



Legislation Text

File #: 18-388, **Version:** 1

TO: Mayor Collins and Town Council Members

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

DATE: November 1, 2018

DEPARTMENT: Community Development

AGENDA TITLE:

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

Town Value(s):

- ☒ Primarily one-acre, residential community
- ☐ Limited government
- ☐ Creating a sense of community
- ☐ Partnerships with existing schools and resorts to enhance recreational opportunities
- ☒ Improving aesthetics/creating a brand
- ☐ Preserving natural open space

Several General Plan policies apply related to the request for redevelopment of the Lincoln Plaza Medical Center. Primary policies that apply include the policies of Goal LU 2.1.2, Special Use Permit Property Revitalization, and several of the policies of Goal DA 2.2.1, Development Area Policy. The site is located in the East Lincoln Development Area that encourages moderate intensity, mixed-use, and context appropriate resort development that includes reasonable separation between incompatible uses and adjacent residential areas and effective buffering of unwanted noise, light, traffic and other adverse impacts. Attachment C is a more exhaustive list of pertinent General Plan policies for consideration in review of this application request.

Council Goals or Statutory Requirements:

Review of the amendment to the site's Special Use Permit relates to the Council goals related to governance and infrastructure.

RECOMMENDATION:

No action will be taken at the Council meeting of November 1, 2018.

SUMMARY STATEMENT:

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 and construction of a new building for medical office uses. Attachments M.1, M.2 and M.3 include the project information from the applicant.

Planning Commission Recommendation

In a vote of 6 to 0, the Planning Commission forwarded a recommendation of approval of the application via Ordinance #2018-19. The Planning Commission discussed the application request at four work sessions: July 17, 2018; August 7, 2018; September 18, 2018; and October 2, 2018. Exhibit "C" to this Ordinance lists the proposed stipulations. Attachment N is the recommended Ordinance #2018-19.

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.

Below is a summary of the main highlights of the Planning Commission recommendation of approval.

- 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 for a total of 49 feet. The remaining 16 feet of right-of-way would be a roadway easement. The Planning Commission was supportive of this mix of dedication and easement since the 16 feet of additional dedication accounts for area to add another future travel/deceleration lane and meandering sidewalk. The Planning Commission added to Stipulation J.1.b that it is expected that the Owner's reservation of uses in the roadway easement area will be determined by the Town Council in a development agreement, or otherwise. The Planning Commission would recommend shared left turn ingress and egress with adjoining property owners be explained, but also expects that this issue will be determined by the Town Council as well. 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. Based on this circumstance, the Planning Commission based their recommendation on the conditions as proposed in the application request.
- The recommended stipulations include additional parameters for the pharmacy and urgent care use. The majority of these parameters came from the existing requirements for the medical center. Modifications included allowing for a larger area cap on these uses. The size of the pharmacy is limited to 2,500 square feet from 2,079 square feet. The size of the urgent care is limited 5,000 square feet from 2,170 square feet. The sale of Class I and II drugs (in addition to III, IV, and V) was deemed allowable since the pharmacy has no external door, the

primary intent is to cater to the medical staff and patients of Lincoln Plaza Medical Center and additional security measures were added in Stipulation 9.e and Stipulation 8 upon suggestion by the Town's Police Chief.

- 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 overage 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.
- 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 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. The Planning Commission did add to Stipulation F.2 that the applicant provide correct site topography and elevations prior to Council consideration so that a fixed finished grade elevation can be specified in the Ordinance. This stipulation further requires final grading and drainage plans, prepared by a registered civil engineer, be submitted for review and approval by the Town Engineering Department prior to issuance of a building permit for the improvements associated with this request.
- The existing and proposed landscape areas are both within the 65-foot half width right-of-way of Lincoln Drive and not in compliance with the recommended 50-foot landscape width of the Special Use Permit Guidelines. Measuring from back of curb to the parking space screen wall, the existing landscape buffer varies between 20 feet and 24 feet in width. In the plans recommended for approval, this buffer varies between 27 feet and 32 feet in width from the back of curb to the parking space screen wall.

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.

COMMENTS & NOTICING

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. There was one nearby resident at the neighborhood meeting. This resident supported the application request. There were no public comments given at the Planning Commission hearing on this item. Attachment J includes the noticing and neighborhood meeting summary.

BUDGETARY IMPACT:

The applicant will be responsible for the construction of sidewalk and landscaping within the Lincoln Drive right-of-way. The Town will receive its full 65 feet of half width right-of-way along Lincoln Drive.

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
- O. Presentation

Copies - Applicant
- Case File