

City Council Introduction: **Monday**, February 6, 2012  
Public Hearing: **Monday**, February 13, 2012, at **3:00** p.m.

Bill No. 12R-20

## **FACTSHEET**

**TITLE:** **SPECIAL PERMIT NO. 11033**, requested by City Impact, for a Neighborhood Support Services facility, pursuant to Section 27.63.610 of the Lincoln Municipal Code, on property generally located at North 33<sup>rd</sup> Street and Overland Trail.

**SPONSOR:** Planning Department

**BOARD/COMMITTEE:** Planning Commission  
Public Hearing: 01/25/12  
Administrative Action: 01/25/12

**STAFF RECOMMENDATION:** Conditional Approval

**RECOMMENDATION:** Conditional Approval (7-0: Gaylor Baird, Butcher, Cornelius, Esseks, Hove, Lust, and Sunderman voting 'yes'; Francis and Weber absent).

**ASSOCIATED REQUESTS:** Change of Zone No. 11047 (12-11)

### **FINDINGS OF FACT:**

1. This special permit to allow Neighborhood Support Services and the associated Change of Zone No. 11047 from I-1 to R-4 and Special Permit No. 04023A, an amendment to the Flat Iron Crossing Community Unit Plan, were heard at the same time before the Planning Commission.
2. This is a request to allow Neighborhood Support Services operated by City Impact in the Kamterter Products building. City Impact is proposing to remodel and expand the existing building.
3. The staff recommendation of conditional approval is based upon the "Analysis" as set forth on p.3-4, concluding that the proposed Neighborhood Support Services will provide community services to the neighborhood. This use is in conformance with the Comprehensive Plan. The staff presentation is found on p.6-7.
4. The applicant's presentation is found on p.7-8.
5. Testimony in support is found on p.9 and the record consists of a letter in support from the East Campus Community Organization (p.20-21). The Planning Commission did discuss the request in this letter for a pedestrian crossing light where the MoPac Trail crosses 33<sup>rd</sup> Street, and was advised that the amount of crossing at this location does not yet warrant a signal but city staff is discussing other options (See Minutes, p.10).
6. There was no testimony in opposition.
7. On January 25, 2012, the Planning Commission agreed with the staff recommendation and voted 7-0 to recommend conditional approval as set forth in the staff report on p.4-5 (Francis and Weber absent).
8. On January 25, 2012, the Planning Commission also voted 7-0 to recommend conditional approval of the associated Change of Zone No. 11047 (12-11), and voted 7-0 to adopt Resolution No. PC-01264, an amendment to the Flat Iron Crossing Community Unit Plan (Special Permit No. 04023A). As of the date of this Factsheet, Special Permit No. 04023A has not been appealed to the City Council. A copy of the site plan for Special Permit No. 04023A is attached for information purposes (p.22) .

**FACTSHEET PREPARED BY:** Jean L. Preister

**DATE:** January 31, 2012

**REVIEWED BY:** \_\_\_\_\_

**DATE:** January 31, 2012

**REFERENCE NUMBER:** FS\CC\2011\SP11033+

**LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT**

**for JANUARY 25, 2012 PLANNING COMMISSION MEETING**

**PROJECT #:** Special Permit No.11033

**PROPOSAL:** A request per Section 27.63.610 for Neighborhood Support Services

**LOCATION:** N. 33<sup>rd</sup> Street and Overland Trail.

**LAND AREA:** 0.74 acres, more or less

**EXISTING ZONING:** R-4, Residential

**CONCLUSION:** The proposed Neighborhood Support Services will provide community services to the neighborhood. This use is in conformance with the Comprehensive Plan.

<b>RECOMMENDATION:</b>	Conditional Approval
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**GENERAL INFORMATION:**

**LEGAL DESCRIPTION:** See attached

**EXISTING LAND USE:** Vacant factory building

**SURROUNDING LAND USE AND ZONING:**

North:	I-1, Industrial	Outside storage
South:	P-Public	Peter Pan Park
East:	I-1, Industrial	Millwork shop
West:	R-4, Residential	Attached single-family and row house

**ASSOCIATED APPLICATIONS:**

Special Permit #040223A Flat Iron Crossing Community Unit Plan  
Change of Zone #11047

**HISTORY:**

July 26, 2004 Change of Zone #04031 and Special Permit #04023 for Flat Iron Crossing Community Unit Plan was approved by the City Council.

May 17, 2005 Flat Iron Crossing final plat was approved by the Planning Director

## **COMPREHENSIVE PLAN SPECIFICATIONS:**

Target existing underdeveloped or redeveloping commercial and industrial areas in order to remove blighted conditions and more efficiently utilize existing infrastructure. (p.6.2)

Guiding Principles for Community Facilities include:

Encourage adequate facilities and services which provide diverse educational, cultural, and social opportunities.  
Promote adequate facilities and services to assure the health, safety and welfare of all citizens.  
(p. 8.1 & 8.2)

The land use plan displays the generalized location of each land use. It is not intended to be used to determine the exact boundaries of each designation. The area of transition from one land use to another is often gradual. (p.12.1)

The Future Land Use Plan in the 2040 Comprehensive Plan identifies this area as industrial. (p.12.3)

Individual proposals for land use changes should be evaluated using best available information. (p.12.4)

