

FACTSHEET

TITLE: SPECIAL PERMIT NO. 16047 -
(Parking lot with waiver to setbacks and storm water
detention - 2847 A Street).

BOARD/COMMITTEE: Planning Commission

APPLICANT: Lynn Johnson, Director of the
Parks and Recreation Department

RECOMMENDATION: Conditional Approval, (5-0: Corr,
Cornelius, Sunderman, Weber and Hove voting 'yes';
Scheer and Harris declared conflict of interest; Scheer,
Harris and Lust absent)

STAFF RECOMMENDATION: Conditional Approval

OTHER DEPARTMENTS AFFECTED: N/A

SPONSOR: Planning Department

OPPONENTS: 1 (See testimony on pp.11-12; letters on
pp.16-18).

REASON FOR LEGISLATION: Construct parking lot with associated setback and storm water detention waivers.

DISCUSSION/FINDINGS OF FACT:

1. This special permit and several associated applications, including Comprehensive Plan Conformance No. 16005 (Bill#16-112), Text Amendment No. 16010 (Bill#16-113), Street and Alley Vacation No. 16005 (Bill#16-114), Change of Zone No. 16028 (Bill#16-114), and Change of Zone No. 16022 for a landmark designation (Bill#16-116), were heard at the same time before the Planning Commission. Waiver No. 16007 (Bill#16R-247) is also associated with this proposed development, which requests a waiver to parking lot surfacing requirements. The waiver was not heard by the Planning Commission but does require City Council action.
2. The staff recommendation to approve the special permit, with conditions, is based upon the "Analysis" as set forth on pp.3-5, concluding that the parking lot should have minimal impact on the surrounding area with appropriate screening and will provide more off street parking for the Zoo. The reduction to the front yard setback is acceptable with the addition of street trees to mitigate the loss of green space versus Washington/S. 29th Street. The staff presentation is found on pp.9-10.
3. Testimony on behalf of the applicant is found on pp.10-11. Testimony in support of this application is found on p.11. Testimony in opposition is found on pp.11-12, and the applicant's rebuttal is found on pp.12-13.
4. On October 28, 2016, the Planning Commission voted 5-0 to recommend conditional approval of this special permit, as set forth in the staff report dated October 13, 2016, which is conditioned upon the approval of the following associated applications: Change of Zone No. 16028 (Bill#16-115), Text Amendment No. 16010 (Bill#16-113), and Street and Alley Vacation No. 16005 (Bill#16-114). (See p.5)
5. On October 28, 2016, the Planning Commission also voted 5-0 to find the associated Comprehensive Plan Conformance No. 16005 - declaring city-owned property as surplus (Bill #16-112), to be in conformance with the Comprehensive Plan; voted 5-0 to recommend approval of Text Amendment No. 16010 (Bill#16-113); voted 5-0 to find Street and Alley Vacation No. 16005 (Bill#16-114) to be in conformance with the Comprehensive Plan; voted 5-0 to recommend approval of Change of Zone No. 16028 (Bill#16-115); and voted 5-0 to recommend approval of Change of Zone No. 16022 for a landmark designation - (Bill#16-116).

FACTSHEET PREPARED BY: Geri Rorabaugh, Administrative Officer

DATE: October 31, 2016

REVIEWED BY: David R. Cary, Planning Director

DATE: October 31, 2016

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for October 26, 2016 PLANNING COMMISSION MEETING

- PROJECT #:** Special Permit No. 16047
- PROPOSAL:** A request per Section 27.63.170 for parking in residential zoning districts.
- LOCATION:** Generally located between A Street and Washington Street at 2847 A Street
- LAND AREA:** Approximately 1.57 acres
- EXISTING ZONING:** B-3 Commercial (to be rezoned to R-6 Residential), R-6 Residential, R-2 Residential
- CONCLUSION:** The parking lot should have minimal impact on the surrounding area with appropriate screening and will provide more off street parking for the Zoo. The reduction to the front yard setback is acceptable with the addition of street trees to mitigate the loss of green space versus Washington/S. 29th Street.

RECOMMENDATION:	Conditional Approval
Waivers/modifications:	
1. Reduction of Front Yard Setback at the Intersection of Washington Street and South 29 th Street from 25 feet to 20 feet subject to approval of Street and Alley Vacation No. 16005.	

GENERAL INFORMATION:

LEGAL DESCRIPTION: See attached.

EXISTING LAND USE: Existing Zoo surplus parking lot, existing duplex and single family home at 2823 and 2825 A Street (both owned by Opahc Properties LLC for the Zoo), South 29th Street, Washington Street and alley right of way to be vacated, single family home at 2858 Washington Street (owned by Opahc Properties LLC), vacant parcel owned by Opahc Properties LLC and vacant City owned property adjacent the bike trail.

SURROUNDING LAND USE AND ZONING:

North:	P Public	City Park Land/Zoo
South:	R-2 Residential	Duplex, Single Family Homes
East:	P Public	Bike Trail
West:	R-6 Residential/R-2 Residential	Apartments/Single Family Homes

ASSOCIATED APPLICATIONS:

Change of Zone No. 16028 from B-3 Commercial to R-6 Residential

Comprehensive Plan Conformance No. 16005 for Surplus Property
Text Amendment No. 16010 to allow zoo parking in residential zoning within 360' of the Zoo
Street and Alley Vacation No. 16005 to vacate street and alley right of way
Waiver No. 16007 to waive parking lot surfacing

COMPREHENSIVE PLAN SPECIFICATIONS:

P. 1.2 - Preservation and enhancement of the many quality of life assets within the community continues. For a "good quality of life", a community has more than jobs, shelter, utilities and roads - there are numerous services, education, historic, natural and cultural resources that are fundamental to enriching lives. As the population continues to become more diverse, the richness and variety of Lincoln and Lancaster County's cultural assets will enrich the quality of life for all those living here.

P 1.9 - This area is shown as Commercial and Urban Density Residential in the 2040 Comprehensive Plan.

P. 7.10 - Redevelopment and infill should strive for compatibility with the character of the neighborhood and adjacent uses (i.e., parking at rear, similar setback, height and land use).

P. 9.12 - The Lincoln Children's Zoo is one of only five zoos in the nation dedicated to educating our youth. The Zoo's design is tailored specifically for children. The zoo is located on city-owned land near South 27th Street and A Street, but is managed by a nonprofit organization. The zoo plans to expand its facilities and attractions to the west along A Street and also has plans for additional parking south of A Street.

UTILITIES: The area is served by existing utilities. The proposed replacement infiltration basin is located over a 24" water main. Adjustments will be needed to address cover depth over the 24" water main. There is a sanitary sewer located under the parking lot. Easements need to be retained and access to manholes considered in the design. Also, LES will need retention of all easements due to existing facilities.

TOPOGRAPHY: The existing area generally slopes from west to east. The Special Permit grading plan shows the same west to east gradual slope along A Street with modified contours in the southwestern area for the relocated infiltration basin.

TRAFFIC ANALYSIS: Access for the Zoo parking lot would continue to be off A Street, which is the present access to the overflow parking. Alley traffic would be rerouted as part of the Street and Alley Vacation through a 14' public access easement that would connect to Washington Street. Therefore, there would be no significant traffic impacts.

AESTHETIC CONDITIONS: A landscaping plan that meets Design Standards and any conditions of approval of this Special Permit will be required to be submitted before Building Permit to insure adequate screening to mitigate the impact of vehicles in proximity to residential dwellings.

ALTERNATIVE USES: Continued use of existing Zoo overflow parking on A Street and continued use of existing residential or residential redevelopment to the south and west.

ANALYSIS:

1. This is a request for a parking lot in the R-6 and R-2 Residential zoning districts for the nearby Lincoln Children's Zoo use. Parking lots are allowed in residential districts by Special Permit. The attached plan shows the entire proposed project boundary for the Zoo parking on the south side of A Street, but the portion in the P Public zoning district owned by the City of Lincoln is not in the Special Permit area.

