Lincoln City - Lancaster County

PLANNING COMMISSION AGENDA

PLANNING COMMISSION

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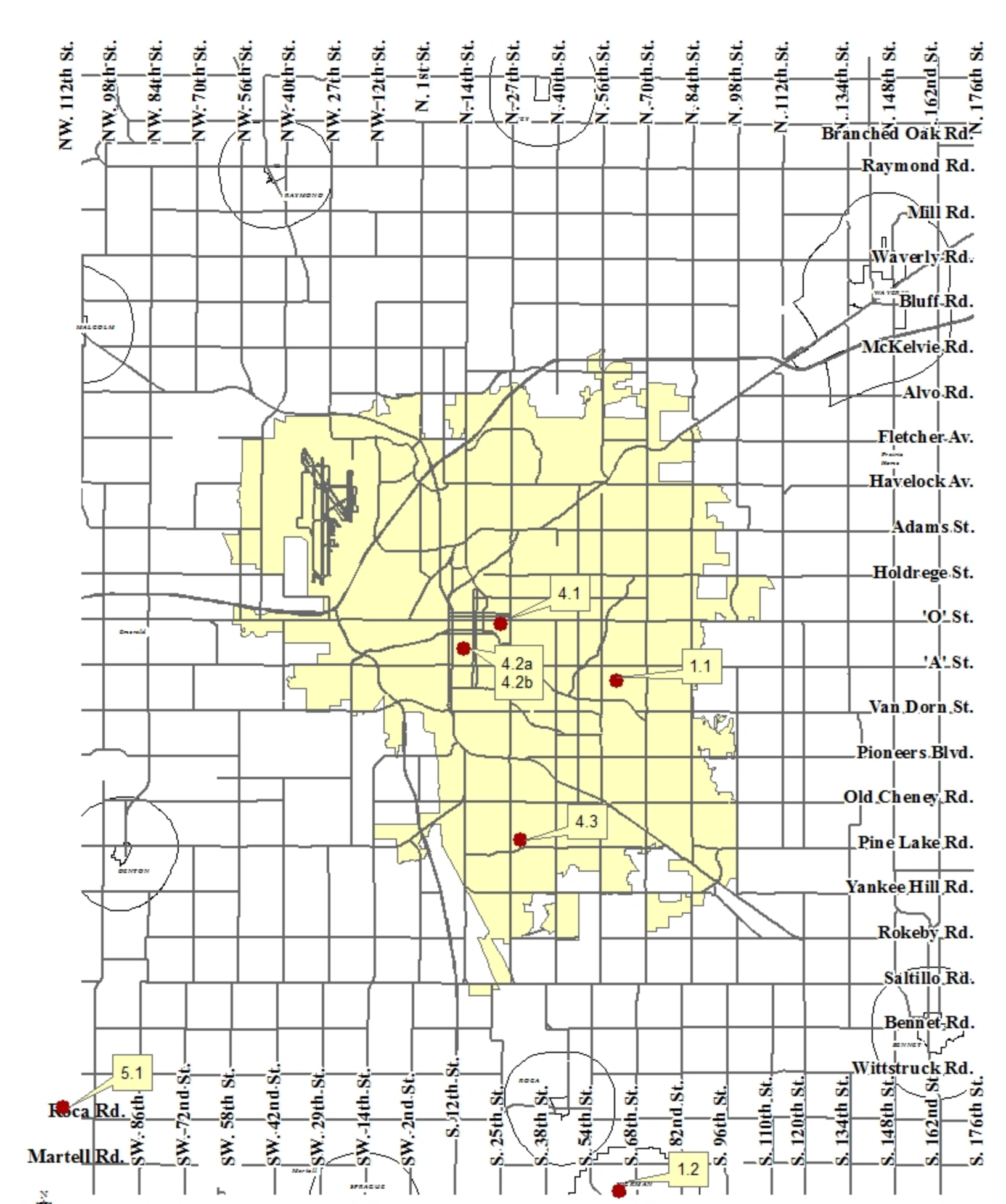
Geri Rorabaugh: Administrative Officer
Amy Huffman: Office Specialist

January 6, 2016



Planning Commission Agenda Item Map

January 6, 2016

NOTICE: The Lincoln/Lancaster County Planning Commission will hold a public hearing on Wednesday, January 6, 2016, at 1:00 p.m., in Hearing Room 112 on the first floor of the County-City Building, 555 S. 10th St., Lincoln, Nebraska. For more information, call the Planning Department, (402) 441-7491.

The Lincoln/Lancaster County Planning Commission will meet on Wednesday, January 6, 2016 from 11:30 a.m. through 1:00 p.m. to discuss the LRTP/Comprehensive Plan, in Studio Room 113 of the County-City Building, 555 S. 10th Street, Lincoln, Nebraska.

****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, January 6, 2016

Approval of minutes of the regular meeting held December 16, 2015.

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

SPECIAL PERMITS:

1.1 Special Permit No. 1869C, to amend the Knights Court Community Unit Plan to adjust the rear yard setback for the installation of a covered patio on property within the Knights Court Community Unit Plan, generally located at South Street and Knights Lane. ****FINAL ACTION****
Page 01
Staff recommendation: Conditional Approval
Staff Planner: Paul Barnes, 402-441-6372, pbarnes@lincoln.ne.gov

1.2 Special Permit No. 15074, to place a temporary mobile home for residential occupancy, for up to one year, during construction of new single-family residence, on property generally located at 24311 South 68th Street. **** FINAL ACTION****
Page 13
Staff recommendation: Conditional Approval
Staff Planner: Tom Cajka, 402-441-5662, tcajka@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 CONFORMANCE:

4.1 Comprehensive Plan Conformance No. 15033, to review as to conformance with the 2040 Lincoln-Lancaster County Comprehensive Plan a proposed amendment to the "Antelope Valley Redevelopment Plan" to add the "Antelope Square Redevelopment Project" which is to include the redevelopment of a portion of 2 underutilized blocks into 24 attached, single-family, mixed-income residential units on approximately 4.4 acres generally located on the block bounded by 22nd Street, 23rd Street, Q Street and R Street, along with two parcels at the northeast corner of 23rd and Q Streets.
Page 21
Staff recommendation: Conformance with the Comprehensive Plan
Staff Planner: Paul Barnes, 402-441-6372, pbarnes@lincoln.ne.gov

CHANGE OF ZONE AND RELATED SPECIAL PERMIT:

4.2a Change of Zone No. 15039, to designate the Betz-VanAndel houses as Historic Landmarks, on property generally located at 1037-1039 and 1045 South 13th Street.
Page 37
Staff recommendation: Approval of Landmark Designation
Staff Planner: Ed Zimmer, 402-441-6360, ezimmer@lincoln.ne.gov

4.2b Special Permit No. 15075, to adjust the parking, height and lot requirements, under LMC27-63.400--Special Permit for Historic Preservation, in order to subdivide the property into two lots so that the two principal buildings are on separate lots, on property generally located at 1037-1039 and 1045 South 13th Street. ****FINAL ACTION****
Page 37
Staff recommendation: Conditional Approval
Staff Planner: Ed Zimmer, 402-441-6360, ezimmer@lincoln.ne.gov

SPECIAL PERMIT:

4.3 Combined Special Permit Use Permit No. 11H, to amend Special Permit/Use Permit No. 11 to reflect the redevelopment of several areas of the shopping center, including waivers to increase the building height for a new commercial building and parking garage in the northeast area of the shopping center, reduce the parking requirement, and allow horizontal curves on a private roadway to be less than 150 feet, on property generally located at the northeast corner of South 27th Street and Pine Lake Road.
Page 69
Staff recommendation: Conditional Approval
Staff Planner: Rachel Jones, 402-441-7603, rjones@lincoln.ne.gov

5. STAFF FINDINGS AND ADMINISTRATIVE ACTION

5.1 Special Permit No. 15064, to allow Avalon Event Paradise, a private property, to be used for special events such as weddings and family reunions, including a request to waive the requirement that parking lots be gravel, and waive the requirement that parking and other related business areas not exceed 15,000 square feet, on property generally located at 12788 West Roca Road.
Page 59
Staff recommendation: Approval
Staff Planner: Tom Cajka, 402-441-5662, tcajka@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:

Stephen Henrichsen, *Development Review Manager*	402-441-6374	shenrichsen@lincoln.ne.gov
David Cary, *Acting Director and Long Range Manager*	402-441-6364	dcary@lincoln.ne.gov
Paul Barnes, *Planner*	402-441-6372	pbarnes@lincoln.ne.gov
Michael Brienzo, *Transportation Planner*	402-441-6369	mbrienzo@lincoln.ne.gov
Tom Cajka, *Planner*	402-441-5662	tcajka@lincoln.ne.gov
Brandon Garrett, *Planner*	402-441-6373	bgarrett@lincoln.ne.gov
Stacey Groshong Hageman, *Planner*	402-441-6361	slhageman@lincoln.ne.gov
Rachel Jones, *Planner*	402-441-7603	rjones@lincoln.ne.gov
Andrew Thierolf, *Planner*	402-441-6371	athierolf@lincoln.ne.gov
Brian Will, *Planner*	402-441-6362	bwill@lincoln.ne.gov
Kellee Van Bruggen, *Transportation Planner*	402-441-6363	kvanbruggen@lincoln.ne.gov
Ed Zimmer, *Historic Preservation Planner*	402-441-6360	ezimmer@lincoln.ne.gov

* * * * *

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.

* * * * *

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 CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for January 6, 2016 PLANNING COMMISSION MEETING

PROJECT #: Special Permit No. 1869C Knights Court Community Unit Plan

PROPOSAL: A request per Section 27.63.320 to reduce the rear yard setback for a covered, unenclosed patio on Lot 2, Block 1, Knights Court Addition and to allow future covered porches in the rear yard setback by administrative amendment.

LOCATION: S. Knights Lane and South Street

LAND AREA:

Knights Court CUP	4.62 acres, more or less
Lot 2, Block 1	4,181 square feet, more or less

EXISTING ZONING: R-2, Residential District

CONCLUSION: The request to reduce the rear yard setback to 10 feet for a covered, unenclosed patio on Lot 2, Block 1 is appropriate given the steep change in grade to the east. The setback reduction is only supported for a covered, unenclosed patio which should have minimal impact on the surrounding properties. Allowing additional covered patios in the rear yard setback by administrative amendment is acceptable if supported by surrounding property owners.

RECOMMENDATION: Conditional Approval

MODIFICATIONS:

1. Reduce the rear yard setback from 18 feet to 10 feet for a covered, unenclosed patio on Lot 2, Block 1, Knights Court Addition. — Conditional Approval

GENERAL INFORMATION:

LEGAL DESCRIPTION: Lots 1 through 25, Block 1, Lot 1, Block 2 and Outlot A, Knights Court Addition, located in the NW 1/4 of Section 33-10-7, Lincoln, Lancaster County, Nebraska.

EXISTING LAND USE: Single-Family Dwelling

SURROUNDING LAND USE AND ZONING:

North: Single-Family Dwelling; R-2
South: Single-Family Dwelling; R-2
East: Single-Family Dwelling; R-2
West: Knights of Columbus Club; R-2

HISTORY:

January 1969 The City Council approved SP456 which allowed the construction of the YMCA building at 6040 South Street.

April 1976 The City Council approved SP751 which allowed the Knights of Columbus to use the former YMCA building as a club.

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

May 2000 The Planning Commission approved SP751B which allows outdoor seasonal sales in the Knights of Columbus parking lot.

February 2001 The City Council approved SP1869 and SP1888 to authorize 25 dwelling units and a new clubhouse.

December 2002 The City Council approved SP1869A to allow either attached or detached single-family units on Lots 1 through 10.

June 2003 The City Council approved SP1869B to reduce side yard setbacks on Lots 11-13.

COMPREHENSIVE PLAN SPECIFICATIONS:

P. 1.9 - This area is shown as Residential on the Future Land Use Map.

P. 7.2 -Provide a wide variety of housing types and choices for an increasingly diverse and aging population.

P. 7.2 - Strive for predictability for neighborhoods and developers for residential development and redevelopment.

P. 7.9 - Promote the preservation, maintenance and renovation of existing housing and neighborhoods throughout the city, with emphasis on low and moderate income neighborhoods.

P. 7.9 - Promote the continued use of single-family dwellings and all types of buildings, to maintain the character of neighborhoods and to preserve portions of our past.

UTILITIES: There is an overhead Lincoln Electric System utility on the east side of the property along with a 10 foot easement to maintain the overhead utility.

TOPOGRAPHY: This property has been cut approximately 8 feet below the single-family

lots to the east.

ANALYSIS:

1. This is a request to reduce the rear yard setback for a covered patio on Lot 2, Block 1. The patio cover has already been installed, so the applicant's request is to legalize the structure.

2. The Knights Court development was approved in 2001 as a Community Unit Plan (CUP). The development received a density bonus under the Elderly or Retirement Housing criteria found in the Design Standards for a total of 25 dwelling units.

   Several amendments have been made to this CUP including reductions to side yard setbacks for Lots 11-13. The rear yard setbacks for all lots are either 20 feet or 20% of the lot depth and in no case are less than 18 feet.

3. The applicant's property is a single-family detached home zoned R-2 Residential, and the rear yard setback is 18 feet. The patio cover is attached to the home and is considered an extension of the main structure. An amendment to the Community Unit Plan is required to allow a portion of the main structure in the rear yard setback.

4. The applicant's property is located adjacent to single-family dwellings to the north, south and east. The grade to the east increases by approximately 8 feet. The two properties are separated by a terraced retaining wall and a privacy fence. The patio cover is shorter than the height of the applicant's house and should not have a negative impact on the property to the east given this grade difference. The patio cover should have minimal impact on the properties to the north and south given that it will remain unenclosed on all sides.

5. Existing L.E.S. overhead utilities and 10 foot utility easement are located adjacent to the east property line. L.E.S. staff have reviewed this application and do not object to the request. The patio cover should not impact maintenance of the overhead utility as long as it is located outside of the easement.