## **ANALYSIS:**

1. This application is to allow Neighborhood Support Services operated by City Impact in the Kamterter Products building. City Impact is proposing to remodel and expand the existing building to provide the neighborhood with needed community services.
2. The applicant proposes adding 19,300 sq. ft. to the existing building. The west expansion is for a gymnasium and the east side is for administrative offices. The area of the existing building will be used for classrooms and offices.
3. City Impact is a non-profit organization that "invests in under resourced youth and families in Lincoln's urban neighborhoods by providing one on one mentoring, reading programs, bible clubs, and leadership skills."
4. The proposed Neighborhood Support Services will be utilized for:
  - a. Relational and leadership development classes
  - b. Development and training of volunteers to be part of Impact Reading Center.
  - c. Rent Wise tenant education and financial counseling.
  - d. Family events and youth performances.
  - e. administrative offices
  - f. church services
5. Section 27.63.610 allows "Neighborhood Support Services" in R-1 through R-5 zoning by Special Permit. Neighborhood support services are defined as "those human, social, educational, counseling, health, and other support services provided primarily for the support of persons residing in adjacent residential areas..." The are to be operated by nonprofit, religious, or philanthropic institutions. They must also be sited adjacent to across the street from "a park, school, church or neighborhood center." (Section 27.63.610 (LMC) This application meets those criteria.
6. Parking shall be located on the lot unless otherwise specifically approved by the City Council, but in no event shall required parking be located more than 300 feet from the lot upon which

the use is located. The parking is located on the north side of Overland Trail. This is off the lot but within 300 feet. The Planning Department does not object to the location of the parking.

7. The special permit states, "The amount of parking required shall be equal to the amount which would otherwise be required for the use as set forth in Chapter 27.67 which is most analogous to the use proposed in connection with such neighborhood support services as determined by the Planning Director." The proposed use will have a 3,000 sq. ft. multi-purpose room. Chapter 27.67 requires one parking stall per 50 sq. ft. for assembly areas. This calculates to 60 stalls. Since this would be the most intensive use of all uses within the building, Planning and Building & Safety concur that 60 parking stalls is sufficient for this use.

Per Section 27.63.610 this approval permits Neighborhood Support Services on Lot 24 as shown in the Flat Iron Crossing Community Unit Plan.

### **CONDITIONS OF APPROVAL:**

#### **Site Specific Conditions:**

1. Before a final plat is approved provide the following documents to the Planning Department:
  - 1.1 Verification from the Register of Deeds that the letter of acceptance as required by the approval of the special permit has been recorded.
2. Prior to the issuance of a building permit:
  2. The construction plans must substantially comply with the approved plans.

#### **Standard Conditions:**

3. The following conditions are applicable to all requests:
  - 3.1. Before occupying the building all development and construction shall substantially comply with the approved plans.
  - 3.2 All privately-owned improvements, including landscaping and recreational facilities, shall be permanently maintained by the owner or an appropriately established homeowners association approved by the City.
  - 3.3 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.
  - 3.4 The terms, conditions, and requirements of this resolution shall run with the land and be binding upon the Permittee, its successors and assigns.

- 3.5 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, filling fees therefore to be paid in advance by the applicant. Building permits will not be issued unless the letter of acceptance has been filed.

Prepared by

Tom Cajka  
Planner

**DATE:** January 9, 2012

**APPLICANT:** Brad Bryan  
City Impact  
400 N. 27<sup>th</sup> St.  
Lincoln, NE 68503  
402-477-8080

**OWNER:** Same as applicant

**CONTACT:** Same as applicant

**CHANGE OF ZONE NO. 11047,  
SPECIAL PERMIT NO. 04023A  
and  
SPECIAL PERMIT NO. 11033**

**PUBLIC HEARING BEFORE PLANNING COMMISSION:**

January 25, 2012

Members present: Esseks, Sunderman, Lust, Hove, Gaylor Baird, Butcher and Cornelius; Francis and Weber absent.

Staff recommendation: Approval of the change of zone and conditional approval of the amendment to the CUP and Special Permit No. 11033.

There were no ex parte communications disclosed.

Staff presentation: **Tom Cajka of Planning staff** explained that the area of the change of zone from I-1 to R-4 is on the north side of Overland Trail just west of 33<sup>rd</sup> Street. Currently, there is a little open grass area there and the rest is used as outside construction storage. The purpose of the change of zone is to develop 9 residential units and a parking lot on the east end. The parking lot will be associated with the special permit for the Neighborhood Support Services.

Special Permit No. 04023A is revising an existing CUP, Flat Iron Crossing, which was originally approved in July, 2004. This amendment will expand the boundaries of the CUP to include the area of the change of zone. An existing commercial building is where the Neighborhood Support Services building will be constructed. Currently, under the existing CUP, the area is shown as residential lots.

There are several waivers associated with this application. The waivers dealing with block length, recreation facility, and water and sanitary sewer, were all previously granted with the original CUP. The new waivers are for reduction of setbacks. On Lot 24, the existing building is right on the lot line, so the request is to reduce that setback to zero to allow the expansion to stay in line with the existing building. On the north side, the request is to reduce the setback for the parking lot, which staff finds acceptable due to the unusual circumstance of having three street sides. The applicant is dedicating right-of-way on 33<sup>rd</sup> Street and on Apple Street.

Special Permit No. 11033 is for the "Neighborhood Support Services" building, which is being proposed by a nonprofit group called City Impact. City Impact would provide community support to the neighborhood – recreational activities, classes, church services, etc.

Esseks referred to page 4 of Special Permit No. 04023A, Analysis #2, which states that the number of dwelling units is being reduced from 34 to 30, but then the overall density permitted increases. Cajka explained that when you calculate the density for a CUP, you include the entire total acreage of the boundaries of the CUP and those calculations will depend upon the zoning and how many dwelling units are allowed. This proposal does not come even close to the allowable density. They are only showing 30 dwelling units, but they could have up to 76

dwelling units. The conditions of approval allow up to 45 dwelling units. By doing that, they would be allowed to rehab the Neighborhood Support Services facility into residential units or apartments by administrative amendment if for some reason the Neighborhood Support Services went away in the future.