2. The existing Zoo overflow parking lot on the south side of A Street which is part of the Special Permit boundary presently includes B-3 zoned area which will be changed to R-6 as part of associated application Change of Zone No. 16028. This existing parking lot is being declared surplus by the City and will be sold to the Zoo.
3. Associated Text Amendment No. 16010 amends current Lincoln Municipal Code by adding zoo as a use in addition to college, university or church uses that may be allowed through Special Permit to have parking on property located not more than 360 feet from the main property of the use including R-6 and R-2 zoning.
4. The Special Permit boundary includes area that is part of associated Street and Alley Vacation No. 16005 to vacate South 29th Street, part of Washington Street at South 29th Street corner and adjoining alley segment which will be part of the parking lot project area.
5. The Special Permit includes a waiver request to reduce the front yard setback from 25 feet to 20 feet for the R2 Zoning area along Washington Street. This would be the resulting setback after approval of Street and Alley Vacation No. 16005.
6. A separate Waiver from Paved Parking application (Waiver No. 16007) will be considered by City Council for the Phase 2 of the parking lot. This request will allow two years until Phase 2 would have to be paved.
7. A request for approved alternate to Chapter 28.03 has been submitted to Public Works Department for the stormwater quality. The required water quality volume is proposed to be installed offsite as a part of the Lincoln Children's Zoo expansion project with overall detention north of A Street on the main Zoo property.
8. Storm water detention is not required for the parking lot per Public Works Watershed Management. The applicant notes the increase in proposed runoff from the existing gravel parking lot and the proposed concrete parking lot is negligible and the downstream storm sewer system is sized adequately to discharge the runoff from the contributing area.
9. The existing infiltration basin located at the corner of Washington and 29th Streets will be removed and a new infiltration basin will be constructed as part of the new parking lot expansion.
10. There would be no traffic impact to the neighborhood as the new Zoo parking area would still take access via A Street with no access to either Washington Street or the adjacent alley. Landscaping required as part of the Design Standards with additional landscaping versus residential as one of the conditions of approval will provide adequate buffering.
11. The current parking lot contains approximately 60 parking stalls. The proposed new parking lot total stall count would be 145 spaces (85 more than current lot) with 103 spaces in Phase 1 and 42 spaces in Phase 2. The proposed parking lot would be set back 20 foot versus A Street in conformance with the R-6 zoning front setback. The proposed parking lot would be set back 20 feet from Washington/S. 29th Street with 5 foot waiver from the R-2 zoning front set back of 25 feet. Street trees 50 feet on center will be provided to offset the reduction in front yard setback for the parking versus Washington Street/South 29th Street.

12. Sidewalk connection to the Rock Island Trail will be provided by way of a 4' sidewalk from Washington Street. The sidewalk will be located along the far south side of the Special Permit boundary to avoid any conflict with the parking areas.

CONDITIONS OF APPROVAL:

Per Section 27.63.170 for Parking Lots this approval permits Parking in the R-6 and R-2 Residential Zoning Districts as shown on the site plan with waivers to front yard setback and storm water detention. The approval of this Special Permit is conditioned on the approval of the following associated applications: Change of Zone 16028, Text Amendment 16010, and Street and Alley Vacation No. 16005.

Site Specific Conditions:

1. Before receiving building permits or before a final plan is approved the permittee shall cause to be prepared and submitted to the Planning Department a revised and reproducible final plot plan including 3 copies with all required revisions and documents as listed below:
 - 1.1 Identify that the only two existing trees shown on the grading plan, within the boundary of the special permit, are to be preserved.
 - 1.2 Revise Note #1 to state "Parking lot layout is conceptual. Any revisions to the layout will be done by administrative amendment."
 - 1.3 Revise Note #3 to state that a separate waiver was requested to the City of Lincoln Parking Lot Design Standards to allow Phase 2 of the Parking Lot to be surfaced with gravel/aggregate for a period of time not to exceed two (2) years.
 - 1.4 Change Note #4 to state The Proposed 14' Access Easement on Block 2, Lot 17 will be surfaced with aggregate and will receive a concrete driveway approach from 5' north of the property line to the back of curb on Washington Street.
 - 1.5 Change Note #9 to A landscape screen of at least 60% from ground elevation to a height of 10 feet will be provided along the west side of Lot 17, Zehring and Ames Addition.
 - 1.6 Add note at Washington Street and S. 29th Street that measures will be taken to safely mark the new curve in the gravel street to the satisfaction of the Public Works & Utilities Department.
 - 1.7 Submit Plan with corrections to the satisfaction of the Public Works - Engineering Services Division.
 - 1.8 Submit Plan with corrections and information to the satisfaction of the Public Works & Utilities - Watershed Management Division.
 - 1.9 Submit Plan with corrections to the satisfaction of the Public Works & Utilities - Water Division concerning Replacement Infiltration Basin over 24" water main.
 - 1.10 Submit Plan with corrections to the satisfaction of the Public Works & Utilities - Wastewater Division concerning sanitary sewer. Easements need to be retained and access to

manholes considered in the design for existing sanitary sewer that is located under the parking lot.

- 1.11 Submit Plan with corrections to the satisfaction of the Lincoln Electric System concerning easements that are needed for facilities.
 - 1.12 Submit screening and landscaping plan that meets Design Standards to the satisfaction of the Planning Director and Parks & Recreation Department. This plan shall include street trees 50 feet on center to offset the reduction in front yard setback for the parking versus Washington Street/South 29th Street. Also, this plan shall include where adjacent to residential use, a screen evenly distributed horizontally, which may vary in height, so as to screen at least sixty percent (60%) of the surface area of a vertical plane extending along the length of the abutting property line and from the ground elevation to a height of ten feet (10') above the adjacent ground elevation.
 - 1.13 Submit final Site Plan with the updated legal description.
2. Before receiving building permits provide the following documents to the Planning Department:
 - 2.1 Verification from the Register of Deeds that the letter of acceptance as required by the approval of the special permit has been recorded.
 3. Prior to the issuance of a building permit:
 - 3.1 The construction plans must substantially comply with the approved plans.

Standard Conditions:

4. The following conditions are applicable to all requests:
 - 4.1 All privately-owned improvements, including landscaping shall be permanently maintained by the Permittee or an appropriately established association approved by the City.
 - 4.2 The physical location of all setbacks and yards, buildings, parking and circulation elements, and similar matters be in substantial compliance with the location of said items as shown on the approved site plan.
 - 4.3 The terms, conditions, and requirements of this resolution shall run with the land and be binding upon the Permittee, its successors and assigns.
 - 4.4 The applicant shall sign and return the letter of acceptance to the City Clerk. This step should be completed within 60 days following the approval of the special permit. The City Clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the applicant. Building permits will not be issued unless the letter of acceptance has been filed.

Prepared by

George Wesselhoft, Planner
(402-441-6366, gwesselhoft@lincoln.ne.gov)
October 13, 2016

OWNER: Opahc Properties, LLC
1222 South 27th Street
Lincoln, NE 68502

**APPLICANT/
CONTACT:** Thomas C. Huston
233 S. 13th Street, Suite 1900
Lincoln, NE 68508

COMPREHENSIVE PLAN CONFORMANCE NO. 16005, TEXT AMENDMENT NO. 16010, STREET AND ALLEY VACATION NO. 16005, CHANGE OF ZONE NO. 16028, CHANGE OF ZONE NO. 16022, AND SPECIAL PERMIT NO. 16047

**COMPREHENSIVE PLAN CONFORMANCE NO. 16005
TO REVIEW AS TO CONFORMANCE THE REQUEST TO DECLARE SURPLUS PROPERTY
GENERALLY LOCATED AT 2847 A STREET.**

PUBLIC HEARING BEFORE PLANNING COMMISSION: October 28, 2016

and

**TEXT AMENDMENT NO. 16010
TO ALLOW A PARKING LOT FOR A ZOO BY SPECIAL PERMIT
AND TO REPEAL SECTION 27.63.170 AS HITHERTO EXISTING.**

PUBLIC HEARING BEFORE PLANNING COMMISSION: October 28, 2016

and

**CHANGE OF ZONE NO. 16028
FROM B-3 (COMMERCIAL DISTRICT) TO R-6 (RESIDENTIAL DISTRICT)
ON PROPERTY GENERALLY LOCATED AT 2847 A STREET.**

PUBLIC HEARING BEFORE PLANNING COMMISSION: October 28, 2016

and

**SPECIAL PERMIT NO. 16047
TO CONSTRUCT AN ADDITIONAL LOT WITH WAIVERS
ON PROPERTY GENERALLY LOCATED AT 2847 A STREET.**

PUBLIC HEARING BEFORE PLANNING COMMISSION: October 28, 2016

and

**STREET AND ALLEY VACATION NO. 16005
TO VACATE A PORTION OF THE EAST-WEST ALLEY
AND A PORTION OF WASHINGTON STREET
ON PROPERTY GENERALLY LOCATED AT 2847 A STREET.**

PUBLIC HEARING BEFORE PLANNING COMMISSION: October 28, 2016

and

**CHANGE OF ZONE NO. 16022
TO DESIGNATE THE AGER BUILDING AS A LOCAL LANDMARK
ON PROPERTY GENERALLY LOCATED AT 1300 SOUTH 27TH STREET.**

PUBLIC HEARING BEFORE PLANNING COMMISSION: October 28, 2016

Commissioners Harris and Scheer declared a Conflict of Interest: Scheer absent; Harris exited the meeting at 1:10 P.M.