6. The Planning Department is proposing to allow additional covered patios in the rear yard setback within the CUP by administrative amendment. Other properties within this development have rear yards adjacent to the retaining wall and privacy fence and may be acceptable locations for covered patios as well. Adding a cover to a patio mostly impacts adjacent property owners, and the administrative amendment process would ensure the neighbors could review the request and provide input. The covered patios would be required to maintain at least 10 feet from the rear property line which is the same setback required today for uncovered decks and patios in the rear yard that are greater than 3 feet tall.

7. The adjacent property owners to the north, south and east and the Knights Court

Homeowners Association have all submitted letters stating that they do not object to the patio cover (see attached).

CONDITIONS OF APPROVAL:

Per Section 27.63.320 this approval authorizes a reduction in the rear yard setback from 18 feet to 10 feet for a covered, unenclosed patio on Lot 2, Block 1, Knights Court Addition and authorizes future reductions to the rear yard setback to 10 feet by administrative amendment for covered, unenclosed patios on properties within the Knights Court Community Unit Plan.

Site Specific Conditions:

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

    1.1 Provide an overall site plan of the Community Unit Plan with a note stating that the rear yard setback on Lot 2, Block 1 is reduced to 10 feet for a covered, unenclosed patio.

    1.2 Add a note to the plan that states, “Covered, unenclosed patios may be allowed in the rear yard setbacks by administrative amendment provided the covered patio is no closer than ten feet to the rear lot line.”.

2. Before receiving building permits provide the following documents to the Planning Department:

    2.1 Verification from the Register of Deeds that the letter of acceptance as required by the approval of the special permit has been recorded.

Standard Conditions:

3. The following conditions are applicable to all requests:

    3.1 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.

    3.2 The applicant shall sign and return the letter of acceptance to the CityClerk. 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.

3.3 The site plan as approved with this resolution voids and supersedes all previously approved site plans, however all prior resolutions approving this permit remain in full force and effect as specifically amended by this resolution.

Prepared by

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

DATE: December 22, 2015

APPLICANT/OWNER/CONTACT:
Pat & Alan Riggins
2040 S. Knights Lane
Lincoln, NE 68506

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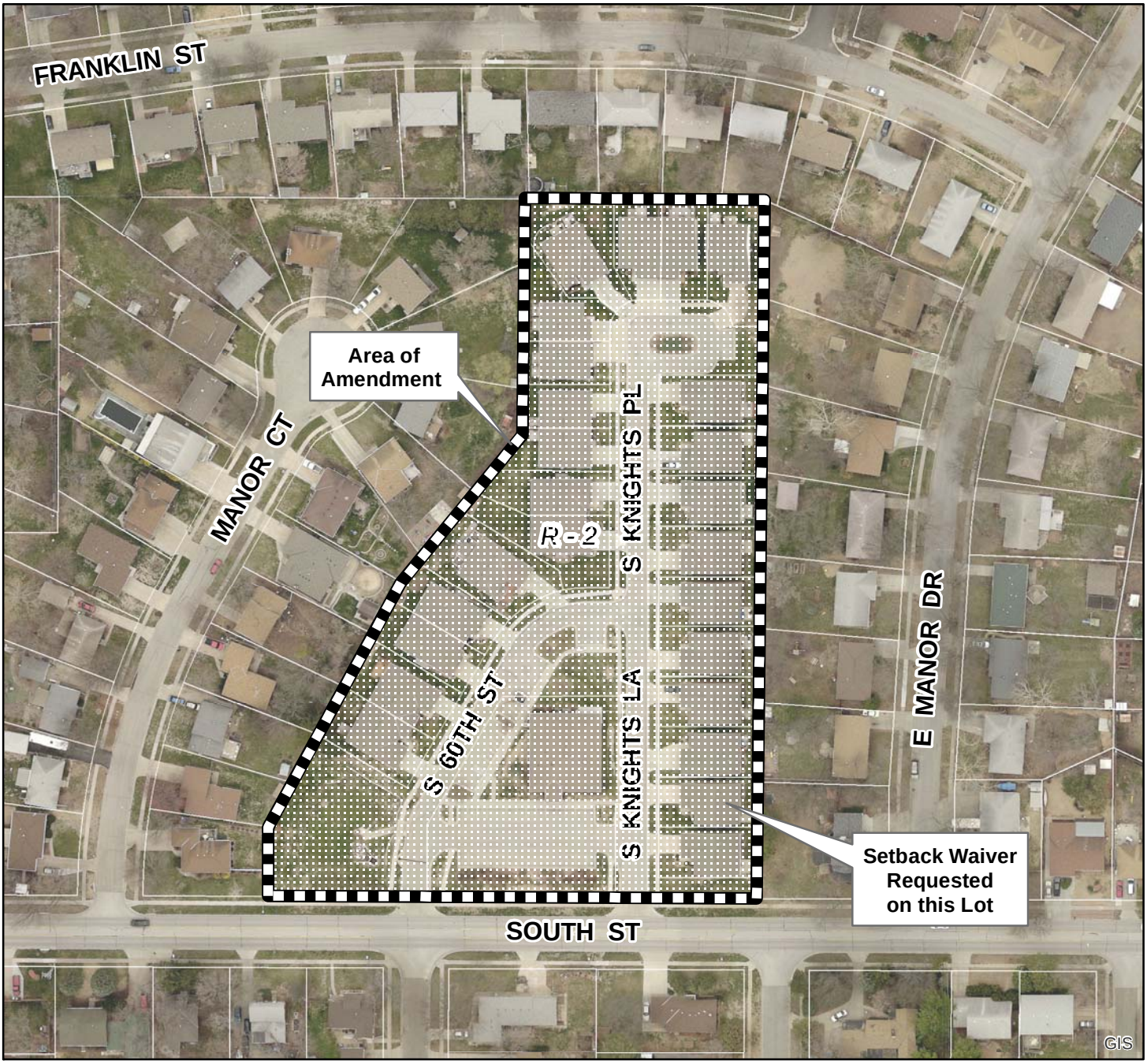


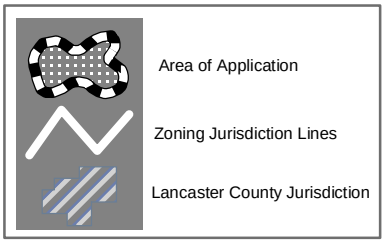
2013 aerial

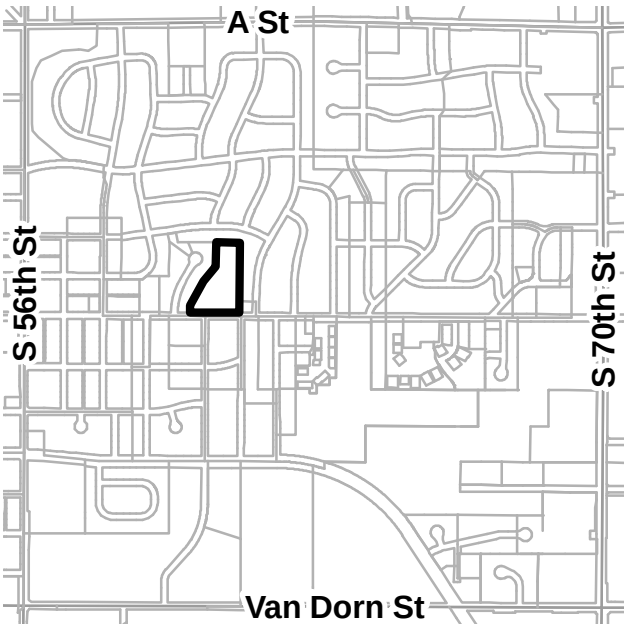
Special Permit #: SP1869C
Knights Court CUP
Knights La & South St

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.33 T10N R07E





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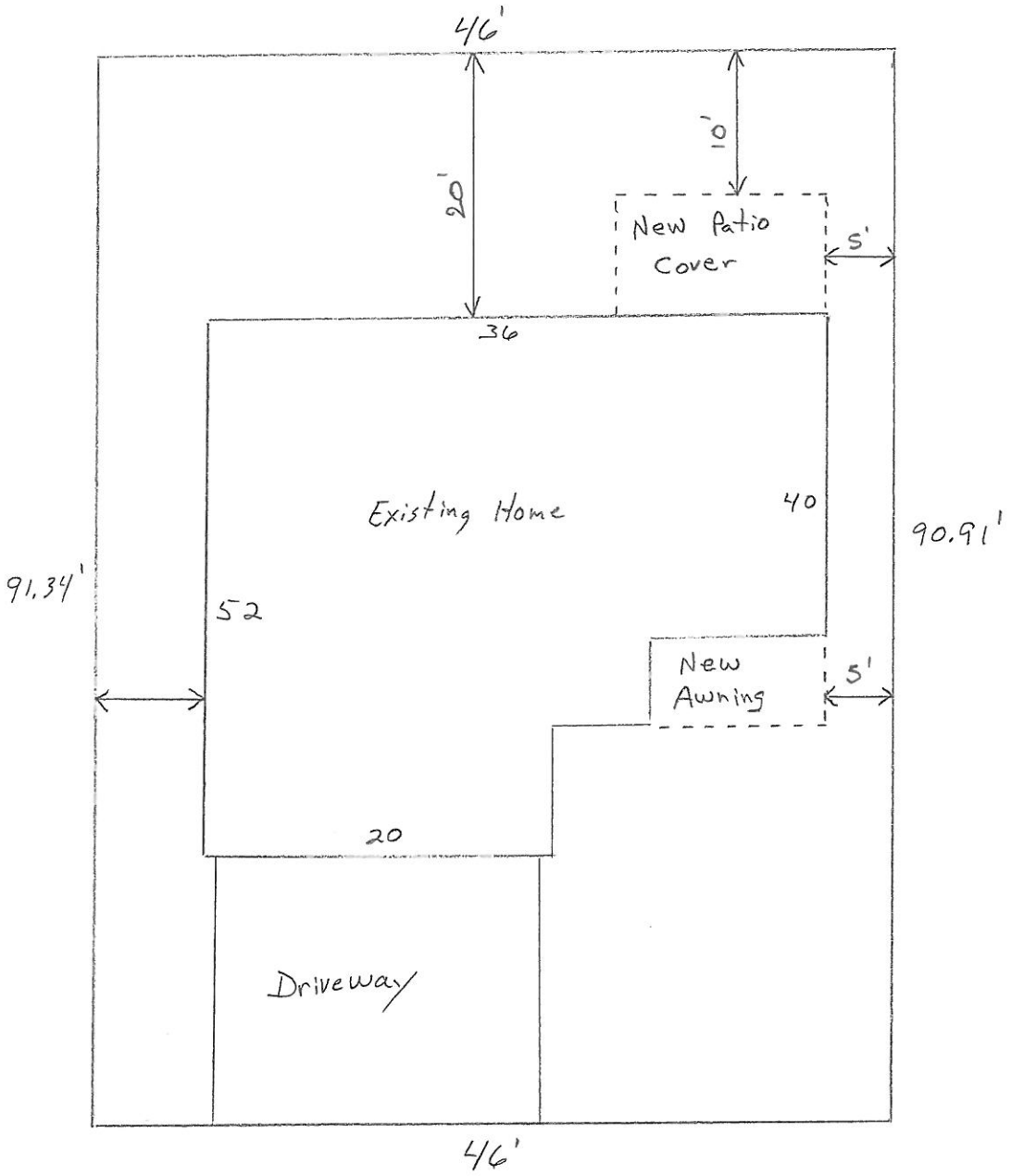
Sunroom Designs of Nebraska
5335 N. 57th St.
Lincoln, Ne. 68507

Alan + Pat Riggins
2040 S. Knights Ln.
Lincoln, Ne. 68506

Site Plan



Knights Lane

Made in North America for Over 30 Years

*Not to Scale

Pat & Alan Riggins
2040 South Knights Lane
Lincoln, NE 68506

November 19, 2015

Lincoln-Lancaster County Planning Department
Lincoln, Nebraska

Request to Amend Community Unit Plan at Knights Court Addition, Block 1, Lot 2
ID 17-33-136-002-000

This request is being made in order to secure a building permit to install a patio cover on the rear of the residence.

The patio cover is attached to the dwelling and covers an area of about 10 feet by 13 feet.

Reference material is attached:

- Site Plan
- Engineering drawings and specifications
- Statements from adjacent neighbors and home owners association.

Sincerely,

Patricia Riggins

Patricia & Alan Riggins

Pat & Alan Riggins
2040 South Knights Lane
Lincoln, NE 68506

We have installed a cover over our rear patio. There will be a public hearing concerning the impact this construction has to our property as well as properties adjacent to ours.

Please sign the appropriate response so we may present this letter to the Lincoln-Lancaster County Planning Department.

There would be no objection to the patio cover on 2040 South Knights Lane, to the home owners association.

(name, print and sign) MILTON A. BAYER

President Milton A. Bayer

Below are pictures of the patio cover:

THANK YOU
Alan and Pat Riggins

Pat & Alan Riggins
2040 South Knights Lane
Lincoln, NE 68506

We have installed a cover over our rear patio. There will be a public hearing concerning the impact this construction has to our property as well as properties adjacent to ours.

Please sign the appropriate response so we may present this letter to the Lincoln-Lancaster County Planning Department.

There would be no objection to the patio cover on 2040 South Knights Lane, the cover will not cause any problems for me or to my property.

(name, print and sign) Elisa & Matthew Lackey Elisa Lackey Matt Lackey

address 2045 E Manor Drive, Lincoln, NE 68506

I am not in favor of having the rear patio cover at 2040 South Knights Lane.

(name, print and sign)_____

(address)_____

Below are pictures of the patio cover:

THANK YOU
Alan and Pat Riggins

Pat & Alan Riggins
2040 South Knights Lane
Lincoln, NE 68506

We have installed a cover over our rear patio. There will be a public hearing concerning the impact this construction has to our property as well as properties adjacent to ours.

Please sign the appropriate response so we may present this letter to the Lincoln-Lancaster County Planning Department.

There would be no objection to the patio cover on 2040 South Knights Lane, the cover will not cause any problems for me or to my property.

(name, print and sign) SHIRLEY J. MASUR
Shirley J. Masur

address 2046 So. KNIGHTS LN

I am not in favor of having the rear patio cover at 2040 South Knights Lane.

