
Lincoln City - Lancaster County

PLANNING COMMISSION AGENDA

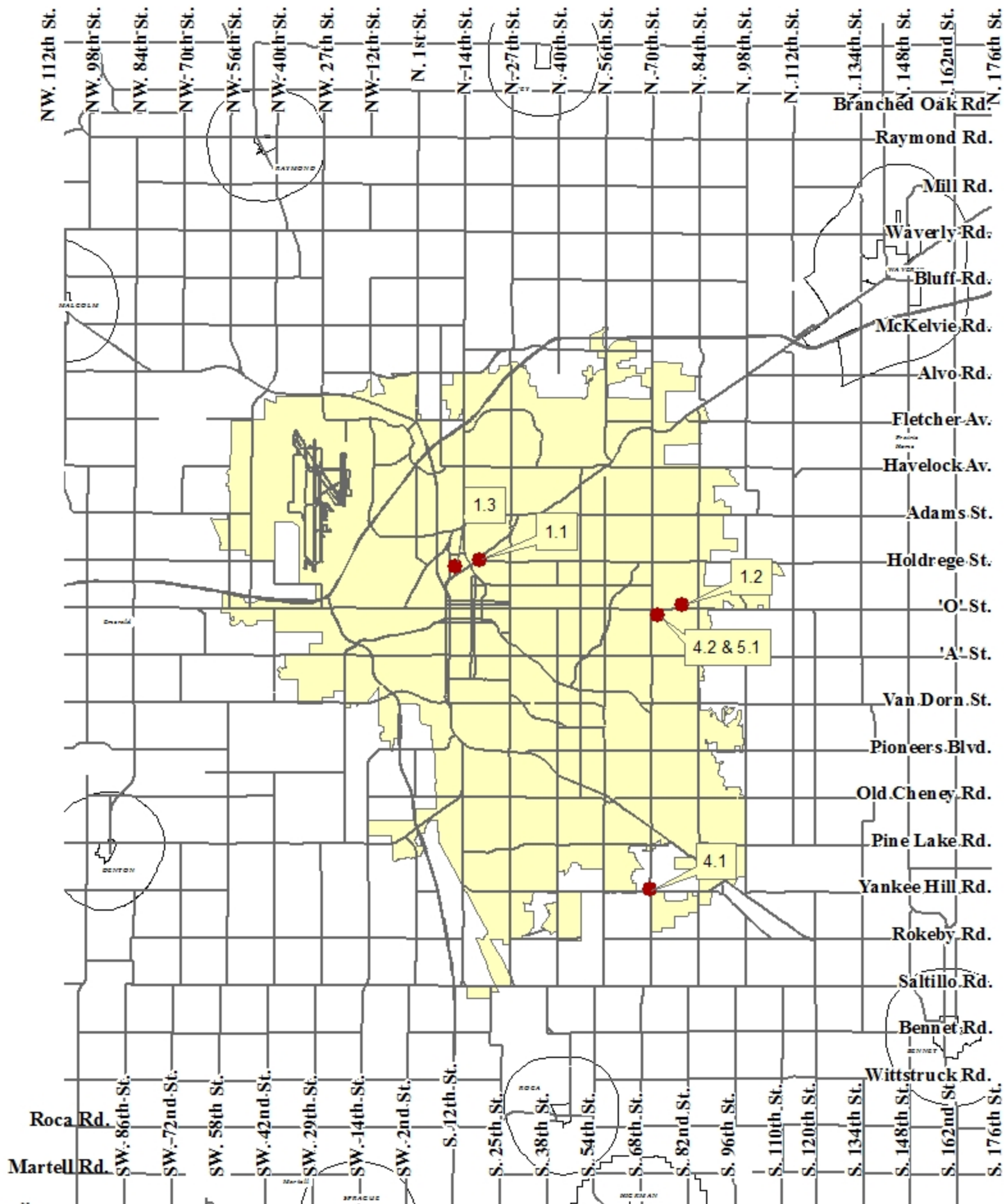
PLANNING COMMISSION

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

PLANNING STAFF

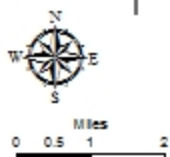
David R. Cary: Acting Director
Geri Rorabaugh: Administrative Officer
Amy Huffman: Office Specialist

August 5, 2015



Planning Commission Agenda Item Map

August 5, 2015



NOTICE: The Lincoln/Lancaster County Planning Commission will hold a public hearing on Wednesday, August 5, 2015, 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.

The Lincoln City/Lancaster County Planning Commission will meet on Wednesday, August 5, 2015, immediately following the regular meeting, in Room 112 of the County-City Building, 555 South 10th Street, Lincoln, Nebraska, to discuss Commercial Wind Energy.

The regular meeting of the Planning Commission scheduled for August 19, 2015 will convene at 5:30 P.M. in order to accommodate anticipated increased demand for public comment on the proposed commercial wind energy text amendment.

****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, AUGUST 5, 2015

Election of Planning Commission Chair and Vice Chair - Delay until September 2, 2015.

Approval of minutes of the regular meeting held July 22, 2015.

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

COMPREHENSIVE PLAN CONFORMANCE:

- Page 01
- 1.1 Comprehensive Plan Conformance No. 15008, to review as to conformance with the 2040 Lincoln-Lancaster County Comprehensive Plan, an application to declare property as surplus, generally located on North 14th and North 15th Streets between Claremont Street and Court Street.
Staff recommendation: Conformance with the Comprehensive Plan
Staff Planner: Paul Barnes, 402-441-6372, pbarnes@lincoln.ne.gov

SPECIAL PERMITS:

Page 09 1.2 Special Permit No. 15041, to allow for an early childhood care facility, including a waiver to the conversion plan, on property generally located at 8120 O Street.

Staff recommendation: Conditional Approval

Staff Planner: Paul Barnes, 402-441-6372, pbarnes@lincoln.ne.gov

Page 19 1.3 Special Permit No. 15042, to allow for a 60-foot tall temporary wireless facility with waivers to collocation and screening, on property generally located at 905 North 9th Street. ****FINAL ACTION****

Staff recommendation: Conditional Approval

Staff Planner: Brian Will, 402-441-6362, bwill@lincoln.ne.gov

2. REQUESTS FOR DEFERRAL:

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

3.1 _____

3.2 _____

4. PUBLIC HEARING AND ADMINISTRATIVE ACTION

COMPREHENSIVE PLAN AMENDMENT:

Page 37 4.1 Comprehensive Plan Amendment No. 15002, to amend the 2040 Lincoln-Lancaster County Comprehensive Plan, by changing the commercial center designation from O Mixed Use Office Center to N Neighborhood Center for a mixed-use development, on property generally located in the northwest corner of South 70th Street and Yankee Hill Road.

Staff recommendation: Approval

Staff Planner: Brandon Garrett, 402-441-6373, bgarrett@lincoln.ne.gov

CHANGE OF ZONE:

- Page 45 4.2 Change of Zone No. 15021, Victory Park Planned Unit Development, change of zone from P (Public Use District) to B-2 Planned Unit Development, O-3 Planned Unit Development, and R-4 Planned Unit Development, on property generally located at the Veterans Administration Campus, 600 South 70th Street, for a Planned Unit Development District designation of said property; and for approval of a development plan which proposes waivers to Title 26 and Title 27 of the Lincoln Municipal Code with modifications to the Zoning Ordinance, to design and construct a mixed-use development providing housing, medical offices and services, commercial and accessory services.
- Staff recommendation: Conditional Approval**
Staff Planner: Ed Zimmer, 402-441-6360, ezimmer@lincoln.ne.gov

5. CONTINUED PUBLIC HEARING AND ADMINISTRATIVE ACTION

- Page 71 5.1 Comprehensive Plan Conformance No. 15010, to review the proposed "VA Campus Redevelopment Plan" as to conformance with the 2040 Lincoln-Lancaster County Comprehensive Plan and the State of Nebraska's Community Development Plan, generally located at 600 South 70th Street.
- Staff recommendation: Conformance with the Comprehensive Plan**
Staff Planner: Ed Zimmer, 402-441-6360, ezimmer@lincoln.ne.gov

**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:

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Paul Barnes, <i>Planner</i>	402-441-6372		pbarnes@lincoln.ne.gov
Michael Brienzo, <i>Transportation Planner</i>	402-441-6369		mbrienzo@lincoln.ne.gov
Tom Cajka, <i>Planner</i>	402-441-5662		tcajka@lincoln.ne.gov
Christy Eichorn, <i>Planner</i>	402-441-7603		ceichorn@lincoln.ne.gov
Brandon Garrett, <i>Planner</i>	402-441-6373		bgarrett@lincoln.ne.gov
Stacey Groshong Hageman, <i>Planner</i>	402-441-6361		shageman@lincoln.ne.gov
Brian Will, <i>Planner</i>	402-441-6362		bwill@lincoln.ne.gov
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 Sundays at 1:00 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 August 5, 2015 PLANNING COMMISSION MEETING

PROJECT #: Comprehensive Plan Conformance No. 15008

PROPOSAL: To review as to conformance with the 2040 Lincoln-Lancaster County Comprehensive Plan, a proposal to declare seven vacant parcels of land as surplus property.

LOCATION: N. 15th Street and Claremont Street

LAND AREA: 0.76 acres, more or less

CONCLUSION: These parcels of land are no longer needed by the City of Lincoln and could be put to a higher and better use as private property. This land is within the Salt Creek floodplain, so a conservation easement will be retained with the deed for this property. Three parcels are within 300 feet of the railroad tracks and cannot be developed with new dwelling units. The declaration of surplus generally conforms with the Comprehensive Plan.

<u>RECOMMENDATION:</u>	In conformance with the Comprehensive Plan.
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GENERAL INFORMATION:

LEGAL DESCRIPTION: Lot 2, Block 6, Antelope Valley 1st Addition, Lots 9 & 12, Block 3, Cottage Home Addition, and Lots 5, 6, 7, 8, 12 & 14, Block 1, Thomas Ryan's Subdivision, located in the SW 1/4 of Section 13-10-6, Lincoln, Lancaster County, Nebraska.

EXISTING ZONING: R-4 Residential

EXISTING LAND USE: Undeveloped

SURROUNDING LAND USE AND ZONING:

R-4 Residential zoning surrounds all properties with single family dwellings to the north, south, east and west. The parcels on the south near Claremont Street are across from I-1 zoning and industrial uses.

HISTORY:

These properties were rezoned from Two-Family Dwelling District to R-4 Residential District with the 1979 Zoning Update.

The City purchased these properties 1970's in conjunction with the Northeast Radial project.

COMPREHENSIVE PLAN SPECIFICATIONS:

CPC # 15008 N. 15th & Claremont Surplus

P. 1.9 - This site is shown as Urban Density Residential and Public & Semi-Public on the Future Land Use Map.

P. 2.5 - The City of Lincoln and the University of Nebraska have undertaken several major efforts in the West Haymarket, Antelope Valley and Innovation Campus areas over the past decade that include and encourage the development of residential infill and redevelopment projects.

P. 2.8 - Mixed use redevelopment, adaptive reuse and well-designed and appropriately-placed infill development, including residential, commercial and retail uses, are encouraged.

P. 4.4 - The community has also expressed its interest in good urban design through the Neighborhood Design Standards for infill development in older residential neighborhoods.

P. 4.8 - The project site is near the I-180 Primary Entryway Corridor.

P. 6.1 - The primary focus for new dwelling units is the "Greater Downtown" which includes Downtown proper, Antelope Valley, the Haymarket and Innovation Campus.

P. 7.10 - Detailed Strategies for Existing Neighborhoods.

Similar uses on the same block face

Similar housing types face each other: single family faces single family, change to different use at rear of lot

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

Encourage a mix of housing types all within one area

Encourage retention of single-family uses where appropriate in order to maintain mix of housing

Maintain existing pattern of streets for connectivity

Encourage alley access and shared driveways to parking areas in order to reduce interruptions to pedestrian traffic, to preserve on street parking capacity, and to reduce automobile conflict points

P. 10.18 - The BNSF railroad is shown near this site on the Existing Rail Lines Map.

ANTELOPE VALLEY REDEVELOPMENT PLAN SPECIFICATIONS:

P. 54 - This area is shown as Medium Density Neighborhood and Low Density Conservation District on the Future Land Use Map.

P. 55 - **Neighborhoods.** New construction will be invited and encouraged provided primary emphasis is given to the preservation of existing buildings. The design of such new space should enhance and contribute to the aesthetic character and function of the existing buildings and the surrounding neighborhood form.

ANALYSIS:

1. This is a request to find seven properties near N. 15th Street and Claremont Street as surplus. The properties were acquired in the 1970's as part of the Northeast Radial Project. These properties are currently all undeveloped.
2. The City was approached by a potential buyer of 1525 and 1515 N. 15th Street. The buyer would like to develop the vacant properties with residential uses. City staff took inventory of the additional City-owned properties in this area and would like to declare five additional parcels as surplus as well.

CPC # 15008 N. 15th & Claremont Surplus

3. All properties lie within the Salt Creek floodplain. A conservation easement will be required for all parcels at the time of deed transfer in order to retain flood storage capacity. All parcels will be subject to construction and floodplain standards such as elevating the floor of the structure 1 foot above flood elevation and constructing a flow-thru crawl space. The flow-thru crawl space would allow flood waters to pass beneath the structure during a flood event and would not significantly impact the flood storage volume (see attached draft quick deed language).
4. The seven properties fall into three categories of redevelopment due to development constraints including the railroad tracks, the Salt Creek floodplain and the width of the existing lots. The three categories are as follows:
 - a. Lots within 300 feet of the railroad (3 parcels on the south end of N. 15th Street): The Lincoln/Lancaster County Health Department recommends against any new habitable structures or additions since they are within 300 feet of the railroad and potentially hazardous materials. Accessory buildings are acceptable on these parcels if they meet the requirements for a conservation easement with a flow-thru crawl space.
 - b. Lots over 300 feet from the railroad too narrow for dwellings (2 parcels on N. 14th Street): These lots are too narrow for new freestanding dwelling units. These lots would be sold to adjacent owners subject to the requirements for a conservation easement with a flow-thru crawl space.
 - c. Lots over 300 feet from the railroad wide enough for dwellings (2 parcels on the north end of N. 15th Street): These lots are wide enough for a new dwelling unit. These lots would be sold to the highest bidder and would be subject to the requirements for a conservation easement with a flow-thru crawl space.
5. The City purchased these properties in the 1970's and has no reason to retain them. They are currently undeveloped and the City pays for mowing and snow removal. By declaring these properties surplus they will revert to private development and will be used for a higher and better use. Subject to the conditions for a conservation easement on all lots and prohibition of new dwellings on the southern parcels on N. 15th Street, this declaration of surplus is in conformance with the Comprehensive Plan.

Prepared by:



Paul Barnes, Planner
402-441-6372
pbarnes@lincoln.ne.gov

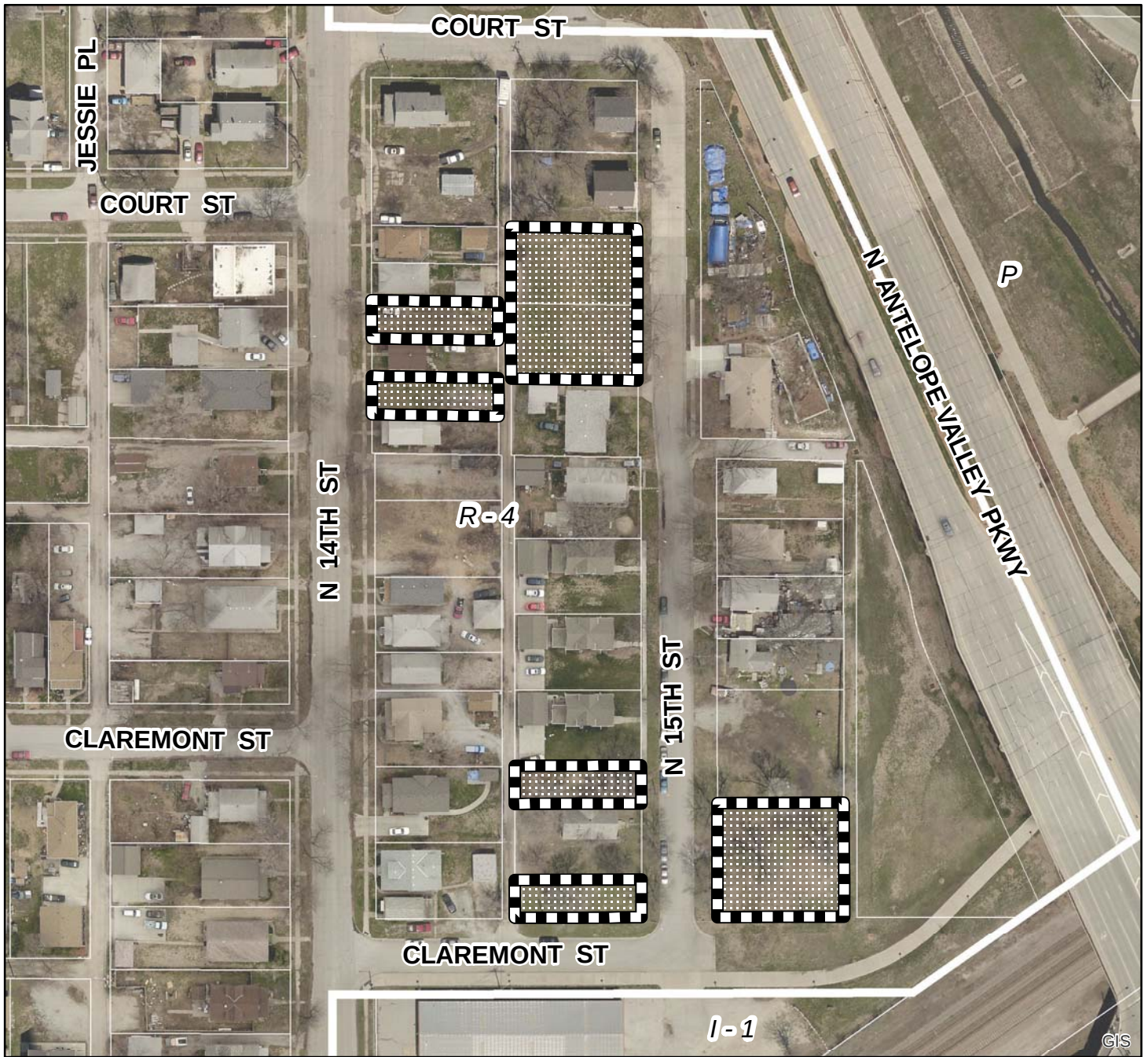
DATE: July 23, 2015

CPC # 15008 N. 15th & Claremont Surplus

APPLICANT/ OWNER: City of Lincoln
555 S. 10th Street, Suite 205
Lincoln, NE 68508

CONTACT: Steve Werthmann
Urban Development
555 S. 10th Street, Suite 205
Lincoln, NE 68508

F:\DevReview\CPC\15000\CPC15008 1525 N. 15th Surplus.wpd

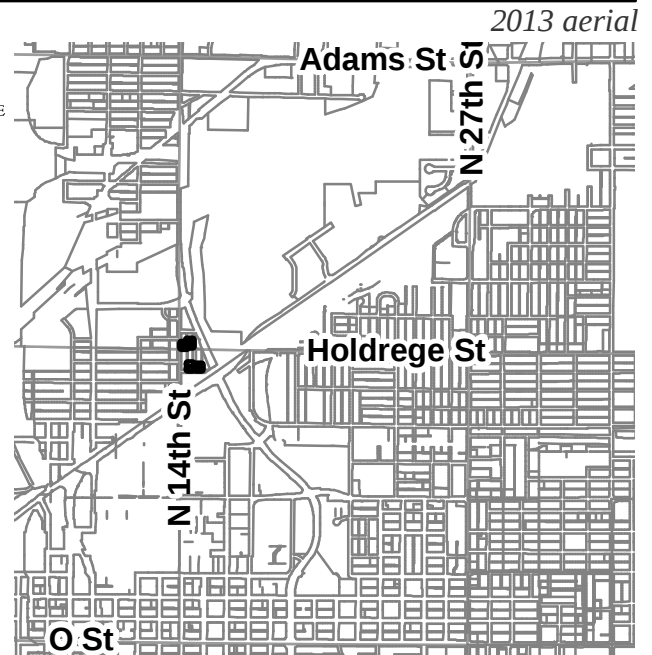
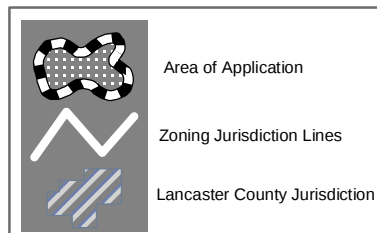
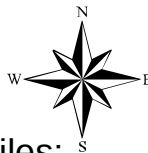


Comp Plan Conformance #: CPC15008
Surplus Property
N 15th & Claremont St

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

Two Square Miles:
 Sec.13 T10N R06E
 Sec.24 T10N R06E





CITY OF LINCOLN
NEBRASKA

MAYOR CHRIS BEUTLER

lincoln.ne.gov

Urban Development Department

David Landis, Director

555 S. 10th Street

Suite 205

Lincoln, Nebraska 68508

402-441-7606

fax: 402-441-8711

May 6, 2015

David Cary, Director

City of Lincoln-Lancaster County Planning Department

555 S. 10th Street

Lincoln, NE 68508

Dear David:

Enclosed is an application to declare surplus the City property located at 1515 and 1525 N. 15th Streets and other nearby lots. The City acquired these properties in the 70's in conjunction with the NE Radial project. This request is the result of inquiries from some parties interested in building residential housing on 1515 and 1525 N. 15th Streets. If possible, we would also like to sell the remaining lots and would like to put all of these lots through the surplus process at the same time. There has been no other opposition to the sale of the property by any other departments or public agencies other than the request to retain easements as noted in the attached responses.

Please forward the request to the Planning Commission for their earliest consideration for Comprehensive Plan conformance. My understanding is that the request should be on the June 10, 2015, agenda.

If you have questions or need additional information, please contact me at 441-7569 or at mbackemeyer@lincoln.ne.gov. Thank you.

Sincerely,

Michelle R. Backemeyer
Real Estate and Relocation
Assistance Agent

cc: Dave Landis, Director, Urban Development Dept.

