

City Council Introduction: **Monday**, November 5, 2001
Public Hearing: **Monday**, November 19, 2001, at **1:30 p.m.**

Bill No. 01R-294

FACTSHEET

TITLE: SPECIAL PERMIT NO. 1435C, an amendment to the HARLAND TAYLOR COMMUNITY UNIT PLAN, requested by Olsson Associates on behalf of the Harland Taylor Homeowners Association and the Y.M.C.A., to show a parking lot north of the Northeast Y.M.C.A. building, on property generally located at 69th Street & Huntington Avenue.

STAFF RECOMMENDATION: Conditional Approval.

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: Consent Agenda, 8/08/01
Administrative Action: 08/08/01

RECOMMENDATION: Conditional Approval (9-0: Bayer, Carlson, Duvall, Hunter, Krieser, Newman, Schwinn, Steward and Taylor voting 'yes').

FINDINGS OF FACT:

1. The staff recommendation of conditional approval is based upon the "Analysis" as set forth on p.3-4. The conditions of approval are found on p.4-6.
2. This application was placed on the Consent Agenda of the Planning Commission on August 8, 2001, and opened for public hearing. No one came forward to speak.
3. The Planning Commission agreed with the staff recommendation and voted 9-0 to recommend conditional approval, as set forth in the staff report dated July 12, 2001.
4. The Site Specific conditions of approval (#1.1 through #1.2, p.4-5) required to be completed prior to scheduling this application on the Council agenda have been submitted by the applicant and approved by the reviewing departments.

FACTSHEET PREPARED BY: Jean L. Walker

DATE: October 29, 2001

REVIEWED BY: _____

DATE: October 29, 2001

REFERENCE NUMBER: FS\CC\FSSP1435C

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

P.A.S.#: Special Permit #1435C
Harland Taylor Community Unit Plan

Date: July 12, 2001

PROPOSAL: This is a request to amend the special permit for community unit plan to show a parking lot north of the Northeast Y.M.C.A. building in the Community Unit Plan.

GENERAL INFORMATION:

APPLICANT: Harland Taylor Homeowners Association
3910 Normal Boulevard, Suite 203
Lincoln, NE 68506
(402) 436-3111

Y.M.C.A.
1039 P Street
Lincoln, NE 68508
(402)464-7481

CONTACT: Jack Lynch
Olsson Associates
1111 Lincoln Mall
Lincoln, NE 68508
(402) 474-6311

LOCATION: 69th Street & Huntington Avenue

LEGAL DESCRIPTION: Lots 1-4 and Outlot A, Harland Taylor Addition; Lots 2-21, Outlot B, Harland Taylor 1st Addition; Lots 1-5 and Outlots A, B, and C, Harland Taylor 2nd Addition all located in the northeast quarter of Section 16, Township 10 North, Range 7 East, Lincoln, Lancaster County, Nebraska.

REQUESTED ACTION: Approval of Special Permit

EXISTING ZONING: R-2, residential

SIZE: 6.84 acres, more or less

EXISTING LAND USE: 12 duplex units (24 dwelling units), open space, northeast YMCA recreational facility.

SURROUNDING LAND USE AND ZONING: Zoned R-2, residential to the north east and south; P, Public Use to the west. Surrounding land uses are multi-family residential in a CUP to the north, church and single family residential to the east and south, Mickle School to the west, and park land to the northwest.

COMPREHENSIVE PLAN SPECIFICATIONS: The Comprehensive Plan Land Use Plan shows the area as urban residential. This application conforms to the Comprehensive Plan.

HISTORY:

The area was zoned A-2, Single Family Dwelling and AA, Rural and Public Use district until it was updated to R-2, Residential and P, Public during the zoning update of 1979.

On **October 28, 1968** City Council approved Special Permit #441 which permitted the construction and operation for a building or other facilities for recreation and meetings (Northeast YMCA).

On **September 2, 1980** City Council approved Change of Zone #1824 which changed a portion of the P, Public District to R-2, Residential because it was not publicly owned.

In **January 19, 1985** City Council approved Special Permit #441A to amend the lot area, parking lot, access and to exclude the area of the daycare center.

On **May 8, 1989** City Council approved Special Permit #441B to amend the special permit in order to allow the construction of a garage.

In **1989** City Council approved the Northeast YMCA West Preliminary Plat consisting of 16 single family lots and a large lot for the existing YMCA.

On **June 22, 1992** City Council approved Special Permit #1435, Harland Taylor C.U.P consisting of 24 dwelling units and three outlots.

On **September 30, 1996** City Council approved Special Permit #1435A, Harland Taylor CUP which amended the CUP to include the Northeast Y.M.C.A. and to add two duplex units.

On **November 18, 1997** the applicant withdrew Special Permit #1435B to amend the site plan to reduce the rear yard setbacks. The Building and Safety Department determined that the amendment was unnecessary.

On **November 12, 1997** the Planning Director approved Administrative Amendment #97107 which amended note #13 to read that Lots 27 & 28 shall have single car garages and one stall per drive.