(name, print and sign)_____

(address)_____

Below are pictures of the patio cover:

THANK YOU
Alan and Pat Riggins

Pat & Alan Riggins
2040 South Knights Lane
Lincoln, NE 68506

We have installed a cover over our rear patio. There will be a public hearing concerning the impact this construction has to our property as well as properties adjacent to ours.

Please sign the appropriate response so we may present this letter to the Lincoln-Lancaster County Planning Department.

There would be no objection to the patio cover on 2040 South Knights Lane, the cover will not cause any problems for me or to my property.

(name, print and sign) Dwain Hoffart Dwain Hoffart

address 2026 S Knights Ln

I am not in favor of having the rear patio cover at 2040 South Knights Lane.

(name, print and sign)_____

(address)_____

Below are pictures of the patio cover:

THANK YOU
Alan and Pat Riggins

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for JANUARY 6, 2016 PLANNING COMMISSION MEETING

PROJECT #: Special Permit No. 15074

PROPOSAL: A request per Article 13.001 (20) for a Temporary Mobile Home while constructing a house.

LOCATION: 24311 S. 68th Street generally at South 68th Street and Princeton Road

LAND AREA: 1 acre

EXISTING ZONING: AG Agricultural

CONCLUSION: In conformance with the Comprehensive Plan and County Zoning

RECOMMENDATION: Conditional Approval

GENERAL INFORMATION:

LEGAL DESCRIPTION: Lot 32 I. T. Located in the E ½ of Section 16, Township 7 North, Range 7 East, Lancaster County, NE.

EXISTING LAND USE: Farm ground

SURROUNDING LAND USE AND ZONING:

North:	AG Agricultural	Farm land and acreage lots
South:	AG Agricultural	Farm land and Norris Public School
East:	AG Agricultural	Farm land and acreage lots
West:	AG Agricultural	Farm land

HISTORY:

November 14, 2006 Special Permit #06057 for a temporary trailer while building a house was approved at 24311 S. 68th Street by the County Board.

COMPREHENSIVE PLAN SPECIFICATIONS:
The 2040 Future Land Use Plan identifies this area as agricultural.

UTILITIES: Private well and wastewater system.

ANALYSIS:

1. This request is to allow a temporary mobile home while constructing a residence under the provision of Article 13.001(20).

2. A special permit to allow a temporary mobile home while constructing a residence was approved at this location in November 2006. The special permit was approved with a one year time limit. After one year the mobile home was to be removed. The mobile home has remained on the lot without a house being constructed.

3. The property owner was notified by Lincoln Building and Safety Department in March 2015 that a special permit is required for the mobile home to remain on the premises while building a house. They applied for this special permit in November 2015.

4. Building plans for the house have been approved by Building and Safety Department. This special permit will give the owner 12 more months to build the new house.

CONDITIONS OF APPROVAL:

Per Article 13.001(20) this approval permits one temporary mobile home which shall be removed at the end of 12 months from the adoption of this permit or at the time of occupancy of the house, whichever comes first.

Site Specific Conditions

1. Construction of a new house shall be initiated within six months and completed within twelve months of approval of this special permit unless extended by the Building and Safety Department.

2. Once initiated, if the construction ceases for a period in excess of six months this permit shall terminate.

Standard Conditions:

3. The following conditions are applicable to all requests:

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

3.2 The applicant shall sign and return the letter of acceptance to the County Clerk. This step should be completed within 60 days following the approval of the special permit. The Permittee shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds. Building permits will not be issued unless the letter of acceptance has been filed.

Prepared by

Tom Cajka
Planner

DATE: December 17, 2015

APPLICANT: Tod & Shelly Stertz
24311 S. 68th Street
Firth, NE 68358
402-429-6996

OWNER: Stertz Family Homes, Inc.
24311 S. 68th Street
Firth, NE 68358
402-429-6996

CONTACT: Dale Stertz
10600 Stagecoach Rd.
Hickman, NE 68372
402-440-5963

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2013 aerial

Special Permit #: SP15074
S 68th St & Olive Creek Rd

Zoning:

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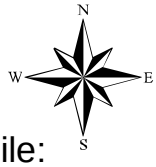
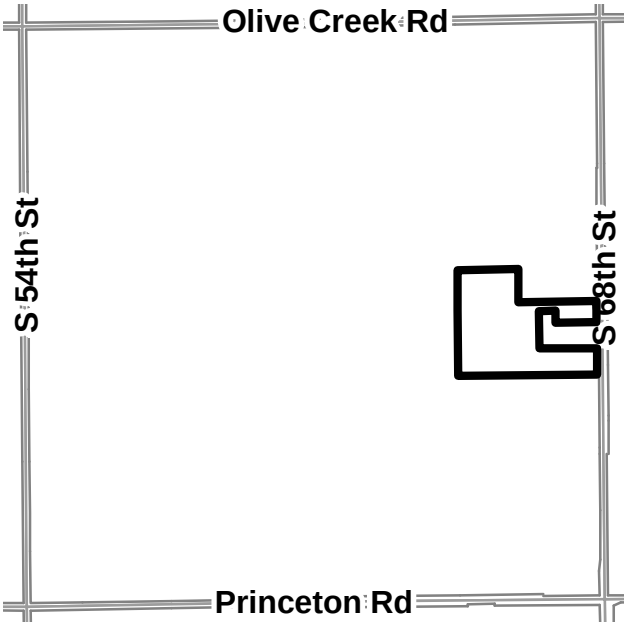
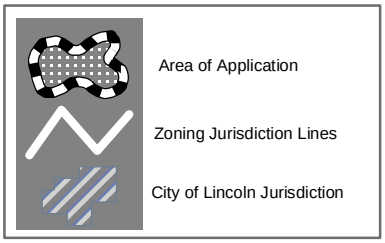
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District



One Square Mile:
Sec.16 T07N R07E





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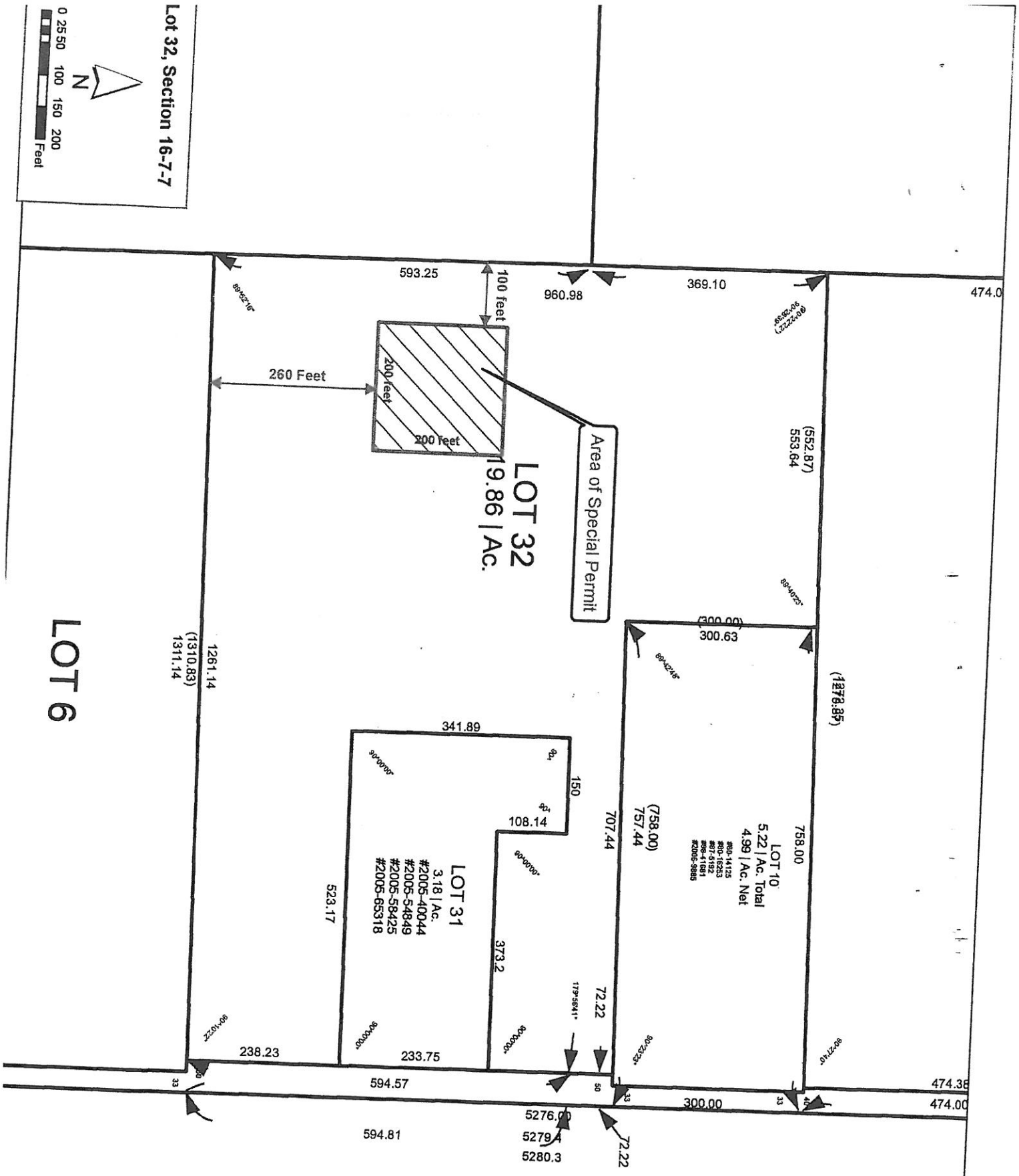
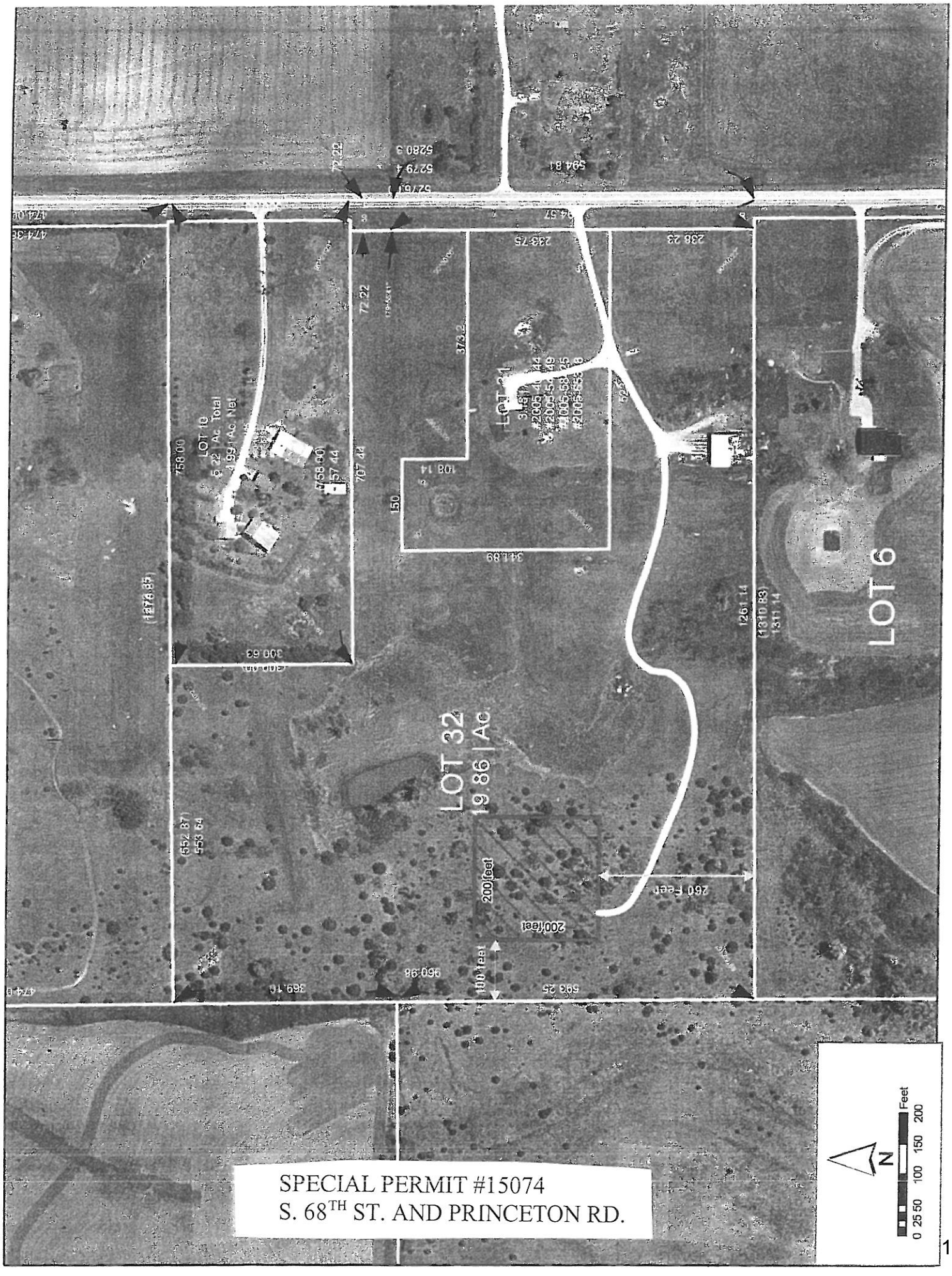


SPECIAL PERMIT #15074
S. 68TH ST. AND PRINCETON RD.



SPECIAL PERMIT #15074
S. 68TH ST. AND PRINCETON RD.

November 23, 2015

Per Article 4 of the Lancaster County Zoning Regulations, "AG Agricultural District", we are requesting a Special Permit as allowed under Article 13.001.20 LCZR to place a temporary mobile home for residential occupancy for a period not to exceed one year while constructing our new single family residence on Lot 32, Section 16 T7N R7E. See attached site plan and aerial for area of special permit request.

Thanks for your consideration of this Special Permit request.

