

## LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

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**P.A.S.:** Combined Use Permit/Special Permit #20

**DATE:** April 29, 2002

**PROPOSAL:** To convert 1,800 square feet of office space within an existing office building into space for medical testing laboratories.

**WAIVER REQUEST:** None. An adjustment to side yard setback on the south property line was granted with Use Permit #60.

**LAND AREA:** 4.02 acres

**CONCLUSION:** The change in use is compatible with other office uses and meets the parking requirements for the district, provided that certain clarifications are added to the plans.

<b><u>RECOMMENDATION:</u></b>	Conditional Approval
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### **GENERAL INFORMATION:**

**LEGAL DESCRIPTION:** Taylor Meadows Office Park Condominium Units 101, 102, and 301; located on Lots 1, 2 and 3 and Outlot "A", Taylor Meadows Office Park Addition, located in the SW 1/4 of Section 28, T10N, R7E of the 6<sup>th</sup> P.M., Lancaster County, Nebraska.

**LOCATION:** S. 70<sup>th</sup> Street and Teton Drive

**APPLICANT:** Condominium Unit #101  
Security Federal Savings  
1330 N Street  
Lincoln, NE 68508

Condominium Units #102, 301  
CPW Partnership  
300 N. 44<sup>th</sup> Street - Suite 100  
Lincoln, NE 68508

**OWNER:** same

**CONTACT:** DaNay Kalkowski  
Seacrest & Kalkowski  
1111 Lincoln Mall - Suite 350  
Lincoln, NE 68508  
(402) 435-6000

**EXISTING ZONING:** O-3 Office Park District

**EXISTING LAND USE:** 55,000 square foot office building

**SURROUNDING LAND USE AND ZONING:**

North: R-3    Apartments in a C.U.P.  
South:    O-3    Office building  
East:      P      East High School  
West:     R-3    Two-family housing

**HISTORY:    July 23, 1996**      The Planning Director approved an administrative amendment which removed a prohibition against medical clinics in the office building.

**August 12, 1993**      City Council approved Use Permit #60A, which increased the floor area of the building to 55,000, added a drive-through teller facility, showed the land being subdivided into lots, and moved the sign.

**December 21, 1992**    City Council approved Use Permit #60, which allowed a 52,400 sq ft office building and adjusted the side yard along the south property line as shown on the plan (to 10 feet). Change of Zone 2724, from R-3 to O-3, was approved as well.

**1979**                    The property was converted from A-1 Single Family to R-3 Residential in the Zoning Update.

**COMPREHENSIVE PLAN SPECIFICATIONS:** The Comprehensive Plan designates this area as Commercial, which encompasses areas of retail, office and service uses (p 53).

**UTILITIES:** Available

**TOPOGRAPHY:** The ground slopes from S. 70<sup>th</sup> Street west to a drainage swale.

**TRAFFIC ANALYSIS:** S. 70<sup>th</sup> Street is classified as a minor arterial

**PUBLIC SERVICE:** City of Lincoln Fire and Police. The nearest fire station is located at Cotner Boulevard and A Street.

**ANALYSIS:**

1. Per §27.63.390, medical testing laboratories are allowed in the O-3 district by special permit.

2. The office park currently meets the parking requirements for the O-3 district (1 space per 300 square feet). Including the parking garage stalls, there is adequate parking for 34,000 square feet of medical offices.
3. The site plan should specify a maximum amount of permitted medical office use because there would not be enough parking on site if the entire building were converted to medical office use.
4. This is converted from Use Permit #60A to a combined Use Permit/Special Permit because there is an application for a special permitted use within the approved Use Permit.

**CONDITIONS:**

Site Specific:

1. This approval permits 55,000 square feet of office uses, subject to the following maximums:
  - 1.1 1,800 square feet for medical testing laboratories
  - 1.2 34,000 square feet for doctor's/dentist's/medical offices
2. The medical testing laboratory is to meet appropriate local and state licensing requirements.