Attachments

Grantor hereby further excepts and reserves in perpetuity to itself and on behalf of the public a conservation easement over the above describe premises to restrict the use of said premises to open space to protect and preserve the drainage way and natural floodplain values, include flood storage capacity, conveyance and functional integrity of said premises relative to the floodplain and to restrict development and future use of said premises that will significantly impair or interfere with the use of open space values of said premises. In order to accomplish the purpose of this conversation easement, the following practices and uses shall be prohibited in the easement area:

- (a) Construction or placement of fill material, cement, buildings, fences, signs, or any other structure;
- (b) Any other use or practice that would adversely impact the flood storage capacity.
- (c) Exception for the above is a structure with a flow through crawl space that meets city, state and federal floodplain standards. The structure will be subject to applicable floodplain insurance requirements and must have a minimum low floor elevation of 1 foot above the base flood elevation (two to three feet is recommended as this will lower the cost of flood insurance significantly).

The City shall have the right of reasonable ingress and egress to and from the easement area from public roads and streets and from adjacent properties for its employees, contractors, vehicles and equipment for the purpose of inspecting, maintaining, protecting, or enhancing the easement area as the City may deem necessary or desirable. The City will attempt to give reasonable notice to Owner prior to entering the property for the above purposes. This easement may be released by the City pursuant to the provisions of Neb. Rev. Stat. 76-2113.

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for August 5, 2015 PLANNING COMMISSION MEETING

PROJECT #: Special Permit No. 15041

PROPOSAL: A request per Section 27.63.070 for an Early Childhood Care Facility for 125 children

LOCATION: 8120 O Street

LAND AREA: 0.99 acres, more or less

EXISTING ZONING: R-2, Residential

WAIVER REQUEST: Waive the requirement of Section 27.63.070(a)(3) for a conversion plan for an Early Childhood Care Facility located in a residential district.

CONCLUSION: The request for an Early Childhood Care Facility for up to 125 children is appropriate at this location. This property is located on an arterial street and is adjacent to office buildings. The waiver of a conversion plan is also supported given that any other use at this location would likely be a conversion to an office use and commercial zoning. This request should have minimal impact on the surrounding properties and is supported by the Comprehensive Plan.

RECOMMENDATION:	Conditional Approval
WAIVER: Section 27.63.070 (a)(3) requiring a Conversion Plan.	Approval

GENERAL INFORMATION:

LEGAL DESCRIPTION: Lots 20 & 64 Irregular Tracts located in Section 22-10-7, Lincoln, Lancaster County, Nebraska.

EXISTING LAND USE: There is a single-family dwelling on the property that will be demolished.

SURROUNDING LAND USE AND ZONING:

North: Herbert Park; P
South: Offices; O-3

East: Single-Family Dwelling; R-2
West: Offices; O-3

HISTORY:

This property was rezoned from Single-Family Dwelling District to R-2 Residential District with the 1979 Zoning Update.

COMPREHENSIVE PLAN SPECIFICATIONS:

P 1.9 – This property is designated as Residential on the Future Land Use Map.

P 5.7 - 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 childcare centers.

P 6.2 - Mixed Use Guiding Principles: Help to create neighborhoods that include homes, stores, workplaces, schools, and places to recreate.

P 6.6 - Mixed Use Strategies: In proximity to planned or existing neighborhoods and community services, to facilitate access to existing community services or to address a deficiency by providing services such as grocery stores, childcare centers, and restaurants.

P 7.9 - Maintain and enhance infrastructure and services in existing neighborhoods.

P 8.2 - Elementary and middle schools should be sized and located to enable children to walk or bicycle to them. Childcare centers should be located within neighborhoods and near schools and parks when possible.

UTILITIES: This site will be served by existing utilities.

TOPOGRAPHY: The existing site gently slopes down from the southeast to the northwest.

TRAFFIC ANALYSIS: O Street is classified as a Major Arterial.

AESTHETIC CONSIDERATIONS: The special permit for an Early Childhood Care Facility in a residential district requires a conversion plan be approved. The applicant is requesting this requirement be waived for this site.

ANALYSIS:

1. This application is a request for an Early Childhood Care Facility for up to 125 children and 22 staff members to be located at 8120 O Street. There is a single-family dwelling in the property, and that will be demolished. The existing daycare to the west would like to relocate to a larger facility. Early Childhood Care Facilities are allowed in all residential zoning districts by special permit. Since this property is zoned R-2 a special permit is required for this use.
2. The design standards for Early Childhood Care Facilities require that facilities in residential districts include a conversion plan. The applicant has requested a waiver of this requirement. Although the proposed facility is located in an R-2 district, it is likely that any future reuse of this property would require a change of zone to O-3

Office zoning which is the same as the uses to the west. Since O Street is a major arterial, residential zoning and uses are encouraged to transition to office or commercial.

3. The applicant's plan shows landscape areas on the edges of the parking lot. The screening in these areas should meet the minimum standards for parking lot screening and should be noted on the plan. The minimum standards for parking lot screening were applied to the office building to the west to screen between the office building and the former residential dwelling.
4. The recommended streetscape includes shifting the sidewalk 8 feet from the back of curb. This will place some public sidewalk on private property. Any portion of the public sidewalk on private property should include public access easements. The easements should be noted on the plan and filed prior to obtaining a building permit.
5. The grading plan shows runoff that would drain onto the neighboring property at 8040 O Street, but the current grade does not drain onto 8040 O Street. According to the Watershed Management Division, the grading plan should be revised to avoid runoff in the northwest section of the property or get approval of the neighbor to drain onto the property. The drainage from the parking lot and the front part of the building should also be contained in the drainage system prior to draining into the frontage road.

CONDITIONS OF APPROVAL:

Per Section 27.63.70 this approval permits an Early Childhood Care Facility for up to 125 children and 22 employees with a waiver to Design Standards to not provide a conversion plan for a facility in a residential district.

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 4 copies with all required revisions and documents as listed below:
 - 1.1 Add a note to the plan that states, "Public access easements will be granted, as shown on the site plan, prior to building permit for any portion of public sidewalk on private property."
 - 1.2 Add a note to the plan that states, "The landscaping shown on this plan will meet the minimum standards for parking lot screening and will be installed at the time of building permit."
 - 1.3 Add to the General Notes, "Signs need not be shown on this site plan, but need to be in compliance with chapter 27.69 of the Lincoln Zoning Ordinance,

and must be approved by Building & Safety Department prior to installation".

- 1.4 Add a note to the plan that states, "The building footprints and parking stalls shown on this plan are conceptual and subject to minor adjustments."
 - 1.5 Dimension the streetscape to verify the public sidewalk is 8 feet from the back of curb.
 - 1.6 Revise the grading plan to avoid runoff in the northwest section of the property to the satisfaction of the Public Works and Utilities Department.
 - 1.7 Add the following text to note 7, "Buildings may be built anywhere on the site outside of the setbacks."
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.
 - 2.2 Verification that the required easements as shown on the site plan have been recorded with the Register of Deeds.

Standard Conditions:

3. The following conditions are applicable to all requests:
 - 3.1 Before occupying the building all development and construction shall substantially comply with the approved plans.
 - 3.2 All privately-owned improvements, including landscaping and recreational facilities, shall be permanently maintained by the Permittee.
 - 3.3 The physical location of all setbacks and yards, buildings, parking and circulation elements, and similar matters be in substantial compliance with the location of said items as shown on the approved site plan.
 - 3.4 The terms, conditions, and requirements of this resolution shall run with the land and be binding upon the Permittee, its successors and assigns.
 - 3.5 The applicant shall sign and return the letter of acceptance to the City Clerk. This step should be completed within 60 days following the approval of the special permit. The City Clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, 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

Paul Barnes, Planner
402-441-6372
pbarnes@lincoln.ne.gov

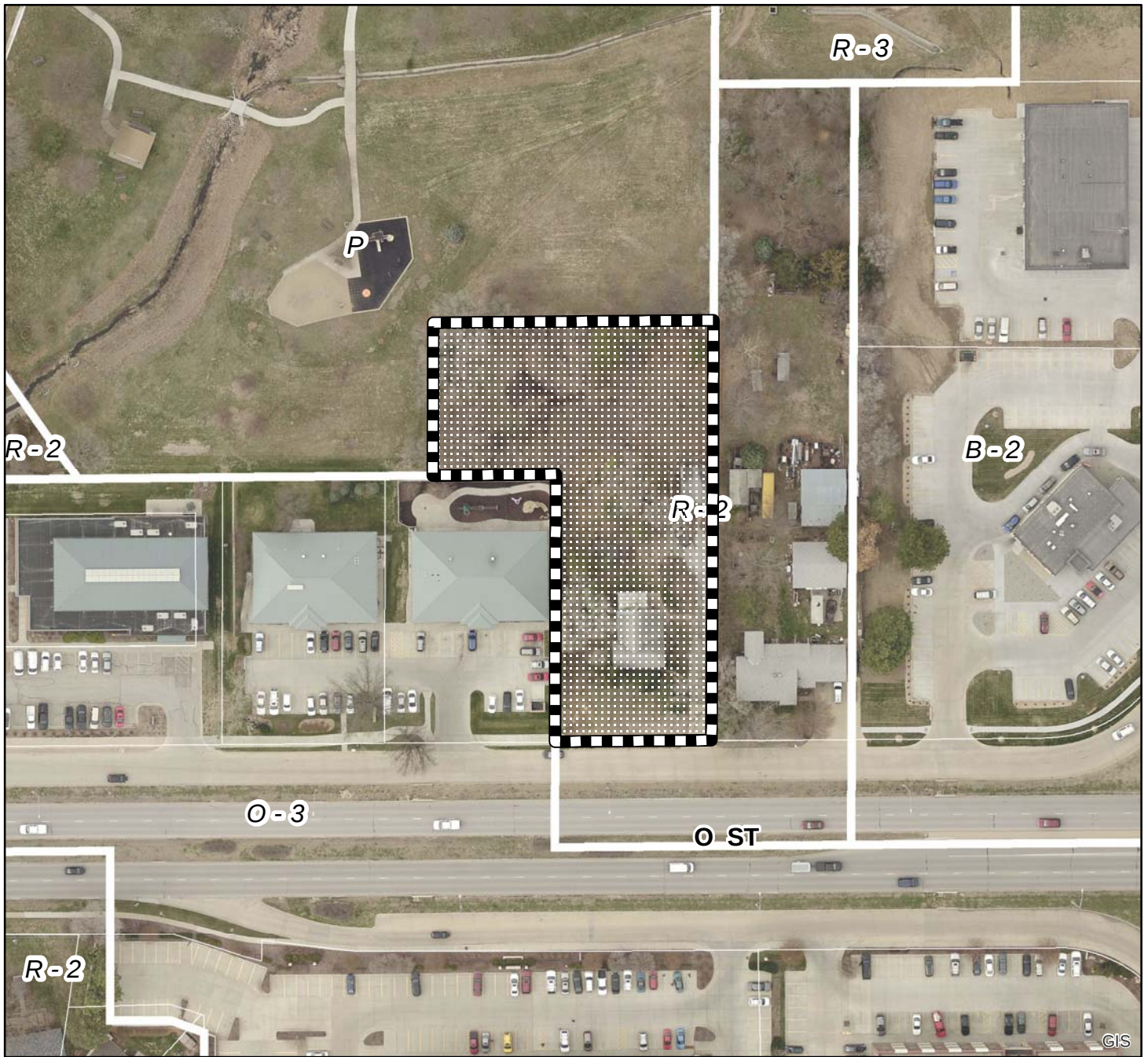
DATE: July 24, 2015

APPLICANT: The Clark Enersen Partners
1010 Lincoln Mall, Suite 200
Lincoln, NE 68508

OWNER: E & G Enterprises, LLC
1000 Coachmans Drive
Lincoln, NE 68510

CONTACT: Tim Gergen
1010 Lincoln Mall, Suite 200
Lincoln, NE 68508

F:\DevReview\SP\15000\SP15041 Young Voices Daycare.pdb.wpd



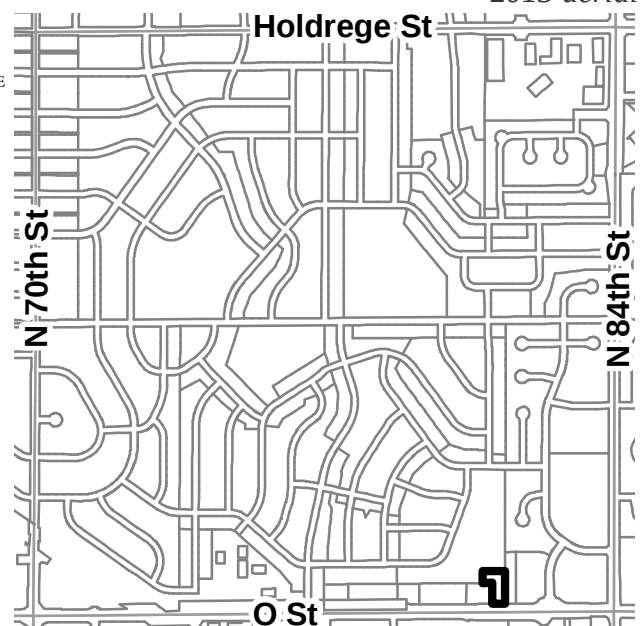
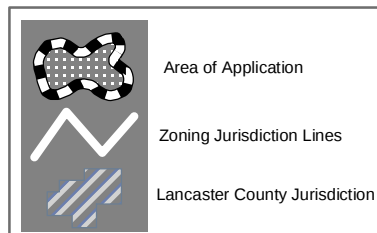
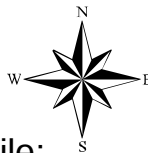
2013 aerial

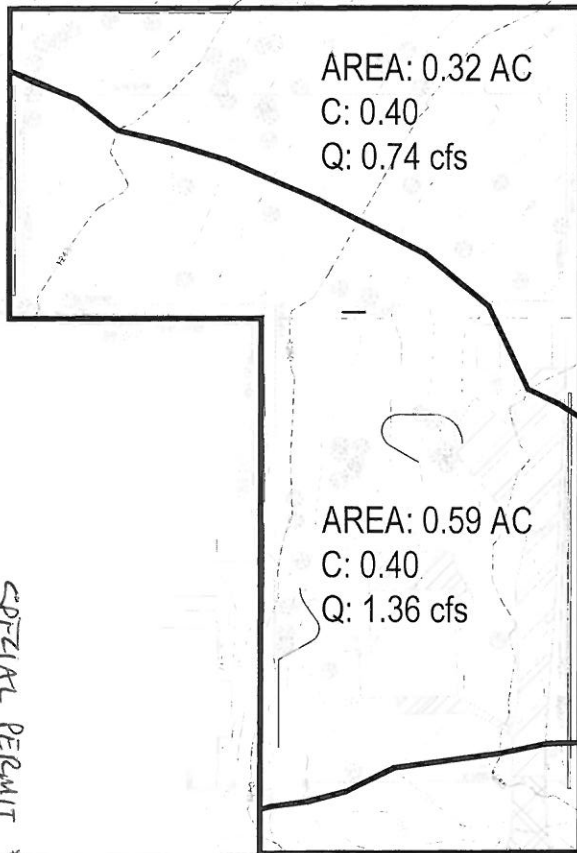
Special Permit #: SP15041 Russwood Pkwy & O St

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

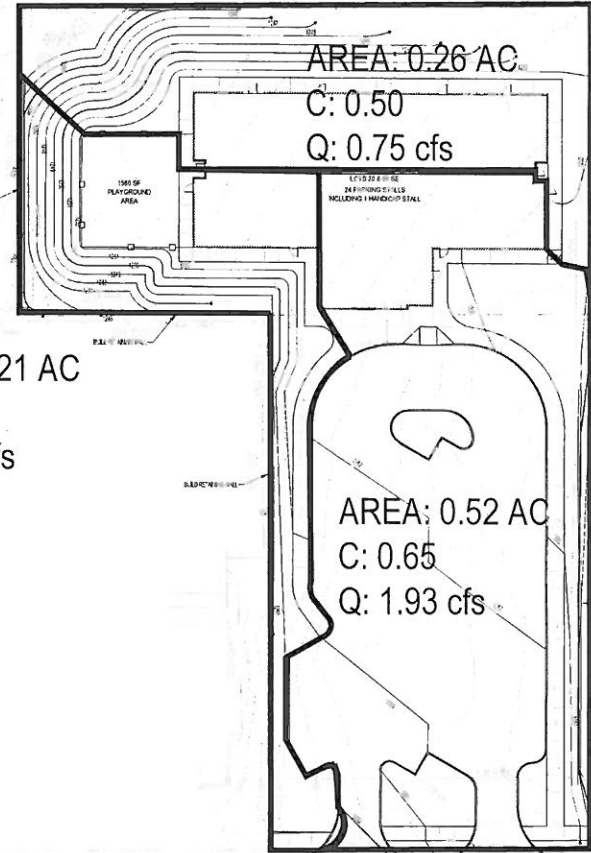
One Square Mile:
Sec.22 T10N R07E





SPECIAL PERMIT #15041
8120 'O' STREET

EXISTING SITE GRADING & DRAINAGE
SCALE: 1" = 20' 0"



PROPOSED SITE GRADING & DRAINAGE
SCALE: 1" = 20' 0"



July 17, 2015

Mr. David Cary
Planning Department, City of Lincoln
County-City Building
555 So. 10th Street
Lincoln, NE 68508

RE: Revised Special Permit for Early Childhood Care Facility for Young Voices
Daycare

Dear Mr. Cary:

On behalf of the Owner, E & G Enterprises, 1000 Coachmans Dr, Lincoln, NE, we are revising our special permit application for an early childhood care facility on property located at 8120 'O' Street with a legal description of Lots 20 & 64 SE located in Section 22 Township 10N Range 7E, Lincoln, Nebraska. The revised student enrollment will be 125 children with 22 staff members on the largest shift. The site plan showing the parking lot and loading/unloading has been revised to reflect the revised student enrollment and staff parking.

Please contact me if you have any questions or require additional information.

Sincerely,



Tim Gergen

cc: E & G Enterprises

Architecture + Landscape Architecture + Engineering + Interiors

1010 Lincoln Mall, Suite 200
Lincoln, NE 68508-2883 402 477.9291 Fax 402 477.6542

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LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for August 5, 2015 PLANNING COMMISSION MEETING

PROJECT #: Special Permit #15042 - Sprint Spectrum at Capital Steel Company

PROPOSAL: To allow a 60-tall temporary monopole for personal wireless facilities

LOCATION: Northwest of the intersection of North 9th and W Streets (905 North 9th Street)

LAND AREA: Approximately 14,600 square feet in area.

CONCLUSION: The proposed facility is designed to add needed capacity for Sprint Spectrum during game days at Memorial Stadium. For that reason it is temporary, and is only needed until the end of Nebraska's home-game 2015 football season. The site is zoned I-1, and is used for outdoor storage associated with Capital Steel. While the height limit in the I-1 is 75' and the tower is only proposed to a height of 60', a special permit is still required for a personal wireless facility. Waivers to the requirements for screening and the ability to accommodate collocation are requested. The waivers are appropriate given the temporary nature of the facility. Subject to the recommended conditions of approval, this request complies with the requirements of the Zoning Ordinance and the Comprehensive Plan.

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

GENERAL INFORMATION:

LEGAL DESCRIPTION: Lots 5 and 6, Block 6, North Lincoln, in Section 23, T10N, R6E, Lancaster County, Nebraska.

EXISTING ZONING: I-1 Industrial

EXISTING LAND USE: This site is vacant except for use as outdoor storage for Capital Steel.

SURROUNDING LAND USE AND ZONING:

North:	Vacant, Outdoor Storage	I-1
South:	Industrial	I-1
East:	Industrial	I-1
West:	Residential	R-4

COMPREHENSIVE PLAN SPECIFICATIONS:

Page 1.9 - The future Land Use Map of the Comprehensive Plans designates residential land uses for this site.

Page 4.4 - Placemaking - Current Practice

The community values efficient and effective telecommunications while also desiring to minimize adverse impacts of this rapidly evolving infrastructure on our rural and urban environments. Capitol view corridors, historic landmarks and districts, environmentally sensitive areas, and predominantly residential neighborhoods are not preferred locations. Unobtrusive locations on public property; co-locations on existing towers, buildings, and structures; and commercial and industrial areas with minimal impact on residences are preferred. The City has adopted zoning provisions to state the community's preferences. Combined with guidance from the design review boards, community residents and the telecommunications industry can be well-served.

Page 11.19 - Information technology

Information technology is subject to rapid and dramatic change. The nature of the industry continues to push the limits of the technology. Various technologies converge to create new, integrated products and services. The concept of "telecommuting" portends a city where people may be able to work from most any site – including their own home. In the economy of the future, information is likely to become the primary product. This product can be "manufactured" at sites other than traditional factories and offices.

Wireless telecommunication is part of a global information revolution. The need for additional infrastructure to support wireless facilities is expected to increase in response to rising consumer demand and new applications. The City and County understand the importance of these technologies to the world of tomorrow and support the development of the infrastructure needed to further their use. A full range of cellular and wireless services, provided by a variety of carriers, is available in the city and county. See the "Placemaking" chapter for information on how wireless facilities should be located.

ANALYSIS:

OVERVIEW

The applicant is seeking to site an approximately 60'-tall cell-on-wheels (COW) monopole for wireless facilities to address inadequate capacity during Nebraska football home games. The facility is temporary, and is only needed through the end of Nebraska's 2015 football season.

It is not unusual for wireless carriers to erect these facilities around Memorial Stadium to provide the extra capacity needed to handle the wireless demand when the stadium is full. They are typically located nearer the campus on property owned by the State of Nebraska where no additional zoning approval is needed. In this case this carrier states it was unable to negotiate a lease with the University of Nebraska.

The proposed site is on land owned by Capital Steel. It is located across the street from the main manufacturing facility at 930 North 9th Street, and consists of the east one-half of Block 6. Bounded by W, X, 8th and 9th Streets, Block 6 has split zoning where the east

one-half is zoned I-1, and the west one-half is zoned R-4. The east one-half of the block is undeveloped and used for outdoor storage associated with Capital Steel.

Wireless facilities are allowed in any zoning district by special permit per Lincoln Municipal Code (LMC) Section 27.63.720. Even though this is a temporary facility, the provisions of the special permit require review per Chapter 27.68 for Personal Wireless Facilities. The review using those provisions is as follows:

STANDARDS FOR EVALUATION:

Conformity with Comprehensive Plan.

1. The Plan states that “The community values efficient and effective telecommunications while also desiring to minimize adverse impacts of this rapidly evolving infrastructure on our rural and urban environments. Capitol view corridors, historic landmarks and districts, environmentally sensitive areas, and predominantly residential neighborhoods are not preferred locations. Unobtrusive locations on public property; co-locations on existing towers, buildings, and structures; and commercial and industrial areas with minimal impact on residences are preferred.”

The Comprehensive Plan designates Industrial land uses for this site, which is zoned I-1 Industrial. Of the uses allowed, a temporary personal wireless facility is one of the less intensive. Industrial areas are preferred locations, and wireless facilities are generally considered a compatible use.

Preference of site location in accordance with Chapter 27.68.080.

