LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for July 6, 2016 PLANNING COMMISSION MEETING

PROJECT #: Special Permit No. 16025

PROPOSAL: A request per Section 27.63.320 for a Community Unit Plan to develop up to 7 dwelling units.

LOCATION: 828 D Street and 848 D Street

LAND AREA: 0.86 acres more or less

EXISTING ZONING: R-4 Residential District

CONCLUSION: Single family residential is an appropriate land use for this site. This site can be easily served by existing infrastructure. The proposed plan is in keeping with the character of the neighborhood. This request for a special permit for a Community Unit Plan is consistent with the Comprehensive Plan, and subject to the conditions of approval, complies with the requirements of the Zoning Ordinance.

RECOMMENDATION: Conditional Approval

WAIVER/MODIFICATIONS:

Waiver to Title 26 - Subdivision Ordinance

1. Waive the requirement per Section 26.23.140 that lots intended to be occupied by two-family structures shall have a maximum depth of three times their width. Approval

Waivers to Title 27 - Zoning Ordinance

2. Reduce the front yard setback from 25' to 15' on D and E Streets and 5' on South 9th Street. Approval
3. Reduce the rear yard setback from 20' to 18'. Approval

Single-Family Dwellings

4. Reduce the minimum lot area requirement from 5,000 sq. ft. to 3,500 sq. ft. Approval
5. Reduce the minimum average lot width from 50' to 35'. Approval
6. Reduce the side yard setback from 5' to 4' or 3' as shown on the site plan. Approval

Two-Family Dwellings	
7. Reduce the minimum lot area requirement from 2,500 sq. ft. per family to 2,400 sq. ft.	Approval
8. Reduce the minimum average lot width from 25' per family to 22'.	Approval
9. Reduce the side yard setback from 5' to 3' when there is no party wall.	Approval

GENERAL INFORMATION:

LEGAL DESCRIPTION: Lot 10, Block 192, Lincoln Original & the South ½ of Adjacent Vacated East-West Alley, and Lots 1-2 & Lots 11-12, Block 192, Lincoln Original & Adjacent Vacated East-West Alley, located in the SE 1/4 of Section 26-10-6, Lincoln, Lancaster County, Nebraska.

EXISTING LAND USE: Vacant (undeveloped) land

SURROUNDING LAND USE AND ZONING:

North: Duplex and Single Family Detached Residential; R-4
South: Single Family Detached Residential; R-4
East: Single Family Detached Residential, Apartments, and Parking Lot; R-6
West: Single Family Detached Residential; R-4

HISTORY:

1927	The Zion Church was constructed on this site.
September 1998	Board of Zoning Appeals #2234 was granted to vary the required front and side yards for purposes of church parking.
January 1999	Board of Zoning Appeals #2245 was granted to vary the required front and side yards for purposes of church parking.
December 2002	Special Permit #1996 was approved by the Planning Commission to increase lot coverage of the church for the addition of a residence and garage.
December 2002	Board of Zoning Appeals #2346 was granted to vary the required side yard from 15' to 3'8" to allow use of the existing house and garage for church purposes.

March 2007 Board of Zoning Appeals #07001 was granted to vary the required rear yard from 30' to 10'.

April 2007 Special Permit #07007 was approved by the Planning Commission to expand the nonstandard church into the required front yard for an addition to the existing structure.

June 2007 The Zion Church burned down.

October 2007 Change of Zone #07047 was approved by the City Council change the zoning over these and a number of other properties from R-6 Residential District to R-4 Residential District due to the higher than typical percentage of single family dwellings.

COMPREHENSIVE PLAN SPECIFICATIONS:

P. 1.9 - This property is shown as urban residential on the 2040 future land use map.

P. 7.2 - Neighborhoods and Housing Guiding Principles:

- Provide a wide variety of housing types and choices for an increasingly diverse and aging population.
- Provide flexibility to the marketplace in siting future residential development locations.
- Strive for predictability for neighborhoods and developers for residential development and redevelopment.

UTILITIES: All utilities are available at this site.

TOPOGRAPHY: The site is generally flat.

TRAFFIC ANALYSIS: South 9th Street is classified as a Principal Arterial and D Street is classified as a local street in the 2040 Comprehensive Plan.

PUBLIC SERVICE: The nearest Lincoln Fire & Rescue Station is located at 1801 Q Street.

AESTHETIC CONSIDERATIONS: Because this property is located within the South Bottoms Historic District listed on the National Register of Historic Places, the application was reviewed by the Historic Preservation Commission, which recommended approval (see attached minutes). The new dwellings are subject to the Neighborhood Design Standards and will be reviewed for compliance with those standards and this Special Permit at the time of building permit.

ANALYSIS:

1. This is a request for a Community Unit Plan (CUP) to develop up to 7 dwelling units on property located northwest of South 9th and D Streets.

2. The future land use map shows this area as urban density residential. The proposed development provides for 7 dwelling units on 7 buildable lots, with 5 single family detached dwelling units and 2 single family attached units. This density would be achieved under the existing R-4 zoning district, and is an appropriate urban density for this neighborhood.

3. The proposed density is below that which would be permitted by right and within the CUP. The R-4 zoning district without a CUP permits would permit up to 10 two-family units, or 5 single family units, on this site. The applicant is also requesting fewer dwelling units with this application than the maximum density of the CUP under R-4 zoning would allow. The maximum density of this CUP is 13.93 dwelling units per acre with a 20% reduction to accommodate the small size of the tract, which equates to 9 units. The developer is not requesting the right to utilize the remaining 2 units permitted under the maximum CUP density.

4. This project is envisioned as a creative housing development that incorporates a central commons area. The commons area provides open space for residents and could be used as a gathering space, shared garden, play area, etc. Vehicular access will be taken off the north-south alley with parking at the rear of the dwellings to prevent the introduction of new driveways to the streets, thereby preserving the pedestrian orientation of the block faces.

5. The applicant has requested waivers to the minimum lot size and setback requirements for both single-family and two-family dwellings per Section 27.72.020 of the Zoning Ordinance, and a waiver to the required lot width-to-depth ratio for two-family dwellings per Section 26.23.140 of the Subdivision Ordinance, as listed above. These waivers are appropriate because the proposed density is similar to this block and neighborhood, and the density does not exceed the maximum permitted by right or within the CUP in this location. The requested waivers facilitate the overall creative concept of this redevelopment.

