

MEETING RECORD

NAME OF GROUP: PLANNING COMMISSION

DATE, TIME AND PLACE OF MEETING: Wednesday, March 9, 2011, 1:00 p.m., City Council Chambers, First Floor, County-City Building, 555 S. 10th Street, Lincoln, Nebraska

MEMBERS IN ATTENDANCE: Leirion Gaylor Baird, Michael Cornelius, Dick Esseks, Wendy Francis, Roger Larson, Jeanelle Lust, Jim Partington, Lynn Sunderman and Tommy Taylor; Marvin Krout, Steve Henrichsen, Brian Will, Christy Eichorn, Jean Preister and Teresa McKinstry of the Planning Department; media and other interested citizens.

STATED PURPOSE OF MEETING: Regular Planning Commission Meeting

Chair Lynn Sunderman called the meeting to order and acknowledged the posting of the Open Meetings Act in the back of the room.

Sunderman then requested a motion approving the minutes for the regular meeting held February 23, 2011. Motion for approval made by Francis, seconded by Cornelius and carried 8-0: Gaylor Baird, Cornelius, Esseks, Francis, Lust, Partington, Sunderman and Taylor voting 'yes'; Larson abstaining.

CONSENT AGENDA

PUBLIC HEARING & ADMINISTRATIVE ACTION BEFORE PLANNING COMMISSION:

March 9, 2011

Members present: Gaylor Baird, Cornelius, Esseks, Francis, Larson, Lust, Partington, Sunderman and Taylor.

The Consent Agenda consisted of the following items: **SPECIAL PERMIT NO. 11001, Eastmark Community Unit Plan; SPECIAL PERMIT NO. 11002 and SPECIAL PERMIT NO. 11003.**

Ex Parte Communications: None

Lust moved approval of the Consent Agenda, seconded by Francis and carried 9-0: Gaylor Baird, Cornelius, Esseks, Francis, Larson, Lust, Partington, Sunderman and Taylor voting 'yes'.

Note: This is final action on Special Permit No. 11001, Special Permit No. 11002 and Special Permit No. 11003, 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.

There were no requests for deferral.

CHANGE OF ZONE NO. 11005
FROM R-2 RESIDENTIAL TO R-4 RESIDENTIAL
and
SPECIAL PERMIT NO. 1733D,
AN AMENDMENT TO THE
MUFF 3RD ADDITION COMMUNITY UNIT PLAN,
ON PROPERTY GENERALLY LOCATED
AT S.W. 8TH STREET AND HANNEMAN DRIVE:

March 9, 2011

Members present: Larson, Francis, Taylor, Gaylor Baird, Lust, Esseks, Partington, Cornelius and Sunderman.

Ex Parte Communications: None.

Staff recommendation: Approval of the change of zone and conditional approval of the amendment to the community unit plan.

Staff presentation: **Christy Eichorn of Planning staff** presented the proposal to amend an existing special permit to add 6.25 acres to an existing CUP. The existing CUP is zoned R-3, consisting of both apartment buildings and townhouses, or attached single family dwelling units. The 6.25 acres to be add and included in the CUP is the property located to the north, a portion of which is located in the floodplain. The applicant is requesting R-4 zoning for the added area versus the R-3 zoning in the existing CUP to take advantage of the area that he can be built due to the floodplain limitations.

There is a clubhouse shown in the southwest corner of the new addition, and it will be in a style consistent with the neighborhood. The addition includes two existing single family residential houses on the north side of West C Street, which will remain, so the character of C Street would continue to be that of single or two-family residential.

The potential density would be 87 with two of the units being the existing houses.

Proponents

1. **Bob Stephens**, the applicant, agreed with the findings and conclusions in the staff report. He showed a photograph of a clubhouse he developed on another site that is similar to what he is proposing on this site, depicting that its appearance and construction will be residential in nature.