2. There are three location preferences as follows:

A. Preferred Location Sites:

(1) Publicly owned sites on which personal wireless facilities can be unobtrusively located with due regard to visibility, aesthetic issues, traffic flow, public safety, health and welfare. Such sites may include locating on existing buildings, co-locating on existing towers, screened roof-top mounts, water towers, billboards, electric substations, or other camouflaged sites, but shall not include new towers.

(2) Privately owned sites with existing structures on which personal wireless facilities can be unobtrusively located with due regard to visibility, aesthetic issues, traffic flow, public safety, health and welfare. Such sites may include locating on existing buildings, co-locating on existing towers, screened rooftop mounts, water towers, billboards, electric substations, or other camouflaged sites, but shall not include new towers.

(3) Publicly owned sites in which the facility is minimally obtrusive, has a minimal impact on the surrounding area, is an appropriate distance from residential land uses, has minimal impact on residential uses, with due regard being given to the scale of the facility and the surrounding area and the impact on the location.

(4) Sites in commercially or industrially zoned districts in which the facility is minimally obtrusive, has a minimal impact on the surrounding area, is an appropriate distance from residential land uses, has minimal impact on residential uses, with due regard being given to the scale of the facility and the surrounding area and the impact on the location.

B. Limited Preference Sites:

(1) Sites on other public property.

(2) Sites on other commercially or industrially zoned property.

C. Sensitive Location Sites. *Sites located in areas with residential uses, environmentally sensitive areas, Capitol View Corridors, the Capitol Environs District, entryway corridors, downtown, landmarks or landmark districts, properties listed or eligible to be listed on the National Register of Historic Places, the Airport Environs, and other sensitive areas. The applications for personal wireless facilities which are located at sensitive sites will be required to demonstrate a technical need to locate a personal wireless facility at a sensitive site and that other reasonable alternatives do not exist for the facility at a location which is not a sensitive site.*

This location is considered a preferred site, given the I-1 zoning and surrounding industrial uses. However, there needs to be consideration in siting given the R-4 zoning and dwellings located to the west.

Compatibility with abutting property and land uses.

3. The facility is compatible with uses to the north, east, and south which are all industrial. The area of concern is the R-4 zoning on the west one-half of Block 6 and the dwellings located there. Compatibility with residential land uses is typically enhanced by limiting the height of the tower, using compact antennas arrays, and limiting noise and light.

This tower is a temporary facility proposed to extend only 60', 15' less than the maximum allowed height of the I-1 district. It uses a flush-mounted, compact antenna array, and will have no lighting.

Adverse impacts such as visual, environmental or noise impacts.

4. The facility is powered by a quiet-reliable type generator designed to minimize sound emissions. The sound emissions are subject to the City's Noise Ordinance and cannot exceed 65 dba during the day, and 55 dba at night as measured from the property line of the receiving property.

The facility is not lighted. Emissions from the generator do not exceed allowed levels, and the Health Department noted that no construction permit would be required as a result.

The frequency of the broadcast signals and whether they interfere with any electromagnetic devices in the area is not reviewable by local governments per the Federal Communications Commission (FCC).

The applicant has requested an adjustment to the screening required by the Design Standards. Given the temporary nature of the facility and the industrial surroundings, this waiver is appropriate.

Availability of suitable existing structures for antenna mounting.

5. Other preferred sites include property owned by the State of Nebraska, and a Verizon tower across the street. The applicant noted efforts to locate on State-owned property but no agreement has been reached. The 80'-tall Verizon tower located across the street, also on land owned by Capital Steel, already has two antenna arrays located on it. That number of arrays meets the requirements of the Zoning Ordinance and it cannot be required to accommodate another carrier.

Scale of facility in relation to surrounding land uses.

6. The height limit is 75' in the I-1. In this area there are the Capital Steel Company buildings, L.E.S transmission lines which extend along X Street and North 8th Street, above ground power service lines which extend along the alley adjacent to the west, an 80'-tall Verizon monopole across North 9th Street, and railroad tracks and the North 10th Street elevated roadway to the south. At 60' in height, this facility is not out of scale with surrounding uses.

Horizontal separation also reduces the effect of scale differential, and the facility is located to maintain the maximum separation from the dwellings to the west. It is located as far east as possible on the lot while still maintaining the required 30' fall zone. This provides in excess of 120' of separation between the tower and the nearest dwelling as measured to the house.

Impact on views/vistas and impact on landmark structures/districts, historically significant structures/districts, architecturally significant structures, landmark vistas or scenery and view corridors from visually obtrusive antennas and back-up equipment.

7. There are no historically significant structures, districts or view corridors in the area that are impacted by the proposed tower due to the limited height of the facility.

Color and finish.

8. The proposed facility is shown in a galvanized finish. Because the tower is less than 200' in height no lighting is required by the FAA.

Ability to collocate.

9. The site plan shows the tower at 60' in height, where towers would be required to accommodate at least one other carrier. However, being a temporary facility, it is not designed to be either permanent, or to accommodate additional loads. They are designed to be light, portable, and easily relocated to respond to areas of immediate need, and the ability to collocate is not applicable.

Screening potential of existing vegetation, structures and topographic features, and screening potential of proposed facilities, ground level equipment, buildings and tower base.

10. The facility consists of a trailer which contains electronics, power generation equipment, and an extendable antenna array. It is surrounded by a chainlink fence with interwoven material to obscure the view of inside the compound. The facility is only needed to handle additional capacity during the 2015 college football season, and being temporary a plant screen is not practical. The topography of this area is very flat, and there is no location that would help provide any screening effect or significantly minimize the view of the tower.

Evidence of good faith efforts, and demonstration that a preferred or limited preference site was not technically, legally, or economically feasible.

11. The subject location is a preferred site, and elimination of other preferred locations is not required. However, the adjacent Verizon tower was considered, as well as siting on State-owned property, but neither proved more feasible.

CONDITIONS:

This approval is valid only through December 31, 2015 unless extended by administrative amendment, and permits a 60'-tall personal wireless facility with a waiver to the screening design standard to require no landscape screening.

Site Specific:

1. Before receiving building permits the permittee shall complete the following instructions and submit the following documents and plans.
 - 1.1 Four copies of a revised site plan showing the following revisions:
 - 1.1.1 Add a note stating that the tower will not be lighted.
 - 1.1.2 Add a note which states: The personal wireless facility and all associated ground equipment shall be removed no later than December 31, 2015 unless extended by administrative amendment. By administrative amendment the Planning Director can extend the time to include from August 1, 2016 to December 31, 2016.

Standard:

2. The following conditions are applicable to all requests:
 - 2.1 Before use of the facility all development and construction shall have been completed in substantial compliance with the approved plans.
 - 2.2 All privately-owned improvements shall be permanently maintained by the owner.
 - 2.3 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.
 - 2.4 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
 - 2.5 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:

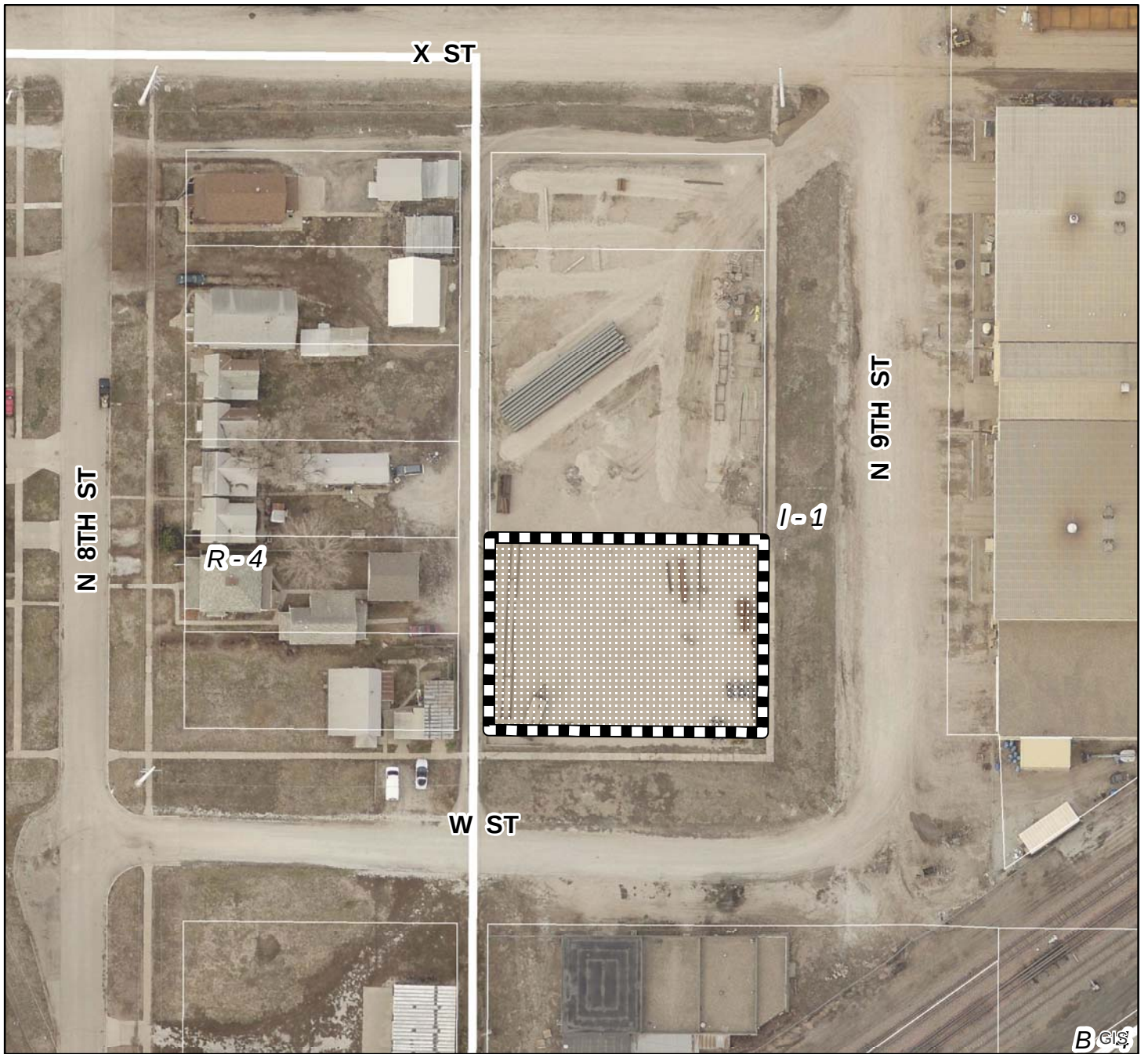
Brian Will, 441-6362, bwill@lincoln.ne.gov
Planner
July 22, 2015

CONTACT: Jacob Hamilton
Virtual Site Walk
2215 SE 37th Avenue
Portland, OR 97214
619-341-9208

APPLICANT: Sprint Spectrum
6391 Sprint Parkway
Overland Park, KS 66251
913-530-1118

OWNER: Capital Contractors
C/o Chuck Sidles
1001 North 9th Street
Lincoln, NE 68508

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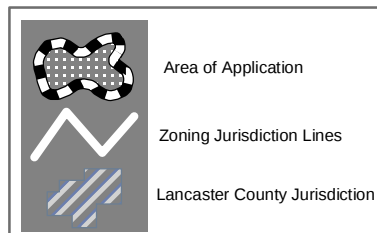
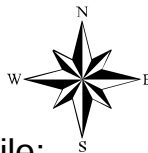


Special Permit #: SP15042
N 9th & W St

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.23 T10N R06E



2013 aerial

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No.	Date	Revision
A	07/19/15	90% PRE REVIEW SET
D	07/19/15	100% FINAL CD SET
1	-	-
2	-	-
3	-	-

Client

Sprint

Implementation and ASE Team



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CONSULTING INC.

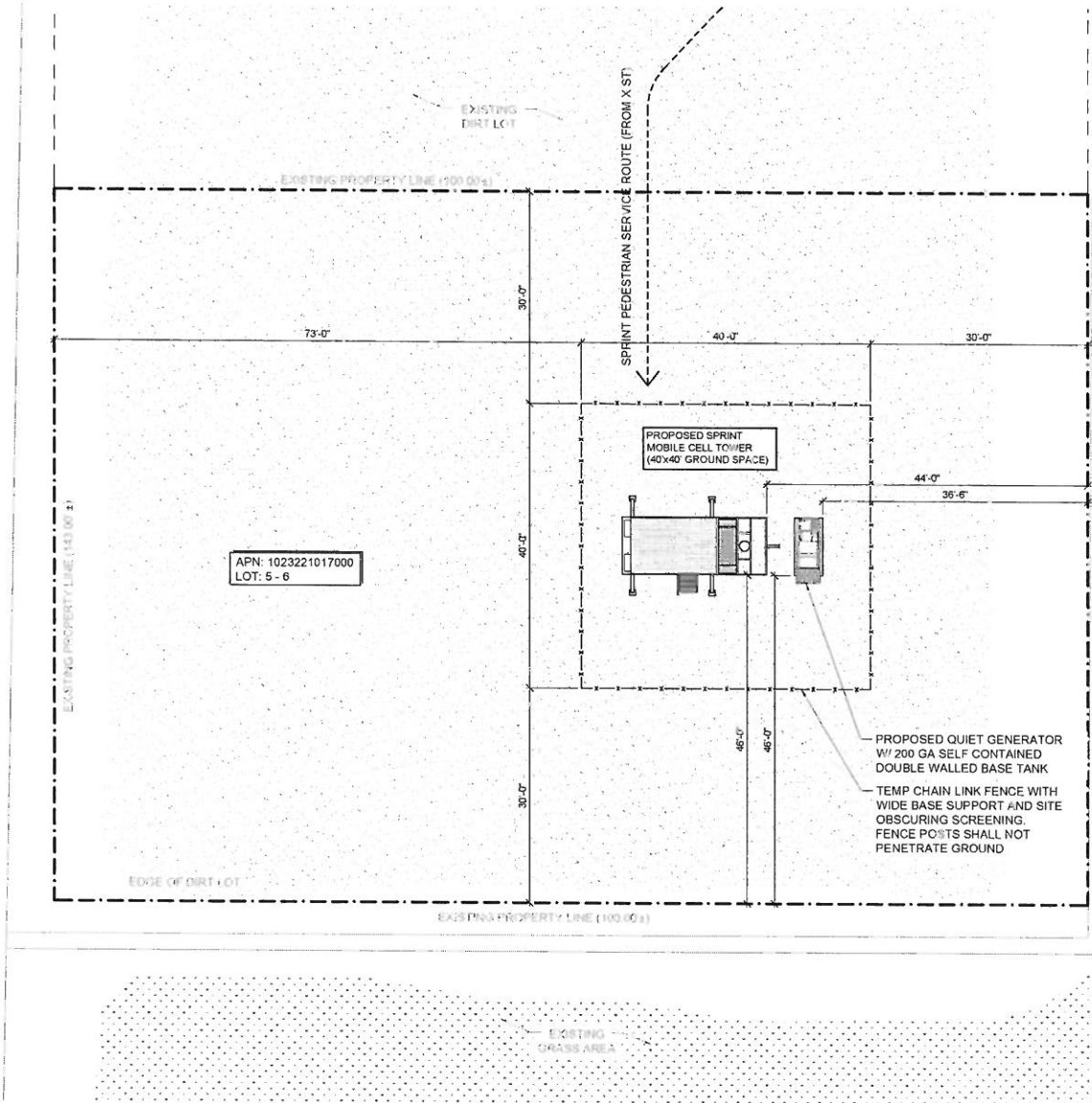
Project Info

UNIVERSITY OF NEBRASKA
805 N 9TH ST
LINCOLN, NE 68508-0000

Drawing Title

PROPOSED ENLARGED SITE PLAN

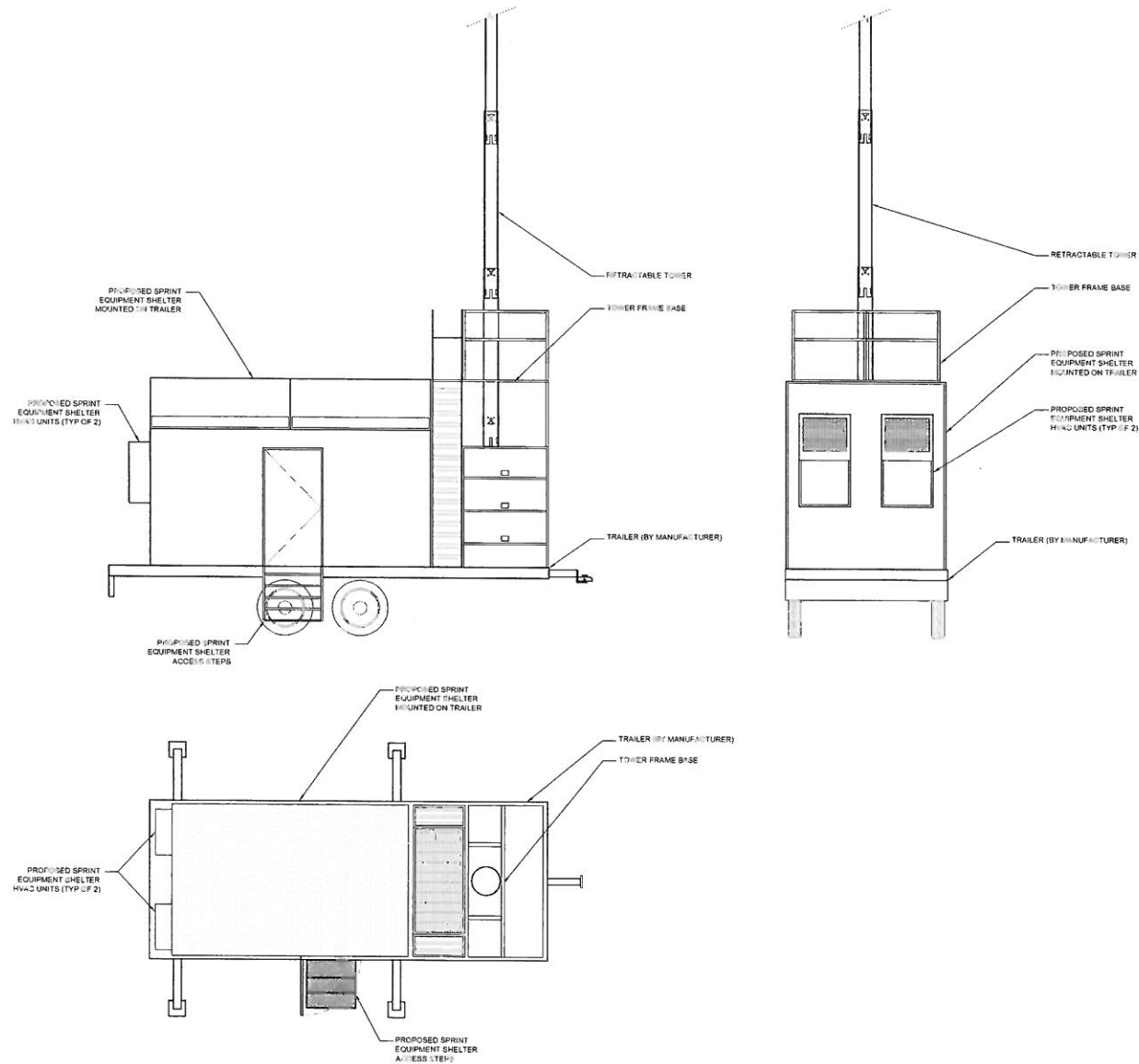
Project Number	Date
Drafter	07/19/15
RM	Designer
Project Manager	Pr. Director of Planning
AM	RJ
Revision No.	Sheet No.
0	A-2



22"x34" SCALE 1/8" = 1'-0"
11"x17" SCALE 1/16" = 1'-0"



PROPOSED ENLARGED SITE PLAN 1



THESE NOTES SHALL BE CONSIDERED TO BE PART OF THE DRAWING AND SHALL BE KEPT WITH THE DRAWING. NO CHANGES SHALL BE MADE TO THE DRAWING WITHOUT THE WRITTEN APPROVAL OF THE DESIGNER. THE DESIGNER SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE TRAILER. THE TRAILER SHALL BE DESIGNED TO MEET THE REQUIREMENTS OF THE UNIVERSITY OF NEBRASKA. THE TRAILER SHALL BE DESIGNED TO MEET THE REQUIREMENTS OF THE UNIVERSITY OF NEBRASKA. THE TRAILER SHALL BE DESIGNED TO MEET THE REQUIREMENTS OF THE UNIVERSITY OF NEBRASKA.

No.	Date	Revision
A	07/08/15	SCU CD REVIEW SET
B	07/15/15	10% FINAL CD SET
1	-	-
2	-	-
3	-	-

Client

Sprint

Implementation and RFE Team

Acom
CONSULTING INC.

Project Info

UNIVERSITY OF NEBRASKA
875 N 84TH ST
LINCOLN, NE 68508-0000

Drawing Title

PROPOSED TRAILER SPECIFICATIONS

Project Number	Date
07/15/15	
Drafter	Designer
RM	RM
Project Manager	Professional of Record
AM	RJ
Revision No.	Sheet No.
0	A-4

PROPOSED TRAILER SPECIFICATIONS 1



July 20, 2015

TO: Brian Will – City of Lincoln Planning Department

FROM: Jacob Hamilton, Contractor for Sprint Special Events

RE: Zoning Application Narrative for Sprint Temporary Cell Site during 2015 Nebraska Football Season

SITE ADDRESS: Capital Steel Company – 905 9th St., Lincoln, NE 68508

THE FOLLOWING IS AN ANALYSIS OF SECTION 27.68 (PERSONAL WIRELESS FACILITIES)

Sprint is proposing a temporary wireless facility at the address above on a temporary basis from 08/17/15 to 11/29/15. It will be removed immediately after the last home game. We would place a trailer and 60' temporary tower in a 40' x 40' area identified in the attached drawings. We place a whisper watt generator inside the compound and run it from 1 day before home games until the next morning. The noise is minimal and complies with all noise standards when placed adjacent to a residential zone. We use diesel fuel and a refueling truck fills up the generator approximately once a week.

Sprint can also take the tower down between home games. We put it up the day before games and take it down the morning after games. This will help mitigate visual blight concerns. The compound is fenced with sight obscuring chain link fencing, so there's no visual blight when the tower is down. All that will be visible is the top of the trailer above the fencing.

We are requesting a waiver of the requirement to allow for up to 2 other carriers to collocate on our tower under 100'. Due to the temporary and custom nature of our site, it will not accommodate additional carriers and other carriers would not want to collocate on a COW. It's very common for each major carrier (AT&T, Verizon, Sprint, & T-Mobile) to bring in their own COWs for special events and football seasons. I've never seen or heard of carriers placing their antennas on another carriers COW.