### Proponents

**1. Gus Ponstingl, MAPCO**, testified on behalf of City Impact, the applicant. The project will consist of two primary components: 1) City Impact homes – six new duplex and single-family homes for 14 new affordable rent-to-own units; and 2) “City Impact” will consist of recreational and educational programs for the neighborhood. This proposal will add nine residential lots and a 45-stall parking lot on the north side of Overland Trail. It will also modify existing Lots 9-14 (four residential lots) and Lots 23-34 to keep the existing building and expand it to the east and west and add a single residential lot on the west side of the building. The applicant is also requesting a special permit to allow the “Neighborhood Support Services” building to exist within the CUP. City Impact intends to use the building for social, educational, health and other support services. The building will be remodeled and expanded. It will help reshape Peter Pan Park, making it safer. The City Impact staff offices will move to the new building. They do not anticipate an increase in the number of guests per night but will increase the number of nights they are open. Parks and Recreation has agreed to a 10' building restriction easement that will allow windows along the south facade.

The change of zone request is for land between Overland Trail and Apple Street to allow the residential lots.

Ponstingl also addressed the request for reduction of setbacks – zero setback on the south lot line on Lot 24, and 10' setback along Overland Trail – because the existing building already uses these setbacks. They are also requesting 15' front yard setback along 33<sup>rd</sup> Street to allow for needed expansion of the building. They are also requesting the 15' front yard setback along 33<sup>rd</sup> Street and Overland Trail, and 10' along Apple Street to allow needed parking. At a similar size facility, City Impact uses 55 stalls at peak parking times, and at all other times around 40 stalls. This proposal shows 60 parking stalls.

Ponstingl believes that this is an excellent addition to the city. The residential uses and City Impact services are just the right thing for this neighborhood. They do have support of the neighbors.

Lust inquired about the rent-to-own aspect. Ponstingl explained City Impact would own the building and City Impact Homes, LLC, would own the residential component. They are separate entities.

Hove inquired whether the existing homes are related to City Impact. Ponstingl stated, “no, they are separately owned.”

## Support

**1. Brad Bryan**, Executive Director and founder of **City Impact**, testified as the applicant. He and his wife founded the City Impact organization about 15 years ago. They began doing the work as volunteers in the community about 18 ½ years ago, investing in youth in the Malone Neighborhood. They moved into the Malone Neighborhood, and have rented facilities for the last 15 years for services. City Impact has grown and families have built relationships with them, and as they built those relationships the families began recommending the programs to other family members and they now have waiting lists. Their Impact reading center currently at Elliott Elementary is growing and expanding. They currently have 200 volunteers helping to raise grade level reading scores.

City Impact is a 501c3 nonprofit.

Esseks inquired why they selected this particular location. Bryan explained that it is right in the center of their target neighborhoods (Malone and Clinton) where they reach out to low income families.

Lust inquired about the two separate entities. Bryan explained that they have created a new entity to develop the housing, City Impact Homes, LLC, which is an affiliation with City Impact.

There will be 200-300 children in the facility every week and on various nights. They currently have about 120 youth involved in the program on two different nights a week. They will increase the number of nights. They also plan to do rent classes in partnership with NeighborWorks and financial education classes. Services will be provided to pre-school age children all the way through college-age children and on into adulthood. It is very ideal to utilize the park. They are working with the Parks & Recreation Department to see that park revitalized with this project.

Butcher asked for an explanation of the rent-to-own aspect. Bryan stated that it will be managed by Excel, a local development company. The property will be primarily owned by investors through tax credits – 99.9% for the first 15 years. After that, City Impact will own the property and sell to potential owners in the community.

**2. Jessica Norton, BVH Architects**, the architects for the building, presented renderings of the new building. There will be offices for administration of City Impact to the east; they are renovating the middle to be classrooms and a multi-purpose room and gym on the west side with workout area. The second story on the east addition will house future offices and adult gathering spaces. The main corridor throughout the building will have a lot of glass facing the park and potential trail access.

Gaylor Baird inquired about the main entrance off 33<sup>rd</sup> Street and whether they anticipate that people will be parking across the street. Norton stated that there will be parking on the parking lot across Overland Trail. There is also an entrance to the north for staff. The main entrance would be off of 33<sup>rd</sup> Street.

**3. Cindy Hayes**, 3805 Orchard Street, in the East Campus Community neighborhood, testified in support based on her experience with City Impact. She has lived in this area for 15 years. She has known about City Impact and has had contact with them for about 10 years. She has always been very impressed with the integrity of this organization, with the commitment that they have had to the neighborhoods that they serve and she has been inspired by the vision that they have for the community. She has seen first-hand the things that they do in the community. One of the more visible events of City Impact is an annual “Gifts of Love” Christmas store, where \$85,000 worth of brand new gifts are donated and the items are priced at 70% of the retail cost. Those families that qualify, based on income, can come in on certain days to buy gifts as parents for children and then the children are allowed to come in and purchase gifts for their parents. She and her children have volunteered in the gift store. Businesses are involved in reaching out to the community via City Impact.

Behind the scenes, Hayes has experienced the same efficiency, professionalism, integrity, commitment and genuineness. City Impact is always enthusiastic about what they do; they are committed to the community; they are here for the long term. She is very excited to have this development so close to her home. The impact they are going to have is immeasurable. This is an organization that writes her a personal note anytime she gives a donation or volunteers.

**4. Bob Reeves**, 3236 Dudley Street, new President of the **Clinton Neighborhood Organization**, testified in support. They have met with the applicant. They were very impressed and everyone on the Board has said they do support the project. It will enhance the neighborhood. The programs already benefit a lot of the families that live in the neighborhood and they do need this centralized location to bring all the programs together. It will have a positive impact on Peter Pan Park. He understands the rezoning goes beyond the area upon which they are currently planning to build the housing and he believes that is very positive. They want more residential areas in the neighborhood. It is an eyesore now so it will be a great improvement.

