

FACTSHEET

TITLE: **TEXT AMENDMENT NO. 17007 -**
Amend Lincoln Municipal Code Sections
27.26.090 and 27.72.130(e) relating to the
location of buildings, structure, parking and
access drives in the O-2 Suburban Office
District.

BOARD/COMMITTEE: Planning Commission

APPLICANT: Madonna Centers

RECOMMENDATION: Approval (8-0: Beckius, Corr,
Finnegan, Harris, Washington, Weber, Scheer and Hove
voting 'yes'; Edgerton absent)

STAFF RECOMMENDATION: Approval.

OTHER DEPARTMENTS AFFECTED: N/A

SPONSOR: Planning Department

OPPONENTS: None present at hearing.

REASON FOR LEGISLATION:

To remove obsolete regulations from the Zoning Ordinance, as the existing text was specifically designed for two office buildings at S. 56th and South Streets, which are now owned by Madonna.

DISCUSSION/FINDINGS OF FACT:

1. This text amendment request, as well as the associated Special Permit No. 450Q, appeared on the Consent Agenda of the Planning Commission on April 26, 2017.
2. The staff recommendation of approval is based upon the "Analysis" as set forth on pp.1-2, concluding that the Zoning Ordinance sections in question are obsolete as they were developed for a set of circumstances which no longer exist. Repealing these sections is consistent with the Comprehensive Plan.
3. On April 26, 2017, the Planning Commission voted 8-0 (Edgerton absent) to recommend approval of this text amendment.
4. On April 26, 2017, the Planning Commission also voted 8-0 to adopt Resolution No. PC-01549, approving Special Permit No. 450Q.

FACTSHEET PREPARED BY: Geri Rorabaugh, Administrative Officer

DATE: May 1, 2017

REVIEWED BY: David R. Cary, Planning Director

DATE: May 1, 2017

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for April 26, 2017 PLANNING COMMISSION MEETING

PROJECT #: Text Amendment No. 17007

PROPOSAL: Amend Lincoln Municipal Code by Repealing Sections 27.26.090 and 27.72.130(e) relating to O-2 (Suburban Office District) open space requirements.

CONCLUSION: The Zoning Ordinance sections in question are obsolete as they were developed for a set of circumstances which no longer exist. Repealing these sections is consistent with the Comprehensive Plan.

<u>RECOMMENDATION:</u>	Approval
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GENERAL INFORMATION:

ASSOCIATED APPLICATIONS:

Special Permit No. 450Q for Madonna campus parking expansion

COMPREHENSIVE PLAN SPECIFICATIONS:

P 5.3 - Expansions of existing health care locations are expected and a wide variety of new facilities will likely come forward over time.

P 8.2 - Develop Lincoln as a major network of quality regional health care services at reasonable costs.

P 8.2 - Medical services, including physical and mental health care services, should be integrated and accessible within the community.

P 8.2 - Many of the existing medical facilities are located near existing residential neighborhoods and are expected to remain the vital core of health care services in the county and region.

P 8.6 - Hospitals represent one of the highest and most important community service land uses. Lincoln has a growing number of medical campuses such as Bryan LGH East and West, St. Elizabeth's Regional Medical Center, Madonna Rehabilitation hospital, Veterans Medical Center, Lincoln Surgical Hospital and the Nebraska Heart Institute.

P 8.7 - Provide for accessible physical and mental health care services in appropriate areas in and around residential neighborhoods.

P 8.7 - Plan for further construction on medical campuses.

ANALYSIS:

1. This is a request to amend the Zoning Ordinance to repeal Sections 27.26.090 and 27.72.130(e), identical text provisions, which pertain to open space requirements in the O-2 Zoning District. These specific sections of the Zoning Ordinance only pertain to the O-2 Zoning District and only when the circumstance exists where the parcel in question projects further from the street than the adjacent boundary line that is parallel to the street of the abutting B-1,B-3,B-4,H-2,H-3, or I-1 district.

In these instances, that portion of the O-2 district further from the street than those adjoining districts are required to be maintained as open space with landscaping improvement such as trees, shrubs, grasses, paths, fountains or benches.

2. The Zoning Ordinance text in question was specifically designed for two office buildings at S. 56th and South Streets (See attached map exhibit). At the time the text was adopted, the two office buildings were privately owned and not associated with Madonna. They also shared an odd lot line. The text amendment established a rear setback and rear open space along the diagonal lot line.
3. The Zoning Ordinance text was also developed at a time when there as an adjacent house, which is now removed, and Madonna's campus was further away. The circumstances for the text have been eliminated since Madonna bought both office buildings and are now incorporating them into their health care campus.
4. The text in question was crafted for one circumstance in the entire City, which no longer exists, and has not been used elsewhere.
5. The proposed text amendments will remove an obsolete set of requirements which no longer serve the purpose they were intended for and would otherwise only prevent Madonna from expanding their campus parking behind the two office buildings which they now own.
6. Repealing the text amendments in question will not negatively affect the adjacent B-1 property owner which is Cornhusker Bank. The proposed Madonna campus parking expansion would be located behind and on the opposite side of the two existing office buildings relative to the bank building.
7. The recommend approval of associated Special Permit No. 450Q for Madonna campus parking expansion is conditioned upon approval of this text amendment application.
8. The proposed text amendments to repeal Sections 27.26.090 and 27.72.130(e) of the Lincoln Municipal Code are consistent with the current ownership of parcels and the development pattern in the area as it pertains to Madonna's growing health care campus. This request is consistent with the Comprehensive Plan.

Prepared by:

George Wesselhoft, Planner
(402-441-6366, gwesselhoft@lincoln.ne.gov)

April 13, 2017

OWNER: Madonna Centers
5401 South Street
Lincoln, NE 68506
Email: rsicinski@madonna.org

APPLICANT: Trevor Hill - Erickson Sullivan Architects
1401 O Street, Suite 200
Lincoln, NE 68508
Email: trevor@ericksonsullivan.net

CONTACT: Robert Sicinski
5401 South Street
Lincoln, NE 68506
Email: rsicinski@madonna.org

TEXT AMENDMENT NO. 17007

CONSENT AGENDA
PUBLIC HEARING & ADMINISTRATIVE ACTION
BEFORE PLANNING COMMISSION:

April 26, 2017

Members present: Beckius, Corr, Edgerton, Finnegan, Harris, Hove, Scheer, Washington, and Weber.

The Consent Agenda consisted of the following items: **TEXT AMENDMENT NO. 17007, SPECIAL PERMIT NO. 450Q, CHANGE OF ZONE NO. 17006** and **SPECIAL PERMIT NO. 04054B**.

There were no ex parte communications disclosed.

Rorabaugh noted a letter of support was received for Special Permit 04054B from Mark Antonson, 1521 SW 30th Street.

Washington moved approval of the Consent Agenda, seconded by Weber and carried 8-0: Beckius, Corr, Finnegan, Harris, Scheer, Washington, Weber and Hove voting 'yes'; Edgerton absent.

Note: This is **FINAL ACTION** on **SPECIAL PERMIT NO. 450Q** and **SPECIAL PERMIT NO. 04054B**. This is a recommendation to the City Council on all other items.



Lancaster County/City of Lincoln GIS Map

TX17007

Printed: Apr 14, 2017

DISCLAIMER: The information is presented on a best-efforts basis, and should not be relied upon for making financial, survey, legal or other commitments. If you have questions or comments regarding the data displayed on this map, please email ags@lincoln.ne.gov and you will be directed to the appropriate department.