27.68.080 Location Preferences. The proposed Sprint temporary cell site falls under section (a)(4), Sites in Commercially or industrially zoned districts as a "preferred" site. Our site is located in a steel industrial yard immediately adjacent to a Verizon permanent site. It does not abut residential use and is zoned I-1 for industrial use. The proposed site is surrounded by a railway, overpass, and Capital Steel.

(ii) & (iii): The only possibly preferred location is the Verizon cell site adjacent to our proposed location. For a temporary site we bring trailers around the country that are pre-equipped as a contained unit. Sprint does not have the ability to detach antennas and place them on Verizon's tower for a short term site.

The technical reason we can't use the tower is that Sprint uses custom built trailers outfitted for events exactly like this. These trailers travel around the country for special events. They are very expensive



and highly customized for the latest network technology. Sprint does not have a trailer that can be rolled near the existing Verizon tower and have lines placed from that trailer up to antennas on Verizon's tower on a short term basis. That would require a lease with Verizon and the property owner also. If this was a permanent site we would go through the year process of applying for a collocation agreement with Verizon, pursue zoning approval, and build a site here. If we're required to use Verizon's tower this project will not happen and Sprint will not provide additional coverage for the 2015 Nebraska football season. Perhaps Sprint will investigate a permanent site in the future around the proposed location, but that's a completely different branch of Sprint and our team is not affiliated with that macro team.

Also, the Verizon leasing process can take 6 months or longer to complete. As a competitor, the leasing process is extremely slow and would never be complete in the appropriate timeframe. Sprint needs to deploy the temporary site by 08/24. Sprint generally releases temporary projects within 90 days of the proposed events.

Although major carriers often have Master Lease Agreements with tower owners, most of these MLAs are between major tower companies and carriers. Carriers leasing tower space from other carriers is still a treacherous process that we rarely do in telecom anymore. Very few towers are actually owned by the carriers anymore. Major tower companies such as American Tower, Crown Castle International, and SBA Assets, own the majority of towers in this country. Because of that, most carriers do not have robust leasing departments (especially since they're leasing to their competition).

Sprint has made many efforts over the last 2 months to negotiate a lease deal with The University of Nebraska, but there has not been any activity despite repeated requests for updates. We are still open to negotiate a deal with The University, but so far it appears they are not interested. We will continue to pursue this option, but it looks unlikely at this point.

(iv): In order for Sprint to meet service demands on game day, a temporary macro site is necessary in the vicinity of the stadium. 87,000 people fill the stadium on game days in Lincoln and the network is not designed to accommodate such a massive influx of Sprint users on only 7 days a year. If we do not bring in a temporary site Sprint users may not have functioning phones during an emergency and will not be able to use the "data" elements on their phone, such as texting and social media apps. It will be difficult to hold a call without dropping if we do not bring in a temporary site to support the network.

(vi): Sprint's proposed facility is 170' east of a dwelling unit.

27.68.090 Application Requirements

(3) Sprint will place a 6' high chain link fence around the 40' x 40' lease area. It will be locked and a sight obscuring cover is placed around the fencing as well so the public cannot see inside the lease area. It is usually a green colored vinyl material to blend in with the natural surroundings.

(4) We are locating on an industrial property to minimize potentially adverse visual effects on adjacent properties, including Memorial Stadium. The tower will be raised to 60' which is approximately the same height as a permanent Verizon cell site 160' to the southeast. The height limit in the I-1 zone is 75'. There is a lot of commercial activity around the railway here, so our temporary tower is compatible



with the existing uses on site. The antennas are only 4' high, there's only 3 of them, and they are flush with the mast of the COW (Cell on Wheels). The antennas do not stick out on arms like some permanent macro sites. Photos of previous temporary sites at college football stadiums can be provided if requested by Lincoln.

We are requesting a waiver from the following requirement: *All towers must be screened per Design Standards Chapter 3.50 Section 7.9.* Our antennas are flush to the tower mast and the mast is pretty slim as is. We only need 1 rad center. The tower portion is not designed to accommodate screening and additional material placed on the tower will likely just add visual bulk. Again, I've never seen screening placed on COWs other than the fencing around the compound. The COW is temporary, so visual concerns are generally short term. The tower can always be removed due to an emergency or other public safety requirement. It may be possible to get a taller fence if needed, but I would like a waiver on the antenna screening requirement.

(5) The only maintenance is refueling the generator approximately once a week. The temporary site is unmanned and only takes 2 days to set up and 1 day to take down. It's possible that a field tech would need to visit the site once or twice a month to check on the site as needed.

(6) Regulatory documentation can be provided as requested by The City of Lincoln. Sprint does an FAA analysis to make sure we are not exceeding federal height limits. There is no ground penetration that would require a NEPA analysis.

27.68.110 Design Criteria for Personal Wireless Service Facilities.

(1) The trailer contains all of the necessary equipment to operate the site and is well under 450 square feet. It's 20' long and 8' wide. The height of the trailer is usually under 12'.

(2) Sprint uses sight obscuring temporary chain link fencing to block the view of the equipment area and generator.

(6) The only setback in the I-1 zone is 10' abutting residential. Our facility is well over 10' from the east side of the property that abuts a residential unit.

(b) Sprint is proposing a 6' high sight obscuring fence around the facility with gated and locked access.

(c) The mast of the COW (Cell on Wheels) is a galvanized finish. It's not painted any colors and it not lit in any manner.

(9) The tower is a maximum of 60' high and the height limit in the I-1 zone is 75'. However, guy wires are necessary since it's a temporary site without ground penetration. Sprint will use 3 guy wires and concrete anchors in the lease space to tie down the mast. The concrete anchors could be necessary to stabilize the tower in a safe fashion.

(g) The tower fall zone of 30' will be provided for on the east side where a residential lot abuts the property line. However, the temporary site will not be more than 30' from the west property line since Capital Steel owns the lots to the north and east.



Sincerely,

Jacob Hamilton

Virtual Site Walk LLC

jake@virtualsitewalk.com

Phone: 619.341.9208

LINCOLN /LANCASTER COUNTY PLANNING STAFF REPORT
for August 5, 2015 Planning Commission Meeting

Project #: Comprehensive Plan Amendment #15002

PROPOSAL: Amend the Existing and Proposed Commercial Centers map to change the commercial center designation on land northwest of S. 70th and Yankee Hill Road from “Unbuilt Mixed Use Office Center” to “Unbuilt Neighborhood Center”.

CONCLUSION: The proposal is consistent with the Comprehensive Plan.

<u>RECOMMENDATION:</u>	Approval of the proposed amendment
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GENERAL INFORMATION:

LOCATION: S. 70th Street and Yankee Hill Road

EXISTING LAND USE: Undeveloped/agriculture

COMPREHENSIVE PLAN SPECIFICATIONS:

The Future Land Use Plan in the 2040 Comprehensive Plan identifies this area as Commercial. (p. 1.9)

Provide flexibility to the marketplace in siting future commercial and industrial locations. (p. 5.2)

Commercial. Areas of retail, office, service and residential mixed uses. Commercial uses may vary widely in their intensity of use and impact. Individual areas designated as commercial in the land use plan may not be appropriate for every commercial zoning district. (p. 12.4)

ANALYSIS:

1. The area requested for a change in commercial center designation is currently zoned AG Agriculture, but is shown as “Commercial” in the future land use plan.
2. No residential or commercial plans have been approved for this site and none have been submitted.
3. The current commercial center designation for this land is “Unbuilt Mixed Use Office Center”. Generally, they are around 250,000 square feet, focus primarily on office space, are distributed throughout the community, and include up to 25% retail uses. They are intended to provide a high quality environment for offices with clustering to maximize transportation and a critical mass of employees to support a mix of retail uses. The full description of Mixed Use Office Centers can be found on Pages 5.12 to 5.13 of the Comprehensive Plan.
4. The proposed center designation for this land is “Unbuilt Neighborhood Center”. Generally, Neighborhood Centers are 150,000 square feet, but may expand up to 225,000 square feet if they meet incentive criteria set forth in the Comprehensive Plan on Pages 5.13 to 5.14. The full description of Neighborhood Centers can

be found on Pages 5.11 to 5.12 of the Comprehensive Plan. Typically, a Neighborhood Center includes one anchor store and several smaller stores. The Comprehensive Plan suggests their spacing be a half mile from other Neighborhood Centers and that there should only be two per square mile. The proposed change increases the number of Neighborhood Centers in this square mile from one to two, but it will be less than a half mile from another Unbuilt Neighborhood Center on the southeast corner of S. 70th Street and Yankee Hill Road that does not have approved detailed plans, but is part of the Woodlands at Yankee Hill Planned Unit Development which is approved for commercial at that corner.

5. Future applications for a change of zone and preliminary plan (use permit, Planned Unit Development, etc.) will address details of development and site layout.
6. Mixed Use Office Centers typically allow 250,000 square feet, with 10-25% retail (25,000-62,500 square feet). Neighborhood Centers typically allow 50,000-150,000 square feet or up to 225,000 square feet if meeting the incentive criteria.

SUMMARY:

The commercial center designation change is appropriate considering the timing of development in this general area, and the reportedly weak office development market. More than likely, the future Neighborhood Center at this location will include a mix of retail, offices, and dwellings to serve the surrounding area--just at different ratios than envisioned for a Mixed Use Office Center.

PROPOSED AMENDMENT:

Amend the 2040 Lincoln/Lancaster County Comprehensive Plan as follows:

1. Amend Map 5.1: Existing and Proposed Commercial Centers on Page 5.6 to change the commercial center designation from Mixed Use Office Center to Neighborhood Center.

Prepared by:

Brandon M. Garrett, AICP
Planner
402-441-6373 or bgarrett@lincoln.ne.gov

DATE: July 27, 2015

APPLICANT: White LLC and 1640 LLC
2001 Pine Lake Rd., Ste. 150
Lincoln, NE 68512
zwhite@zsarealtygroup.com

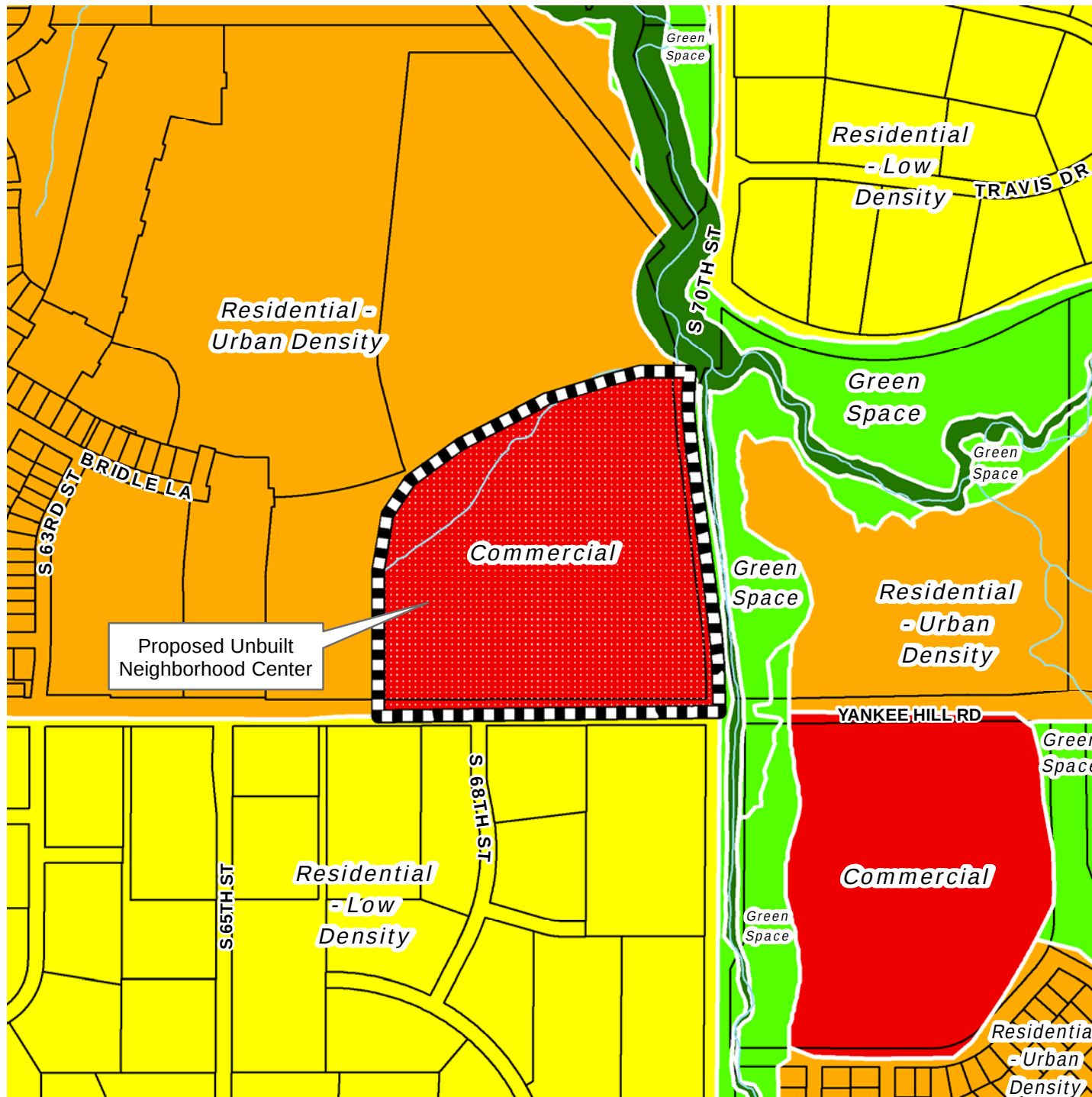
OWNER: Village Gardens Development Company, LLC
5626 Pine Lake Road
Lincoln, NE 68516
402-423-4556

CONTACT: DaNay Kalkowski
1111 Lincoln Mall, Ste. 350
Lincoln, NE 68508
402-435-6000
danay@sk-law.com

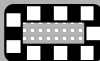
F:\DevReview\CPA\15000\CPA15002 70th and Yankee Hill.bmg.wpd

**CPA # 15002:
Village Gardens
S 70th St & Yankee Hill Rd**

**Proposed Amendment Area
Unbuilt Mixed Use Office Center
to
Unbuilt Neighborhood Center**



Legend

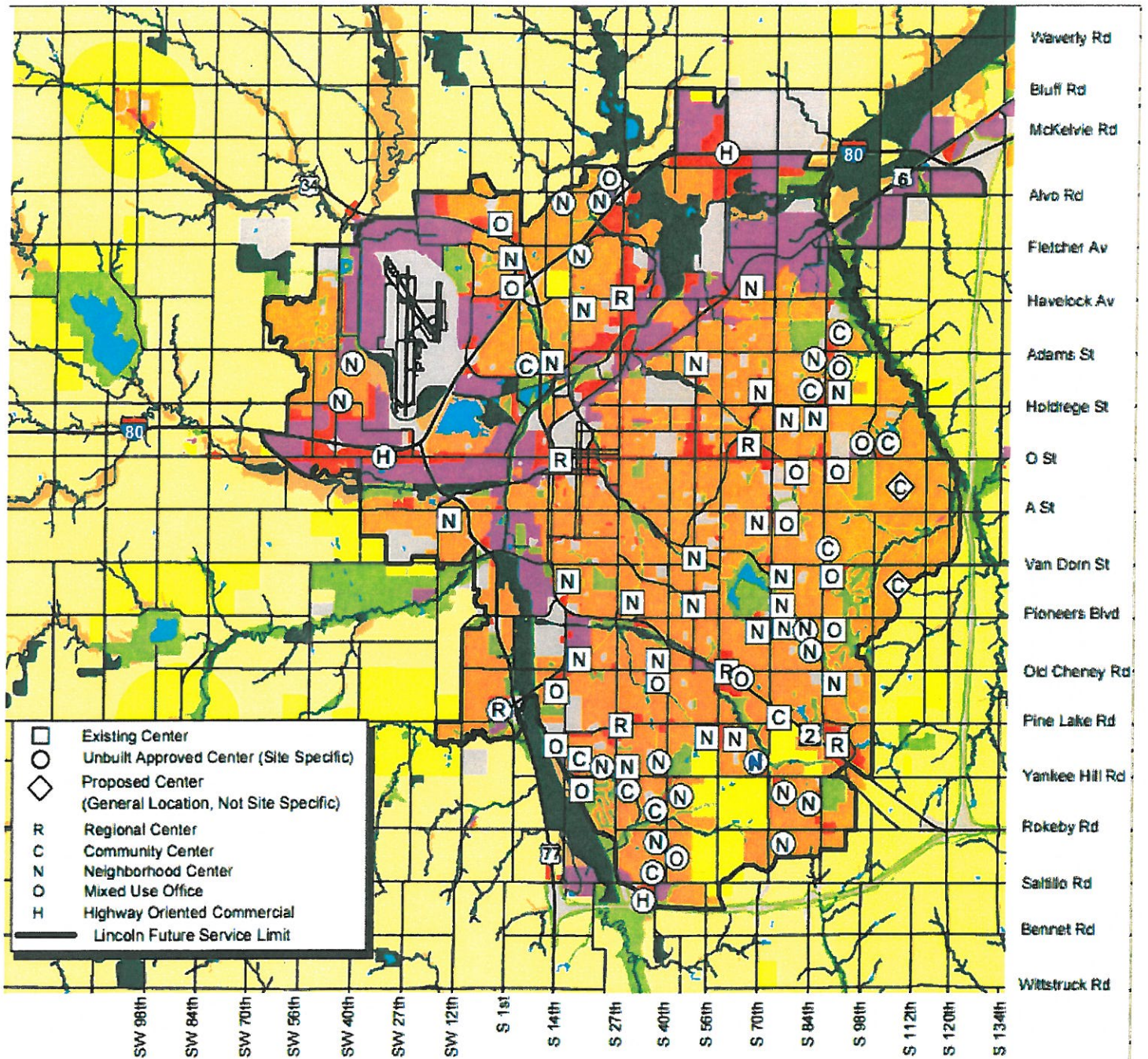
 Area of Amendment

N
W E
S

Lincoln - Lancaster County
PLANNING DEPARTMENT
Information Technology Services
305 South 10th Street
Lincoln, Nebraska 68508
Ph: 402.441.2491 Fax: 402.441.0377

Feet
0 280 560 1,120

UNBUILT APPROVED CENTER (SITE SPECIFIC)
 CHANGE OF DESIGNATION FROM
 MIXED USE OFFICE PARK (O) TO NEIGHBORHOOD CENTER (N)
 NW CORNER S. 70TH & YANKEE HILL ROAD



Map 5.1: Existing and Proposed Commercial Centers

SEACREST & KALKOWSKI, PC, LLO

1111 LINCOLN MALL, SUITE 350
LINCOLN, NEBRASKA 68508-3910

TELEPHONE (402) 435-6000
FACSIMILE (402) 435-6100

KENT SEACREST
E-MAIL: kent@sk-law.com

DANAY KALKOWSKI
E-MAIL: danay@sk-law.com

July 8, 2015

HAND DELIVERY

David Cary, Interim Director
Planning Department
555 South 10th Street
Lincoln, NE 68508

RE: Comprehensive Plan Amendment

Dear David:

Our office represents 1640 LLC and White LLC (collectively "Developers"), who have a contract interest in approximately 30 acres located at northwest corner of South 70th Street and Yankee Hill Road (the "Property"). In 2008, the Property was designated for "Commercial" use on the Lincoln Area Future Land Use Plan and was designated (O) for a Mixed Use Office Center as part of the 2030 Lincoln/Lancaster County Comprehensive Plan. The Property enjoys the same designations in the 2040 Lincoln/Lancaster County Comprehensive Plan ("Comp Plan").

Developers are requesting an amendment to the Comp Plan to change the designation of the Property from (O) Mixed Use Office Center to (N) Neighborhood Center on Map 5.1: Existing and Proposed Commercial Centers. Enclosed please find a map showing the change of designation. The Neighborhood Center designation is consistent with the "Commercial" designation on the Lincoln Area Future Land Use Map and will better reflect the most viable use of the Property. Developers anticipate the Property will be developed with a diverse mix of uses. However, given the continuing weakness of the office market in suburban Lincoln and the addition of other office developments in the area since 2008, Developers believe the mix of uses desired by the market will lean more heavily toward retail and service uses. This change of Comp Plan designation is needed to allow Developers to effectively market the Property.

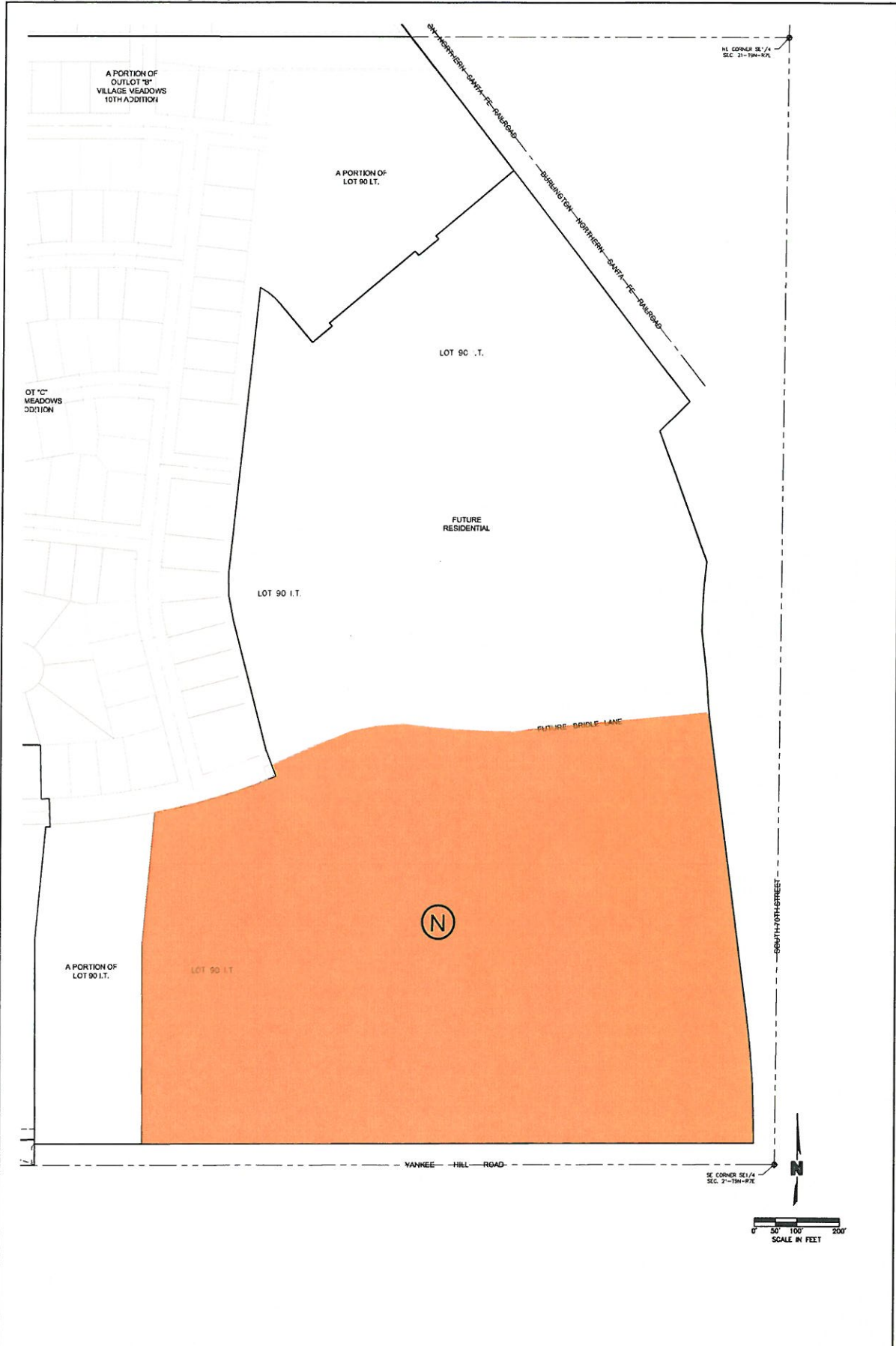
Enclosed please find the City of Lincoln Application Request Form, along with the application fee for a Comprehensive Plan Amendment in the amount of \$330. If you have any questions regarding the enclosed or need any additional information, please feel free to contact me.

