

**PLANNING COMMISSION REPORT**  
**Regular Agenda - Public Hearing Item**

PC Staff Report  
5/24/2017

**ITEM NO. 1B RS5 TO H; 1.38 ACRES; 302, 306, 310, 314, 318, 322 MICHIGAN (SLD)**

**Z-17-00158:** Consider a request to rezone approximately 1.38 acres from RS5 (Single-Dwelling Residential) District to H (Hospital) District, located at 302 Michigan St, 306 Michigan St, 310 Michigan St, 314 Michigan St, 318 Michigan St, and 322 Michigan St. Submitted by Landplan Engineering PA on behalf of Lawrence Memorial Hospital and LMH Board of Trustees, property owners of record.

**STAFF RECOMMENDATION:** Staff recommends approval of the request to rezone approximately 1.38 acres, from RS5 (Single-Dwelling Residential) District to H (Hospital) District based on the findings presented in the staff report and forwarding it to the City Commission with a recommendation for approval.

**Reason for Request:** *Current zoning does not support hospital use. The subject property has been single family homes.*

**KEY POINTS**

- The property is intended as a future parking lot as part of the Hospital campus.
- Properties are immediately adjacent to the Hospital property along the east (rear property lines).
- The proposed project is for the development of a surface parking lot.

**ASSOCIATED CASES/OTHER ACTION REQUIRED**

- SUP-17-00153; Institutional Development Plan and parking lot expansion.
- MS-17-00213; Minor Subdivision to combine lots into single Hospital campus.

**PLANS AND STUDIES REQUIRED**

- *Traffic Study* – Not required for rezoning
- *Downstream Sanitary Sewer Analysis* – Not required for rezoning
- *Drainage Study* – Not required for rezoning
- *Retail Market Study* – Not applicable to residential request

**ATTACHMENTS**

1. Area Map
2. Aerial maps of development over time

**PUBLIC COMMENT RECEIVED PRIOR TO PRINTING**

- No comment prior to publication of staff report.

**Project Summary:**

Proposed request is for the redevelopment of six existing platted residential lots as a future parking lot expansion for Lawrence Memorial Hospital. The properties are currently developed with detached residential homes that would be demolished to allow construction of a new parking lot. The purpose of the rezoning is to incorporate the property into the Hospital District. The project includes all but two lots on the east side of Michigan Street between W. 3<sup>rd</sup> Street and W. 4<sup>th</sup> Street. The following table provides a summary of the affected lots in the request and the lots that will remain residential along the east block face of the 300 block of Michigan Street.

**Table 1: Property Summary**

Address	W. Lawrence Subdivision Block 24		Zoning		Development	
Michigan Street	Lot	Use	Existing	Proposed	Year built	Lot Area (SF)
302	74	Residence	RS5	H	1955	6,219
306	76	Residence	RS5	H	1955	6,219
310	78	Residence	RS5	H	1958	6,219
314	80	Residence	RS5	H	1958	6,219
318	82	Residence	RS5	H	1957	6,219
322	84 + part of 86	Residence	RS5	H	1958	8,155
326	Part of Lot 86 & 88	Residence to remain	RS5	RS5	1981	6,246
330	Part of Lot 88 & 90	Residence to remain	RS5	RS5	1928	10,476

## **1. CONFORMANCE WITH THE COMPREHENSIVE PLAN**

Applicant's Response: *Map 3-2 Lawrence future Land Use of Horizon 2020 this area is shown Low Density Residential. The surrounding area is shown Single Family Residential to the north and to the west and south. The east is shown as Community Facility (Public Semi-Public)*

The land use map in *Horizon 2020* shows the Hospital contained between Maine Street and Arkansas Street. Land uses to the west of the Hospital area are shown as low density residential. Chapter 5 concerns residential development and land use policies and recommendations. Chapter 10 addresses Community Facilities.

The plan noted an effort by the City and County to provide *"new facilities for health agencies to serve the City and County population"*. This effort resulted in the Community Health building located at 200 Maine Street that houses the Douglas County Health Department, Bert Nash, and the Visiting Nurses Association.

The plan defines a *General Hospital* as *"an establishment with an organized medical staff of physicians, with permanent facilities including in-patient beds and acute care facilities, and with medical services including physician services and continuous registered professional nursing services – for not less than 24 hours of every day, for the purpose of providing diagnosis and treatment for patients who have a variety of medical conditions."* By definition a General Hospital includes multiple uses with demands for staffing as well as customer support for adequate parking.

The plan predominantly focuses on the need to protect and preserve the existing General Hospital facility as a viable economic community facility with respect to other applications for a similar use.

