P.A.S.: Co Special Permit #07032

PROPOSAL: A special permit for a club.

LOCATION: S.W. 14th Street and W. Wittstruck Road.

LAND AREA: A 20 acre parcel.

CONCLUSION: In conformance with the Comprehensive Plan and County Zoning.

RECOMMENDATION: Conditional Approval

GENERAL INFORMATION:

LEGAL DESCRIPTION: A 20 acre portion of Lot 1, Block 1 and Outlot A, Bentzinger Pleasant Acres, located in the S ½ of Section 9, T8N, R6E of the 6th P.M., Lancaster County, Nebraska. Legal description attached.

EXISTING ZONING: AG Agriculture

EXISTING LAND USE: Farm land.

SURROUNDING LAND USE AND ZONING:

North: Farm land, zoned AG Agriculture
South: Farm land and one dwelling, zoned AG Agriculture
East: Farm land and six dwellings, zoned AG Agriculture with a Community Unit Plan.
West: Farm land zoned AG Agriculture

ASSOCIATED APPLICATIONS: Administrative Amendments # AA07075 and AA07076 to amend the Bentzingers Pleasant Acres CUP (Co Special Permit #174). Now in split City and County jurisdiction. The amendments remove this 20 acre parcel from the CUP and adjust density and remove one lot.


COMPREHENSIVE PLAN SPECIFICATIONS: The 2030 Plan shows this as Agriculture. This is outside the Lincoln Growth Tiers.

UTILITIES: Private well and waste disposal proposed.
TOPOGRAPHY: Gently rolling hills, falling off to the south and west.

TRAFFIC ANALYSIS: S. W. 14th Street and W. Wittstruck Road are gravel county roads. U.S. Highway 33 is one mile to the south. The Comprehensive Plan shows S.W. 14th as Potential Paving. It is shown for paving in the six year County Highway Improvement Program. W. Wittstruck Road is dirt from SW 14th to the culvert/creek. Access to this application will be via gravel, west of the culvert.

PUBLIC SERVICE: This is in the Hallam Rural Fire District (A Basic Life Support District, station located in Hallam, approximately 4 ½ miles to the southwest), Norris School District # 160, and Norris Public Power District.

REGIONAL ISSUES: NA

ENVIRONMENTAL CONCERNS: There are no identified Historic resources. The 1861 Nebraska City Fort Kearney Cut Off passed along the southern edge of this application. Kildeer Lake is one mile northwest of this land. The soil rating is approximately 5.0. This is not prime agriculture soil. There is flood plain along the creek on the east edge of this site.

AESTHETIC CONSIDERATIONS: n/a

ALTERNATIVE USES: farming and one dwelling.

ANALYSIS:

1. This request is for a club, under the provisions of Articles 13.001(15) and 4.007 (q) "Clubs and semi - public buildings".

2. This is currently part of an Outlot, reserved for agriculture. The associated administrative amendments will remove this parcel from the CUP.

3. The applicant states this is proposed to be a church based youth athletic club with a main building and activities located in the wooded area of the current parcel. A 20,000 square foot building is proposed to accommodate up to 50 persons (youth). Private water and waste disposal is proposed. This would operate from 2 to 5 days a week, primarily in the summer months. Outdoor lighting for the parking lot would be turned off at 10 P.M..

4. The County Engineer notes several issues to be addressed.

5. Building and Safety has noted that the limits of use of the club should be refined, especially in regard to the use or rental to others.
6. The sign, as shown, is out of the special permit boundary and would be defined as an off-premise sign and thus not permitted. It must be located on the premise.

7. It would be preferable for the lagoons and the drive to be located on the site. Placing the waste lagoons on the outlot reserved for agriculture is in fact removing several acres from ag use.

CONDITIONS:

1. This approval permits a club under the following conditions:
   1.1 The main building shall be limited to 20,000 square feet.
   1.2 Occupancy of the club shall not exceed 50 persons at any one time.
   1.3 Activity shall not exceed five consecutive days nor five days in any calendar week.
   1.4 All lighting, except security lighting, shall be turned off by 10PM.
   1.5 The “club” shall be limited to activity by the church youth athletic club and shall not be available for use by non club individuals.