Very truly yours,


DANAY KALKOWSKI
For the Firm

Enclosures

cc: Bob Benes
Zach White



SHEET 1 of 1	COMPREHENSIVE PLAN AMENDMENT	REV. NO. DATE REVISIONS DESCRIPTION		 601 P Street, Suite 200 P.O. Box 64808 Lincoln, NE 68506 TEL: 402-474-8311 FAX: 402-474-5160 www.molssonassociates.com
	VILLAGE MEADOWS			
	LINCOLN, NE	2015	REVISIONS	

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for August 5, 2015 PLANNING COMMISSION MEETING

PROJECT #: Change of Zone No.15021 Planned Unit Development

PROPOSAL: From P Public Use District to B-2 PUD, O-3 PUD, and R-4 PUD

LOCATION: East side of S. 70th Street, north of S. Wedgewood Drive.

LAND AREA: 60 acres more or less

EXISTING ZONING: P Public Use District

CONCLUSION: This Planned Unit Development (PUD) readies the VA Medical Center campus for mixed use redevelopment, consistent with the Veteran Administration's announced intention to develop a new clinic facility in Lincoln and relinquish the current clinic, and consistent with the VA's lease of the campus to Seniors Foundation for the purposes of redevelopment and continued up-keep. The proposed waivers are internal to the development and should not negatively impact adjacent properties or individual elements of the redevelopment. The PUD is in conformance with the Comprehensive Plan.

RECOMMENDATION: Conditional Approval

WAIVERS:

Subdivision Ordinance

26.15.020

- Allow future submission as administrative amendments to the PUD of Approval
 1. Building configuration
 2. Site specific grading and drainage design
 3. Paving profiles/roadway cross-sections
 4. Storm sewer calculations
 5. Lot layout
 6. Street data
 7. Street trees

26.23.125

- Waive the requirement to provide pedestrian way when block length exceeds 1,000 feet Approval

26.23.130

- Waive the requirement that block lengths not exceed 1,320 feet Approval

CZ# 15021 Victory Park PUD**Zoning Ordinance**

27.72.020 and 27.72.030

- Allow heights are outlined on PUD notes for existing buildings and for Lots 9, 10, and 11 (45 feet rather than 35 feet) Approval

Design Standards

- Accept the existing roadways as private roadways Approval

GENERAL INFORMATION:

LEGAL DESCRIPTION: Lot 66, Irregular Tract located in the northwest quarter of Section 27-10-07, and the adjacent right-of-way of South 70th Street, in Lincoln, Lancaster County, NE.

EXISTING LAND USE: VA Medical Center

SURROUNDING LAND USE AND ZONING:

North:	R-3 Residential	Memory care residence, under construction
	B-1 Commercial	Bank, drug store
	O-2 Office	Offices
	R-1 Residential	Multi-family and single family housing
South:	R-1 Residential	Single family housing
East:	R-1 Residential	Multi-family and single family housing
West:	B-1 Commercial	Retail
	R-1 Residential	St. Elizabeth Medical Center

HISTORY:

1929	320 acre Leavitt farm acquired for a veterans hospital.
1930	Construction began on Lincoln VA Hospital, first patients accepted.
1931	April, formal dedication of Lincoln VA Hospital.
1956	Wooden cupola removed from main hospital building.
1983	VA Outpatient Clinic constructed.
1998	Cessation of in-patient services.
2011	VA selected Lincoln's Seniors Foundation to redevelop the VA Campus under an Enhanced Use Lease (EUL).
2012	Lincoln VA Hospital campus was listed on the National Register of Historic Places.
2015	Veterans Administration solicited interest from property owners/developers for a new Lincoln VA outpatient clinic, to be built within the Lincoln Corporate

CZ# 15021 Victory Park PUD

limits. VA Medical Center developers are competing for selection to locate the new clinic on the northwest corner of the VA Medical Center campus.

June 16, public meetings with veterans and neighbors.

July 7, 2nd public meeting with neighbors.

July 23, Planning Commission hearing on Redevelopment Plan; action scheduled for August 5; City Council hearing on Redevelopment Plan scheduled for August 10th

COMPREHENSIVE PLAN SPECIFICATIONS:

This property is shown as Public in the 2040 future land use map. Page 1.9

Placemaking Guiding Principles Page 4.9

Implement a public policy of the careful stewardship of significant, publicly owned historic resources, including a full and open examination of alternatives when major alterations or demolition are considered.

Seek incentives and regulatory support to maintain, rehabilitate, and minimize energy utilization of existing buildings in order to make it more feasible to rehabilitate and continue to use older buildings.

Business & Economy Guiding Principles

Seek to efficiently utilize investments in existing and future public infrastructure to advance economic development opportunities. (p.5.2)

Encourage and provide incentives for mixed uses in future developments. (p.5.2)

Develop infill commercial areas to be compatible with the character of the area. (p. 5.14)

Encourage a vertical mix of residential and commercial use types. (p.5.15)

Mixed Use Redevelopment Guiding Principles Page 6.2

Be located and designed in a manner compatible with existing or planned land uses.

Provide a diversity of housing types and choices throughout each neighborhood for an increasingly diverse population.

Create housing opportunities for residents with special needs throughout the city that are compatible with and integrated into residential neighborhoods.

Help to create neighborhoods that include homes, stores, workplaces, schools, and places to recreate.

Encourage residential mixed use for identified corridors and redeveloping Regional, Community, Neighborhood, and Mixed Use Office Centers identified as nodes.

Neighborhoods and Housing Guiding Principles Page 7.2

Provide a wide variety of housing types and choices for an increasingly diverse and aging population.

Preserve areas designated for multi-family and special needs housing in approved plans to support a distributed choice in affordable housing.

UTILITIES: The federally owned campus has a mix of public and private utility service. This PUD and the related Redevelopment Plan and Redevelopment Agreement address extending public utilities throughout the campus.

CZ# 15021 Victory Park PUD

TRAFFIC ANALYSIS: S. 70th Street is an improved Major Arterial street.

ANALYSIS:

1. This project area, the VA Medical Center Campus, has served veterans' medical needs since 1930. It has been appropriately zoned P Public Use District based on its federal ownership and utilization. The Lincoln VA Hospital ceased in-patient services in 1998 but has continued the very active provision of outpatient services. In anticipation of creating a new Lincoln VA Clinic, the VA entered into a lease with the Seniors Foundation in 2011 to assume responsibility for maintaining and redeveloping the campus. The VA and the Foundation are currently finalizing terms of a 75-year Enhanced Use Lease (EUL). The VA is also continuing a process to select a site and developer for a new Lincoln VA Clinic. The VA Medical Center campus and Senior Foundation team are vying to be selected.
2. While the campus will remain in federal ownership, its redevelopment for a mix of uses requires rezoning. The Seniors Foundation proposal includes veterans' housing, senior citizen housing in a variety of forms (with a veterans' preference), medical office space, other commercial uses, and other housing types, in a blend of new construction and rehabilitated historic buildings. The application proposes areas of O-3 (Office Park District) PUD, B-2 (Planned Neighborhood Business District) PUD, and R-4 (Residential District) PUD.
3. The applicant held neighborhood meetings on June 16 and July 7, 2015. Based on input received at the first meeting, the conceptual site plan was revised, especially along the east and southeast edges of the campus. Taller buildings were relocated to more central positions on the campus and one-to-two story housing was located adjacent to neighboring single-family housing. Medical office buildings at the southwest corner of the site were set-back further from the south property line.
4. The first phase of the project would preserve the parade ground in front of the historic main hospital building, develop 70 units of Veterans Administration Supportive Housing (VASH) at a north-central location, and construct the first medical office building of approximately 80,000 square feet at the southwest corner of the site.
5. Requested Waivers:
 - a. Title 26, Section 26.15.020, to allow submission as future administrative amendments to the PUD of the following information:
 1. Building configuration
 2. Site specific grading and drainage design
 3. Paving profiles/roadway cross sections
 4. Storm sewer calculations
 5. Lot layout

CZ# 15021 Victory Park PUD

- 6. Street data
- 7. Street trees.

Discussion: The proposed redevelopment is described as a multi-phase, multi-year project, with only the first phase (VASH housing and first medical office building) firmly determined for immediate implementation. The site plan is therefore envisioned as largely conceptual in nature and several waivers are requested to defer information typically included in the PUD site plan. Conditions are offered in the staff recommendation addressing specific elements of this request. In general, in a long-term project the sequence and specific details of the various components need some flexibility to clarify over time. The conditions attempt to balance protection of neighboring property and the general public interest with sufficient flexibility to foster a successful project.

Public Works & Utilities Department (PWU) points out that the grading and drainage information is insufficient or erroneous including:

- Insufficient grading detail especially for ponds. Some ponds show no grading. No location shown for the south pond. No grading sheet shown for some ponds.
- No outlet culvert detail shown for ponds.
- The NE and N ponds show 6 feet plus berm above adjacent residences. This is too high, needs to be brought down to 2 feet or lower.
- Typical area/CN/Tc table missing. No table directly comparing exiting/post/post with pond shown.
- H&H memo incorrectly references Village Gardens and Beal Slough study.

Staff recommends a condition that no building permits be issued until grading and drainage plans are submitted to and approved by PWU.

The applicant indicates that a landscape plan will be developed and submitted for approval to the Nebraska State Historical Society and the VA prior to construction of streets. Staff recommends a condition that the plan also be submitted for approval to the Planning Director.

- b. Title 26, Section 26.23.125, to waive requirement of providing pedestrian way for block length exceeding 1,000 feet.

Discussion: The abutting existing neighborhood was platted without any sidewalk connections into the VA Campus on the south or east property lines. The Victory Park plans include sidewalk connections throughout the development and access to public sidewalks on S. 70th Street.

- c. Title 26, Section 26.23.130, to waive requirement that block lengths not exceed 1,320 feet.

CZ# 15021 Victory Park PUD

Discussion: The abutting existing neighborhood was platted without future street connections into the VA Campus. In addition, the VA campus is listed on the National Register of Historic Places and the VA requires that the most significant historic elements of the campus be preserved, including the historic layout of the Parade Ground, main hospital and attached north and south wing, and row of four historic staff residences north of the main hospital. These constraints dictate longer block lengths than 1,320 feet and are similar to the types of constraints (“a major street, school, park, or other man-made barrier, lake, or other natural barrier”) identified in the ordinance as permitted to result in longer blocks.

- d. Title 27, Section 27.72.020 and 27.72.030, to allow certain increases in allowed heights as described in the Victory Park PUD notes, and setbacks as dimensioned on the site plan.

Discussion: In general, most of the proposed construction would conform to height and setback requirements typical of the O-3, B-2, and R-4 zoning districts requested under the PUD. Exceptions would be to specify

- ☐ that the existing heights of the historic buildings to be retained are permitted,
- ☐ and that the cupola of the main hospital could be reconstructed,
- ☐ and that “Lot 9” in the northwest corner of the property be allowed 45 feet rather than 35 feet ordinarily permitted in the O-3 district,
- ☐ and that residential Lot 10 (VASH housing) and Lot 11 (multi-family senior apartments) be permitted 45 feet rather than the 35 feet ordinarily permitted in the R-4 district.

While the overall campus is approximately 60 acres, two factors in particular constrain areas appropriate for redevelopment--the need to preserve historic character, and the adjacency of a low-rise, single family residential neighborhood to the south and the east. The proposed redevelopment adjacent to the south and east property lines all would meet R-4 or O-3 height limits. The applicant requests the greater heights on three redevelopment lots more internal to the large campus and more remote from the adjacent houses “to provide market rents...[which] requires certain minimum density per acre.” The proposed separation between the taller apartments and the existing residential neighbors is considerably in excess of 100 feet. As the site plan has evolved, these three locations appear well chosen to absorb their impact within the site while still allowing some intensity of development on this large site.

- e. To permit the exiting roadways to be accepted as private roadways as currently designed and built.

Discussion: The applicant requests that the campus redevelopment begin utilizing current roadways as private roadways. As development proceeds, most of the new roads would be developed to meet private roadway standards, while the main “loop”

CZ# 15021 Victory Park PUD

road defining the parade ground would be improved (and its construction documented) to meet public street standards, for possible future dedication as a public street. A condition proposed by staff addresses this future conversion.

6. In addition to the more substantive items addressed above, a number of minor “clean-up” items have been identified that can be rectified following Council approval, prior to issuance of building permits. These are listed as Site Specific Conditions 1.6 through 1.13.

Approval of this PUD accepts the conceptual site plan including areas designated as O-3 PUD, B-2 PUD, and R-4 PUD, and permits commercial uses and 600 dwelling units, and approval of the requested waivers, subject to the following conditions:

CONDITIONS OF APPROVAL:**Site Specific Conditions:**

1. Before receiving building permits or before a final plat is approved the developer shall cause to be prepared and submitted to the Planning Department a revised and reproducible final plot plan including 5 copies with all required revisions and documents as listed below upon approval of the planned unit development by the City Council.
 - 1.1 Revise and submit grading and drainage plan to Public Works and Utilities Department.
 - 1.2 Add a note that the street in Outlot A, when reconstructed, shall be built by Executive Order to the satisfaction of Public Works and Utilities Department to the standards of a public street.
 - 1.3 Add a note that a landscape plan shall be submitted for approval of the Planning Director, prior to construction of roadways or sidewalks.
 - 1.4 Add to the General Notes:

All lot lines are conceptual and final plats may show different lot widths.
 - 1.5 Add to the General Notes, "Other than center signs, signs need not be shown on this site plan, but need to be in compliance with chapter 27.69 of the Lincoln Zoning Ordinance, and must be approved by Building & Safety Department prior to installation".
 - 1.6 Substitute alternative street names acceptable to Planning Department for Veterans Drive and Victory Drive, as those names are already in use.

CZ# 15021 Victory Park PUD

- 1.7 Delete height waivers covered in PUD Notes from Sheet 1 of 8.
- 1.8 Delete floor area and use notes from Lot 1 on Sheet 2 of 8.
- 1.9 Identify front yards and other setbacks on all lots on Sheet 1 of 8, as called for in PUD Notes.
- 1.10 On Land Use Chart, delete the entire first row of building titles to avoid confusion with approved land uses. In Column 9, delete the B-2 “dot” on this property. Define the “dot” in the Land Use Table.
- 1.11 On the Land Use Chart, add a row for “Multiple Family” and indicate “P” for permitted use by right for Lots 10 to 13.
- 1.12 Revise the Lot 10 Site Specific Plan (VASH housing site) to show sufficient space for street trees on the south side of the private roadway between the parking and the building.
- 1.13 Remove the listed waivers (since they are covered elsewhere in the PUD) from Sheet 3 of 8.
- 1.14 Clarify parking notes 3b and 3e on joint parking to the satisfaction of the Planning Department.
- 1.15 Clarify note 4e (second sentence) regarding signs since they are submitted under separate sign permits.
- 1.16 Verification from the Register of Deeds that the letter of acceptance as required by the approval of the Planned Unit Development has been recorded.

Standard Conditions:

- 2. The following conditions are applicable to all requests:
 - 2.1 Before occupying buildings, all development and construction shall substantially comply with the approved plans.
 - 2.2 All privately-owned improvements shall be permanently maintained by the owner or an appropriately established homeowners association approved by the City Attorney.
 - 2.3 The physical location of all setbacks and yards, buildings, parking and circulation elements, and similar matters must be in substantial

CZ# 15021 Victory Park PUD

compliance with the location of said items as shown on the approved site plan.

- 2.4 The terms, conditions, and requirements of the ordinance shall run with the land and be binding upon the developer, its successors and assigns.
- 2.5 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.

Prepared by:

Ed Zimmer, Planner
402-441-6360
ezimmer@lincoln.ne.gov

DATE: July 24, 2015

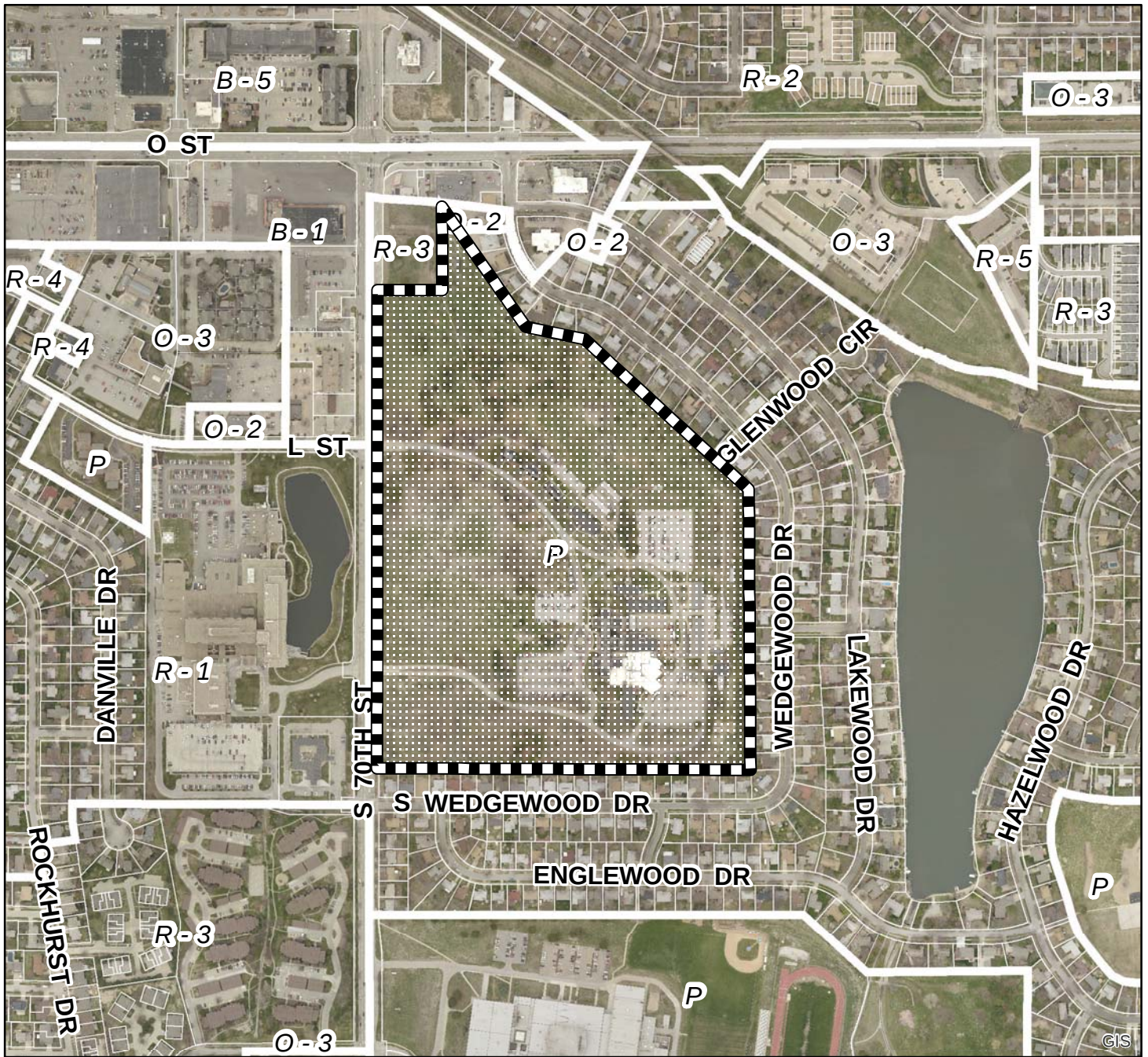
APPLICANT: Seniors Foundation VA Vision, LLC & Victory Park LLC
One Burlington Place, 1004 Farnam St., Suite 400
Omaha, NE 68102
(402)930-3090
gachola@afreg.com

OWNER: U. S. Department of Veterans Affairs
600 South 70th Street
Lincoln, NE 68510
(402)332-6780
william.ackerman@va.gov

CONTACT: Kent Seacrest
1111 Lincoln Mall, Suite 350
Lincoln, NE 68508
(402)435-6000
kent@sk-law.com

CZ# 15021 Victory Park PUD

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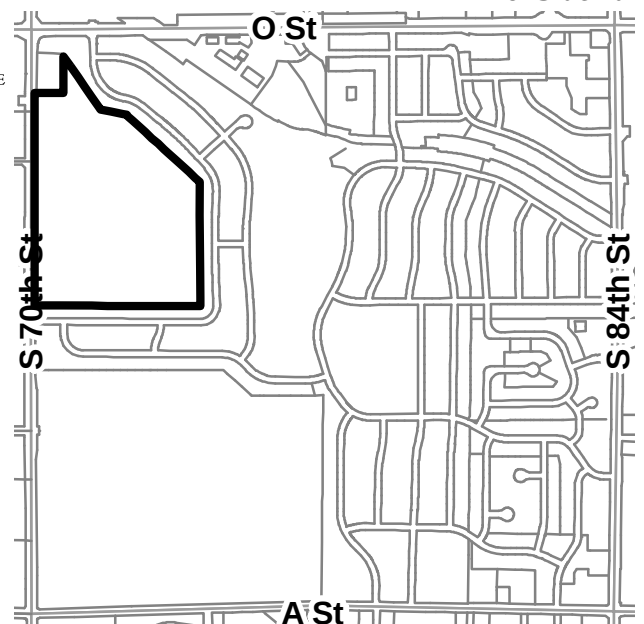
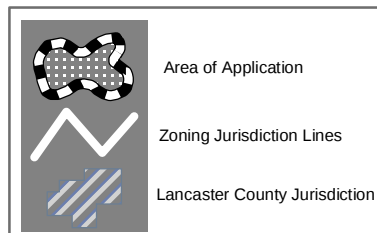
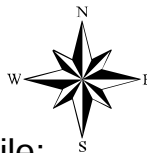
2013 aerial

Change of Zone #: CZ15021 **Victory Park PUD** **S 70th & 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.27 T10N R07E



1. FOR PLUM DEVELOPMENTS, REFERENCE THE VICTORY PARK PLUM NOTE DOCUMENT.
2. ALL DRAINAGES FOLLOW CURVES AND ARE CHORD DRAINAGES.
3. ALL ELEVATIONS ARE TO MWD 1988
4. ALL STREET DRAINAGES ARE TO BACK OF CURB
5. THE BUILDING FOOTPRINTS AND SPACES SHOWN ARE CONCEPTUAL AND WILL BE REVISED FOR COMPLIANCE AT THE TIME OF BUILDING PERMIT.
6. THE THIRD SECTORS REGULATES STRUCTURAL WALLS ONLY AND DOES NOT RESTRICT OVERHANGS, MERIDIAN, OR OTHERS FROM OVERHANGING INTO THE SETBACKS.
7. ALL RELATION OF DRAINAGE FEATURES WILL BE AT THE OWNER'S DEVELOPINGER'S EXPENSE.
8. THE EXACT LOCATION OF INTERNAL SIDEWALKS AND WALKWAYS SHALL BE INCLUDED ON THE BUILDING PERMIT PLANS FOR REVIEW AND APPROVAL BY THE PLANNING DEPARTMENT.
9. ALL SIDEWALKS SHALL BE LOCATED ON THE BUILDING SIDE OF THE STREETS FROM THE BUILDING.
10. REFER TO DRAINAGE STUDY FOR STORM WATER DETAILING.

