
Lincoln City - Lancaster County

**PLANNING COMMISSION
AGENDA**

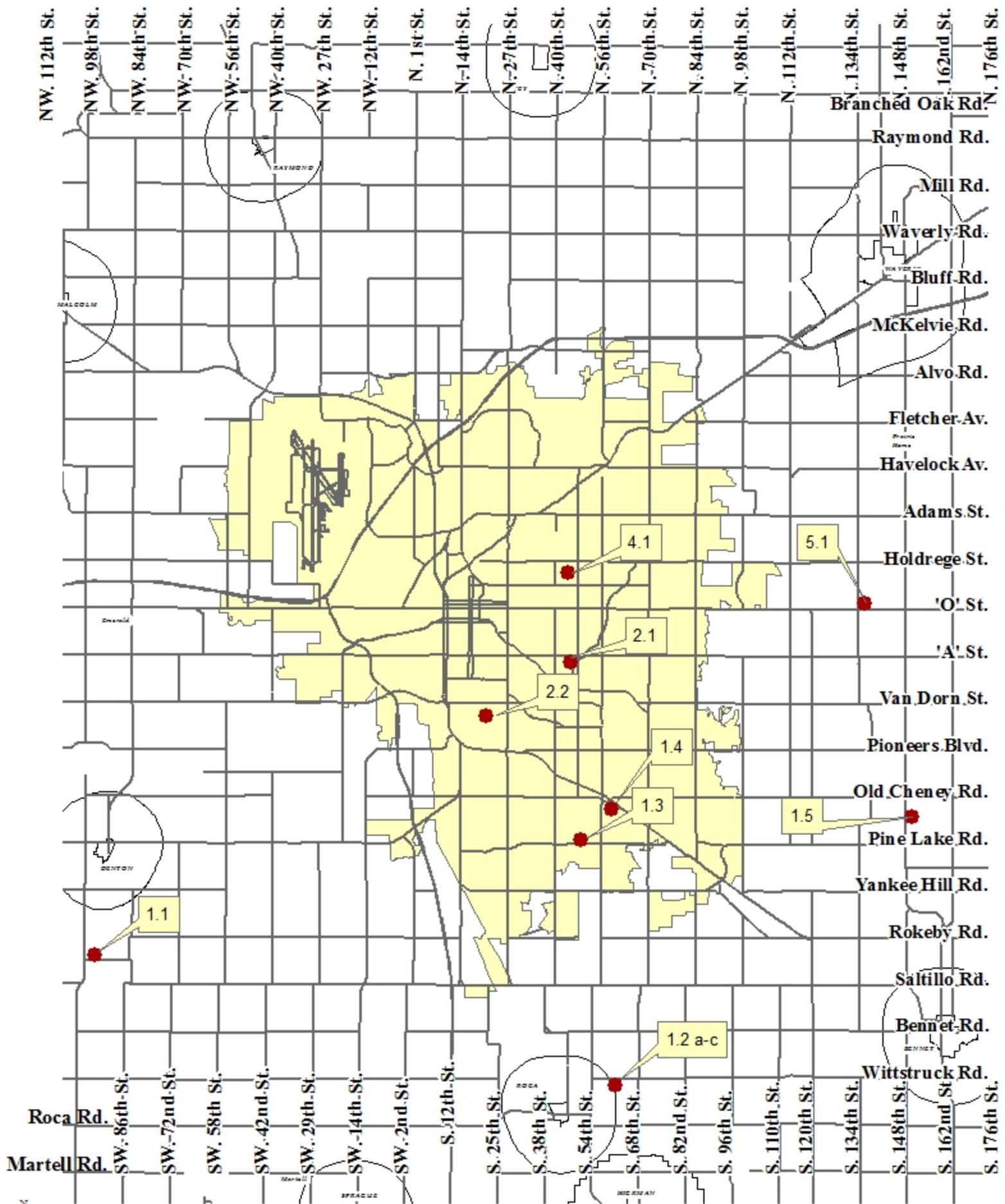
PLANNING COMMISSION

Chris Hove: Chair
Dennis Scheer: Vice-Chair
Michael Cornelius
Tracy Corr
Maja V. Harris
Jeanelle R. Lust
Lynn Sunderman
Ken Weber

PLANNING STAFF

David R. Cary: Director
Geri Rorabaugh: Administrative Officer
Amy Huffman: Office Specialist

September 28, 2016



Planning Commission Agenda Item Map

September 28, 2016

NOTICE: The Lincoln/Lancaster County Planning Commission will hold a public hearing on Wednesday, September 28, 2016, at 1:00 p.m. in Hearing Room 112 on the first floor of the County-City Building, 555 S. 10th St., Lincoln, Nebraska. For more information, call the Planning Department, (402) 441-7491.

****PLEASE NOTE:** The Planning Commission action is final action on any item with a notation of "FINAL ACTION". Any aggrieved person may appeal Final Action of the Planning Commission to the City Council or County Board by filing a Notice of Appeal with the City Clerk or County Clerk within 14 days following the action of the Planning Commission.

The Planning Commission action on all other items is a recommendation to the City Council or County Board.

AGENDA

WEDNESDAY, SEPTEMBER 28, 2016

Approval of minutes of the regular meeting held September 14, 2016.

1. CONSENT AGENDA
(Public Hearing and Administrative Action):

COMPREHENSIVE PLAN CONFORMANCE:

- Page 01
- 1.1 Comprehensive Plan Conformance No. 16007, to review as to conformance with the 2040 Lincoln-Lancaster County Comprehensive Plan, the acquisition of a permanent conservation easement by the Lower Platte South Natural Resources District, of approximately 20 acres, more or less, generally located at SW 98th Street and Kolbrook Road. ****FINAL ACTION****
Staff recommendation: Conformance with the Comprehensive Plan
Staff Planner: Brandon Garrett, 402-441-6373, bgarrett@lincoln.ne.gov

CHANGES OF ZONE AND RELATED PRELIMINARY PLAT:

- Page 13
- 1.2a Change of Zone No. 16025, from AG (Agricultural District) to AGR (Agricultural Residential District), on 2.85 acres, more or less, on property generally located at South 60th Street and Wittstruck Road.
Staff recommendation: Approval
Staff Planner: Tom Cajka, 402-441-5662, tcajka@lincoln.ne.gov

Page 21 1.2b County Change of Zone No. 16026, from AG (Agricultural District) to AGR (Agricultural Residential District), on 11.48 acres, more or less, on a portion of property generally located at South 60th Street and Wittstruck Road.

Staff recommendation: Approval

Staff Planner: Tom Cajka, 402-441-5662, tcajka@lincoln.ne.gov

Page 29 1.2c County Preliminary Plat No. 16004, Silverhawk Estates, for 23 lots on approximately 80 acres, more or less, including cross-jurisdictional property with 66 acres, more or less, in the Roca ETJ; 11 acres, more or less, in the County ETJ; and 3 acres, more or less, in the City of Lincoln ETJ, on property generally located at South 60th Street and Wittstruck Road. ****FINAL ACTION****

Staff recommendation: Conditional Approval

Staff Planner: Tom Cajka, 402-441-5662, tcajka@lincoln.ne.gov

PERMITS:

Page 41 1.3 Combined Special Permit Use Permit No. 111, to add a special permitted use for a Culinary Academy, on property generally located at 6800 South 32nd Street. ****FINAL ACTION****

Staff recommendation: Conditional Approval

Staff Planner: Rachel Jones, 402-441-7603, rjones@lincoln.ne.gov

Page 51 1.4 Special Permit No.1013K, to allow for the operation of a kennel facility with an outdoor area, on property generally located at 5930 South 57th Street. ****FINAL ACTION****

Staff recommendation: Conditional Approval

Staff Planner: Brian Will, 402-441-6368, bwill@lincoln.ne.gov

Page 59 1.5 County Special Permit No. 16044, to allow for a riding stable and private stable on property generally located at 6450 South 148th Street. ****FINAL ACTION****

Staff recommendation: Conditional Approval

Staff Planner: Tom Cajka, 402-441-5662, tcajka@lincoln.ne.gov

2. REQUESTS FOR DEFERRAL:

2.1 Comprehensive Plan Conformance No. 16005, to review as to conformance with the 2040 Lincoln-Lancaster County Comprehensive Plan, a request to declare a City-owned parking lot as surplus property for the zoo expansion, on property generally located at approximately 2847 A Street.

Staff recommendation: Conformance with the Comprehensive Plan

Staff Planner: George Wesselhoft, 402-441-6366, gwesselhoft@lincoln.ne.gov

2.2 Special Permit No. 16009, for the construction of a carport, on property generally located at 1801 Kings Highway. ****FINAL ACTION****
Staff recommendation: Conditional Approval
Staff Planner: Rachel Jones, 402-441-7603, rjones@lincoln.ne.gov

3. **ITEMS REMOVED FROM CONSENT AGENDA**
(Public Hearing and Administrative Action):

3.1 _____

3.2 _____

4. **PUBLIC HEARING AND ADMINISTRATIVE ACTION:**

SPECIAL PERMIT:

Page
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4.1 Special Permit No. 300C, to amend an existing Special Permit to allow for reconstruction of a non-conforming facility and to increase the allowable square footage from 22,300 square feet to 32,000 square feet; an increase in allowable parking from 57 stalls to 88 stalls; and an increase in allowable members residing on the premises from 80 members to 88 members plus a housemother, on property generally located at 3601 Apple Street. ****FINAL ACTION****
Staff recommendation: Conditional Approval
Staff Planner: George Wesselhoft, 402-441-6366, gwesselhoft@lincoln.ne.gov

5. **CONTINUED PUBLIC HEARING AND ADMINISTRATIVE ACTION:**

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5.1 Special Permit No. 16041, for the sale of alcohol for consumption both on and off the premises, on property generally located at 252 North 134th Street. ****FINAL ACTION****
Staff recommendation: Conditional Approval
Staff Planner: Brian Will, 402-441-6362, bwill@lincoln.ne.gov

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**AT THIS TIME, ANYONE WISHING TO SPEAK ON AN ITEM
NOT ON THE AGENDA, MAY DO SO**

* * * * *

Adjournment

PENDING LIST: *None*

Planning Dept. staff contacts:

David Cary, <i>Director</i>	402-441-6364	dcary@lincoln.ne.gov
Stephen Henrichsen, <i>Development Review Manager</i>	402-441-6374	shenrichsen@lincoln.ne.gov
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Michael Brienzo, <i>Transportation Planner</i>	402-441-6369	mbrienzo@lincoln.ne.gov
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George Wesselhoft, <i>Planner</i>	402-441-6366	gwesselhoft@lincoln.ne.gov
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Kellee Van Bruggen, <i>Transportation Planner</i>	402-441-6363	kvanbruggen@lincoln.ne.gov
Ed Zimmer, <i>Historic Preservation Planner</i>	402-441-6360	ezimmer@lincoln.ne.gov

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**The Planning Commission meeting
which is broadcast live at 1:00 p.m. every other Wednesday
will be rebroadcast on Wednesdays at 7:00 p.m., Thursdays at 12:00 a.m. and
Sundays at 12:30 p.m. on 5 City TV, Cable Channel 5.**

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**The Planning Commission agenda may be accessed on the Internet at
<http://www.lincoln.ne.gov/city/plan/pcagenda/index.htm>**

ACCOMMODATION NOTICE

The City of Lincoln complies with Title VI of the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973 guidelines. Ensuring the public's access to and participating in public meetings is a priority for the City of Lincoln. In the event you are in need of a reasonable accommodation in order to attend or participate in a public meeting conducted by the City of Lincoln, please contact the Director of Equity and Diversity, Lincoln Commission on Human Rights, at 402 441-7624 as soon as possible before the scheduled meeting date in order to make your request.

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for SEPTEMBER 28, 2016 PLANNING COMMISSION MEETING

- PROJECT #:** Comprehensive Plan Conformance No. 16007
- PROPOSAL:** To find that the acquisition of a permanent conservation easement conforms with the 2040 Comprehensive Plan.
- LOCATION:** Northeast corner of SW 98th Street and Kolbrook Road
- LAND AREA:** 20 acres, more or less
- CONCLUSION:** This conservation easement is for the purpose to conserve and protect scenic beauty, wildlife habitat, native prairie, riparian stream corridors, agricultural land, open space, bike trail, and trailhead. Acquisition of the conservation easement by the Lower Platte South Natural Resources District is in conformance with the Comprehensive Plan and supports several goals of the Plan.

RECOMMENDATION: In conformance with the Comprehensive Plan.

GENERAL INFORMATION:

- LEGAL DESCRIPTION:** Lot 19 I.T., located in the NW 1/4 of Section 34-9-5, Lancaster County, Nebraska
- EXISTING ZONING:** AG Agriculture (Lancaster County jurisdiction)
- EXISTING LAND USE:** Farmstead, native prairie, stream corridor, forested areas

SURROUNDING LAND USE AND ZONING:

- North: AG Agriculture (in agricultural use)
South: AG Agriculture (in agricultural use)
East: AG Agriculture (in agricultural use)
West: AG Agriculture (in agricultural use)

COMPREHENSIVE PLAN SPECIFICATIONS:

VISION FOR ENVIRONMENTAL STEWARDSHIP

LPlan 2040 commits Lincoln and Lancaster County to sustainable growth through preservation of unique and sensitive habitats and the encouragement of creative integration of natural systems into developments. The importance of building sustainable communities - communities that conserve and efficiently utilize our economic, social, and environmental resources so that the welfare of future generations is not compromised - has long been recognized. This concept has grown in importance with increased understanding of the limits to energy supplies and community resources, the likelihood that energy costs

will continue to increase in the future, the climatic impacts of energy consumption, and the impacts on the physical and economic health of the community. LPlan 2040 describes a community that values natural and human resources, supports advances in technology, and encourages development that improves the health and quality of life of all citizens.

The following principle is based on this Environmental Stewardship statement and describes the desired end state:

Natural and environmentally sensitive areas are preserved and thrive. Wetlands, native prairies and stream (riparian) corridors are preserved to ensure the ecological health of the community. (p. 1.4)

GUIDING PRINCIPLES FOR COMMUNITY FORM THE URBAN ENVIRONMENT: OVERALL FORM

Natural and environmentally sensitive areas should be preserved within and between neighborhoods. Conservation areas and open lands should be used to define and connect different neighborhoods. The natural topography and features of the land should be preserved by new development to maintain the natural drainageways and minimize land disturbance. (p. 2.8)

ENVIRONMENTAL RESOURCES: GUIDING PRINCIPLES

Seek early identification of areas to be preserved – While planning for future growth is integral to LPlan 2040, it is equally important that environmental resource features be accorded similar attention. The community should invest planning resources into the early identification of those areas that are most valued as part of the Greenprint Challenge. This principle supports the notion of “getting ahead of the game” by knowing what resources are most valued, where they are located, and what actions should be made within the broader planning process to secure their future for the community. (p. 3.3)

Make “Green Space” an Integral Part of All Environments - “Green space” can come in a wide variety of forms. The policies of LPlan 2040 should strive to incorporate such uses in the full range of urban and rural landscapes. (p. 3.4)

THE GREENPRINT CHALLENGE: OVERVIEW

The purpose of the **Greenprint Challenge** is to assure the long term health and integrity of the ecosystem upon which Lancaster County is superimposed, and to capture the community-wide quality of life and economic benefits that can be derived from the area’s environmental resource features. (p. 3.4)

ENVIRONMENTAL RESOURCE FEATURES AND STRATEGIES

As an LPlan 2040 land use category, “environmental resources” represent an important part of today’s urban and rural landscapes. Such features need to be valued and sustained as part of the overall planning process if they are to remain as vital parts of the natural heritage left for succeeding generations. These features help to define the County’s unique sense of place — geographically, culturally, and temporally. The Plan fully recognizes the harmony and connections that exist within and among these features.

Thirteen separate environmental resource features are recognized in the Plan. The Greenprint Challenge map displays generalized locations within the county in which these resources categories may be found. For a more detailed map, the Natural Resources Geographic Information System (NRGIS) may be accessed, and categories can be toggled off and on to view their location. A brief description of each of the Plan’s environmental resource features and specific strategies for protecting these features is provided below. (p. 3.6)

A brief description of each of the Plan’s environmental resource features is provided below.

Native Prairie – (p. 3.6)

Saline Wetlands – (p. 3.7)

Parks, Trail Corridors and Other Recreational Areas – (p. 3.10)
Floodplains – (p. 3.9)
Agricultural Lands – (p. 3.11)
Cultural and Historic Landscapes – (p. 3.11)
Freshwater Wetlands – (p. 3.9)
Riparian Areas – (p. 3.9)
Basins and Streams – (p. 3.9)
Urban Forest – (p. 3.10)
Threatened and Endangered Species – (p. 3.8)
Views and Vistas – (p. 3.11)
Woodlands – (p. 3.10)

Strategies for Threatened and Endangered Species: Continue to investigate incentives allowing land owners to pursue voluntary purchases, conservation easements, transfer of development rights (TDR), or other similar preservation options according to the land acquisition prioritization plan. (p. 3.8)

Views and Vistas: Investigate the availability of several locations in the county that offer distinguished views and vistas. These could be acquired through fee simple title or easements. Many of these locations may be appropriate for public ownership as future parks or open space. Efforts should be made to acquire these parcels should they become available. (p. 3.11)

GREENWAYS AND OPEN SPACES

Open spaces and greenway linkages form systems of land preserved in an undeveloped state, often due to unique natural attributes such as floodplains and associated riparian areas, saline and freshwater wetlands, and native prairies. The local and regional commuter and recreational trail system is often integrated with greenway linkages. (P. 3.12)

Strategies: General

Continue the use of conservation easements to protect greenway areas where it may be desirable to allow compatible land uses such as row crop farming or pasturing.

Encourage the retention of linear connections of green spaces wherever possible. Efforts should be made to preserve small stream corridors throughout future developments.

Pursue greenways connecting urban and rural areas. Such corridors should follow stream courses and connect valuable natural resource areas. (p. 3.14)

Strategies: Prairie Corridor on Haines Branch

Continue the Pioneers Park trail network along Haines Branch to connect with Conestoga Lake and then continue south by the Village of Denton and on to Spring Creek Prairie Audubon Center. These connections would form a corridor encompassing over 2,000 acres of native prairie and two premier prairie education centers - Pioneer Park Nature center and Spring Creek Prairie Audubon Center. (p. 3.14)

OPEN SPACE AND GREENWAY LINKAGES DESCRIPTION

Open space and greenway linkages are a system or network of areas preserved in an undeveloped state due to unique natural attributes, such as floodplains and associated riparian areas, saline and freshwater wetlands, and native prairies. Some areas may be protected through conservation easements that allow for compatible land use activities such as row crop farming or pasturing. Fee simple title may be acquired for other areas that are best maintained in a natural state due to particularly sensitive features (e.g., rare or sensitive habitat areas), or that have value for resource-based recreation activities (e.g., hiking, interpretive

activities, wildlife viewing). The local and regional commuter/ recreation trail system should be integrated with the greenway linkages. (p. 9.9)

Strategies for Open Space and Greenway Linkages

Implement the Salt Valley Greenway concept as identified in the Environmental Resources chapter. Utilize a “Rain to Recreation” approach to open space and greenway linkages that is coordinated with the City’s watershed management program and the Lower Platte South Natural Resource District to reduce flood damages, protect water quality and natural areas, while providing for recreational and educational opportunities so as to realize multiple benefits. (p. 9.9)

This bike trail is identified as “Future Trails Outside of the Future Service Limit” in the Transportation chapter. (P. 10.28)

Strategies for Watershed Management

Retain City or County property in the floodplain in public ownership, and consider the purchase of easements or land when other publicly-owned property in the floodplain is proposed for surplus. Retain conservation easements to protect floodplain functions where unusual circumstances merit the consideration of surplus floodplain property. (p. 11.14)

LAND USE PLAN

Agricultural. Land principally in use for agricultural production. Agricultural land may be in transition to more diversified agribusiness ventures such as growing and marketing of products (e.g., horticulture, silviculture, aquaculture) on site. (p. 12.4)

ANALYSIS:

1. This proposed conservation easement is a part of the “Prairie Corridor” concept in the Comprehensive Plan (Pages 3.14-3.15). This particular piece of the concept will serve as an integral part of the Prairie Corridor as it would include trail facilities in addition to prairie. This proposal includes conservation measures, a trail easement, and a trailhead. Farming activity may continue until 2022. The existing buildings on the site are planned to be demolished. Minor road construction activities along the periphery are allowed.
2. The Lower Platte South Natural Resources District will purchase the easement with funds from the Nebraska Environmental Trust. This request as approved would find the potential conservation easement to be in Conformance with the Comprehensive Plan.
3. A total of one parcel and 20 acres are within this request. All 20 acres are in Lancaster County’s Jurisdiction.
4. The Nebraska Conservation and Preservation Easement Act (Nebraska Revised Statute §§ 76-2,111 to 76-2,118) requires that the acquisition of conservation easements be referred to the local planning commission having jurisdiction over the properties prior to the acquisition. The Planning Commission must provide comments regarding the conformity of the proposed acquisition to comprehensive planning for the area. (NEB. REV. STAT. §76-2,112).

5. The proposed conservation easement will protect natural features such as wetlands, drainageways, native prairie, and woodlands.
6. Lancaster County or the Lower Platte South Natural Resources District can accept or acquire the conservation easements after the Planning Commission determines the easement conforms to the Comprehensive Plan.
7. The Easement Agreement includes provisions prohibiting specific uses and practices such as building construction, destruction of habitat, and other uses inconsistent with preservation/restoration.
8. SW 98th Street adjacent to this property is a paved facility. Future public purpose uses are not limited by the conservation easements.

Prepared by:

Brandon Garrett, AICP

Planner

DATE: September 19, 2016

APPLICANT: Lower Platte South Natural Resources District
3125 Portia Street
PO Box 83581
Lincoln, NE 68501
402-476-2729

CONTACT: Paul Zillig, General Manager
pzillig@lpsnrd.org or 402-476-2729

F:\DevReview\CPC\16000\CPC16007 Prairie Corridor Conservation Easement.bmg.wpd



Lincoln Lancaster, NE GIS

2016 aerial

Comp Plan Conformance #: CPC16007
Conservation Easement
SW 98th St & Kolbrook Rd



One Square Mile:
 Sec.34 T09N R05E

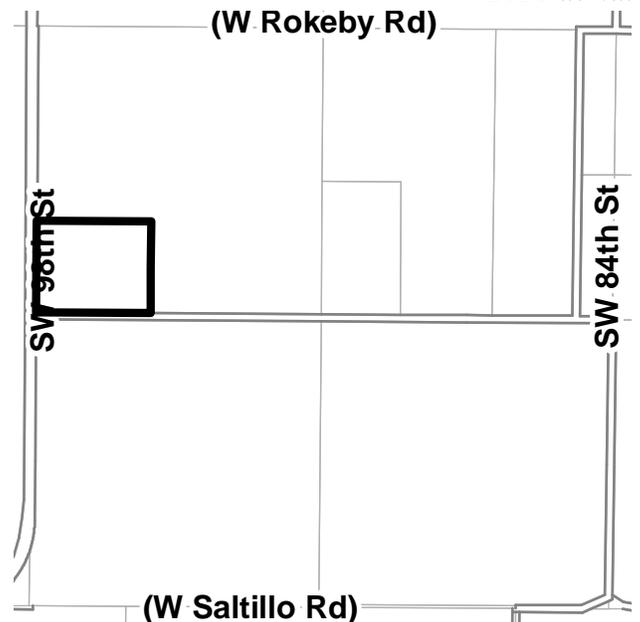
Zoning:

- 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

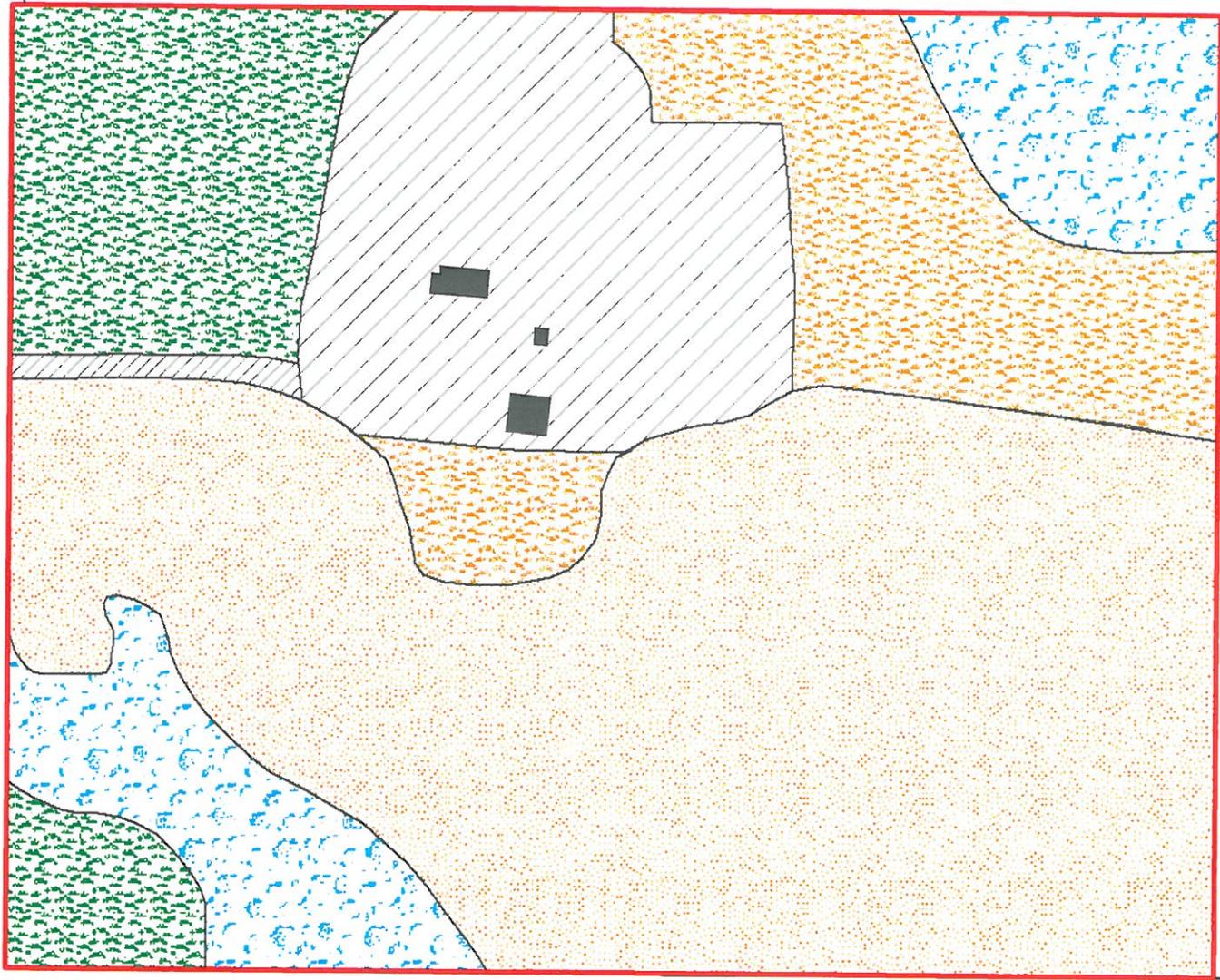
Area of Application

Zoning Jurisdiction Lines

City of Lincoln Jurisdiction



SW 98th Street



Kolbrook Road

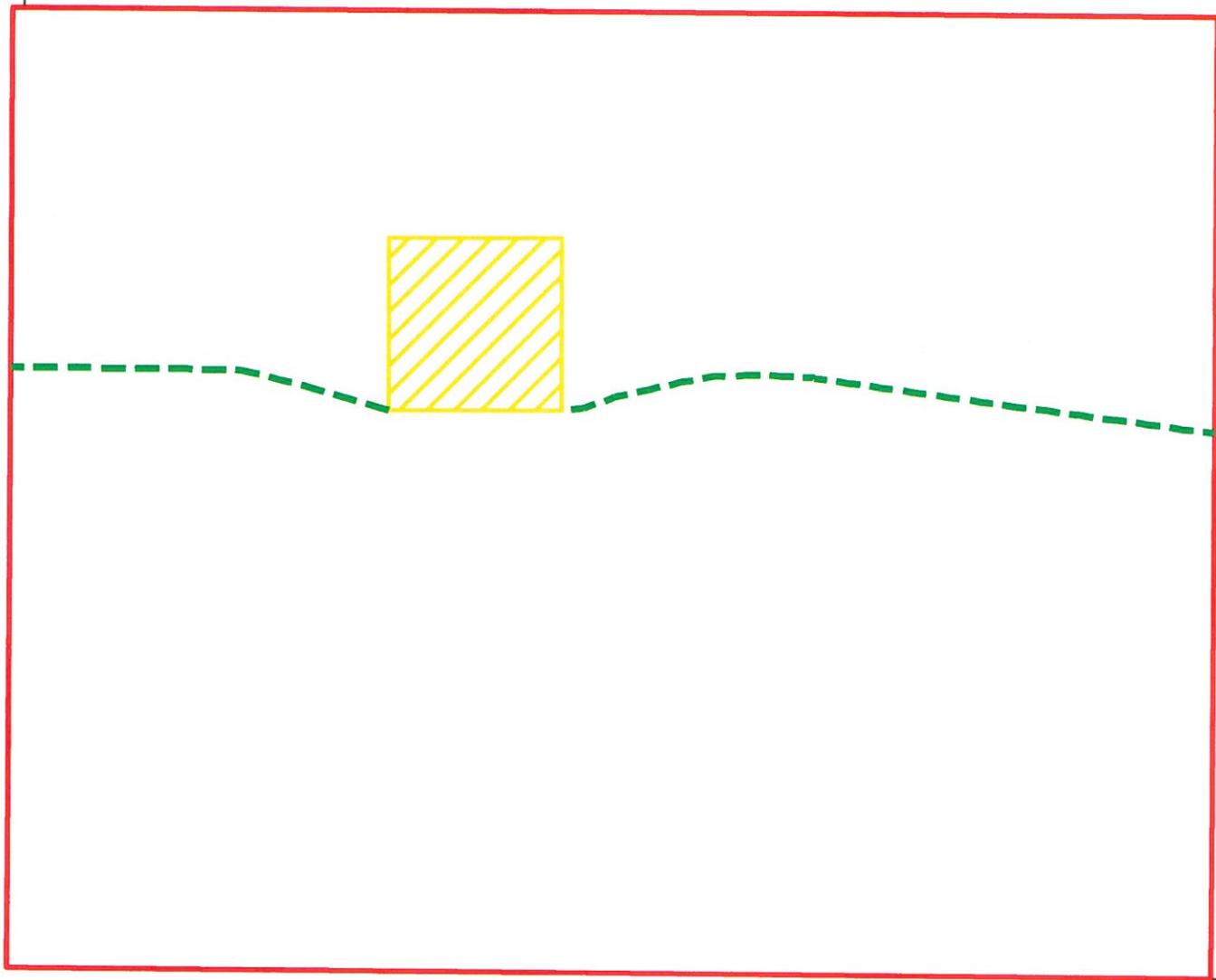


Exhibit B: Existing Conditions



- | | | |
|--------------------|-----------------|----------------------------------|
| Protected Property | Cropland/Hay | Floodplain/Riparian Corridor |
| Parcels | Driveway Access | Native Prairie - Highest Quality |
| Buildings | Farmstead | Native Prairie - Other |

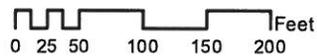
SW 98th Street



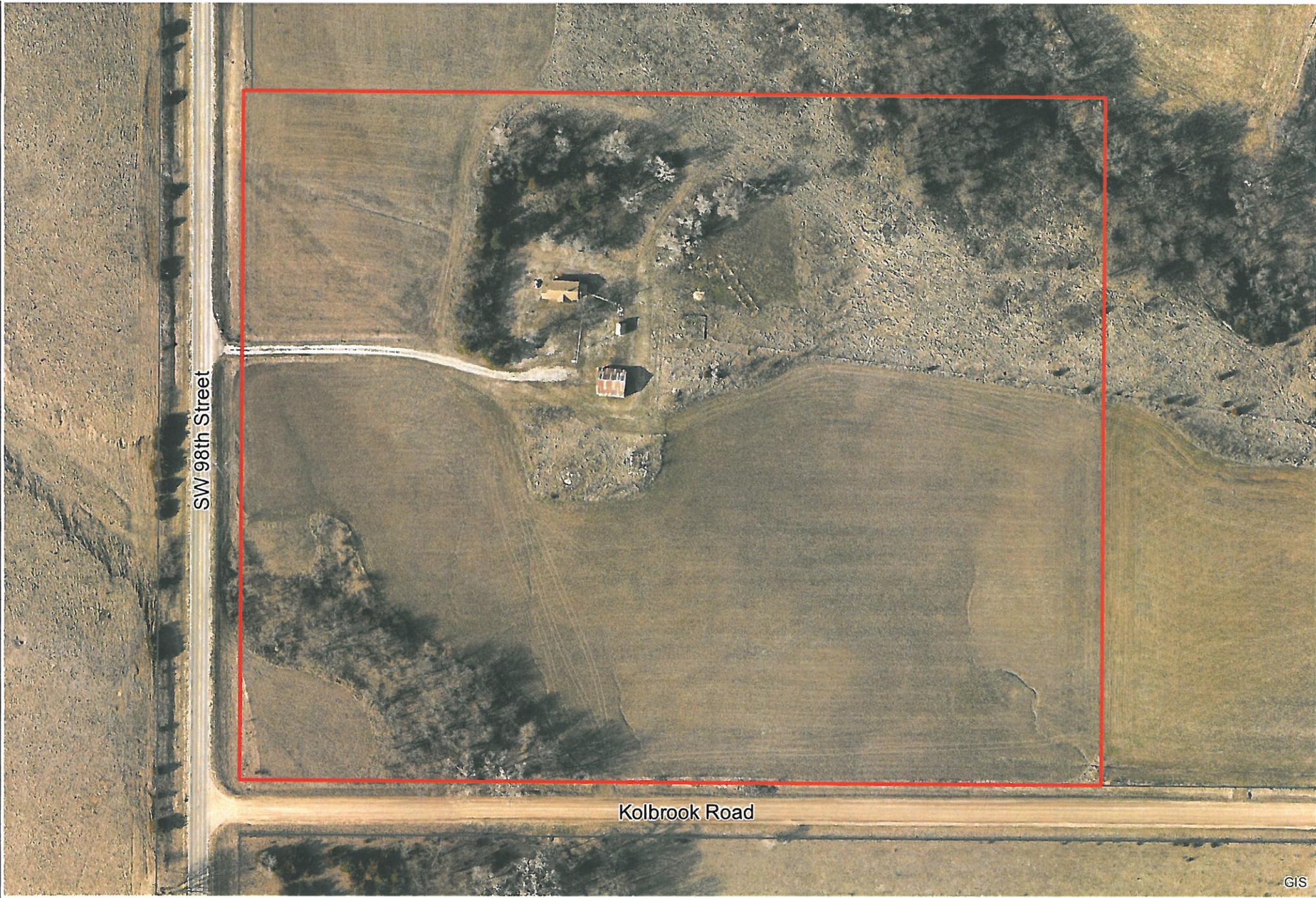
Kolbrook Road



Exhibit A: Conservation Easement



- 50' Public Access Easement (Alignment to be finalized at future date)
- 150'x150' Trailhead Easement
- Protected Property
- Parcels



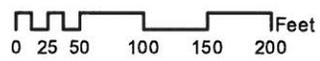
SW 98th Street

Kolbrook Road

GIS



Exhibit C: Aerial Photograph



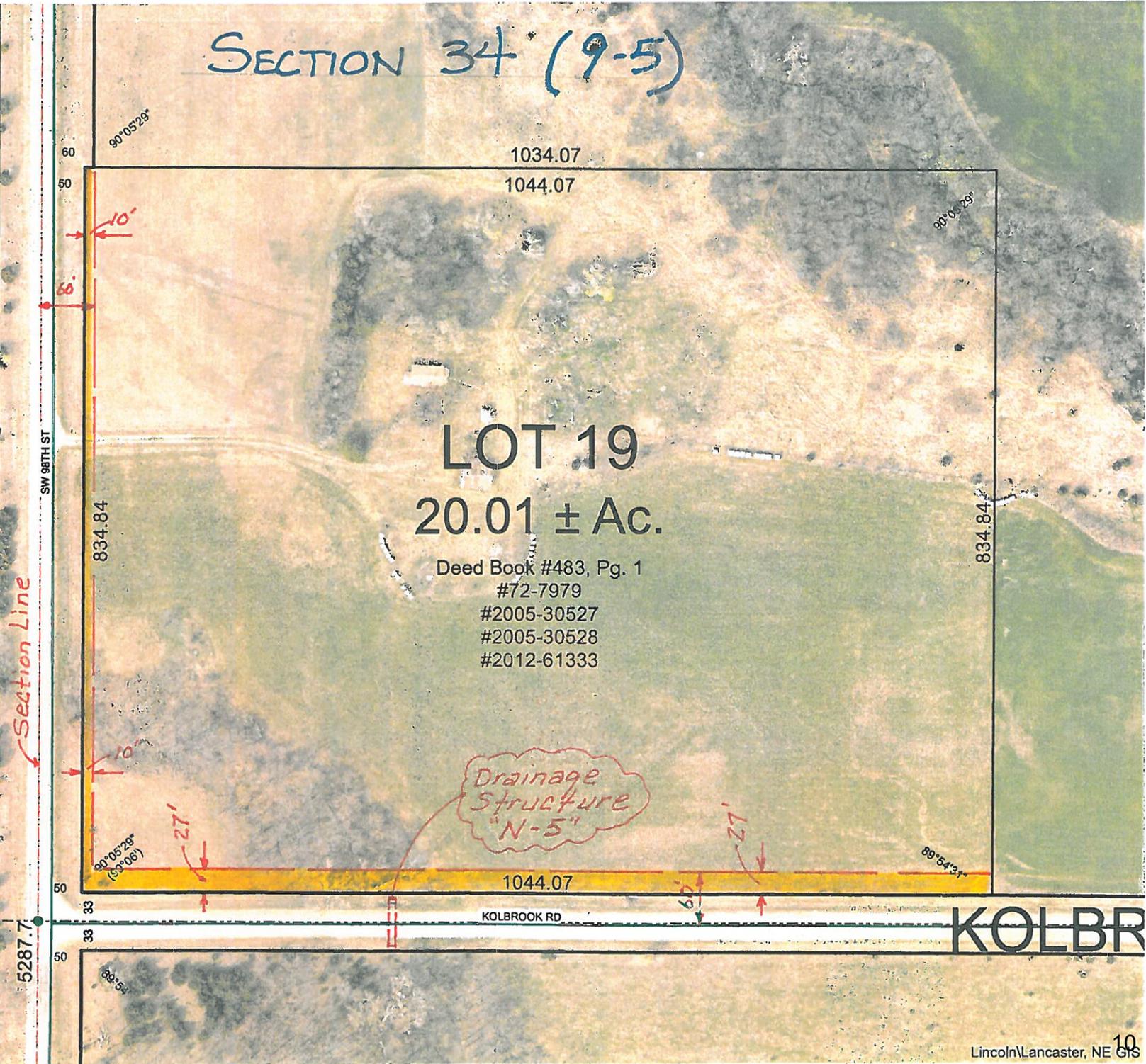
- Protected Property
- Parcels



1 inch = 150 feet

AREAS EXEMPTED
FROM CONSERVATION
EASEMENT PURPOSES
FOR ROAD CONSTRUCTION
AND MAINTENANCE
ONLY.

SECTION 34 (9-5)



LOWER PLATTE SOUTH
NATURAL RESOURCES DISTRICT



3125 PORTIA STREET
P.O. BOX 83581 · LINCOLN, NE 68501-3581
(402) 476-2729 · FAX (402) 476-6454
www.lpsnrd.org

August 17, 2016

David Cary, Director
Lincoln-Lancaster Co. Planning Dept.
555 S 10th Street
Lincoln, NE 68510

Dear Mr. Cary:

This letter is to request a review of the acquisition of a permanent conservation easement from David and Lynette Samani for conformance with the Comprehensive Plan. The easement to be acquired is comprised of 20 acres generally located east of SW 98th Street and north of Kolbrook Road, as shown on the attached exhibits. It is legally described as Lot 19 IT, located in the NW quarter of Section 34, Township 9N, Range 5E, Lancaster County, Nebraska.

The boundaries and landmarks within the easement area are shown on Exhibit "A". Existing conditions are shown on Exhibits "B" and "C". The District previously acquired a permanent conservation easement from Mr. and Mrs. Samani on 144 acres of adjacent land to the north and east of this location in 2012. The easement will support the Prairie Corridor on Haines Branch link to the Salt Valley Greenway with a trail easement and the conservation of grasslands and other natural resources. Overall, the easement will conserve and protect scenic beauty, wildlife habitat, native prairie, riparian stream corridors, agricultural land and open space on the property.

Major provisions of the easement include:

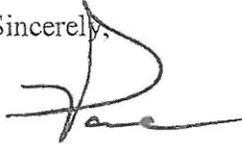
- A trailhead and 50-foot public access trail easement to accommodate a future connection east to the trail easement on the adjacent conservation easement along the Spring Creek tributary of Haines Branch. The location of the trailhead and alignment of the trail is approximately shown on the attached "Exhibit A".
- Conservation of the native prairie and floodplain/riparian areas shown on Exhibit B.
- Continuation of the agricultural use of the cropland area, which may be farmed until 2022, at which time the District may re-establish native prairie on the cropland/hay areas.
- Prevention of uses and practices that are inconsistent with conservation of the natural resources, such as construction of buildings, roads or other structures, destruction or degradation of habitat, and other inconsistent uses.



It is our understanding that this review for Comprehensive Plan Conformance will be final action at the Planning Commission. This item has been reviewed by the District's Recreation, Forestry and Wildlife Subcommittee. In anticipation of action by the full Board at their meeting this evening, we would like to request the item be scheduled for the September 14th Planning Commission agenda to facilitate closing on the easement purchase.

If you have any questions, please feel free to contact me or Dan Schulz at 476-2729 or pzillig@lpsnrd.org or dschulz@lpsnrd.org.

Sincerely,

A handwritten signature in black ink, appearing to read 'Paul Zillig', with a stylized flourish at the end.

Paul Zillig
General Manager

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT
for SEPTEMBER 28, 2016 PLANNING COMMISSION MEETING

PROJECT #: Change of Zone No.16025 (City)

PROPOSAL: From AG Agricultural to AGR Agricultural Residential

LOCATION: S. 60th Street and Wittstruck Road

LAND AREA: 2.85 acres, more or less

EXISTING ZONING: AG Agricultural

CONCLUSION: The change of zone request from AG to AGR is not in conformance with the 2040 Lincoln/Lancaster County Comprehensive Plan. However since the majority of the development is within the Village of Roca's zoning jurisdiction and Roca approved the change of zone, this change of zone request should be approved in order to provide a logical and complete acreage subdivision.

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

LEGAL DESCRIPTION: A portion of the East ½ of the NE 1/4, of the NW 1/4 of Section 16, 8, 7; Lancaster County, NE.

EXISTING LAND USE: Farm ground

SURROUNDING LAND USE AND ZONING:

North:	AG Agricultural	Acreage development
South:	AG Agricultural	Farm ground
	AGR Agricultural Residential	Acreage development
East:	AG Agricultural	Farm ground
West:	AGX Exclusive Agricultural (Roca)	Farm ground

ASSOCIATED APPLICATIONS:

Preliminary Plat #16004
 Change of Zone #16026

COMPREHENSIVE PLAN SPECIFICATIONS:

The 2040 Lancaster County Future Land Use Plan identifies this area as Agricultural (p.1.8)

Acknowledge the fundamental “Right to Farm.” Preserve areas throughout the county for agricultural production by designating areas for rural residential development— thus limiting potential conflicts between farms and acreages. (p. 2.7)

LPlan 2040 supports the preservation of land in the bulk of the County for agricultural and natural resource purposes. However, it recognizes that some parts of the County are in transition from predominantly agricultural uses to a mix that includes more residential uses (p. 7.12)

All proposals for acreages, whether designated on the future land use map for low density residential or not, should be evaluated based on factors such as paved roads, adequate water quality and quantity, soil conditions for on-site wastewater management, availability of emergency services, agricultural productivity, land parcelization, the pattern of existing acreages, and plans for future urban development (p. 7.12)

Grouping acreages together in specific area will limit the areas of potential conflict between farms and acreages. It also may enable services to be provided more efficiently, by reducing the amount of paved routes, reducing the number and distance of school bus routes and taking advantage of more effective rural water district service (p. 7.12)

Many families are not well-informed of all the implications of rural living before they make that lifestyle choice. This includes an understanding of the state’s “right to Farm” law, which protects farmers from nuisance claims when conducting normal agricultural practices, and an understanding of the difference between urban and rural public services. (p. 7.13)

The 2040 Priority Growth Areas map identifies this area in Tier II. (p.12.6)

UTILITIES: This area is served by Lancaster County Rural Water District #1. Each lot shall have individual private sewer systems.

TRAFFIC ANALYSIS: Wittstruck Road is a county gravel road. S. 54th Street is a paved county road.

PUBLIC SERVICE: The Hickman Rural Fire District serves this area. This is in the Norris School District.

REGIONAL ISSUES: Expansion of acreage development

ANALYSIS:

1. This request is for a change of zone from AG Agricultural to AGR Agricultural Residential on 2.85 acres. Associated with this change of zone is Silverhawk Estates preliminary plat.
2. The proposed project boundary falls within three different jurisdictions. They include the Village of Roca, Lancaster County and Lincoln. The jurisdiction for Lincoln comprises 2.85 acres, Lancaster County 11.48 acres and Roca 65.97 acres.

3. The Roca Village Board approved the change of zone from AG to AGR on September 12, 2016.
4. Although the Lincoln/Lancaster County Comprehensive Plan shows this area as agricultural, only 14 of the 80 acres (3.5%) is under the jurisdiction of the City Council. Thus, in order to provide for a logical and complete subdivision the entire property should be of similar zoning.
5. Proposed acreage development should be evaluated on several factors. These include:
 - a) Water/rural water,
This is in Lancaster County Rural Water District #1.
 - b) Roads,
Wittstruck Road is a county gravel road.
 - c) Emergency services,
This area is served by the Lancaster County Sheriff and Hickman Rural fire district.
 - d) Soils,
A small portion in the northern half of the 80 acres is identified as prime farmland.
 - e) Existing acreages,
There is existing acreages to the north (Brushcreek Estates), northwest (The Quarry) and to the southeast (The Preserve at Cross Creek).
5. Roca's Comprehensive Plan identifies this area as Rural Use. Rural Use is defined as an agricultural use which includes rural non-farm acreage development and some other compatible uses.

Prepared by:

Tom Cajka
Planner

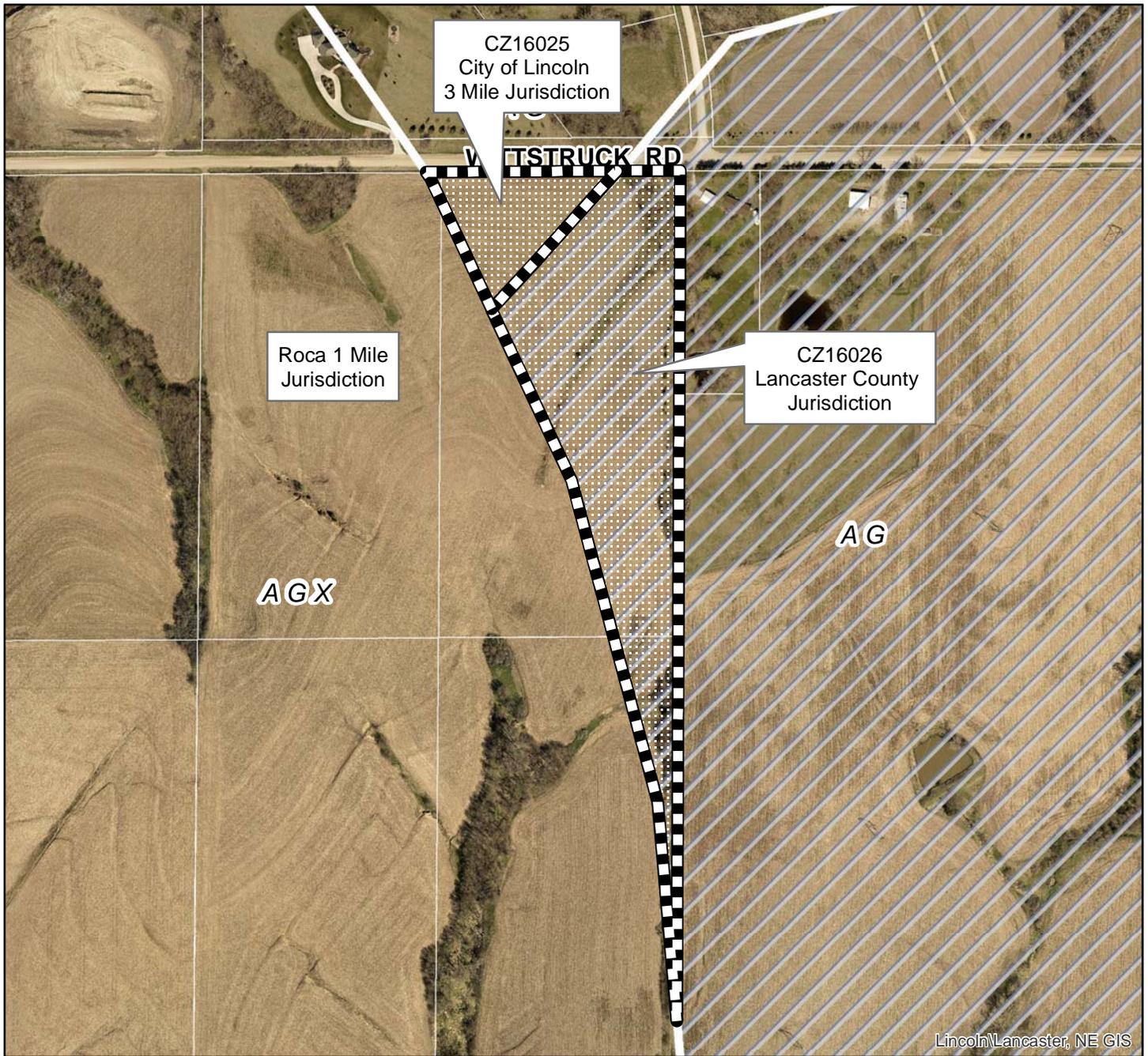
DATE: September 19, 2016

APPLICANT: BCLINC, LLC
4400 Lowell Ave.
Lincoln, NE 68506

OWNER: Jane K. Bauer
1015 N. Shore Dr.
Lincoln, NE 68901

CONTACT: Mike Eckert
Civil Desing Group
8535 Executive Woods Drive, Suite 200
Lincoln, NE 68512
402-434-8494

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Lincoln\Lancaster, NE GIS

2016 aerial

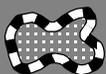
**Change of Zone #: CZ16025 (AG to AGR)
& Change of Zone #: CZ16026 (AG to AGR)
Silverhawk Estates
S 60th St & Wittstruck Rd**

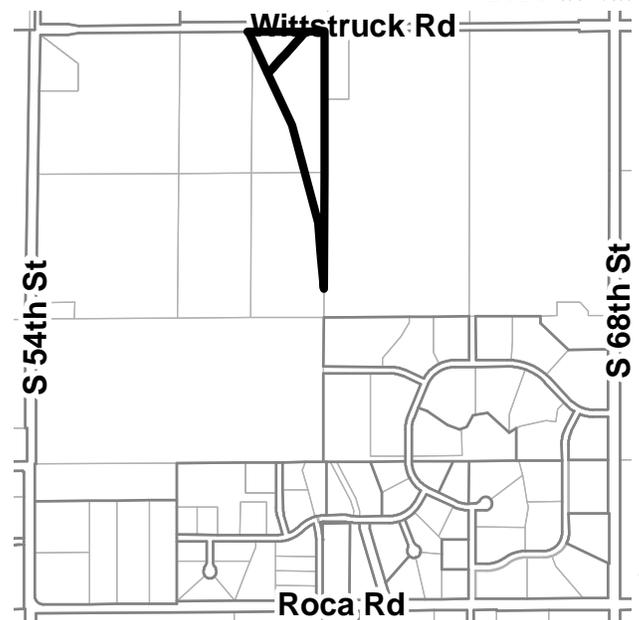


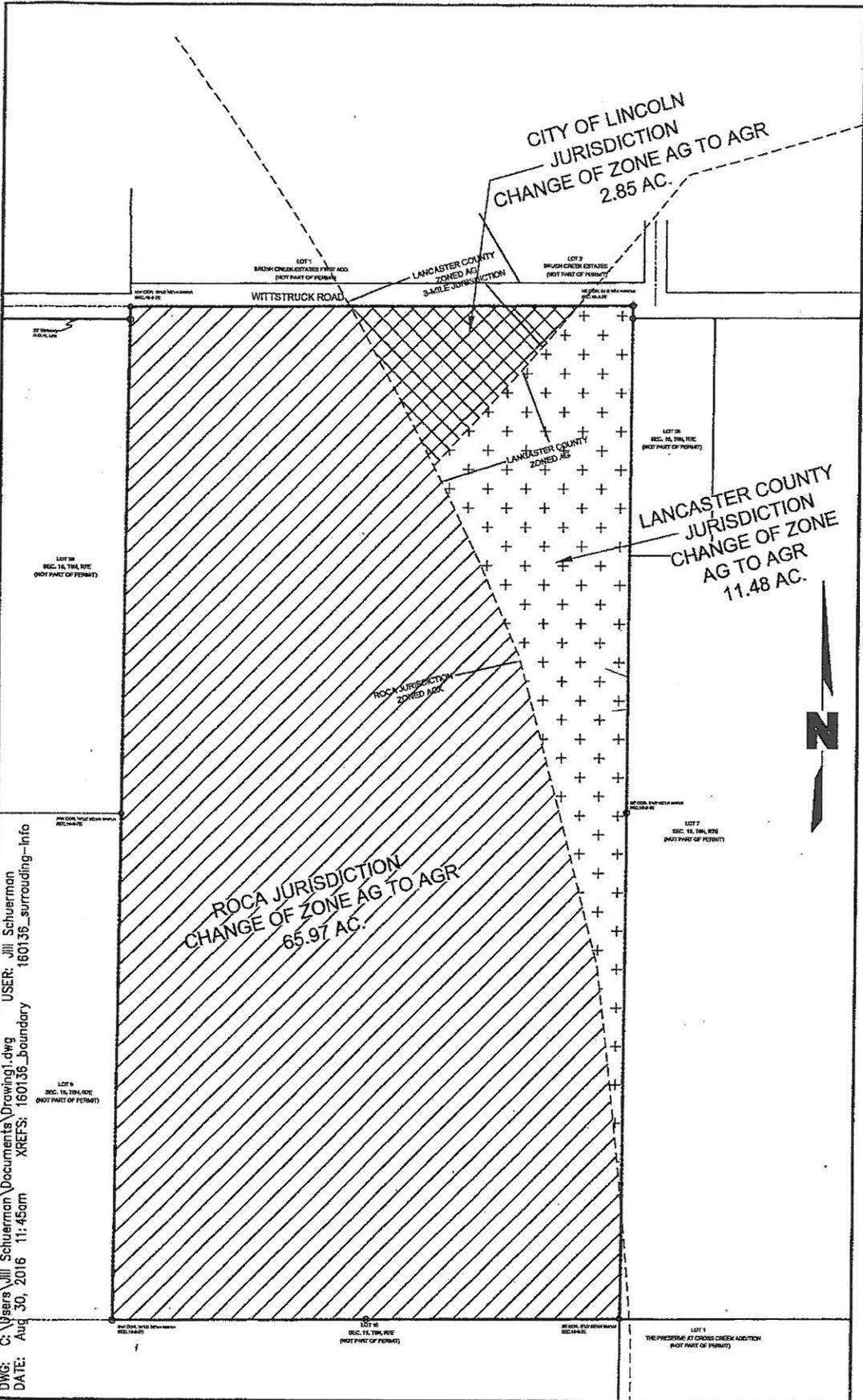
**One Square Mile:
Sec. 16 T08N R07E**

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
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- I-3 Employment Center District
- P Public Use District

	Area of Application
	Zoning Jurisdiction Lines
	City of Lincoln Jurisdiction





DWG: C:\Users\Jill Schuerman\Documents\Drawing1.dwg USER: Jill Schuerman
 DATE: Aug 30, 2016 11:45am XREFS: 160136_boundary

drawn by: jds
 checked by: -
 project no.: 2016-0136
 date: 09/30/2016

CHANGE OF ZONE EXHIBIT
SILVERHAWK ESTATES
ROCA, NEBRASKA


Civil Design Group, Inc.
 8536 EXECUTIVE WOODS DR., SUITE 200
 Lincoln, Nebraska 68512
 Ph. 402-434-8484 Fax 408-218-8747
 www.cdgroup.com
 CONSULTING ENGINEERS LAND USE PLANNERS
 CIVIL DESIGN SITE DEVELOPMENT PLANNING AND ZONING

EXHIBIT
1



Civil Design Group, Inc.