2. 2.1 Remove or relocate the sign to meet code.
   2.2 Show the drive and lagoons inside the special permit and lot boundary.
   2.3 The revisions requested by the County Engineer in his memo of July 25, 2007.
   2.4 Provide documentation from the Register of Deeds that the letter of acceptance has been recorded.

3. The construction plans and use shall comply with the approved plans

STANDARD CONDITIONS:

4. The following conditions are applicable to all requests:
   4.1 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
   4.2 The applicant shall sign and return the letter of acceptance to the County Clerk within 60 days following the approval of the special permit, provided, however, said 60-day period may be extended up to six months by administrative amendment. The applicant shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds.
Prepared by:

Mike DeKalb, 441-6370, mdekalb@lincoln.ne.gov
DATE: August 3, 2007

APPLICANT: Radix, Inc, C/O Doug Barry
14401 SW 15th Street
Roca, NE 68430
(402) 794-2100

OWNER: James Blake and Cheryl Winter
1530 W. Manor Dr.
Lincoln, NE 68506

Patricia & Darrel Schrader
13330 S. 25th Street
Roca, NE 68430

CONTACT: Mike Eckert
Civil Design Group
3901 Normal Blvd. Suite 203
Lincoln, NE 68506
(402) 434-8494

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County Special Permit #07032
SW 14th St & Wittstruck Rd

Zoning:

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

One Square Mile
Sec. 9 T08N R06E

Lincoln’s 3-Mile Jurisdiction
Area of Application

2005 aerial
County Special Permit #07032
SW 14th St & Wittstruck Rd
LEGAL DESCRIPTION
SPECIAL PERMIT – CLUB

BEGINNING AT THE SOUTHWEST CORNER OF OUTLOT “A”, BENTZINGER’S PLEASANT ACRES; THENCE IN A NORTHEASTERLY DIRECTION, ALONG THE WESTERLY LINE OF SAID OUTLOT “A”, ON AN ASSUMED BEARING OF N 17°55'12" E FOR A DISTANCE OF 10.55’.

Thence bearing N 17-55-12.084 E a distance of 1164.39 feet; Thence bearing S 89-33-22.091 E a distance of 1068.16 feet; Thence bearing S 5-34-58.518 E a distance of 452.95 feet; Thence bearing S 28-54-34.886 W a distance of 359.10 feet; Thence bearing S 87-28-16.072 W a distance of 463.10 feet; Thence bearing N 53-7-48.368 W a distance of 391.29 feet; Thence bearing N 89-33-22.091 W a distance of 227.55 feet; Thence bearing S 17-55-12.084 W a distance of 577.07 feet; Thence bearing S 89-15-48.983 W a distance of 116.10 feet to the point of beginning and containing a calculated area of 871,351.51 or 20.00 acres.

County Special Permit #07032
SW 14th St & Wittstruck Rd
1. The owner/developer reserves the right to build anywhere within the building envelope shown. Accessory uses are permitted anywhere within the building envelope.

2. Building height in the 'AG' zoned area shall not exceed 35 feet.

3. This special permit allows 20,000 S.F. of club space with a total occupancy of 50 persons and accessory building uses.

4. All exterior lighting shall comply to the design standards as adopted by Lancaster County. Parking lot lighting shall be shielded from adjacent properties and be turned off by 10:00 P.M.

5. All handicap parking areas shall be surfaced with a minimum of 5 inches or Class 'A' Portland cement or 6 inches of asphaltic concrete. A 6 inch raised curb barrier shall be provided at the front perimeter. Parking shall not be permitted outside the graveled or paved parking areas.

6. Signage shall be as approved by this special permit.

7. Contours shown are NAVD 88. The 100 year floodplain lines shown are based on panel # 31109C0440 E and 31109C0420 E, dated September 21, 2001.

8. Accessory uses (i.e. ball diamonds, court, etc.) may be located anywhere inside the building setback lines shown. The uses may be relocated without any amendments to the special permit.

9. Radix, Inc. covenants that in the event of the sale or transfer of the property to a third party, Radix, Inc. shall make application for and receive a revocation of special permit which permits the property to be utilized as a "club"; provided, that this covenant will not prevent Radix, Inc. from transferring the property to another entity owned or controlled by Radix, Inc., but in the event of any such transfer the property will remain subject to the covenant.