General:

3. Before receiving building permits:
  - 3.1 The permittee shall complete the following instructions and submit the documents and plans to the Planning Department office for review and approval.
    - 3.1.1 A revised site plan including 5 copies showing the following revisions:
      - 3.1.1.1 Revise the "Buildings" table to reflect the maximum amount of medical testing laboratory and medical office space.
      - 3.1.1.2 Revise the parking table to include required parking calculations.
      - 3.1.1.3 Change the title block to "Combined Use Permit/Special Permit #20 - based on Use Permit #60A".

3.1.2 5 copies of the approved site plan.

3.2 The construction plans comply with the approved plans.

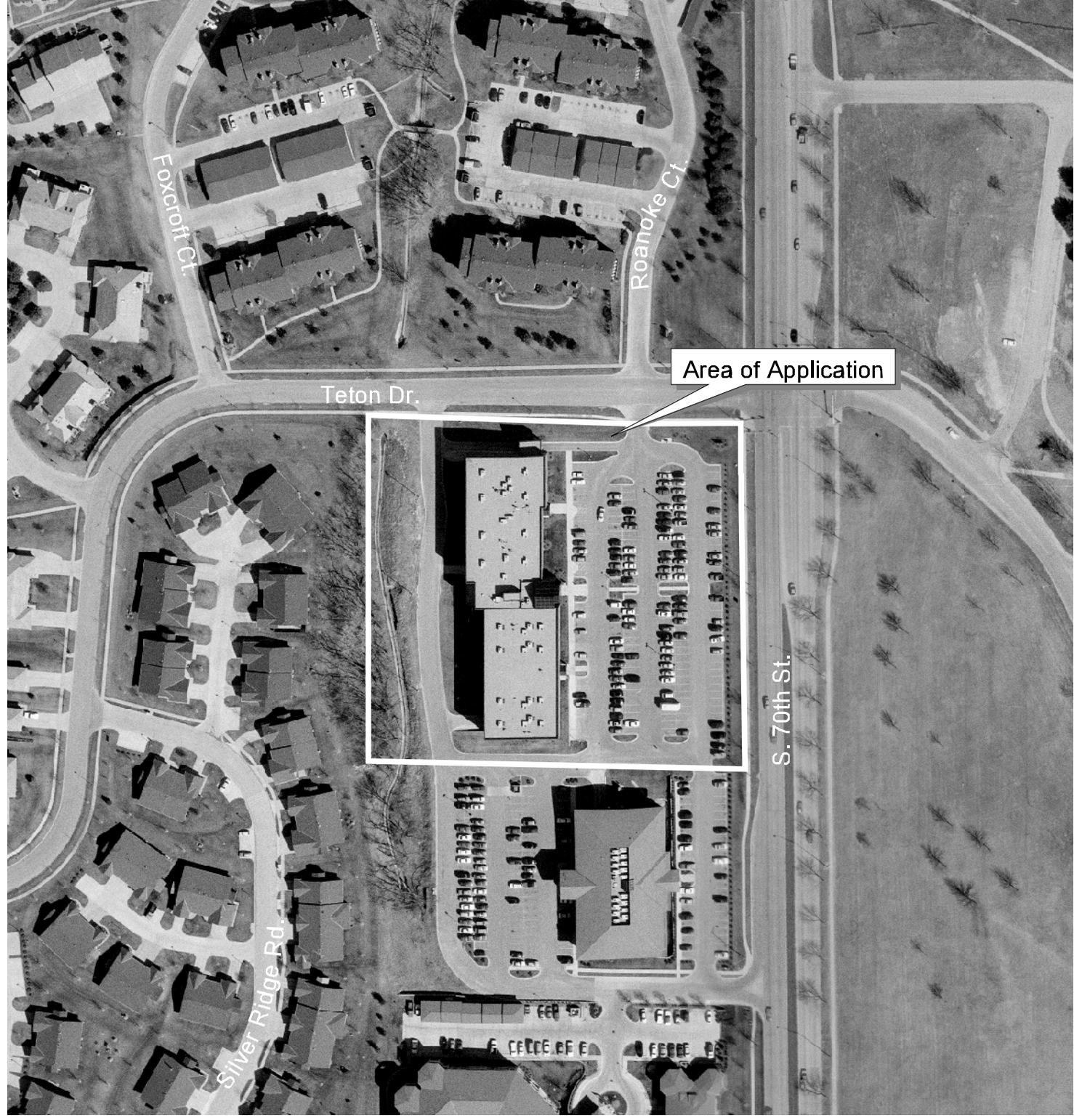
STANDARD CONDITIONS:

4. The following conditions are applicable to all requests:
  - 4.1 Before occupying this office park and medical testing laboratory all development and construction is to comply with the approved plans.
  - 4.2 All privately-owned improvements, including landscaping and recreational facilities, are to be permanently maintained by the owner or an appropriately established property owners association approved by the City.
  - 4.3 The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
  - 4.4 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
  - 4.5 The applicant shall sign and return the letter of acceptance to the City Clerk within 30 days following the approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filling fees therefor to be paid in advance by the applicant.
5. The site plan as approved with this resolution voids and supersedes all previously approved site plans, however all resolutions approving previous permits remain in force unless specifically amended by this resolution.

Prepared by

Jason Reynolds  
Planner

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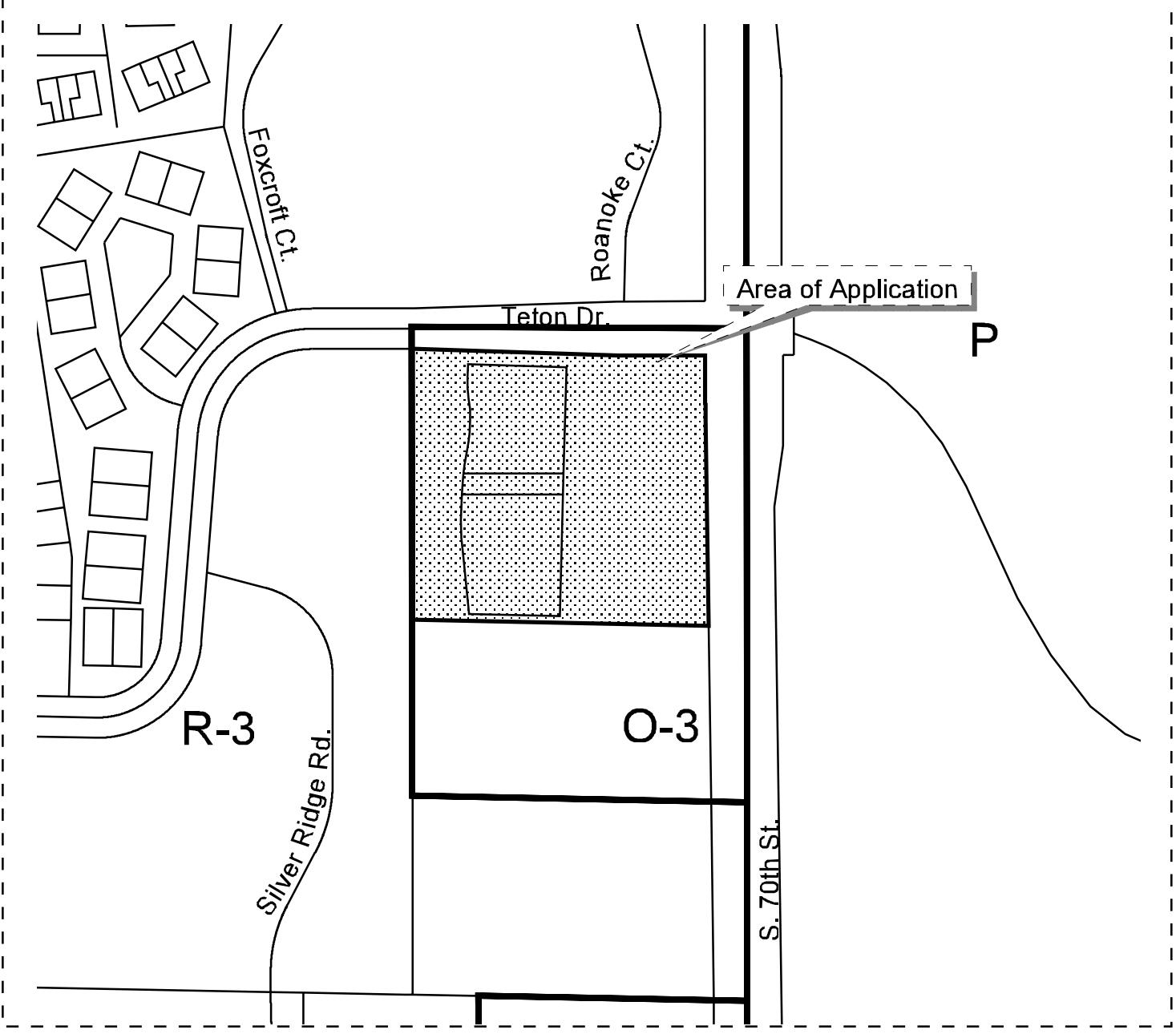