### ***Specific Community Facilities Policies Include:***

#### ***Policy 1.1 Maintain Existing Facilities.***

- b. Maintain or upgrade existing facilities and services where necessary to serve existing development.***

Other policies address vehicular circulation and access, pedestrian connectivity, bicycle access. The plan also establishes policies to support cooperative arrangement between public and private organizations and among various public sector providers to provide combined facilities. Design related policies are addressed with the Special Use Permit, a concurrent application to this rezoning request.

Principal land use strategies for addressing residential development are addressed in Chapter 5 Residential Land Use

Key among these policies is the following:

*The character and appearance of existing residential neighborhoods should be protected and enhanced. Infill development, rehabilitation or reconstruction should reflect architectural qualities and styles of existing neighborhoods.*

*Horizon 2020* recognizes the importance of neighborhoods as *"building blocks of strong communities."* Neighborhoods include defined edges, an identifiable hub, mixed housing types, human scale and connectivity. Goal 3 Neighborhood Conservation specifically addresses recommendations for the protection of existing low-density residential neighborhoods.

### ***Specific Residential Policies Include:***



**Policy 3.2 Protect Existing housing Stock.**

- b. preserve existing dwelling units.

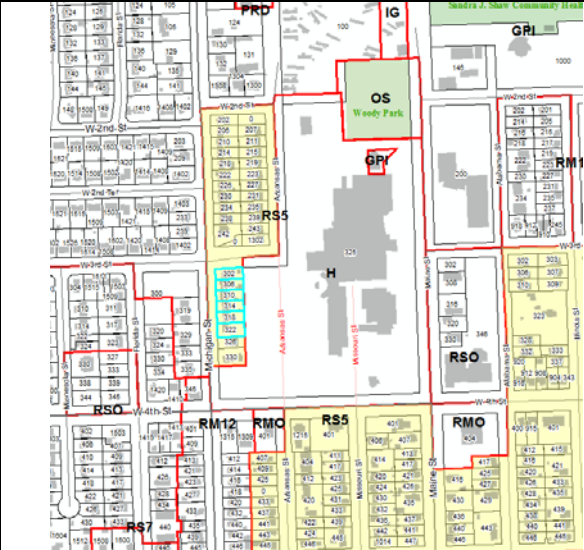

**Policy 3.5 Minimize Encroachment of Nonresidential Uses.**

Carefully consider and evaluate transition areas between different land uses with differing densities, building types and intensity of use to ensure compatibility of use.

This project is an assessment of preserving existing housing stock with the competing value of providing needed parking for an established land use in the neighborhood. The plan seems to recognize that some uses will compete with residential land use and therefore provides the direction to carefully consider encroachment of uses into residential areas. The Hospital has expanded west of Arkansas Street through previous improvement projects. If approved the Hospital would absorb all but two remaining residences along the east block face of Michigan Street.

**Staff Finding** – the proposed request is consistent with Horizon 2020 as it relates to supporting public facilities. Design standards that minimize impacts on surrounding areas and where land use transitions occur are addressed through other development processes and will be included in the review of the concurrent Special Use Permit application.

**2. ZONING AND USE OF NEARBY PROPERTY, INCLUDING OVERLAY ZONING**

Current Zoning and Land Use:	RS5 (Single-Dwelling Residential) District. Existing detached residences on individual lots.
Surrounding Zoning and Land Use:	<p>RS5 (Single-Dwelling Residential) District to the north. Existing detached residences on individual lots.</p> <p>RS7 (Single-Dwelling Residential) District to the west. West side of Michigan Street.</p> <p>H (Hospital) District to the south and east; existing surface parking lot.</p>
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<div style="display: flex; justify-content: space-around;"> <p><b>Figure 1: Existing Zoning</b></p> <p><b>Figure 2: Existing Land Use</b></p> </div>	

**Staff Finding** – The property is adjacent to detached residential zoning to the north and west and Hospital zoning to the south and east.

### 3. CHARACTER OF THE NEIGHBORHOOD

Applicant's Response: *These lots are adjacent to Michigan Street and 3<sup>rd</sup> Street then to single-family residential to the west and north. The area to the east is a parking lot but has been planned for hospital uses. The area to the south includes two single family homes and south of that is hospital uses.*

The property is located in the Pinckney Neighborhood. The neighborhood includes a mix of residential uses and a core commercial area along W. 6<sup>th</sup> Street. Significant land uses in the neighborhood include Lawrence Memorial Hospital and the City's Water Treatment Plant. Other public facilities that have been established in the neighborhood include Bert Nash, Lawrence-Douglas County Health Department, Visiting Nurses, Healthcare Access and the School District Maintenance Building.<sup>1</sup> These uses are centrally located in the neighborhood.