6. This property is within the South Bottoms Historic District. The Historic Preservation Commission (HPC) reviewed this application at their regular meeting on June 16, 2016 and recommended approval (see attached minutes of the HPC meeting). Several illustrations presented at the HPC meeting are attached for informational purposes; however, the sheet numbered G1.1 is the only official sheet for the CUP.

7. The availability of on-street parking has historically been a concern in attached single family developments, especially in those developments with streets that are narrower than the standard width and very narrow lots, leaving little room for on-

street parking. That concern has been reduced in this development as all roadways meet the standard width for public streets and there are no individual driveways that would reduce on-street parking space.

8. This site can be easily served by existing infrastructure such as roads and utilities. Access to this development will be provided off D and E Streets via the alley.

9. Neighborhood meetings to present this application and gain input were held in March and May of 2016.

10. Several revisions to the site plan are required and are listed in the conditions of approval.

CONDITIONS OF APPROVAL:

Per Section 27.63.320 this approval permits a Community Unit Plan for up to 7 dwelling units, with the following waivers:

- Waiver to Section 26.23.140 for the required lot width to depth ratio for lots intended to be occupied by two-family dwellings;

The following waivers to Section 27.72.020 for single-family and two-family dwellings:
- Reduce the required front yard from 25' to 15' on D and E Streets and 5' on South 9th Street.
- Reduce the required rear yard from 20' to 18'.

The following waivers to Section 27.72.020 for single-family dwellings:

- Reduce the required minimum lot area from 5,000 sq. ft. to 3,500 sq. ft.
- Reduce the required minimum average lot width from 50' to 35'.
- Reduce the required side yard from 5' to 4' or 3' as shown on the site plan.

The following waivers to Section 27.72.020 for two-family dwellings:

- Reduce the required minimum lot area from 2,500 sq. ft. per family to 2,400 sq. ft.
- Reduce the required minimum lot width from 25' per family to 22'.
- Reduce the required side yard from 5' to 3' when there is no party wall.

Site Specific Conditions:

1. Before a final plat is approved the permittee shall cause to be prepared and submitted to the Planning Department a revised and reproducible final plot plan including **3** copies with all required revisions and documents as listed below:

1.1 Revise the sheet numbering to show “Sheet 1 of 1" for Sheet G1.1 as this will be the only sheet for the approved CUP.

1.2 Revise the sheet title to read, “Cooper Commons Community Unit Plan, Special Permit #16025" and delete the “Submittal Documents” subtitle.

1.3 Under the Proposed CUP table, correct “Font” to “Front”.

1.4 Remove the “Drawing Index”.

1.5 Remove “(side)” from the front yard setback label along 9th Street.

1.6 Revise Note A.3 to state “Building footprints are conceptual and may be located anywhere within the approved building envelopes.”

1.7 Revise Note B.2 to state “Accessory Buildings are permitted in the identified Commons area in Outlot A and must meet the minimum 5 foot front yard setback to 9th Street.”

1.8 Revise Note C.1 to state “A final plat will be required according to the proposed lot sizes.”

1.9 Revise Note C.2 to state “Proposed exterior home designs are subject to review and recommendation by the Historic Preservation Commission and must meet the Design Standards for Neighborhoods.”

1.10 Remove the “Lot Total - 8" under the Proposed Lots table.

1.11 Under the Proposed CUP table, change the proposed “3,714 average square feet” to “3,500 single family/ 2,400 two-family lots” to allow for minor variation.

2. Before a final plat is approved 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. Final plat(s) is/are approved by the City.

If any final plat on all or a portion of the approved community unit plan is submitted five (5) years or more after the approval of the community unit plan, the city may require that a new community unit plan be submitted, pursuant to all the provisions of section 26.31.015. A new community unit plan may be required if the subdivision

ordinance, the design standards, or the required improvements have been amended by the city; and as a result, the community unit plan as originally approved does not comply with the amended rules and regulations.

Before the approval of a final plat, the public streets, private roadway improvements, sidewalks, public sanitary sewer system, public water system, drainage facilities, land preparation and grading, sediment and erosions control measures, storm water detention/retention facilities, drainageway improvements, street lights, landscaping screens, street trees, temporary turnaround and barricades, and street name signs, must be completed or provisions (bond, escrow or security agreement) to guarantee completion must be approved by the City Law Department. The improvements must be completed in conformance with adopted design standards and within the time period specified in the Land Subdivision Ordinance. A cash contribution to the City in lieu of a bond, escrow, or security agreement may be furnished for street trees on a final plat with 10 or fewer lots.

No final plat shall be approved until the Permittee, as subdivider, enters into an agreement with the City whereby Permittee agrees:

to complete the planting of the street trees along D Street and E Street within this plat within six (6) years following the approval of the final plat.

to complete the installation of street trees along South 9th Street as shown on the final plat within two (2) years following the approval of this final plat.

to complete the installation of the permanent markers prior to construction on or conveyance of any lot in the plat.

to complete any other public or private improvement or facility required by Chapter 26.23 (Development Standards) of the Land Subdivision Ordinance in a timely manner which inadvertently may have been omitted from the above list of required improvements.

to submit to the Director of Public Works a plan showing proposed measures to control sedimentation and erosion and the proposed method to temporarily stabilize all graded land for approval.

to comply with the provisions of the Land Preparation and Grading requirements of the Land Subdivision Ordinance.

to complete the public and private improvements shown on the Community Unit Plan.

to keep taxes and special assessments on the outlots from becoming delinquent.

to maintain the outlots on a permanent and continuous basis.

to maintain the private facilities which have common use or benefit in good order and condition and state of repair, including the routine and reasonable preventive maintenance of the private facilities, on a permanent and continuous basis.

to retain ownership of and the right of entry to the outlots in order to perform the above-described maintenance of the outlots and private improvements on a permanent and continuous basis. However, Permittee(s) may be relieved and discharged of such maintenance obligations upon creating in writing a permanent and continuous association of property owners who would be responsible for said permanent and continuous maintenance subject to the following conditions:

(1) Permittee shall not be relieved of Permittee's maintenance obligation for each specific private improvement until a registered professional engineer or nurseryman who supervised the installation of said private improvement has certified to the City that the improvement has been installed in accordance with approved plans.

(2) The maintenance agreements are incorporated into covenants and restrictions in deeds to the subdivided property and the documents creating the association and the restrictive covenants have been reviewed and approved by the City Attorney and filed of record with the Register of Deeds.

to pay all design, engineering, labor, material, inspection, and other improvement costs.

Standard Conditions:

4. The following conditions are applicable to all requests:

4.1 Before occupying the dwelling units all development and construction shall substantially comply with the approved plans.