Members present: Cornelius, Corr, Hove, Sunderman, and Weber present; Harris, Lust and Scheer absent.

There were not ex parte communications disclosed on these items.

Staff Presentation: George Wesselhoft of the Planning Department stated that of these six items, the first five pertain to the parking lot south of A Street. The final item is for the Landmark Designation of the Chet Ager Building.

The parking lot expansion area is south of A Street, west of the Rock Island Trail and will be used to provide overflow parking for the zoo. Access is off of A Street. The first application is to declare the area, acquired by the City in 2010, as surplus. The City proposes to sell the lots to the zoo for their expansion. There has been no opposition from any department or agency regarding this sale. There has been a request to retain LES easements along the south and north. The Comprehensive Plan mentions the zoo's plans for expansion, including additional parking on the south side of A Street.

The next item is the Text Amendment to Chapter 27.63 which currently permits acquiring a special permit to allow off-site parking lots for universities, colleges and places of religious assembly in areas zoned R-1 through R-8 if the area is within 360 feet of the main use. This amendment would allow the zoo to do the same. This allows flexibility for certain uses who may need additional parking outside of the same district; through special permit, it can be allowed without changing zoning.

This location is currently zoned B-3. To the west is R-6, and to the south is R-2. The north and east are zoned P. The B-3 designation is a holdover from when there was a commercial use on this site. The City acquired the lot for the Rock Island Trail. No buildings are proposed here and parking is allowed, but it is more appropriate for the area to be residential so that changes can be reviewed. The change to R-6 would also provide more consistency with the area to the west, which establishes that zoning pattern all the way to 27th Street.

Special Permit No. 16047 is conditioned on the approval of the zoning change, the text amendment, and the street and alley vacation. Parking is allowed by special permit in residential areas. The portion currently within P is not subject to the rules of the special permit. The boundary goes all the way to Washington Street along the alley. It also includes a waiver to the setback, after approval of the street and alley vacation. There is an additional waiver going straight to City Council regarding the parking. It would allow 2 years until Phase II would have to be paved. The current lot has 60 stalls. Phase I will include 103 and Phase II an additional 42 stalls. The lot will be setback 20 feet from Washington Street with the waiver and will be in conformance with R-6 zoning. This should have minimal impact on the neighborhood with appropriate screening and it will provide additional off-street parking for the zoo.

Finally, there is a request to vacate a small portion of Washington and S. 29th Streets and the east/west alley just south of the current lot. The Comp Plan classifies S. 29th as a local street. This vacation will not negatively affect activity as right-of-way and alley access will be accommodated with easement to Washington Street. There will be better pedestrian circulation

with a connection to the Rock Island Trail. No portions of the sidewalk or trail will be removed. For both this and the special permit, there are utility easements for water, sewer and electric which need to be retained.

Corr asked if they are proposing to tear down any houses. Wesselhoft said there are two existing houses west of the current overflow lot that will be torn down and one just to the south. They are owned by the entity representing the zoo.

Corr noticed the letter originally cited five years as the amount of time they wanted to have. She inquired if two years was the maximum that could be granted. Wesselhoft replied that two years was offered as a compromise that is both acceptable to the Health Department in terms of dust complaints and still allowing some flexibility for the zoo.

Corr wondered if these will be the only applications seen by the Planning Commission regarding the zoo. Wesselhoft said these are the only ones coming forward at this time. Others present at today's hearing may be able to elaborate more on the bigger picture.

Stacey Groshong-Hageman of the Planning Department stated the final change of zone is for the Landmark Designation of the Chet Ager Building located west of the zoo at the end of B Street and east of 27th Street. It is just south of the current zoo parking. Keeping in mind the goal of having an open view of the facade of the building from 27th Street, the boundary for the designation includes the landscape to the west.

The building was constructed in 1936 and was a project of the Work Projects Administration during the New Deal. They also employed people to quarry and cut the limestone. Parks also purchased a portable sawmill and they milled wood from trees that had died as a result of the drought.

The building was designed by notable local architects, Davis and Wilson. The symmetrical facade faces 27th Street. The taller portion has an arched entrance flanked by two windows on each side. Above each window is an animal-themed medallion. The building served as a year-round facility. It was designed around a central aviary with a skylight and waterfall-fed pond. The aviary was surrounded by animal cages of varying sizes. Offices were located along the west side.

The zoo plans to incorporate the Ager Building by returning it to a year-round zoo facility. The area in front facing 27th Street will provide additional access to the parking lot to the south. The Preservation Guidelines identify the importance of the landscape area and of maintaining an unobstructed view. The plans include the incorporation of a circular drive that uses the Thompson Fountain ring as a planter in the center. That fountain was originally located at 11th and J Streets but has since had a long association with the park and was used by the zoo for Monkey Island and for a panda enclosure. The Historic Preservation Commission reviewed the proposed plans in September and they recommended approval.

Proponents:

1. Tom Huston, Cline Williams Law Firm, 233 S. 13th Street, came forward representing the Lincoln Children's Zoo. Also present were John Chapo, Lincoln Children's Zoo; Dan Spiry, BVH Architecture; and Aaron Bright, Olsson Associates. Most of these items today relate to the

overflow parking to the south of A Street; the zoo expansion is to the north. One objective is to allow the zoo to provide a year-round experience for patrons. The expansion will include a new entrance adjacent to a new science-focus school in partnership with Lincoln Public Schools. There is a new parking lot at the southwest that is primarily for patrons that will have access from both A Street and 27th Street. There will be additional exhibition space, including the Ager Building. The site plan provides protection for garden areas to the north and west, as well as the reservoir area south of the entryway. Some people had the misconception that the City and zoo are the same entity when they are not; the zoo is a non-profit and is completely separate from the City. When this goes before City Council, there will be four additional items, including : a request for waiver, the purchase agreement for the surplus property, review of lease and construction, and an operating agreement. The project has been presented to the Urban Design Committee. They had very insightful recommendations that were ultimately incorporated into the site plan. The zoo has met extensively with neighbors about the process, timing, and schedules for this expansion.

Corr asked if there will be access onto Washington during Phase II of the lot. Huston responded that there is only an LES access that is not public. Corr wondered if there will be enough landscaping so it is clear to those exiting the lot that it is not access to Washington. Huston said there will be a sidewalk that will help delineate the boundaries and discourage cars from jumping the curb. The alley turns south to provide access to Washington and that access will continue to provide a route, primarily for garbage service. There is also a detention area to discourage people from driving through.

Corr asked if the applicant is comfortable with the two years instead of five. Huston answered that it was a matter of budget and we wanted the flexibility. If approved, construction will start as soon as spring 2017.

3. Michelle Penn, 8111 Preserve Court, stated she is Chair of the Urban Design Committee. This project came forward two times. There was a shakeup over one design because committee members realized it could be better. We felt the expansion was being restricted by the Parks and Recreation Building, so that plan was denied. The committee also provided recommendations which appear to have been included in the new plans. It was agreed upon that the zoo expansion should remain within Antelope Park Triangle and that they needed a better entrance. The parking across the street should be kept for overflow staff parking and Zoo School. The main lot should go where the Parks and Rec Building is currently located. The guest experience should not include going over an overpass, which was part of an original design. We asked that the Rock Island Trail not be obstructed. There was also concern that pedestrians might often choose to cross the street rather than using the overpass. There will be the loss of some green space, but there are other areas where they could go. The zoo is the third most visited attraction in Nebraska. The expansion could bring in an additional 30,000 to 40,000 visitors. The zoo was intended for children and we thought it was important to keep that intimate experience. Penn stated that she cannot speak for all Urban Design Committee members, but she can report that their recommendations were incorporated. Everyone involved has worked together to make this a great project.

