

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for May 14,2003 PLANNING COMMISSION MEETING

P.A.S.: Special Permit No.2013

PROPOSAL: To allow an early childhood care facility for a maximum of 20 children.

LOCATION: 2418 S. 9th St.

LAND AREA: Approximately 7,100 square feet

CONCLUSION: With revisions to the site plan, the proposed early childhood care facility complies with the design standards and is consistent with the 2025 Comprehensive Plan.

<u>RECOMMENDATION:</u>	Conditional Approval
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GENERAL INFORMATION:

LEGAL DESCRIPTION: Lot 22, Block 6, South Park Addition, Lincoln, Lancaster County, Nebraska

EXISTING ZONING: R-2, Residential

EXISTING LAND USE: Single family house

SURROUNDING LAND USE AND ZONING:

North: R-4, Residential
South: R-2, Residential
East: R-5, Residential
West: R-2, Residential

COMPREHENSIVE PLAN SPECIFICATIONS:

Page F-18 Residential Neighborhoods -“Child care centers should be located within neighborhoods and near schools and parks when possible.”

Page F-145 Guiding Principles - "Child care centers should be located within neighborhoods and near schools and parks when possible."

TRAFFIC ANALYSIS: 9th Street is a southbound one way principal arterial.
Access to the parking is off an alley. The alley is gravel surface.

PUBLIC SERVICE: The nearest fire station is at 17th St. & Van Dorn St.

ANALYSIS:

1. This is a request to operate an early childhood care facility for a maximum of 20 children with two employees. The property will not be used as the permanent residence of the licensed child-care provider.
2. Section 27.67.040(11)-- Parking requirements for early childhood care facilities requires one space per employee on the largest shift, plus off-street loading/unloading area for one automobile per 10 care receivers. Based on the number of employees and children, 4 parking stalls are required. The site plan shows 5 parking stalls.
3. The site plan shows parking stacked front to back off the alley. A site visit identified that there is not enough space between the alley and the fence for the parking arrangement as shown.
4. A site visit identified that the location of the fence is inaccurate on the site plan and that the house is closer to the front property line than is shown.
5. The area identified on the site plan for parking is currently grass and dirt. This area should be surfaced with crushed rock.

CONDITIONS:

Site Specific:

1. This approval permits an early childhood care facility for a maximum of 20 children.

General:

3. Before occupying the early childhood care facility:
 - 3.1 The permittee shall have submitted a revised final plan including 5 copies showing the following revisions and the plans are acceptable:

3.1.1 Revise the site plan to show:

- 3.1.1.1 The correct location of the fence and a note identifying the type of fence.
- 3.1.1.2 Two parking stalls off the alley aligned side by side for drop off loading/unloading of children and two parking stalls on the driveway for employee parking.
- 3.1.1.3 A note stating that the parking area shall be surfaced with crushed rock.
- 3.1.1.4 An accurate site plan drawn to scale.

3.3 The construction plans shall comply with the approved plans.

3.4 The operation and the premises are to meet appropriate local and state licensing requirements, including compliance with health codes.

STANDARD CONDITIONS:

4. The following conditions are applicable to all requests:

- 4.1 Before occupying this early childhood care facility all development and construction shall have been completed in compliance with the approved plans.
- 4.2 All privately-owned improvements shall be permanently maintained by the owner.
- 4.3 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.
- 4.4 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
- 4.5 The applicant shall sign and return the letter of acceptance to the City Clerk within 30 days following the approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filling fees therefor to be paid in advance by the applicant.