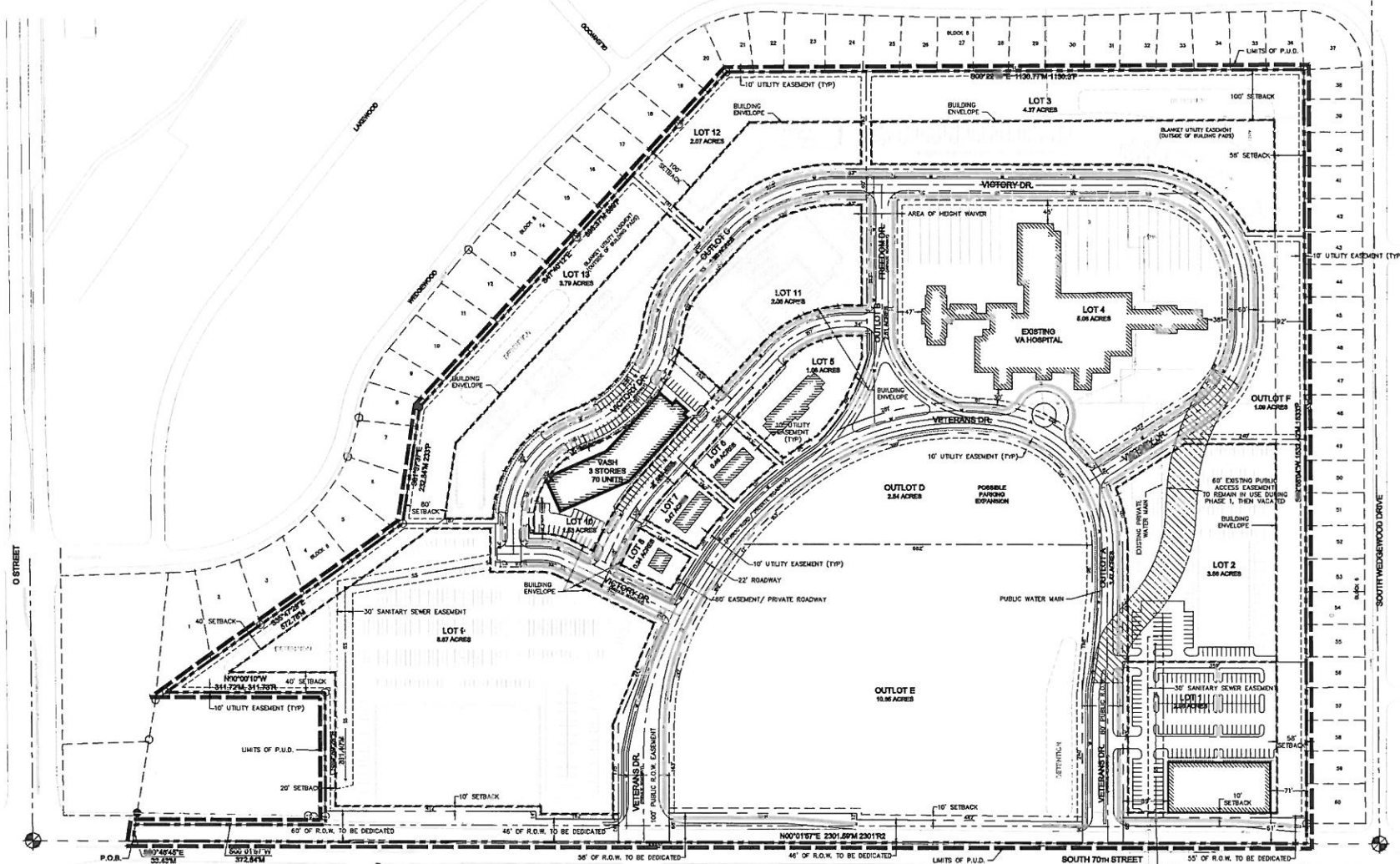
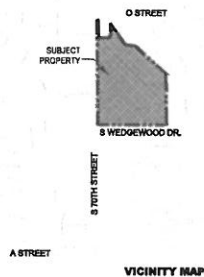
1. A HEIGHT WAIVER FOR PORTIONS OF THE BUILDINGS FROM 35' TO 45'.
2. A WAIVER FOR BLOCK LENGTH TO EXCEED 1,320'
3. A WAIVER FOR PEDESTRIAN WAY BLOCK LENGTH OF 1,000'
4. A WAIVER TO DESIGN STANDARDS FOR PRIVATE ROADS TO PERMIT THE EXISTING ROADWAYS TO BECOME PRIVATE ROADWAYS.
5. SIDEWALK LOCATION MAY VARY

[illegible]

PUD UNDERLYING ZONING EXHIBIT
NOT TO SCALE

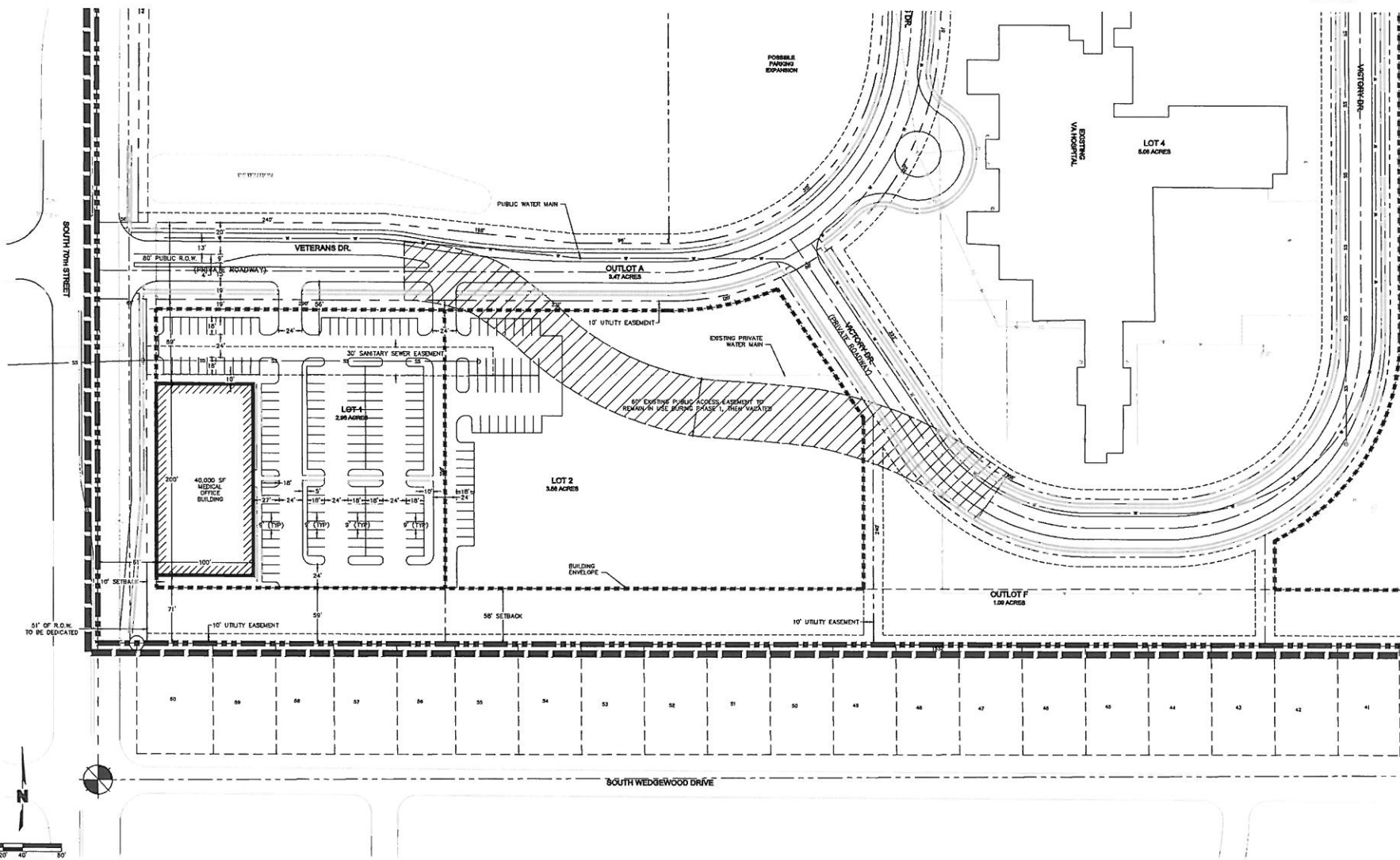
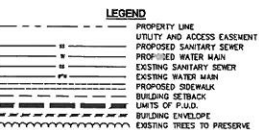
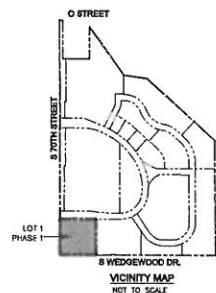
DEVELOPER
SENIOR FOUNDATION VA VISION
& VICTORY PARK LLC
C/O GEORGE ACHOLA
ONE BURLINGTON PLACE, 1004 FARNAM ST
OMAHA, NE 68102
PHONE: (402) 930-3090

PROPERTY LINE
UTILITY AND ACCESS EASEMENT
PROPOSED SANITARY SEWER
PROPOSED WATER MAIN
EXISTING SANITARY SEWER
EXISTING WATER MAIN
PROPOSED SIDEWALK
BUILDING SETBACK
LIMITS OF P.U.D.
BUILDING ENVELOPE
EXISTING TREES TO PRESERVE



DEVELOPER
SENIOR FOUNDATION VA VISION
AND VICTORY PARK LLC
C/O GEORGE ACHOLA
ONE BURLINGTON PLACE, 1004 FARNAM ST.
OMAHA, NE 68102
PHONE: (402) 930-3090

1. EXISTING VETERANS DRIVE ROADWAY TO BE UTILIZED TO ACCESS LOT 1.
2. WATER SERVICE FOR LOT 1 SHALL TAP THE EXISTING MAIN IN SOUTH 70TH STREET.



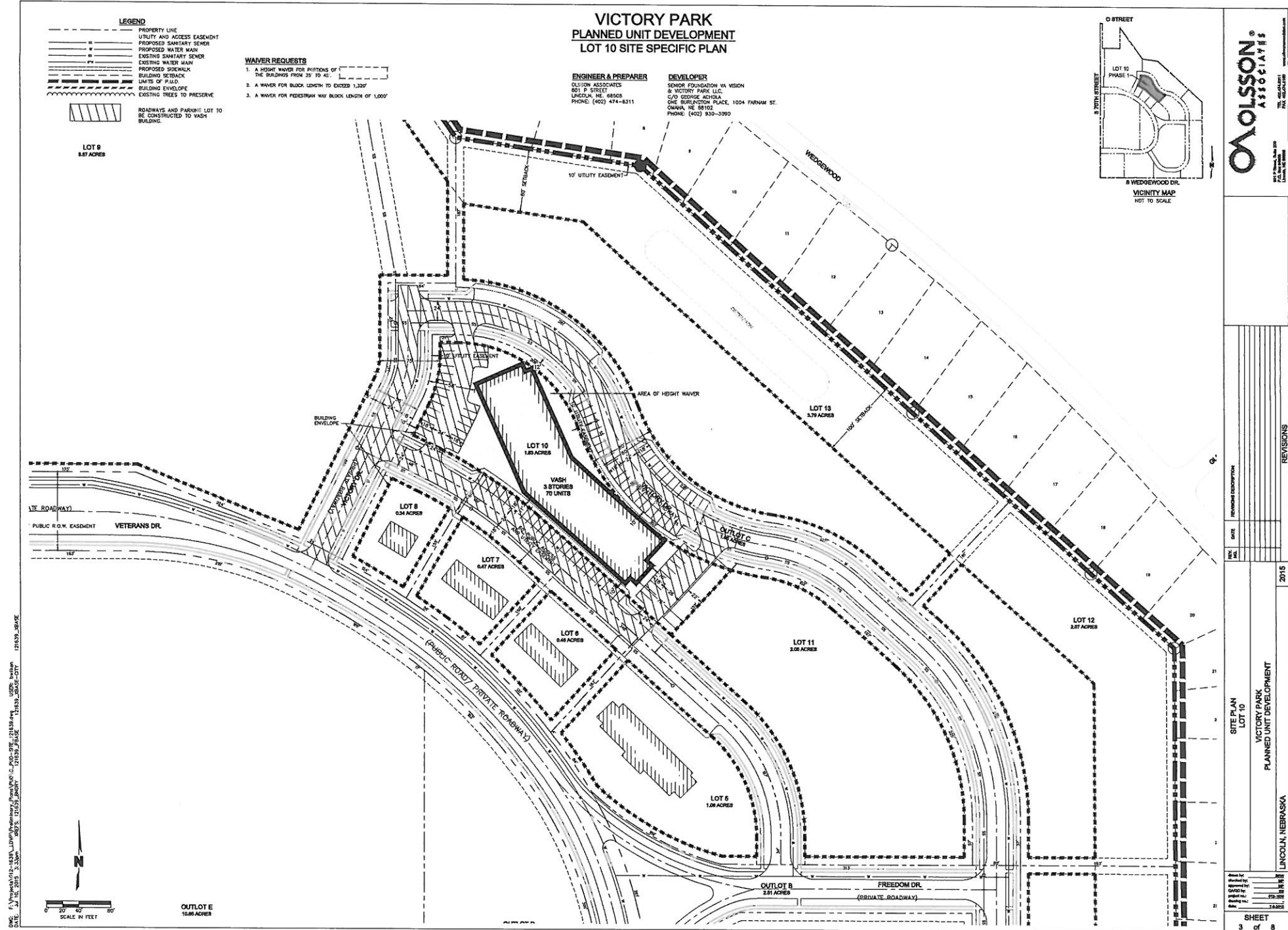
REV. NO.	DATE	REVISIONS

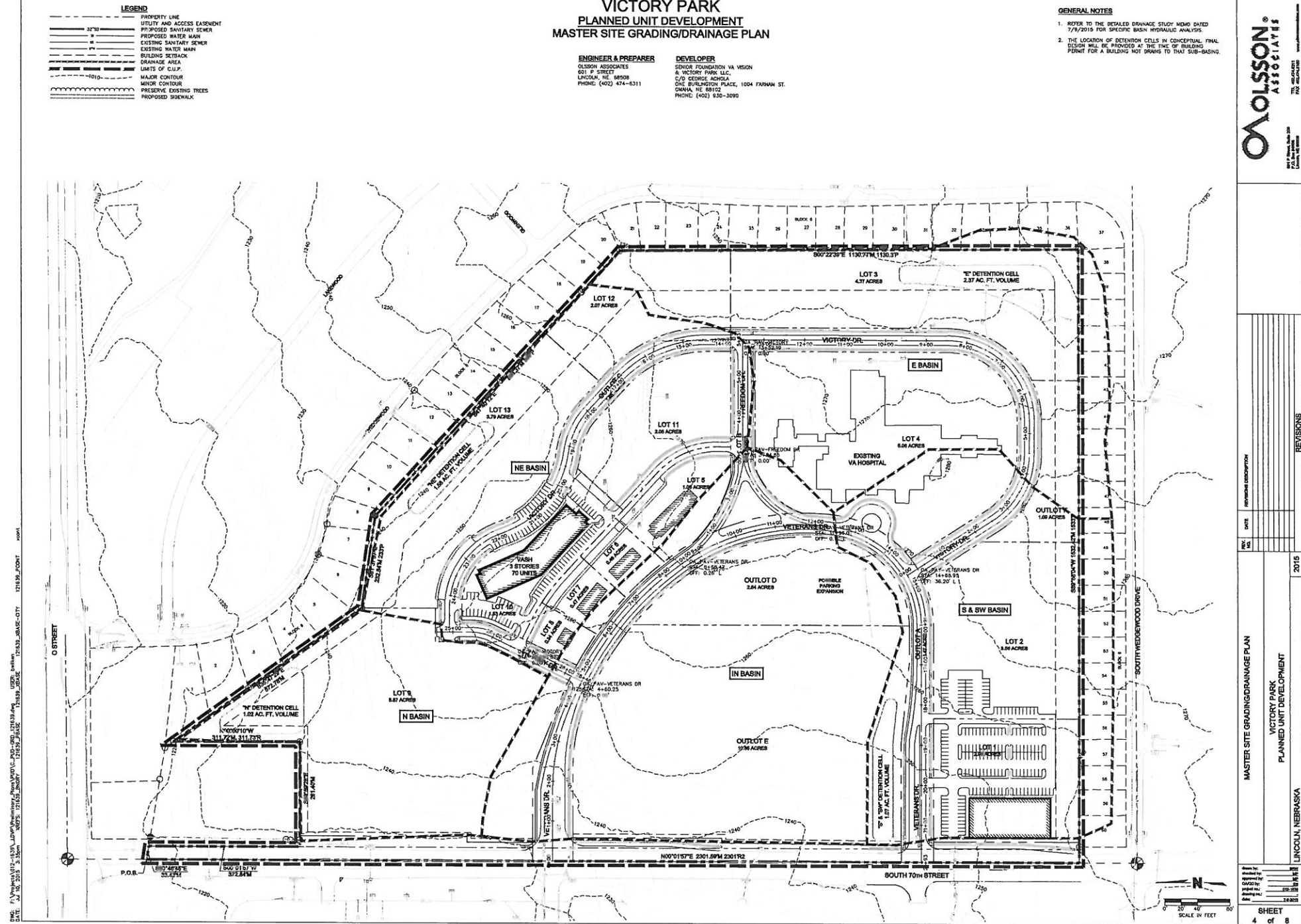
**SITE PLAN
LOT 1**

LINCOLN, NEBRASKA

Drawn by:	_____	_____
Checked by:	_____	_____
Approved by:	_____	_____
Calculated by:	_____	_____
Project no.:	_____	012-1119
Drawing no.:	_____	_____
Date:	_____	7-8-2013

SHEET
2 of 8





SEACREST & KALKOWSKI, PC, LLO

1111 LINCOLN MALL, SUITE 350
LINCOLN, NEBRASKA 68508-3910

TELEPHONE (402) 435-6000
FACSIMILE (402) 435-6100

KENT SEACREST
E-MAIL: kent@sk-law.com

DANAY KALKOWSKI
E-MAIL: danay@sk-law.com

July 8, 2015

Mr. David Cary
Interim Planning Director
Planning Department
555 South 10th St., Suite 213
Lincoln, NE 68508

Re: Victory Park Planned Unit Development ("PUD")

Dear David:

Our office represents Seniors Foundation VA Vision ("SF VA Vision") who is an affiliate of the Seniors Foundation, a 501 (c) (3) nonprofit corporation ("Seniors Foundation") and Victory Park, LLC ("Developer"). The purpose of this letter is to transmit the enclosed City of Lincoln Planning Department Application Request Form and to provide further background information.

The Lincoln VA hospital and related campus was originally built in 1930. In 1995 the U.S. Department of Veterans Affairs ("Veterans Affairs") converted the inpatient hospital into an outpatient clinic. The VA campus was placed on the National Historic Registry in 2012. Congress recently decided that the current VA campus improvements needed to be replaced. In turn, Congress authorized and funded a capital lease that will allow the design and construction of a new 100,000 square foot outpatient Veterans clinic in the City of Lincoln. The process of siting the new clinic is under way.

What this now means is that the Veterans Affairs existing outpatient clinic will be vacating the VA hospital and possibly leaving and shutting down the VA campus completely, unless Veterans Affairs chooses to construct the new outpatient clinic on the northwest part of the VA campus. New viable land uses need to be implemented before the historical buildings are boarded up. To avoid this undesirable situation, Veterans Affairs went through a competitive process and selected the Seniors Foundation to identify the new potential land uses and to help save and reuse the historical buildings.

SF VA Vision is in the final stages of negotiating an Extended Use Lease with Veterans Affairs to lease the historic VA Campus land and buildings (collectively "Property") for a term of seventy-five years. The Extended Use Lease will permit private sector land use transformation while protecting the historical integrity of the VA campus.

Victory Park is the new name of the proposed mixed-use redevelopment project. Victory Park will focus on housing, medical care and services and accessory uses for Veterans and seniors. When

completed, the proposed redevelopment project may be a national model serving two of the nation's fastest growing populations –Veterans and seniors– while perpetuating the historical attributes of the Lincoln VA campus.