Opponents:

1. Walter Canney, 2111 S. 66th Street, stated he has been a resident of Lincoln since 1971. He is concerned with the broad expansion of the zoo. The process thus far has been "stealth

planning”, with a picture in the paper, a bit on the news, and a vague map. Today is the first time he has seen the proposal. He submitted a letter to the Mayor and to the Parks Department. This topic was only lightly advertised. He has questions about large animals being included as part of the expansion since they would require such large or high containment areas. He asked about this, but the answer he received was that they do not know yet. There has never been a major public hearing on the whole expansion. It was his understanding that the zoo would never go west of Rock Island Trail, but they have now swallowed up most of that land. At one time, there was talk of a botanical garden. The ambience of that long stretch of road with the roses, trees, and setbacks are assets. He also has a financial and emotional investment in the rose garden. He made a significant contribution in 2007 which brought in the Joy Fountain in honor of his wife and her community contributions. It seems like there should be more definite plans in place before donations are requested. Finally, the zoo is a non-profit, but to him, they seem more like a commercial enterprise.

Staff Questions:

Corr asked if the zoo has any parking requirements. Wesselhoft said there is not a specific zoo use in the code. Corr asked how many stalls they have now. Wesselhoft said he cannot answer.

Corr asked for confirmation that the Parks Building will be torn down for the expansion. Wesselhoft said he is not directly involved in that part of the plan.

Corr wondered if the bike trails will continue to be used all hours and if they will be fenced off in any locations. Wesselhoft said that as far as he is aware, there will be no restriction of the bike trail.

Corr inquired if the indoor playground currently occupying the Ager Building will be replaced at another location.

Nicole Fleck-Tooze, Parks Department, stated that Parks will continue to use Ager through the end of May 2017. The preschool adaptive recreation programming will be moved to Calvert School. Parks currently rents that space out to people for events; people will now have that opportunity at the Nature Center. Corr asked if the indoor playground is going to be reconstructed. Fleck-Tooze said it is not. The current facility is aging and getting to a point where it would soon need to be replaced. The trail goes under the bridge and will continue unhindered and will not be impacted.

Applicant Rebuttal:

Huston said that a primary design consideration was preservation and protection of the gardens. The site plan does both while still allowing the zoo to expand.

Corr asked about the placement of fencing. Huston replied that it will only be for the exhibit area and not for parking or the trails.

Corr asked how much parking currently exists. Huston said the site currently has 195 stalls. The new parking will have more with an additional 145 stalls south of A Street.

Corr asked for confirmation that the Parks Building is being removed. Huston said that is correct. The only opposition for the expansion north of A Street was the relocation of the Parks and Recreation Department. That relocation has been achieved and the department will relocate to existing space in the Health Department Building.

Corr asked if there is any historical significance to the building. She thought it was built over a pool. Huston said that to his knowledge, it does not have historical significance.

Hove asked Huston to address Mr. Canney's questions and concerns. Huston said details have not been finalized, but the vision includes larger animals and year-round usage.

Hove asked if Ager will remain the same. Huston said the Landmark Designation will protect the building.

Hove asked if there is any further guarantee that the rose garden will stay. Huston said that one document going before City Council is a lease agreement that will include the footprint of the existing zoo and the new area. The zoo will not have any legal rights outside of that area. The rose garden is outside of the area.

Corr inquired if the City owns the property the zoo sits on. Huston said yes, this is an expansion of an existing lease.

Groshong-Hageman indicated that the Parks Building is not historically significant. She suggested the Muni Building housed the pool and was a similar Landmark Designation. Corr said she thought it was built over a pool. Groshong-Hageman said she did not believe so.

Lynn Johnson, Director of Parks and Recreation, came forward to say that the building was constructed in the 1950s and is mostly original. The lot has always been there with the building. The zoo's intention with the Ager Building is to combine some of the play exhibits with historical elements. It will continue to be a location for families to come and play, but will simply become a zoo function.

COMPREHENSIVE PLAN CONFORMANCE NO. 16005

ACTION BY PLANNING COMMISSION:

October 28, 2016

Cornelius moved Conformance with the Comprehensive Plan; seconded by Sunderman.

Cornelius said he will address all items at once instead of individually.

Commissioners agreed that would be appropriate.

Cornelius stated that to address Mr. Canney, when he looks at the site plan, he sees a de-intensification of the parking use closer to the gardens, so that is beneficial. Commissioners are only ruling today on the parking south of A Street and the Historical Landmark. Even if we were considering the project in a broader sense, what we are seeing is beneficial. He intends to support all items.

Corr stated she has no problem with these six applications. The parking to the south has been crushed rock and there have been no complaints. There are multiple factors, including

screening, that will protect the neighbors. She wanted to be on the record as being opposed to tearing down the Parks and Recreation facility, especially since it is only being done for a parking lot. She knows that issue is not related to what is before Commissioners today, but this could be her only chance to speak on the matter. She is also concerned about the Parks Department moving to the Health Department Building and taking up parklands in Woods Park to expand parking at that location. That should be looked into further. She hopes that City Council will keep this in mind when reviewing these minutes.

Sunderman said the parking to the south is well planned in terms of access and screening. The Ager Building designation is also very good; it is a great building. It once had animals in it and he would like to see a return to that. Though the zoo expansion is not part of these specific applications, the project is wonderful. Lincoln has grown so much and is nearly over 300,000 residents. The zoo really needs to expand. As stated, it is the third most visited place and is a jewel to the community.

Hove echoed the thought of Commissioner Sunderman. What we are approving makes sense. To address Mr. Canney, there is an indication that those gardens will continue for years and years and they are doing a good job of maintaining green space along the 27th Street Corridor.

Motion carried 5-0: Cornelius, Corr, Sunderman, Weber, and Hove voting 'yes'; Harris and Scheer declared a conflict of interest; Harris, Lust, and Scheer absent. Note: This is a recommendation to the City Council.

TEXT AMENDMENT NO. 16010

ACTION BY PLANNING COMMISSION:

October 28, 2016

Cornelius moved Approval; seconded by Corr and carried 5-0: Cornelius, Corr, Sunderman, Weber, and Hove voting 'yes'; Harris and Scheer declared a conflict of interest; Harris, Lust, and Scheer absent. Note: This is a recommendation to the City Council.

CHANGE OF ZONE NO. 16028

ACTION BY PLANNING COMMISSION:

October 28, 2016

Corr moved Approval; seconded by Weber and carried 5-0: Cornelius, Corr, Sunderman, Weber, and Hove voting 'yes'; Harris and Scheer declared a conflict of interest; Harris, Lust, and Scheer absent. Note: This is a recommendation to the City Council.

SPECIAL PERMIT NO. 16047

ACTION BY PLANNING COMMISSION:

October 28, 2016

Cornelius moved Conditional Approval; seconded by Weber and carried 5-0: Cornelius, Corr, Sunderman, Weber, and Hove voting 'yes'; Harris and Scheer declared a conflict of interest; Harris, Lust, and Scheer absent. Note: This is a recommendation to the City Council.

STREET AND ALLEY VACATION NO. 16005

ACTION BY PLANNING COMMISSION:

October 28, 2016

Cornelius moved Conformance with the Comprehensive Plan; seconded by Weber and carried 5-0: Cornelius, Corr, Sunderman, Weber, and Hove voting 'yes'; Harris and Scheer declared a

conflict of interest; Harris, Lust, and Scheer absent. Note: This is a recommendation to the City Council.

CHANGE OF ZONE NO. 16022

ACTION BY PLANNING COMMISSION:

October 28, 2016

Cornelius moved Approval of Landmark Designation; seconded by Corr and carried 5-0: Cornelius, Corr, Sunderman, Weber, and Hove voting 'yes'; Harris and Scheer declared a conflict of interest; Harris, Lust, and Scheer absent. Note: This is a recommendation to the City Council.