Area of Application

S. 70th St.

**Combine Special / Use Permit #20**  
**S. 70th & Teton Dr.**  
**Taylor Meadows**

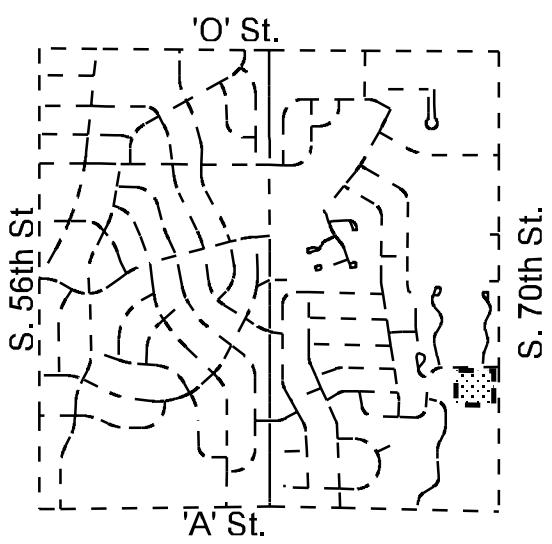
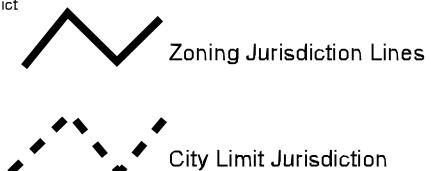




**Combine Special / Use Permit #20**  
**S. 70th & Teton Dr.**  
**Taylor Meadows**

- Zoning:**
- R-1 to R-8 Residential District
  - AG Agricultural District
  - AGR Agricultural Residential District
  - R-C Residential Conservation 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. 28 T10N R7E



# Memo



**To: Jason Reynolds, Planning Department**

**From: Mark Canney, Parks & Recreation**

**Date: April 22, 2002**

**Re: Taylor Meadows Combined SP/UP #20**

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Staff members of the Lincoln Parks and Recreation Department have conducted a plan review of the above-referenced application/proposal and have no comments.

If you have any additional questions, comments or concerns, please feel free to contact me at 441-8248. Thank you.