4.2 All privately-owned improvements, including landscaping and recreational facilities, shall be permanently maintained by the Permittee or an appropriately established homeowners association approved by the City.

4.3 The physical location of all setbacks and yards, buildings, parking and circulation elements, and similar matters be in substantial compliance with the location of said items as shown on the approved site plan.

4.4 The terms, conditions, and requirements of this resolution shall run with the land and be binding upon the Permittee, its successors and assigns.

4.5 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 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

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

DATE: June 28, 2016

APPLICANT: Peace Studio Architects, Inc.
1835 Kings Highway, Suite B
Lincoln, NE 68502

OWNER: Neighborhoods Inc. D/B/A
2530 Q Street
Lincoln, NE 68503

CONTACT: Gill Peace
Peace Studio Architects, Inc.
1835 Kings Highway, Suite B
Lincoln, NE 68502

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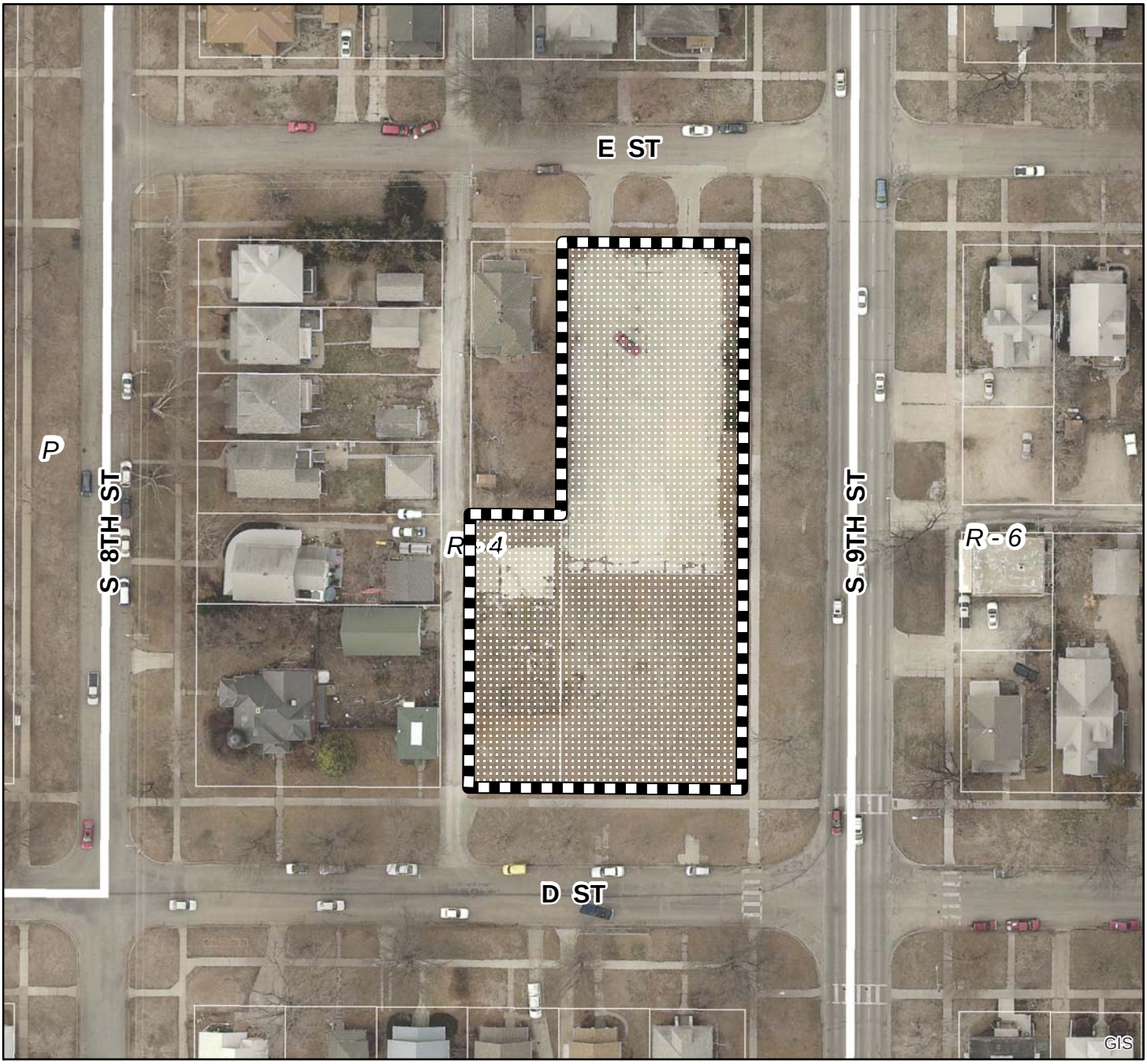


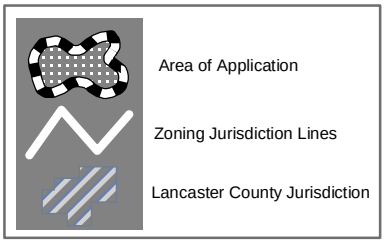
2013 aerial

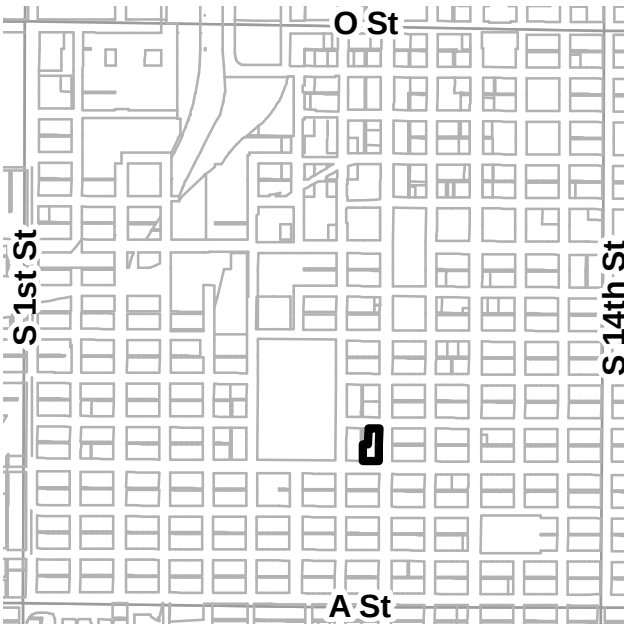
Special Permit #: SP16025
Cooper Commons CUP
S 9th St & D St