Prepared by:

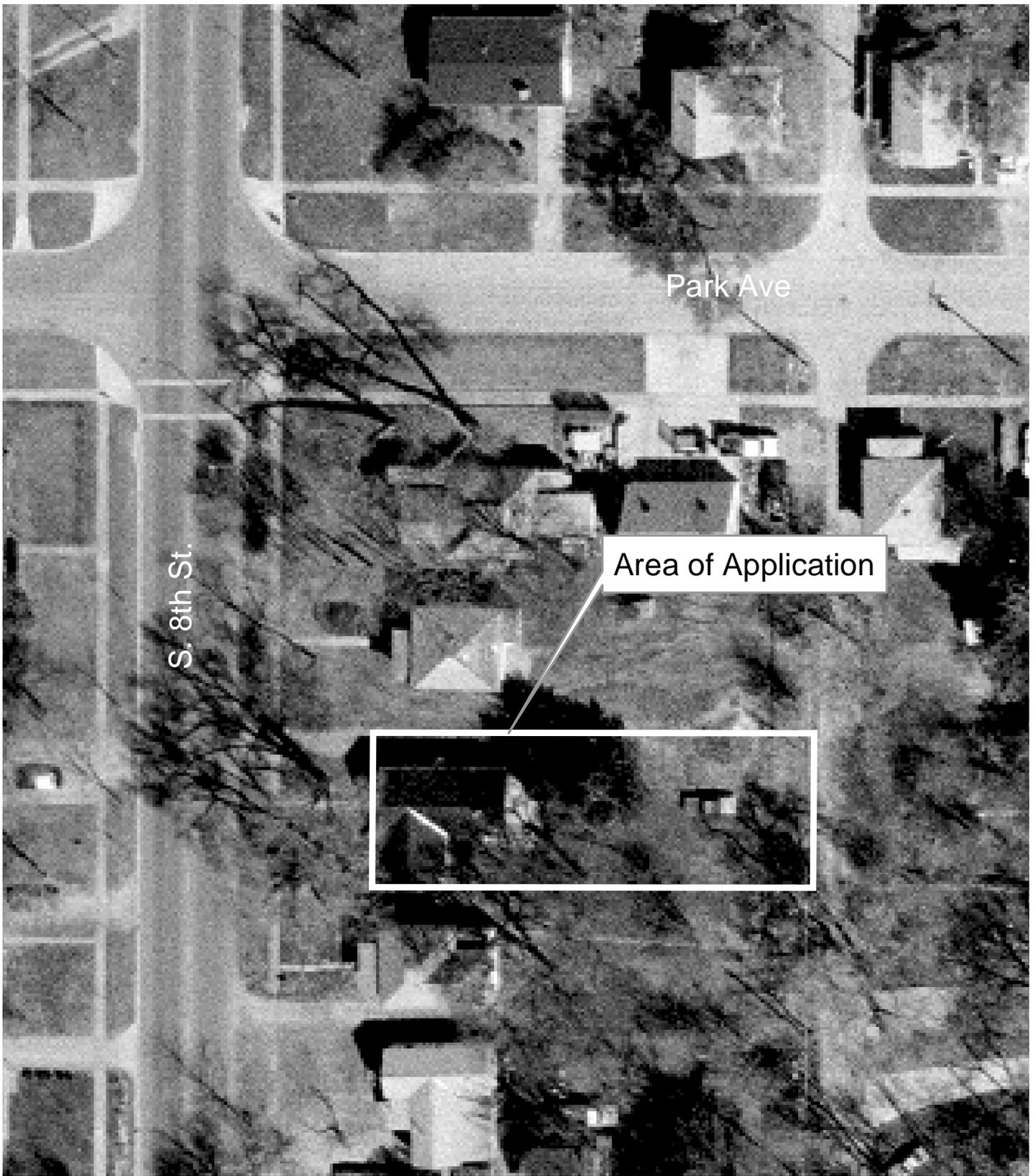
Tom Cajka
Planner

DATE: April 28, 2003

Applicant: Patricia Bush Morton
2418 S. 9th St.