Consulting Engineers & Land Use Planners
Civil Design • Site Development • Planning & Zoning

www.civildg.com

August 31, 2016

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

**Re: Application for Change of Zone & Preliminary Plat for Silverhawk Estates,
CDG Project #2016-0136.**

Dear Mr. Cary:

On behalf of BCLINC, LLC we submit the above mentioned applications for a change of zone from AG to AGR along with a preliminary plat for Silverhawk Estates on 80 acres of land generally located at S. 59th Street and Wittstruck Road. This is a cross-jurisdiction property with 66 acres in the Roca ETJ, 11 acres in the County ETJ and 3 acres in the City of Lincoln ETJ. We scheduled for a hearing and vote on the preliminary plat and change of zone for the Roca portion of the land on September 6th.

Given the small amount of land within the City's ETJ we are requesting a waiver of storm water detention, water quality, and build-through requirements on this portion of the land. We are also requesting a waiver of sidewalks on the Lancaster County portion of the land. The entire preliminary plat proposes 23 lots, all 3+ acres in size with individual sewer systems and water service by Lancaster Country Rural Water District #1.

In conjunction with this submittal we have included the following:

City of Lincoln Change of Zone fee: \$792.00
Lancaster County Change of Zone fee: \$792.00
Lancaster County Preliminary Plat fee: \$1,320.00
Plans uploaded via Project Dox.

We hope that this letter and associated plans provide you with enough information to review this application for a change of zone of preliminary plat. Please call me at (402) 434-8494 if you have questions.

Sincerely,

Mike Eckert, AICP

Encl

cc: BCLINC, LLC

\\Volumes\share\F\Projects\2016\20160136\Landplanning\Doc\COZ-planning_8-31-16.doc

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT
for SEPTEMBER 28, 2016 PLANNING COMMISSION MEETING

PROJECT #: Change of Zone No.16026 (County)
PROPOSAL: From AG Agricultural to AGR Agricultural Residential
LOCATION: S. 60th Street and Wittstruck Road
LAND AREA: 11.48 acres, more or less

EXISTING ZONING: AG Agricultural

CONCLUSION: The change of zone request from AG to AGR is not in conformance with the 2040 Lincoln/Lancaster County Comprehensive Plan. However since the majority of the development is within the Village of Roca's zoning jurisdiction and Roca approved the change of zone, this change of zone request should be approved in order to provide a logical and complete acreage subdivision.

RECOMMENDATION:	Approval
------------------------	----------

GENERAL INFORMATION:

LEGAL DESCRIPTION: A portion of the East ½ of the NE 1/4 and SE 1/4, of the NW 1/4 of Section 16, 8, 7; Lancaster County, NE.

EXISTING LAND USE: Farm ground

SURROUNDING LAND USE AND ZONING:

North:	AG Agricultural	Acreage development
South:	AG Agricultural	Farm ground
	AGR Agricultural Residential	Acreage development
East:	AG Agricultural	Farm ground
West:	AGX Exclusive Agricultural (Roca)	Farm ground

ASSOCIATED APPLICATIONS:

Preliminary Plat #16004
Change of Zone #16025

COMPREHENSIVE PLAN SPECIFICATIONS:

The 2040 Lancaster County Future Land Use Plan identifies this area as Agricultural (p.1.8)

Acknowledge the fundamental “Right to Farm.” Preserve areas throughout the county for agricultural production by designating areas for rural residential development— thus limiting potential conflicts between farms and acreages. (p. 2.7)

LPlan 2040 supports the preservation of land in the bulk of the County for agricultural and natural resource purposes. However, it recognizes that some parts of the County are in transition from predominantly agricultural uses to a mix that includes more residential uses (p. 7.12)

All proposals for acreages, whether designated on the future land use map for low density residential or not, should be evaluated based on factors such as paved roads, adequate water quality and quantity, soil conditions for on-site wastewater management, availability of emergency services, agricultural productivity, land parcelization, the pattern of existing acreages, and plans for future urban development (p. 7.12)

Grouping acreages together in specific area will limit the areas of potential conflict between farms and acreages. It also may enable services to be provided more efficiently, by reducing the amount of paved routes, reducing the number and distance of school bus routes and taking advantage of more effective rural water district service (p. 7.12)

Many families are not well-informed of all the implications of rural living before they make that lifestyle choice. This includes an understanding of the state’s “right to Farm” law, which protects farmers from nuisance claims when conducting normal agricultural practices, and an understanding of the difference between urban and rural public services. (p. 7.13)

The 2040 Priority Growth Areas map identifies this area in Tier II. (p.12.6)

UTILITIES: This area is served by Lancaster County Rural Water District #1. Each lot shall have individual private sewer systems.

TRAFFIC ANALYSIS: Wittstruck Road is a county gravel road. S. 54th Street is a paved county road

PUBLIC SERVICE: The Hickman Rural Fire District serves this area. This is in the Norris School District.

REGIONAL ISSUES: Expansion of acreage development

ANALYSIS:

1. This request is for a change of zone from AG Agricultural to AGR Agricultural Residential on 11.48 acres. Associated with this change of zone is Silverhawk Estates preliminary plat.
2. The proposed project boundary falls within three different jurisdictions. They include the Village of Roca, Lancaster County and Lincoln. The jurisdiction for Lincoln comprises 2.85 acres, Lancaster County 11.48 acres and Roca 65.97 acres.

3. The Roca Village Board approved the change of zone from AG to AGR on September 12, 2016.
4. Although the Lincoln/Lancaster County Comprehensive Plan shows this area as agricultural, with only 11.48 of the 80 acres (14.3%) under the jurisdiction of the County Board. Thus, in order to provide for a logical and complete subdivision the entire property should be of similar zoning.
5. Proposed acreage development should be evaluated on several factors. These include:
 - a) Water/rural water,
This is in Lancaster County Rural Water District #1.
 - b) Roads,
Wittstruck Road is a county gravel road.
 - c) Emergency services,
This area is served by the Lancaster County Sheriff and Hickman Rural fire district.
 - d) Soils,
A small portion in the northern half of the 80 acres is identified as prime farmland.
 - e) Existing acreages,
There is existing acreages to the north (Brushcreek Estates), northwest (The Quarry) and to the southeast (The Preserve at Cross Creek).
6. Roca's Comprehensive Plan identifies this area as Rural Use. Rural Use is defined as an agricultural use which includes rural non-farm acreage development and some other compatible uses.

Prepared by:

Tom Cajka
Planner

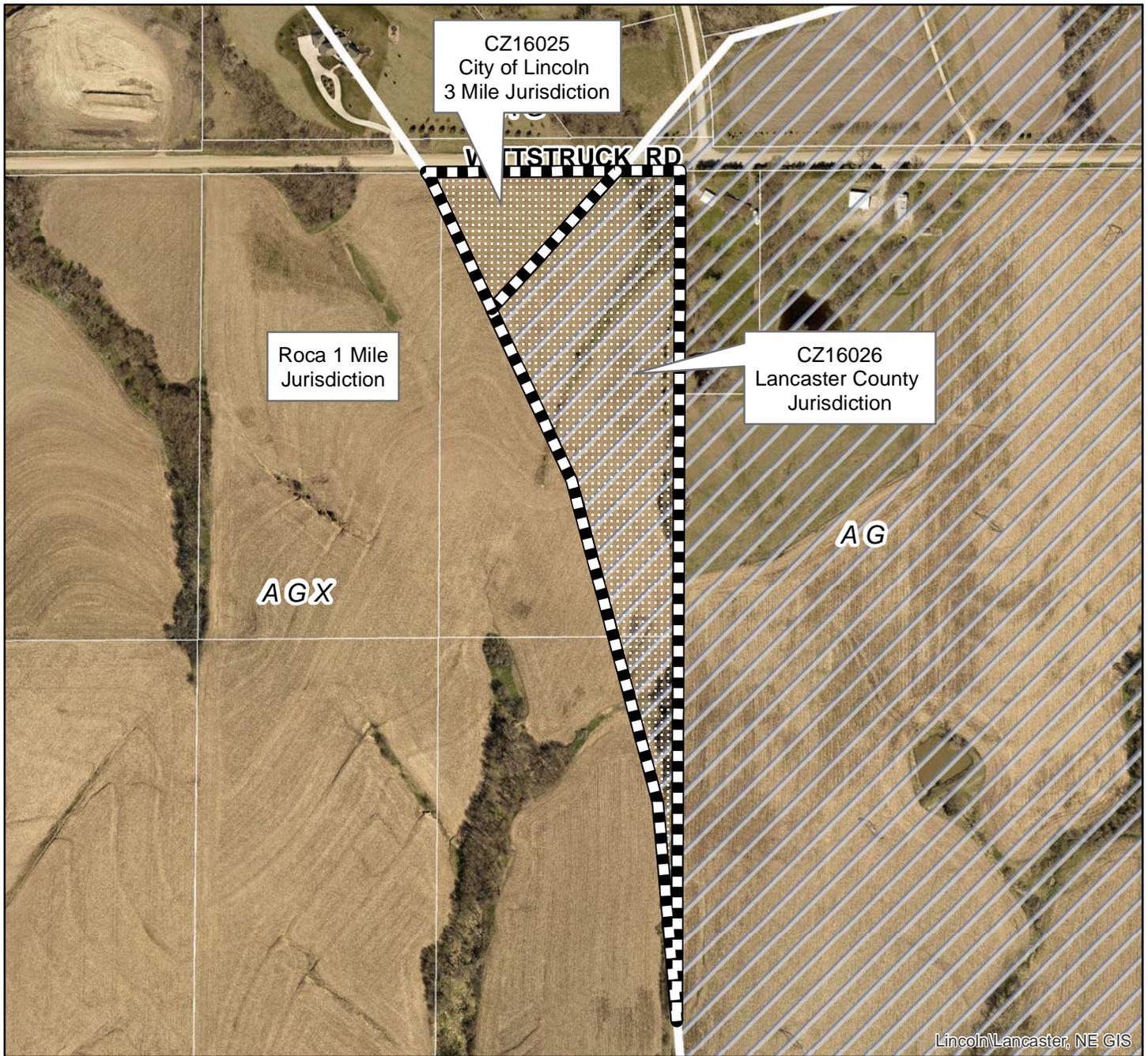
DATE: September 19, 2016

APPLICANT: BCLINC, LLC
4400 Lowell Ave.
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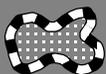
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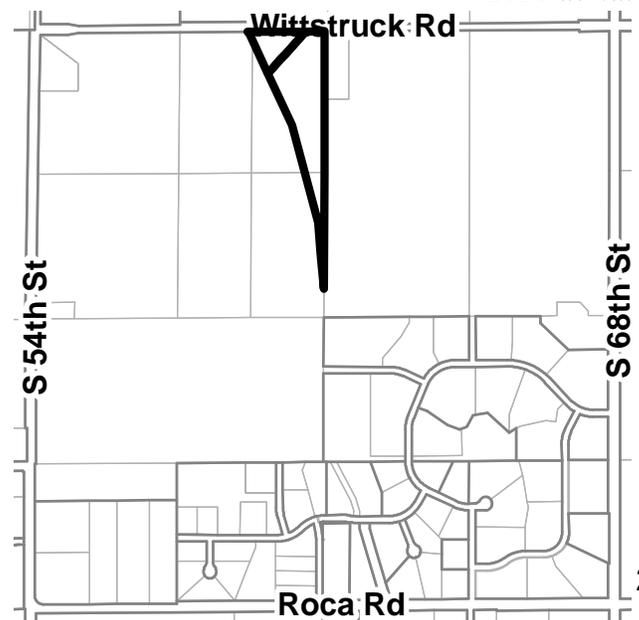


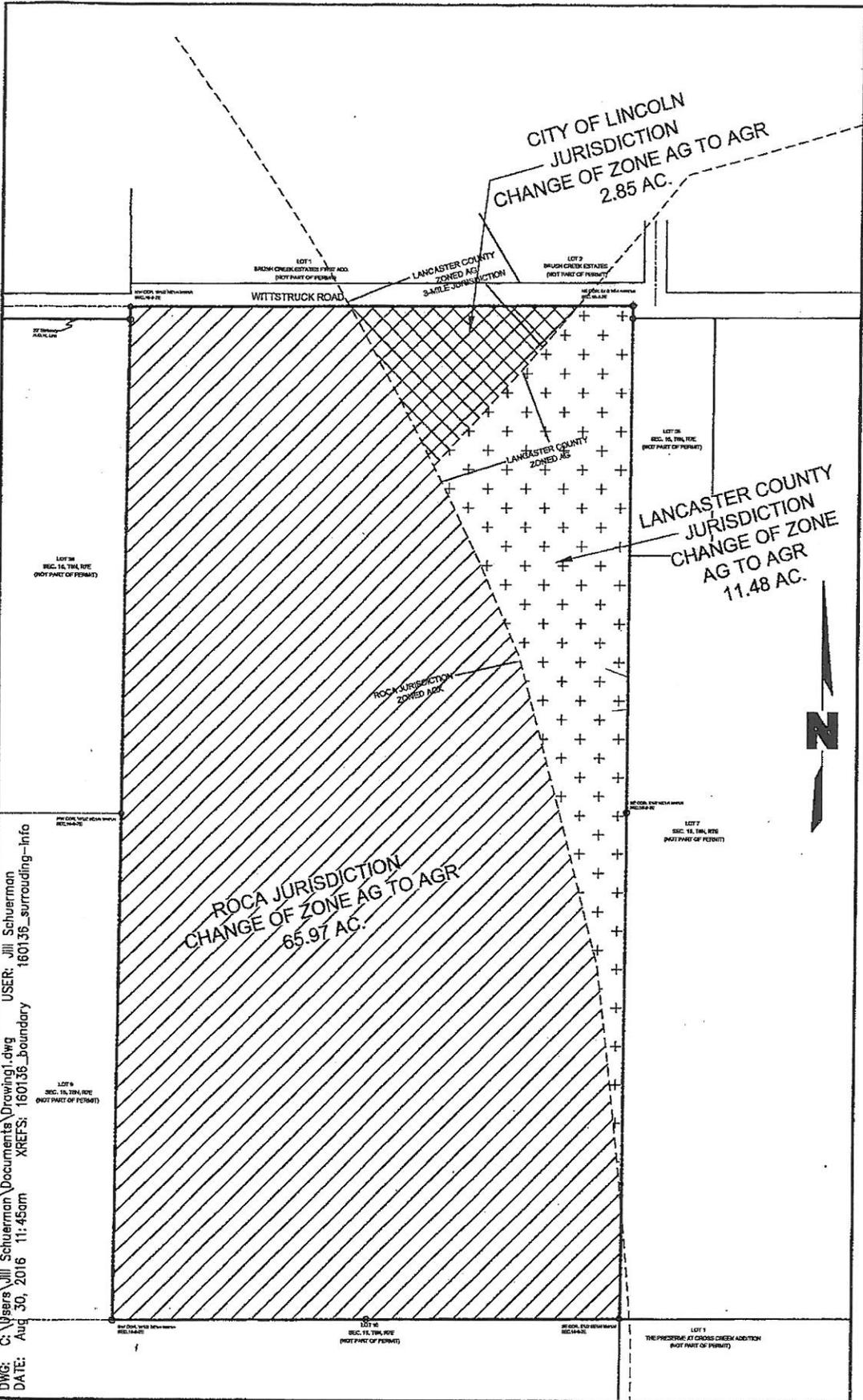
**One Square Mile:
Sec. 16 T08N R07E**

Zoning:

- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- O-1 Office District
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- R-T Residential Transition District
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- I-2 Industrial Park District
- I-3 Employment Center District
- P Public Use District

	Area of Application
	Zoning Jurisdiction Lines
	City of Lincoln Jurisdiction





drawn by: jds
checked by: -
project no.: 2016-0136
date: 09/30/2016

**CHANGE OF ZONE EXHIBIT
SILVERHAWK ESTATES
ROCA, NEBRASKA**

CD Civil Design Group, Inc.
8535 EXECUTIVE WOODS DR., SUITE 200
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CONSULTING ENGINEERS LAND USE PLANNERS
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EXHIBIT
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August 31, 2016

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

**Re: Application for Change of Zone & Preliminary Plat for Silverhawk Estates,
CDG Project #2016-0136.**

Dear Mr. Cary:

On behalf of BCLINC, LLC we submit the above mentioned applications for a change of zone from AG to AGR along with a preliminary plat for Silverhawk Estates on 80 acres of land generally located at S. 59th Street and Wittstruck Road. This is a cross-jurisdiction property with 66 acres in the Roca ETJ, 11 acres in the County ETJ and 3 acres in the City of Lincoln ETJ. We scheduled for a hearing and vote on the preliminary plat and change of zone for the Roca portion of the land on September 6th.

Given the small amount of land within the City's ETJ we are requesting a waiver of storm water detention, water quality, and build-through requirements on this portion of the land. We are also requesting a waiver of sidewalks on the Lancaster County portion of the land. The entire preliminary plat proposes 23 lots, all 3+ acres in size with individual sewer systems and water service by Lancaster Country Rural Water District #1.

In conjunction with this submittal we have included the following:

City of Lincoln Change of Zone fee: \$792.00
Lancaster County Change of Zone fee: \$792.00
Lancaster County Preliminary Plat fee: \$1,320.00
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We hope that this letter and associated plans provide you with enough information to review this application for a change of zone of preliminary plat. Please call me at (402) 434-8494 if you have questions.

Sincerely,

Mike Eckert, AICP

Encl

cc: BCLINC, LLC

/Volumes/share/F/Projects/2016/20160136/Landplanning/Doc/COZ-planning_8-31-16.doc

	AGR Agricultural Residential	Acreage development
East:	AG Agricultural	Farm ground
West:	AGX Exclusive Agricultural (Roca)	Farm ground

ASSOCIATED APPLICATIONS:

- Change of Zone #16025
- Change of Zone #16026

COMPREHENSIVE PLAN SPECIFICATIONS:

The 2040 Lancaster County Future Land Use Plan identifies this area as Agricultural (p.1.8)

Acknowledge the fundamental “Right to Farm.” Preserve areas throughout the county for agricultural production by designating areas for rural residential development— thus limiting potential conflicts between farms and acreages. (p. 2.7)

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The 2040 Priority Growth Areas map identifies this area in Tier II (p.12.6)

UTILITIES: This area is served by Lancaster County Rural Water District #1. Each lot shall have individual private sewer systems.

TRAFFIC ANALYSIS: Wittstruck Road is a county gravel road. S. 54th Street is a paved county road. Wittstruck Road is shown for 120 feet of right-of-way in the Comprehensive plan.

PUBLIC SERVICE: The Hickman Rural Fire District serves this area. This is in the Norris School District.

REGIONAL ISSUES: Expansion of acreage development.

ANALYSIS:

1. This preliminary plat is within 3 different jurisdictions for zoning and subdivision. The largest portion, 66 acres (80%), is within Roca's one mile extra territorial jurisdiction (ETJ); 11 acres is within the County's jurisdiction and 3 acres in Lincoln's ETJ.
2. The overall preliminary plat proposes 23 lots. All lots will be 3+ acres and have individual wastewater systems. The subdivision will be serviced by Lancaster County Rural Water District #1.
3. The applicant is requesting a waiver to storm water detention, storm water quality and build-through requirements. All of these waivers only apply to the portion within the City jurisdiction. Since the area in the City jurisdiction is only 3 acres and covers only a portion of 2 lots, the waivers are acceptable. Public Works Watershed Management does not object to the waivers.
4. Roca's Comprehensive Plan identifies this area as Rural Use. Rural Use is defined as an agricultural use which includes rural non-farm acreage development and some other compatible uses.
5. The Lincoln-Lancaster County Health Department notes that the applicant adequately addressed water and wastewater issues.
6. The Roca Village Board approved the preliminary plat and associated change of zone on September 12, 2016.
7. Change of Zone 16025 and 16026 would rezone these properties from AG to AGR. With approval of the change of zone, the preliminary plat is in conformance with the zoning code. The preliminary plat is also in conformance with the subdivision regulations and should be approved.

CONDITIONS OF APPROVAL:

Approval of the following waivers:

1. Storm water detention
2. Water quality
3. Build-through

Site Specific:

1. The subdivider shall complete the following instructions and submits the documents and plans and 3 copies to the Planning Department office: (NOTE: These documents and plans are required by ordinance or design standards.)
 - 1.1 Revise the preliminary plat to show:
 - 1.1.1 For S. 61st Court change Court to Circle, Place or Bay. S. 61st Court already exists.
 - 1.1.2 Delete the last sentence in Note #2 and delete notes 12 and 13.
 - 1.1.3 Delete the density calculations. It is not required for a preliminary plat.
 - 1.1.4 Delete the building setback table.
 - 1.1.5 Delete “Zoned AG” and “Zoned AGX” under Lancaster County and Roca Jurisdiction.
 - 1.1.6 Subdivision boundary closes but the Street centerline could not be checked due to lack of curve data.
Submit street centerline curve data and dimension the location of each interior street centerline intersecting the subdivision boundary.
 - 1.1.7 Show dimensioning along the east and west boundary to locate the established 1/16 corners on those lines.
 - 1.1.8 Show approximate lot dimensioning along the south line of Lots 1 and 2, Block 4.
 - 1.1.9 Dedicate 60 feet of right-of-way from centerline of Wittstruck Road.
 - 1.1.10 Lot 6 IT adjacent to the NE portion of this plat is mislabeled.
 - 1.1.11 The south boundary course bearing and dimension along with adjacent lot note is not legible.

- 1.1.12 Along the south boundary, there is an open circle symbol shown indicating a set monument. If this is a land corner show, dimensioning to locate and list corner reference ties for same.
- 1.1.13 Note #2 indicates 26 single family lots but development layout shows 23.
- 1.1.14 Note # 6 should be revised to reflect the roadway surfacing options listed on the Typical Lancaster County Rural Cross Section detail shown on sheet 3. Note: Add the typical Rock & Gravel surfacing note and add the typical pavement surfacing note.
- 1.1.15 Add a General Note that if asphalt or concrete pavement is used the developer shall install survey control monument boxes per City of Lincoln standards at all centerline control points after acceptance and approval of the pavement.
- 1.1.16 Add a General Note that the developer is required to provide all testing related to improvement installation in compliance with Lancaster County design standards and Lancaster County Engineering Department shall be notified prior to improvement installation for inspection and shall receive reports of all testing results.
- 1.1.17 Add a General Note that the interior lots are limited to no more than two accesses each to a public or private roadway.
- 1.1.18 Add a General Note that "Access to adjacent lots outside subdivision boundary shall not be permitted from the end of the temporary dead-end streets."
- 1.1.19 At the very NW corner of this plat there is an existing field drive onto Wittstruck Road. Show the existing field drive on the drawing and note as "Existing Field Drive to be Removed".
- 1.1.20 Regarding Culvert A1, the flowline of the 24" CMP is listed at elevation 1347.50. Adding 24", the top of the pipe would be at 1349.50. In the table, "shoulder elevation" shows an elevation of 1348.85. The top of the pipe should be at least 12" below the shoulder (more to allow for future pavement thickness) to satisfy 1 foot minimum cover requirements.

