

MEETING RECORD

NAME OF GROUP: PLANNING COMMISSION

DATE, TIME AND PLACE OF MEETING: Wednesday, January 22, 2014, 1:00 p.m., Hearing Room 112 on the first floor of the County-City Building, 555 S. 10th Street, Lincoln, Nebraska

MEMBERS IN ATTENDANCE: Cathy Beecham, Michael Cornelius, Tracy Corr, Maja Harris, Jeanelle Lust, Dennis Scheer, Lynn Sunderman and Ken Weber (Chris Hove absent); Marvin Krout, Steve Henrichsen, Brian Will, Christy Eichorn, Paul Barnes, Jean Preister and Teresa McKinstry of the Planning Department; media and other interested citizens.

STATED PURPOSE OF MEETING: Regular Planning Commission Meeting

Chair Jeanelle Lust called the meeting to order and acknowledged the posting of the Open Meetings Act in the back of the room.

Lust requested a motion approving the minutes for the regular meeting held January 8, 2014. Sunderman moved approval, seconded by Cornelius and carried 8-0: Beecham, Cornelius, Corr, Harris, Lust, Scheer, Sunderman and Weber voting 'yes'; Hove absent.

CONSENT AGENDA
PUBLIC HEARING & ADMINISTRATIVE ACTION
BEFORE PLANNING COMMISSION:

January 22, 2014

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

The Consent Agenda consisted of the following items: **SPECIAL PERMIT NO. 1753C.**

Item No. 1.1, Special Permit No. 1753C, was removed from the Consent Agenda and had separate public hearing.

STREET & ALLEY VACATION NO. 06007
TO VACATE PINE RIDGE LANE WEST OF THE
WEST LINE OF WESTSHORE DRIVE, AT
APPROXIMATELY HIGHWAY 2 AND ASHBROOK DRIVE.

CONT'D PUBLIC HEARING BEFORE PLANNING COMMISSION: January 22, 2014

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

The Clerk announced that the applicant has submitted a request for an additional deferral of the continued public hearing until February 19, 2014.

Cornelius moved to defer, with continued public hearing and action scheduled for Wednesday, February 19, 2014, seconded by Corr and carried 8-0: Scheer, Harris, Beecham, Corr, Weber, Sunderman, Cornelius and Lust voting 'yes'; Hove absent.

There was no public testimony.

SPECIAL PERMIT NO. 985A,
AN AMENDMENT TO THE KESS KOVE COMMUNITY UNIT PLAN,
ON PROPERTY GENERALLY LOCATED AT
SOUTH 60TH STREET AND KESS DRIVE.

PUBLIC HEARING BEFORE PLANNING COMMISSION: January 22, 2014

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

The Clerk announced that the applicant has submitted a request for a two-week deferral of the public hearing until February 5, 2014.

Cornelius moved to defer, with continued public hearing and action scheduled for Wednesday, February 5, 2014, seconded by Corr and carried 8-0: Scheer, Harris, Beecham, Corr, Weber, Sunderman, Cornelius and Lust voting 'yes'; Hove absent.

There was no public testimony.

USE PERMIT NO. 149A,
TO RECONFIGURE THE BUILDING AND
PARKING LAYOUT SOUTH OF JAMIE LANE,
WEST OF SOUTH 27TH STREET.

CONT'D PUBLIC HEARING BEFORE PLANNING COMMISSION: January 22, 2014

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

The Clerk announced that the applicant has submitted a request for an additional two-week deferral of the public hearing until February 5, 2014.

Cornelius moved to defer, with continued public hearing and action scheduled for Wednesday, February 5, 2014, seconded by Corr and carried 8-0: Scheer, Harris, Beecham, Corr, Weber, Sunderman, Cornelius and Lust voting 'yes'; Hove absent.

There was no public testimony.

**SPECIAL PERMIT NO. 1753C,
AN AMENDMENT TO THE VAVRINA MEADOWS
1ST ADDITION COMMUNITY UNIT PLAN,
ON PROPERTY GENERALLY LOCATED AT
SOUTH 14TH STREET AND YANKEE HILL ROAD.
PUBLIC HEARING BEFORE PLANNING COMMISSION:**

January 22, 2014

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

Staff recommendation: Conditional approval, as revised.

This application was removed from the Consent Agenda due to a revised staff recommendation.

There were no ex parte communications disclosed.

Staff presentation: **Christy Eichorn of Planning staff** advised that additional comments were received from the Health Department after the staff report was written on this application. Health has expressed concern because there is a pipeline currently located in Yankee Hill Road. There are some standards on the federal level as to how far dwelling units should be located near one of these pipelines. Staff met with the applicant and the applicant has agreed to keep the 12 additional units north of Cody Drive. Therefore, the conditions of approval are revised to provide that the 12 additional approved units would be located north of Cody Drive outside of the buffer area needed for the pipeline.

