



Legislation Text

File #: 18-381, **Version:** 1

TO: Chair and Planning Commission

FROM: Dawn-Marie Buckland, Deputy Town Manager
Jeremy Knapp, Community Development Director
Paul Michaud, Senior Planner

DATE: October 16, 2018

CONTACT:

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AGENDA TITLE:

**Consideration of the Major Special Use Permit Amendment (SUP-18-06)
7125 E Lincoln Drive - Lincoln Plaza Medical Center**

RECOMMENDATION:

It is recommended that the Planning Commission forward to the Town Council Ordinance #2018-19 for the approval of the Lincoln Plaza Medical Center Major Special Use Permit Amendment with the conditions and effective date as described in said ordinance. This amendment will allow for the redevelopment of this property located at 7125 E Lincoln Drive, being a complete demolition of all existing structures and construction of a new two-story medical center with covered parking. Attachment N is draft Ordinance #2018-19.

REQUEST

Jamel Greenway L.L.C., the property owner of the Lincoln Plaza Medical Center, is seeking redevelopment of the existing medical plaza located at 7125 E Lincoln Drive (Assessor Parcel No. 174-64-003B). The proposed redevelopment of this property will be a complete demolition of all existing structures for medical office uses. Attachments M.1, M.2 and M.3 include the project information from the applicant.

BACKGROUND

Special Use Permit Conditions

Exhibit "C" to Ordinance #2018-19 lists the proposed conditions for this application request. The attached ordinance is in track change to see the edits from the October 2, 2018 draft. Many of the edits to these conditions were done at the prior work session on October 2, 2018. In particular, there are two conditions that require Planning Commission discussion.

- Condition C.4 on the maximum size of the pharmacy. The 2,079 square feet is the existing requirement. The applicant would like the Planning Commission to consider 2,500 square feet.
- Condition J1 on the right-of-way dedication. Option A retains the 65-foot half-width of right-of-way to be deeded as dedication to the Town as recommended by staff. Option B includes draft

language discussed at the October 2, 2018 work session for the 65-foot half-width of right-of-way to be deeded as a total of 49 feet of dedication and 16 feet as roadway easement. The applicant is requesting modification to the Option B 1.b draft text to refer to a future development agreement that would describe the procedures and allowable rights prescribed by said easement. Typical roadway easements allow for future roadway expansion. Any development agreement would be reviewed and approved by Town Council. If the Planning Commission desired to use Option B 1.b, modification to the proposed text is likely required.

Planning Commission Discussion

The Planning Commission discussed the application request at four work sessions: July 17, 2018; August 7, 2018; September 18, 2018; and October 2, 2018. Attachment I includes the minutes of these meetings.

Below is a summary of the main discussion points from the last work session.

- There was general agreement that the owner deed, by dedication and easement, a total right-of-way width of 65 feet to the Town. The dedicated right-of-way includes the existing 33 feet of right-of-way, plus an additional 16 feet of right-of-way. The remaining 16 feet of right-of-way would be a roadway easement. Staff still proposed the 65 feet be dedication to the Town. Stipulation J.1 of the Ordinance describes the right-of-way in more detail.
- Based on the location of this site adjoining commercial uses and in a designated development area, it was expressed that the proposed monument, directional, and two building signs are appropriate for this site. Stipulations K.1 - K.3 of the Ordinance provides additional sign requirements; such as, placing the lights on a timer to shut off between the hours of 11:00 p.m. and 6:00 a.m. The broader sign plan for the whole area was discussed. The applicant is not proposing an Andaz access and the Town entry monument sign discussion is unresolved at this point, with possible monument location in a center median on Lincoln Drive.
- The Planning Commission discussed traffic, circulation and parking on several occasions. The Statement of Direction includes addressing traffic and circulation beyond the subject site, which has been an ongoing discussion amongst Town Council, Planning Commission and staff. Based on the applicant's proposed plan to retain the existing two driveways onto Lincoln Drive and not to provide shared access with neighboring properties at this time, the Planning Commission expressed that this broader access discussion will be fully vetted during the Council review of this application. Stipulation J.3 of the Ordinance allows for shared access to adjoining properties if deemed safe and supported by a professional study.
- There was general agreement on the proposed hours of operation. The regular days and hours of operation, including the pharmacy, are Monday through Friday from 7:00 a.m. to 8:00 p.m. The urgent care center's days and hours of operation are Monday through Sunday, 7:00 a.m. to 10:00 p.m.
- With minor edits, there were no proposed changes to the use conditions in Sections B, C and D of the Ordinance. The size of the pharmacy is limited to 2,079 square feet, which is the same limitation as the existing condition. Although, the applicant requests this area be set at