County Special Permit #07032
SW 14th St & Wittstruck Rd
July 18, 2007

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

Re: Special Permit for a "club and semi-public building" generally located at SW 14th Street and West Wittstruck Rd, CDG Project No. 2007-0030

Dear Marvin:

On behalf of Radix Inc. I am submitting the above mentioned application for your review. This Special Permit is for a Christian based youth athletic club that will house a maximum of 50 participants during for sessions ranging from 2 to 5 days with overnight stays during the course of those stays. Participants will be dropped off at the camp during the beginning of the session and picked up at the end. The camp will primarily be operated during the summer months. The club will be operated by Radix Inc., a local faith-based corporation on the 20+ acre lot shown on the site plan. Additional operation parameters applicable to the club are on the site plan notes.

Simultaneously, we are applying for an administrative amendment to the Bentzingers Pleasant Acres CUP that contains this land in order to provide the necessary density unit required to allow the club's building to be built in what is now Outlot "A" of Bentzingers Pleasant Acres subdivision. This is being accomplished by the purchase and removal of one of the un-built residential lots that was on the original CUP for this area. By removing one residential lot from the subdivision we will be able to remove the 20 acre parcel from the existing CUP and make that lot available for the club to conduct their activities.

In conjunction with this submittal we submit the following information:

- Site Plan – 24 copies
- Special Permit Application
- Special Permit Application Fee - $750.00
- Health Department Review Fee - $300.00
- Certificate of Ownership

I hope that this letter in conjunction with the site plan provide you with enough information to review this application. In an effort to facilitate the review process, please feel free to call me at (402) 434-8494 so that I can address any questions you may have.

Sincerely,

Mike Eckert, AICP

cc: Mark Davis, Doug Barry, Kevin Clark, Patricia/Darrel Schrader, James/Cheryl Winter
July 18, 2007

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

Re: Administrative Amendment to the Bentzingers Pleasant Acres CUP
SW 14th Street and West Wittstruck Rd, CDG Project No. 2007-0026

Dear Marvin:

On behalf of Radix, Inc., I submit the above mentioned application for your review. We are requesting this administrative amendment to remove one lot from the previously approved CUP and subsequently removing 20+ acres from the outlot that to create a lot for a Special Permit for a club that is being simultaneous applied for with the Planning Department. All other existing lots and setback are applicable to the amended CUP

In conjunction with this submittal we submit the following information:

Site Plan - 16 copies
Application for County and City Administrative Amendment
Administrative Amendments for the County and City - $275.00

I hope that this letter in conjunction with the plans provide you with enough information to review this administrative amendment. In an effort to facilitate the review process, please feel free to call me at (402) 434-8494 so that I can address any questions you may have.

Sincerely,

[Signature]
Mike Eckert, AICP

Encl

cc: Mark Davis, Doug Barry, Kevin Clark, Patricia/Darrel Schrader, James/Cheryl Winter

F:\Projects\2007\20070030\landplanning\Doc\admin amendment planning_submittal-07-18-07.doc
DATE: July 25, 2007
TO: Mike DeKalb
Planning Department
FROM: Larry V. Worrell
County Surveyor
SUBJECT: CHRISTIAN ATHLETIC CLUB & BENTZINGERS CUP
SP07032

This office has reviewed subject development and would offer the following comments:

1) A flood plain permit is required for the access to Lot 1 across Outlot A.
2) A drainage study is required to determine if a culvert is needed under the access drive at its connection to West Wittstruck Road.
3) Access shall be relinquished to West Wittstruck Road except for the access drive to Lot 1 across Outlot A.
4) Rock and gravel shall be placed, as needed, on West Wittstruck Road from the access drive to the west to the existing gravel surface.
July 23, 2007

Mike Dekaib, Project Planner
555 S. 10th St #213
Lincoln, NE 68508

RE: Christian Athletic Club, #SP07032

Dear Mike,

I have reviewed the subject plat and have no issues with it. I can be reached at 423-3855 if there are any questions.

Thanks for your consideration.

Sincerely,

Rick Volmer, Staking Engineer