Reeves also believes that the idea of affordable housing on rent-to-own basis is very good. It will help bring the area more into the neighborhood. City Impact is a very positive reuse of an older building.

**5. Ken Arellano, Excel Development**, explained the management structure of the rent-to-own component. Lust suggested that sometimes the term “affordable housing” can be a concern to the neighbors. Arellano explained that they have to fall within 60% of median income and the rents are based on income. After 15 years, the tenants would be allowed to purchase the home. Excel will handle all of the compliance and management which will verify income and take care of any maintenance issues that might arise. The houses will be new construction. They are working with a contractor to build the homes. The rent-to-own feature gives the tenant the opportunity to eventually purchase the home under the rent structure. The affordability of the home will be based on their income. These developments are structured with little debt so that at the end of the 15 year period, based on the number of homes built, the debt would be divided equally so that the person can afford that home and get a mortgage based on the debt at that time as opposed to the full market value. The purchase will include the home and the land.

Butcher gave an example – if a resident were to sign up and rent one of the properties for 5 years and leaves, does the time restart for a new tenant? Arellano stated that the 15-year clock starts at day 1. For example, the person that comes in year 14 gets the benefit to purchase after 1 year.

The clerk noted that there is a letter in support from the East Campus Community Organization (ECCO).

Gaylor Baird noted that the ECCO letter suggests a pedestrian crossing light where the MoPac trail crosses 33<sup>rd</sup> Street, and we have heard there will be lots of children of many ages going outside, etc. Is that something that can be addressed? **David Cary of Planning staff** advised that staff has been discussing what might be possible for that location and it is part of the trail system that is highly used. However, at this location, the amount of crossing does not yet warrant a signal but we are talking about other options such as flashing lights to draw attention to the crosswalk. There is no set plan to install an improvement there yet, but we are actively discussing that location. It has been identified as a needed item.

Esseks inquired whether the change of zone goes all the way down to 30<sup>th</sup> Street. Cajka stated that the change of zone only applies to the area being added to the CUP. The rest of the I-1 Industrial will remain.

There was no testimony in opposition.

**CHANGE OF ZONE NO. 11047**  
**ACTION BY PLANNING COMMISSION:**

January 25, 2012

Lust moved approval, seconded by Hove.

Gaylor Baird finds this to be an exciting project that supports the Comprehensive Plan –downzoning that will promote home ownership; it promotes excellent reuse of existing facilities; it is nice example of reuse; and there is a lot of neighborhood support. It also appears that Planning and Public Works/Transportation are addressing some concerns that neighbors do have. This will be a real enhancement to our existing city.

Esseks congratulated those who testified for this project. It was very well organized with leadership, personal experience, and a representative of the neighborhood association. “This was a really good way to get here and persuade us.”

Lust supports the affordable housing aspect of this positive development. When the Planning Commission was working on the Comprehensive Plan, they did have people speak about how affordable housing has become a problem in Lincoln. She is happy to see new construction that will be affordable for families with opportunity for home ownership in the future.

Butcher expressed appreciation to City Impact for this outstanding project. The impact that it will have on Peter Pan Park and its prior reputation is going to improve the oversight and the use that will take place in that park. He is very excited for this.

Cornelius concurred with the other commissioners. He does not live far away from the proposed development. He appreciates the positive impact that the Flat Iron development has brought to the area so far, and looks forward to more of the same in the future.

Motion for approval carried 7-0: Esseks, Sunderman, Lust, Hove, Gaylor Baird, Butcher and Cornelius voting yes; Francis and Weber absent. This is a recommendation to the City Council.

**SPECIAL PERMIT NO. 04023A**

**ACTION BY PLANNING COMMISSION**

January 25, 2012

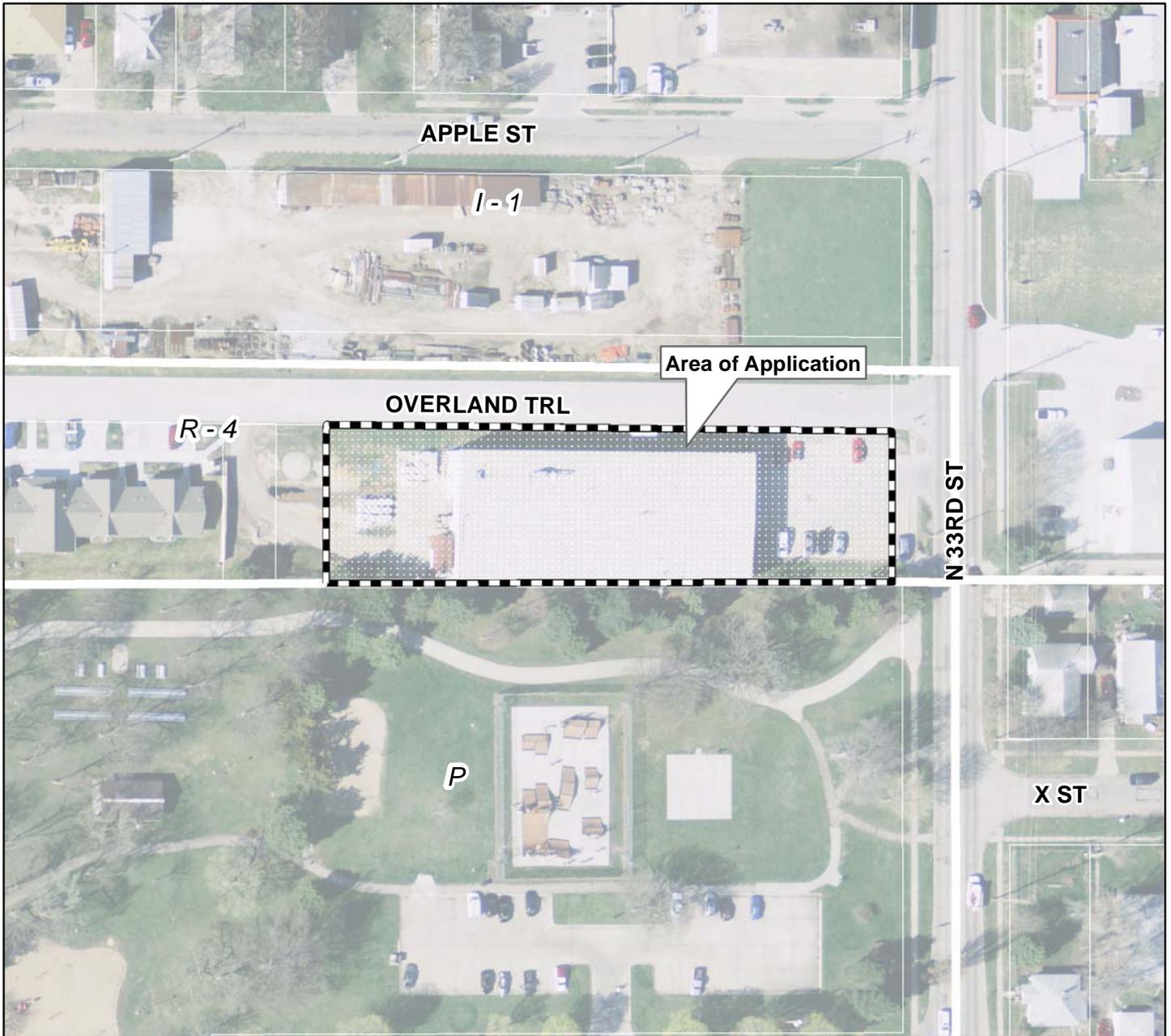
Hove moved to approve the staff recommendation of conditional approval, seconded by Esseks and carried 7-0: Esseks, Sunderman, Lust, Hove, Gaylor Baird, Butcher and Cornelius voting yes; Francis and Weber absent. This is final action unless appealed to the City Council within 14 days.