Walter A. Canney

2111 S 66th St.

Lincoln, NE 68506-2881

Tel: 402 489-2373 Fax: 403 489-2373 e-mail: wcanney@neb.rr.com

~~October 28, 2016~~

May 26

Mayor Chris Beutler
1225 F St
Lincoln, NE 68508

Dear Mayor Beutler,

I attended the small open house for the Lincoln Children's Zoo proposed expansion recently. I mentioned that I was concerned about the Rose Garden, and any possible impact the expansion might have on the access, ambiance of the area or the future - acknowledging I was financially and emotionally invested in the Rose Garden.

Visually, not getting a good perspective from the bubble diagram board, I subsequently contacted Evan Killeen with the Children's Zoo, to see if there was a model that might provide a better vision. His response was that Zoo staff was not that far in the process. I followed up asking if he would be able to provide a generic perspective of the enclosure frontage along the Parks Department building on A Street West and north along 27th Street returning back East toward the Zoo's current footprint, as to the height and possible nature of the compound. However, according to Evan that information is not available.

More recently I was invited to a land use planning session of the City held at the Parks Office. Mr. Chapo gave a brief overview of the Zoo expansion focusing mainly on the current Zoo curriculum, primarily on education and his hope for an expansion in that area. No specifics on the enclosure or what its contents were provided in terms of new animal inhabitants or exhibits. Inquiries regarding zoo expansion and function were made but largely left unanswered with the focus being on parking. Specifically, I asked in several different ways what the proposed enclosure would look like (i.e. size, dimension, materials, scale, inhabitants, etc.) all of which answers were evaded by Mr. Chapo.

My perspective of the area identified as the Antelope Park Triangle is that it is an entrance to the heart of the City. Arriving from the South, the full 2+ blocks of green space including the historic Ager building, down to the renovated Rose Garden, iconic Sunken Gardens and sentimental favorite Teachers Fountain - it provides a much need visual and psychological function - welcoming commuters and visitor alike traveling the 27th Street corridor. Thus I think the proposed zoo expansion, which would include enclosure of a part of this green space, depreciates a community asset in the heart of Lincoln. When I inquired whether the enclosure would be 4' tall or 13'tall - Mr. Chapo denied both but again, would not provide any specifics.

A further concern as reported in the Journal Star, is the Zoo's intention to acquire the Parks Administration Building. I feel this would be tragic for their long-term location, community presence and access to the public for reservations of shelters, parks, and the many other services performed.

As I look at the bubble diagram depicting the Zoo expansion in the Journal Star, and visualize myself sitting on one of the four new benches I recently gifted to the Parks Department, soon to be installed, I will be facing the corner of the proposed Zoo compound. I have to ask the question, how much green space will be diminished because of the proposed Zoo enclosure?

Stepping out of my personal bias that favors the ambience of this part of the Antelope Park Triangle as is, I raise one other concern.

I have heard speculation that the expanded compound is to contain large Zoo animals - possibly a Giraffe(s) and others with and a pay to feed program. Research states that a mature male Giraffe may grow to be 17' tall and a female up to 14' tall. Knowing these heights - one must assume a significantly high enclosure. If this arrangement models the Denver Zoo - a pay to feed operation seems a bit elitist to me and strays from the principles that a children's zoo is for all children. Knowing the prevalence of the back pack program in Lincoln and how it provides food to school children on weekends - is the image of more fortunate children with a handful of bills lining up to feed an exotic animal one our Community really wants to present. Our Children's Zoo is loved. It should remain a Children's Zoo for all.

Regards,

Walter A. Canney

CC: Christie Dionisopoulos, Lincoln Parks Foundation, Executive Director
Lynn Johnson, Lincoln Parks & Recreation Department, Director
Lincoln Parks & Recreation Advisory Board, President
Jon Carlson, Mayor's Office
John Chapo, Children's Zoo

June 18, 2015

Lynn Johnson, Director
Lincoln Parks & Recreation
2740 A Street
Lincoln, NE 68502

Christie Dionisopoulos, Director
Lincoln Parks Foundation
2740 A Street
Lincoln, NE 68502

Dear Parks Friends,

Yesterday's Journal/Star featured a beautiful picture of the "Joy" Fountain. It prompted both a warm pleasant thought as well as a concern.

As I have followed the public information as available on the Zoo's expansion plans, it appears the Parks Department is passively at their mercy. While there have been oral assurances that the Rose Garden will remain, my skepticism remains that this will not be the Zoo's long-range commitment.

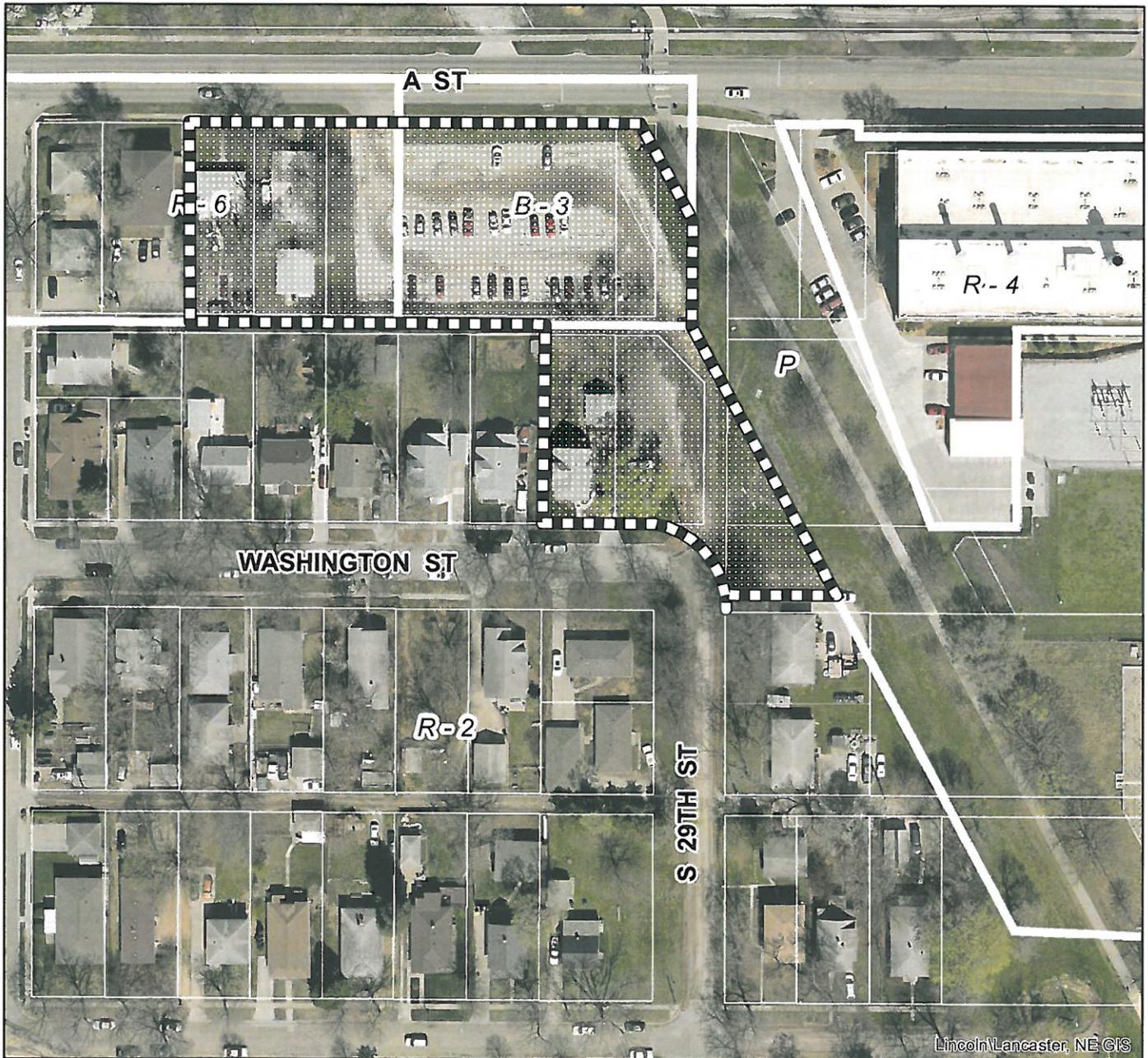
Thus I pose a question to the Parks Department and to the Parks Foundation. Though I will likely be long gone when the Zoo wants to grow again, and I am convinced they will - could my family request and claim the "Joy" component of the rose garden fountain? I believe my original contribution paired with memorials at Louella's passing would cover the investment. If not - I would make further provisions within my estate to do. As originally intended - "Joy" was committed for that Rose Garden, with that particular garden design at that particular location. Rather than yet another Rose Garden removal, reduction, re-location or even warehouse storage - it would fit perfectly at my daughter's lovely 1910 Arts & Crafts home in a rural picturesque setting along the Coos River in Oregon.

