

A G E N D A R E P O R T

DATE November 16, 2004

ITEM Public Hearing - Resolution No. 9432 for Conditional Use to Permit Construction of a Parking Lot on a Portion of the North Half of Block 28, Lincoln Heights

INITIATED BY Benefis Healthcare, Property Owner

ACTION REQUESTED After Conducting Scheduled Public Hearing, Commission Adopt Resolution No. 9432

PREPARED BY Bill Walters, Senior Planner

APPROVED & PRESENTED BY Ben Rangel, Planning Director

RECOMMENDATION:

The City-County Planning Board has recommended that a conditional use permit be granted to allow construction of a parking lot on a portion of the north half of Block 28, Lincoln Heights.

MOTION:

“I move the City Commission adopt Resolution No. 9432.”

SYNOPSIS:

Resolution No. 9432 grants a conditional use permit to allow construction of a parking lot on a portion of the north half of Block 28, Lincoln Heights, located along the south side of 13th Avenue South between 25th and 26th Streets.

BACKGROUND:

Benefis Healthcare has submitted applications involving development of a parking lot on its property between 25th and 26th Streets South and 13th and 15th Avenues South. A portion of subject property (the north half of Block 28, Lincoln Heights) is presently within the City and is zoned “C” Residence Use District which allows a parking lot as a conditional use.

In addition to the application for a conditional use permit for the north half of subject Block 28, Benefis has submitted applications to annex and replat the balance of the above-mentioned overall area.

Property zoned “C” Residence Use allows hospitals and clinics, offices and parking lots as conditional uses. The procedure for processing a conditional use is identical to that for a City zone change and in this instance is being processed concurrently with the rezoning of subject property.

The City Zoning Code lists the seven following criteria to be applied to a request for a conditional use for evaluation purposes.

1. That the establishment, maintenance or operation of the *conditional use* will not be detrimental to, or endanger the health, safety, morals, comfort or general welfare;
2. That the *conditional use* will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood;

3. That the establishment of the *conditional use* will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the *district*;
4. That the exterior architectural appeal, landscape treatment and functional plan of any proposed *structure* will not be so at variance with either the exterior architectural appeal, landscape treatment and functional plan of the *structures* already constructed or in course of construction in the immediate neighborhood or the character of the applicable *district*, as to cause a substantial depreciation in the property values within the neighborhood;
5. That adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided;
6. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets;
7. That the *conditional use* shall, in all other respects, conform to the applicable regulations of the *district* in which it is located, except as such regulations *may*, in each instance, be modified by the *City Commission* pursuant to the recommendations of the Planning Board.

Use of subject property as a parking lot will not be out of character with existing neighboring uses. Incorporation of landscaping should enhance the aesthetics. Infrastructure exists to accommodate storm drainage, to allow for adequate access and provide water for irrigation.

Staff concludes no significant negative aspects associated with the seven above-mentioned criteria should result from approval of the conditional use to allow a parking lot upon a portion of the north half of Block 28, Lincoln Heights.

The Planning Board on September 14, 2004, held a public hearing on multiple applications to allow construction of a parking lot between 25th and 26th Streets South and 13th and 15th Avenues South. Mr. Jack Fisher, the project engineer, made a few comments clarifying some issues. The applications to allow construction of the proposed parking lot has generated no proponents, opponents or public comments to date.

At the conclusion of the hearing, the Planning Board passed a motion covering numerous actions including recommending the City Commission grant a conditional use to allow the north half of Block 28, Lincoln Heights, to be partially developed as a parking lot.

Attach: Res. No. 9432
Site Plan

cc: Jack Fisher, TD&H, Inc., 1200 25th St S
Dawn Willey, Facilities Manager, Benefis Healthcare, 1101 26th St S