Victory Park will focus on providing three core elements to a currently underserved group of Veterans and seniors:

1. Medical Care - consistent with the campus' historical mission of providing high quality health care to the region's Veterans, Victory Park will continue to provide a place for the delivery of medical care to Veterans, seniors and the greater Lincoln community and eastern Nebraska. The development plan optimizes this delivery system by leveraging our proximity to St. Elizabeth Regional Medical Center and other nearby healthcare facilities and provides convenient access to the entire Lincoln region.
2. Housing - Victory Park will provide newly constructed housing specifically dedicated to Veterans and seniors. Our vision is to provide high quality, well maintained rental housing with immediate access to Veteran and senior services and medical care.
3. Senior Services - the presence of Seniors Foundation and Aging Partners and their demonstrated track record of providing services to senior citizens further enhances the development plan and creates a holistic campus of living, learning and care experiences that will be unparalleled in the Lincoln community.

For your information, we have enclosed the current Master Plan for the VA campus. The Master Plan may change over time based upon market conditions and community needs and will be implemented in phases over several years.

Seniors Foundation and the Developer held two separate town hall meetings for Veterans and the neighborhood stakeholders on June 16, 2015. Based upon the town hall comments and concerns, the Master Plan was revised and presented to a second neighborhood stakeholder meeting on July 7, 2015 and was more favorably received.

The Property's legal description is attached to this letter. Key highlights of the PUD Site Plan include:

First Phase:

- Updating and preserving the open space parade grounds in front of the VA clinic, extending to 70th Street to protect the corridor view at the front of the historic 1930s-era building;
- 70 units, three-story residential building for veterans, including key support service;
- The first of two 80,000 square foot medical office buildings (two stories) in the southwest corner of the VA campus, across the street from St. Elizabeth Regional Medical Center; and,
- Rehabilitation of the south wing of the VA clinic building for Aging Partners' administrative offices and senior services. VA will continue to operate its

outpatient clinic in the balance of the main building until its new clinic is completed.

Subsequent Phases:

- Community Based Outpatient Clinic (CBOC) (subject to possible selection by Department of Veterans Affairs)
- Additional medical offices and clinics;
- Twenty-eight four-plex residential housing units;
- 70 unit, 3-story housing apartment buildings;
- Three, 42 unit residential housing units with club house
- Repurposing the remaining portion of the 175,000 square foot existing VA clinic building for residential, office, health and wellness training and counseling, lifestyle resources, internet access and training, nutritional and exercise, behavioral health services, and service referral resources for veteran and senior citizens;
- Rehabbing the former red brick officer and medical staff houses into offices, retail, services and housing associated with senior or veteran services; and,
- Other office support, health, retail, and/or residential housing choices for seniors and veterans and their families.

The Developer is making the following applications and requests for development of the Property:

1. Changes of Zone. The Developer is requesting a change of zone from P to a B-2 PUD, O-3 PUD and R-4 PUD.
2. Requested Modifications: The PUD includes the following modifications or waivers to Title 26 and Title 27 of the Lincoln Municipal Code:
 - a. Title 26- Section 26.15.020 – To allow information on or accompanying a preliminary plat, final plat or building permit for the PUD to be submitted with future administrative amendments, including:
 1. Building configuration
 2. Site specific grading and drainage design
 3. Paving profiles/roadway cross sections
 4. Storm sewer calculations
 5. Lot layout
 6. Street data
 7. Street trees will be part of a landscape plans that will be approved by Nebraska State Historic Preservation Office, a division of the Nebraska State Historical Society and the U.S. Department of Veterans Affairs prior to construction of the streets.
 - The final future phase land use(s) is unknown at this time. Thus, the final building footprint, grading, drainage, paving, stormwater,

lot layout and street data is unknown at this time. When the land use is determine, then these important matters will be presented to the City for review and approval prior to issuance of a building permit.

- b. Title 26 – Section 26.23.125 – Pedestrian way for block length exceeding 1,000'.
 - The final plat of the abutting existing neighborhood did not provide for a sidewalk connection. There will be a future sidewalk circulation pattern along the internal roadways of the Property and this future sidewalk pattern will provide access points to the public sidewalk located on South 70th Street.
- c. Title 26 – Section 26.23.130 – To allow block length to exceed 1,320'.
 - The final plat of the abutting existing neighborhood did not provide for a future street connection. In addition, the unified campus is larger than 10 acres in size and thus cannot meet the block length standard.
- d. Title 27 – Section 27.72.030 – To allow height limitations of buildings described in the Victory Park PUD Notes.
 - In order to provide market rents, Veterans and seniors facilities of this nature requires a certain minimum density per acre. In order to provide necessary buffer protections to the abutting neighborhood, this requires certain buildings to have additional height as noted on the enclosed Victory Park PUD Notes. Furthermore, some of the existing historic buildings exceed the City's zoning height limitations. The Developer seeks an increase in height of the project to create a larger setback and greater buffer from the existing neighboring residences, while still accommodating the minimum density.
- e. The existing roadways are permitted as private roadways as currently designed and built.

Enclosed find the following documents for the above-mentioned project:

1. City Application Form for Changes of Zone with legal descriptions attached.
2. Application fees in the amount of \$3,792.00.
3. Victory Park Master Plan
4. Victory Park PUD Notes

Mark Palmer with Olsson Associates will submit the Site Plan to ProjectDox upon notification from the planning staff.

We appreciate your consideration of the above requests and look forward to working with you on this exciting new Seniors/Veterans mixed use development for the City. If you require further information or have any questions, please do not hesitate to contact Mark Palmer at mpalmer@olssonassociates.com, (402) 458-5632, or the undersigned.

Very truly yours,



KENT SEACREST
For the Firm

Enclosures

cc: Mayor Chris Beutler, City of Lincoln
Councilman Jon Camp, Lincoln City Council
Ed Zimmer, Planning Department
Steve Henrichsen, Planning Department
Wynn Hjermstad, Urban Development Department
Alan Hackman, Project Manager, Lincoln VA Enhanced-Use Lease, VA Office of Asset Enterprise Management
B. Don Burman, Director, VA Nebraska-Western Iowa Health Care System (VA NWIHCS)
Duncan Fallon, Site Manager, Lincoln Community-Based Outpatient Clinic, VA NWIHCS
Will Ackerman, Public Affairs Director, VA NWIHCS
Mark Palmer, Olsson Associates
Mary Ann Stallings
Tammy Ward, Executive Director, Seniors Foundation
Dominic Vaccaro, America First Real Estate Group
George Achola, America First Real Estate Group
Craig Gies, Sampson Construction Co., Inc.
Brad Korell, Olsson Associates
Kent Seacrest, Seacrest & Kalkowski, PC, LLO

LEGAL DESCRIPTION
PLANNED UNIT DEVELOPMENT

A TRACT OF LAND COMPOSED OF LOT 66 I.T., LOCATED IN THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 10 NORTH, RANGE 7 EAST OF THE 6TH P.M., CITY OF LINCOLN, LANCASTER COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 27; THENCE SOUTH ON THE WEST LINE OF SAID NORTHWEST QUARTER ON AN ASSUMED BEARING OF SOUTH 00 DEGREES 01 MINUTES 57 SECONDS WEST, A DISTANCE OF 195.21 FEET TO THE MOST NORTHWEST CORNER OF SAID LOT 66 I.T., SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE SOUTH 80 DEGREES 46 MINUTES 45 SECONDS EAST, ALONG A NORTH LINE OF SAID LOT 66 I.T. A DISTANCE OF 33.43 FEET TO A POINT; THENCE SOUTH 00 DEGREES 01 MINUTES 57 SECONDS WEST, ALONG AN EAST LINE OF SAID LOT 66 I.T., SAID LINE BEING 33.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID NORTHWEST QUARTER A DISTANCE OF 372.84 FEET TO A POINT; THENCE SOUTH 89 DEGREES 59 MINUTES 28 SECONDS EAST, ALONG A NORTH LINE OF SAID LOT 66 I.T., SAID LINE BEING THE SOUTH LINE OF LOT 65 I.T. AND ITS EXTENSION, A DISTANCE OF 261.40 FEET TO A NORTH CORNER OF SAID LOT 66 I.T., SAID POINT BEING THE SOUTHEAST CORNER OF SAID LOT 65 I.T.; THENCE NORTH 00 DEGREES 00 MINUTES 10 SECONDS WEST, ALONG A WEST LINE OF SAID LOT 66 I.T., SAID LINE BEING THE EAST LINE OF SAID LOT 65 I.T., A DISTANCE OF 311.72 FEET TO A NORTH CORNER OF SAID LOT 66 I.T., SAID POINT BEING A NORTHEAST CORNER OF SAID LOT 65 I.T., SAID POINT BEING LOCATED ON THE SOUTHWEST LINE OF LOT 1, BLOCK 6, WEDGEWOOD MANOR; THENCE SOUTH 35 DEGREES 47 MINUTES 29 SECONDS EAST, ALONG A NORTHEAST LINE OF SAID LOT 66 I.T., SAID LINE BEING A SOUTHWEST LINE OF SAID BLOCK 6 WEDGEWOOD MANOR, A DISTANCE OF 572.78 FEET TO AN EAST CORNER OF SAID LOT 66 I.T., SAID POINT BEING A WEST CORNER OF LOT 6, BLOCK 6, WEDGEWOOD MANOR; THENCE SOUTH 81 DEGREES 37 MINUTES 37 SECONDS EAST, ALONG A NORTH LINE OF SAID LOT 66 I.T., SAID LINE BEING A SOUTH LINE OF SAID BLOCK 6, WEDGEWOOD MANOR, A DISTANCE OF 232.84 FEET TO A NORTH CORNER OF SAID LOT 66 I.T., SAID POINT BEING A SOUTH CORNER OF LOT 8, BLOCK 6, WEDGEWOOD MANOR; THENCE SOUTH 47 DEGREES 40 MINUTES 12 SECONDS EAST, ALONG A NORTHEAST LINE OF SAID LOT 66 I.T., SAID LINE BEING A SOUTHWEST LINE OF SAID BLOCK 6, WEDGEWOOD MANOR, A DISTANCE OF 898.37 FEET TO A WEST CORNER OF SAID LOT 66 I.T., SAID POINT BEING THE NORTHWEST CORNER OF LOT 21, BLOCK 6, WEDGEWOOD MANOR; THENCE SOUTH 00 DEGREES 22 MINUTES 39 SECONDS EAST, ALONG AN EAST LINE OF SAID LOT 66 I.T., SAID LINE BEING A WEST LINE OF SAID BLOCK 6, WEDGEWOOD MANOR, A DISTANCE OF 1130.77 FEET TO THE SOUTHEAST CORNER OF SAID LOT 66 I.T., SAID POINT BEING THE NORTHWEST CORNER OF LOT 37, BLOCK 6, WEDGEWOOD MANOR; THENCE SOUTH 89 DEGREES 58 MINUTES 04 SECONDS WEST, ALONG THE SOUTH LINE OF SAID LOT 66 I.T., SAID LINE BEING THE NORTH LINE OF SAID BLOCK 6, WEDGEWOOD MANOR AND ITS EXTENSION, A DISTANCE OF 1532.42 FEET TO THE SOUTHEAST CORNER OF SAID LOT 66 I.T., SAID POINT BEING ON THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 27; THENCE NORTH 00 DEGREES 01 MINUTES 57 SECONDS EAST, ALONG THE WEST LINE OF SAID LOT 66 I.T., SAID LINE BEING THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 27, A DISTANCE OF 2301.59 FEET TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 2,610,496.76 SQUARE FEET OR 59.93 ACRES, MORE OR LESS.

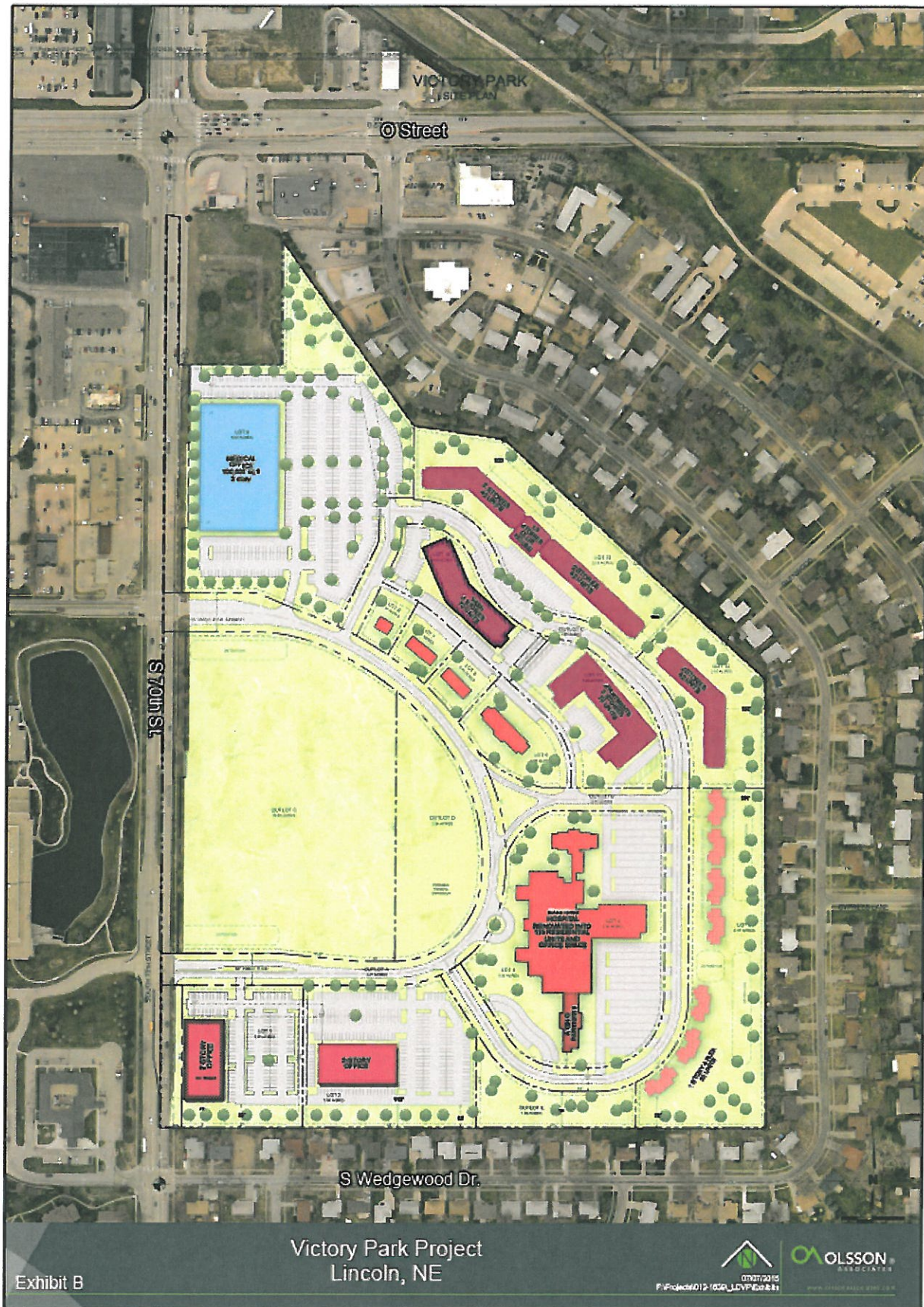


Exhibit B

Victory Park Project
Lincoln, NE

1. Land Use.
 - a. See Victory Park PUD Land Uses Chart.
 - b. PUD permits a maximum of 600 dwelling units. For residential health care facilities, the number of persons allowed may be calculated using an equivalent to the dwellings units assigned to the lot.
2. Height and Lot Regulations:
 - a. **Commercial Lots** – Lots 1, 2, 4, 5, 6, 7, 8, 9 and Outlots D, E & F. Subject to the O-3 Office Park zoning districts except for
 - i. Height: Lot 4 permits the existing hospital height, plus additional height necessary if the cupola is ever rebuilt on the structure; Lots 5, 6, 7 & 8 permits the existing building heights; and 45' on Lots 9.
 - ii. Setbacks: Any setback lines shown on the Site Plan.
 - b. **Residential Lots** — Lots -3, 10, 11, 12, and 13. Subject to the R-4 Residential zoning district, except for
 - i. Height: 45 feet on Lots 10 & 11.
 - ii. Setbacks: Any setback lines shown on the Site Plan.
 - c. **Existing Buildings**— The existing portion of the building shown on the Site Plan on Lots 4 will remain. The existing buildings shown on the Site Plan on Lots 5, 6, 7 and 8 will remain.
 - d. **Adjustments** -- Lots, outlots, roadways, easements, detention facilities, building envelopes, and parking areas are approximate and may be adjusted by administrative amendment.
3. Parking:
 - a. All required parking spaces do not need to be provided on the same lot for any use, provided such parking is located with three hundred feet.
 - b. Except for Special Conditions, the general parking requirements for "Residential Lots" in the PUD shall be one and a half (1.5) parking space per dwelling units, provided that, Lot 3 (VASH Housing) shall be one parking stall per dwelling unit.
 - c. Except for Special Conditions, the general parking requirements for "Commercial Lots" in the PUD shall be one parking stall per 300 square feet.
 - d. Parking is not required for any use operated by a City, County, State or federal government agency.
 - e. Shared parking between lots is permitted. The aggregate parking requirement shall be computed on the basis of providing the parking required for that use or those uses having concurrent parking demand that have the largest parking demands as determined by the parking matrix (Section 27.67.020) and any addition conditions in Chapter 67; provided, however, that the number of additional spaces that would be required in the absence of this paragraph need not be provided physically, but sufficient land shall be reserved in the even that future uses may not have nonconcurrent parking demand. For the purpose of determine the adequacy of the joint parking arrangement,

all such joint parking use shall be authorized by a written agreement between the City and all parties to such use.

4. Additional Notes:

- a. Direct Vehicular Access shall be relinquished from South 70th Street, except as shown.
- b. Administrative Amendments shall be required for future grading, detention, street alignments, utility locations, street profiles, and site plans.
- c. Lots may be created without frontage to a public or private street if they have a public access easement.
- d. Fences, dumpsters, decorative structures and accessory buildings are not shown on the plans but are allowed if they are outside of the sight triangles and setbacks and are in conformance with all applicable ordinance and codes.
- e. All signage shall conform to Section 27.69.340 of the Lincoln Municipal Code, unless specifically modified by the City Council. Details of signage shall be shown at the time of building permits.
- f. Easements as shown shall be granted for public use and for sidewalks. All sidewalks adjacent to streets are to be in public ROW, except as noted all other walks are to be in pedestrian easements. Pedestrian easements to be 5 feet wide in pedestrian areas and all sidewalks are to be 4 feet wide at a minimum. Sidewalk shall be located so that a minimum of 9 feet is maintained between the curb and may curve to preserve vegetation. Exact location of all easements shall be shown at the time of final plats.
- g. Eaves, overhangs, window swings, door swings, air conditioner units, etc. may encroach over the setback line and pedestrian zones. Encroachments are not allowed over property lines and must conform to building and life safety codes.
- h. South 70th Street right turn lanes:
 1. South entrance: Occupancy permits for any new building constructed on Lot 1 or on Lot 2 will require the installation of the south entrance right turn lane on South 70th Street as shown on the Site Plan.
 2. Middle entrance: Occupancy permits for any new building constructed on Lot 9 will require the installation of the middle entrance right turn lane on South 70th Street as shown on the Site Plan.
 3. North entrance: Occupancy permits for any new building constructed on Lot 9 will require the installation of the north entrance right turn lane on South 70th Street as shown on the Site Plan.
 4. The sidewalk on S. 70th Street shall be relocated so that a minimum of 9 feet is maintained between the curb and sidewalk.
- i. The design of any exterior new buildings will comply with the Design Guidelines for New Construction that have been approved by Nebraska State Historic Preservation Office, a division of the Nebraska State Historical Society and the U.S. Department of Veterans Affairs. This is noted for information purposes only, and is not a requirement to be verified by the City at time of building permit.
- j. After approval of the P.U.D., building permits, certificates of occupancy and final plats of the property will be issued or approved upon general compliance with the

Development Plan as approved, or as amended. In circumstances where there are minor variations from the Development Plan, the Planning Director or his designee, shall review the proposal and determine if the proposal is in general conformance with the spirit and intent of the approved P.U.D.

- k. The site plan is conceptual mixed use plan and will be subject to the terms and conditions of the Victory Park Redevelopment Agreement, between Seniors Foundation, Victory Park, LLC and the City of Lincoln, a may be amended.
- l. Landscape screening along the east and south lot lines will meet the design standards for multifamily development.

Victory Park PUD Land Uses Chart

PUD Uses	Medical Offices	Townhomes	Historical Buildings	Medical Office/Retail	Apartments	Parade Grounds	Outlot F
Lots	1 & 2	3	4, 5, 6, 7 & 8	9	10, 11, 12 & 13	Outlots	Outlot F
						D E	
B-2 Planned Neighborhood Business District Uses (exclude restaurants with drive thru); allow residential on the first floor			●	●			
Non Residential Health Care Facility			P	P			
Residential Health Care Facility			P	P	P		
On-sale alcohol beverages*			*				
O-3 Office Park District Uses	●			●			
R-4 Residential District		●			●		
Elderly and Retirement Housing					P		
All uses in Education and Instruction Use Group	P						
Recreation uses, outdoor						P P	P
Parking lots as primary use						P	P

P = Permitted use by right; does not require special permit

* Subject to the conditions of Section 27.63.680 and 27.685. However, the spacing requirements of Section 27.63.680 and 27.685 do not apply to the residential uses within the Victory Park PUD.

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for July 22, 2015 PLANNING COMMISSION MEETING

PROJECT #: Comprehensive Plan Conformance No.15010

PROPOSAL: To review the VA Campus Redevelopment Plan as to conformance with the 2040 Lincoln-Lancaster County Comprehensive Plan.

LOCATION: East side of S. 70th Street, extending from just south of O Street on the north to just north of S. Wedgewood Drive on the south

LAND AREA: Approximately 65 acres

CONCLUSION: The VA Campus Redevelopment Plan is in conformance with the Comprehensive Plan.

<u>RECOMMENDATION:</u>	In conformance with the Comprehensive Plan.
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GENERAL INFORMATION:

LEGAL DESCRIPTION: Lot 66, Irregular Tract located in the northwest quarter of Section 27-10-07, and the adjacent right-of-way of South 70th Street, in Lincoln, Lancaster County, NE

EXISTING ZONING: P Public Use District

EXISTING LAND USE: VA Medical Center

SURROUNDING LAND USE AND ZONING:

North:	R-3 Residential	Memory care residence, under construction
	B-1 Commercial	Bank, drug store
	O-2 Office	Offices
	R-1 Residential	Multi-family and single family housing
South:	R-1 Residential	Single family housing
East:	R-1 Residential	Multi-family and single family housing
West:	B-1 Commercial	Retail
	R-1 Residential	St. Elizabeth Medical Center

HISTORY:

1929	320 acre Leavitt farm acquired for a veterans hospital.
1930	Construction began on Lincoln VA Hospital, first patients accepted.
1931	April, formal dedication of Lincoln VA Hospital.
1956	Wooden cupola removed from main hospital building.