2,500 square feet. The size of the urgent care is limited to 5,000 square feet. The sale of Class I and II drugs (in addition to III, IV, and V) was added since the pharmacy has no external door and primary intent is to cater to the medical staff and patients of Lincoln Plaza Medical Center. Stipulation 9.e and Stipulation 8 were revised to address concerns by the Town's Police Chief to provide a higher level of security/surveillance cameras and to include signage stating "no prescription drugs" are kept on site at entries to the urgent care facility.

- The proposed lot coverage increases from 18.0 percent to 38.3 percent, more than the 25 percent Special Use Permit Guideline. The floor area ratio increases from 32.4 percent to 55.4 percent. This increase was deemed acceptable by the Planning Commission since the coverage is due to covered parking/roof overhang, the site is undersized from the typical Special Use Permit Guideline, and the site is in a Development Area.
- There was support for the reduced height of the entry atrium. The building only exceeds the Special Use Permit Guideline of 30 feet at the roof parapets. The parapet that makes the building 36-foot tall is setback 25 feet from the edge of the roof. The compelling reasons to support the height noted included the entire roof area is not at the maximum 36-foot tall height; the current Class A building standards for medical office is 15-foot floor to floor, with 5-foot ceiling space; the additional height over the 30-foot height guideline is for roof parapet to screen HVAC/mechanical equipment; there is an additional 6 to 12 inches of roof height to accommodate proper storm water drainage for flat roofs; and the site adjoins all non-residential uses, with similar or taller structures in the vicinity up to 48 feet.

History

Use of the property for medical office was established by the Town in 1974 by Special Use Permit approval. Prior to annexation in 1961, the site had a structure on the south end of the site. The latest approvals were for a pharmacy and urgent care center in 2011. Attachment G provides a Special Use Permit history of the property.

Compliance to Code & Guidelines

The subject property is designated Special Use Permit- Medical per the Town's General Plan. It is zoned Special Use Permit - Medical Office, Kennels and Veterinary Clinics per the Town's Official Zoning Map. The primary documents used in reviewing an amendment to a property zoned by Special Use Permit are the Town's General Plan; Article XI, Special Uses and Additional Use Regulations, of the Town's Zoning Ordinance; and the Special Use Permit Guidelines. Attachment H provides a chart that describes how the existing development complies with applicable codes/guidelines. A missing item is the fire flow data that should be available by the hearing.

Statement of Direction

The Town Council issued the Statement of Direction to the Planning Commission on June 14, 2018. Attachment L, Compliance to SOD, describes how the application is consistent with the uses and limitations outlined in the approved Statement of Direction.

NOTICING & COMMENTS

Public notification for the Planning Commission meeting was performed in accordance with the Town's public hearing process; including posting of the site, notice in the newspaper, and mailing notification to property owners within 1,500 feet of the subject property. The applicant held their required neighborhood meeting on October 3, 2018. Attachment J includes the noticing and

neighborhood meeting summary.

NEXT STEPS

Town Council will need to discuss the Planning Commission recommendation at a work session(s) and hold a public hearing to act on Ordinance #2018-19. Town Council work session is tentatively set for November 1, 2018.

ATTACHMENTS

- A. Vicinity Map/Aerial/General Plan/Zoning
- B. Application
- C. General Plan Policies
- D. SUP Section 1102.2
- E. SUP Medical Guidelines
- F. East Lincoln Development Area Boundary Map
- G. Existing SUP Stipulations
- H. Existing - Proposed Comparison
- I. Minutes
- J. Noticing & Comments
- K. SOD
- L. Compliance to SOD
- M. 1. Narrative & Plans
- M. 2. Drainage & Utility
- M. 3. Parking & Traffic
- N. Ordinance

Copies - Applicant
- Case File