Lincoln, NE 68502
(402) 435-1230

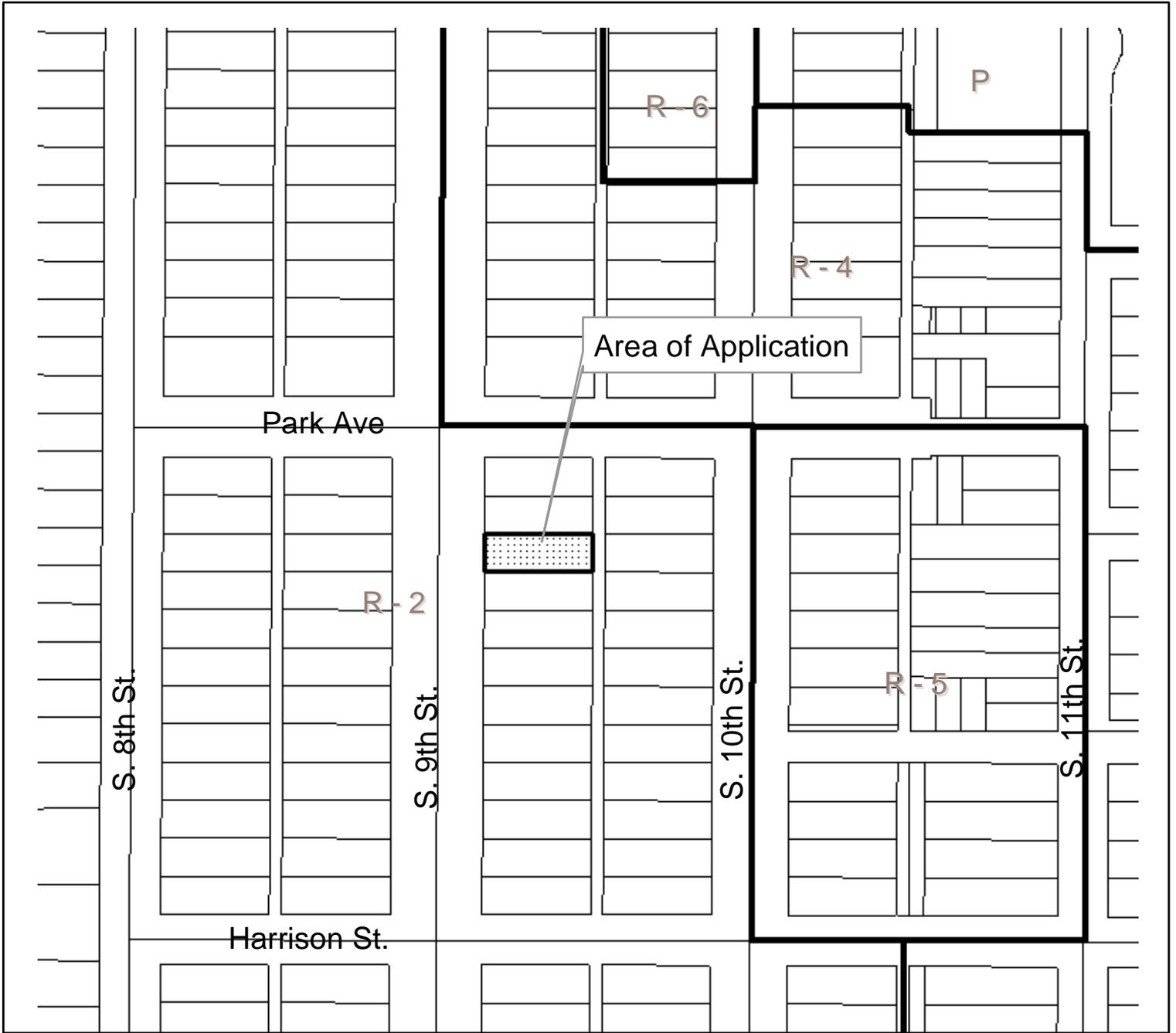
Owner: Charles L. Nyhoff
Rt. #2, Box 41
Martell, NE 68404
(402) 794-0204