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.26 T10N R06E





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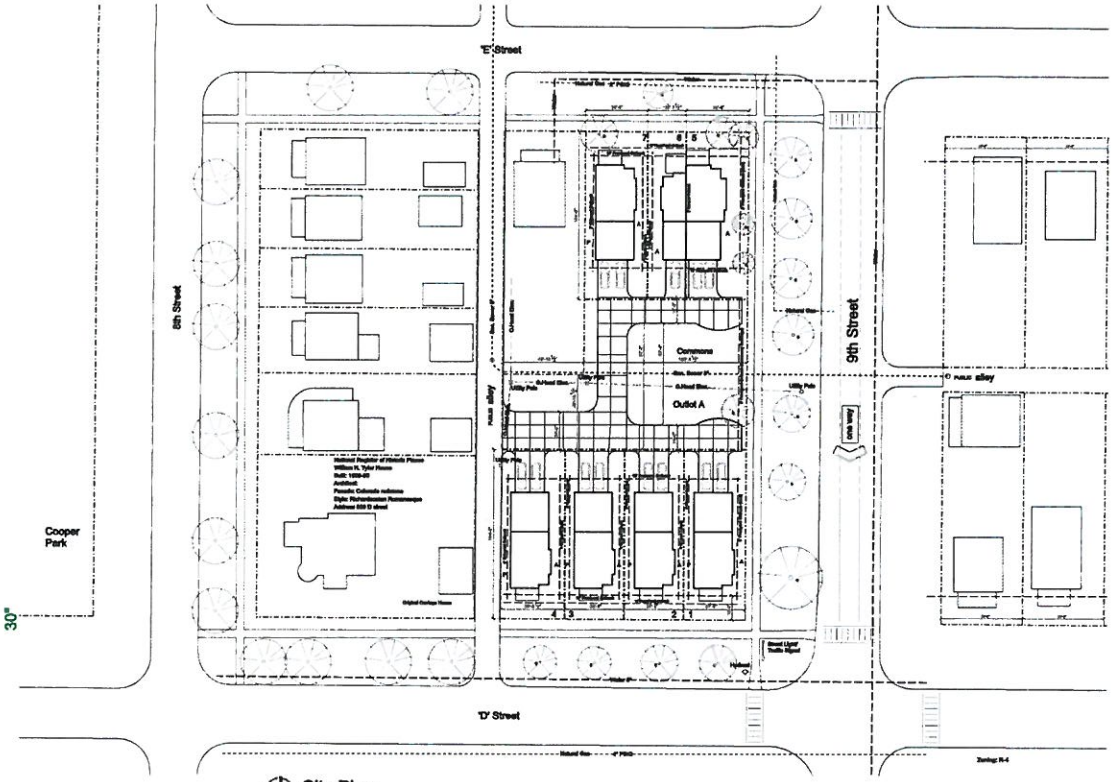
42"

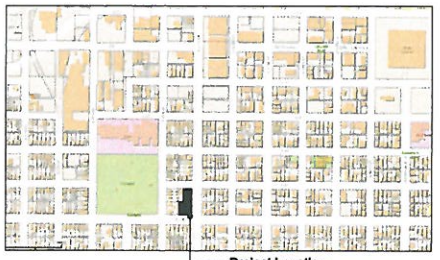


Site Plan
1"=30'-0"
North
0 15 30 60

NeighborWorks LINCOLN

Community Unit Plan

Submittal Documents



Vicinity Plan

Drawing Index:

G1.1	Cover Sheet
1of1	Survey- Existing Site
C1.1	Site Plan- Proposed

Existing Property:

Zoning:	R4	
Address:	828 'D' Street	848 'D' Street
Parcel ID:	10-26-413-009-000	10-26-413-011-000
Area:	37,500 sf	0.862 acres
Structures:	None	

Notes:

A1. Proposed Utility Connections- Proposed indicate initial design intent. Utility Services connections are currently in progress, and subject to final review and approval with Utility Providers. Utility Easements to be developed as required.

A2. Proposed Project is located within 300' of a Property listed on the National Register of Historic Places

A3. Proposed Home Footprints indicated for reference only. Final design of Homes currently in progress.

Proposed CUP

	Proposed	Existing	
Single Family Lots	7	2 (Deeded) 6 (Platted)	
Density	8.12 units/ acre	30 units/ acre (allowed, R-4)	
Outlot(s)	1	0	
Setbacks:			
Frontyard	15'	25'	R-4 Single Family
Font Porch	10'	none	
Sideyard- Common	3'	5'	
Frontyard- 9th Street	5'	5'	
Sideyard- west adjacent Lot	5'	5'	
Sideyard- Alley	4'	5'	
Sideyard- Rowhouse	0'		
Rearyard	15'	20' or 20% lot depth	
Height Limit	35'	35'	
Lot Area	3,714 sf avg	5,000 sf	
Parking	2/ dwelling unit	2/ dwelling unit (27.67, R-4)	

Notes:

B1. Accessory Buildings are permitted per R-4 zoning ordinance

B2. Accessory Buildings located in Otlot A, no closer to 9th Street than the identified 5' frontyard setback.

Proposed Lots

		Front/ Width	Depth	Area	Rowhouse Lot	Frontage/ Frontyard	
	1	37'-6"	104'	3,870 sf	No	'D' Street	Public Street
	2	36'-6"	104'	3,814 sf	No	'D' Street	Public Street
	3	36'-6"	104'	3,807 sf	No	'D' Street	Public Street
	4	39'-3.5"	104'	4,084 sf	No	'D' Street	Public Street
Rowhouse Lot	5	38'-6"	104'	3,991 sf	Yes	'E' Street	Public Street
Rowhouse Lot	6	23'-7.5"	104'	2,415 sf	Yes	'E' Street	Public Street
	7	38'-0"	104'	3,972 sf	No	'E' Street	Public Street
Average				3,714 sf avg			
Outlot A		Irregular		11,519 sf			

Lot Total- 8

Notes:

C1. Proposed Lot Sizes- Subject to Proposed Re-Plat, currently in progress.