**MICHAEL WOOLMAN**  
<lpd737@CJIS.CI.LIN  
COLN.NE.US >

04/22/2002 08:43  
AM

To: Jason Reynolds <JReynolds@ci.lincoln.ne.us >  
cc:  
Subject: Taylor Meadows

Jason,

The Lincoln Police Department has no objections to Taylor Meadows combined SP/UP #20.

Michael S. Woolman  
Planning Sergeant  
Lincoln Police Department

# City of Lincoln, Nebraska

## IMPORTANT

**All revisions to plans must include Building Permit # and Job Address.**

Return this report with two sets of corrected plans. The corrections noted below are required to be made to the plans prior to issuance of a permit. Please indicate under each item where the correction is made by plan sheet number or plan detail number.

A separate set of plans for review and final approval must be submitted by the licensed installing contractor/s if fire suppression systems, sprinklers, dry powder, fire alarm systems or underground tanks are installed.

## Plan Review Comments

Permit # **DRF02052**

Address

Job Description: TAYLOR MEADOW'S

Location: TAYLOR MEADOWS

Special Permit: Y 20

Preliminary Plat: N

Use Permit: Y

CUP/PUD: N

Requested By: JASON REYNOLDS

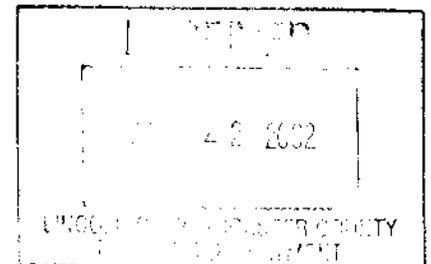
Status of Review: Approved

Reviewer: FIRE PREVENTION/LIFE SAFETY CODE      BOB FIEDLER

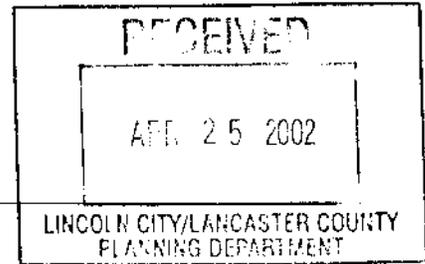
Comments:

### Current Codes in Use Relating to Construction Development in the City of Lincoln:

- 1997 Uniform Building Code and Local Amendments
- 1994 Nebraska Accessibility Guidelines (Patterned after and similar to ADA guidelines)
- 1989 Fair Housing Act As Amended Effective March 12, 1989
- 1979 Zoning Ordinance of the City of Lincoln as Amended including 1994 Parking Lot Lighting Standards
- 1992 Lincoln Plumbing Code (The Lincoln Plumbing Code contains basically the 1990 National Standard Plumbing Code and local community Amendments.)
- 1999 National Electrical Code and Local Amendments
- 1997 Uniform Mechanical Code and Local Amendments
- 1994 Lincoln Gas Code
- 1994 NFPA 101 Life Safety Code
- 1997 Uniform Fire Code and Local Amendments
- Applicable NFPA National Fire Code Standards



# M e m o r a n d u m



**To:** Jason Reynolds, Planning

**From:** *M*Dennis Bartels, Engineering Services

**Subject:** Taylor Meadows Combined Special Permit / Use Permit #20

**Date:** April 23, 2002

**cc:** Roger Figard  
Randy Hoskins

Engineering Services finds the request to utilize a portion of the authorized square footage of the office building at 70th and Teton for a medical testing laboratory to be satisfactory.



**Rodger P Harris**

04/30/2002 04:11 PM

To: Jason W Reynolds/Notes@Notes  
cc: Chuck A Zimmerman/Notes@Notes  
Subject: Re: Combined SP/UP #20

Jason;

While there is no definition for medical testing laboratories in the zoning code, the phone question I received proposed the use of a portion of the existing building for the purpose of medical testing of specimens, which I believe is a medical testing laboratory. The application for Combined Use/Special Permit No. 20 does not provide any different information. The O-3 district allows office building uses, which may be the offices of doctors and dentists, and also allows medical testing laboratories, by special permit, as separate and distinct uses. I do not believe the additional parking requirement for "Doctors and dentists' offices", at Section 27.67.040 LMC, is applicable to a medical testing laboratory use. Therefore the parking requirement for the medical testing laboratory use would be based on the O-3 district requirement, and not require any parking count change from the existing Use Permit 60 development plan and amendments thereto.