Contact: same as applicant



**Special Permit #2013
S. 9th St. & Park Ave.**



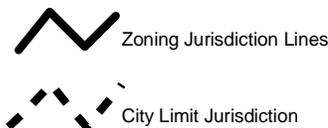
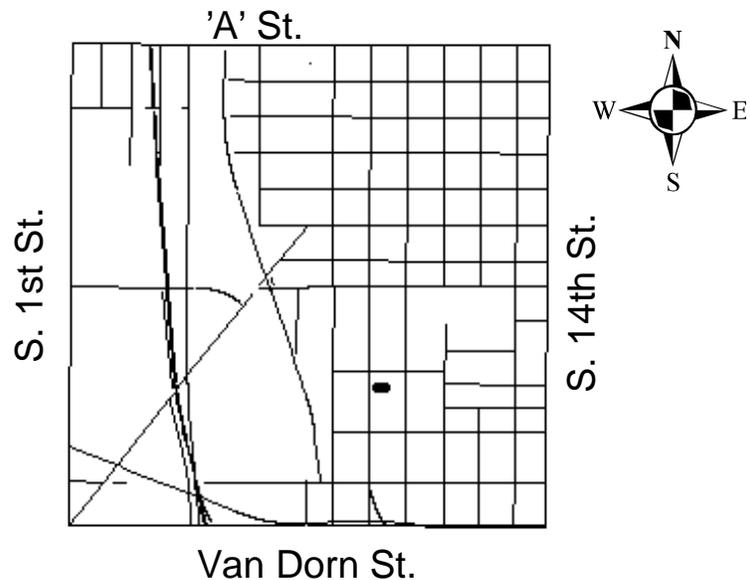


Special Permit #2013 S. 9th St. & Park Ave.

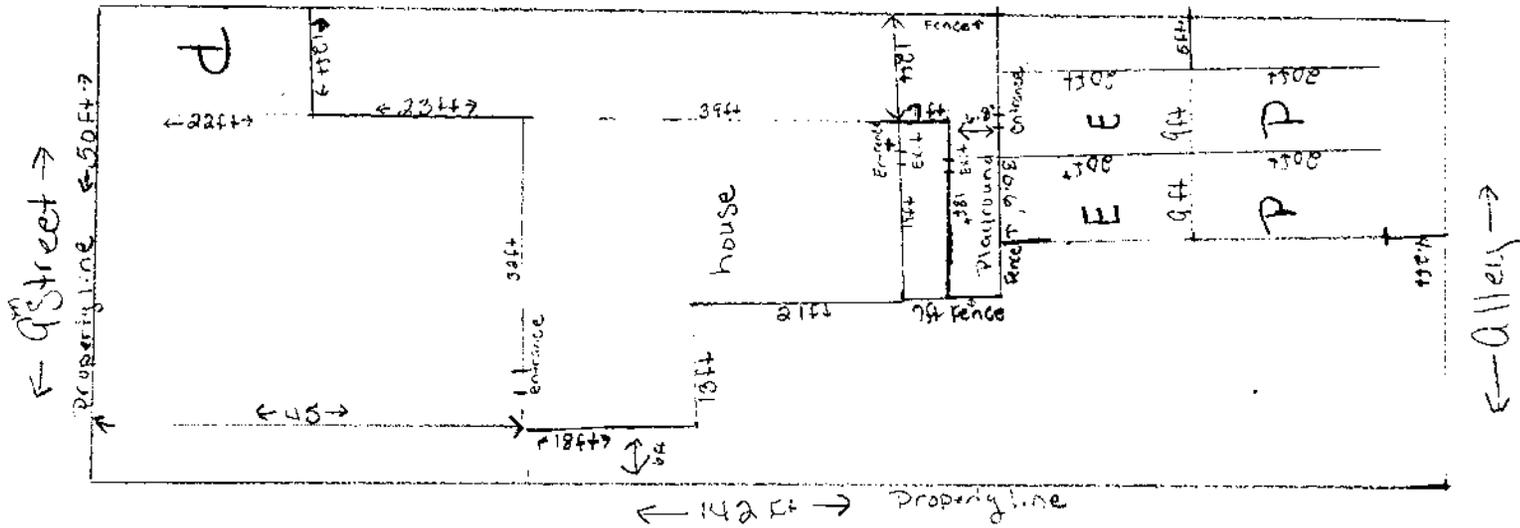
Zoning:

- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- R-C Residential Conservation District
- O-1 Office District
- O-2 Suburban Office District
- O-3 Office Park District
- R-T Residential Transition District
- B-1 Local Business District
- B-2 Planned Neighborhood Business District
- B-3 Commercial District
- B-4 Lincoln Center Business District
- B-5 Planned Regional Business District
- H-1 Interstate Commercial District
- H-2 Highway Business District
- H-3 Highway Commercial District
- H-4 General Commercial District
- I-1 Industrial District
- I-2 Industrial Park District
- I-3 Employment Center District
- P Public Use District

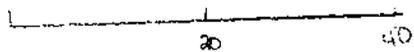
One Square Mile
Sec. 35 T10N R6E



Site Plan for Special Permit
 Pat's Child Care
 2418 S. 9th St
 Lot 22, Block 6, South Park Addition



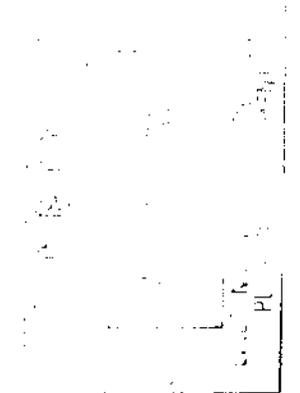
Scale is 1" = 20



Scale in feet

Parking
 Employee = E
 Parents = P

Day Care
 20 Kids
 2 Staff





Lancaster County

County Assessor
Parcel Photo

Parcel 10-35-410-003-000

[Comments](#)



24-May-2000

480x640

[Property Information](#) [Property Mini-Sheet](#)

4/15/03

JO Planning Director, Marvin Knout

This is a request for a special permit for daycare at 2418 So 9th Street and that I can have 20 kids and 2 staff members. I have 5 parking spaces, there are two shifts AM and a p.m. shift. there are 2 parking space for staff in the back of the house. There are 3 space for loading and unloading for parents and kids. Two spaces in the back and have access from the alley. One space is in the driveway in the required front yard from parents and has access of Ninth Street.

The Daycare is in residential house with R-2 zoning, the playground is behind the house and will be screen and surrounded by a 6ft wooded privacy fence. Child may enter the playground entrance in the back in to the daycare, or the front entrance of the daycare.

There will be daycare hours of business everyday of the week for 24 hours a day.

Patricia Bush Morton

APR 16 2003

LINCOLN CITY, OREGON PER COUNTY
PLANNING DEPARTMENT



MICHAEL WOOLMAN
<lpd737@CJIS.CI.LIN
COLN.NE.US>

To: Tom Cajka <TCajka@ci.lincoln.ne.us>
cc:
Subject: Pat's Childcare

04/23/2003 09:26 AM

Mr. Cajka,

After reviewing "Pat's Childcare Special Permit #2013" I had questions about the parking in the rear of the residence. On April 22, 2003 I went to 2418 South 9th Street and contacted Patricia Bush Morton after looking at the proposed rear parking. Patricia told me that she had ordered gravel to be placed on the back of her property in the parking area to help level the parking lot. There appears to be enough parking spaces for four vehicles to park next to each other even though the diagram shows the proposed parking in a different configuration. The Lincoln Police Department does not object to Pat's Childcare SP #2013.

Sergeant Michael Woolman
Lincoln Police Department

**LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT
INTER-OFFICE COMMUNICATION**

TO: Tom Cajka

DATE: April 29, 2003

DEPARTMENT: Planning

FROM: Chris Schroeder

ATTENTION:

DEPARTMENT: Health

CARBONS TO: Bruce Dart, Director
EH File
EH Administration

SUBJECT: Pat's Childcare
SP #2013

The Lincoln-Lancaster County Health Department (LLCHD) has reviewed the special permit application for the proposed childcare with the following items noted:

- The LLCHD has a general concern regarding the location of the proposed childcare. The proposed site plan indicates parking adjacent to 9th Street. This location would require staff and parents backing their automobiles onto a main arterial street.
- In addition, because the building is non-commercial, the State Department of Health and Human Services requires 35 square feet per child for indoor space. The State Department of Health and Human Services determines what is considered to be usable space to meet this requirement.