**SPECIAL PERMIT NO. 11033**

**ACTION BY PLANNING COMMISSION:**

January 25, 2012

Hove moved to approve the staff recommendation of conditional approval, seconded by Gaylor Baird and carried 7-0: Esseks, Sunderman, Lust, Hove, Gaylor Baird, Butcher and Cornelius voting yes; Francis and Weber absent. This is a recommendation to the City Council.



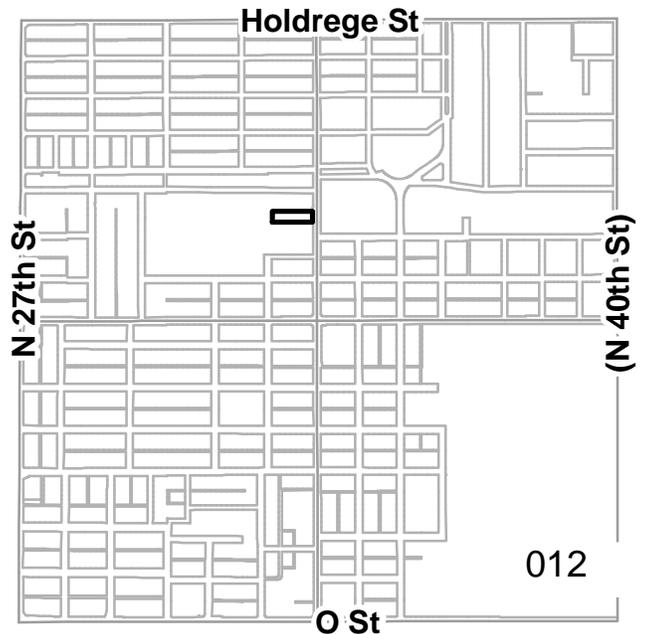
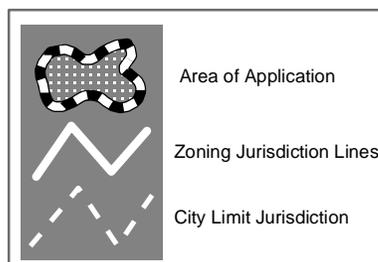
2010 aerial

## Special Permit #11033 N 33rd St & Overland Trl

### Zoning:

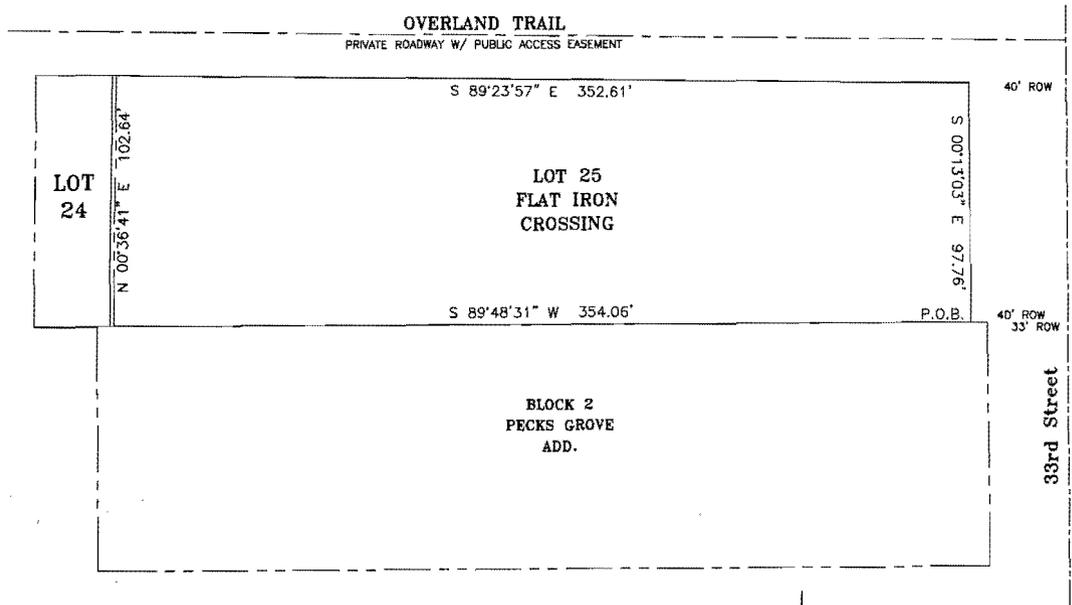
- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- O-1 Office District
- O-2 Suburban Office District
- O-3 Office Park District
- R-T Residential Transition District
- B-1 Local Business District
- B-2 Planned Neighborhood Business District
- B-3 Commercial 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