As I look back at the first presentation of the Zoo supporters, Liberty Plaza was clearly absent from the site plan. I am convinced it only reappeared at a re-located site after concerns were expressed.

The question I frame and request herein, is something the Parks Foundation should also contemplate. Will donors contributions in both permanent and removable projects be respected, and if so - for how long?

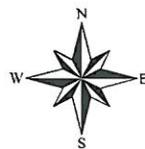
Sincerely,

Walter A Canney
2111 S. 66th St
Lincoln, NE 68506
wcanney@neb.rr.com



2016 aerial

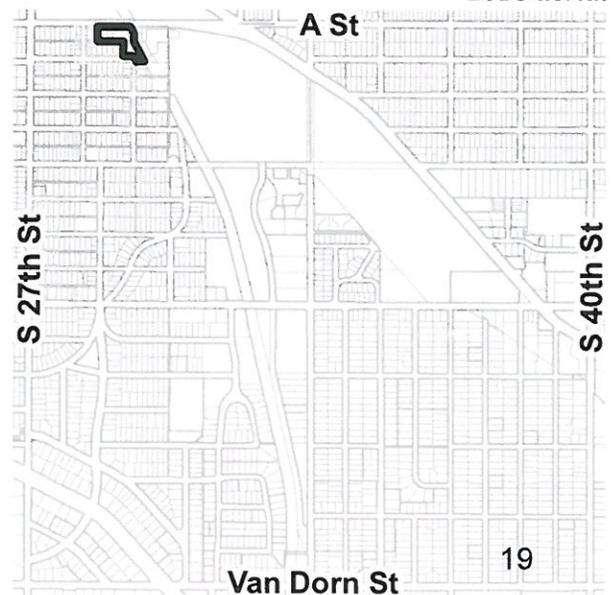
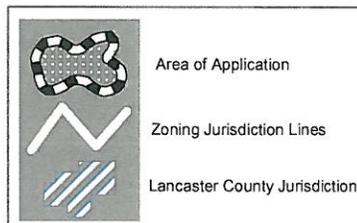
Special Permit #: SP16047
Lincoln Children's Zoo
S 27th St & A St

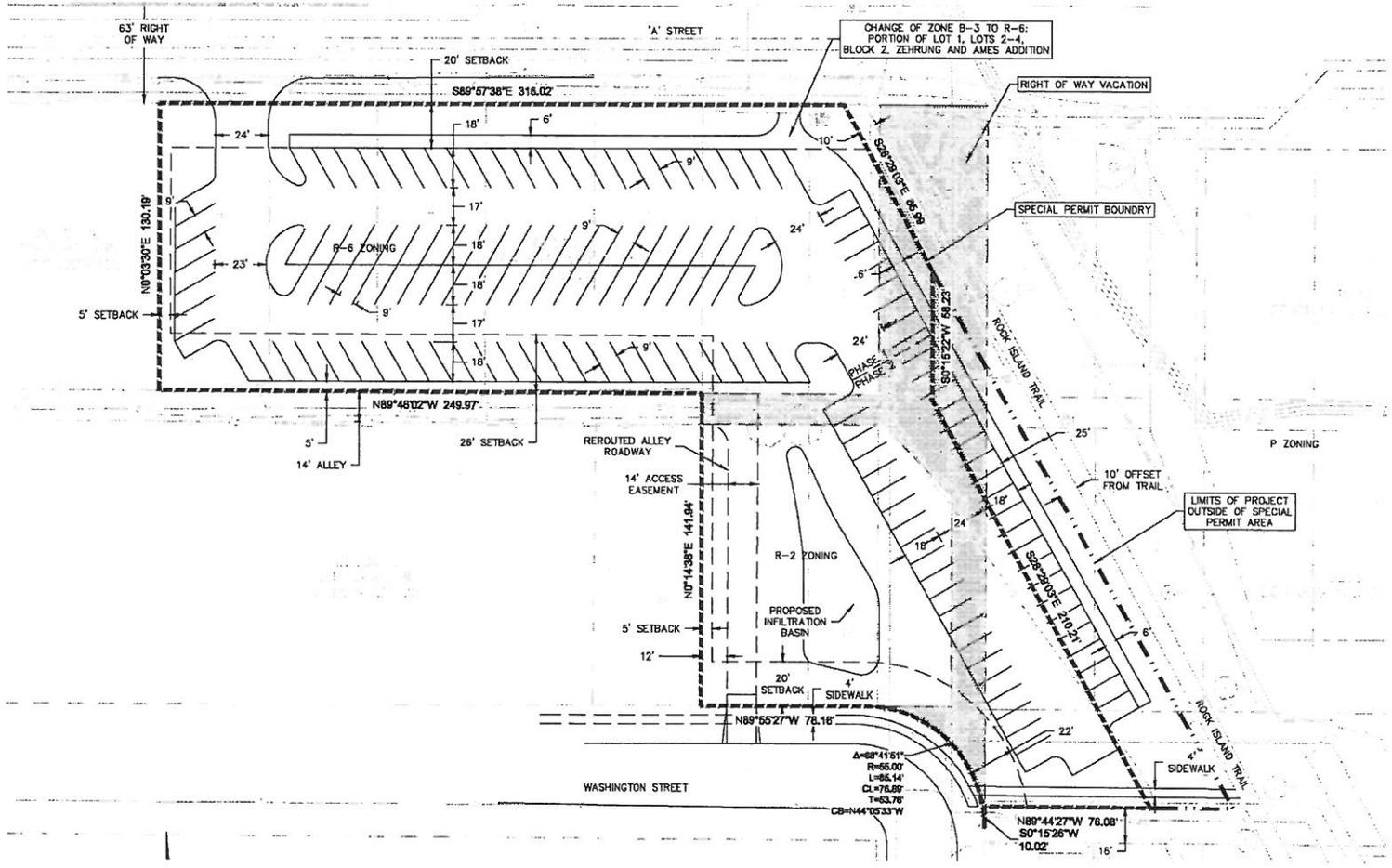


One Square Mile:
 Sec.31 T10N R07E

Zoning:

- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential 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