- 1.1.21 Show drainage pipe locations to scale on profile sheets.
- 1.1.22 On the Wittstruck Road sight distance profile on sheet 3, make stationing reference to the location of subdivision's west boundary to indicate profile is viewed from west to east along Wittstruck Road.
- 2. The City Council approves associated request:
 - 2.1 Change of Zone #16025
- 3. The County Board approves associated request:
 - 3.1 Change of Zone #16026
- 4. Final Plats will be approved by the Planning Director after:
 - 4.1 The streets, land preparation and grading, sediment and erosion control measures, drainageway improvements, temporary turnarounds and barricades, and street name signs have been completed.

Prepared by:

Tom Cajka
Planner

DATE: September 12, 2016

APPLICANT: BCLINC, LLC
4400 Lowell Ave.
Lincoln, NE 68506

OWNER: Jane K. Bauer
1015 N. Shore Dr.
Lincoln, NE 68901

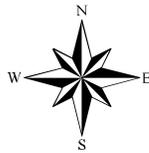
CONTACT: Civil Desing Group
8535 Executive Woods Drive, Suite 200
Lincoln, NE 68512

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2016 aerial

Preliminary Plat #: PP16004
Silverhawk Estates
S 60th St & Wittstruck Rd



One Square Mile:
 Sec.16 T08N R07E

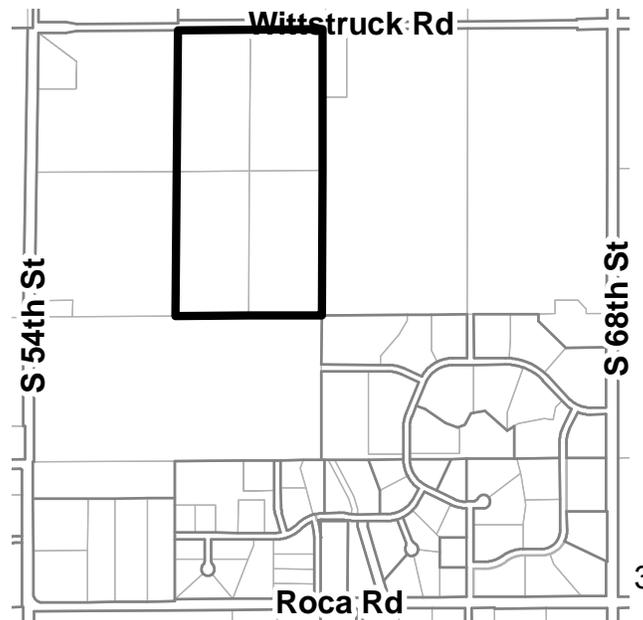
Zoning:

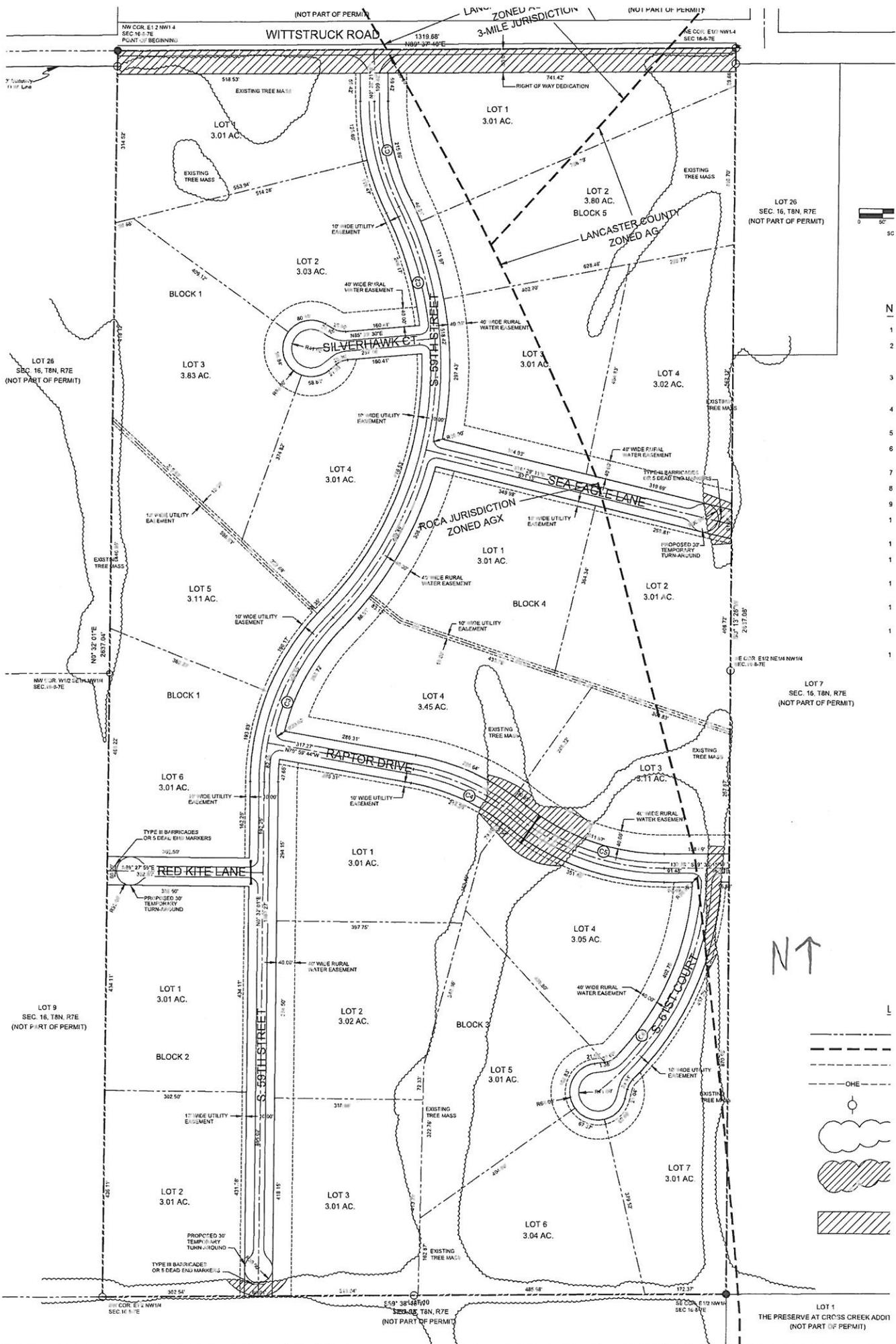
- R-1 to R-8 Residential District
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- I-1 Industrial District
- I-2 Industrial Park District
- I-3 Employment Center District
- P Public Use District

Area of Application

Zoning Jurisdiction Lines

City of Lincoln Jurisdiction





NOTES:

1. THIS PRELIMINARY PLAT CONTAINS 80.33 ACRES MORE OR LESS.
2. THIS PRELIMINARY PLAT PERMITS 26 SINGLE FAMILY LOTS. EACH LOT SHALL CONTAIN A MAXIMUM OF ONE SINGLE FAMILY RESIDENCE AND ONE OUT BUILDING, ALL LOCATED WITHIN THE BUILDING ENVELOPES AS SHOWN AND/ OR NOTED.
3. THE CURRENT ZONING IS 'AGX' (ROCA JURISDICTION) & 'AG' (LANCASTER COUNTY/ CITY OF LINCOLN JURISDICTION). PROPOSED ZONING IS AGR FOR ROCA AND LANCASTER COUNTY/CITY OF LINCOLN.
4. THE DEVELOPER PROPOSES THE USE OF LANCASTER COUNTY RURAL WATER FOR POTABLE WATER SUPPLY. HOWEVER, INDIVIDUAL WELLS MAY BE USED.
5. THE DEVELOPER PROPOSES THE USE OF A INDIVIDUAL WASTE WATER SYSTEMS.
6. THE DEVELOPER SHALL CONSTRUCT AND SURFACE ALL STREETS TO MEET THE LANCASTER COUNTY ENGINEERS DESIGN STANDARDS.
7. DEVELOPER SHALL INSTALL STREET SIGNS AS REQUIRED BY LANCASTER COUNTY.
8. ONE SUBDIVISION GROUND SIGN SHALL BE PERMITTED FOR THIS DEVELOPMENT.
9. ALL CURVILINEAR DIMENSIONS ARE CHORD LENGTHS.
10. DIRECT VEHICULAR ACCESS TO WITTSTRUCK ROAD IS HEREBY RELINQUISHED EXCEPT FOR S. 59TH STREET.
11. ALL TOPOGRAPHIC CONTOURS ARE AT NAVD 88 DATUM.
12. 'JUNK CARS' SHALL BE PROHIBITED IN THIS DEVELOPMENT AS NOTED IN PROTECTIVE COVENANTS.
13. FUTURE LOT OWNERS WILL BE ADVISED THAT THIS IS IN A RURAL FARM AREA AND THAT NORMAL AND CUSTOMARY FARM ACTIVITIES ARE NOT A NUISANCE.
14. PERMANENT EASEMENTS SHALL BE SHOWN ON FINAL PLATS FOR CULVERT PIPES THAT EXTEND PASS THE RIGHT-OF-WAY.
15. GRADING SHALL EXTEND AROUND ALL CUL-DE-SACS. THE DEVELOPER SHALL NOTIFY ALL PURCHASERS THAT DITCHES MAY NOT BE FILLED IN.
16. ALL CULVERTS SHALL HAVE A FLARED-END SECTION OR CONCRETE HEADWALL ON THE INLET END.

WAIVERS:

1. 4% STREET SLOPE MAXIMUM.(ROCA)
2. PEDESTRIAN EASEMENT FOR BLOCKS OVER 600'. (ROCA)
3. BLOCK LENGTH TO EXCEED 1,320 FEET. (ROCA)
4. STREET LIGHTING. (ROCA)
5. LANDSCAPE SCREEN. (ROCA)
6. SIDEWALKS. (LANCASTER COUNTY)
7. STORM WATER DETENTION & WATER QUALITY. (CITY OF LINCOLN)
8. BUILD THROUGH REQUIREMENTS. (CITY OF LINCOLN)

SECTION TIES

Northwest Corner of the East Half of the Northwest Quarter of Sec. 16 T. 8 N. R. 7 E.

Found 1" Pipe
 S 33.00' to Capped Rebar 595
 N 33.08' to Capped Rebar
 SSW 32.60' to 3/4" Rebar

Northeast Corner of East Half of the Northwest Quarter of Sec. 16 T8N R7E

Found 2" Aluminum Cap
 SE 44.20' to Iron Pipe
 S 33.00' to Capped Rebar
 NW 42.31' to Iron Pipe

Southeast Corner of the East Half of the Northeast Quarter of the Northwest Quarter of Sec. 16 T. 8 N., R. 7 E.

Set Capped Rebar
 W 10.5' to N-S Fence Line
 WNW 10.60' to nail in fence post
 SSW 55.47' to nail in top of fence post

SE Corner East Half of the Southeast Quarter of the Northwest Quarter of Section

BUILDING SETBACKS

FRONT YARD SETBACK - 60'
 SIDE YARD SETBACK - 25'
 REAR YARD SETBACK - 50'
 HEIGHT - 35'

APPROVAL:

THE PRELIMINARY PLAT WAS APPROVED BY THE VILLAGE OF ROCA - VILLAGE BOARD ON THIS ____ DAY OF _____, 2016

ATTEST: _____

APPROVAL:

THE PRELIMINARY PLAT WAS APPROVED BY THE VILLAGE OF ROCA PLANNING COMMISSION ON THIS ____ DAY OF _____, 2016.

ATTEST: _____
 CHAIR

DENSITY CALCULATION

80.33 AC. PROPERTY BOUNDARY TO COUNTY CENTERLINE / 3 UNITS PER AC.
 26.77 = 26 UNITS PERMITTED

SHEET INDEX:

SITE PLAN	1
GRADING & DRAINAGE PLAN	2
PRELIMINARY STREET PROFILE	3
PRELIMINARY STREET PROFILE	4
PRELIMINARY STREET PROFILE	5

RURAL WATER DISTRICT NO. 1

LANCASTER COUNTY, NEBRASKA

310 FIR STREET PO BOX 98 - BENNET, NEBRASKA 68317
402.782.3495 www.lrawd1.com



September 15, 2016

Craig Giles, BCL Inc LLC
4400 Lowell
Lincoln, NE 68506

Application for Water Service in: Silverhawk Estates, 54th & Wittstruck Rd for (23) Lots

Dear Mr. Giles:

WELCOME!

The Board of Directors approved your Subdivision Application at the September 14, 2016 Board Meeting for Water Service for 23 water hookups located as legally described as: E ½ of the NW ¼ of Sect. 16, T8N, R7E (23) lots in Lancaster County, Nebraska.

The Board of Directors also approved construction projects that are required to provide the Subdivision and existing customers adequate water pressure. You will find these details in the attached letter by the District's Engineer, JEO Consulting Group. You will be responsible for the first 3 noted bullets on page 2 describing the necessary lines and connections. The last bullet describing the requirements for the District's "Area 3" infrastructure will take place by the District.

Construction Coordinator, Phil Goering, will provide you an estimate on the subdivision construction next week. Once you have received this, we will then need you to provide the District with a letter of credit by your financial institution stating these funds are in escrow and payable to the Rural Water District No. 1 upon completion of construction.

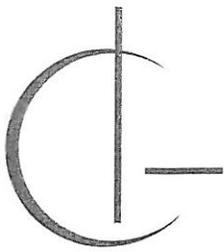
Also, please notify the office as soon as you have an approved County Plat Map. We will then need to draw up the Agreement to be signed by the Board of Directors and You.

If you have any questions, you may contact me at (402) 782-3495. Thank you.

Sincerely,

A handwritten signature in black ink that reads "Jasmine K. Mach". The signature is written in a cursive, flowing style.

Jasmine K. Mach
Office Manager
Rural Water District No. 1
Lancaster County, NE



Civil Design Group, Inc.

Consulting Engineers & Land Use Planners
Civil Design • Site Development • Planning & Zoning

www.civildg.com

August 31, 2016

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

**Re: Application for Change of Zone & Preliminary Plat for Silverhawk Estates,
CDG Project #2016-0136.**

Dear Mr. Cary:

On behalf of BCLINC, LLC we submit the above mentioned applications for a change of zone from AG to AGR along with a preliminary plat for Silverhawk Estates on 80 acres of land generally located at S. 59th Street and Wittstruck Road. This is a cross-jurisdiction property with 66 acres in the Roca ETJ, 11 acres in the County ETJ and 3 acres in the City of Lincoln ETJ. We scheduled for a hearing and vote on the preliminary plat and change of zone for the Roca portion of the land on September 6th.

Given the small amount of land within the City's ETJ we are requesting a waiver of storm water detention, water quality, and build-through requirements on this portion of the land. We are also requesting a waiver of sidewalks on the Lancaster County portion of the land. The entire preliminary plat proposes 23 lots, all 3+ acres in size with individual sewer systems and water service by Lancaster Country Rural Water District #1.

In conjunction with this submittal we have included the following:

City of Lincoln Change of Zone fee: \$792.00
Lancaster County Change of Zone fee: \$792.00
Lancaster County Preliminary Plat fee: \$1,320.00
Plans uploaded via Project Dox.

We hope that this letter and associated plans provide you with enough information to review this application for a change of zone of preliminary plat. Please call me at (402) 434-8494 if you have questions.

Sincerely,

Mike Eckert, AICP

Encl

cc: BCLINC, LLC

\\Volumes\share\F\Projects\2016\20160136\Landplanning\Doc\COZ-planning_8-31-16.doc

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT
for September 28, 2016 PLANNING COMMISSION MEETING

- PROJECT #:** Combined Special Permit/Use Permit No. 11I
- PROPOSAL:** To amend Combined Special Permit/Use Permit 11 to add a special permitted use for an Academy per Section 27.63.075 on Lot 2, Block 2.
- LOCATION:** Overall: Northeast corner of South 27th Street and Pine Lake Road
Amendment location: 6800 South 32nd Street
- LAND AREA:** 76.33 acres more or less
- EXISTING ZONING:** B-5 Planned Regional Business District and O-3 Office Park District
- CONCLUSION:** The Future Land Use Map designates the area surrounding the intersection at South 27th Street and Pine Lake Road for commercial land uses. The proposed academy use would be located within an existing building located entirely within the O-3 Office Park District. There should not be any negative effect on the houses to the east. This request complies with the Zoning Ordinance and is consistent with the Comprehensive Plan.

RECOMMENDATION:	Conditional Approval
------------------------	----------------------

GENERAL INFORMATION:

LEGAL DESCRIPTION: Lots 3, 5, 6, 7, 8, 10, 11, 12, 13, and 14, Block 1, and Lot 2, Block 2, SouthPointe Pavilions 1st Addition; Lots 1, 2, and 3, Block 1 and Outlot B and Outlot C, SouthPointe Pavilions 3rd Addition; Lots 1, 2, 3, and 4 and Outlot A, SouthPointe Pavilions 4th Addition; Lots 1 and 2, Block 1, SouthPointe Pavilions 5th Addition; and Lot 1 and Outlot A, SouthPointe Pavilions 6th Addition, located in the northwest quarter of Section 19, Township 9 North, Range 7 East and in the southwest quarter of Section 18, Township 9 North, Range 7 East of the 6th P.M., Lincoln, Lancaster County Nebraska.

EXISTING LAND USE: Commercial center

SURROUNDING LAND USE AND ZONING (TO THE AREA OF AMENDMENT):

North: Daycare; O-3
South: Office; O-3
East: Single Family Dwellings; R-3
West: Commercial; B-5

HISTORY:

- 11 The original generic permit was approved on December 9, 1996.
- 11A A more detailed site plan for the whole center was approved in February 1998.
- 11B Amendment approved in August 1998, increased the height limit from 40 to 46 feet for an entrance tower on the facade of the movie theater, reduced the front yard setback from 40 to 30 feet for 11 ground signs, reduced the parking requirement by 338 stalls due to noncurrent parking uses, and eliminated some sidewalks.
- 11C Increased the square footage from 717,000 SF to 730,000 SF and permitted an increase in the height limit from 40 to 60 feet for the main commercial center in April 1999.
- 11D Added an early childhood care facility with a maximum of 150 children in August 1999.
- 11E Was withdrawn in December 1999 before it was scheduled with the Planning Commission.
- 11F Increased the maximum number of children from 150 to 170 for an early childhood care facility in January 2000.
- 11G This application was submitted in August 2014 but was voided in October 2014.
- 11H Approved the redevelopment of several buildings in the shopping center, including an increase in floor areas, a reduction of the parking requirement, and an increase in building height in February 2016.

COMPREHENSIVE PLAN SPECIFICATIONS: This area is identified as a Regional Commercial Center in the Lincoln/Lancaster County Comprehensive Plan. Regional

Centers typically contain one million or more square feet of developed building space and generally include a unique blend of commercial and other compatible land uses (P. 5.6, 5.9-5.10). The existing Regional Centers are considered sufficient for the needs of the community through 2040 and no new additional Regional Centers are planned for at this time. The area is also identified as a Mixed Use Redevelopment Node that would be appropriate for the introduction of dwelling units and mixed uses. Nodes are Commercial Centers that are five acres or larger that are encouraged to be redeveloped into walkable residential mixed use centers (P. 6.4-6.5).

P. 1.9 - The Future Land Use map of the Comprehensive Plan designates Commercial land uses for this site.

P. 5.1-5.2 - Business & Economy Guiding Principles

- Focus primarily on retention and expansion of existing businesses; attracting new businesses should also be encouraged.
- Promote and foster appropriate, balanced, and focused future economic growth that maintains the quality of life of the community.
- Seek to efficiently utilize investments in existing and future public infrastructure to advance economic development opportunities.
- Strive for predictability for neighborhoods and developers.
- Encourage commercial centers to encompass a broad range of land uses with the integration of compatible land use types.

P. 5.5 - Locate all new commercial and industrial development within Lincoln or the incorporated communities.

P. 5.7-5.8 - Strategies for Commercial Centers:

- Locate Commercial Centers where they will have access to arterial streets with adequate capacity and be supported by transit, trails, sidewalks, and local streets.
- Develop smaller stores next to anchor stores to encourage small business and to provide a variety of goods and services for customers utilizing the centers.
- Develop Commercial Centers as compact clusters or mixed use nodes with appropriate site design features to accommodate shared parking and ease of pedestrian movement, to minimize impacts on adjacent areas, and encourage a unique character.
- Design buildings and land uses at the edge of the center to be compatible with adjacent residential land uses. Examples of compatible land uses include apartments, mixed use residential buildings, offices, assisted living facilities, or child care centers. Buildings should be compatible in terms of height, building materials and setback. Small compatible commercial buildings at the edge could include retail or service uses. Buildings with more intrusive uses should have greater setbacks, screening requirements and be built of more compatible materials.
- Locate the most intensive commercial uses, such as restaurants, car washes, grocery stores, gas stations/ convenience stores and drive through facilities nearer to the major street or roadway and furthest from the residential area (unless contained within a mixed use center). Lighting, dumpsters, loading docks and other service areas should be screened from residences.

P. 5.14 - Strategies for Commercial Infill:

- Develop infill commercial areas to be compatible with the character of the area.
- Maintain and encourage businesses that conveniently serve nearby residents, while ensuring compatibility with adjacent neighborhoods.
- Avoid encroachment into existing neighborhoods during expansion of existing commercial and industrial uses, and take steps to ensure expansions are in scale with the adjacent neighborhood, are properly screened, fulfill a demonstrated need and are beneficial to health and safety.

UTILITIES: All utilities are available at this site.

TOPOGRAPHY: The shopping center site as a whole generally slopes upwards from the south to the north and northeast.

TRAFFIC ANALYSIS: Pine Lake Road and South 27th Street are classified in the 2040 Comprehensive Plan as Urban/Rural Minor Arterial streets; South 32nd Street is classified as a local street.

PUBLIC SERVICE: The closest fire station is located at South 27th Street and Old Cheney Road.

ANALYSIS:

1. This is a request to amend the combined special permit/use permit to add a special permitted use for an Academy on Lot 2, Block 2 as identified on the site plan, located on the east side of South 32nd Street within the O-3 Office Park District.
2. The academy use would be located within the existing building on Lot 2, Block 2. That lot is approved for up to 7,000 square feet. No activity would take place outside.
3. The required parking for academies per Section 27.67.040(m) is one space for every three students allowed per class session plus one space for every employee. In those instances where two sessions of classes occur one after another, without at least one-half hour separation between sessions, the maximum number of students allowed at both sessions shall be combined in determining the amount of required parking per class session.
4. A reduced parking requirement for the special permit/use permit was previously approved with Special Permit/Use Permit #11H, which reduced the requirement

to 1 stall per 300 square feet regardless of use, except the movie theater parking. Required parking for the academy would therefore be 1 stall per 300 square feet. According to the required parking ratio, 23 stalls are required for this lot and 17 stalls are provided. The special permit/use permit allows for shared parking across lots for those uses that do not provide the required parking on their own lot. Across the four lots zoned O-3, there are four more stalls provided than are required. Therefore, parking should not be an issue.

5. The proposed academy is convenient to the regional commercial center, yet it is in an appropriate location closer to the residential setting of the neighborhood to the east. The academy use should not have any negative effect on the neighbors to the east. Trees and a fence for screening purposes are already in place on the east side of the building's parking lot in accordance with the landscape plan for Block 2 approved with Special Permit/Use Permit #11D.
6. There would be no changes to the current approved plan for Special Permit/Use Permit #11H. The proposed Academy use would be approved through the Resolution only, with no associated site plan.

CONDITIONS OF APPROVAL:

This approval permits amendment of the combined special permit/use permit to add a special permitted use for an Academy over Lot 2, Block 2 as identified on the site plan (6800 S. 32nd Street).

Standard Conditions:

1. The following conditions are applicable to all requests:
 - 1.1 Before occupying the buildings all development and construction is to substantially comply with the approved plans.
 - 1.2 All privately-owned improvements, including landscaping and recreational facilities, are to be permanently maintained by the Permittee or an appropriately established homeowners association approved by the City.
 - 1.3 The physical location of all setbacks and yards, buildings, parking and circulation elements, and similar matters must be in substantial compliance with the location of said items as shown on the approved site

plan.

- 1.4 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
- 1.5 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, filing fees therefore to be paid in advance by the applicant. Building permits will not be issued unless the letter of acceptance has been filed.
- 1.6 All resolutions/ordinances approving previous permits remain in force unless specifically amended by this resolution.