ANALYSIS:

1. This is a request to show a parking lot north of the Y.M.C.A. building on the site plan of the community unit plan.

2. The Parks and Recreation Department indicated that a landscape plan is necessary for North 70th Street and Huntington Avenue. It was also indicated that Patmore Ash is the street tree and needs to be spaced at 50-55' apart and 5' from the curb to meet traffic standards along North 70th Street.
3. The Public Works and Utilities Department indicated that storm water is shown to be concentrated and discharged from the parking lot expansion and surface drained across the Harland Taylor housing development, rather than surface drain the water and cause potential problems across the residential lots, the Public Works & Utilities Department recommends that the drainage be picked up in a single inlet and piped to the storm sewer or open drainage ditch in Harland Taylor Addition. The grading plan submitted does not show any existing defined drainage channel where the storm water is proposed to be discharged from the parking lot.
4. The Public Works & Utilities Department recommends approval to the new parking lot, subject to the drainage revisions.
5. The Building and Safety Department Fire Prevention approved the request.
6. Lincoln Electric System does not require additional easements, however a note should be added to the plan indicating that any relocation of existing facilities shall be at the owner/developer's expense.
7. The parking lot will provide additional parking for the Y.M.C.A. building.
8. The Police Department has no objections to the request.
9. The Lincoln-Lancaster County Health Department noted that all wind and water erosion must be controlled during construction. The Lower Platte South Natural Resources District should be contacted for guidance in this matter. During the construction process, the land owner(s) will be responsible for controlling off-site dust emissions in accordance with the Lincoln-Lancaster County Pollution Regulations and Standards Article 2 Section 32. Dust control measures shall include, but not be limited to application of water to roads, driveways, parking lots on site, site frontage and any adjacent business or residential frontage. Planting and maintenance of ground cover will also be incorporated as necessary.

STAFF RECOMMENDATION:

Conditional Approval

CONDITIONS:

Site Specific:

1. After the applicant completes the following instructions and submits the documents and plans to the Planning Department office and the plans are found to be acceptable, the application will be scheduled on the City Council's agenda.
 - 1.1 Revise the site plan to show:

- 1.1.1 The correct legal description.
- 1.1.2 The correct name of the community unit plan under the legal description.
- 1.1.3 The correct certificate for the City Clerk to show the approval or disapproval by the City Council.
- 1.1.4 A note indicating that any relocation of existing facilities shall be at the owner/developer's expense.
- 1.1.5 Provide a landscape plan for N. 70th Street and Huntington Avenue.
- 1.1.6 Revise the grading plan to the satisfaction of the Public Works and Utilities Department.
- 1.1.7 Revise the drainage to the satisfaction of the Public Works & Utilities Department.

1.2 Revise the landscape plan to show:

- 1.2.1 Screening that meets the City of Lincoln Design Standards for Screening and Landscaping.
- 1.2.2 Landscaping that meets the City of Lincoln Design Standards for parking lots.
- 1.2.3 Identification of plant materials on the plan.

2. This approval permits a parking lot in the north portion of Lot 5, Harland Taylor 2nd Addition, adjacent to the Y.M.C.A. building.

General:

3. Before receiving building permits:

- 3.1 Special Permit #441D is approved.
- 3.2 The permittee shall have submitted a revised and reproducible plan including 5 copies showing the following revisions and the plans are acceptable:
- 3.3 The construction plans shall comply with the approved plans.

STANDARD CONDITIONS:

4. The following conditions are applicable to all requests:

- 4.1 All privately-owned improvements shall be permanently maintained by the owner or an appropriately established owners association approved by the City Attorney.
 - 4.2 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.
 - 4.3 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
 - 4.4 The City Clerk shall file a copy of the resolution approving the permit and the letter of acceptance with the Register of Deeds. The Permittee shall pay the recording fee in advance.
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:

Becky Horner
Planner

**SPECIAL PERMIT NO. 1435C
HARLAND TAYLOR COMMUNITY UNIT PLAN**

CONSENT AGENDA
PUBLIC HEARING & ADMINISTRATIVE ACTION
BEFORE PLANNING COMMISSION:

August 8, 2001

Members present: Bayer, Carlson, Duvall, Hunter, Krieser, Newman, Schwinn, Steward and Taylor.

The Consent agenda consisted of the following items: **CHANGE OF ZONE NO. 3333; SPECIAL PERMIT NO. 1923; SPECIAL PERMIT NO. 441D; SPECIAL PERMIT NO. 1435C; CITY/COUNTY FINAL PLAT NO. 99004, CROOKED CREEK ADDITION; FINAL PLAT NO. 01004, ASPEN RIDGE ADDITION; and FINAL PLAT NO. 01019, ASHLEY HEIGHTS ADDITION.**

Steward moved to approve the Consent Agenda, seconded by Newman and carried 9-0: Bayer, Carlson, Duvall, Hunter, Krieser, Newman, Schwinn, Steward and Taylor voting 'yes'.

Note: This is final action on Special Permit No. 1923, Special Permit No. 441D, the Aspen Ridge Addition Final Plat No. 01004; the Ashley Heights Addition Final Plat No. 01019; and the Crooked Creek Addition Final Plat No. 99004 (on that portion within the City's jurisdiction), unless appealed to the City Council by filing a letter of appeal with the City Clerk within 14 days of the action by the Planning Commission.