Tod & Shelly Stertz

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for January 6, 2016 PLANNING COMMISSION MEETING

PROJECT #: Comprehensive Plan Conformance No. 15033

PROPOSAL: To review as to conformance with the 2040 Lincoln-Lancaster County Comprehensive Plan, to add the "Antelope Square Redevelopment Project" to the Antelope Valley Redevelopment Plan. The proposed project includes the redevelopment of a portion of two underutilized blocks into twenty-four attached, single-family, mixed-income residential units.

The Antelope Valley Redevelopment Plan area north of Downtown is generally bounded by Salt Creek on the north, by the BNSF Railroad tracks on the south, by Antelope Creek on the east and by Interstate 180 on the west; the area east of Downtown is generally bounded by 17th Street on the west, 27th Street on the east, the BNSF Railroad tracks on the north and D and E Street on the south, Lincoln, Lancaster County, Nebraska.

LOCATION: Generally located between Q Street, R Street, N. 22nd Street and N. 23rd Street

LAND AREA: 4.4 acres, more or less

CONCLUSION: The redevelopment plan is in conformance with the Comprehensive Plan.

RECOMMENDATION: In conformance with the Comprehensive Plan.

GENERAL INFORMATION:

LEGAL DESCRIPTION: See attached Legal Description Exhibit.

EXISTING ZONING: This property is within the Antelope Village PUD which includes B-3, Commercial District, and R-6, Residential District, underlying zoning.

EXISTING LAND USE: Vehicle Repair Shops, Vacant Office, Single-Family & Multi-Family Dwellings, Fishing Tackle Supply and Undeveloped Land

SURROUNDING LAND USE AND ZONING:

North: Single-Family & Multi-Family Dwellings/Church; R-6
South: Single-Family & Multi-Family Dwellings/Vehicle Sales; B-3 & R-6 PUD

East: Single-Family & Multi-Family Dwellings/Convenience Store; B-3 & R-6 PUD
West: Union Plaza and Antelope Creek; B-4 & P

HISTORY:

May 1979 This property was rezoned from D, Multiple Dwelling District, and I, Commercial District, to R-6, Residential District, and B-3, Commercial District, with the 1979 Zoning Update.

December 2008 The Antelope Village Planned Unit Development was approved by the City Council.

July 2009 The property located at 2240 Q Street was declared surplus by the City Council.

COMPREHENSIVE PLAN SPECIFICATIONS:

P 1.9 - The 2040 Comprehensive Plan Future Land Use map shows this area as Commercial and Residential.

P. 1.2-1.3 -The community continues its commitment to a strong Downtown. A strong, vital Downtown provides a common center for all of Lincoln and Lancaster County and will be a catalyst for future growth. LPlan 2040 acknowledges Downtown's unique role and will guide decisions that will maintain Downtown's vitality and enhance its contribution to the quality of life of all Lincoln and Lancaster County.

P. 5.1 - Enhance Downtown's role as the heart of the City. A strong downtown is important to the economic future of the community. Lincoln's Downtown is unique in the community as the home of State government, the State Capitol Building, and the flagship campus of the University of Nebraska. Together with Antelope Valley and the surrounding neighborhoods, it forms a vital core for the City.

P. 5.4 - The City should preserve and enhance Downtown's role as: A major focus for new residential reuse, infill, and redevelopment.

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. These areas should accommodate roughly 3,000 new dwelling units by 2040.

P. 6.3 - A major focus for new residential reuse, infill, and redevelopment is in the Greater Downtown area. The Plan envisions an additional 3,000 dwelling units in this core area by 2040. This area is the main hub of employment, entertainment, and higher education. Over the years, there have been significant public and private investments in new building construction, renovations, and infrastructure. In order to capitalize on these collective investments, further development in the Greater Downtown should be realized.

P. 6.3 - Strategies for Greater Downtown: Support development and implementation of the Downtown Master Plan and the Antelope Valley Redevelopment Plan.

P. 6.5 - Downtown is a primary area for mixed use redevelopment nodes and corridors.

ANTELOPE VALLEY REDEVELOPMENT PLAN SPECIFICATIONS:

P. 54 - This site is designated as M- Medium Density Neighborhood.

P. 60 - M - Medium Density is a medium density residential land use pattern found in most of the Neighborhoods. This category encourages new mixed-income housing products and mixes with strong design characteristics to strengthen the surrounding and adjacent neighborhoods. The land use pattern provides strong edges and cores to the neighborhoods.

P. 66 - Provide people more choices in housing, shopping, neighborhoods, employment, recreation, entertainment and transportation.

P. 66 - Compact development patterns help assure that a City uses its land, infrastructure, transportation and human resources wisely.

P. 66 - Encourage a range of housing types (single-family, apartments, row homes, granny flats, condominiums and live/work units) giving citizens of different incomes, ages and family sizes a wide range of choices.

P. 66 - Redevelopment should follow the "sustainability" principles of equity, economic development and environment.

P. 68 - Development should avoid a suburban style and instead be pedestrian oriented and varied with strong streetscapes reinforced by quality buildings. Suburban elements to avoid include deep setbacks, and overall design oriented toward the scale of the automobile. Buildings should be encouraged to be located next to the sidewalks along the front yard line, with parking in the back of buildings.

ANALYSIS:

1. This is a request to review an amendment to the Antelope Valley Redevelopment Plan for a determination of conformity with the Lincoln and Lancaster County 2040 Comprehensive Plan. Nebraska Community Development Law, NEB REV STAT § 18-2112 requires the Planning Commission to review a redevelopment plan as to its conformity with the Comprehensive Plan. A recommendation of the Planning Commission is required to be provided to the City Council.

2. The general concept is to redevelop approximately 4.4 acres for 24 attached single-family, mixed-income residential units. The project area includes the adjacent rights-of-way to the centerline including Q Street, R Street, N. 22nd Street and N. 23rd Street. The estimated cost of this project is approximately $5.25 million and will generate an estimated $880,000 in Tax Increment Financing.

3. The Antelope Valley Redevelopment Plan notes that redevelopment in this area is intended to be medium density residential and that new residential development is appropriate along or near the east side of the new waterway. The Antelope Valley Redevelopment Plan states, "While current quality housing structures should continue, lesser quality housing structures should be replaced with new quality housing. These blocks are to have a higher density to capitalize on the public improvements by providing greater activity and overall sense of community. This area should fade in density and character to blend seamlessly with the adjacent neighborhoods." The general idea of redeveloping this area for attached single-family housing is supported by the Antelope Valley Redevelopment Plan.

4. Development on this property is governed by the Antelope Village Planned Unit Development (PUD). The PUD covers four blocks bounded by N. 22nd Street, R Street, N. 24th Street and P Street. The purpose of the PUD is to foster a transitional area of residences and other compatible uses between the urban mixed use areas of Downtown and the residential neighborhood to the north and east. It is also intended to encourage high-quality development across from the Union Plaza.

The underlying zoning of the PUD is B-3, Commercial District, along the N. 23rd Street frontage and R-6, Residential District, throughout the rest of the PUD. The PUD calls out three separate development areas and modifies the underlying zoning district requirements in each development area. The proposed Antelope Square project lies within the Mixed Use Area and the Neighborhood Business Area. Both of these areas allow the residential development as proposed in the plan amendment.

5. The City of Lincoln owns the half-acre parcel located at the northwest corner of Q and N. 23rd Streets (2240 Q Street). NeighborWorks previously occupied this property as a temporary office. This property was declared surplus by the City Council on July 20, 2009 and is proposed to be sold to the developer upon approval of the redevelopment agreement.

   The County-City Property Management Maintenance Shop currently occupies the building at the west end of the property. This office is planned to be relocated prior to redevelopment.

6. The source of funds for public improvements will be Tax Increment Financing (TIF) generated by this project. Because this is a TIF-assisted project, the design details of the development will be reviewed by the Urban Design Committee (UDC). The developer has tentatively planned to present the project at the January 5th UDC meeting. Details of that meeting can be provided at the Planning Commission hearing on January 6, 2016.

7. The developer held two meetings to inform the public of the project. One meeting was with the Antelope Village Association on December 8th and the other was with the Hawley Neighborhood Association on December 14th. Three letters of support have been submitted for this project and are attached to this report.

Prepared by:

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

DATE: December 21, 2016

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

CONTACT: Ernie Castillo
555 S. 10th Street, Suite 205
Lincoln, NE 68508

OWNERS:

NeighborWorks Lincoln
2201 R Street
Lincoln, NE 68503

United Equity LLC
PO Box 5946
Lincoln, NE 68505

Lillian Fish Irrevocable Trust
335 N. 23rd Street
Lincoln, NE 68503

Rodney Hornby
5831 S. 58th Street, Ste A
Lincoln, NE 68516

City of Lincoln
555 S. 10th Street, Ste 205
Lincoln, NE 68508

Lang Le
310 W. Jennifer Drive
Lincoln, NE 68521

Quynh & Huy Nguyen
5621 Tipperary Trail
Lincoln, NE 68512

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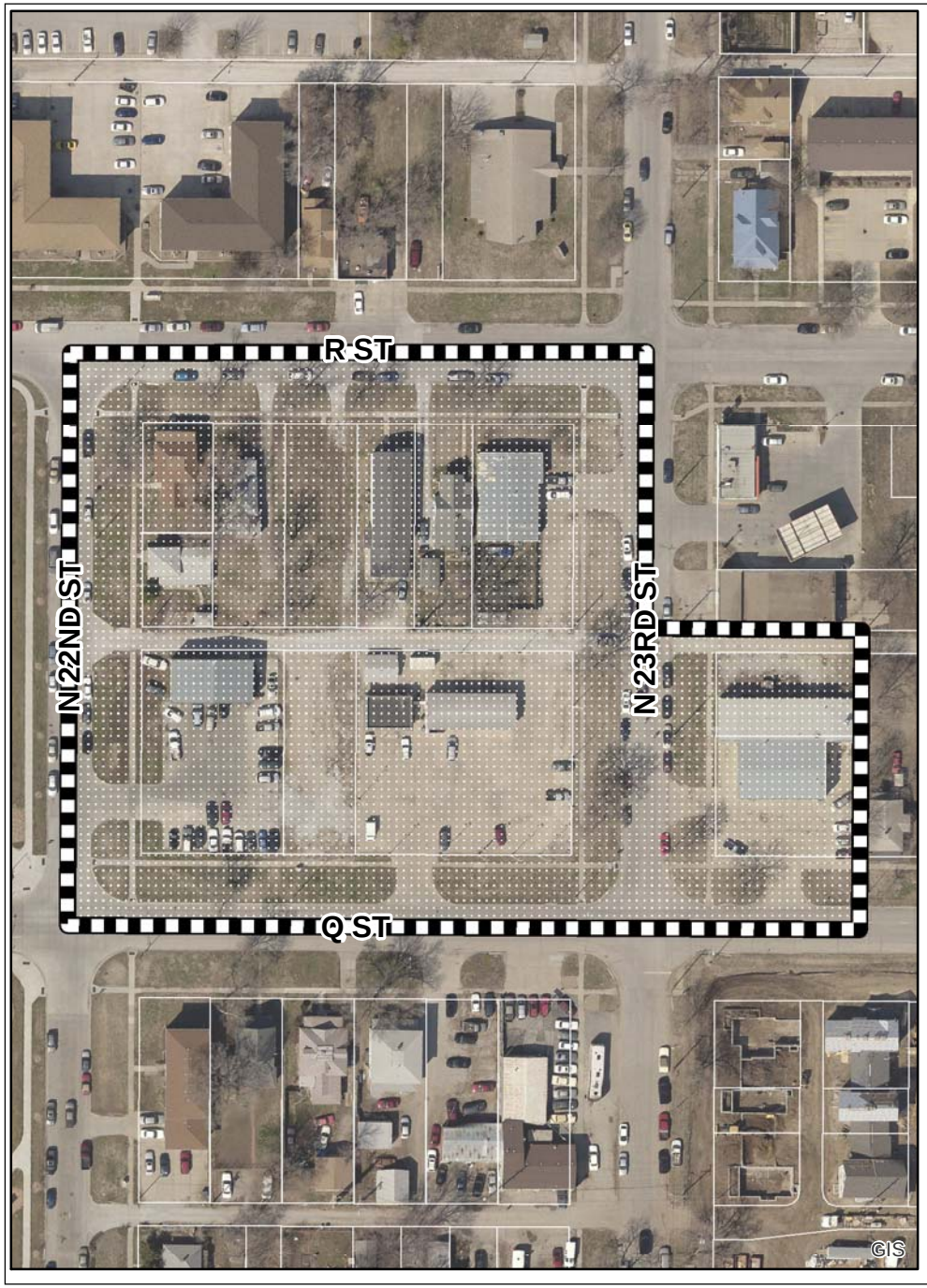
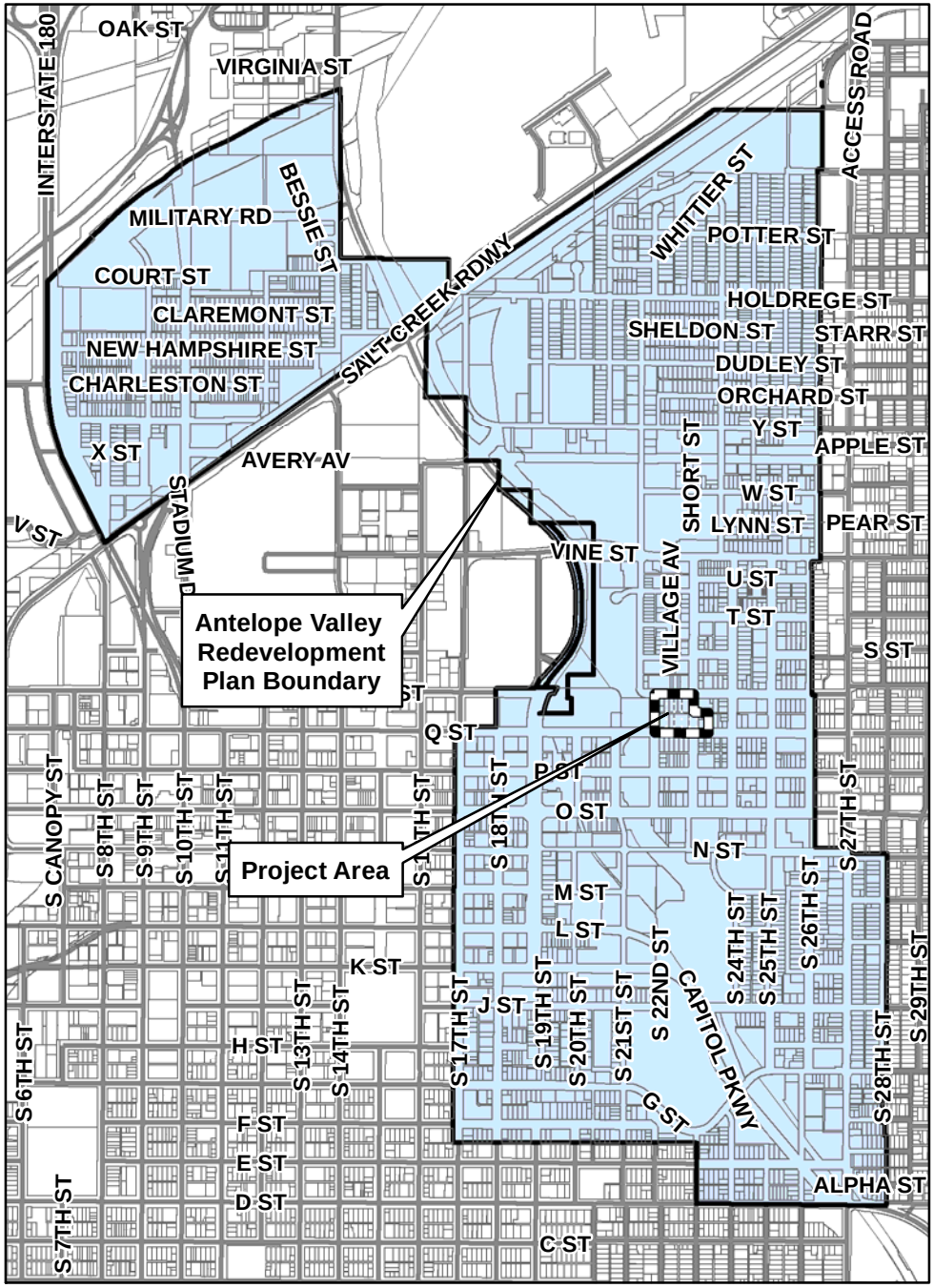