C2. Proposed Home Designs- Currently in Progress. Subject to review and Approval by one or both of the following Committees/ Commissions:

a. Historic Preservation Commission

b. Urban Design Committee

Architect
Peace Studio Architects, Inc.
1935 Kings Hwy, Suite B
Lincoln, NE 68502
402. 217. 1630
www.peacestudioarch.com

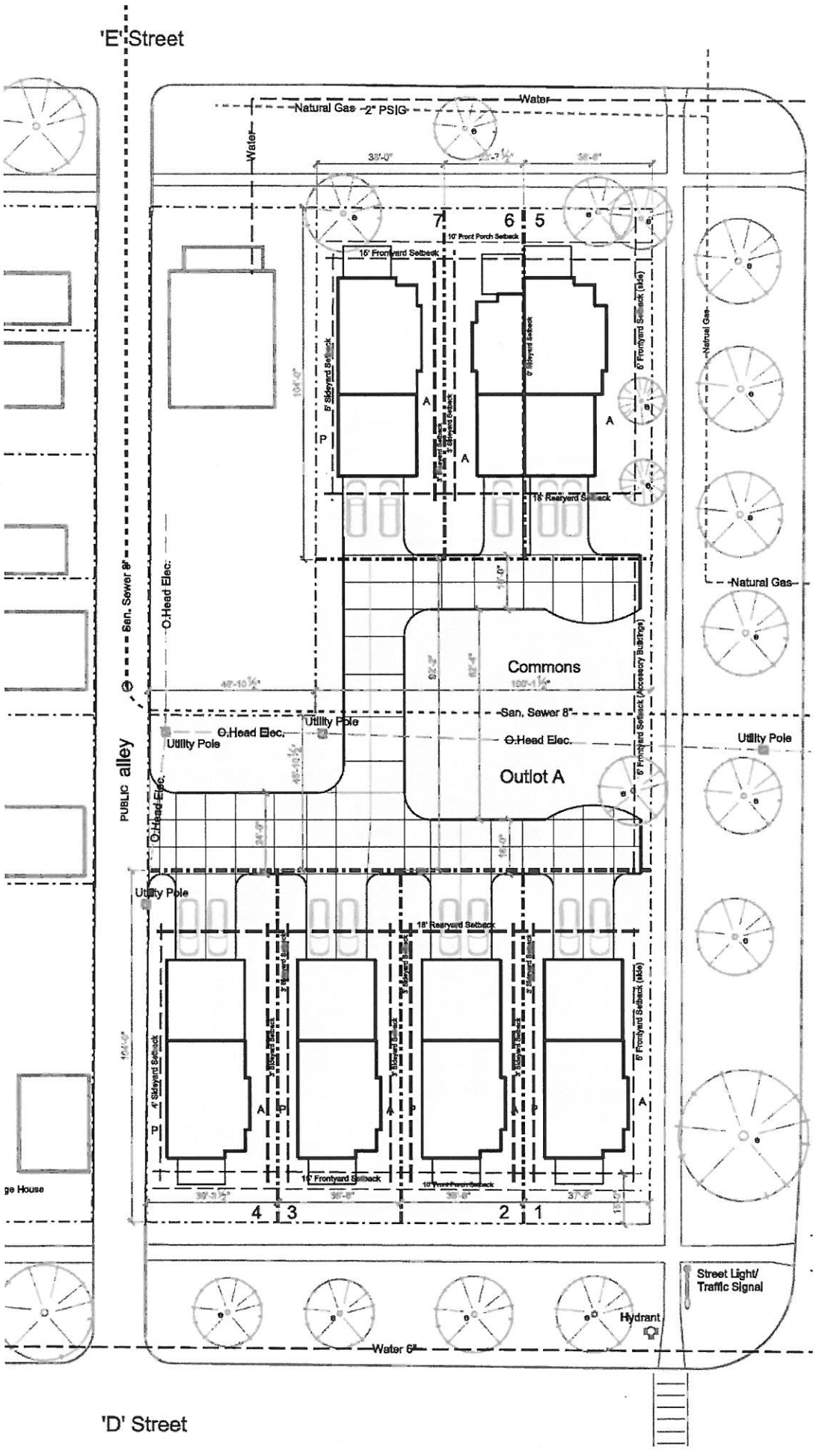
NeighborWorks LINCOLN

6+6

CUP Document

Job Number: 16001.dat
Date: 9 May 2016

G1.1


'E' Street
Natural Gas -2" PSIG
Water
Water
7
6
5
10' Front Porch Setback
15' Frontyard Setback
5' Sideyard Setback
6' Sideyard Setback
6' Frontyard Setback (Alley)
Natural Gas
Ben. Sewer 8"
O.Head Elec.
Commons
San. Sewer 8"
O.Head Elec.
Utility Pole
Utility Pole
Outlot A
PUBLIC alley
Utility Pole
18' Rearyard Setback
4' Sideyard Setback
15' Frontyard Setback
10' Front Porch Setback
4
3
2
1
Street Light/
Traffic Signal
Hydrant
Water 6"
'D' Street

Existing Property:

Zoning:	R4	
Address:	828 'D' Street	848 'D' Street
Parcel ID:	10-26-413-009-000	10-26-413-011-000
Area:	37,560 sf	0.862 acres
Structures:	None	

Notes:

A1. Proposed Utility Connections- Proposed indicate initial design intent. Utility Services connections are currently in progress, and subject to final review and approval with Utility Providers. Utility Easements to be developed as required.

A2. Proposed Project is located within 300' of a Property listed on the National Register of Historic Places

A3. Proposed Home Footprints indicated for reference only. Final design of Homes currently in progress.

Proposed CUP

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Single Family Lots	7	2 (Deeded) 6 (Platted)	
Density	8.12 units/ acre	30 units/ acre (allowed, R-4)	
Outlot(s)	1	0	
Setbacks:			
Frontyard	15'	25'	R-4 Single Family
Font Porch	10'	none	
Sideyard- Common	3'	5'	
Frontyard- 9th Street	5'	5'	
Sideyard- west adjacent Lot	5'	5'	
Sideyard- Alley	4'	5'	
Sideyard- Rowhouse	0'		
Rearyard	18'	20' Or 20% lot depth	
Height Limit	35'	35'	
Lot Area	3,714 sf avg	5,000 sf	
Parking	2/ dwelling unit	2/ dwelling unit (27.67, R-4)	

Notes:

B1. Accessory Buildings are permitted per R-4 zoning ordinance

B2. Accessory Buildings located in Otlot A, no closer to 9th Street than the Identified 5' frontyard setback.

