S.

LEGEND

W	EXISTING WATER MAIN
S	EXISTING SANITARY SEWER
SS	EXISTING STORM SEWER
G	EXISTING GAS MAIN
	PROPOSED PROPERTY LINE
	PROPOSED BUILDING ENVELOPE
	EXISTING PROPERTY LINE
	EXISTING TREE

WAIVER

1. MEDICAL PARKING SHALL BE PERMITTED WITH A PARKING RATIO OF 1 PER 300 S.F.

Civil Design Group, Inc.
8535 EXECUTIVE WOODS DR., SUITE 200
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www.cdgllc.com
CONSULTING ENGINEERS • LAND USE PLANNERS
CIVIL DESIGN • SITE DEVELOPMENT • PLANNING AND ZONING

REVISIONS

	DATE	DESCRIPTION
A		

EAST 'O' OFFICE PARK
USE PERMIT 151

SITE PLAN

2016

LINCOLN, NEBRASKA

drawn by: JSI
checked by: -
approved by: -
project no: 2016-0053
drawing no.: -
date: 05.24.2016

SHEET
1 OF 3

DWG: F:\Projects\2016\2016-0053\Landscaping\AA\160052_AA.dwg
DATE: May 25, 2016 9:05am
USER: JS Schurman
XREFS: 160052-base

Civil Design Group, Inc.

Consulting Engineers & Land Use Planners
Civil Design • Site Development • Planning & Zoning

www.civildg.com

May 25, 2016

Mr. David Cary, Director of Planning
City of Lincoln /Lancaster County
555 South 10th Street, Room 213
Lincoln, NE 68508

Re: Amendment to East O Street Office Park Use Permit #151
CDG Project #2016-0032.

Dear Mr. Cary:

On behalf of DJT Enterprises, LLC, we submit the above mentioned amendment to the East O Street Office Park Use Permit #151. With this amendment we are adding medical office uses and requesting a waiver of the medical parking requirement of 1 stall for every 225 sq. feet to be at the standard office ratio of 1 stall per 300 sq. feet. This waiver is consistent with the proposed ordinance change that staff is proposing for review by the Planning Commission and City Council this summer.

In conjunction with this submittal we have included the following:

Amended Use Permit Application and fee $792.00
Plans uploaded via Project Dox.

We have worked with staff on this application and hope that this letter and associated plans provide you with enough information to review this Use Permit Amendment. As always, please call me at (402) 434-8494 if you have questions.

Sincerely,

Mike Eckert, AICP

Encl

cc: DJT Enterprises, LLC

/Volumes/share/F/Projects/2016/20160032/Landplanning/Doc/Use Permit Amendment-planning_5-25-16.doc

Office 402•434•8494 8535 Executive Woods Dr., Suite 200 • Lincoln, NE 68512 Fax 866•215•8747