Lust noted that the Commission did receive one letter in opposition, primarily concerned about traffic on South Folsom in the area. Have you looked into how much additional traffic this development will add to the area? Stephens stated that they have not put any numbers to it; however, the project has been designed such that in the long run S.W. 8th will continue on to Folsom Street. Assuming he is able to acquire “the property next door”, Stephens believes the traffic will actually be relieved from what it is today.

Esseks confirmed with Stephens that he owns the property being rezoned.

Esseks then asked to see the area of the floodplain and how they will do the excavating. Stephens showed the area that has been removed from the floodplain in the existing CUP, and then showed the new floodplain line. Only a small corner of the new property will still be in the floodplain. **Erin Bright of Olsson Associates** explained that everything built within the floodplain will be elevated.

Esseks inquired whether there would be compensatory water detention for the area being excavated. Bright pointed out that there is a detention cell which has been designed in accordance with the city’s drainage criteria manual.

There was no testimony in opposition.

Staff questions

Esseks inquired about the possible traffic overload at the West C Street, Hanneman and S. Folsom intersection. The correspondence received indicates that there is already a problem with accidents. What could the neighborhood do about this if the total traffic loads becomes a problem? **Buff Baker of Public Works** shared a status report on the accidents at that intersection. Since January of 2007 until November of 2010, there were five crashes within that area from E Street to B street — only 2 of which were at the West C intersection. He did not know what angle crashes they were. The criteria to generate a traffic study to determine the need for stop signs is three or more right angle crashes within a 1-year period or 1500+ volume on the major thoroughfare. Esseks assumed then that the neighborhood would not have to put pressure on Public Works for four-way stop signs. Baker suggested that it would not necessarily be four-way, but they would analyze the intersection to at least require a two-way. It would require a study first.

Baker agreed that the extension from this development out to Folsom will relieve some of the traffic at the other minor intersections.

Esseks wondered whether the public could go to Public Works and request the study. Baker’s response was “yes”.

Esseks then inquired whether the neighbors could pay for the signs. Baker's response was "no". It would be the city's responsibility to install and maintain the stop signs, but they would only be installed if the criteria exists, i.e. three or more right angle crashes in any one-year period or 1500+ vehicle trips in a day.

Francis also noted that the letter received is concerned about the width of C Street. Is it any narrower than any other residential street? Baker stated that C Street is 27 feet wide, the same as a normal residential street. Francis also inquired whether there is anything special about C Street such that it has not been maintained like any other street. Baker was not aware of anything.

Eichorn clarified that the change of zone to R-4 is only on the 6.25 acres being added to the CUP. The rest of the existing CUP will remain R-3 zoning.

Eichorn also clarified that there is a small amount of fill (up to 35%) allowed in the floodplain in the northwest corner of the added property. The amount of fill is based on a subarea plan. On any individual property within that area, they can only fill 35% of the volume so that it does not impact downstream. There is a condition of approval that requires the applicant to revise the grading plan to make sure they in compliance.

CHANGE OF ZONE NO. 11005

ACTION BY PLANNING COMMISSION:

March 9, 2011

Larson moved approval, seconded by Francis.

Sunderman commented that this appears to be an appropriate zoning change. It uses the area well, taking into account protecting the floodplain and get the density in that area with the infrastructure we have in place.

Motion for approval carried 9-0: Larson, Francis, Taylor, Gaylor Baird, Lust, Esseks, Partington, Cornelius and Sunderman voting 'yes'. This is a recommendation to the City Council.

SPECIAL PERMIT NO. 1733D

ACTION BY PLANNING COMMISSION:

March 9, 2011

Larson moved to approve the staff recommendation of conditional approval, seconded by Francis and carried 9-0: Larson, Francis, Taylor, Gaylor Baird, Lust, Esseks, Partington, Cornelius and Sunderman voting 'yes'. This is final action unless appealed to the City Council within 14 days.

There being no further business, the meeting was adjourned at 1:25 p.m.

Please note: These minutes will not be formally approved until the next regular meeting of the Planning Commission on March 23, 2011.

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