Proposed Lots

	Front/ Width	Depth	Area	Rowhouse Lot	Frontage/ Frontyard	
1	37'-8"	104'	3,970 sf	No	'D' Street	Public Street
2	36'-6"	104'	3,814 sf	No	'D' Street	Public Street
3	36'-6"	104'	3,807 sf	No	'D' Street	Public Street
4	39'-3.5"	104'	4,064 sf	No	'D' Street	Public Street
5	38'-6"	104'	3,961 sf	Yes	'E' Street	Public Street
6	23'-7.5"	104'	2,415 sf	Yes	'E' Street	Public Street
7	38'-0"	104'	3,972 sf	No	'E' Street	Public Street
Average			3,714 sf avg			
Outlot A	Irregular		11,519 sf			

Rowhouse Lot

Lot Total- 8

Notes:

C1. Proposed Lot Sizes- Subject to Proposed Re-Plat, currently in progress.

C2. Proposed Home Designs- Currently in Progress.
Subject to review and Approval by one or both of the following Committees/ Commissions:

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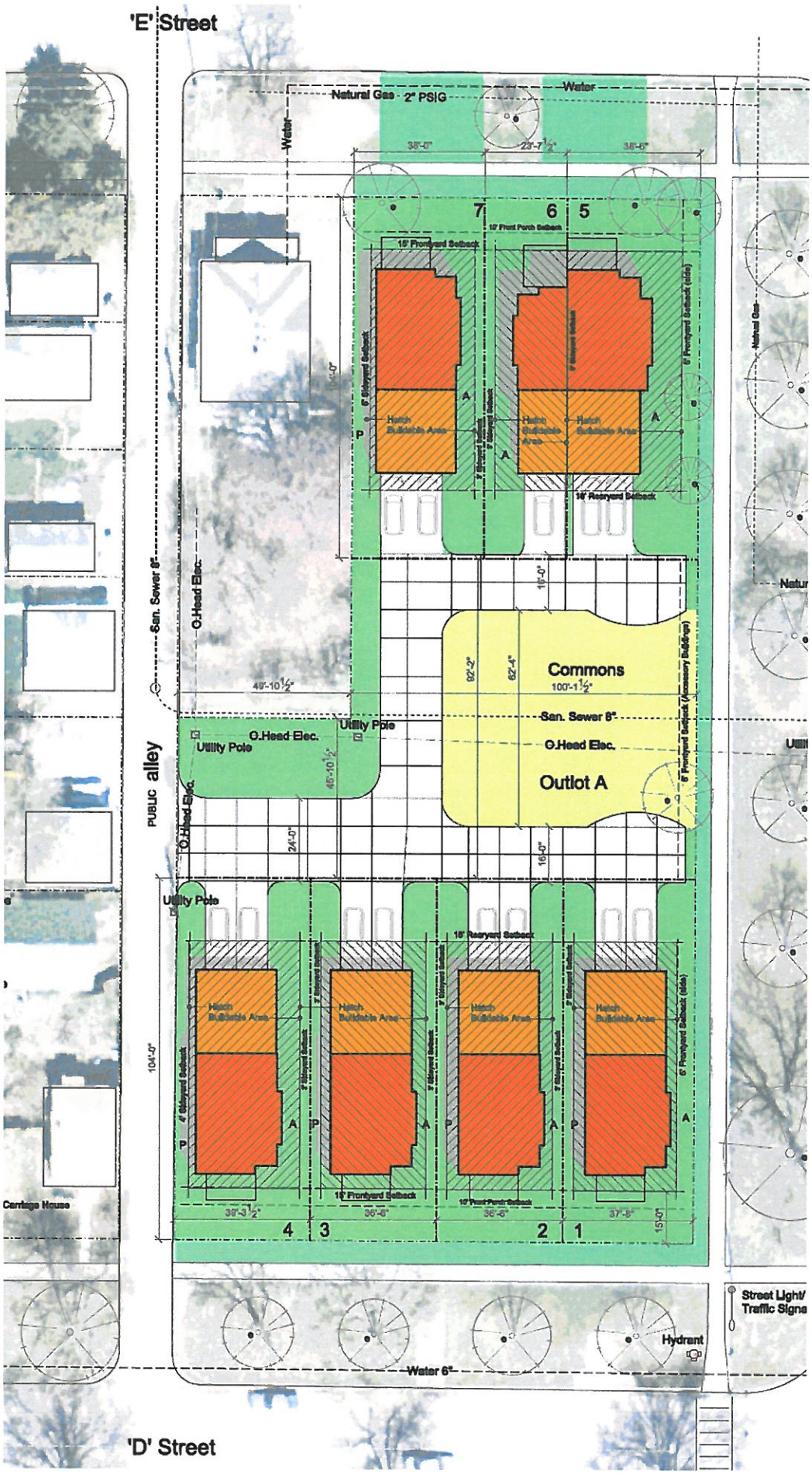
b. Urban Design Committee


'E' Street
Natural Gas - 2" PSIG
Water
Water
38'-0"
23'-7½"
38'-0"
7
6
5
15' Frontyard Setback
10' Front Porch Setback
6' Sideyard Setback
6' Frontyard Setback (side)
Hatch Buildable Area
16' Rearyard Setback
San. Sewer 8"
O.Head Elec.
49'-10½"
16'-0"
92'-2"
62'-4"
Commons
100'-1½"
San. Sewer 8"
O.Head Elec.
Outlot A
Utility Pole
O.Head Elec.
Utility Pole
45'-10½"
PUBLIC alley
24'-0"
16'-0"
Utility Pole
16' Rearyard Setback
4' Sideyard Setback
104'-0"
15' Frontyard Setback
10' Front Porch Setback
39'-3½"
36'-6"
36'-6"
37'-8"
15'-0"
4
3
2
1
Carriage House
Street Light/ Traffic Signal
Hydrant
Water 6"
'D' Street

Bus Stop
D' Street

T Street
9th Street

NeighborWorks®
LINCOLN

May 9, 2016

David Cary, Director
City of Lincoln Planning Department
555 S 10th St, Suite 213
Lincoln, NE 68508

Mr. David Cary,

NeighborWorks Lincoln completed a request for proposals for the redevelopment of vacant land approximately one-half city block in size in the area generally between D and E Streets and 9th and 10th Streets. The name of the project has yet to be determined. Residents who live on the focus block and NeighborWorks Lincoln staff conducted interviews with five architects who submitted proposals for the project. As a result, Gill Peace, Peace Studio was the architect selected for the development project.

NeighborWorks Lincoln and Gill Peace hosted a design kick-off open house on March 23rd to get feedback on a preliminary design proposal. The current proposal includes seven single-family units with slight variations in styles and floor plans. Units will be 2 or 3 bedroom with two car garages that include off street parking. The design will be inspired by existing historic architecture in the area with some contemporary design elements. The design includes a green commons area and community garden space. The homes will be available for purchase by NeighborWorks Lincoln first-time homebuyers. There is another design presentation open house planned for June. The project will be built in two phases, and it is hopeful that construction will begin in fall of 2016.