Beecham wondered whether that condition will impact the parking. Eichorn explained that it is only the dwelling units that must be separated from the pipeline.

Proponents

The applicant did not testify.

There was no testimony in support or opposition.

ACTION BY PLANNING COMMISSION:

January 22, 2014

Beecham moved to approve the staff recommendation of conditional approval, as revised, seconded by Sunderman and carried 8-0: Scheer, Harris, Beecham, Corr, Weber, Sunderman, Cornelius and Lust voting 'yes'; Hove absent. This is final action, unless appealed to the City Council within 14 days.

**SPECIAL PERMIT/USE PERMIT NO. 8C,
AN AMENDMENT TO ALLOW AN ADDITION
OF 12,400 SQUARE FEET TO AN EXISTING BUILDING
AND MODIFY THE PARKING REQUIREMENTS FOR
DOCTORS' OFFICES, ON PROPERTY GENERALLY
LOCATED AT SOUTH 70TH STREET AND A STREET.**

CONT'D PUBLIC HEARING BEFORE PLANNING COMMISSION: January 22, 2014

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

Staff recommendation: Conditional approval.

Ex Parte Communications: Beecham disclosed that one of the partners in the group is a client of hers on an unrelated business matter; however, they have not had any communication about this application.

Staff presentation: **Paul Barnes of Planning staff** explained that this is a proposed amendment to Lincoln Orthopaedic Center for an addition to the building of approximately 12,400 sq. ft. This could not be approved by administrative amendment because the increase is more than 15% of the permitted floor area. The applicant is also requesting a reduction of the parking requirements for medical office from 1 space/225 sq. ft. to 1 space/300 sq. ft. Barnes advised that staff supports this waiver. This waiver has been accomplished in other medical office sites as well. More recently, the Piedmont PUD was allowed 1 space/600 sq. ft., which was supported and approved by Planning Commission.

Barnes went on to state that this application was removed from the Consent Agenda at the last meeting due to opposition from the operators of Prairie Life Fitness. Staff and the applicant did meet with them and addressed their parking concerns, and they are no longer opposed.

Beecham inquired as to the total number of parking spaces being reduced. Barnes stated that it would be about 40, but because of the special permit/use permit, parking is reviewed based on the entire area as opposed to only the area of this amendment. Typically, each use would need to provide parking which meets the parking requirements on their own site,

but all four parcels are included in the permit so the parking is considered collectively. There is a cross-parking agreement so this applicant does exceed the minimum parking requirements.

If they did not have the reduced parking requirements, Corr wanted to know how many stalls they would be required to have. Barnes stated that the difference is 42 spaces. If they go to 1 space/300 sq. ft., they are under the requirement by 42 spaces. The entire site still exceeds the parking requirements.

Corr needed clarification as to where they are lacking parking spaces. Barnes further explained that the waiver would apply in the event they would add another addition to the building. In that analysis, the staff considered the parking spaces provided as a whole throughout the entire area, allowing for the shared parking and the easement for cross-parking that would still exist.

Corr suggested that they really have enough parking now, so the parking would be an issue only upon even further expansion. Barnes agreed. They would meet the 1 space/225 sq. ft. today, but they are looking toward the future and requesting the waiver now in the event they would do another addition.

Proponents

1. Dan Rosenthal, REGA Engineering Group, testified on behalf of applicant, **Lincoln Orthopaedic**. The applicant did meet with the owners of Prairie Life last week and the intent is that once this addition and all of the parking is built, all of the employee parking will move to the west, opening up the parking area for Grandmothers, etc. The purpose of the waiver is to not have to do any additional paving in the future.

There was no testimony in opposition.

ACTION BY PLANNING COMMISSION:

January 22, 2014

Cornelius moved to approve the staff recommendation of conditional approval, seconded by Scheer.

Corr does have some hesitations about this. Normally she is not against waiving parking requirements but she has had an experience with this facility where it was difficult to find a parking space close enough for an elderly individual who needed help getting into the building. She does not know how this can be addressed.

Rosenthal reapproached to advise that the owner recognizes this issue and they will be increasing the ADA parking in front of the building, plus 145 employees will be moving to

the west of the building which will open up more parking. The drop-off area will be rebuilt as well. There will also be a new separate entrance and exit for the people coming out of surgery.

Lust stated that she will support the request. It seems that they are anticipating future need but the parking requirements are met by the inclusion of the entire site.

Motion for conditional approval carried 8-0: Scheer, Harris, Beecham, Corr, Weber, Sunderman, Cornelius and Lust voting 'yes'; Hove absent. This is a recommendation to the City Council.

There being no further business, the meeting was adjourned at 1:20 p.m.

Please note: These minutes will not be formally approved until the next regular meeting of the Planning Commission on February 5, 2014.