2013 aerial

Comprehensive Plan Conformance #15033

Antelope Valley Redevelopment Plan

Antelope Square Project

m:\plan\arcview\CPCRevelopmentAreaDrawings.mxd (CPC15033)

CITY OF LINCOLN NEBRASKA

URBAN DEVELOPMENT DEPARTMENT
555 South 10th Street Suite 205 Lincoln, Nebraska 68508
402-441-7606 fax: 402-441-8711 lincoln.ne.gov

December 9, 2015

David Cary, Interim Director
City of Lincoln-Lancaster County Planning Department
555 S. 10th Street
Lincoln, NE 68508

Dear David:

Please find attached one copy of the Antelope Square Redevelopment Plan amendment for the Antelope Square Redevelopment Project.

Please forward the amendment to the Planning Commission for their earliest consideration and review for conformity with the Comprehensive Plan. I understand that it should be on the January 6, 2016, Planning Commission agenda.

If you have any questions, please contact me at 1-7855 or ecastillo@lincoln.ne.gov

Sincerely,

Ernie Castillo
Planner

Cc: Dave Landis

DEVELOPMENT SERVICES CENTER DSC

Legal Description

1. 2201 "R" Street, legally described as: The North Seventy-Seven feet (N 77') of Lot Six (6), Block Five (5), Kinney's "O" Street Addition, Lincoln, Lancaster County, Nebraska. PID 10-24-423-000

2. 332 North 22nd Street, legally described as: The South Sixty-Five feet (S 65') of Lot Six (6), Block Five (5), Kinney's "O" Street Addition, Lincoln, Lancaster County, Nebraska. PID 10-24-423-008-000

3. 2211 "R" Street, legally described as: Lot Five (5), Block Five (5), Kinney's "O" Street Addition, Lincoln, Lancaster County, Nebraska. PID10-24-423-006-000

4. 2221 "R" Street, legally described as: Lot Four (4), Block Five (5), Kinney's "O" Street Addition, Lincoln, Lancaster County, Nebraska. PID 10-24-423-005-000

5. 2225 "R" Street, legally described as: The West Forty feet (W 40') of Lot Three (3), Block Five (5), Kinney's "O" Street Addition, Lincoln, Lancaster County, Nebraska. PID 10-24-423-004-000

6. 2227 "R" Street, legally described as: The West Thirty feet (W 30') of Lot Two (2) and the East Ten feet (E 10') of Lot Three (3), Block Five (5), Kinney's "O" Street Addition, Lincoln, Lancaster County, Nebraska. PID 10-24-423-003-000

7. 335 North 23rd Street, legally described as: Lot One (1) and the East Twenty feet (E 20') of Lot Two (2), Block Five (5), Kinney's "O" Street Addition, Lincoln, Lancaster County, Nebraska. PID 10-24-423-015-000

8. 2212 "Q" Street, legally described as: Lots Seven (7) and Eight (8), Block Five (5), Kinney's "O" Street Addition, Lincoln, Lancaster County, Nebraska. PID 10-24-423-016-000

9. 2218 "Q" Street, legally described as: Lot Nine (9), Block Five (5), Kinney's "O" Street Addition, Lincoln, Lancaster County, Nebraska. PID 10-24-423-011-000

10. 2240 "Q" Street, legally described as: Lots Ten (10), Eleven (11), and Twelve (12), Block Five (5), Kinney's "O" Street Addition, Lincoln, Lancaster County, Nebraska. PID 10-24-423-014-000

11. 314 North 23rd Street, legally described as: The South Eight-Four feet (S 84') of Lots Seven (7) and Eight (8), Block Four (4), Kinney's "O" Street Addition, Lincoln, Lancaster County, Nebraska. PID 10-24-424-025-000

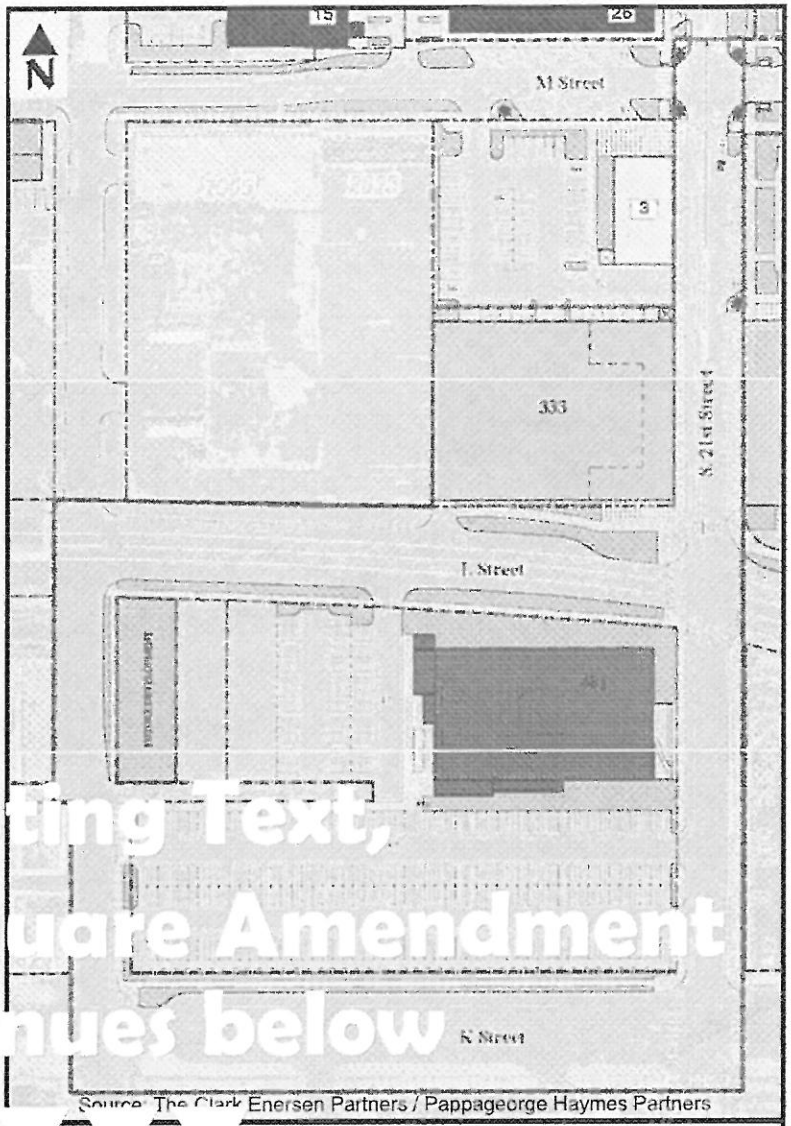
12. 2300 "Q" Street, legally described as: The North Fifty-Eight feet (N 58') of Lots Seven (7) and Eight (8), Block Four (4), Kinney's "O" Street Addition, Lincoln, Lancaster County, Nebraska. PID 10-24-424-024-000

incurrence of significant public cost.

The Project will create tax and other public revenue for the City and other local taxing jurisdictions. While the use of tax increment financing will defer receipt of a majority of new ad valorem real property taxes generated by the Project, the Project will include a substantial amount of personal property that will be on the property tax rolls upon its acquisition and installation. The personal property will generate immediate tax growth to all local taxing jurisdictions. It is projected that approximately $1,000,000 dollars of personal property will be installed at the Project, which at estimated levy rates would generate total new property taxes in the first year of approximately $20,100.

In addition to new personal property tax revenues, the Project will also contribute to municipal revenues through excise taxes, fees, licenses, sales taxes, and other taxes that occur and are paid in the course of the normal operation of a business.

The Project, the first phase of the Telegraph District, would have a positive impact on private sector investment in the area outside the boundaries of the redevelopment project. The Project is not anticipated to impose a burden or have a negative impact on other local area employers, but should increase the need for services and products from existing businesses.



Source: The Clark Enersen Partners / Pappageorge Haymes Partners

Telegraph District: Proposed Preliminary Site Plan

Existing Text, Antelope Square Amendment Paragraphs below

R. Antelope Square Redevelopment Project

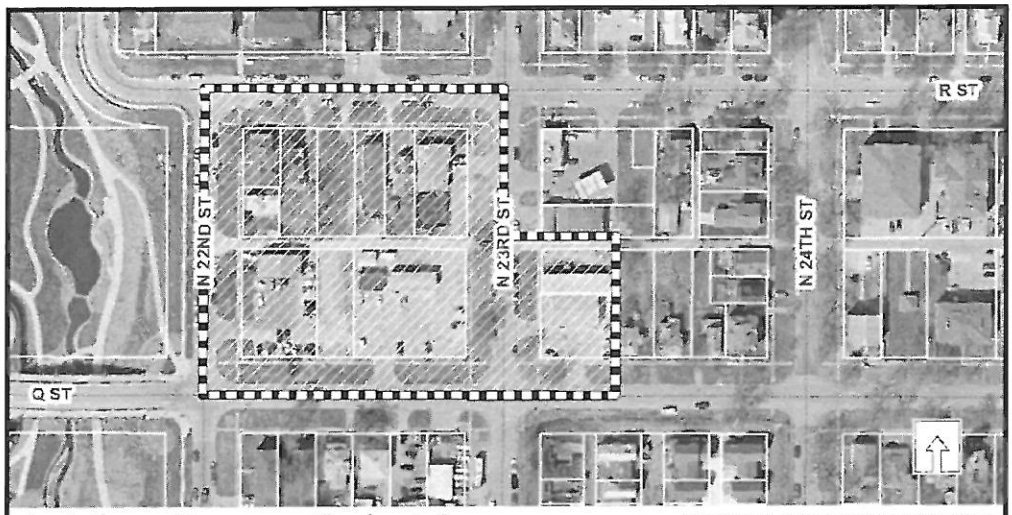
1. Project Description

The Antelope Square Redevelopment Project (the "Project") includes the redevelopment of a portion of two (2) underutilized blocks into twenty-four (24) attached single-family, mixed-income residential units. The Project is generally located on the block bounded by 22nd Street, 23rd Street, Q Street and R Street, along with the two southwest parcels along 23rd Street located on the adjacent city block directly to the east. (See the *Project Area* map, below.) The Project area covers approximately 4.4 acres.

The goal of this project is to strengthen the Lincoln community by providing in-fill residential dwelling units and opportunities for market rate and first-time homebuyers through the redevelopment of existing underutilized and deteriorating real property east of Downtown Lincoln. The Project will remove blighted and substandard conditions and will make positive contributions to the area. The Project will increase the security and safety in the Antelope Valley Redevelopment Area through the removal and redevelopment of certain blighted and substandard conditions.

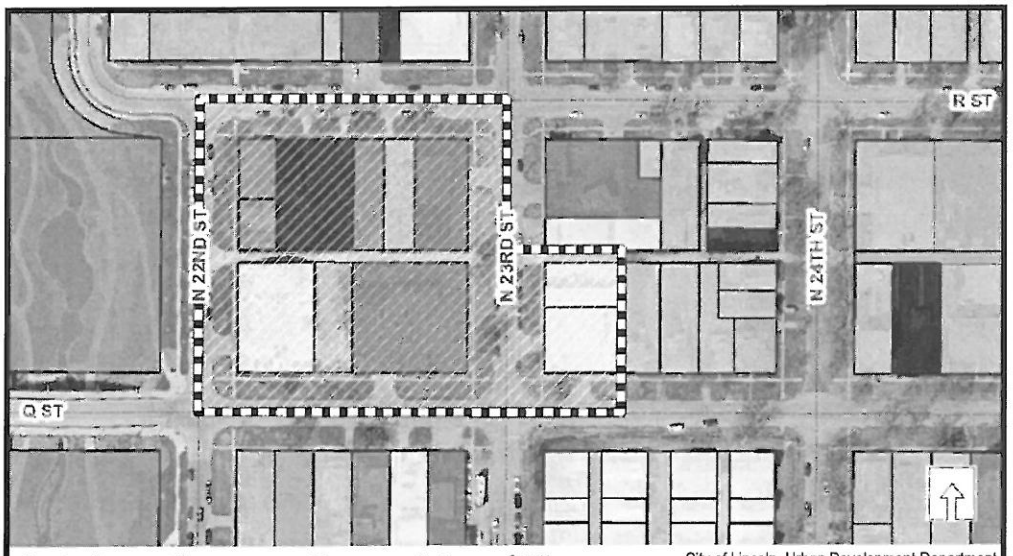
The existing land uses are residential, vacant and automotive repair. Surrounding land uses include residential, office, and park open space. See the *Current Land Use* map, below.