Please contact me with questions at 402-477-7181, ext. 102 or sryba@nwlincoln.org.

Best,

Shawn Ryba, Chief Operating Officer

MEETING RECORD EXCERPT
RE: Special Permit No. 16009
Meeting of 06/16/2016

NAME OF GROUP:	HISTORIC PRESERVATION COMMISSION
DATE, TIME AND PLACE OF MEETING:	Thursday, June 16 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

ADVISORY REVIEW ON SPECIAL PERMIT NO. 16025
APPLICATION BY NEIGHBORWORKS LINCOLN FOR A COMMUNITY UNIT PLAN GENERALLY LOCATED AT
9TH & D-E STREETS, "COOPER COMMONS". **June 16, 2016**

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

Mike Renken, CEO of NeighborWorks Lincoln, came forward. Also present from NeighborWorks were Pat Anderson and Marti Lee (Community Builders). Renken stated that they are very excited about this project. This is a great location and he is proud of what Shawn Ryba, Chief Operating Officer at NeighborWorks Lincoln, and the Community Builders have achieved in the area. Not only were neighbors brought together to help pick the architect, Gill Peace, but they were also consulted about what they would like to see in their neighborhood. It may not be possible to please absolutely everyone, but their team has worked diligently with the neighbors and believes they can please most. This will be positive addition.

Gill Peace, Peace Studio Architects, stated he attended a neighborhood meeting in May to get neighbors up to speed with the plans thus far. This is the former site of the Zion Church, which burned down in 2007. The lot has been sitting empty since then. There are historic 1890s homes to the west. The development was named "Cooper Commons" to hint at proximity to Cooper Park, which is one bock to the west, and also to relate it to the existing neighborhood. There is one house remaining along E Street at the north end of the property. It will remain and become part of the small neighborhood being built.

McKee asked if there was any effort made to purchase that remaining property. Renken said that effort was made but the owner had no interest in selling. Peace added that it showed the kind of connection neighbors have to this neighborhood.

Peace went on to say that their mission is to create a great infill neighborhood within what is already a great neighborhood; it will have its own identity, but will not turn its back on the existing area. The area is bounded by 9th Street on the east, a north/south alley dividing the block on the west, D Street to the south and E street on the north. Four homes will face south along D Street and three will face north along E Street. No houses will front onto 9th Street, since it is busy. The existing houses to the west all front to Cooper Park, but as you go east, the houses face D and E Streets, so this configuration makes sense and is a good transition. These will be fee simple lots with residences for sale.

When it comes to density, it was important to find the right balance for the neighborhood. The adjacent lots were examined to come up with an appropriate fit. Those lots are 142 feet in depth and approximately 38-29 feet wide. Based on that, the new lots will be 37-39 feet in width and will have a depth of 104 feet. There are property lines between in order to create a center common space know as "Cooper Commons Park", which will be a real attribute.

Using the alley to deal with vehicle circulation was the cleanest approach. Vehicles enter at either end of the alley and come to the common outlot. Each house has a two car garage with room for two vehicles in the approach driveway to each home's garage.

The goal for the northeast corner is slightly different. They propose a property line that runs down the middle to create two townhouse lots to create the appearance of a larger structure that will be attractive and will look like a single, large house. This will create the necessary density of seven homes for the development, will serve as a corner balance with the larger house located on the southwest corner, and will become a "calling card" to the Cooper Commons, since it is the first building people will see driving south on 9th Street.

Johnson asked if Cooper Commons shared space will be open to the public, or just the residents. Peace said there are good reasons for both options. One option is to create an home owners association (HOA) that would overlay the seven lots and give the control of how to treat the commons back to the residents, rather than making the decision for them.

Gengler asked the square footage of the big house. Peace stated it is a work in progress so they do not know yet. The rest of the houses are approximately 1,000 square feet, so it will probably be around 1,600 square feet. It will be one of the regular houses with a condensed version attached to it. We are unsure of how the market will react to them; there could be two owners, or a single owner who decides how to use the smaller portion.

Peace went on to say that each floor plan is roughly the same, but not identical. There will be variety, but not so much that the neighborhood-feel falls apart. This will be achieved by using common colors and materials. Today, they are asking for input. Then the CUP will be finalized, and there will be a replat based on that. They would love to begin work on Phase I immediately after it is approved, so possibly in five or six weeks. The houses have different roof lines for variety, front porch areas, and an upper level deck at the back so the common area has eyes on it and safety is enhanced.

The central commons is the largest portion of the development. It could include a small playground or a community garden. There is also a chunk of common space leading to the alley. There will most likely be the site of a common mailbox/cluster.

Mckee asked if 9th Street will be screened with anything in addition to trees. Peace stated they are working on how much of a screen to provide. A fence could make it safer for kids and pets with the 9th Street traffic, so the design shows a placeholder for a fence. We have also discussed the possibility that it should remain open. That decision has not yet been made.

Pat Anderson, Community Builder at Neighborworks Lincoln, stated that Mr. Peace met with neighbors once and NeighborWorks began discussions as far back as last November, so there has been input all along. There has been discussion of a fence, but at the same time, it does not seem right to completely alienate 9th Street foot traffic from the commons area. Johnson added that neighbors also do not want something like a tailgate party to occur there.

Peace said the exterior treatments will include durable materials that can be painted different colors from a pallette that ties them together. They are mostly talking about Hardie materials, which are cement-board based siding, shingles, board and batting, or stucco board. These will show up on each project in different proportions and colors.

The interior floor plan is an open living concept. The dining room, kitchen and living room will all be located facing the street to show that life is happening and lights are coming on and off. The master bedroom is also on the first floor, which might appeal to empty nesters. Upstairs is a common study loft with a section that looks down to the living room below. There are also two bedrooms, making these three-bedroom homes, which makes them appealing to a broader range of people. The lower level will be unfinished but will include one egress window and will be laid out for potential future investment by the owner if they want to add a family room, bathroom, or extra bedroom or office.

Munn stated for the sake of disclosure that he also competed for this project. He said this design is well thought through. He asked if access to the commons is through the garage. Peace said the houses will use an active/passive approach where the windows will be smaller and higher on the passive side of the house, and the active side will include a side lot with larger windows and french doors. These will not have large yards, so the side yard is an important area for outdoor space and connecting to the commons.