Jason W Reynolds



**Jason W Reynolds**

04/29/2002 06:47 PM

To: Rodger P Harris/Notes@Notes  
cc:  
Subject: Combined SP/UP #20

Rodger -

Could you please send me some comments on the medical testing facility in Taylor Meadows? I'd like a quick explanation of why the permit is required and whether the permit meets the parking requirements - does this count as doctor/dentist office for the purposes of parking?

Thanks!

>Jason

# SEACREST & KALKOWSKI, P.C.

1111 LINCOLN MALL, SUITE 350  
LINCOLN, NEBRASKA 68508-3905

TELEPHONE (402) 435-6000  
FACSIMILE (402) 435-6100  
E-MAIL: cathie@sklaw.inetncbr.com

KENT SEACREST  
DANAY KALKOWSKI

April 30, 2002

## VIA FACSIMILE

Jason Reynolds  
Planning Department  
County-City Building  
555 South 10<sup>th</sup> Street  
Lincoln, NE 68508

RE: Taylor Meadows Combined Use Permit/Special Permit

Dear Jason:

The purpose of this letter is to provide you with some additional information with respect to our request on behalf of Security Federal Savings and CPW Partnership for a special permit allowing 1,800 square feet of medical testing laboratories on the property that is currently covered by the Taylor Meadows Use Permit No. 60A. The tenant our clients have been working with for the use of the space is a clinical laboratory who will be doing blood and urine testing on site. Particularly, they will be completing the following tests: complete blood counts, protime, routine urinalysis and sedimentation rate analysis. They will be working with doctors, hospitals, employers, and other parties who have use of their services.

If you have any questions or need any additional information, please give me a call.

Very truly yours,

  
DANAY KALKOWSKI  
For the Firm



# SEACREST & KALKOWSKI, P.C.

1111 LINCOLN MALL, SUITE 350  
LINCOLN, NEBRASKA 68508-3905

TELEPHONE (402) 435-6000  
FACSIMILE (402) 435-6100  
E-MAIL: cathie@sklaw.inetnebr.com

KENT SEACREST  
DANAY KALKOWSKI

April 18, 2002

Jason Reynolds  
Planning Department  
County-City Building  
555 South 10<sup>th</sup> Street  
Lincoln, NE 68508

RE: Combined Use Permit/Special Permit

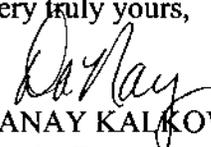
Dear Jason:

On behalf of Security Federal Savings and CPW Partnership we are hereby requesting a special permit to allow 1,800 square feet of medical testing laboratories on the property that is currently covered by the Taylor Meadows Use Permit No. 60A. Enclosed please find the following:

1. 16 copies of the site plan
2. 8 ½ x 11 copy of the site plan
3. Application for Combined Use Permit/Special Permit
4. Combined Use Permit/Special Permit fee in the amount of \$975

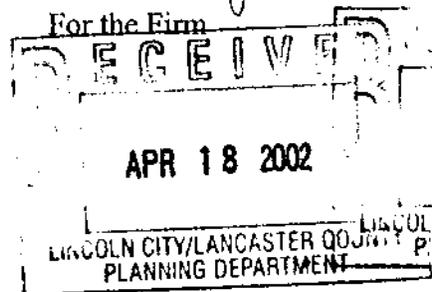
An ownership certificate has been ordered on the property and will be delivered to you Monday. We believe the use of 1,800 square feet of the property as medical testing laboratories will be complementary to the medical office uses currently permitted under Use Permit No. 60A. If you have any questions regarding the enclosed, please feel free to contact me or Brian Carstens at 434-2424.