Additionally, four historic district/properties have been designated within the neighborhood. Three are located in the southeast portion of the neighborhood. The other area is located at the far north end of the district along N. Michigan Street.

Within the Pinckney Neighborhood there are a variety of commercial zones that encapsulate the W. 6<sup>th</sup> Street corridor. Office uses are located along Maine Street south of W. 3<sup>rd</sup> Street and along W. 4<sup>th</sup> Street. These office uses are typically medical office uses. The building located at 1112 W. 6<sup>th</sup> Street is part of the commercial corridor but includes medical office use.

The neighborhood includes a mix of residential densities and housing types including detached, duplex and multi-dwelling residential uses. A mobile home park is located to the north of the hospital with an average density of 8 dwellings per acre. Residential blocks located on the south side of 4<sup>th</sup> Street range in density from 5.8 to 8.4 with mixed housing types within the blocks. The area located on the west side of the Lawrence Memorial Hospital includes both RS5 and RS7 zoning. The development pattern is uniformly characterized by detached dwelling on individual lots. Density in this area is defined as low density; less than 6 dwelling units per acre. A typical block in this area includes a density of 3.2 dwellings per acre. They are typically found on the west side of Michigan Street.

**Staff Finding** – Pinckney Neighborhood is an established neighborhood with a wide range of uses and housing types. The neighborhood includes large areas dedicated to specific public uses. The Hospital is a significant feature within the neighborhood and will continue to be so into the future.

### 4. PLANS FOR THE AREA OR NEIGHBORHOOD, AS REFLECTED IN ADOPTED AREA AND/OR SECTOR PLANS INCLUDING THE PROPERTY OR ADJOINING PROPERTY

The *Pinckney Neighborhood Plan* was completed in 1978. The *HOP Plan* focused on the W. 6<sup>th</sup> Street corridor and was completed in 2005. The southeast portion of the neighborhood was rezoned from RM (Multi-Dwelling) to RS (Single Dwelling) as part of the 1978 plan. The 2005 *HOP Plan* recommended rezoning of properties consistent with their land use.

The subject property was not part of the neighborhood rezoning efforts that changed some of the multi-dwelling district to a detached dwelling district in the 1980's. The *HOP Plan* was intended to establish conformity of land use and zoning within a specific area of the neighborhood. One of the three primary goals of the HOP plan is: *Promote district as a medical entryway and promote district*

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<sup>1</sup> This use is being relocated to E. 23<sup>rd</sup> Street in the near future.

*as a gateway to Downtown.* However, the subject property is outside of the boundary included in the HOP Plan.

Maine Street and Michigan Streets are designated collector streets and provide direct access to main entrances of the Hospital facility. The proposed rezoning request is located along the east side of Michigan Street.

**Staff Finding** – Both the HOP and Pinckney Neighborhood plans are dated and do not fully reflect existing conditions of the neighborhood or existing land use. A review of applicable development policies for the neighborhood would be justified as a future planning effort.

## **5. SUITABILITY OF SUBJECT PROPERTY FOR THE USES TO WHICH IT HAS BEEN RESTRICTED UNDER THE EXISTING ZONING REGULATIONS**

Applicant's Response: *The use of the site for a parking lot is a suitable use for the site.*

The property included in this request is part of an established residential block within the neighborhood excluding the south 150 feet on the northeast corner of W. 4<sup>th</sup> Street and Michigan Street. These lots were previously redeveloped and incorporated into the hospital campus and constructed as a surface parking lot.

Since 1986 the 300 block of Michigan Street has been transformed from an exclusive residential use to a surface parking lot to support the hospital as demand for services and the facility has grown over time. As the hospital building has grown over time within the area between Maine Street and Arkansas Street, available parking has been reduced. The reduction in available parking within a particular footprint of the Hospital campus necessarily results in an expansion of the hospital boundary. Attached to this report is an exhibit that shows development of the area over time.

Development of surface parking to serve the hospital in the RS5 District is not suitable. Hospital related parking has previously expanded into this block leaving the remaining 8 residential homes. The request is for the rezoning of the six northern parcels along east side of Michigan Street. The proposed rezoning is suitable given the location of parking that already exists within this block.

Michigan Street, as a boundary (collector street), provides an edge to the limits of the Hospital related uses on the west side of the campus.

**Staff Finding** – The existing 300 block of Michigan Street/Arkansas Street has been slowly changed from a residential block to a surface parking lot for the Hospital. The current zoning is not suitable for the hospital parking lot planned for the area.

## **6. LENGTH OF TIME SUBJECT PROPERTY HAS REMAINED VACANT AS ZONED**

Applicant's Response: *The property has been used as single family homes.*

The property is not vacant. The residential uses included in the requested rezoning were built between 1955 and 1958. The property was zoned RS5 (Single-Dwelling Residential) District in 2006 with the adoption of the Land Development Code. From 1966 to 2006 the property was zoned RS-2 (Single-Dwelling Residential) District.