GENERAL NOTES

1. PARKING LAYOUT IS CONCEPTUAL AND WILL BE FINALIZED AT TIME OF SUBMITTAL FOR PARKING LOT PERMIT AT BUILDING AND SAFETY. PARKING LOT WILL BE DESIGNED IN ACCORDANCE WITH CITY OF LINCOLN DESIGN STANDARDS.
2. A WAIVER IS REQUESTED TO REDUCE THE FRONT YARD SETBACK OF WASHINGTON STREET AND S. 29TH STREET TO 20'.
3. A WAIVER IS REQUESTED TO THE CITY OF LINCOLN PARKING LOT DESIGN STANDARDS TO ALLOW PHASE 2 OF THE PARKING LOT TO BE SURFACED WITH GRAVEL/AGGREGATE FOR A PERIOD OF TIME NOT TO EXCEED TWO (2) YEARS.
4. THE PROPOSED 14' ACCESS EASEMENT ON BLOCK 2, LOT 17 WILL BE SURFACED WITH AGGREGATE AND WILL RECEIVE A CONCRETE DRIVEWAY APPROACH FROM 5' OUTSIDE THE PROPERTY LINE TO BACK OF CURB ON WASHINGTON STREET.
5. THE EXISTING INFILTRATION BASIN LOCATED AT THE CORNER OF WASHINGTON AND 29TH STREET WILL BE REMOVED AND A NEW INFILTRATION BASIN WILL BE CONSTRUCTED. THE INFILTRATION BASIN SHALL MATCH THE ORIGINAL DESIGN INTENT AS SHOWN ON CONSTRUCTION PLANS TITLED "ACP-04: ANTELOPE PARK, CITY PROJECT NO. 701585, DATED MAY 2013."
6. A REQUEST FOR APPROVED ALTERNATE TO CHAPTER 28.03 OF THE REGULATIONS OF POST CONSTRUCTION STORMWATER MANAGEMENT HAS BEEN SUBMITTED FOR THE STORMWATER QUALITY BEST MANAGEMENT PRACTICES ASSOCIATED WITH THE PARKING LOT. THE REQUIRED WATER QUALITY VOLUME IS PROPOSED TO BE INSTALLED OFFSITE AS A PART OF THE LINCOLN CHILDREN'S ZOO EXPANSION PROJECT. WATER QUALITY DESIGN AND REQUIRED TREATMENT VOLUME WILL BE IN ACCORDANCE WITH CHAPTER 8 OF THE DRAINAGE CRITERIA MANUAL AND WILL BE SUBMITTED AT THE TIME OF BUILDING AND SAFETY PERMIT.
7. A WAIVER IS REQUESTED TO CHAPTER SIX (6) OF THE DRAINAGE CRITERIA MANUAL TO ELIMINATE THE STORMWATER DETENTION REQUIREMENTS FOR THE PARKING LOT. THE INCREASE IN PROPOSED RUNOFF FROM THE EXISTING GRAVEL PARKING LOT AND THE PROPOSED CONCRETE PARKING LOT IS NEGLIGIBLE AND THE DOWNSTREAM STORM SEWER SYSTEM IS SIZED ADEQUATELY TO DISCHARGE THE RUNOFF FROM THE CONTRIBUTING AREA.
8. LANDSCAPING WILL BE PROVIDED IN ACCORDANCE WITH CITY OF LINCOLN PARKING LOT DESIGN STANDARDS FOR SCREENING. A LANDSCAPE PLAN WILL BE PROVIDED AT THE TIME OF BUILDING PERMIT FOR THE PARKING LOT CONSTRUCTION.
9. LANDSCAPE BUFFER WILL BE PROVIDED ON WEST SIDE OF ACCESS EASEMENT ON LOT 17, ZEHRUNG AND AMES ADDITION.

**LEGAL DESCRIPTION
SPECIAL PERMIT**

A TRACT OF LAND COMPOSED OF A PORTION OF LOT 1, BLOCK 2, ZEHRUNG AND AMES ADDITION, LOTS 2 THROUGH 6, BLOCK 2, ZEHRUNG AND AMES ADDITION, THE EAST 45.00' OF LOT 7, BLOCK 2, ZEHRUNG AND AMES ADDITION, AND LOTS 17 AND 18, BLOCK 2, ZEHRUNG AND AMES ADDITION, A PORTION OF LOTS 7 AND 8, BLOCK 1, ZEHRUNG AND AMES ADDITION, AND, A PORTION OF EAST-WEST ALLEY IN BLOCK 2, ZEHRUNG AND AMES ADDITION, A PORTION OF SOUTH 29TH STREET RIGHT-OF-WAY, AND A PORTION OF VACATED WASHINGTON STREET RIGHT-OF-WAY, ALL LOCATED IN THE NORTHWEST QUARTER OF SECTION 31, TOWNSHIP 10 NORTH, RANGE 7 EAST OF THE 6TH P.M., CITY OF LINCOLN, LANCASTER COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 7, BLOCK 2, ZEHRUNG AND AMES ADDITION, SAID POINT BEING ON THE SOUTH RIGHT-OF-WAY LINE OF "A" STREET, SAID POINT BEING 30.00' SOUTH OF THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 31, TOWNSHIP 10 NORTH, RANGE 7 EAST OF THE 6TH P.M., THENCE EASTERLY ON THE NORTH LINE OF SAID LOT 7, SAID LINE BEING THE SOUTH LINE OF SAID RIGHT-OF-WAY, SAID LINE ALSO BEING 30.00' SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID NORTHWEST QUARTER, ON AN ASSUMED BEARING OF S89°57'38"E, A DISTANCE OF 5.00' TO A POINT OF INTERSECTION WITH THE WEST LINE OF A TRACT OF LAND DESCRIBED IN CORPORATION WARRANTY DEED, FILED LANCASTER COUNTY REGISTER OF DEEDS, INSTRUMENT NUMBER 1997-027331, SAID POINT BEING **THE TRUE POINT OF BEGINNING**; THENCE CONTINUING S89°57'38"E ON THE NORTH LINE OF SAID LOT 7, AND ON THE NORTH LINE OF LOTS 6 THROUGH 1, BLOCK 2, ZEHRUNG AND AMES ADDITION, SAID LINE BEING THE SOUTH LINE OF SAID RIGHT-OF-WAY, SAID LINE ALSO BEING 30.00' SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 311.03' TO A POINT LOCATED 10.00' WEST OF AND PERPENDICULAR TO THE CENTER LINE OF THE VACATED CHICAGO, ROCK ISLAND AND PACIFIC RAILROAD RIGHT-OF-WAY; THENCE S28°29'03"E, ON A LINE LOCATED 10.00' WEST OF AND PARALLEL WITH THE CENTERLINE OF SAID VACATED RAILROAD RIGHT-OF-WAY, A DISTANCE OF 85.99' TO A POINT OF INTERSECTION WITH THE CENTER LINE OF NORTH 29TH STREET RIGHT-OF-WAY; THENCE S00°15'22"W, ON THE CENTER LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 58.32' TO POINT LOCATED 28' WEST OF AND PERPENDICULAR TO THE CENTER LINE OF THE VACATED CHICAGO, ROCK ISLAND AND PACIFIC RAILROAD RIGHT-OF-WAY; THENCE S28°29'03"E, ON A LINE LOCATED 28.00' WEST OF AND PARALLEL WITH THE CENTERLINE OF SAID VACATED RAILROAD RIGHT-OF-WAY, A DISTANCE OF 210.21' TO A POINT OF INTERSECTION WITH A LINE LOCATED 16.00' NORTH OF AND PERPENDICULAR TO THE SOUTH RIGHT-OF-WAY LINE OF VACATED WASHINGTON STREET; THENCE N89°44'27"W, ON A LINE LOCATED 16.00' NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID VACATED RIGHT-OF-WAY, A DISTANCE OF 76.08' TO A POINT OF INTERSECTION WITH THE EAST RIGHT-OF-WAY LINE OF SOUTH 29TH STREET; THENCE S00°15'26"W, ON THE EAST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 10.02' TO A POINT OF CURVATURE FOR A NON-TANGENT CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A CENTRAL

ANGLE OF 88°41'51", A RADIUS OF 55.00', AN ARC LENGTH OF 85.14', A CHORD LENGTH OF 76.89', A TANGENT LENGTH OF 53.76', AND A CHORD BEARING OF N44°05'33"W TO A POINT OF INTERSECTION WITH THE NORTH RIGHT-OF-WAY LINE OF WASHINGTON STREET, SAID POINT BEING ON THE SOUTH LINE OF LOT 18, BLOCK 2, ZEHRUNG AND AMES ADDITION; THENCE N89°55'27"W, ON THE NORTH RIGHT-OF-WAY LINE OF WASHINGTON STREET, SAID LINE BEING ON THE SOUTH LINE OF LOTS 17 AND 18, BLOCK 2, ZEHRUNG AND AMES ADDITION, AND ON THE EASTERLY EXTENSION OF SAID LINE, A DISTANCE OF 78.16' TO THE SOUTHWEST CORNER OF SAID LOT 17; THENCE N00°14'38"E, ON THE WEST LINE OF SAID LOT 17, AND ON A NORTHERLY EXTENSION OF SAID LINE, A DISTANCE OF 141.94' TO A POINT OF INTERSECTION WITH THE NORTH LINE OF THE EAST-WEST ALLEY LOCATED IN BLOCK 2, ZEHRUNG AND AMES ADDITION; THENCE N89°46'02"W, ON THE NORTH LINE OF SAID EAST-WEST ALLEY, SAID LINE BEING THE SOUTH LINE OF LOTS 3 THROUGH 7, BLOCK 2, ZEHRUNG AND AMES ADDITION, A DISTANCE OF 245.13' TO A POINT OF INTERSECTION WITH THE WEST LINE OF A TRACT OF LAND DESCRIBED IN CORPORATION WARRANTY DEED, FILED LANCASTER COUNTY REGISTER OF DEEDS, INSTRUMENT NUMBER 1997-027331; THENCE N00°07'25"E, ON THE WEST LINE OF A TRACT OF LAND DESCRIBED IN CORPORATION WARRANTY DEED, FILED LANCASTER COUNTY REGISTER OF DEEDS, INSTRUMENT NUMBER 1997-027331, A DISTANCE OF 130.21' TO THE POINT OF BEGINNING, SAID TRACT CONTAINS A CALCULATED AREA 69,510.94 SQUARE FEET OR 1.57 ACRES, MORE OR LESS.