The Project is consistent with the goals of the *Antelope Valley Redevelopment Plan* and the *Downtown Master Plan* and is intended to support private sector residential development in this redevelopment area. Publicly funded redevelopment activities may include site acquisition, streetscape and other public area enhancements, energy efficiency improvements, façade enhancements, and other public improvements in the project area. The Project is consistent with the goals of the *Antelope Valley Redevelopment Plan* and the Antelope Valley Future Land Use Map, Figure 18, page 54, which identifies the area as medium density, a use which specifically encourages new mixed-income housing projects. The project site is currently located in the Antelope Village Planned Unit Development (PUD) which is zoned both B-3 and R-6. See the ***Zoning & Existing PUD Boundary*** map.



Antelope Square: Project Area City of Lincoln, Urban Development Department

Project Area Boundary



Antelope Square: Current Land Use City of Lincoln, Urban Development Department

Project Area
Single Family-Attached
Single Family-Detached
Group Quarters
Apartments
Duplex
Religious
Commercial
Lt. Industrial
Open Space
Parkland
Vacated Row
Vacant/Undeveloped

The Project consists of two phases: Phase One will consist of ten (10) attached single-family and townhome residential units, to be sold at or near market rate; Phase Two will consist of fourteen (14) attached single-family and townhome residential units, which shall also be sold at or near market rate. See ***Proposed Project Site Plan***, below.

2. *Statutory Elements*

• ***Property Acquisition, Demolition, and Disposal:*** The proposed redeveloper currently controls the majority of the project area, however, public land will be negotiated for sale to the developer through the redevelopment agreement process. The City surplus property process has been completed. Demolition will include clearing structures on the property, including any required environmental remediation and any necessary capping, removal or replacement of utilities and site preparation.

• ***Population Density:*** The Project will not have a significant impact on the project area's population den-

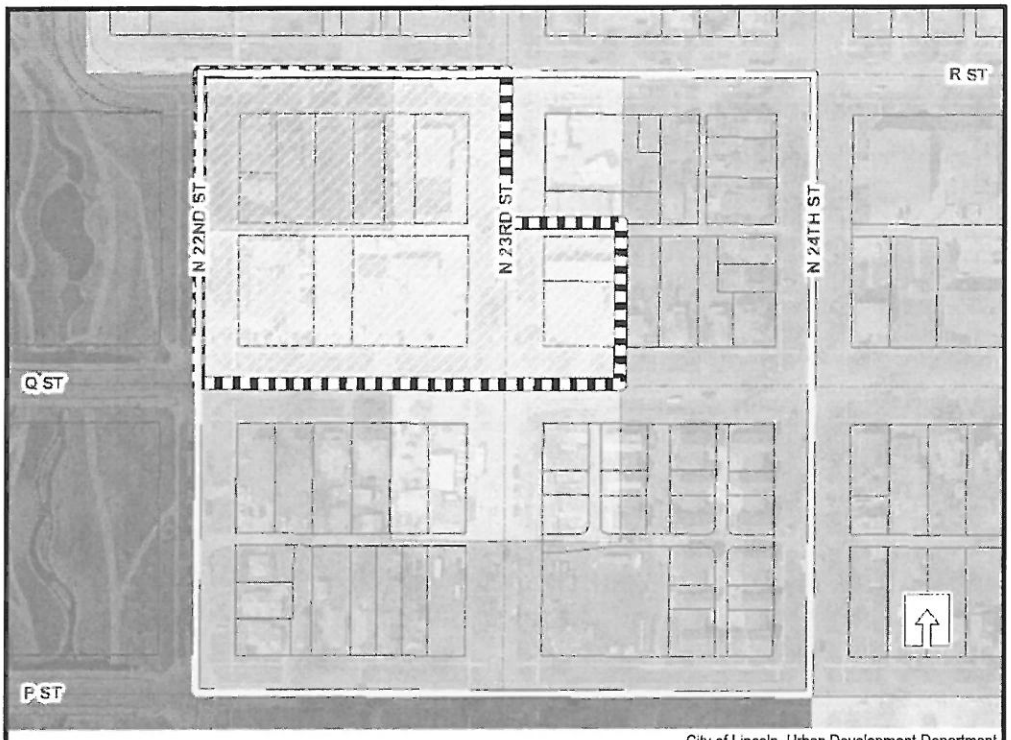
sity. The project area's population density will increase, as the existing commercial buildings and three residential units will be replaced by twenty four residential units.

- *Land Coverage:* Land coverage and building density will be altered with construction of the Project. Phase One will construct three (3) buildings holding ten (10) residential units upon property currently housing one commercial unit along with ancillary improvements. Phase Two will construct four (4) buildings holding fourteen (14) residential units upon property currently housing three (3) residential units, one (1) commercial property, and one vacant parcel. The floor to area coverage ratio will remain under 40%.

- *Traffic Flow, Street Layouts, and Street Grades:* The project is not likely to result in a significant increase in traffic. There is no impact to street layouts or grades and no streets will be vacated. As part of the Project, the redeveloper intends to pave the existing alleys.

- *Parking:* The Project will include attached parking for each unit along with shared driveways for each building. The Project will meet the requirements for parking.

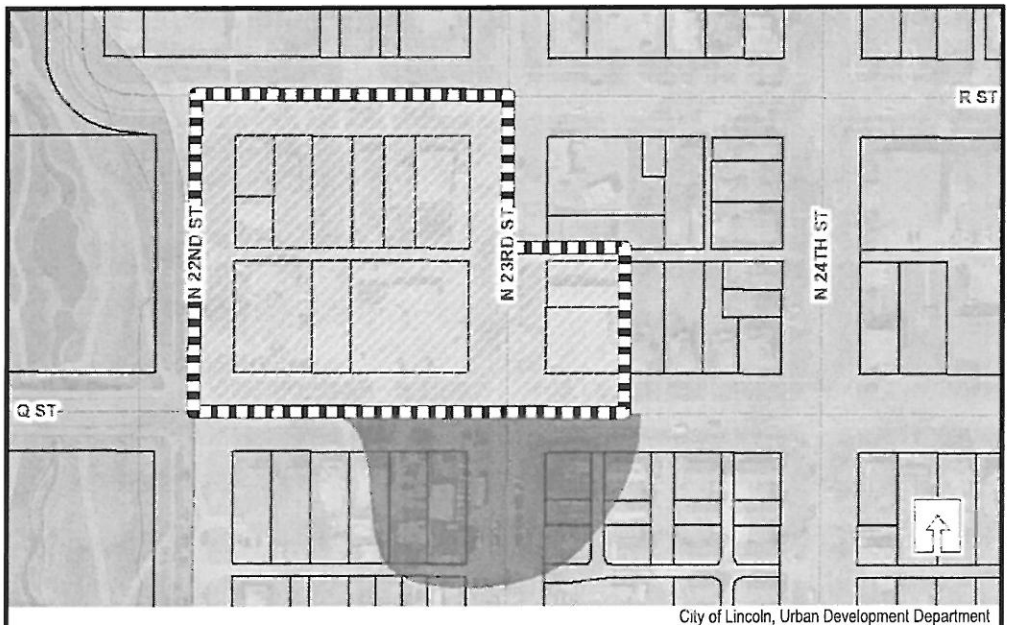
- *Zoning, Building Code, and Ordinances:* Zoning will remain unchanged as the existing PUD allows for the residential development that is being proposed. The Project will require the subdivision of the existing parcels and the project area will need to be replatted. Ap-



City of Lincoln, Urban Development Department

Antelope Square: Zoning & Existing PUD Boundary

Project Area | Antelope Valley PUD | R-6 | B-3 | B-4 | P



City of Lincoln, Urban Development Department

Antelope Square: Future Land Use

Project Area | Residential-Urban Density | Commercial | Green Space

plicable building codes will be met.

3. Financing and Cost Benefit Analysis

As required by Nebraska Community Development Law (Neb. Rev. Stat. 18-2113), the City has analyzed the costs and benefits of the proposed Project including:

• *Public Tax Revenues:* The public investment of a projected $880,000.00 will leverage the private investment of approximately $5,250,000.00 resulting in approximately $5.97 in private investment for every City TIF dollar spent. The assessed value of the property will increase by an estimated $4,299,100.00.

The Urban Development Department believes that the public improvements and enhancements proposed in this plan amendment would not occur "but for" the Tax Increment Financing generated by private redevelopment within the project area. Project improvements would not be achievable to the extent shown without TIF.

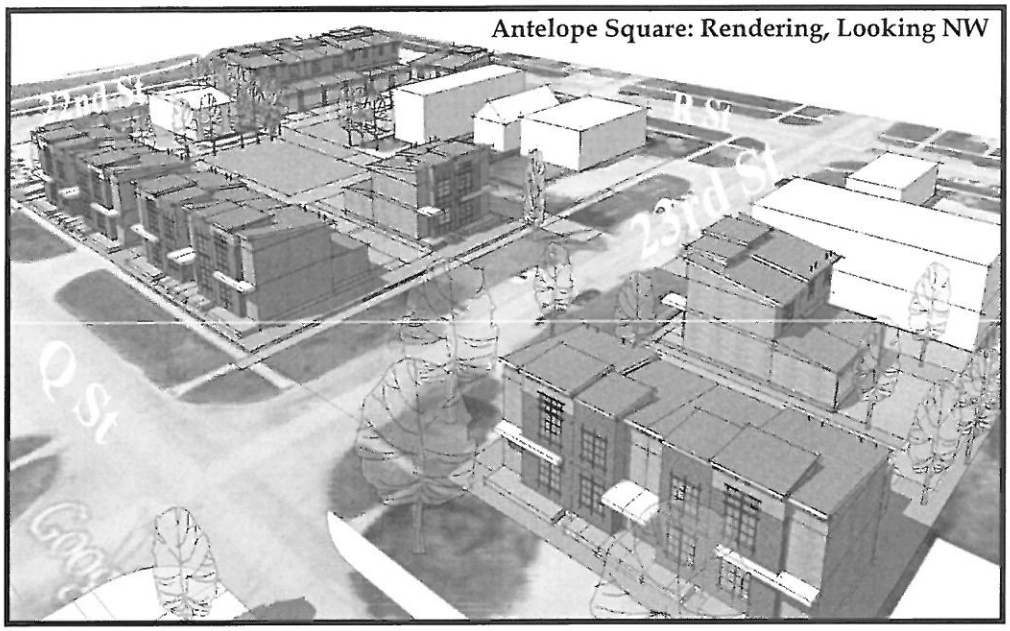
Public investment may assist in site acquisition, demolition, and site preparation; design and construction of utility improvements; design and construction of streetscape and right-of-way improvements; façade enhancements; energy enhancements; and other public improvements and enhancements allowed under the Community Development Law.

• *Public Infrastructure and Community Public Services Needs Impacts:* It is not anticipated the Project will have an adverse impact on existing public infrastructure or City services.

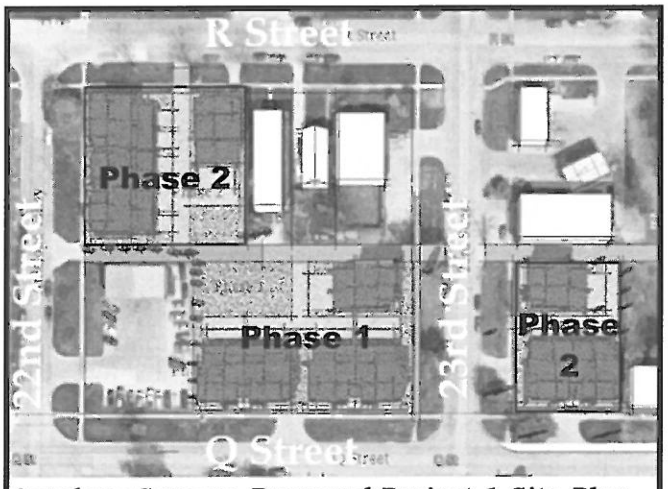
• *Employment Within & Outside the Redevelopment Project Area:* The Project will not have any adverse impact on employment within or outside the redevelopment project area.

• *Other Impacts:* The project will be a major improvement to the area and will increase the available housing opportunities within the Antelope Valley Redevelopment Area. The Project should have a positive impact on private sector businesses in the Redevelopment Area and the City and should encourage additional private development in and around the area. The Project is not anticipated to impose a burden or have a negative impact on other local area employers, but should increase the need for services and products from existing businesses.

While the use of tax increment financing will defer receipt of a majority of the incremental ad valorem real property taxes generated by the Project for up to 15 years, there will be additional revenue generated, including sales tax paid by the residents of the Project. Upon completion of the 15-year collection, the Lincoln community will benefit through the higher property tax payments.



Rendering (above) and Phase map (below) courtesy of Antelope Square, LLC



Antelope Square: Proposed Project 1 Site Plan

NeighborWorks Lincoln
2530 Q St.
Lincoln, NE 68503

To Whom It May Concern:

As residents of the Antelope Creek Valley Townhomes, we wholeheartedly support the development of the Antelope Square project between 22nd and 23rd Sts. And Q and R Sts.

New housing in our immediate area will help revitalize our neighborhood and improve our quality of life.

We would like to see the developers use design elements and exterior designs that will complement our townhomes.

We also urge you to help us improve problem properties that continue to impede the progress our neighborhood is making and which will be a detriment to the new development.

If we can be of further help in your efforts to bring quality homes to this neighborhood, please let us know.

Joe Shaw & Ryon Saathoff
Residents at 2311 Q St.