Very truly yours,

  
DANAY KALKOWSKI  
For the Firm

Enclosures

cc: Don Linscott



# TAYLOR MEADOWS OFFICE PARK

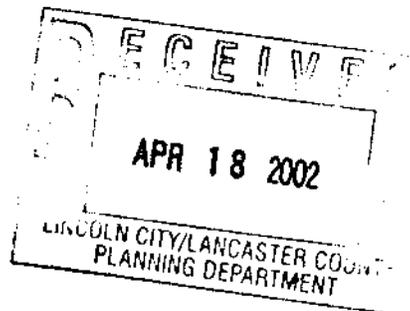
USE PERMIT #60A & SPECIAL PERMIT # \_\_\_\_\_

## LEGAL DESCRIPTION

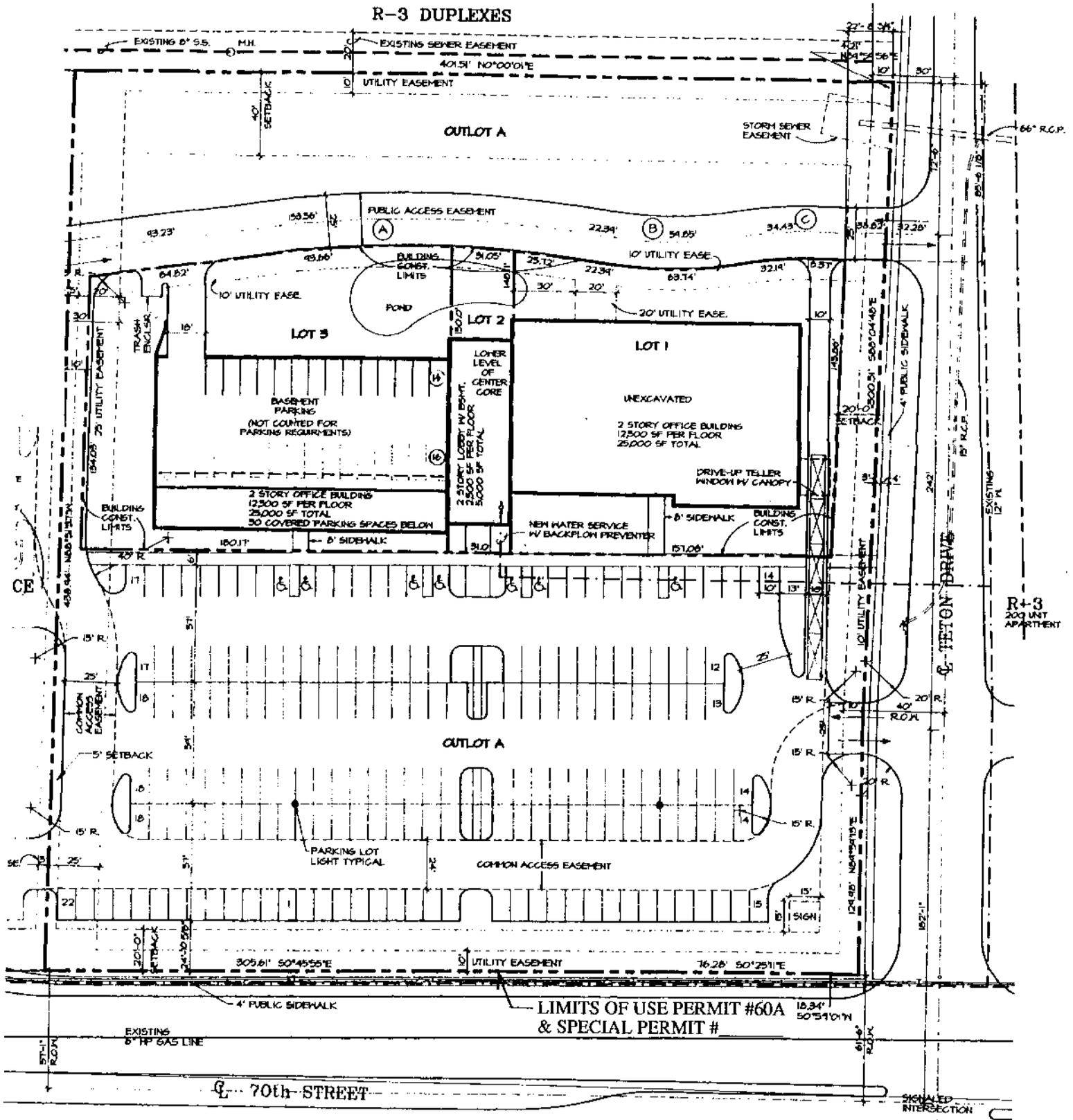
TAYLOR MEADOWS OFFICE PARK CONDOMINIUM UNITS 101, 102, & 301, FORMERLY KNOWN AS LOTS 1, 2, 3 AND OUTLOT 'A', TAYLOR MEADOWS OFFICE PARK ADDITION, CONTAINING A CALCULATED AREA OF 4.02 ACRES MORE OR LESS.