One Square Mile  
Sec. 19 T10N R07E





# SURVEY EXHIBIT FOR CITY IMPACT NEIGHBORHOOD SUPPORT SERVICES LOTS 24-25 FLAT IRON CROSSING CITY OF LINCOLN, LANCASTER COUNTY, NEBRASKA



**LEGAL DESCRIPTION**

A LEGAL DESCRIPTION TO INCLUDE LOT 25 AND A PORTION OF LOT 24 OF FLAT IRON CROSSING, SAID TRACT OF LAND LOCATED IN THE NW 1/4 OF SECTION 19, T10N, R7E OF THE 6TH P.M., MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 25, FLAT IRON CROSSING THENCE S89°48'31"W ON THE SOUTH LINE OF FLAT IRON CROSSING A DISTANCE OF 354.06 FEET; THENCE N00°36'41"E A DISTANCE OF 102.64 FEET; THENCE S89°23'57"E ON THE NORTH LINE OF FLAT IRON CROSSING A DISTANCE OF 352.61 FEET; THENCE S00°13'03"E ON THE EAST LINE OF FLAT IRON CROSSING A DISTANCE OF 97.76 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS 0.81 ACRES, OR 35,402.22 SQUARE FEET, SUBJECT TO ALL EASEMENTS, RESTRICTIONS, AND RESERVATIONS OF RECORD.



**LAND SURVEYORS CERTIFICATE**

THIS IS TO CERTIFY THAT THIS SURVEY WAS DONE BY THE UNDERSIGNED, THAT THE SURVEY WAS DONE ON THE GROUND IN ACCORDANCE WITH THE MOST RECENT MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS, AS SET FORTH BY THE NEBRASKA STATE BOARD OF EXAMINERS FOR REGISTERED LAND SURVEYORS AND THAT THE ACCURACY SPECIFICATION AND POSITION TOLERANCE ARE IN ACCORDANCE WITH RURAL AREA SURVEYS.

DATE: \_\_\_\_\_ THOMAS B. CATLETT \_\_\_\_\_

**LEGEND**

- - SET 5/8"x24" CAPPED REBAR UNLESS OTHERWISE NOTED
- - FOUND SURVEY POINT AS INDICATED
- △ - CALCULATED SURVEY POINT
- CTP - CRIMPED TOP PIPE
- OTP - OPEN TOP PIPE
- M - MEASURED DISTANCE
- C - CALCULATED DISTANCE
- P - PLAT DISTANCE
- R - RECORDED DISTANCE
- BOUNDARY LINE

Survey Exhibit  
Drawing

**CATLETT LAND SURVEYING**  
Thomas B. Catlett LS 502  
Lincoln, Nebraska  
Cell: 402.217.5816 Fax: 402.261.4732  
t.catlett@hotmail.com



Drawn By: CS  
Checked By: TC  
Filed By:  
Date: 1/12/2011  
Job Number: 2011-079  
Scale: 1" = 60'  
Sheet 1 of 1



December 23, 2011

Marvin Krout  
Planning Director  
City of Lincoln Planning Department  
555 South 10th Street, Room 213,  
Lincoln, NE 68508

Dear Marvin,

On behalf of City Impact, we are submitting an amendment to the existing Community Unit Plan(CUP), we are also applying for a Special Permit and we are requesting a Change of Zone. I will briefly outline our requests below.

**Amendment the existing CUP:** We are requesting an amendment the existing CUP to add 9 new residential lots and a 45 stall parking lot on land north of Overland Trail and south of Apple Street, also to modify the existing lots 9-14 and 23-34 on the south side of Overland Trail to reflect the dimensions of 2 new duplexes and a single family and keep the existing Kamterter building and allow for expansion to that building to the east and the west, and finally reducing several setbacks. (See 'Setbacks' below and also see Exhibit A for the legal description.)

**Special Permit:** We are requesting the City to allow a "Neighborhood Support Services" building within the existing CUP. City Impact intends to use the existing Kamterter industrial building as a location for social, educational, health and other related support services for persons residing in nearby neighborhoods. City Impact intends to transfer their existing services from their current location to the building on Overland Trail. The building is approximately the same size as their current facility. They currently rent space at a nearby church, but by purchasing this facility it would allow them to expand the number of nights they serve the community. They don't anticipate in an increase in the number of guests per night, but they do expect an increase in the total number of guests served by increasing the number of nights they are open.

**Change of Zone:** Currently the land between Overland Trail and Apple Street is I-1. We request this be change to R-4 to allow the residential lots. A parking lot is also planned for the east end of this land which would serve City Impacts Neighborhood Services Facility. We are also asking to have the setbacks reduced for the Parking lot. (See 'Setbacks' below and also see Exhibit B for the legal description.)

**Administrative Final Plat:** At this time the Final Plat is not included with this submittal, it but should be submitted very soon.

**City Impact Homes, LLC:** The proposed project will consist of six new duplex townhomes and two new single-family homes, for a total of 14 affordable units for households at or below 60% AMI. Seven units will be 4-bedroom, one unit will be 3-bedroom and six units will be 5-bedroom homes. These units will be rent to own.