Prepared by

Rachel Jones, Planner
441-7603 or rjones@lincoln.ne.gov

DATE: September 20, 2016

APPLICANT: Clark Anderson
2100 Wilderness Ridge Drive
Lincoln, NE 68512

OWNER: Same as applicant

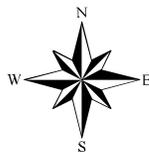
CONTACT: Same as applicant

F:\DevReview\UP\SPUP11I SouthRidge Use Permit.rkj.wpd

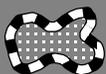


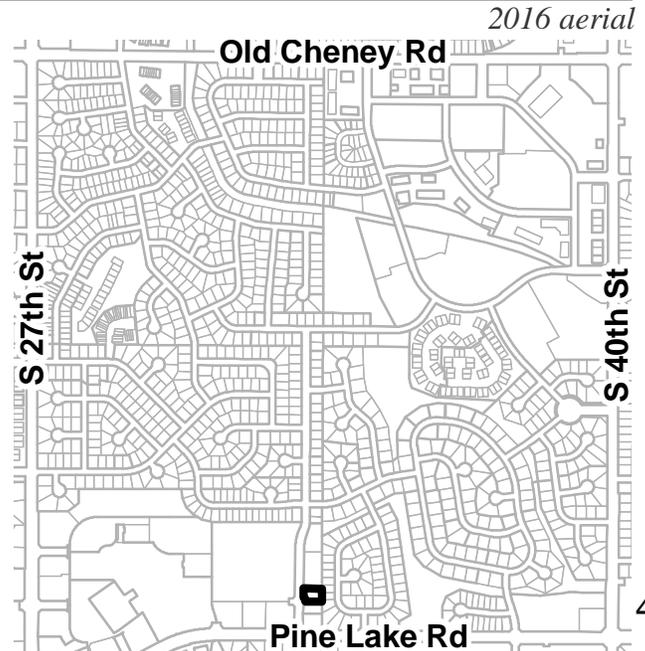
**Combined Special Permit
Use Permit #: SPUP11
SouthPointe Pavillions
S 27th St & Pine Lake Rd
Zoning:**

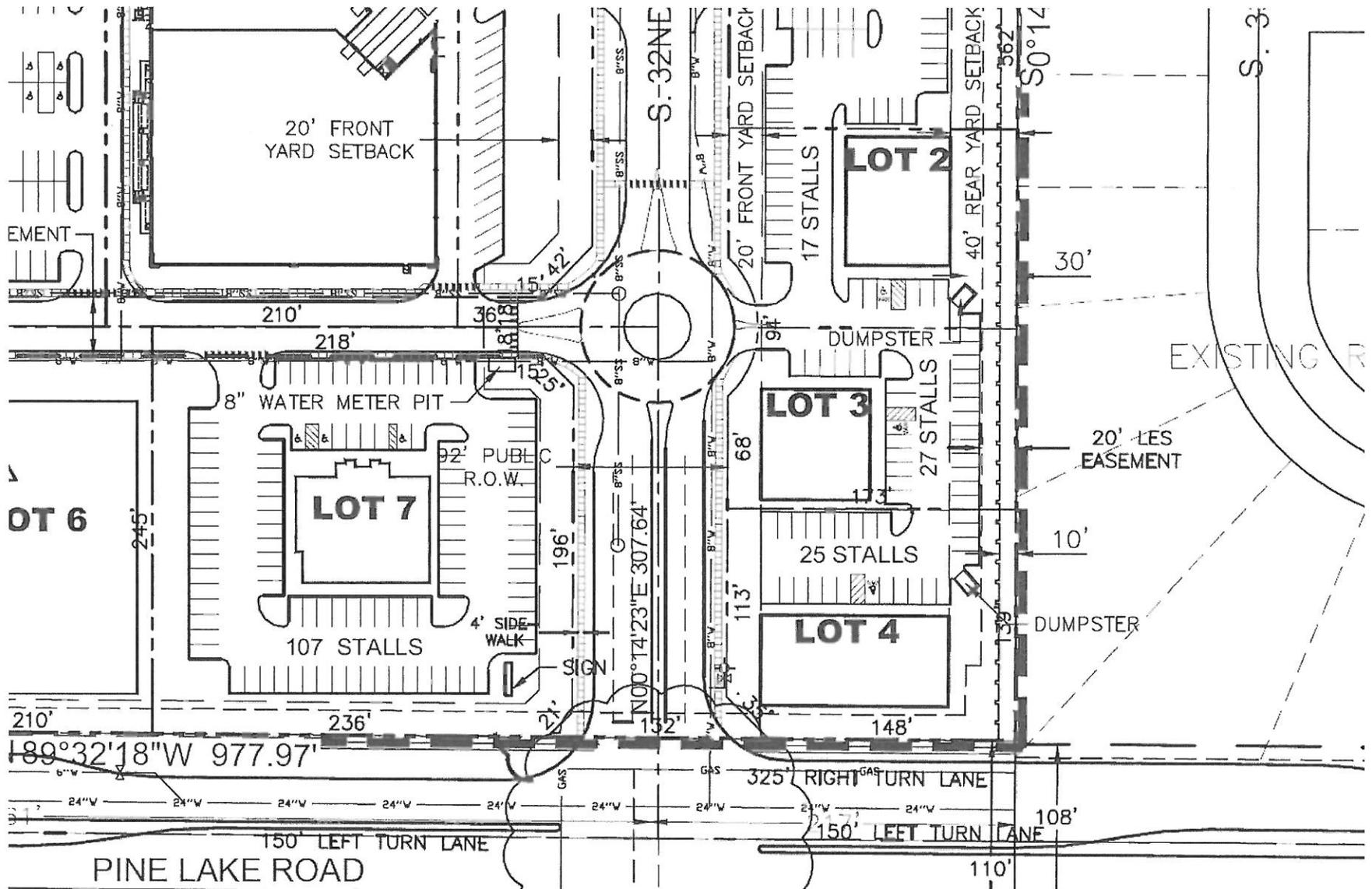
- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- O-1 Office District
- O-2 Suburban Office District
- O-3 Office Park District
- R-T Residential Transition District
- B-1 Local Business District
- B-2 Planned Neighborhood Business District
- B-3 Commercial 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.18 T09N R07E

	Area of Application
	Zoning Jurisdiction Lines
	Lancaster County Jurisdiction





Megan Davison
Foodie Kids
1828 Chloe Lane
Lincoln, NE 68512

August 30, 2016

Lincoln Lancaster County Planning Commission
555 S 10th Street
Lincoln, NE 68508

Dear Members of the Planning Commission,

I am writing to urge you, to support the development of the Foodie Kids Culinary Academy at 6800 S 32nd Street. We are familiar with the area and the traffic and parking patterns as our daughter attends daycare and after school care at Knowledge Beginnings. We have also previously been patients of Dr. Michael Martin at Southpointe Family Physicians.

As a Registered Dietitian with fifteen years of experience, I feel that this academy would only enhance the area and our community. We will help kids establish lifelong habits by teaching them the important skill of cooking. We live in a busy world and are always on the go. Families don't have much free time for grocery shopping, cooking, or eating healthy. The average family eats away from home or at a restaurant an average of 18 times per month. We want to have a small part in changing this, by making cooking a fun activity for busy Lincoln families.

The entire space of the building is approximately 3200 square feet. We plan to use the main level (2000 square feet) for our culinary academy, which will consist of small classes and camps during the summer months and school breaks. We will also host birthday parties on the weekends and have a drop in area called "the Makery" where anyone can make mini pizzas, quesadillas, cinnamon rolls, or frost and decorate a cookie or cupcake in only 20-30 minutes.

Our classes and camps will have between 6-8 children at one time and will last between 60-90 minutes depending on the age of the child. I have maintained a relationship with Barbara Beery, the owner and founder of Foodie Kids in Austin, TX over the last ten year. Barbara said that most of the parents of the 3-5 year old children will stay and observe or participate in the class, but the parents of the kids over the age of 5 will all drop them off and pick them up at the end of class.

The birthday parties will have between 8-12 children at one time and we would allow at least an hour in between parties for clean up and restocking food items. As far as employees we will only have one full time person and two part-time staff total, so there will be no more than two staff present at one time.

On a final note there are two great advantages to this area for our culinary academy: the first being that the Daycare Center and Physician's Office are both closed on Saturdays and Sundays, which would be our busiest days of the week. Second, many of the strip malls and locations we have looked at in Lincoln have bars and establishments that serve alcohol nearby. We feel that this area, which focuses on both children and health, is a perfect fit for our business. We greatly appreciate your consideration of housing Foodie Kids at 6800 S 32nd Street.

Sincerely,

A handwritten signature in black ink that reads "Megan Davison, MS, RD, LMNT". The signature is written in a cursive, flowing style.

Megan Davison, MS, RD, LMNT

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT
for September 28, 2016 PLANNING COMMISSION MEETING

PROJECT #: Special Permit No. 1013K - Trade Center

PROPOSAL: A request for a special permit for a kennel with an outdoor area for more than three animals per Section 27.63.790.

LOCATION: 5930 South 57th Street

LAND AREA: 0.52 acres, more or less

EXISTING ZONING: H-4 General Commercial

CONCLUSION: This request is located in the H-4 zoning district, and subject to all the conditions of Special Permit 27.63.790.

RECOMMENDATION:	Conditional Approval
------------------------	-----------------------------

GENERAL INFORMATION:

LEGAL DESCRIPTION: Lots 4-6, Block 1, Country Place 4th Addition, located in the NW 1/4 of Section 16-9-7, Lincoln, Lancaster County, Nebraska.

EXISTING LAND USE: Commercial

SURROUNDING LAND USE AND ZONING:

North:	Commercial	H-4
South:	Commercial	H-4
East:	Railroad Tracks, commercial beyond	H-4
West:	Commercial	H-4

COMPREHENSIVE PLAN SPECIFICATIONS:

Pg. 1.9 - The Future Land Use Map designates the area for commercial land uses.

Pg. 5.2 - Seek to efficiently utilize investments in existing and future public infrastructure to advance economic development opportunities.

ANALYSIS:

1. The subject property is located in the H-4 zoning district, where kennels are allowed as a conditional use. The conditions state that a kennel is allowed if the associated outdoor area is more than 200' away from a residential zoning district, and if no more than three animals are allowed outside at any one time. These conditions can be waived by Special Permit 27.63.790, which is the case with this application. The applicant is seeking approval of an outdoor area for more than three animals at any one time.
2. The subject property is located within the boundary of the Planned Service Commercial special permit for the Trade Center. The original special permit, SP#1013, is being amended for this application.
3. The proposed outdoor area is approximately 20' x 80' based upon a measurement of the un-scaled, un-dimensioned exhibit submitted as part of the application. The building is fully surrounded by commercial zoning and commercial development. The nearest residential zoning is R-1 Residential to the northwest of the property across South 56th Street in excess of 300' away. The R-1 area is developed with a miniature golf course which is also subject to a special permit.
4. Special Permit 27.63.790 contains several limitations. It is not clear from the exhibit provided that all the limitations are understood or intended to be met, and so the requirement that a note indicating such be added to the site plan is included as a recommended condition of approval. The applicable limitations under Special Permit 27.63.790 are as follows:

A. **The outdoor area and fences surrounding the outdoor area must meet the setbacks of the zoning district.**

This requirement means that the outdoor area for animals must be located outside any required setbacks, so the outdoor area is treated the same as the building with respect to setbacks. The building is more than 50' away from the east lot line, so there is more than enough room to accommodate the 20'-deep outdoor area.

B. **Outdoor areas shall be screened 100% from the ground to six feet with an opaque fence or wall.**

The type of screening or fencing is not specified on the exhibit provided. A 6'-tall privacy fence is the typical solution to satisfy this requirement.

C. Use of outdoor areas between 0:00 p.m. and 7:00 a.m. is prohibited.

Hours of operation of the outdoor are not specified in the application, but ongoing compliance is a requirement of the special permit.

D. Animals in the outdoor area shall be under supervision of handlers at all times.

This requirement was added to prevent animals from being turned out in an enclosure where barking goes unchecked. Again, this was not addressed in the application but is a requirement of the special permit if the use is established.

E. In addition, the Planning Commission may limit the number of animals allowed in the outdoor area at any one time.

The specific number of animals that are anticipated to be outside at any one time is not noted in the application. The enclosure is approximately 1,600 square feet and large enough to accommodate several animals. The concern for the number of animals is not as significant at this location which is situated in a large commercial center, as it would be if it were in proximity to dwellings or a residential area.

5. Special Permit #1013 designated uses throughout the Trade Center, and allocated parking based upon those anticipated uses. The parking provided for any given building is a combination of on-site spaces located on individual lots, and spaces located in common areas and not on individual lots.

The subject lot was designated for 10,562 square feet of commercial floor area. At a ratio of 1 stall per 300 square feet of floor area, 36 stall are required. Per the special permit, 46 stalls are allocated for this site, 10 more than required.

The outdoor area requires the removal of at least 6 spaces, still leaving 4 in excess of the number required. It should be noted that one of the stalls to be removed is a handicap-accessible space which will need to be relocated. Parking lot striping and accessibility will be reviewed at the time of building permits and be required to meet all applicable requirements at that time.

6. This use is located in the Trade Center, which is entirely zoned H-4 General Commercial. The center is mostly populated by uses such as building contractors and commercial suppliers. The range of uses is best characterized as more intense than a typical retail center, but less intense than an industrial center. When considering the existing range of uses in the Trade Center, the proposed use is compatible and in character with the area.

7. Provided the site plan for Special Permit #1013 is modified as recommended in the conditions of approval, this request complies with the Zoning Ordinance and is consistent with the Comprehensive Plan.

CONDITIONS OF APPROVAL:

Per Section 27.63.790 this approval permits a kennel with an outdoor for more than three animals at one time.

Site Specific Conditions:

1. Before receiving building permits the permittee shall cause to be prepared and submitted to the Planning Department three copies of a revised and reproducible final site plan with all required revisions and documents as listed below:
 - 1.1 Revise the site plan to include the following:
 - A. Add a note which states "A kennel with an outdoor for more than three animals at one time is allowed on Lots 4-6 subject to all the requirements of LMC 27.63.790."
 - 1.2 Revise the land use/parking table to reflect the reduced number of spaces to be provided on Lots 4-6 due to the addition of the outdoor area.
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.

Standard Conditions:

3. The following conditions are applicable to all requests:
 - 3.1 Before occupying the buildings all development and construction shall substantially comply with the approved plans.
 - 3.2 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.
 - 3.3 The terms, conditions, and requirements of this resolution shall run with the land and be binding upon the Permittee, its successors and assigns.

- 3.4 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:

Brian Will, AICP, 441-6362, bwill@lincoln.ne.gov
Planner
September 14, 2016

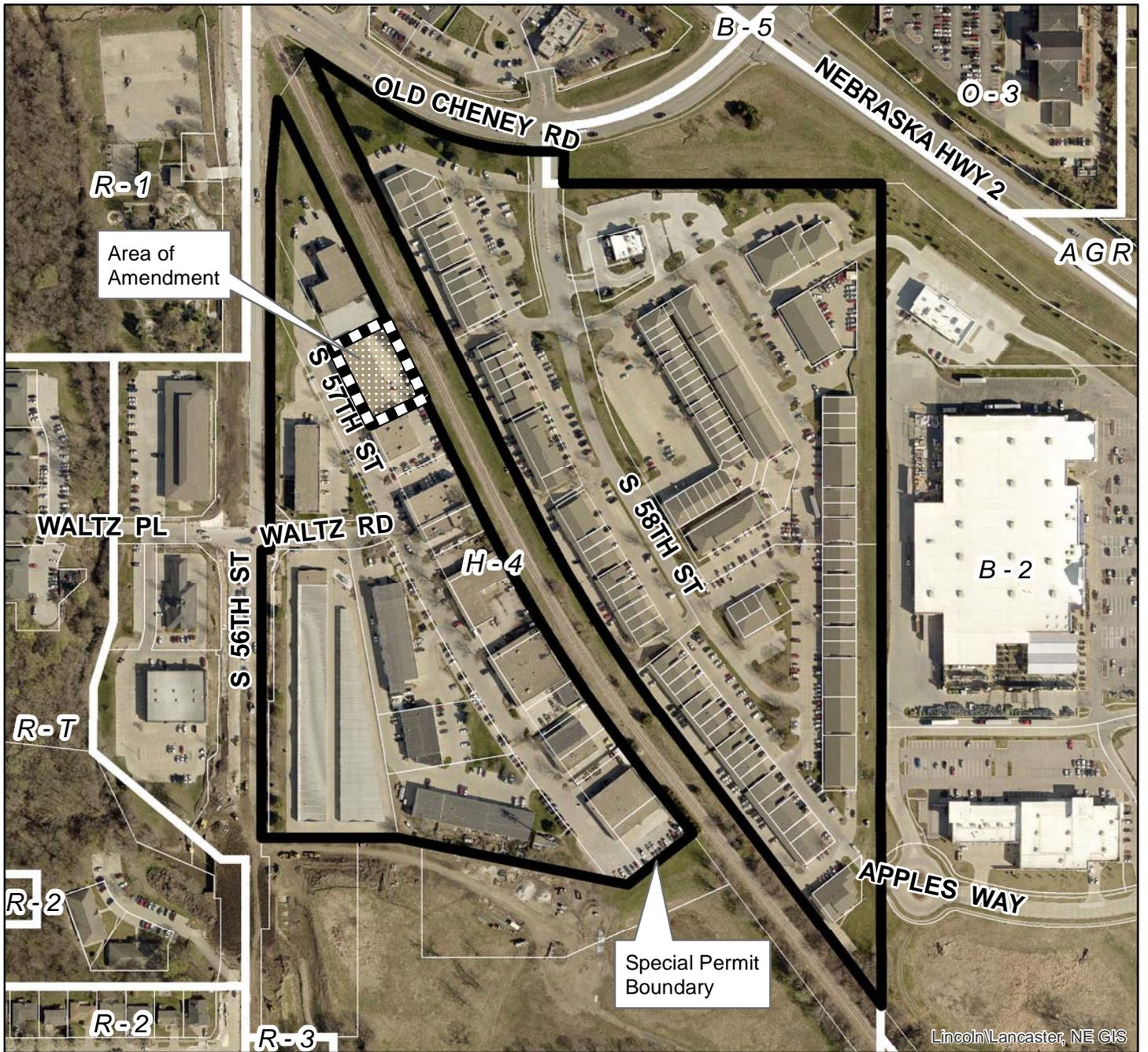
**APPLICANT/
CONTACT:**

Derek Zimmerman
1248 O Street, Ste. 600
Lincoln, NE 68508
402-475-1075

OWNER:

1701 Leasing Group, LLC
4800 Eagle Ridge Road
Lincoln, NE 68516

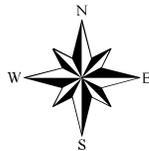
F:\DevReview\SP\1000\SP1013K Kennel at Trade Center.bjw.wpd



Lincoln/Lancaster, NE GIS

2016 aerial

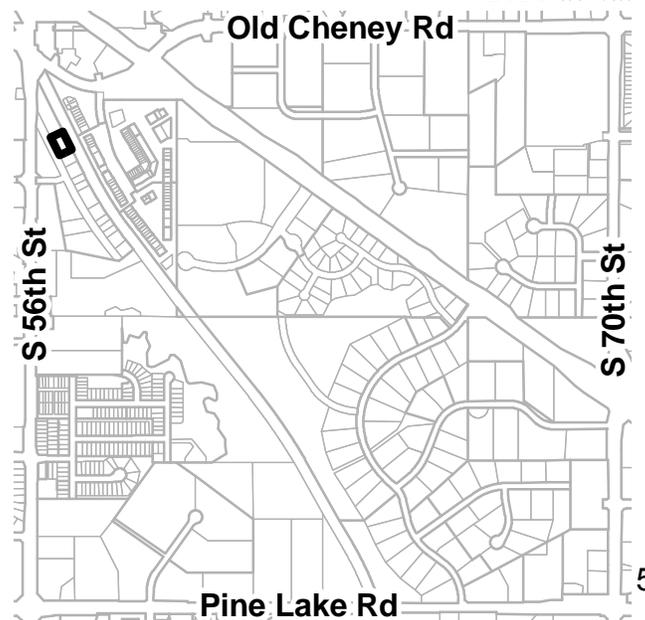
Special Permit #: SP1013K
Trade Center
S 56th St & Waltz Rd

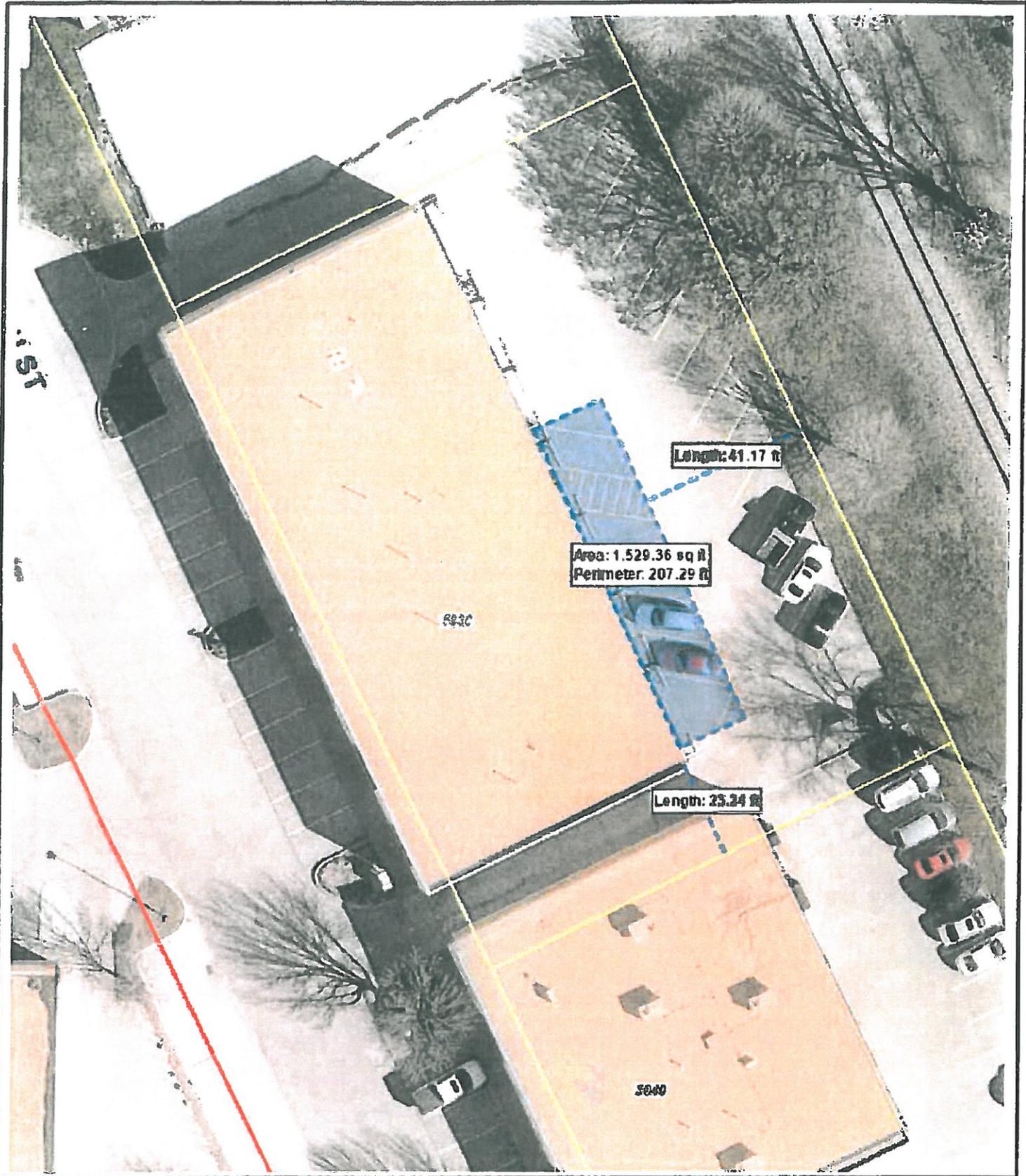


One Square Mile:
 Sec.16 T09N R07E

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





Lancaster County/City of Lincoln GIS Map

5930 South 57th Street

 Proposed Outdoor Area



Printed: Sep 07, 2016

DISCLAIMER: The information is presented on a best-efforts basis, and should not be relied upon for making financial, survey, legal or other commitments. If you have questions or comments regarding the data displayed on this map, please email esmi@lincoln.ne.gov and you will be directed to the appropriate department.



RANDALL L. GOYETTE*
STEPHEN S. GEALY
GAIL S. PERRY
DALLAS D. JONES
JILL GRADWOHL SCHROEDER
DAVID A. DUDLEY
BRENDA S. SPILKER
MARK A. HUNZEKER
WILLIAM G. BLAKE
PETER W. KATT

WILLIAM F. AUSTIN
JARROD S. BOITNOTT
TIMOTHY E. CLARKE*
ANDREW M. LOUDON
CHRISTINA L. BALL**
JENNY L. PANKO
CAROLINE M. WESTERHOLD*
JARROD P. CROUSE
ANDREA D. SNOWDEN
DEREK C. ZIMMERMAN

PAUL T. BARTA*
COLIN A. MUES*
TORREY J. GERDES*
BRETT E. EBERT
STEPHEN J. SCHUTZ
THOMAS B. SHIRES*
EMILY R. MOTTO*
AMANDA M. PHILLIPS*
MICHAEL D. SANDS *

OF COUNSEL:
W. SCOTT DAVIS
WALTER E. ZINK II
DONALD R. WITT
ROBERT T. GRIMIT

ALSO ADMITTED IN:
*IOWA
**KANSAS

August 31, 2016

Via Hand Delivery

Mr. David Cary
Lincoln Planning Department
555 South 10th Street, Ste. 213
Lincoln, NE 68508

RE: Application for Special Permit

Dear Mr. Cary:

On behalf of Colleen Clark as the contract purchaser for the property located at 5930 South 57th Street, Lincoln, Nebraska, legally described as Country Place 4th Addition, Block 1, Lots 4-6, attached with this correspondence is the Application for Special Permit. The purpose of this Application is to allow Ms. Clark to operate a kennel facility with an outdoor area that meets the requirements of 27.63.790 of the Lincoln Municipal Code. The proposed use is compatible with that of the surrounding properties, and the designated outdoor area meets the setbacks of the zoning district.

If you have any questions or need additional information, do not hesitate to contact me.

Sincerely,

Derek C. Zimmerman
For the Firm
dzimmerman@baylorevenen.com

Enclosures

1444175

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for SEPTEMBER 28, 2016 PLANNING COMMISSION MEETING

PROJECT #: Special Permit No.16044 Windsong Equitherapy

PROPOSAL: A request per Article 13.001(k) for a private stable/ riding stable

LOCATION: 6450 S. 148th Street, southeast of Old Cheney Road and S. 148th Street.

LAND AREA: 19.11 acres, more or less

EXISTING ZONING: AG Agricultural

CONCLUSION: In Conformance with the Comprehensive Plan and County zoning.

RECOMMENDATION:	Conditional Approval
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GENERAL INFORMATION:

LEGAL DESCRIPTION: Lot 13 Irregular Tract, located in the SW 1/4 of Section 15, Township 9 North, Range 8 East, Lancaster County, NE

EXISTING LAND USE: Agricultural

SURROUNDING LAND USE AND ZONING:

North:	AG Agricultural	Houses on acreage lots
South:	AG Agricultural	Single family houses and farm ground
East:	AG Agricultural	Farm ground
West:	AG Agricultural	Acreage lots, single family houses and farm ground

COMPREHENSIVE PLAN SPECIFICATIONS: The 2040 Comprehensive Plan shows this as Agriculture.

UTILITIES: This area is within Lancaster County Rural Water District #1. Private waste disposal.

TRAFFIC ANALYSIS: S. 148th Street is classified as a Rural Major Collector.

PUBLIC SERVICE: This is in the Bennet Rural Fire District.

ANALYSIS:

1. This request is for a riding stable/private stable under the provisions of Article 13.001K on a 19.11 acre parcel.
2. The County AG Agricultural District allows stables and riding academies as a permitted use. However since there are two main uses, a dwelling unit and the stable, the special permit is required. Only one main use is allowed by right. The dwelling unit may be attached to the stable or be separate from the stable.
3. The site plan shows an approximately 18,000 sq. ft. building that includes a 10,800 sq. ft. riding arena, an apartment and horse stalls. The apartment is for a caretaker.
4. Windsong Equitherapy supports people with disabilities through therapeutic horseback riding. Currently they serve approximately 30 clients with plans to grow to 50-60 clients.
5. The stable is an appropriate use in a rural environment and with a dwelling unit on the same lot it will not generate significant impact on nearby land uses.

CONDITIONS OF APPROVAL:

Per Article 13.001K this approval permits riding stable/private stable.

Site Specific Conditions:

1. Before receiving building permits 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 Add a note to the site plan that the building is conceptual and may be placed anywhere outside of the AG District setbacks.
 - 1.2 Identify S. 148th Street.
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.