Zimmer said that this plan notes where porches could occur into the front yard setback area, but does not show much beyond a small stoop area. He raises this concern because this neighborhood is porch-dominant. The plan will come across his desk to review Neighborhood Design Standards, and he would prefer to not have to bring it before the Urban Design Committee for a waiver due to the lack of porches.

Peace said that the 15 foot front yard setback is part of the CUP request. The majority of the existing houses were built at that setback. The extra five feet is to accommodate the unfinished space for the porch. They are comfortable with the setback because there is a very wide right-of-way of about 35 feet between the property line and the curb. This is a work in progress, so today they are looking for general approval for the design intent. Some of the homes could have bigger porches and could emulate those that exist in surrounding homes.

Gengler asked if the porches will be built as part of the project, or if it will just be an option for the homeowners. Peace said they asked for that space in case they want to provide the porch, but if they choose not to, then the owner has the space to build. Gengler observed that much effort has been made in keeping the neighborhood consistent. She considered a scenario where one owner might build a porch in a certain style, then their neighbor could choose not to add a porch at all, and another neighbor could choose an entirely different style. Peace said Phase I on the north side is intended to come first. If generates a lot of interest, many questions about Phase II can be answered. He would not be interested in doing different styles.

Gengler suggested that the HOA could have design guidelines and options for porches so that choices are limited to consistent styles. Peace agreed that is a good idea. Gengler concluded by saying that the porches could be critical and could change the entire feel. She suggested that minimally, design guidelines or another similar tool should be in place. Peace admitted that up to this point, the team working on this project has been primarily preoccupied with the thought process to get to where they are today.

Renken said NeighborWorks has a passion for the porches and he would be shocked if they end up being excluded from the designs. Some of the new owners would be unable to add a porch right away, so NeighborWorks will likely be looking for a way to provide them. Anderson added that there is a row of bungalows with porches across the street. They are a "must" for this area.

Gengler asked if there is a long-term plan to maintain the consistency, noting that even planned neighborhoods can change fairly quickly. Anderson responded that there is a night and day difference between this site and the density just across 9th Street, which is 96% rentals. There will also be greater density in the South Haymarket area just north of this site, so there will be a push to increase density. Renken said this will be a discussion for the HOA. Once buyers are in the units, they should have some say in what goes on and NeighborWorks loses much of that ability. Anderson said an important piece to keep for the long-term is owner-occupancy. Peace said that all of those points are well-taken. It makes sense to find ways to maintain control somehow. Those conversations are yet to happen.

McKee asked about utilities for this site. Peace said there was a preliminary review from LES. They want to use an existing utility pole and will most likely install a pole-mounted transformer to serve their lots from underground. Though it would be ideal if all lines were

buried, LES indicated that they need to maintain the overhead lines already in place.

Gengler asked if the setback along 9th Street was great enough that there are no issues with the type of fencing or barriers, in terms of zoning regulations, that could apply for new construction. Peace said the main concern is keeping people from flowing out onto 9th Street. Anderson said she lives on a corner and there is a line of sight that has to be maintained. Zimmer said the key protection is the 120-feet of right-of-way with only 3-lane traffic on 9th Street; the distance from the curb to the sidewalk is substantial. A transparent fence would be best. It would create a semi-private area with eyes still on the street. Peace agreed that is the direction they are headed. Munn said it is as much about keeping kids in and safe as it is about maintaining some privacy.

Zimmer went on to note that the CUP will establish some level of consistency in the underlying ownership pattern. Someone could not come in and take the north three lots and turn them into apartments. Someone could own more than one unit, but the CUP will be its zoning. This is also the reason this is an advisory review rather than a Certificate of Appropriateness. When there is a change of zone in a historic district, the Planning Commission seeks the advice of this body that what they are seeing in the proposed CUP is consistent with the historic district and beneficial to the neighborhood.

Gengler asked if a motion was needed. Zimmer said that would be preferable in order to clearly convey the will of this body, as a whole.

ACTION:

Gengler moved to recommend approval based on the finding that this body concurs with the concepts and designs as presented by the developers today; seconded by Johnson. Motion carried 5-0; Gengler, Johnson, Hewitt, McKee, and Munn voting 'yes'; Kuhlman and Francis absent.

There being no further business, the meeting was adjourned at 2:35 p.m.

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Current Project - Agency Review Report

Agency Name	User Name	Review Cycle	Review Status	Comments	Assignment
Airport Authority	jon large	1	Recommend Approval	27.58 - The proposal is outside the Environs District and all defined noise contours. 27.59 - The proposal is in the approach to Runway 32 and within the extended 10 mile approach area. Follow all requirements of the chapter.	First In Group
Building & Safety	christy eichorn	1	Recommend Approval		First In Group
Development Review Manager	steve henrichsen	1	Corrections Required		Individual
Emergency Communications	Kelly Davila	1	Pending		Individual
Fire Department	patrick borer	1	Recommend Approval	Lincoln Fire and Rescue recommends approval of this application.	Individual
Historic Districts/Capitol Environs	Historic Districts/Capitol Environs	1	Pending		First In Group
LES	les reviews	1	Corrections Required	05/13/2016 Provide blanket easement excluding building envelopes as noted on dwg. DG & SLS	First In Group
Parks & Recreation	mark canney	1	Recommend Approval	Please assign street trees to the project as required by ordinance.	First In Group
Planning Dept	brenda thomas	1	No Review Required		First In Group
Public Works - Engineering Services	bob simmering	1	Recommend Approval	5-20. Utilities are available to the site	First In Group
Public Works - Watershed Management	ben higgins	1	Recommend Approval	This is a redevelopment that appears to be under an acre. If so no stormwater quality requirements. Otherwise should be OK	Individual
Public Works & Utilities - Wastewater	brian kramer	1	Recommend Approval	There is sanitary sewer on this property that cannot be built over. Easements and access will need to be maintained.	Individual

Current Project - Agency Review Report

Public Works & Utilities - Water	dave beyersdorf	1	Recommend Approval	LWS does not have a water main in 'E' St. Lots 6 and 7 will require non-abutting water agreements to tap to water main in 9th St.	First In Group
Stronger Safer Neighborhoods	Jon Carlson	1	Pending		Individual
United States Post Office	kerry kowalski	1	Recommend Approval	Recommend approval on the condition all new delivery addresses are established in Centralized Box Units (CBUs) which will be purchased and installed at the developer's expense in a location mutually agreed upon by the developer and the US Postal Service.	First In Group
Windstream	Jeanne Kalkwarf	1	Pending		Individual