City Impact Homes is an integral part of achieving the stabilization goals cited in the City of Lincoln Strategic Plan and Clinton Neighborhood Action Plan. Goals for this area within the plan include the empowerment of and self-sufficiency for low income persons to reduce generational poverty in federally assisted housing and public housing. This project will meet that goal by providing these families a safe, decent affordable home to live in and engaging them in credit counseling and finance classes to help them break the poverty cycle.

**City Impact:** This project includes the revitalization of an industrial area of Lincoln. The existing Kamterter Building will be remodeled and expanded to provide the neighborhood with needed community services. The new building is crucial to expanding the number of children and families that City Impact reaches, the number of days they can be reached, and the programs City Impact can offer. It will also help reshape Peter Pan Park, making it safer for adults and children, and finally is vital to City Impact's staff whose current office is very small and cramped.

**ROW:** We are planning to dedicate 7' of ROW along 33rd Street in order to meet the 40' ROW desired by the City of Lincoln from the centerline of 33rd Street. Also, we are dedicating 5' of ROW along Apple Street to meet the 30' ROW desired by the City of Lincoln from the centerline of Apple Street.

**Density:** The existing CUP allows for 48 units, but with the expansion of the CUP to include additional land, the new allowable total is 81 units. We are currently asking for 14 additional units to the existing 14 units already constructed along the south side of Overland Trail.

**Setbacks:** For Lot 24, we are asking for a 0' setback along the south lot line where the existing Kamterter building is, and we are also asking for a 10' setback for along Overland Trail and a 15' Front Yard Setback along 33rd Street.

For Lot 25, we are asking for 15' Front Yard setbacks along 33rd Street, and Overland Trail, and a 10' Front Yard Setback along Apple Street.

**15' Utility Easement:** We are asking the 15' utility easement be vacated along the south side of Lot 24'. This easement was platted with Flat Iron Crossing Final Plat. City Impact has now acquired the building and plans to keep the original structure as well as add on to the east and the west and this easement would interfere with that expansion.

**Sidewalks:** Per the request of the City of Lincoln, the proposed sidewalk along the north side of Overland Trail will be 8' from the back of curb. Because that places the sidewalk on private property, a 5' pedestrian easement will be granted in the plat along the north side of the ROW line.

**Parking:** The parking lot along 33rd Street at the front of City Impact building is now removed. That space is now reserved for a future addition to the building. There are 15 on street parallel parking stalls along the south side of Overland Trail, of which 1 is a HC stall. There is an 8' space in the front of the stall for a HC ramp. There are 45 stalls on the north side of Overland Trail. The total parking for the City Impact Building is 60 stalls. City Impact's existing parking use at a similarly sized building is only 55 stalls at peak parking times, and at all other times the max parking is around 40 stalls. The proposed 60 stalls should provide adequate parking for this facility. Most of the guests are from the nearby neighborhood and either will walk to the facility or get dropped off.

**Drainage Study and Grading:** The Public Works Department asked us to evaluate the existing detention cell. Observations of the detention cell confirm that it is working well, and there is no evidence that the pond is overtopping. The updated pond study finds the basins delineated can be routed through the pond safely and the proposed changes also add little additional run off to the detention pond. The proposed development has no negative affect on the 2, 10 or 100 year rainfalls run-off totals.

**Building Addition:** The existing Kamterter Building will be renovated into a Neighborhood Support Services building. The owners would like to expand the existing building. We are requesting an amendment to the CUP to allow 9,300 total square feet of addition to the existing building. The addition will be at the same setbacks as the existing building, which includes a 0' side yard setback along Peter Pan Park, a 10' Front Yard Setback along Overland Trail and 15' Front Yard Setback along 33rd Street. The Parks and Rec. Department has also agreed to a 10' Building Restriction Easement along the common property line. A copy of that agreement is enclosed with this submittal. This will allow windows along the south facade of the building.

In summary, we believe this is an excellent addition to the City of Lincoln. We appreciate your time and consideration, and if you have any additional questions please don't hesitate to call or contact us.

Sincerely yours,



August Ponstingl

**Included with this submittal:**

Fees:	Amend the CUP: \$1,144.80 Special Permit: \$300 Change of Zone: \$440
Applications:	Amendment to CUP & Change of Zone Special Permit
Drawings:	Amended CUP Submitted Electronically to City of Lincoln (3 Sheets)
Exhibits:	Exhibit A: Legal Description for CUP Exhibit B: Legal Description for Change of Zone Exhibit C: Draft of Building Restriction Easement

The New City Impact Center will be utilized for:

- 1) Relational and leadership development classes such as Strengths for Life Mentoring for youth, Impact Leadership Academy for teens, Bible Club for children, Recreation, Fitness & Health classes for families.
- 2) Development and training of volunteers to be a part of the Impact Reading Center in Elliott Elementary School (daytime volunteers) and for partnership in the CLC after school program. We plan to expand the Impact Reading Center to Hartley and Clinton Elementary Schools in the next two years. Currently we have over 170 volunteers in Elliott Elementary School each week.
- 3) RentWise Tenant Education and Financial Counseling from NeighborWorks Lincoln will be provided to the tenants (in potential adjacent affordable housing project) free of charge.
- 4) Family events and youth performances.
- 5) Potential local church to use on Sundays.
- 6) Administrative offices.