## GENERAL NOTES

1. PUBLIC UTILITIES ARE LOCATED IN ADJACENT PUBLIC STREETS. SANITARY SEWER IS LOCATED IN 20' EASEMENT ADJACENT TO THE WEST PROPERTY LINE.
2. THE HEIGHT OF BUILDINGS WILL NOT EXCEED 45 FEET.
3. SIDEWALKS TO BE BUILT ALONG ADJACENT PUBLIC STREETS AND AS SHOWN.
4. ALL DIMENSIONS ALONG CURVES ARE CHORD DISTANCES.
5. DIRECT VEHICULAR ACCESS TO 70TH STREET IS RELINQUISHED.
6. ALL DRIVE & PARKING PAVEMENTS TO BE BUILT TO CITY OF LINCOLN STANDARDS.
7. BLANKET EASEMENTS SHALL BE GRANTED OVER THE ENTIRE DEVELOPMENT FOR THE ALLTEL, TIME WARNER ENTERTAINMENT - ADVANCE/NEWHOUSE AND LINCOLN ELECTRIC SYSTEM.
8. BUILDINGS MAY BE CONSTRUCTED ANYWHERE IN THE SPECIFIED LOT LINES OF LOTS 1, 2 AND 3.
9. OUTLOT 'A' SHALL BE RESERVED FOR OPEN SPACE, PARKING AND DRIVES. LOTS 1, 2 AND 3 SHALL BE USED FOR OFFICE BUILDINGS.
10. LOTS 1, 2 AND 3 SHALL HAVE A GENERAL ACCESS EASEMENT ACROSS OUTLOT 'A'.
11. WATER SERVICE FOR EACH BUILDING SHALL BE PROVIDED AT THE BASEMENT OF THE CENTER CORE. EACH BUILDING SHALL BE GRANTED ACCESS TO THE WATER SERVICE WHERE IT ENTERS THE CORE AS SHOWN ON THE SITE PLAN. EACH LOT SHALL BE METERED SEPARATELY.
12. PARKING LOT LIGHTING SHALL MEET CITY DESIGN STANDARDS.
13. THIS SPECIAL PERMIT ALLOWS A MAXIMUM OF 1800 S.F. OF MEDICAL TESTING LABORATORIES AS PER SECTION 27.63.890 OF THE LINCOLN MUNICIPAL CODE.



R-3 DUPLEXES



LIMITS OF USE PERMIT #60A  
& SPECIAL PERMIT #

RECEIVED  
APR 18 2002  
LINCOLN CITY/LANCASTER COUNTY  
PLANNING DEPARTMENT