Standard Conditions:

3. The following conditions are applicable to all requests:
 - 3.1 Before occupying the buildings all development and construction shall substantially comply with the approved plans.
 - 3.2 The terms, conditions, and requirements of this resolution shall run with the land and be binding upon the Permittee, its successors and assigns.
 - 3.3 The applicant shall sign and return the letter of acceptance to the County Clerk. This step should be completed within 60 days following the approval of the special permit. The Permittee shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds. Building permits will not be issued unless the letter of acceptance has been filed.

Prepared by

Tom Cajka
Planner

DATE: September 9, 2016

APPLICANT: Kari Hoeft
8441 Norval road
Lincoln, NE 68520

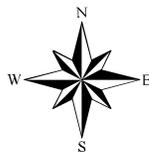
OWNER: Windsong Equitherapy
PO Box 5641
Lincoln, NE 68505
402-730-1176

CONTACT: Same as applicant

F:\DevReview\SP\16000\SP16044 Windsong Equitherapy.tjc.wpd



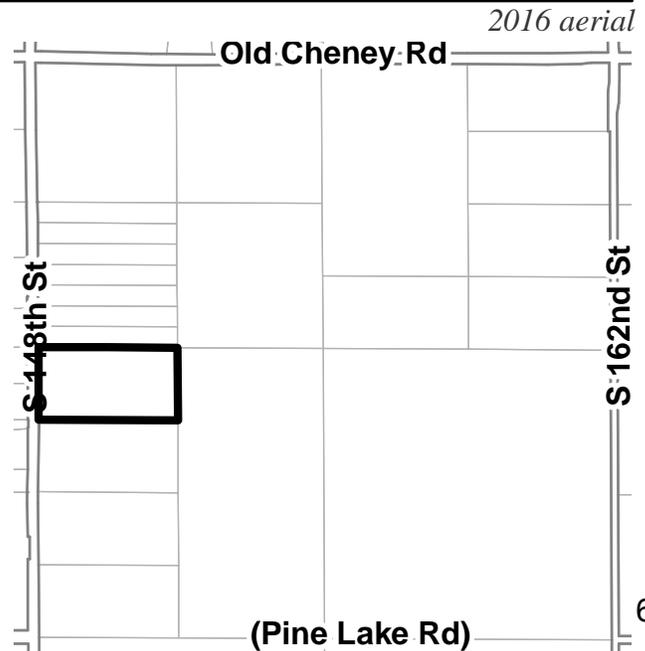
Special Permit #: SP16044
Windsong Equitherapy
S 148th St & Old Cheney Rd



One Square Mile:
 Sec. 15 T09N R08E

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



August 31, 2016

Windsong Equitherapy is a 501(c)(3) that supports people with disabilities through therapeutic horseback riding. Windsong has been serving the community for over 10 years. We participate in the Special Olympics each year as well as classes for people with disabilities during the Lancaster County Fair. Until the purchase of the location on S 148th, Windsong did not own our own facility.

The property located at 6450 S 148th St, Walton, NE will be where a new facility will be built. The facility will be completely handicap accessible, including parking, bathroom, concrete floor all allowing riders accessibility around the entire barn for riders to be able to see the entire facility. The barn and riding arena is the primary use of the property and attaching an apartment to the facility for a care giver is what we feel is the safest for both our horses, but also for the property as a whole.

Windsong is currently ran by volunteers only. It is proposed that we will serve approximately 30 riders a week. Each ride is for 30 minutes and will most likely take place over 2-3 time periods. It is projected that we will grow to 50-60 riders a week. Should fundraising be successful, the riding instructors will get paid for their instruction, however there will still be volunteers present.

During the times that riders are present there will be a riding instructor with the potential of 2-3 volunteers as well. This will vary depending on the needs of the rider.

The hours of operation are currently on Monday evenings however we will try to adjust to the needs of the community.

Currently we serve about 16 riders a week and those are served on Monday evenings with a couple on Saturday mornings.

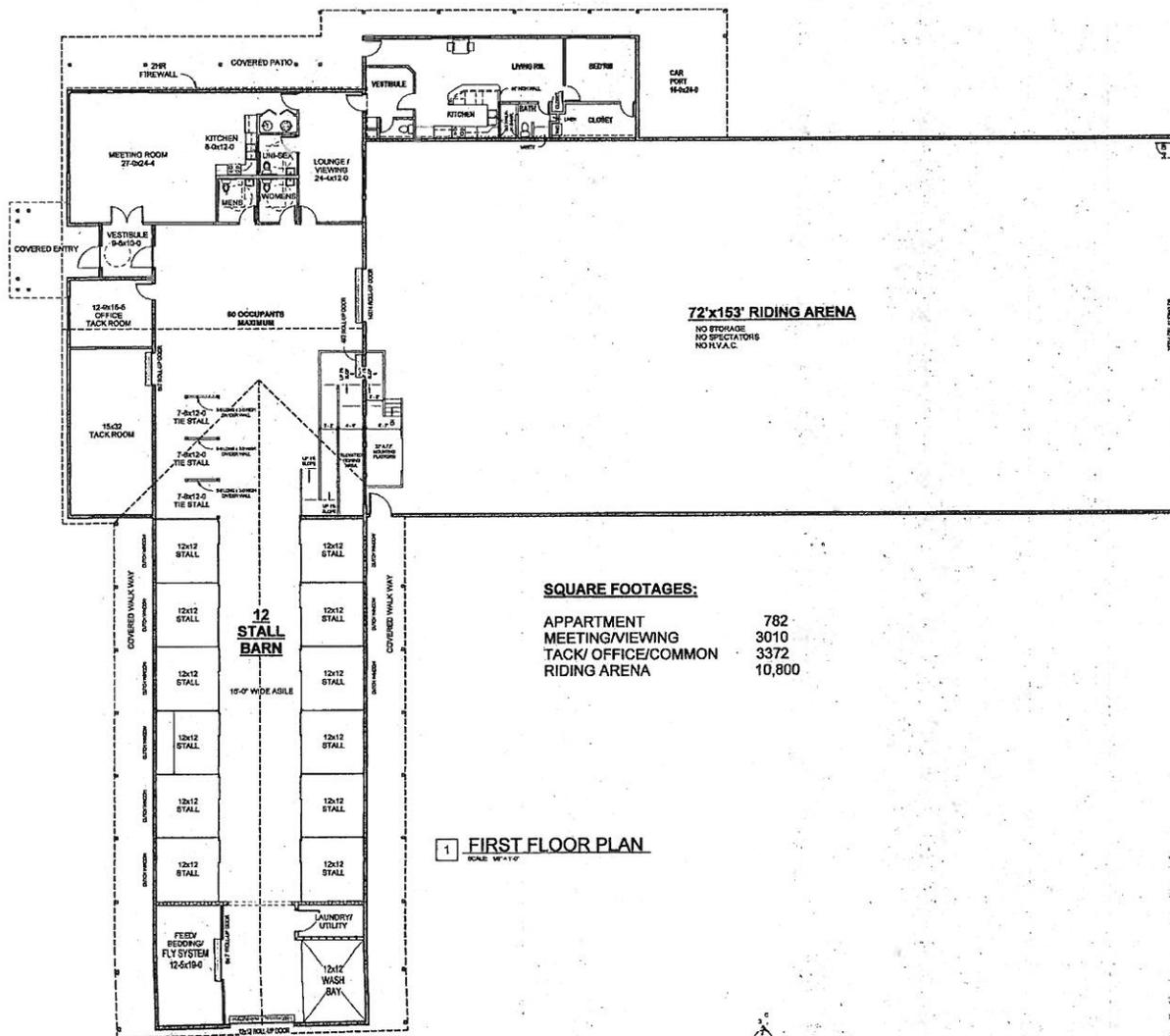
The proposed apartment attached to the facility will be for a care taker of the horses. This individual will be an employee of Windsong and will insure the that the horses are okay during hours that instructors and riders are not present.

Please feel free to let us know if you have any further questions.

Sincerely,

Kari Hoeft

Vice President, Windsong Equitherapy



SQUARE FOOTAGES:

APARTMENT	782
MEETING/VIEWING	3010
TACK/ OFFICE/COMMON	3372
RIDING ARENA	10,800

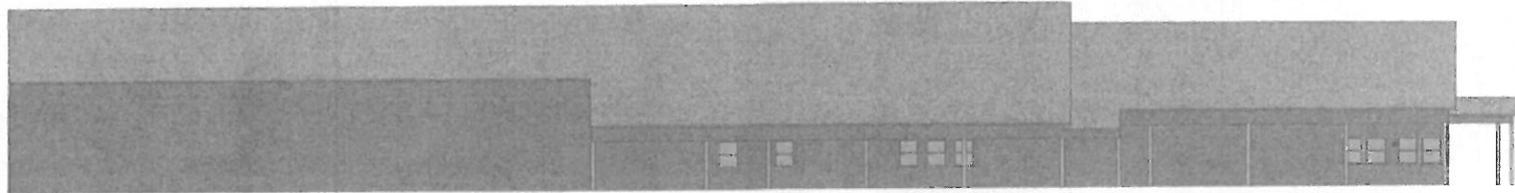
1 FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0"

Not For Construct
 011

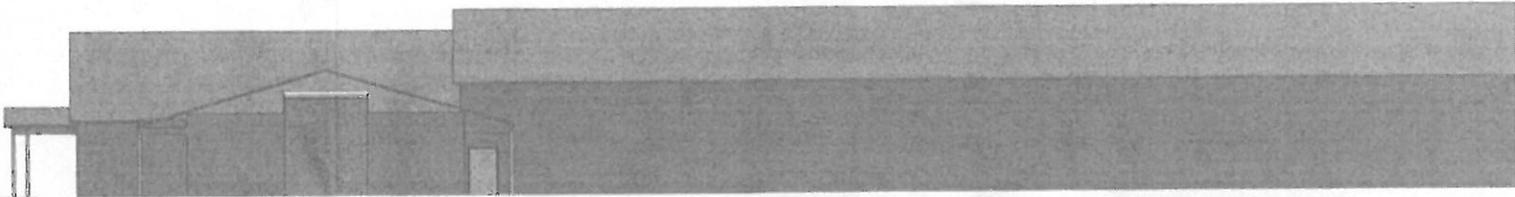
WINDSONG EQUITHERAPY
 6405 S. 148th St.
 Tukwila, WA

FLOOR PLAN
 DATE: 11-14-2024
 DATE: 11-12-2024

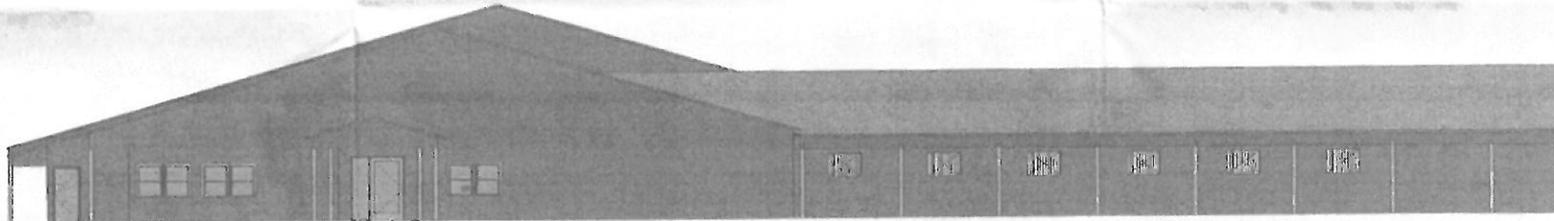
A1



NORTH ELEVATION
SCALE 1/4"



SOUTH ELEVATION
SCALE 1/4"



WEST ELEVATION
SCALE 1/4"



EAST ELEVATION
SCALE 1/4"

Not For
Constructi
01

DATE: 11/11/11
SCALE: 1/4"
PROJECT: WINDSONG EQU THERAPY

WINDSONG EQU THERAPY
DATE: 11/11/11
SCALE: 1/4"

DATE: 11/11/11
SCALE: 1/4"
PROJECT: WINDSONG EQU THERAPY

A2

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for September 28, 2016 PLANNING COMMISSION MEETING

- PROJECT #:** Special Permit No. 300C
- PROPOSAL:** A request per Section 27.63.280 to amend an existing Special Permit to allow for reconstruction of a non-conforming facility and to increase the allowable square footage from 22,300 square feet to 32,000 square feet; an increase in allowable parking from 57 stalls to 88 stalls; and an increase in allowable members residing on the premises from 80 members to 88 members plus a housemother.
- LOCATION:** 3601 Apple Street
- LAND AREA:** 1.72 Acres
- EXISTING ZONING:** R-2 Residential District
- CONCLUSION:** This is a reasonable request to allow reconstruction of a non-conforming use which will have minimal increase in traffic impact or negative effects on surrounding properties, provided there is limitation to the increase of members residing on the premises and landscaping is installed, including setback and screening for the expanded parking area adjacent the residential property to the east.

RECOMMENDATION:	Conditional Approval
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GENERAL INFORMATION:

LEGAL DESCRIPTION: Lots 1-5, Block 9, Woods Brothers University Addition; vacated Fontenelle Street between the south right of way line of Apple Street and the north line of right-of-way of the vacated MOPAC Railroad Co.; and the north 50 feet of the vacated MOPAC railroad right-of-way abutting lots 1-5, Block 9; and Lot 10 Meadow Lark Addition and the 35 foot adjacent strip to the south, all in the Northeast 1/4 of Section 19, Township 10 North, Range 7 East of the 6th P.M., Lincoln, Lancaster County, Nebraska.

EXISTING LAND USE: FarmHouse Fraternity, UNL East Campus fraternal organization.

SURROUNDING LAND USE AND ZONING:

North:	Single family dwellings, Idylwild Park	R-2
South:	Mopac Trail, Single family dwellings	R-2
East:	Single family dwellings	R-2
West:	Multiple family dwellings	R-2, R-5

HISTORY:

MARCH 1954. Special Permit No. 11 approved for the Nebraska Farm House Association to construct a fraternity house.

FEBRUARY 1965. Special Permit No. 300 approved, amending Special Permit No. 11 to permit additions to the existing fraternity house and to provide adequate parking.

MAY 1979. The zoning designation in this area was changed from A-2 to R-2 Residential during the 1979 Zoning Update.

MAY 1986. Special Permit No. 300A was approved to construct a two-story addition to the fraternity.

AUGUST 1987. An administrative amendment to Special Permit No. 300A was approved to expand the parking lot two feet to the east and to revise the parking lot layout.

NOVEMBER 1998. Special Permit No. 300B was approved to expand and renovate the FarmHouse Fraternity. This permit approved the expansion of the FarmHouse Fraternity for a total of 22,300 square feet of floor area and the associated expansion of the parking lot to 57 total spaces, provided that no more than 80 members may reside on the site at any one time.

COMPREHENSIVE PLAN SPECIFICATIONS:

P. 1.9 - The 2040 Future Land Use Map shows this area as Urban Residential.

P. 7.8 - For existing neighborhoods, housing diversity is often already in place, but efforts must focus on maintaining this balance and variety. The diversity of architecture, housing types and sizes are central to what makes existing neighborhoods great places to live. New construction should continue the architectural variety, but in a manner that is sensitive to the existing neighborhoods.

P. 7.9 Good design and appropriate placement are key to successful redevelopment.

P. 7.9 - Preserve, protect and promote the character and unique features of urban neighborhoods, including their historical and architectural elements.

UTILITIES: This site is served by existing utilities.

TRAFFIC ANALYSIS: Apple Street and Idylwild Drive are both local streets. The expansion of resident members from 80 to 88 plus a housemother should not substantially impact traffic.

AESTHETIC CONSIDERATIONS: The new building will be located in the same approximate location as the existing. Screening will be provided to buffer the parking area from the area to the east. The Historic Preservation Commission reviewed preliminary building drawings and the site layout at their September 15, 2016 meeting and recommended approval of the Special Permit subject to their review of final design (See attached meeting minutes).

ANALYSIS:

1. This is a request for an amendment to existing special permit for a non-conforming use to allow the Nebraska FarmHouse Association to replace their existing facility at 3601 Apple Street. The applicant is requesting an increase in allowable square footage from 22,300 square feet to 32,000 square feet; an increase in allowable parking from 57 stalls to 88 stalls; and an increase in allowable members residing on the premises from 80 members to 88 members plus a housemother. The building will be three floors and will meet the 35' height limit of the R-2 District.
2. The fraternity has outgrown their current building and wishes to update and improve amenities available to their members. Primary features of the project will include: study, sleeping member living units, additional group study and technology rooms, added technology and data infrastructure, additional on-site parking with minimized frontage to Apple Street and updated mechanical and electrical systems for overall systems efficiency.
3. The fraternity proposes to demolish the existing house at 3639 Apple Street which they own to allow for grounds expansion. The proposed demolition will require approval of the Historic Preservation Commission as this property is located in the East Campus Neighborhood Historic District. The Commission reviewed preliminary building drawings along with the site layout of the project as a whole at their September 15, 2016 meeting and recommended conditional approval of the Special Permit subject to the applicant submitting final design for their review (see attached minutes). East Campus Community Organization (ECCO) President, Paul Johnson was in attendance at the meeting and noted the neighborhood group supports the current proposal.
4. Construction on the new building would start in May 2017 with the existing fraternity house being demolished and members living off site for a year before moving back in August 2018.

5. The November 1998 Special Permit approved an expansion of the existing FarmHouse Fraternity for a total of 22,300 square feet of floor area and the associated expansion of the parking lot to 57 spaces, with no greater than 80 members residing on the site at any one time.
6. The applicant provided notes from East Campus Community Organization (ECCO) website (see attached). In October 2014, fraternity representatives met with neighborhood members about their plans. The neighbors and ECCO raised a number of concerns about these early plans. The conversation was then put on hold until spring of 2016.
7. The neighbors and ECCO representatives had concerns about the number of residents, the amount of off-street parking, the footprint of the new facility, retention of character of the neighborhood, retention of surrounding property values, including sufficient screening for nearby homes and the image at the end of Idylwild Boulevard.
8. In the ECCO website meeting notes provided by the applicant, it was mentioned that in 2016, after two meetings of a working group and one meeting with the ECCO board, ECCO and Farmhouse representatives agreed in principle to certain points. These points included as they relate specifically to the request: the maximum number of residents could increase from 80 to 88, the re-development should not attempt to provide on-site parking for 100% of members, the house should be located on the west side of the property, roughly the location of the current house, and removing the house at 3639 Apple Street would be necessary to get adequate green space and parking.
9. The parking requirement per 27.67.040 for a fraternity is 0.75 spaces per resident. 66 parking spaces are required. The applicant is requesting through the Special Permit an increase in allowable parking from 57 stalls to 88 stalls but is only proposing 80 stalls on the site plan.
10. Stormwater quality will be required to be taken into account prior to Building and Safety Department approval per City Code 28.03.
11. Zoning Ordinance 27.63.280 provides the following criteria shall be given specific consideration:
(a) Effects on adjacent property, traffic, city utility service needs;
The new building will be constructed in the same general area as the existing building. This combined with perimeter landscape buffers and with Historic Preservation Commission design review would provide for a context sensitive design respective of the neighborhood. Further, traffic and utility service needs would not substantially change with the increase of member count by 8 persons plus a housemother, who currently resides on the premises.

(b) Density of land use zoning for the subject property and adjacent property;

The density of the land use zoning for the subject property and adjacent property would not significantly change because the property is being expanded to add the parcel to the east and the increase in resident members to 8 persons plus a housemother.

(c) The degree of hardship upon the applicant which would be caused by failure to grant.

Failure to grant this permit would not prohibit the current nonconforming use authorized by prior Special Permit #300B to continue as it currently exists. However, the ability of the Fraternity to increase membership and expand square footage to meet current facility needs and provide additional off-street parking and perimeter landscape screening would be limited without approval of the request.

CONDITIONS OF APPROVAL:

Per Section 27.63.280, this approval permits the reconstruction of the FarmHouse Fraternity, a nonconforming use, with an increase in allowable square footage from 22,300 square feet to 32,000 square feet; an increase in allowable parking from 57 stalls to 88 stalls; and an increase in allowable members residing on the premises from 80 members to 88 members plus a housemother.

Site Specific:

1. Before receiving building permits the permittee shall cause to be prepared and submitted to the Planning Department 3 copies of a revised site with all required revisions listed below:
 - 1.1 Final design for the project shall be subject to Historic Preservation Commission certificate of appropriateness approval with the Commission having review authority over the demolition of 3639 Apple Street residence, the new construction and the project as a whole.
 - 1.2 Add note on plans on how many approved persons for residence per the Special Permit.
 - 1.3 Provide screening and landscaping plan that meets Design Standards to the satisfaction of the Planning Director. Also, show all existing trees to remain as part of the landscaping plan including retention of trees on west and east.
 - 1.4 Show location of bike trail and any trail easements on the property.
 - 1.5 Show 14' setback line for landscaping on south side of the original property.

- 1.6 Show dumpster location on plan along south property line in parking area further from the residential property to the west.
 - 1.7 Change Schematic Design Not for Construction to Special Permit #300C.
 - 1.8 Remove building strikeout and Addition text south of the Proposed New Construction building location. Also, remove University text along west property line and Meadow Lark Addition text along the east property line.
 - 1.9 Remove all light text on building corners/periphery areas.
 - 1.10 Identify 25' front building setback line along Apple Street right of way.
 - 1.11 Show 20' setback line for parking lot on the east side of the property.
 - 1.12 Add 10' utility easement as identified by LES that would be located 44' feet north of the south property line, extending east-west through the parking area. This is a new easement to cover existing facilities.
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:

- 4 The following conditions are applicable to all requests:
 - 4.1 All privately-owned improvements, including landscaping and recreational facilities, shall be permanently maintained by the Permittee or an appropriately established owners 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, filling fees therefor to be paid in advance by the applicant.

Prepared by

George Wesselhoft, Planner
(441-6366, gwesselhoft@lincoln.ne.gov)
September 15, 2016

APPLICANT/ Nebraska FarmHouse Association

OWNER 3601 Apple Street
Lincoln, NE 68503

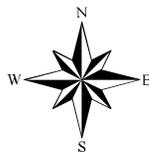
CONTACT: Jeff Monzu
8600 Indiana Hills Drive
Omaha, NE 68114

F:\DevReview\SP\SP300C FarmHouse Fraternity.gjw.wpd



2016 aerial

Special Permit #: SP300C
Farmhouse Fraternity
Idylwild Dr & Apple St



One Square Mile:
 Sec. 19 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

Area of Application

Zoning Jurisdiction Lines

Lancaster County Jurisdiction





August 31, 2016

PLANNING
ARCHITECTURE
ENGINEERING
INTERIORS

Mr. Steve Henrichsen
Development Review Manager
Lincoln/Lancaster County Planning Department
555 S 10th Street, Suite 213
Lincoln, NE 68508

Mr. Henrichsen:

The FarmHouse Fraternity, located at 3601 Apple Street in Lincoln, is seeking an amendment to their existing Special Permit 300B to allow the Nebraska FarmHouse Association to replace the existing facility. The fraternity has outgrown their current building and wishes to update and improve amenities available to their members. In addition, they plan to lessen house density by added square footage and increase off-street parking and perimeter landscaping to enhance outward appearance to the neighboring properties. As such, the current facility and an adjacent property to the east (3639 Apple St) will be demolished and replaced with a new facility and grounds located on the existing site. The project design will follow necessary design requirements pursuant to the R-2 zoning, such as maintaining a maximum height of 35'.

Please consider this application as it relates to City of Lincoln Zoning Ordinance 27.63.280:

- There should not be any major effect to the neighborhood traffic or city utility services as the increase in people living in this area will not significantly change when considering that this project will take over additional land that previously contained a single family residence. Adjacent properties will not be negatively affected as the design intent is to create perimeter landscaping buffers and generally improve the overall appearance of the property with new construction.
- Again, the general density will not significantly change because of removing a current single family residence and only raising the member count by 8.
- Failure to grant this permit would limit the desired membership number which is intended to keep upperclassmen in the house for added mentoring of the younger/ new students. It would also limit the project's ability to provide for added off-street parking and the neighborhood's desire for perimeter landscape and screening.

Primary features of the project will include:

- Study / sleeping member living units
- Additional group study and technology rooms
- Added technology and data infrastructure--eliminating the exterior wiring wrapping around the current house.
- Additional on-site parking with minimized frontage to Apple Street. (mostly located to south edge of site).
- Updated mechanical and electrical systems improving overall systems efficiency.

The applicant requests an increase in allowable square footage from 22,300 square feet to 32,000 square feet; an increase in allowable parking from 57 stalls to 88 stalls; and an increase in allowable members from 80 members to 88 members plus a housemother.

Please see additional material submitted with this application for support of this request.

Sincerely,

Jeffrey S. Monzu, AIA, NCARB
LEO A DALY
Vice President, Senior Project Manager
jsmonzu@leoadaly.com

8600 INDIAN HILLS DRIV
OMAHA, NE 68114-4039
TEL 402.391.8111
FAX 402.391.8564
www.leoadaly.com

FarmHouse Fraternity- UNL

August 10, 2016



ECCO Update

ECCO CONCERNS

- ***NUMBER OF MEMBERS***
- ***OFF STREET PARKING***
- ***FOOTPRINT OF NEW FACILITY***
- ***CHARACTER OF NEIGHBORHOOD***
- ***RETENTION OF SURROUNDING PROPERTY VALUES***
- ***IMAGE AT END OF IDYLWILD BLVD.***

ECCO CONCERNS

- ***NUMBER OF MEMBERS***
- ***OFF STREET PARKING***
- ***FOOTPRINT OF NEW FACILITY***
- ***CHARACTER OF NEIGHBORHOOD***
- ***RETENTION OF SURROUNDING PROPERTY VALUES***
- ***IMAGE AT END OF IDYLWILD BLVD.***

Issues for Consideration - Why are we doing this project?