**City Impact Parking Notes:**

- 1) City Impact rented the facility at 2920 O St. for over 10 years (2000 – 2009) with similar square footage and facility purpose, layout, design, and parking. They had 62 parking stalls and this adequately met our need for the two days we maximized the use of this facility.
- 2) Our strategy for growth is to go from using a rented facility 2 days per week to having a facility available 7 days per week. We will maintain a similar amount of children, youth, and family members per day as we have had for the past 10 years.
- 3) With nearly 40% of the families participating in City Impact's programs not having regular personal transportation, City Impact utilizes 2 vans (15 passenger) – transporting between 15 – 40 children & youth per day depending on the program.
- 4) We have volunteer leaders who assist with transportation for 10 – 20 children per day.
- 5) Full-time and part-time staff also assists with transporting youth and families to the center.
- 6) When we rented space at 2920 O St. 25% of youth walked year round. We anticipate this number to be very similar when we are located at 33<sup>rd</sup> and Overland Trail adjacent to Peter Pan Park.
- 7) Attached parking numbers are based off of past 5 years of history and projected program development at new site.

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Date: January 25, 2012

To: Members of the Lincoln Lancaster Planning Commission

From: Ann Bleed, President of the East Campus Community Organization

Re: Change of Zone No. 11047, from I-1 Industrial District to R-4 Residential District, on property generally located at N. 33rd Street and Apple Street

4.2b Special Permit No. 04023A, an amendment to the Flat Iron Crossing Community Unit Plan

4.2c Special Permit No. 11033, for a "Neighborhood Support Services" building

The East Campus Community Organization (ECCO) enthusiastically supports approving this change of zone and the related special permits.

We believe this development will be a great redevelopment of an industrial area that is no longer in keeping with the surrounding residential land uses that ECCO seeks to promote.

This development is not in ECCO, but is just across the street from our neighborhood and in many ways is really a part of our neighborhood. We are excited about the development of a diversity of affordable housing in this area. We believe such development is much more in keeping with the surrounding land uses than is the maintenance of this land for industrial uses.

We also are excited about the prospect of having a community facility which will house the Neighborhood Support Services operated by City Impact in the redesigned Kamterter Products Building. Providing a gymnasium, classes, and meeting rooms adjacent to Peter Pan Park and the MoPac Trail is not only more compatible with the existing recreational facilities, but will be a tremendous community building asset for ECCO, the Hartley, and Clinton Neighborhoods.

ECCO, does however, have one request. Admittedly the request is not subject of the current agenda items, but is directly related to these items. We would like to see a pedestrian crossing light where the MoPac Trail crosses 33<sup>rd</sup> Street. This trail

is already used by many pedestrians and bicyclists, including both University and school children on their way to Peter Pan Park or the downtown campus. There is no pedestrian light where the trail crosses 33<sup>rd</sup> Street, which is a very busy arterial street. This intersection is already is already dangerous. The attraction of the Flat Iron Crossing Project, especially for children, will no doubt increase the traffic and the danger of this busy intersection. The installation of a traffic light would improve the safety of the trail and also of the users of the Flat Iron Crossing Neighborhood Services.

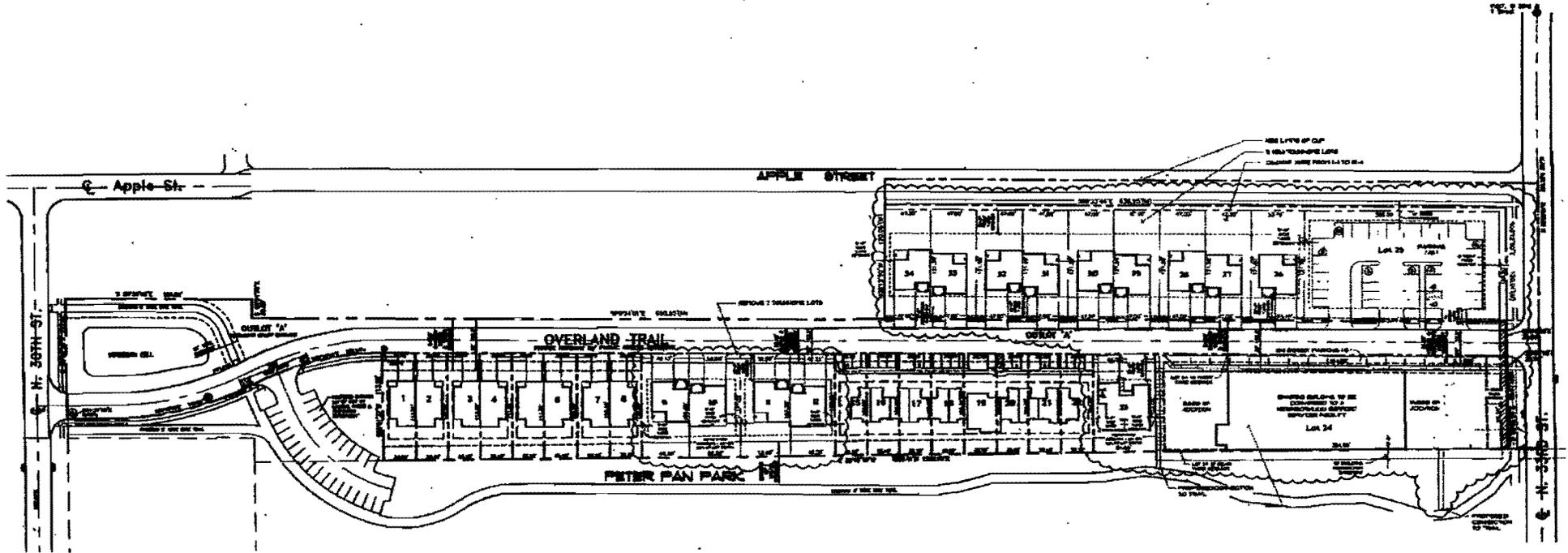
In summary ECCO enthusiastically supports the Flat Iron Crossing Project and strongly encourages the Planning Commission to approve these applications.

Thank you for your time.

Ann Bleed

# FLAT IRON CROSSING

## COMMUNITY UNIT PLAN



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