Brad Buffum, President
ACVTOA
2335 P Street
Lincoln, NE 68503
402.429.3272
bradbuffum@gmail.com

Antelope Creek Village
Townhome Owners'
Association

December 14, 2015

Shawn Ryba
Chief Operating Officer
Neighborworks Lincoln
2530 Q Street
Lincoln NE 68503

Dear Shawn,

On behalf of our homeowners' association, I am expressing our support for the planned development along 23rd, 24th P and Q Streets. Neighborworks Lincoln provided a boost for the Hawley neighborhood five years ago by developing our block and now, it seems, you'll be going one step better, with the collaboration with Assurity.

Neighborworks catapulted our side of the Hawley neighborhood into the future with their development of the single family homes in Antelope Creek Village. Our association is united and enthusiastic in backing your efforts for this complex, the promising next step.

Redevelopment of the portions of the blocks, as described at the meeting on Monday will vastly improve this part of Lincoln. All the homeowners in our association assumed that we would be trailblazers in reducing the squalor in the Hawley area. We've been patiently and somewhat proudly awaiting announcement of what's next. We're thrilled to hear of your plans.

With all of our best regards and encouragement,

Brad Buffum, President

To: NeighborWorks Lincoln

From: Hawley Area Neighborhood Association

The Hawley Area Neighborhood Association supports the development of the Antelope Square project in our neighborhood.
We as an association have been proactive in the development of new housing and welcome this project. We also know that you plan to have more modern units, but we encourage you to have exterior designs that will fit in with existing homes in the neighborhood.

Peggy Struwe
President, Hawley Area Neighborhood Association

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for January 6, 2016 Planning Commission Meeting

PROJECT #s: Change of Zone No. 15039/Landmark Designation and Special Permit No. 15075 for Historic Preservation of the Betz/VanAndel Houses

PROPOSAL: Designation of the property at 1037-39 and 1045 S. 13th St. as a Landmark (from R-7 Residential to R-7 Residential with Landmark Overlay) and a Special Permit to allow subdivision into two lots with waivers of parking, area, and lot requirements

LOCATION: 1037-39 and 1045 S. 13th St.

LAND AREA: Less than one acre, more or less.

EXISTING ZONING: R-7 Residential District

WAIVER/MODIFICATION REQUEST:

Modify lot/area and yard requirements to permit subdivision of the subject property into two lots of approximately 5000 sq. ft. (north lot) and 3000 sq. ft. (south lot), and waive parking requirement on the south lot.

CONCLUSION: The landmark designation protects an exemplary pair of American Foursquare residences that also demonstrate the turn-of-the-century intensification of Lincoln's Everett neighborhood. Designation provides the opportunity to request the special permit which allows subdivision into two lots, putting each residence on its own parcel and allow separate water services to the separate buildings, facilitating their maintenance. This request complies with the Zoning Ordinance and is consistent with the Comprehensive Plan.

RECOMMENDATION FOR CHANGE OF ZONE/LANDMARK Designation:	Recommendation that City Council approve Landmark designation
RECOMMENDATION FOR SPECIAL PERMIT:	Recommendation of Conditional approval of Special Permit

GENERAL INFORMATION:

LEGAL DESCRIPTION: Original Plat of Lincoln, Block 188, Lot 12 and the east five feet of the south 100 feet of Lot 11 and the east 10 feet of the north 42 feet of Lot 11, in Lincoln, Lancaster County, Nebraska.

EXISTING LAND USE: Single family residence (1045 S. 13th) and two-family residence (1037-39 S. 13th).

SURROUNDING LAND USE AND ZONING:

East:	Parking lot and out-patient medical/rehab facility	R-7 and B-3
West & South	Residential	R-7
North	Gas station/convenience store	B-3

HISTORY:

ca. 1910 19th century, wood-frame house on corner moved to north portion of lot

1912 Brick single-family house built by John Betz on corner, brick duplex built at center of parcel's 13th St. frontage

1914-1978 VanAndel family acquired both brick residences, which remained in that family's possession until 1978

1989 Wooden house demolished from north portion of lot

UTILITIES: All public utilities

PUBLIC SERVICE:. All urban services

ALTERATIVE USES: Landmark designation does not by itself change the permitted uses in the R-7 District. Permitted uses in R-7 district include single and multi-family residences, churches and schools, and fraternities and sororities. The Special Permit does not request a change in use, but rather the ability to subdivide the lot to provide separate parcels for the two residences.

COMPREHENSIVE PLAN SPECIFICATIONS:

Pg 1.9 - The Future Land Use Map of the Comprehensive Plan designates this area as Residential–Urban Density.

Pg 4.6, 4.9- "Placemaking" chapter encourages identification and protection of broad range of historic resources, and incentives for maintenance and continued use.

ANALYSIS:

Lincoln Municipal Code, section 27.57.120 provides for designation of landmarks that are *"Associated with events, person, or persons who have made a significant contribution to the history, heritage, or culture of the City of Lincoln, the County of Lancaster, the State of Nebraska, or the United States*."

1. The two houses on the northwest corner of S. 13th and D Streets are fine examples of American Foursquares, the predominant house form built in early 20th century Lincoln. This pair were built at the same time on the same lot by builder John Betz, employing fine brickwork with concrete porch columns and terra cotta trim. That one was built for a single family and the second as a duplex reflects the flexibility of that house form, and both remain in their original uses a century later. That both of these substantial residences share a single urban lot (which originally included a third house to the north) demonstrated the increased urbanization of south-central Lincoln as the city's population began to rebound after the dismal 1890s.

2. The Historic Preservation Commission reviewed the application for landmark designation at its meeting November 19, 2015 and recommended approval of the designation (6-1, see attached excerpt from meeting record).

3. The proposed preservation guidelines for 1037-39 and 1045 S. 13th St. are based on typical guidelines for Lincoln Landmarks and are derived from the Secretary of the Interior's Standards and Guidelines for Historic Rehabilition.

4. The Historic Preservation Commission also reviewed the application for a special permit for historic preservation at the meeting of November 19, 2015 and unanimously recommended approval of the requested permit (7-0, see attached excerpt from meeting record).

   A Special Permit for Historic Preservation under LMC §27.63.400 is to be evaluated under the following six criteria:

   - **The significance of the historic structure or site and the degree of variation sought from the permitted uses of the district:**

   The significance of the structure is presented in the associated landmark application and is recommended by the Historic Preservation Commission, based on both architecture and association with significant events.

View from east, 2011

- **The extent to which economic factors necessitate the change in use:**
  The purpose of these applications is to support the Heerspink family's ongoing maintenance and improvement of properties. They occupy the corner house and provide two rental apartments in the duplex. As a single lot, both houses are on the same water service, which extends through 1045 to 1037-39 S. 13th. The service to the duplex is in need of significant repair, impacting the family's home at 1045 S. 13th. They wish to upgrade the duplex to its own, separate water service but cannot do so without subdividing the property, placing the houses each on its own lot. The parcels would not meet setback and lot area requirements for conventional subdivision. Under LMC27.63.400, the Planning Commission may review and recommend adjustments or waivers to lot area, setback, and height requirements, and the City Council may consider and approve such requests on behalf of preservation of landmarks.

  Maintenance of these properties has been on-going since the Heerspink's recent acquisition and their appearance reflects considerable improvement. This special permit would facilitate their continued work and the future sustainability of the residences.

- **The extent of proposed exterior change to the structure or site:**

There is a small, deteriorated garage between the two houses. Creating a property line between the main buildings will invoke a requirement that any structures within 5 feet of that property line meet building code fire separation standards. Building a fire wall down the center of a single stall garage is infeasible

and the garage will have to be removed. Without the garage, the facing walls of the existing houses have sufficient separation and would not have to be altered for fire separation.

- **The impact on the surrounding area:**
  The site is zoned R-7 (residential) but is located immediately south of B-3 Commercial District zoning (gas station/convenience store). The property currently meets parking requirements with the driveway between the houses and a parking pad at the north portion of the property, off the alley. The special permit has no direct impact on surrounding property and would not reduce existing off-street pavement for parking. However, because the proposed new lot line would split the driveway between the houses, the south lot would not have a full-sized stall on its lot and a waiver of its required parking stall is requested.

  If in the future, the owner or owners of the two lots wished to replace the garage, there is opportunity to do so on the north parking pad. The proposed site plan identifies that future opportunity, conditioned upon approval of a Certificate of Appropriateness by the Historic Preservation Commission, and conditioned upon the continued availability of at least three stalls as required for three dwelling units in the R-7 Residential District.

- **The compatibility of the proposed use to the structure or site and the surrounding area:**
  The special permit would not change the existing, allowed use of the property, but would encourage its maintenance and improvement.

- **The manner in which the public will be benefitted by such proposed use:**
  The proposed permit would assist in maintaining a pair of handsome, century-old houses on a prominent corner in the Everett neighborhood.

4. There were not any objections from any City or County agency to the application.

CONDITIONS OF APPROVAL OF SP 15039:

Per Section 27.63.400, this approval permits reductions in lot area, setbacks, and parking.

Site Specific Conditions:

1. The City Council approves designation of the Betz-VanAndel Houses as a Landmark.

2. The parcels may be replatted or subdivided into a south lot of approximately 3000 square feet for 1045 S. 13th St. and a north lot of approximately 5000

square feet for 1037-39 S. 13th Street, divided by an east-west property line between the two existing residences.

3. This approval permits (but does not require) future construction of a garage on the north portion of the 1037-39 S. 13th St. parcel, if approved for a Certificate of Appropriateness by Historic Preservation Commission.

4. This approval waives the parking requirement for 1045 S. 13th Street.

5. Before receiving building permits provide the following documents to the Planning Department:

   5.1 Verification from the Register of Deeds that the letter of acceptance as required by the approval of the special permit has been recorded.

Standard Conditions:

6. The following conditions are applicable to all requests:

   6.1 Before occupying the building or buildings all development and construction shall substantially comply with the approved plans.

   6.2 The physical location of all setbacks and yards, and similar matters shall be in substantial compliance with the location of said items as shown on the approved site plan.

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

   6.4 The applicant shall sign and return the letter of acceptance to the City Clerk. This step should be completed within 60 days following the approval of the special permit. The City Clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filling fees therefor to be paid in advance by the applicant. Building permits will not be issued unless the letter of acceptance has been filed.

Prepared by:

Ed Zimmer, 441-6360, ezimmer@lincoln.ne.gov
Historic Preservation Planner
December 23, 2015

APPLICANT: Historic Preservation Commission
c/o Planning Dept.
555 S. 10th St.
Lincoln, NE
p. 402-441-6360
e. ezimmer@lincoln.ne.gov

OWNER: Jeffery & Elizabeth Heerspink
1045 S. 13th Street
Lincoln, NE 68508
p. 402-805-2667
e. fstreetchurch@gmail.com

CONTACT: Same as applicant.

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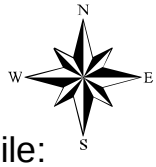
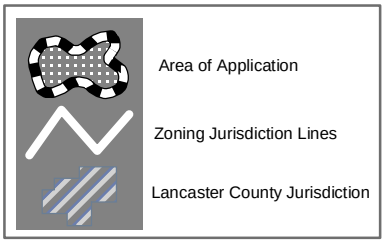
2013 aerial

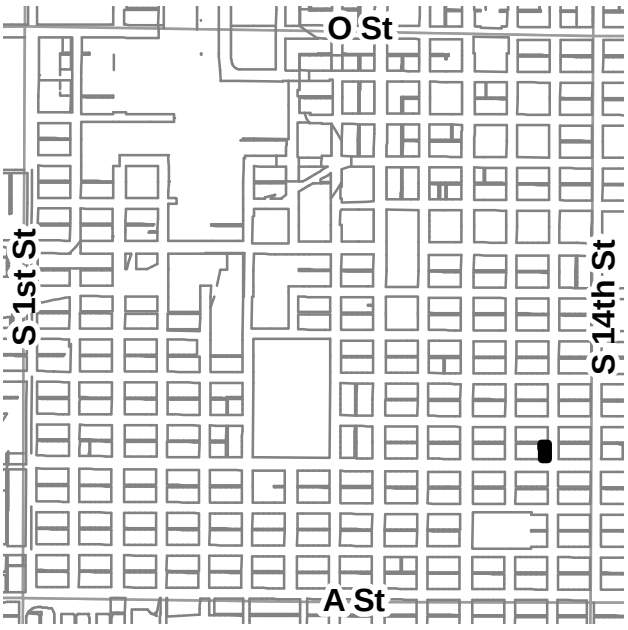
Special Permit #: SP15075 &
Change of Zone #: CZ15039
Historic Preservation
S 13th & D St
Zoning:

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



One Square Mile:
Sec.26 T10N R06E





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MEETING RECORD EXCERPT
re CZ15039 & SP15075
Meeting of 11/19/2015

NAME OF GROUP:	HISTORIC PRESERVATION COMMISSION
DATE, TIME AND PLACE OF MEETING:	Thursday, November 19, 2015, 1:30 p.m., Conference Room 214, 2nd Floor, County-City Building, 555 S. 10th Street, Lincoln, Nebraska
MEMBERS IN ATTENDANCE:	Tim Francis, Melissa Dirr Gengler, Jim Hewitt, Jim Johnson, Liz Kuhlman, Jim McKee, and Greg Munn; Ed Zimmer and Amy Hana Huffman of the Planning Department.
STATED PURPOSE OF MEETING:	Regular Historic Preservation Commission Meeting

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

Munn requested a motion approving the minutes for Joint meeting with Urban Design Committee and the regular HPC meeting held October 15, 2015. Motion for approval of both made by Hewitt, seconded by Johnson and carried 6-0: Francis, Hewitt, Johnson, Kuhlman, McKee and Munn voting 'yes'.

Munn introduced the newest Commission member, Melissa Dirr Gengler. She is the president of Historic Resources Group, Inc. Commissioners welcomed and thanked Ms. Gengler. Zimmer said she Gengler is an architectural historian with extensive experience in both Nebraska and South Dakota. She helps to maintain the quorum of this body and meets the professional requirements for members recognized by Federal standards as preservation professionals. She brings lots of experience to this Commission.