DESIGN DECISIONS

- TOTAL CAPACITY DESIRED
- STORAGE NEEDS
 - MEMBER POSSESSIONS
 - SUPPLIES
- STYLE OF LIVING UNITS/ STUDY ROOMS

92 88 Members Plus Housemother

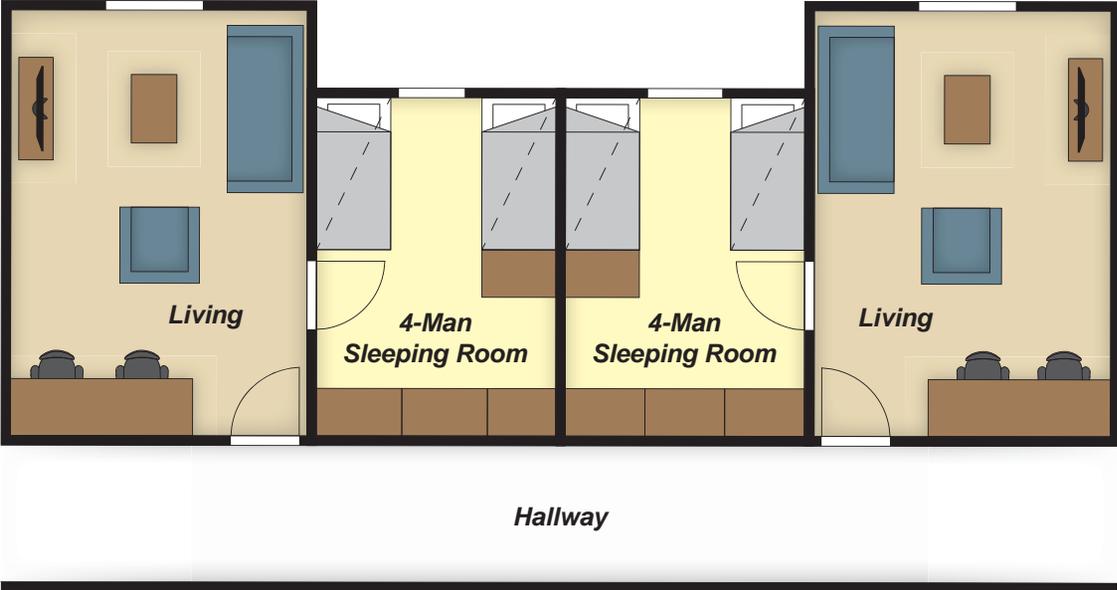
TBD

Suite Style - Living/Sleeping/Study -3-4 person

FACILITY ISSUES

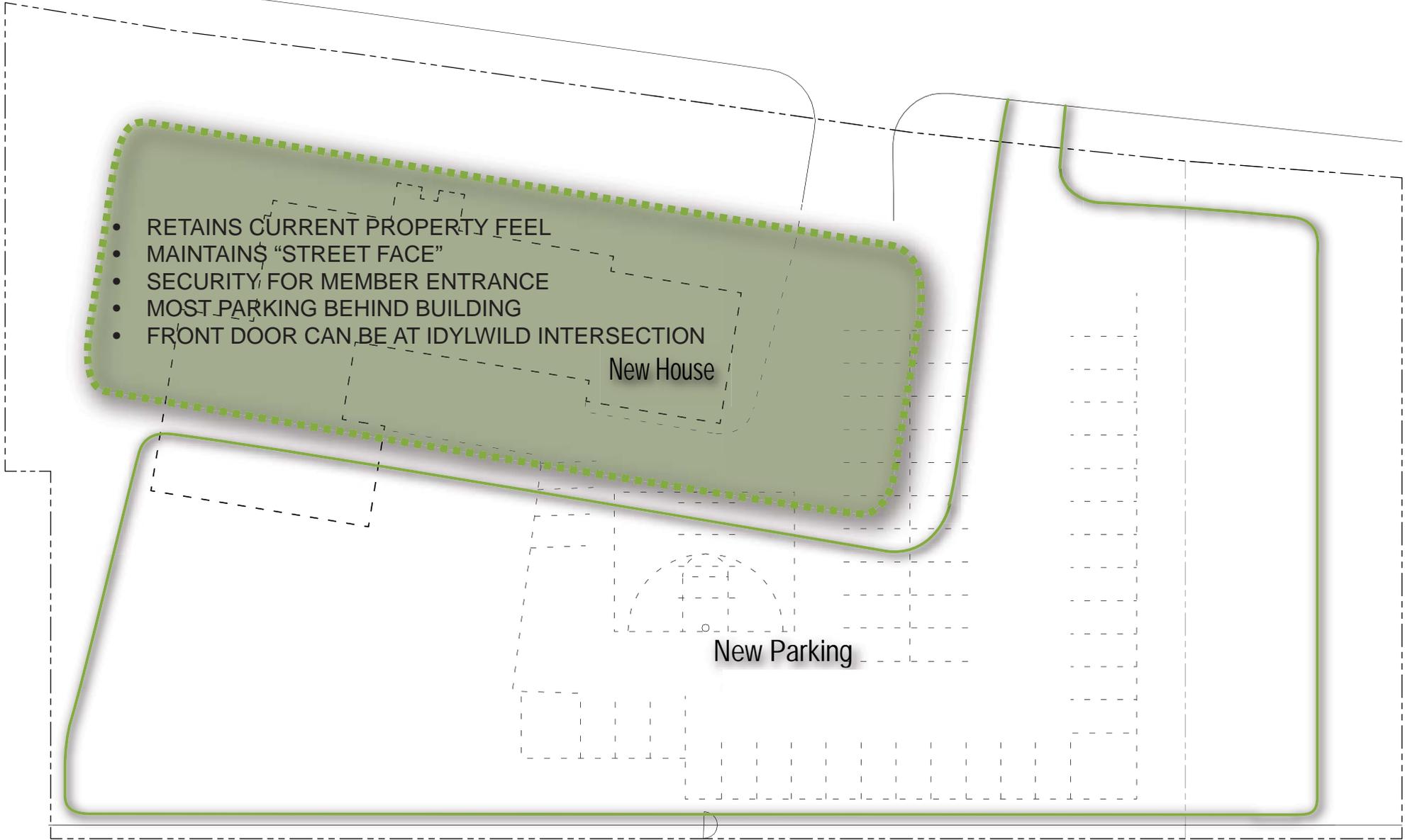
- ADA ACCESSIBILITY
- INFRASTRUCTURE NEEDS- HVAC, ELECTRICAL
- ENERGY EFFICIENCY
- TECHNOLOGY NEEDS
- ASBESTOS ABATEMENT NEEDED
- MODERN LAYOUT AND AMENITIES DESIRED
- SPACE FOR MEMBER PARKING

NEW CONSTRUCTION- Suite Style -FINAL



Typical Member Units

NEW CONSTRUCTION

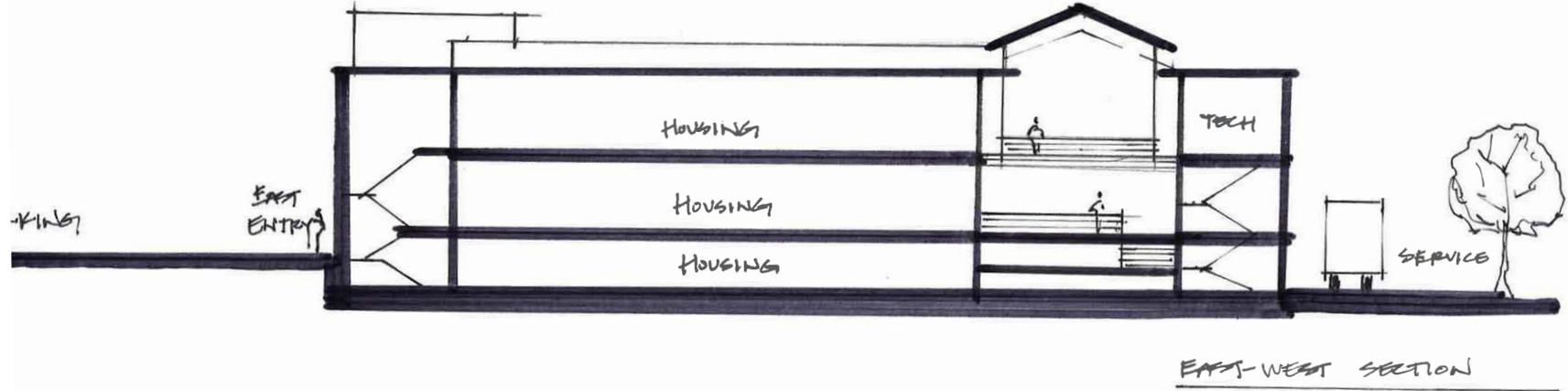
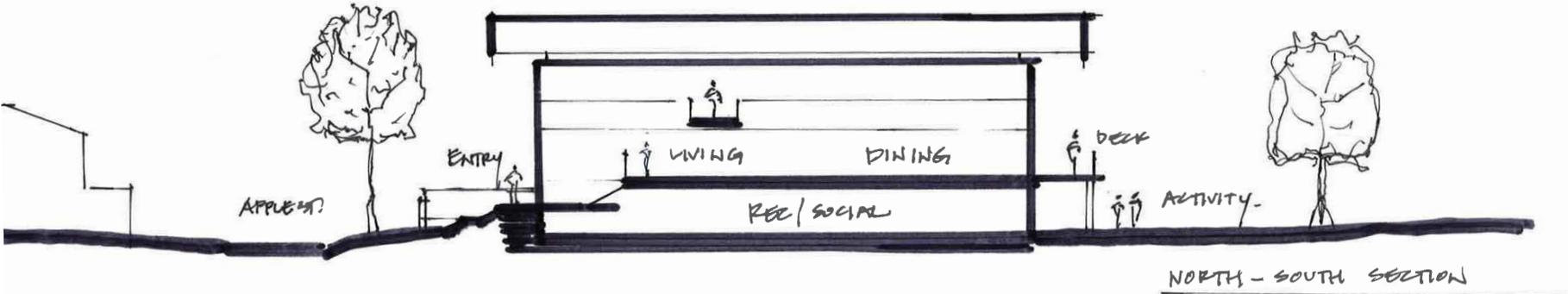


NEW CONSTRUCTION- Conceptual Site Plan

*building footprint area: 11191 sf
parking count: 79 stalls*



NEW CONSTRUCTION- Conceptual Site and Building Section



NEW CONSTRUCTION- Conceptual Perspective View



[Home \(/\)](#)
 [Contact Us \(/contact-us.html\)](/contact-us.html)
 [Membership \(/membership.html\)](/membership.html)
 [Neighborhood Information \(/neighborhood-information.html\)](/neighborhood-information.html)
[Calendar & Events \(/calendar-events.html\)](/calendar-events.html)
 [Newsletters \(/newsletters.html\)](/newsletters.html)
 [ECCO Board \(/ecco-board.html\)](/ecco-board.html)
 [History \(/history.html\)](/history.html)

Farmhouse Fraternity Project

August 4, 2016 - Farmhouse Building Project Meeting Notice

For several years, the Farmhouse fraternity (located at Idylwild and Apple Streets) has had a visioning committee to evaluate the housing needs of their members and to plan for the future. That group ultimately decided to construct a new building on their current location rather than renovate the existing building. In October 2014, fraternity representatives met with neighborhood members about their emerging plans. The neighbors and ECCO raised a number of concerns about these early plans. That phase of conversations was tense, and conversation came to an end when the fraternity refocused attention after the tragic death of a member.

In spring 2016, fraternity representatives contacted ECCO board members stating that they would like to start a new set of discussions with the goal of formulating a plan that both the fraternity and the neighborhood could support. The makeup of the new team from the Farmhouse, which included Greg Ibach (Farmhouse alumnus and current Director of the Nebraska Department of Agriculture) and Steve Gangwish (Farmhouse Alumni President) among other alumni and current fraternity members, was an indication of the importance the fraternity placed on these discussions. Other members of the team included some ECCO board members and nearby neighbors. The working group met twice (4/28/2016 and 6/16/2016) before meeting with the full ECCO board on 7/14/2016.

These new discussions started with all parties developing a clear understanding of each other's interests and concerns. With a series of frank discussions, the committee worked to find a plan that would meet the objectives of both the fraternity and the neighborhood. By the end of these meetings, all parties were able to agree to the set of principles listed below. We believe these discussions can be the basis of developing a final plan that both the neighborhood and the Farmhouse can support. Below is a summary of the conversations and a description of the next steps for the rebuilding process.

Below is a summary of the team's conversations.

=Summary

Some of the primary reasons that Farmhouse representatives have chosen rebuilding as their preferred option include the following needs or desires:

- Allow all members to live in the house through their senior year (the initial number proposed was 92),
- Switch to suite-style living and sleeping spaces,
- Address ADA accessibility, energy efficiency, and HVAC infrastructure,
- Improve technology infrastructure,
- Asbestos abatement,
- Provide additional room for storage.

The neighbors and ECCO representatives had the following concerns about the re-development:

- Number of residents in the house
- Amount of off-street parking
- Footprint of new facility
- Retention of character of neighborhood
- Retention of surrounding property values, including sufficient screening for nearby homes
- Image at end of Idylwild Boulevard

After two meetings of the working group and one meeting with the board, the ECCO board and Farmhouse representatives agreed in principle to the following points.

- The maximum number of residents could increase from 80 to 88.
- The re-development should not attempt to provide on-site parking for 100% of members.
- The house should be located on the west side of property, roughly the location of the current house.
- ECCO would support getting access to easement area in SE corner for parking.
- Removing the house just east of the current parking lot would be necessary to get adequate green space and parking.

Some additional details about the first three of these points of agreement follow.

==== **Number of residents**

During initial discussions, Farmhouse indicated their interest in increasing the number of members who can live in the house from their current maximum of 80 to 92. After these discussions, they reduced the proposed maximum to 88.

This change would allow fraternity members to live in the house through all four years of college. Most fraternities only house freshmen and sophomores. Having juniors

and seniors in house would allow for mentorship of younger students.

The fraternity is currently limited to 80 residents because of a special City of Lincoln zoning permit. Until they were made aware of this restriction in October 2014, there had been 84-88 people in the house in the last few years.

==== Parking

The city requires that fraternities provide .75 parking spots for each 1 resident, which would be 66 spots for a house with 88 residents. The current house property has 55 available parking spaces; the revised plan would include approximately 79 spaces.

Farmhouse has purchased the house to the east of their property and would take it down as part of the development. The fraternity indicated they would be interested in establishing a long-term agreement about the maintenance of the property.

Although having off-street parking would be ideal for both the fraternity and the neighborhood, all agreed that the result of providing off-street parking spaces for all of the residents would reduce the amount of screening that could be placed around the fraternity. In addition, since street parking is used by so many others and because it is unlikely that we could eliminate parking on both sides of Idylwild, there would be cars parked in front of the fraternity with or without the expanded parking lot. The end result would be more parked cars in the area and less green-space and screening.

==== Footprint/location of new facility

In 2014, Farmhouse planned to build the new facility on the current parking lot and have the members live in the house during construction. Many board members and neighbors saw this plan as unacceptable, Farmhouse has reconsidered options and now would plan to put the house on the west side of the property, approximately where the current house is located. This location will help maintain the integrity of the view from Idylwild and take advantage of the slope of the area to reduce the impact of the fraternity building on nearby single family residences.

NEXT STEPS

Farmhouse plans to present their big picture proposal to the city in early September 2016 and continue to develop detailed plans and architectural renderings. Construction would start in May 2017 with students moving in during August 2018.

Though the neighbors on the working group and ECCO board have concerns about some current specifics of the developing plans (e.g., amount of pavement and resulting runoff, loss of mature trees), we are optimistic that the collaborative process will continue and that the concerns will be addressed as fully as possible. The fraternity will keep neighbors informed of their plans through the working group. As noted above, the neighbors on the working group and ECCO board members appreciate and support the changes proposed by the Farmhouse representatives. All are happy that we were able to agree on the principles listed earlier in this summary.

The neighbors and ECCO board members greatly appreciate the willingness of the Farmhouse team to take a step back and a new start to this planning process. We greatly appreciate the new Farmhouse team's willingness to listen to the concerns of the neighborhood, and to collaborate with the neighborhood to make changes to their original plans to try to meet our concerns.

April 28, 2016 - Farmhouse Building Project Update

The FarmHouse Fraternity building project is again in the planning stages.

FarmHouse would like to finalize their plans by the end of summer & begin construction in May 2017.

A small group from ECCO consisting of Richard Sutton, Rebecca Carr, Kirsten and Steve Carrell, Bob Rokeby, and Ann Bleed met with Steve Gangwish, President of the Farmhouse Alumni Association, who drove in from Kearney for the meeting, and other alumni Greg Ibach, Jeff Monzu, Cora Lee Scritzmeier, the House Mother, and Jon Freese, President of the Farmhouse chapter. The two groups met April 28, 2016 to talk about plans for the rebuilding of the Farmhouse fraternity house.

All in all, we had a good meeting.

Greg Ibach reviewed the fraternity's objectives:

- Provide for a suite-like living space rather than the sleep-dorm type of space
- Provide parking for all members on the property
- Provide for new technical needs such as increased use of computers etc.
- Provide Asbestos abatement
- Provide more storage room
- Keep the noisy activities of the fraternity away from residential housing
- Maintain the character of the neighborhood
- Provide new heating and air conditioning equipment
- Increase the number of members living in the fraternity house.

We were also told that the building committee was taking a step back and reconsidering the building plans. The committee is now willing to consider several different sight plans and is anxious to work with ECCO to achieve a win-win plan that ECCO can support when the fraternity applies to change their special permit before the Planning Commission. They are also looking for housing and parking for the FH residents off-site during the building period.

The group from ECCO said they too would like to find a site plan that ECCO could support, but that we had concerns about the number of students living in the house, the site plan and landscaping of the fraternity footprint, protecting the nearby residences from the impact of the fraternity, the visual impact of the fraternity on the immediate area, and traffic. They stated fund raising has gone well so they are in a good financial condition.

A major focus of the discussion was the number of fraternity members who would live in the house. Farmhouse is aware that they are only permitted to have 80 residents in the house, but in fact they have had up to 86 residents in the house in recent years. They would really like to be able to house 92 residents and are willing to spend extra money to prevent adverse impacts on the neighborhood. The ECCO residents made it very clear that we thought the neighborhood would strongly object to a permit that would allow 92 residents in the house. We discussed this topic at length and agreed that we would try to find a compromise we could be accept. The other major topic was how the house would be situated on the property. ECCO stated they would like to have the house itself situated on the west end of the property.

Farmhouse would like to reach an agreement with ECCO on their site plans by Aug 1 so that they could obtain their permit from the Planning Commission, start building by May 2017, and have students move in in August of 2018.

The ECCO working group will meet again with representatives from Farmhouse in the near future and will then plan for a meeting with ECCO as a whole in June or July. If you have any concerns you would like us to consider please contact Paul Johnson at ECCOpres@EastCampus.org, Ann Bleed at ann.s.bleed@gmail.com, or Rebecca

Carr at rebecca.e.carr@gmail.com

October 2014

Hello to Our ECCO Neighbors,

I wanted to provide notes from our progress the past few weeks, with regard to the Farmhouse Fraternity project. We have discussed as many questions and answers as we possibly could – and include a great deal of that information here for your review.

We are most grateful for the time, effort, and good advice and answers provided by Planning Department members Marvin Kraut and Paul Barnes. We are indeed lucky to have such caring members of our City government – they have given us a great deal of their time this past week, and have clearly listened to our concerns – and heard our voices! We all appreciate it very much! It was good to hear that the requests we've made so far, and the concerns we have raised, seem reasonable to the Planning Department.

The "next step" is to review the revised plan from the Farmhouse representatives, as soon as we have received it. We remain concerned about the potential adverse effects on the East Campus neighborhood as a result of Farmhouse fraternity's announcement of proposed changes, yet optimistic that we will reach resolution. It is critical to us to protect the character of our neighborhood, including property values of our ECCO residents, while working with Farmhouse to develop a plan that benefits all parties concerned. As indicated earlier, we will know more, once we see the next iteration of the Farmhouse plan. The information we've learned so far has been crucial to helping us understand our options.

We will keep everyone posted as new developments continue – we've made a solid start in asking and answering the necessary questions, and establishing all of the facts that we can, in order to understand the situation and determine the best course of action. The ECCO Board will stay on top of this issue, and will continue to work with the Farmhouse representatives, as advised by the Planning Department.

Two documents are below:

- Planning Commission Summary Document – includes questions from our October 13 meeting collected by Ann Bleed and forwarded to the Planning Department. This document formed the basis for our October 16 meeting, and was reviewed in detail by all present, with Marvin's and Paul's additional input and information.
- Meeting with ECCO Board, neighbors, and Planning Department representative Marvin Kraut and Paul Barnes – includes notes from our October 16 meeting

Thanks to our Board and the many neighbors who have given us their input, concerns, and contributions. This is indeed a thorny issue, with old zoning and special permit issues pre-dating – and affecting – the current proposal from Farmhouse. There will no doubt be upcoming public meetings – we will let everyone know the dates and times. If you have any questions at all, we remain committed to helping in any way that we can. We appreciate the input of so many – that way, we can be certain that all options and perspectives are heard, weighed, and perhaps incorporated to make a better plan. The goal is to help formulate a plan we can all support. Stay tuned....

Mary Eisenhart

ECCO Board President, 10/19/2014



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ECCO, East Campus Neighborhood Lincoln Nebraska

MEETING RECORD EXCERPT

RE: Farm House Fraternity

Meeting of 09/15/2016

NAME OF GROUP: HISTORIC PRESERVATION COMMISSION

DATE, TIME AND PLACE OF MEETING: Thursday, September 15 2016, 1:30 p.m.,
Conference Room 214, 2nd Floor, County-City
Building, 555 S. 10th Street, Lincoln, Nebraska

STATED PURPOSE OF MEETING: Regular Historic Preservation Commission Meeting

FARM HOUSE FRATERNITY EXPANSION AND RECONSTRUCTION

ADJACENT TO EAST CAMPUS

NEIGHBORHOOD LANDMARK DISTRICT.
2016

September 15,

Members present: Bavitz, Gengler, Hewitt, Johnson, McKee and Munn; Francis absent.

Zimmer said this proposal is for the Farm House Fraternity adjacent to the East Campus Neighborhood Landmark District. It involves the demolition of one house within the district. The purpose of today's discussion is to advise Planning Commission regarding the Special Permit. That permit is proposed to include the condition that the design come back to this Commission since it is only conceptual at this time. The applicant has agreed to that condition.

McKee noted that the role of HPC today is advisory.

Jeffrey S. Monzu, architect with Leo A. Daly, said the goal is to replace the current facility. The application includes the request to allow the number of members living in the proposed 32,000 square foot house to increase from 80 to 88, with a house monitor. An increase in parking is included.

They have applied for the changes to make sure the project can move ahead as currently envisioned. At this point in the design process, images are conceptual. Last spring and throughout the summer, they met with the neighborhood board to address concerns. A large neighborhood meeting was held to make sure that if they went forward, there would be general support for the direction they are heading with the design. A final design will be presented, but for now, they needed to make sure the project can even continue.

McKee asked if the neighborhood viewed the new ideas favorably. Monzu said the concerns came down to size, membership, and the image of Idylwild Drive. They first requested capacity for 92 students but compromised down to 88, which is more than

allowed now. Gengler asked how that compares to actual numbers living in the house. Monzu said 80 students live in the house now. The intent is to create more group living with improved amenities.

Monzu said Farm House owns the house next door. Demolition of that house will allow an increase in parking and proper screening. The footprint of the new building is not much larger than that of the existing structure. An original idea relocated the building to the east end. This was changed back to the west end because the neighbors want the new house to stay where it is currently located.

Hewitt pointed out that along Greek Row on City campus, they are having a hard time keeping their houses full. He asked if Farm House will be able to keep their membership and people in the house. Monzu said yes. Part of their model is to keep upperclassmen in the house as role models. Interest is still strong and they have not seen a decline in membership.

Monzu said the new house is more square and fronts slightly more to Apple Street. The parking is wrapped around the back where members will have entry access to the house. The main entry will still be aligned with Idylwild. There will be a significant buffer zone of land and trees around the perimeter and along the west side.

Gengler asked if the house proposed for removal is considered contributing to the East Campus District. Zimmer said it is considered contributing and is located at the edge of the district. Monzu said it is a 1-story bungalow frame house. There are a number of similar homes along Apple Street. It does not compare with the historical homes along 37th and 38th Streets. Zimmer indicated it is not a focal point.

Monzu went on to say that there are two apartment buildings to the west. The proposed frat house will be similar in height. The lowest level will be slightly sub-grade. The intent is to create a more residential look. They are studying the motifs, gabled roofs and dormers. The mass of the new structure is also similar to the old. In terms of parking, they are required to provide parking for 75% of capacity. Not every member owns a vehicle. Most of the parking will be off-street.

McKee asked how the East Campus Community Organization (ECCO) views this project.

Paul Johnson, President of the ECCO Board, stated the project was initially presented two years ago and it went over badly at that time. That was when the building was proposed on the east and included leaving the old building in place during construction. There were huge concerns about parking for the students as well as construction equipment. Last spring, they came back with the reboot. The proposed house has been moved back to the original location. The advantage of having more off-street parking stalls offsets the loss of the one house. They were shocked at how few questions and concerns there were to this proposal. Overall, there has been lots of communication

with the neighborhood. Based on what has been shown so far, the neighborhood is generally fine with the plans.

Gengler wondered if the neighborhood had suggested a more residential-feeling building. P. Johnson said the original concept was a modern block building that did not fit at all. Monzu said effort is being made now to incorporate the gables, etc., and to break up the front face to make it more modular. There is a desire to have something appropriate for the neighborhood. It is a new facility so it is not being designed to look old.

P. Johnson said the position of the front doors towards the end of Idylwild will create a nice focal point and it is an improvement over the driveway that was part of the old concept.

Monzu added that they are meeting with the Farm House building group so there will be updated images available soon.

Zimmer said that the Planning Staff recommendation on the Special Permit would be that it be approved with the inclusion of the condition that the building design will come back to HPC. The applicant agrees with it because they need to know if they can progress with the design. This body can advise based on the fact that it has seen the site arrangement and heard from the applicant and neighbors.

Munn asked if the building is currently designed to meet the height limits. Monzu said they are at the height limit right now.

Bavitz asked if anything needs to be done today related to the demolition of the house. Zimmer said that will come later, though it is an element of this package. As a body, you can signal now how you might deal with that aspect since this preliminary site plan does incorporate the loss of that house.

Gengler asked for more information about the general timeline of the project. Monzu said the intent is to go through the permitting process so that they can start work as soon as school is out. Zimmer said the Special Permit appears before Planning Commission on September 28th and is Final Action, unless appealed. That is why it is here today. It is understandable where they are in the design, but asking you to offer a full blessing when it is not designed yet is a step too far.

Chair Munn noted that there has not been much discussion today about the removal of the house. He wondered what would happen if the house stayed.

P. Johnson said that currently, there are 54 stalls and 80 residents. With this proposed plan, there would be 79 stalls with 88 residents, plus the house monitor. That lot would allow a wide space on the east side for green space and landscaping buffer. Munn

noted that if the house stayed, there would likely be parking right up to the line, and not as many spots. Monzu and P. Johnson agreed.

Gengler asked if the house is occupied. Monzu said it is owned by Farm House and is rented out. It is occupied. P. Johnson added Farm House has owned the house for several years.

Zimmer said that HPC faced similar questions with the AGR expansion. Those were better houses, and all of that project was under the district.

P. Johnson said the owners of the adjoining house participated in the working groups.

ACTION:

Munn clarified that this action is to make a recommendation on the Special Permit.

Johnson moved to recommend approval of the Special Permit for the Farm House Fraternity expansion and reconstruction with the Condition that the final design be reviewed by HPC; seconded by Gengler. Motion carried, 6-0: Bavitz, Gengler, Hewitt, Johnson, McKee, and Munn voting 'yes'; Francis absent.