**Staff Finding** – The property included in the request is developed with detached houses. The property has been zoned for low-density residential land use since 1966.

**7. EXTENT TO WHICH APPROVING THE REZONING WILL DETRIMENTALLY AFFECT NEARBY PROPERTIES**

Applicant's Response: *Approving this rezoning application will not adversely affect the neighboring properties.*

The northeast corner of Michigan Street and W. 4<sup>th</sup> Street has previously been rezoned and developed as a surface parking lot as well as the entire west block face of Arkansas Street. The block between Michigan Street and Arkansas Street includes only 8 remaining residences. This application includes the north 6 lots, that if approved will be demolished to accommodate a future surface parking lot. Two residential lots will remain and they will be surrounded on the north, south and east by a parking lot. The long term viability of the lots for residential purposes is not expected. The areas to the west and north are intact residential blocks. Michigan Street provides a definite boundary of the Hospital related uses as does W. 3<sup>rd</sup> Street.

The provision of additional parking to serve the Hospital should benefit the neighborhood by providing more space for staff, patients and visitors who otherwise may be seeking parking on-street.

**Staff Finding** – If approved, the request will result in only two remaining residential uses located on the east side of Michigan Street in the 300 block. Staff does not expect these properties to remain in the long term being surrounded by parking lot on three sides.

Approval of the request primarily impacts the two lots not included in the request. It expands the Hospital district along the east side of Michigan Street. Staff recommends that Michigan Street be established as a boundary to protect the residential portion of the neighborhood west of Michigan Street.

**8. THE GAIN, IF ANY, TO THE PUBLIC HEALTH, SAFETY AND WELFARE DUE TO THE DENIAL OF THE APPLICATION, AS COMPARED TO THE HARDSHIP IMPOSED UPON THE LANDOWNER, IF ANY, AS A RESULT OF DENIAL OF THE APPLICATION**

Applicant's Response: *Approval of this application will fill a need of the parking problem that for both the hospital and the neighborhood.*

Evaluation of this criterion includes weighing the benefits to the public versus the benefit of the owners of the subject property. Benefits are measured based on anticipated impacts of the rezoning request on the public health, safety, and welfare.

The purpose of the request to rezone property from RS5 (Single-Dwelling Residential) District to H (Hospital) District is for the future construction of a surface parking lot. The Lawrence Memorial Hospital is a public facility with significant community investment. Plans that group hospital uses and necessary support structures such as parking in a compact form are beneficial to the immediately surrounding neighborhood and to the community at large. By providing a compact development with off-street parking in nearby locations, the distance from parking to building entrances is lessened and made more convenient for employees and users of the Hospital, medical offices and related uses.

Lawrence Memorial Hospital has multiple facilities throughout the community but the primary use – *Hospital* - is located at 325 Maine Street. The building improvements today include not only the Hospital aspect but also administrative offices, medial offices, and out-patient services. Approval of the rezoning will allow the construction of additional surface parking for the Hospital and related uses at this location.

Denial of the request limits the opportunity to provide off-street parking near the Hospital. Excess parking is likely to be located on-street in the surrounding neighborhood.

**Staff Finding** – This zoning request provides a benefit to the community by providing additional off-street parking options for an intensive land use within the neighborhood.

## **9. PROFESSIONAL STAFF RECOMMENDATION**

The H District is a special purpose district intended to accommodate a hospital and accessory and related uses under common control and planning. This application is reviewed concurrently with the Special Use Permit/Institutional Development Plan for the Lawrence Memorial Hospital. Section 20-220 (f) requires the institution responsibility for the property within the H District to prepare and update an institutional Development Plan for all of the property contained within the H District when a Significant Development Project is proposed.

Section 20-220 (g) states that the H District should generally be expanded in logical increments that preserve an orderly boundary between the institution use and any adjoining residential uses. This application includes all but two residential lots along the east side of the 300 block of Michigan Street. Ideally these lots would have also been included in the request; however, they are not owned by the Hospital. If at some point in the future they can be acquired a similar zoning would be appropriate.

Staff recommends approval of the request for 1.35 acres from RS5 to H.

## **CONCLUSION**

This request is considered in the context of an overall plan for the Hospital property as represented in SUP-17-00153. The plan provides both an overview master plan for the Hospital and provides specific detail for the immediate parking lot improvement.

Within the H (Hospital) District is a small area zoned GPI. It may be beneficial in the future to consider rezoning the parcel from GPI to H to create a uniform district boundary. This is not an immediate concern but has been identified in this review process.