Wednesday, October 12, 2016

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CLINE WILLIAMS
WRIGHT JOHNSON & OLDFATHER, L.L.P.

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September 14, 2016

L. BRUCE WRIGHT
JAMES M. BADSCH
ROBERT J. BOUTH
DAVID R. BUNTAIN
STEPHEN H. NELSEN
MICHAEL C. MUELLER
DANIEL R. STOCSDILL
SCOTT D. KELLY
TERRY R. WITTEBER
MARK A. CHRISTENSEN
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FREDRIC H. KAUFFMAN 1977-2016

VIA HAND DELIVERY

David Cary
Director of Planning
Lincoln City/Lancaster County
Planning Department
555 South 10th Street, Room 213
Lincoln, NE 68508

Re: Lincoln Children's Zoo Parking Lot Expansion Project
Our File No.: 20275.002

Dear Mr. Cary:

This firm represents the Lincoln Children's Zoo (the "Zoo") which proposes to expand its zoo and consequently, needs to construct an additional parking lot located between "A" Street and Washington Street at the 29th Street right-of-way (the "Project"). While the main expansion for the Zoo will be north of "A" Street, additional parking is needed south of "A" Street for staff, Zoo School, and overflow visitor parking. The Zoo is working together with the City of Lincoln and the Lincoln Parks and Recreation Department in furtherance of the Project. The three parties worked together on preparing the various requests below.

A. The Project

The zoo expansion project involves creating a new entrance, expanded exhibition space, and a new home for the zoo/science school in which the zoo partners with LPS. To accommodate the growth north of "A" Street, the Project will include constructing an additional parking lot south of "A" Street. The Zoo seeks approval of: (a) a text amendment to the LMC § 27.63.170(a)(2) to insert the word "zoo"; (b) in order to utilize the proposed text amendment, the Zoo and the City of Lincoln request a change of zone for those underlying parcels currently in the B-3 commercial district and P public district to the R-6 residential district so that each underlying parcel is either zoned R-6 residential district or R-2 residential district; (c) following the change of zone, the Zoo seeks a special permit under LMC § 27.63.170(a)(2) as amended, to allow the parking use in the R-6 residential district;

STERLING RIDGE
12910 PIERCE STREET, SUITE 200
OMAHA, NE 68144-1105
(402) 397-1700

1207 M STREET
P.O. BOX 510
AURORA, NE 68818
(402) 674-6314

NORTHERN HEIGHTS PROFESSIONAL PLAZA
416 VALLEY VIEW DRIVE, SUITE 304
SCOTTSDUFF NE 69361
(308) 435-1020

330 SOUTH COLLEGE AVENUE
SUITE 308
FORT COLLINS, CO 80524-7162
(970) 221-2637

September 14, 2016

Page 2

and (d) the abutting landowners request the City to vacate a portion of the East-West alley between "A" Street and Washington Street and the 29th Street right-of-way between "A" Street and Washington Street. Each request is further discussed below.

B. Text Amendment

LMC § 27.63.170(a)(2), currently allows parking lots by special permit when the parking lot is located no more than 360 feet from property occupied by a "college, university, or church" and the parking lot is used primarily in connection with said "college, university, or church." The Zoo requests to amend LMC § 27.63.170(a)(2) by inserting "zoo, " immediately before the word "college" as it appears in said section, thereby allowing parking lots in a residential zone by special permit when the parking lot is located no more than 360 feet from a zoo and the parking lot is used primarily in connection with said zoo.

C. Change of Zone

In order to utilize the proposed text amendment discussed in Section B above, the Zoo and the City of Lincoln request the zoning map be amended to collectively change the zoning designation of those underlying parcels currently in the B-3 commercial district and the P public district to the R-6 residential district. Accordingly, the underlying parcels will either be in the R-2 residential district or the R-6 residential district. The requested change of zone will ensure that the amended LMC § 27.63.170(a)(2) applies to all the parcels upon which the Project will be located.

D. Special Permit

The Zoo seeks a special permit to construct an additional parking lot to primarily serve the Zoo, as permitted by the proposed amended LMC § 27.63.170(a)(2). The requested special permit and the additional parking lot will allow the Zoo to address its increasing demand for parking caused by the expanded zoo project north of "A" Street.

E. Street and Alley Vacation

The proposed parking lot is located upon a portion of the East-West alley located between "A" Street and Washington Street and upon the 29th Street right-of-way located between "A" Street and Washington Street. Accordingly, Opahc Properties, LLC and the City of Lincoln, as the abutting landowners, request the City to vacate said alley and right-of-way. The Zoo intends to purchase from the City the vacated portion of the East-West.

F. Waivers

The Zoo further requests the following waivers in connection with the Project:

- a. The Zoo requests a waiver of the front yard setback requirements, as there is sufficient distance between the parking stalls and the Washington Street and 29th Street intersection. This waiver will be included within the requested Special Permit; and
- b. The Zoo requests a waiver of Chapter 6 of the Drainage Criteria Manual to eliminate the storm water detention requirements for the parking lot, as the increase in storm water flows will be negligible and the downstream storm sewer system is sized adequately to discharge the runoff from the contributing area. Additionally, the existing infiltration basin located at the corner of Washington Street and 29th Street will be removed and a new infiltration basin will be constructed in accordance with the original design intent as shown on the construction plans titled "ACP-04: Antelope Park, City Project No. 701585" and dated May 2013.
- c. The Zoo requests a waiver to the Parking Lot Design Standards to allow Phase 2 of the parking lot to be surfaced with gravel/aggregate for a period of time not to exceed five years from the date the Zoo receives a parking lot permit for Phase 2.
- d. The Zoo requests a waiver of the requirement to install hard surfacing on the existing alley which abuts the special permit boundaries. Instead, the Project will include the installation of gravel/aggregate on the proposed fourteen-foot access easement on Block 2, Lot 17 of the Special Permit.

G. Requests for Approved Alternative

In regards to the City of Lincoln's storm water quality requirements, the Zoo submits a Request for Approved Alternative for the Project. The required water quality volume is proposed to be installed offsite as a part of the Zoo's expansion project north of "A" Street, and such water quality design and required treatment volume will be in accordance with Chapter 8 of the Drainage Criteria Manual. The Request for Approved Alternative to Chapter 28.03 and the Water Quality Control Form are enclosed with this delivery.

H. Separately Submitted Applications

In addition to the various items discussed above, an application to approve the local landmark designation for the Ager building and an application for a surplus

September 14, 2016

Page 4

property declaration have been previously submitted. Said applications are a part of the overall Project and the Zoo requests that they be considered along with the various requests discussed herein and included in the enclosed application.

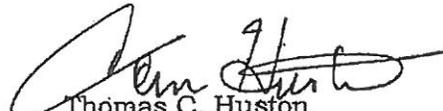
I. Enclosures

Enclosed with this delivery are the following items:

- a. Application Request Form which requests: (1) the text amendment to LMC § 27.63.170(a)(2); (2) the change of zone; (3) the parking lot special permit; and (4) the street and alley vacation.
- b. Site Plan as required by the City of Lincoln application. The electronic version will be uploaded to the ProjectDox registry.
- c. Petition to Vacate Public Way and Information Sheet signed by Opahc Properties, LLC, an affiliate of the Lincoln Children's Zoo, as owner of a portion of the abutting parcels.
- d. Petition to Vacate Public Way and Information Sheet to be signed by the City of Lincoln, as owner of a portion of the abutting parcels.
- e. The Request for Approved Alternative to Chapter 28.03 Form and the Water Quality Control Form pursuant to Chapter 8 of the Drainage Criteria Manual.
- f. Application Fee in the total amount of \$1,122.00, as provided in separate checks for the following:
 - i. \$792.00 for the special permit application fee; and
 - ii. \$330.00 for the surfaced parking waiver fee.

If there are any questions, please do not hesitate to contact me.

Sincerely,


Thomas C. Huston
For the Firm

Enclosures