There being no further business, the meeting was adjourned at 3:36 p.m.

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT
for September 14, 2016 PLANNING COMMISSION MEETING

P.A.S.: Special Permit #16041 - County Line Bar and Grill

PROPOSAL: To authorize the licenses premises for the sale of alcoholic beverages for consumption on and off the premises per Sections 27.63.680 and 27.63.685.

CONCLUSION: This request complies with all applicable criteria for the special permits for the sale of alcohol for consumption on and off the premises. This is an appropriate land use at this location.

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

LEGAL DESCRIPTION: Lot 50, located in the SW 1/4 of Section 21-10-8, Lincoln, Lancaster County, Nebraska

LOCATION: 252 North 134th Street

EXISTING ZONING: I-1 Industrial

EXISTING LAND USE: Industrial

SURROUNDING LAND USE AND ZONING:

North:	Vacant	I-1
South:	O Street	AG
East:	Vacant, Commercial	AG, I-1
West:	North 134 th Street	AG

COMPREHENSIVE PLAN SPECIFICATIONS: The Comprehensive Plan designates this area for industrial land uses.

BACKGROUND: This is a request to allow the sale of alcohol for consumption both on and off the premises at the former Parker Hannifin plant at 134th and O Streets. The sale of alcohol will be in conjunction with a bar and grill with an outdoor dining area. The owner intends to locate other uses inside the building in the future, include a retail gun shop, an indoor shooting range, and indoor storage. However, those uses have not yet been established, and the bar and grill will be the first use to occupy the now vacant building.

The provisions for special permits require that separate special permits be granted for each on and off-sale use, recognizing the requirements of each are slightly different. This report contains the reviews of the requirements for both special permits.

ANALYSIS:

1. SPECIAL PERMIT REQUIREMENTS PER LINCOLN MUNICIPAL CODE (LMC)

27.63.680: The sale of alcoholic beverages for consumption on the premises may be allowed in the B-1, B-3, H-1, H-2, H-3, H-4, I-1, I-2, and I-3 zoning districts and on the premises of a restaurant in the O-3 district upon the approval of a special permit subject to the requirements of the respective districts, all applicable ordinances, and the following conditions:

(a) Parking shall be in conformance with Chapter 27.67 Parking.

Parking must be provided at the rate specified in the Zoning Ordinance. In this case, the required parking in the I-1 zoning district is one space per 1,000 square feet of floor, except for a list of uses in the parking ordinance which have special conditions. The sale of alcohol for consumption on the premises and social hall are two of those uses, where the requirement instead is one space per 100 square feet of floor area. The parking rate is applied based upon the use of the total area of the building. In this case, only 7,500 square feet are to be authorized for on and off-sale alcohol and at the rate of 1:100. The remainder of the building, approximately 80,000 square feet and which is currently unoccupied, is at the rate of 1:1,000. In total, 155 parking spaces are required. The site plan shows 274 spaces, well in excess of the number required.

(b) The sale of alcoholic beverages for consumption off the premises shall not be permitted without issuance of a permit under LMC Section 27.63.685 of this code.

The issuance of a separate special permit to allow the sale of alcohol for consumption off the premise has also been requested and is included in the second half of this report.

(c) The designated area specified in a license issued under the Nebraska Liquor Control Act of any building approved for such activity must be located no closer than (i) 100 feet from the property line of a premises used in whole or in part for a first-floor residential use, day care facility, park, church, or state mental health institution, or (ii) 100 feet from a residential district (except where such use is accessory to a golf course or country club).

the proposed licensed premises is located in a commercial/industrial enclave on east O Street which dates back many years. It is surrounded by agricultural and

commercial uses, and is not located in proximity to any of the restricted uses listed in this section. The nearest of these uses are dwellings. Those located in Crooked Creek to the southwest of the site are in excess of 1,160' away (1,030' to the property line). The other is a single-family dwelling which is accessed through the adjacent commercial area to the east. Located at the northeast corner of the adjacent commercial development, the dwelling is in excess of 1,800' away (550' to the property line) from the licensed premises.

(d) Any lighting on the property shall be designed and erected in accordance with all applicable lighting regulations and requirements.

No new lighting is proposed as part of this request.

(e) Vehicle stacking for a drive-through window used as any part of the permitted business operation shall not be located in any required building setback from a residential district.

A drive-through window is not a part of this application.

(f) The use shall not have any amplified outside sound or noise source, including bells, buzzers, pagers, microphones, or speakers within 150 feet of any residential district. This shall not apply to sound sources audible only to the individual to whom they are directed, such as personal pagers, beepers, or telephones.

No such devices are shown as part of this application.

(g) No access door to the business, including loading or unloading doors, shall face any residential district if such doors are within 150 feet of the residential district. This shall not apply to emergency exit doors required by building or safety codes. No door facing a residential district shall be kept open during the operation of the establishment.

The main entrance to the facility faces North 134th Street. There is no residential zoning district within 150'.

(h) Vehicular ingress and egress to and from the property shall be designed to avoid, to the fullest extent possible, disruption of any residential district. Particular attention shall be given to avoiding designs that encourage use of residential streets for access to the site instead of major streets.

Access to the site is off North 134 Street. North 134th Street is a county mile-line section road, and is not considered a residential street at this location.

(i) All other regulatory requirements for liquor sales shall apply, including licensing by the state.

(j) The City Council may consider any of the following as cause to revoke the special permit approved under these regulations:

(1) Revocation or cancellation of the liquor license for the specially permitted premises; or

(2) Repeated violations related to the operation of the permittee's business.

(3) Repeated or continuing failure to take reasonable steps to prevent unreasonable disturbances and anti-social behavior on the premises related to the operation of the permittee's business including, but not limited to, violence on site, drunkenness, vandalism, solicitation, or litter.

2. SPECIAL PERMIT REQUIREMENTS PER LINCOLN MUNICIPAL CODE (LMC)

27.63.685: Alcoholic beverages may be sold for consumption off the premises in the B-1, B-3, H-1, H-2, H-3, H-4, I-1, and I-3 zoning districts upon the approval of a special permit. A special permit for such use may be granted subject to the requirements of the respective districts, all applicable ordinances, and the following conditions:

(a) Parking shall be in accordance with Section 27.67.020 of the Lincoln Municipal Code.

For off-sale alcohol, the parking requirement is the same as that of the zoning district. In this case, the requirement for the I-3 zoning district is one space per 1,000 square feet of floor area. Given the premises meets the much higher parking requirement of 1:100 for on-sale alcohol, the requirement for off-sale in the I-3 zoning district is easily achieved.

(b) The sale of alcoholic beverages for consumption on the premises shall not be permitted without issuance of a permit under LMC Section 27.63.680 of this code.

The issuance of a separate special permit to allow the sale of alcohol for consumption on the premise has also been requested and is included in the first half of this report.

(c) The licensed premises of any building approved for such activity must be located no closer than (i) 100 feet from the property line of a premises used in whole or in part for a first-floor residential use, day care facility, park, church, or state mental health institution, or (ii) 100 feet from a residential district.

As noted previously in this report, the proposed licensed premises is located in a commercial/industrial enclave on east O Street which dates back many years. It is surrounded by agricultural and commercial uses, and is not located in proximity to any of the restricted uses listed in this section. The nearest of these uses are dwellings. Those located in Crooked Creek to the southwest of the site are in excess of 1,160' away (1,030' to the property line). The other is a single-family dwelling which is accessed through the adjacent commercial area to the east. Located at the northeast corner of the adjacent commercial development, the dwelling is in excess of 1,800' away (550' to the property line) from the licensed premises.

(d) Any lighting on the property shall be designed and erected in accordance with all applicable lighting regulations and requirements.

No new lighting is shown as part of this request.

(e) Vehicle stacking for a drive-through window used as any part of the permitted business operation shall not be located in any required building setback from a residential district.

A drive-through window is not proposed.

(f) The use shall not have any amplified outside sound or noise source, including bells, buzzers, pagers, microphones, or speakers within 150 feet of any residential district. This shall not apply to sound sources audible only to the individual to whom they are directed, such as personal pagers, beepers, or telephones.

No such devices are proposed as part of this application.

(g) No access door to the business, including loading or unloading doors, shall face any residential district if such doors are within 150 feet of the residential district. This shall not apply to emergency exit doors required by building or safety codes. No door facing a residential district shall be kept open during the operation of the establishment.

The main entrance to the facility faces North 134th Street. There is no residential zoning district within 150'.

(h) Vehicular ingress and egress to and from the property shall be designed to avoid, to the fullest extent possible, disruption of any residential district. Particular attention shall be given to avoiding designs that encourage use of residential streets for access to the site instead of major streets.

Access to the site is off North 134 Street. North 134th Street is a county mile-line section road, and is not considered a residential street at this location.

(i) All other regulatory requirements for liquor sales shall apply, including licensing by the state.

(j) The City Council may consider any of the following as cause to revoke the special permit approved under these regulations:

- (1) Revocation or cancellation of the liquor license for the specially permitted premises; or
- (2) Repeated violations related to the operation of the permittee's business.
- (3) Repeated or continuing failure to take reasonable steps to prevent unreasonable disturbances and anti-social behavior on the premises related to the operation of the permittee's business including, but not limited to, violence on site, drunkenness, vandalism, solicitation, or litter.

3. This request for both the sale of alcohol for consumption on and off the premises complies with all applicable requirements of the Zoning Ordinance, and is consistent with the Comprehensive Plan. It is compatible with surrounding uses and is an appropriate use of land at this location.

CONDITIONS:

This approval permits the sale of alcohol for consumption both on and off the premises consistent with the approved site plan.

Site Specific:

1. Provide three copies of the site plan to the Planning Department with the revisions as noted below.
 - 1.1 Revise the parking calculations to show the total floor area of the building, the total floor area dedicated to on-sale alcohol, the total dedicated to off-sale alcohol, and which does not count outdoor patio area for parking, and the number of spaces dedicated to each.
 - 1.2 Provide the legal description on the site plan.

Standard:

2. The following conditions are applicable to all requests:

- 2.1 Before the sale of alcohol for consumption on and off the premises, all development and construction is to substantially comply with the approved plans.
- 2.2 The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
- 2.3 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
- 2.4 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, filling fees therefore to be paid in advance by the applicant. The sale of alcohol shall not commence until the letter of acceptance has been returned.

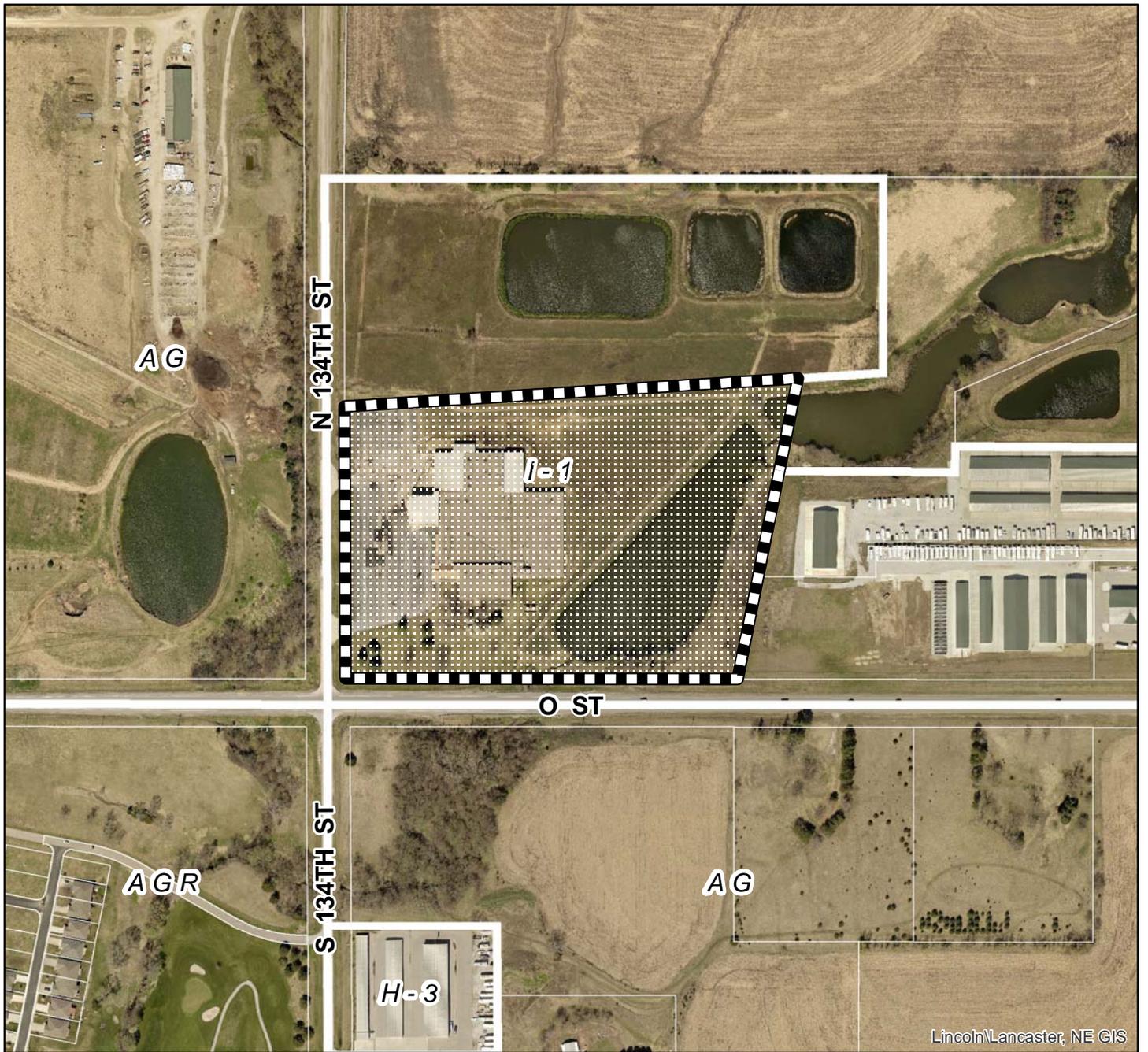
Prepared by:

Brian Will, AICP, 441-6362, bwill@lincoln.ne.gov
Planner
August 30, 2016

OWNER:/

APPLICANT: Derek Broman
4931 Sinclair Street
Lincoln, NE 68516
402-45-3630

CONTACT: Larry Chilese
835 S Street
Lincoln, NE 68508
402-474-6885

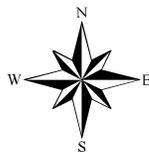


2016 aerial

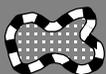
Special Permit #: SP16041
County Line Bar & Grill
N 134th St & O St

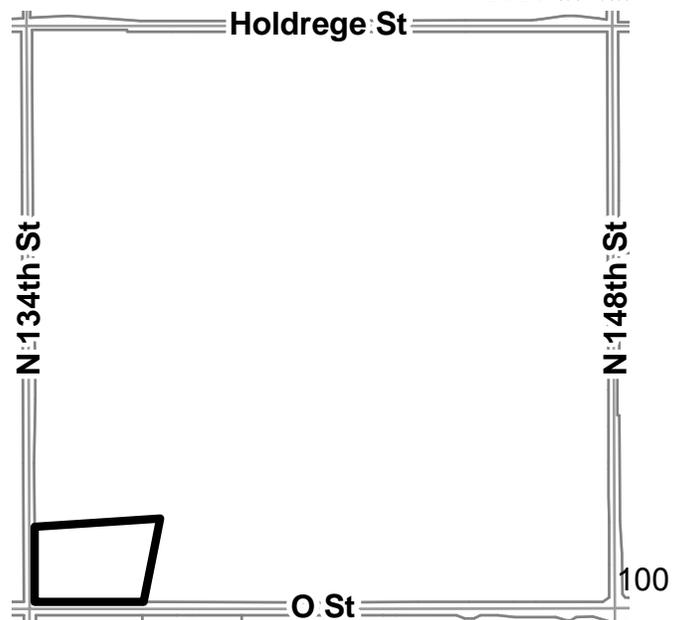
Zoning:

- 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.21 T10N R08E

-  Area of Application
-  Zoning Jurisdiction Lines
-  Lancaster County Jurisdiction



COUNTY LINE BAR AND GRILLE DISCOUNT ENTERPRISES LINCOLN NE

134TH EAST "O" Street Lincoln Ne

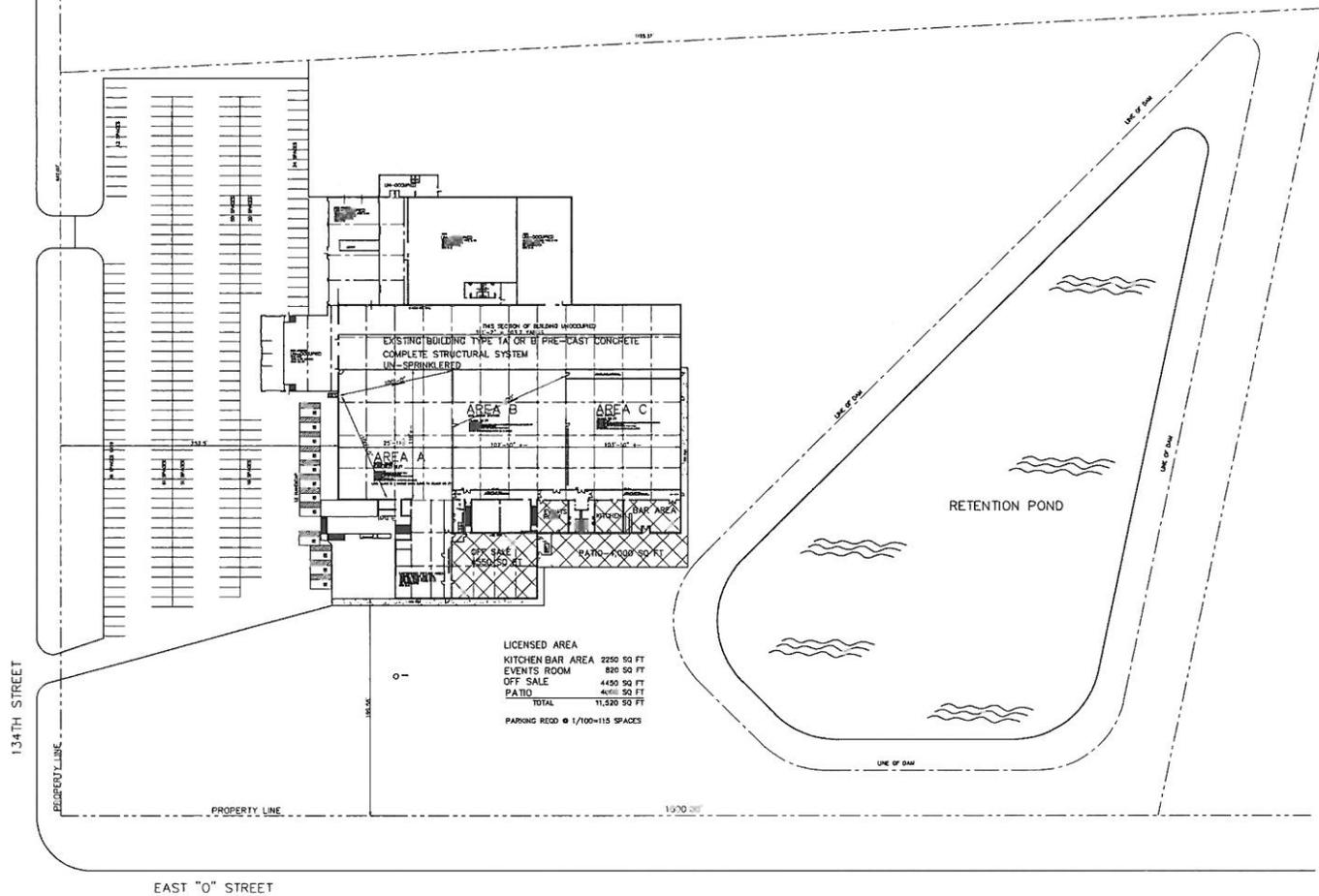
LIQUOR LICENSE PARKING

PARKING 274 SPACES SHOWN
139 REQD FOR RETAIL BUSINESS

KITCHEN BAR AREA	2250 SQ FT
EVENTS ROOM	820 SQ FT
OFF SALE	4450 SQ FT
PATIO	4000 SQ FT
TOTAL	11,520 SQ FT

PARKING REQD @ 1/100=115 SPACES

139 REQD FOR RETAIL BUSINESS
115 REQD LIQUOR LICENSE
254 TOTAL
274 SHOWN



LICENSED AREA
KITCHEN BAR AREA 2250 SQ FT
EVENTS ROOM 820 SQ FT
OFF SALE 4450 SQ FT
PATIO 4000 SQ FT
TOTAL 11,520 SQ FT
PARKING REQD @ 1/100=115 SPACES

DISCOUNT ENTERPRISES
13400 EAST "O" STREET
ADDRESS 252 NORTH 134TH ST
LARRY CHILESE ARCHITECTS
835 "S" STREET LINCOLN NE 68508

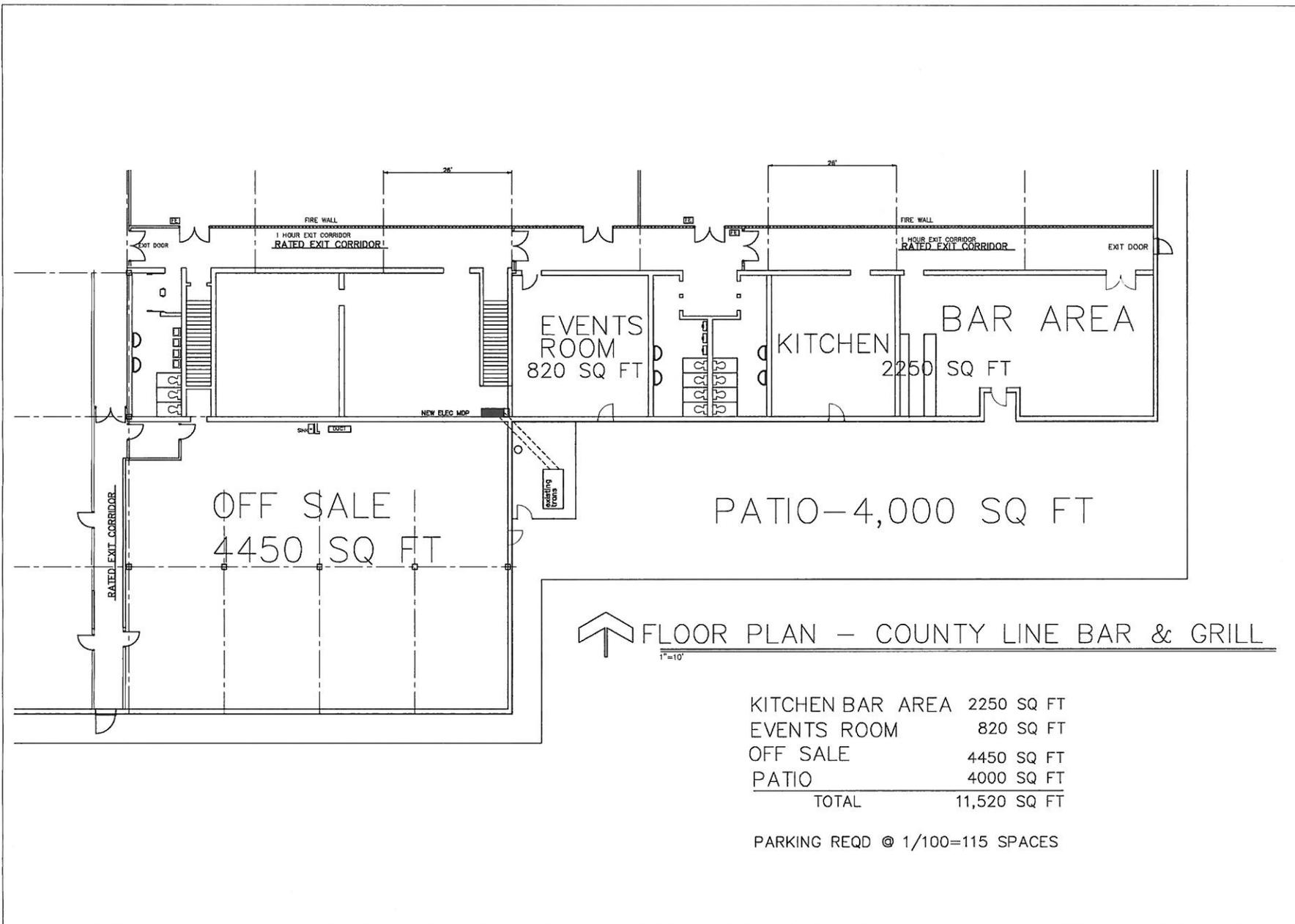
ZONING 1-1 ZONING DISTRICT 3 MILE JURISDICTION
CHAPTER 27.06

ZONING 1-1
PARKING 1-1000 139 REQD
328 SHOWN

REVISED 8/15/2016
LICENSED AREA REDUCED

DE GUNS LINCOLN NEBRASKA
LARRY A. CHILESE ARCHITECTS INC.
835 "S" STREET LINCOLN, NE 68508 402-474-6885

8/15/2016
A-1



COUNTY LINE BAR AND GRILLE

LARRY A. CHILESE ARCHITECTS INC.
835 S STREET LINCOLN, NE 68508 402-474-6885

Date: 8/15/2016
SET NUMBER

A-1

County Line Bar & Grill LLC Business Plan

The County Line Bar & Grill will occupy Suite 500 located at 252 N134th ST Lincoln, NE 68527. This Suite 500 Consists of 3 areas shown on the site plan.

The remaining parts of the building are currently used for retail and storage. The retail will bring lots of customers traveling from all over the state. A restaurant would be a perfect addition for the complex. The County Line Bar & Grill would offer a unique dining experience offering an out door view of the county. With the operating hours from 6 AM-1 AM Monday-Sunday the employees of the near by retail will have a place to eat anytime while working. The off sale hours will be 9am – 9pm Monday-Sunday.

The County Line Bar & Grill will serve breakfast lunch and dinner 7 days a week and will offer the ultimate dining experience from simple quick menu choices to chef inspired cuisines. We want to offer something for everyone and adapt to what customers are asking for. In all of the dining areas we would like to offer hand crafted cocktails, wine to pair with dishes and beer. Not only would this establishment be an excellent addition to the complex it would be a great addition to the area!

Weather permitting out door dining would be available along with event gatherings for special occasions including weddings family reunions, graduations or any special occasion. The outdoor area would be on the southeast corner of the building.

The operation will start and open for business on the first floor and outdoors. Next the event room would be remodeled for use. The event room area would serve as a restaurant overflow and offer additional space or would be booked for special events. There is a very large demand for business meeting space and special event planning areas.