- 1983 VA Outpatient Clinic constructed.
- 1998 Cessation of in-patient services.
- 2011 VA selected Lincoln's Seniors Foundation to redevelop the VA Campus under an Enhanced Use Lease (EUL).
- 2012 Lincoln VA Hospital campus was listed on the National Register of Historic Places.
- 2015 Veterans Administration solicited interest from property owners/developers for a new Lincoln VA outpatient clinic, to be built within the Lincoln Corporate limits.
June 16, public meetings with veterans and neighbors.
July 7, 2nd public meeting with neighbors.

COMPREHENSIVE PLAN SPECIFICATIONS:

Implement a public policy of the careful stewardship of significant, publicly owned historic resources, including a full and open examination of alternatives when major alterations or demolition are considered. (p.4.9)

Seek incentives and regulatory support to maintain, rehabilitate, and minimize energy utilization of existing buildings in order to make it more feasible to rehabilitate and continue to use older buildings. (p.4.9)

Seek to efficiently utilize investments in existing and future public infrastructure to advance economic development opportunities. (p.5.2)

Encourage and provide incentives for mixed uses in future developments. (p.5.2)

Develop infill commercial areas to be compatible with the character of the area. (p. 5.14)

Encourage a vertical mix of residential and commercial use types. (p.5.15)

Provide a diversity of housing types and choices throughout each neighborhood for an increasingly diverse population. (p. 6.2)

Create housing opportunities for residents with special needs throughout the city that are compatible with and integrated into residential neighborhoods. (p. 6.2)

ANALYSIS:

1. This is a request to review a proposed VA Campus Redevelopment Plan for a determination of conformity with the Comprehensive Plan. The boundaries of the redevelopment area include the current VA Medical Center campus and the adjacent right of way of South 70th Street, as identified in the attached map.
2. The project consists of the long-term redevelopment of the VA Campus of nearly 60 acres, including adaptive reuse of all of the historic buildings facing S.70th

Street (referred to by VA as Building 1—the main hospital, Building 2—now attached to #1 to the south, Building 4—the Auditorium attached to Building 1 to the north, and the historic, freestanding housing buildings north of the main hospital (called Buildings 5, 6, 7, and 8, from south to north). The lawn/Parade Ground between S. 70th Street and the main hospital group (Buildings 1, 2, and 4) would also be retentained. New construction would be concentrated in areas around the periphery of the site to the north, east, and south. Future uses will include housing for veterans and seniors, medical offices, possible siting of a new VA Outpatient Clinic, and other office and commercial uses under a Planned Unit Development (PUD) format.

3. The first phase of the project would include a 70-unit apartment building for veterans at-risk for homelessness, under a Dept. of HUD program (through Lincoln Housing Authority) call VA Supportive Housing or VASH. Construction of the VASH housing is required to begin by Oct. 1, 2015. Also included in the first phase is a medical office building at the southwest corner of the site.
4. The sequence and timing of subsequent phases of development will be determined by future decisions such as site selection for the new VA Outpatient Clinic and market forces.
5. The campus will remain in federal ownership under a VA Enhanced-Use Lease of up to 75 years. Improvements on the property will be privately owned and Tax Increment Financing generated on those private improvements will be requested as a source of funds for infrastructure and other eligible improvements.
6. Since this project will request TIF assistance and since the campus is listed on the National Register of Historic Places, the Redevelopment Plan was reviewed by the Historic Preservation Commission. The Historic Preservation Commission recommended approval of the project on June 18, 2015. The minutes of the Commission meeting are attached.
7. The Preservation Commission expressed concern about the proximity of proposed VASH housing in the southeast corner of the campus to nearby single story housing, and recommended further contact between the developers and neighbors. The site plan was subsequently revised and a second neighborhood meeting (1st June 16th, 2nd July 7th) was held. The Redevelopment Plan now before the Planning Commission includes the revised site plan with the VASH housing more central to the campus, located behind the historic residences for doctors and nurses.
8. Redevelopment Plans are broad outlines for future redevelopment. Greater detail is provided by Redevelopment Agreements, which are reviewed by City Council. In this case, a PUD is also required to address zoning, which is scheduled for the Planning Commission agenda of August 5th and will also provide more specific detail on the proposed development, prior to the Redevelopment Agreement.

9. This project meets the goals of the 2040 Comprehensive Plan by providing for the continued use and up-keep of a significant historic site in Lincoln, adapting historic buildings for mixed uses, redeveloping an underutilized site, providing needed community services and uses. The VA does not have plans for use or upkeep of the site once the new Lincoln VA Outpatient Clinic is built and operating.

Prepared by:

Ed Zimmer
Planner

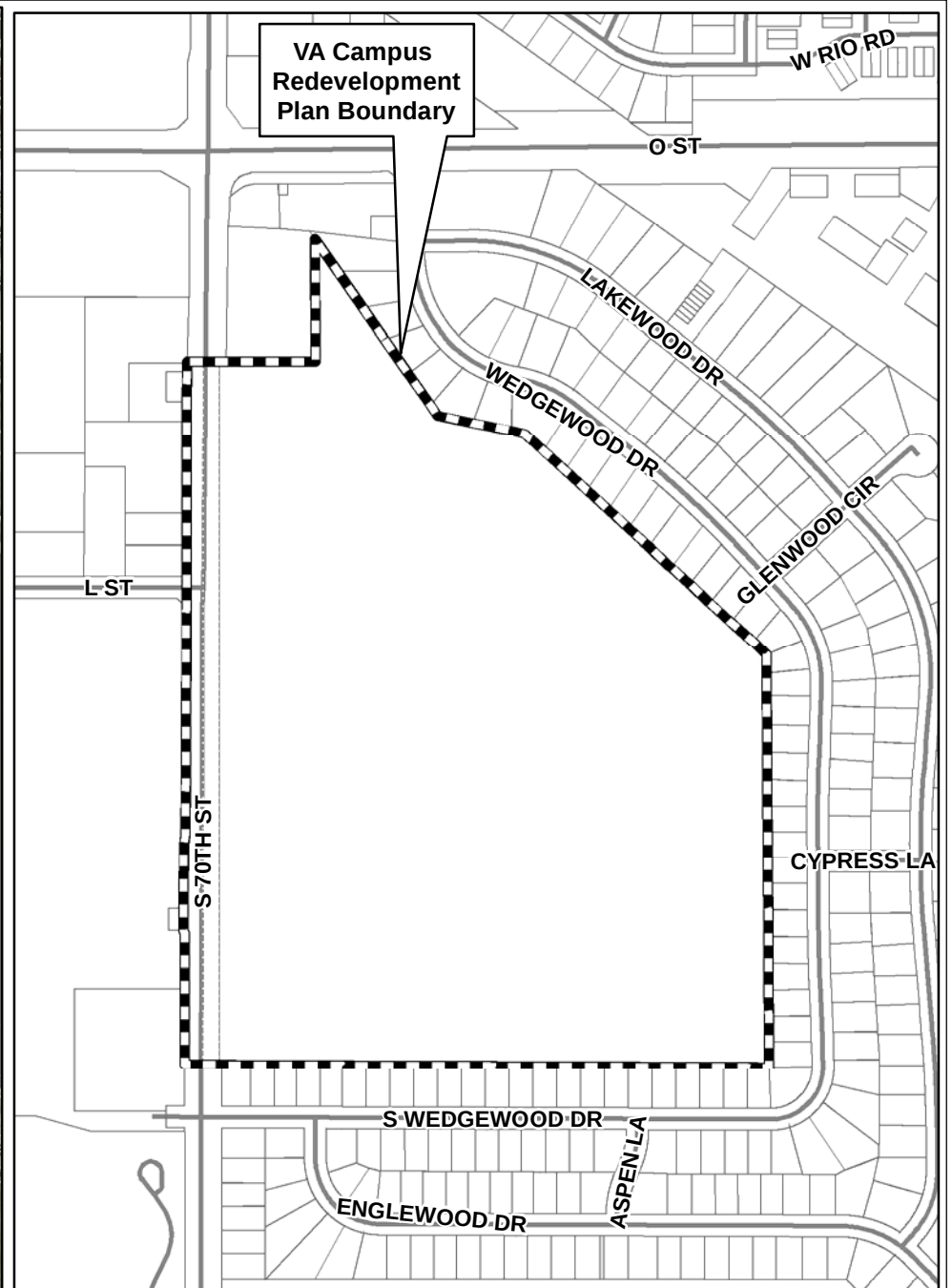
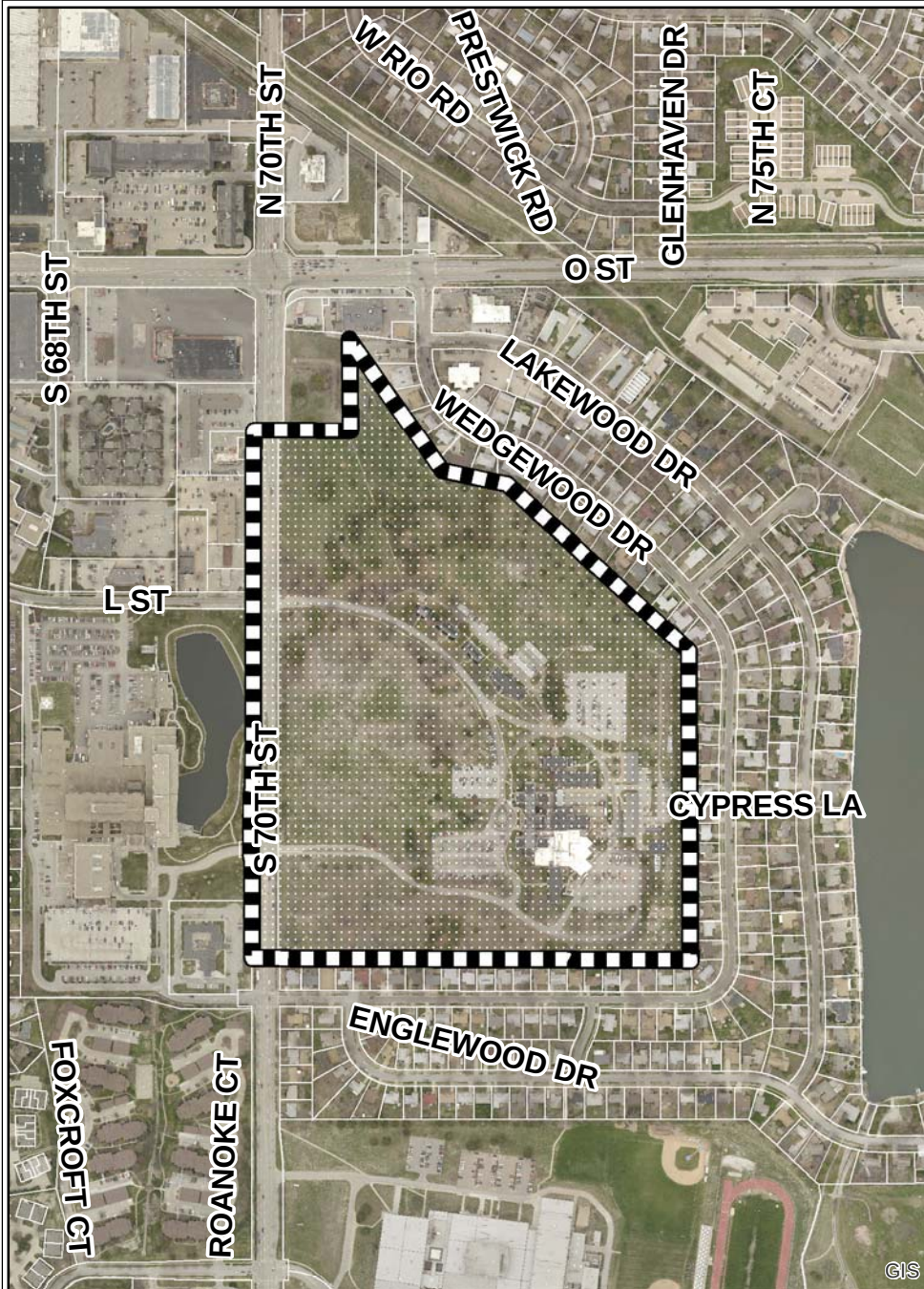
DATE: July 13, 2015

APPLICANT: David Landis
Urban Development Department
555 S. 10th Street Suite 205
Lincoln, NE 68508

CONTACT: Wynn Hjermstad
Urban Development Department
555 S. 10th Street Suite 205
Lincoln, NE 68508
402-441-8211

OWNER: Veterans Administration
Lincoln VA Medical Center
c/o Duncan Fallon, Site Administrator
600 South 70th Street
Lincoln, NE 68510
(402)489-3802

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2013 aerial



Comprehensive Plan Conformance #15010 **VA Campus** **Redevelopment Plan**

m:\plan\arcview\CPCRevelopmentAreaDrawings.mxd (CPC15010)

Excerpt of MEETING RECORD

NAME OF GROUP: HISTORIC PRESERVATION COMMISSION

DATE, TIME AND PLACE OF MEETING: Thursday, June 18, 2015, 1:30 p.m., Conference Room 214, 2nd Floor, County-City Building, 555 S. 10th Street, Lincoln, Nebraska

MEMBERS IN ATTENDANCE: Tim Francis, Jim Hewitt, Jim Johnson, Berwyn Jones, Liz Kuhlman, and Greg Munn; (Jim McKee absent). Ed Zimmer, Stacey Groshong Hageman and Amy Hana Huffman of the Planning Department; Kevin Abourezk from the *Lincoln Journal Star*.

STATED PURPOSE OF MEETING: Historic Preservation Commission

Greg Munn called the meeting to order and acknowledged the posting of the Open Meetings Act in the room.

DISCUSS AND ADVISE ON THE REDEVELOPMENT PLAN FOR THE VETERANS AFFAIRS HOSPITAL CAMPUS:

PUBLIC HEARING:

June 18, 2015

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

Zimmer said an application was received from the Urban Development Department for review of the plan. The process begins with receiving a request for a blight determination. That goes to the Planning Commission and then to the City Council and does not come before this body because it is merely a technical determination.

The next step is the more substantive redevelopment plan that serves as a broad framework document. When the application falls within a historic district, HPC discusses and advises the Planning Commission and City Council. The plan is followed by the redevelopment agreement which is essentially a contract. Tax Increment Financing (TIF) might be used for specific elements in that plan. Brad Korell from Olsson Associates is on hand to answer questions. Jill Dolberg is consulting from the State Historical Society because there is a parallel Federal process occurring. Phil Boehr is here representing his neighborhood, and Wynn Hjermstad is here from Urban Development.

Francis asked if this project will ultimately go back to the tax base. Zimmer said yes; It is not part of the tax base now. With TIF funds, the money is not captured from the zero amount, but from the difference. This is Federal land; not much of it is on City utilities

so it is more blended. Adding public infrastructure would be a traditional use of TIF funds. There are mainly single family houses surrounding the property.

Zimmer said that the buildings that are historically crucial to the site will remain open. Hjermstadt said the buildings being removed are mainly services buildings.

Commissioners viewed the plan as presented at this meeting and discussed drainage on the property as well as the location, size and use of the potential new buildings.

Zimmer said the property will be rezoned from P-Public to allow private uses, probably including O-2, B-3 and R-4, and will be mapped accordingly to show what uses are allowed. Munn said that in essence, the historic view from 70th will remain and the entire property will be put back into use. Zimmer said it is not unused today. There is an active VA clinic operating in portions of the main hospital. The new development is to the south and east. The VA is firmly committed to building a new 100,000 square foot building to operate from and are in the process of selecting a site. It could be on this campus, and a potential location is shown in the northwest corner. Kuhlman said she appreciates that this proposal is maintaining some of the buildings.

Jones asked for clarification about the location of the new buildings in relation to neighbors. Brad Korell, Olsson Associates, answered that homes to the south face out to a separate street and share a backyard property line with the hospital campus. Kuhlman asked how those property lines will be treated. Korell said part of the area is a utility corridor. There will be landscaping and as many trees as possible will be preserved. Francis noted that this is a well-funded neighbor.

Phil Boehr, 7340 Wedgewood, is a property owner directly to the south. He said that a letter was also submitted to the Commission from another neighbor, Ed Schnabel. The four story building that is proposed in the southeast corner of the VA Campus property is directly in his backyard and does not keep the nature of the neighborhood. He was told that the plans could go back to the drawing table to consider the objections of the neighbors. It is natural that the neighbors prefer the park like setting in the back, but they are not opposed to progress. They were only very recently made aware of the project a week ago via a letter and then at a neighborhood meeting.

Korell said the Seniors Foundation was chosen as the primary lessor and they are negotiating a sublease.

Jones said he is very sensitive to this kind of change occurring right in the backyards of neighbors and has experienced this situation himself. This seems like another case of exceptions to zoning in areas to build whatever is proposed.

Boehr said he does not see a problem in terms of historic preservation. Further to the north, there is a berm and mature trees so neighbors in that portion will not be able to see new buildings. The southeast corner is also a major drainage area. It seems like

there could be other options. Jones added that new paving will exacerbate the drainage issue.

Boehr said that this project, particularly the southeast corner, is moving quickly and could begin in October. The neighbors wish they could be more involved. Maybe a shorter building is more appropriate for the site, or perhaps it could be relocated to another spot on the campus. We do understand the need to take advantage of financial vouchers and the need to help Vets.

Korell said the corner building is being called "Veteran supportive" housing, with 70 units exclusively for Vets. The middle section of development will be more open. To the north and east, those are proposed to be designated for Veterans and seniors.

Jones wondered how the neighbors were not aware of these ideas earlier in the process. Korell said that there are many entities involved, all the way up to the Federal government. This proposal was only recently decided on. This rendering has been in front of the VA for about twelve months.

Kuhlman said that this body will just make recommendations. Zimmer confirmed. He said in one discussion, it was asked how concrete these plans are and Korell had stated that there is still room for change.

Korell said working with the VA is not simple; they have been working with them since August of last year. No plans could be presented earlier because it was unknown what the VA would agree to. That was just returned in March, allowing us to finally firm up the plan to some extent. There are also other concurrent processes taken place that complicate things further. The intent of a meeting held last Tuesday was to get the Vets and neighbors involved. As Mr. Boehr said, the main concern was the height of the southeast building and the lack of transition to the hospital. It is fairly abrupt. We have taken those concerns to heart. That that has led to an attempt to create a better transition and a better setback and will be discussed in the near future.

Korell went on to say that HUD grant vouchers will help to pay for this Vet's housing and they granted 70 for this property. Lincoln Housing Authority is also involved with that allocation. The condition is that these vouchers could be pulled if the building is not under construction by a certain time. We received approval in March, so this has been on a fast-track to get an agreement with the City and all other entities. These tight timelines are imposed on us by others. Having Vet housing on this site is important to us and is key to the project and its financing to make it work from a developer's standpoint. We have to find a way to use those voucher and take the concerns of neighbors into account. There are also many City requirements to meet. The good news is that the campus is sixty acres so it is easier to deal with some of these issues, including the drainage.

Zimmer said this site is currently zone P-Public. The grounds will stay public. It will be zoned and regulated like any other area. The VA is exempt, but they will not pass that

exemption to this project. This project is still developing, so this is not a recommendation on the exact plan as presented today. This body would be saying that it generally agrees or disagrees with the direction.

Munn said that in general this seems like a wonderful project. The details just need to be worked out.

Jones said he would like to see closer collaboration with neighbors from this point forward.

Hewitt asked if there are physical problems with swapping the location of the four and two story buildings. Korell said that option was considered. When the VA first came forward, they had reserved a spot in the center for a clinic. We suggested moving that out to 70th Street to keep it further away from residential. Aging Partners would move from its downtown location to occupy a wing of the hospital. They provide a number of services so it is convenient to be located so close to Vet housing and to provide opportunities for better access to exercise, food programs, and other similar services. The bus route also goes to this campus. There are a lot of things that made sense for the tall building as shown in the southeast location, but we also understand the concerns of the neighbors.

He went on to say that the large existing building was built in the 1930s and was used as acute care services. The VA abandoned some of the buildings and they have not been used since the 1990s, so there is a lot of damage. The VA cannot get the money to make repairs. If you visit the site now, it would be a real eye opener; there are areas that are falling apart and even areas where copper was stolen and damaged. If the VA does not get this leased, they have said that they are just going to completely close the facility and move the clinic. They have done a good job in keeping up the areas that are in use, but as you know, if anything else is allowed to be abandoned, the more difficult it will be to save. The old hospital could be repurposed into living units when VA moves out. Then there is still considerable area to be used for office, non-profit, and other organizations that provide services to seniors.

Hjermstad added that there could be a delay until the clinic decision is made, but that is a separate process. The developers and the City would like to see it stay on this site, but it is the VA's decision. We do not know how many proposals they have received. That still leaves this campus in the state it is in now, whether the clinic stays or not. Therefore, delaying this plan to wait for the clinic decision does not change anything. Boehr said if the potential northwest corner site is not selected, it frees up space for the taller proposed buildings and then the neighbors would have no objection.

Zimmer said he toured the site a couple of times and there is a sharp contrast inside between the active clinic spaces, which are pristine, and the inactive which are virtually abandoned; they have focused funds in the areas that are still used and not in maintaining unused areas.

Commissioners discussed various options for recommendation, such as whether or not to include language about collaboration with neighbors. Zimmer noted that someone from Sampson would visit each back yard to look at the impact on individual property owners. The public process is an additional outlet for communication. Hewitt said the plan presented is intelligent and this body now has awareness that neighbors are troubled by some aspects of it. He is confident they will work together, and it is not the job of the Commission to manage that process. He would not feel comfortable adding those types of conditions.

Kuhlman said the only reason this is on such a fast track is the vouchers. Korell agreed. No exceptions would be allowed. Kuhlman wondered what the exact definition of being "under construction" would be. Korell said there is a small amount of flexibility, but there needs to be a good plan in place.

Jill Dolberg, Nebraska State Historical Society, explained that in order to make this program work, it was made clear some of the buildings needed to go. They are primarily the single story garages and some mechanical buildings. A few are a bigger loss than others, but it was negotiated to maintain continuity of the historic vista. Korell added the buildings, while designated, do not add much to the site. Munn asked Dolberg whether or not the Historical Society was content in terms of which buildings were being maintained. She said yes. The buildings being removed are not highly visible. Ultimately, it was preferred that the four that are highly visible from 70th Street remain intact. She added that the Historical Society does review for compliance when it comes to Federal licensing and the public is involved in that process. She assured Commission that the neighborhood would be involved.

ACTION:

Munn moved approval of the redevelopment plan for the Veteran's Affairs Hospital campus, seconded by Johnson and carried 6-0: Francis, Hewitt, Johnson, Jones Kuhlman and Munn voting 'yes'; McKee absent.

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