APPLICATION FOR A LANDMARK DESIGNATION AND A SPECIAL PERMIT FOR HISTORIC PRESERVATION FOR THE BETZ-VANANDEL HOUSES, 1037 - 1039 AND 1045 SOUTH 13TH STREET.
PUBLIC HEARING: **November 19, 2015**

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

Zimmer introduced the homeowner, Jeff Heerspink. Mr. Heerspink has additional stakes in the neighborhood in that he is the pastor at the F Street Neighborhood Church, formerly known as St. Paul Evangelical Church. He is the owner/occupant of the corner property and the landlord of the duplex next door. There was a third house on the north part of the lot beside what is now the alley and gas station. It was originally closer to the

corner and was picked up, moved north, and rotated to face east in 1909. It left open the more desirable corner area which was sold to real estate developer, John Betz, who built his own house and the investment property beside it. Both structures are built in the foursquare style. The north house remained until just a couple decades ago. Now it is just the two foursquares, both in brick, closely related in appearance.

Zimmer said the corner home is more finely finished with a bay window to the south. The duplex has a molded concrete block porch, instead of the brick. It has two stairs up onto the porch, one to the first floor unit, which has a similar polygonal vestibule like the corner house, and a second stair to the second floor flat, which also has the attic and is the larger of the two units. The suggestion for possible landmark status is based on the architecture and the double use of the foursquare with the single family home side-by-side with the duplex. They are built with particularly fine materials, the corner house more than the duplex. The porch posts are cast concrete, not wooden. They both use early 1910s pressed brick with molded corners on the basement level. There is stringcourse, which is glazed terra cotta, and a more common brick above that. The corner house has a higher belt of the very fine brick. The finer pressed brick on the duplex only goes to the basement window lintels. The story of the development of the site and the architecture of the foursquares creates the possibility for consideration of the landmark designation for these homes. The Special Permit is a separate piece, but it is the reason we make this request for the landmark designation.

APPLICATION FOR A LANDMARK DESIGNATION FOR THE BETZ-VANANDEL HOUSES, 1037 - 1039 AND 1045 SOUTH 13TH STREET.
ACTION:

Francis moved approval of the Landmark designation; seconded by Johnson.

Hewitt stated that this is not the "Architecture Preservation Commission", but the "historic". It seems there should be an element of historicity about any structure that is approved for a Landmark designation. We had the opportunity to look at these houses. There is no problem with the significance of the houses architecturally at all. It just seems that there is no tangible historic basis for giving these houses, as opposed to any other houses in Lincoln, a historical designation. Hewitt said he is not trying to stop these applications from moving forward, but it just seems there should be more of a historic element showing that the use was special or they were people of some consequence in Lincoln. Otherwise, one could go up and down most streets of Lincoln and say many houses offer something different. If there is no historic background, it doesn't seem that it qualifies for that standard. He intends to vote against the Landmark designation and will state this opinion again, should a similar situation arise.

Gengler asked if the City, by default, follows the National Register guidelines for listing? Zimmer said the designation Chapter 27.57 resembles the National Register language, but does not follow it completely. It does not cite a fifty year requirement, and it does not have the four categories which are association with a significant person, association

with a significant event, architectural or engineering significance, and the ability to produce future information. Chapter 27.57 lists three categories–architectural significance, historical association (with a significant event or person), and archeological significance.

Zimmer noted that thinking back to the Rees House, when the Christian Record Building was nominated to the National Register, it was tabled at the State Board meeting on an argument similar to the one made by Hewitt, but on the basis that it lacked sufficient architectural design quality, even though that nomination cited historical significance instead. Hewitt said that the fact that the Christian Record operated out of that building made a clear historical case for that building. He does not mean to disparage this one at all, he just doesn't think there is any historic connection. If this body is a "historic" commission, there should be some element of that in the designation.

Francis said that he thinks one role of this body is to advocate for tools for neighborhood transformation.

Munn said this is an ongoing debate. Architectural significance, some could argue, just means that a structure is a good, solid example of its period or style, even if it appears very normal. A good question to keep in mind is what designation means to buildings in the future, or in case someone wants to sell or tear down or change the structure.

Zimmer added that this house type is well represented in Lincoln. There does need to be something that sets these structures apart. If this were only the corner house, it would be more difficult to say it stood out, but the pair of them together, the differences and similarities between them, and the cramming of three houses onto one lot has as much to do with the development of Lincoln at the time, and the flexibility of that style to serve different purposes. The landmark designation alone gives the opportunity for this body to comment on any changes to the building. It gives the owner the chance to consult with you for external changes. When it is linked to the Special Permit, it makes it more durable since it attaches the Landmark to the granting of the Special Permit. In this case, we are seeking to create a subdivision so that the properties can be maintained better. Even if a tornado took one out, the Landmark would remain so that this body would still have clarification about what can operate on this property, even if it came under separate ownership someday. There has been a lot of discussion about the broader planning in this neighborhood. As a department, we are comfortable saying maintaining these houses fits our vision of what the neighborhood ought to be, and thus fits in with the Comprehensive Plan.

Munn there are many different ways of seeing significance. Zimmer said that though there is already a motion on the landmark, it might be useful to address Special Permit as well, since this item would not be here without it.

Zimmer said that this an unusual situation. The owner is facing a failing water service to the duplex. It is failing under his own family home where it runs through his house to the

duplex. It would seem like water coming to the duplex from 13th Street would be a good solution, but because this is one parcel, and Lincoln Water Service delivers only one water service to one parcel, he is stuck. We can't subdivide it by any normal means. It is not a big enough lot. Today, there would not be two principal buildings on one property. It is legal non-conforming, but it can't be subdivided, and unless it is subdivided, the water services cannot be divided.

Zimmer went on to say that the Landmark Special Permit typically comes forward to vary the use of a property. In this case, like the Griswald House in Piedmont with the carriage house, the Special Permit can also address and vary heights, yards, and setbacks, with your recommendation and that of Planning Commission. So the one legal route we can identify to separate this into two lots is the Landmark Special Permit simply because it has that flexibility. It was designed with that flexibility to deal with odd situations such as this. The structures are not illegal, but maintaining them is getting more and more difficult. This also provides long term advantage in that they don't have to be owned both together forever, but they would both be Landmarked and bound by the Special Permit. Under the Heerspinks, the homes are in conspicuously better shape now than they have been for years. Staff was interested in figuring out a way to separate the two, but the conventional tools were not working. That is how we arrived at this approach.

McKee asked if there is a specific requirement for number of square feet before subdivision can occur? Zimmer said in this zoning district, a single family house is to have 4,000 square feet. There is only about 3,000 to the corner property. As they sit, they do not have proper yards in any direction. There happens to be a small garage in the middle. They will have to work with a land use attorney on easements, shared access and parking. They are legal non-conforming which allows them to be rebuilt under other special permits, but they cannot be split into two separate lots by any other means.

Munn stated that it is ironic because part of the specialness of the property is that it has two houses on a single lot. Zimmer said it will still look the same. The north lot is not buildable. You couldn't put the third house back because there wouldn't be an adequate size lot. The most rational choice is to split it down the middle.

Gengler stated that these are lovely buildings. Both are textbook examples of foursquares. The simple fact of architectural retention is significant, especially in this neighborhood. The trend national and regionally is to recognize not only the most historically significant, but also the small pieces that weave together neighborhoods and community character, and these buildings and their presence is important.

Landmark Designation for the Betz-VanAndel Houses carried 6-1: Francis, Gengler, Johnson, Kuhlman, McKee and Munn voting 'yes'; Hewitt voting 'no'.

APPLICATION FOR A SPECIAL PERMIT FOR HISTORIC PRESERVATION FOR

THE BETZ-VANANDEL HOUSES, 1037 - 1039 AND 1045 SOUTH 13TH STREET. ACTION:

Johnson moved approval of the Special Permit for historic preservation for the Betz-VanAndel Houses, seconded by Kuhlman. Motion for approval carried 7-0: Francis, Gengler, Hewitt, Johnson, Kuhlman, McKee and Munn voting 'yes'.

There being no further business, the meeting was adjourned at 1:50 p.m.

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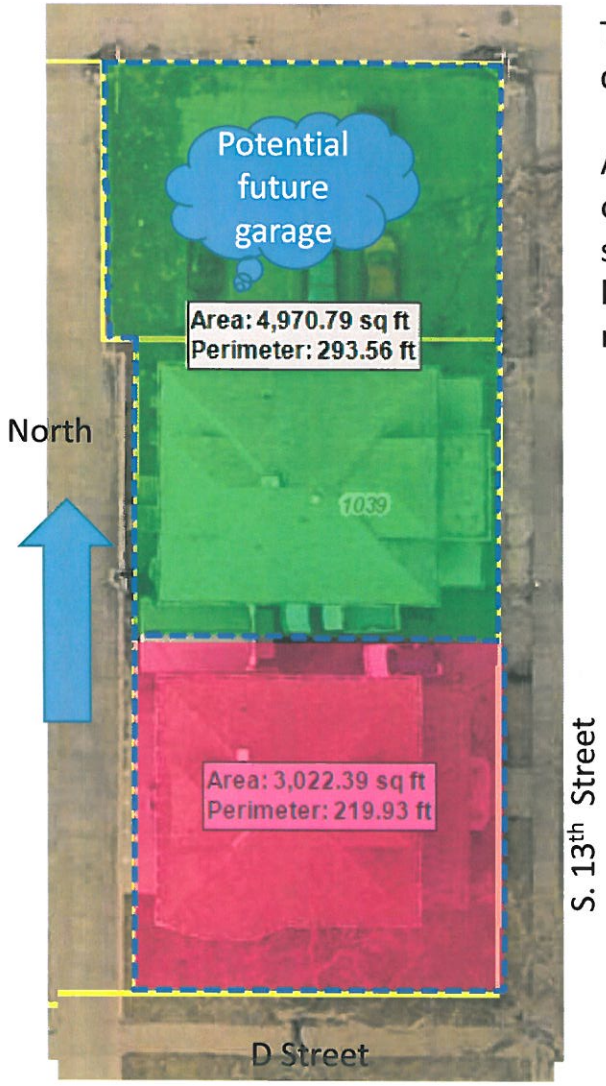


The proposal is to permit the creation of two lots divided by a property line the two houses house.

A garage could be permitted on the north portion of the north lot, provided a minimum of 3 parking stalls continue to be provided between the two lots. A Certificate of Appropriateness would be required for such a garage.

APPLICATION FOR LANDMARK OR LANDMARK DISTRICT DESIGNATION
ADDENDUM TO PETITION TO AMEND THE ZONING ORDINANCE
LINCOLN, NEBRASKA

1. NAME
   Historic **Betz-VanAndel Houses**
   and/or Common
   NeHBS Site **LC13:C07-843, 844, 845**

2. LOCATION
   Address **1037-1039 and 1045 South 13th Street, Lincoln, NE 68508**

3. CLASSIFICATION

Proposed Designation	Category
__Landmark District	__district
_x_ Landmark	_x_ building(s)
	__object
	__structure

   Present Use _x_ private residence

4. OWNER OF PROPERTY
   Name **Jeffery & Elizabeth Heerspink**
   Address **1045 South 13th St., Lincoln, NE 68508**

5. GEOGRAPHICAL DATA

   Legal Description **Original Lincoln, Block 188, Lot 12, and East 5 feet of South 100 feet of Lot 11 and East 10 feet of North 42 feet of Lot 11.**
   Property ID Number **1026417013000 & 1026417014000**

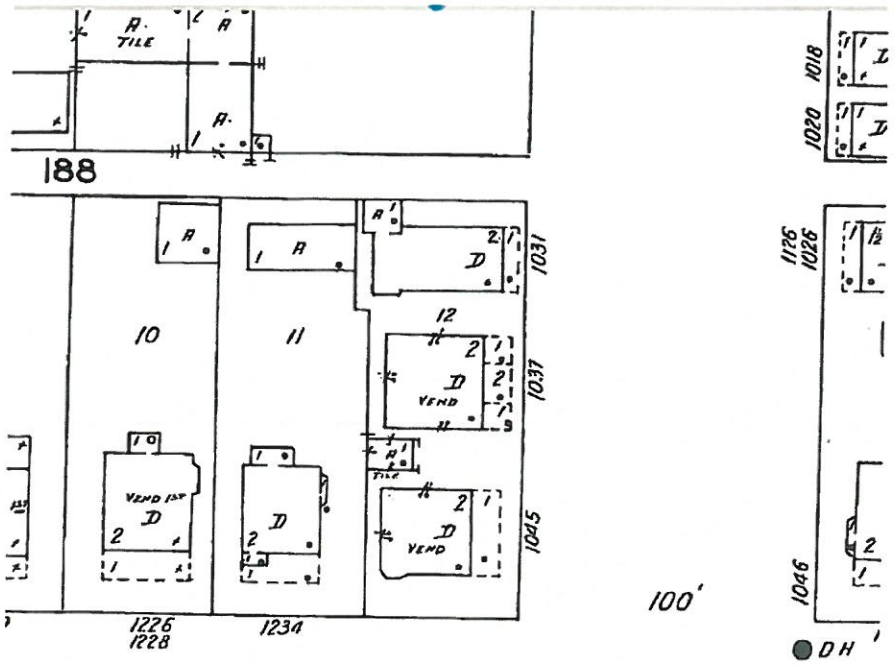
   Number of Acres or Square Feet: **(more or less) 15120 Sq. Ft.**

6. REPRESENTATION IN EXISTING SURVEYS
   Title **Architectural and Historical Survey of Lincoln, NE**
   Date on-going _State _County _x_ Local
   Depository for survey records **Lincoln/Lancaster County Planning Dept.**
   555 S. 10th Street, Lincoln, NE 68508
   Is proposed Landmark or Landmark District listed in the National Register?
   __ yes, date listed
   _x_ no

7. DESCRIPTION AND HISTORY
   Condition

_excellent	__deteriorated	_x_ unaltered	__x original site
x good	__ruins	__altered	__moved date
_x_ fair	__unexposed		

DESCRIPTION: Betz-VanAndel houses are a pair of brick-veneered American Four-square houses built in 1912 on a single lot (plus a 5-foot sliver of the next lot to the west) at the prominent intersection of South 13th and D streets in the Everett neighborhood, just south of Downtown Lincoln. Originally a third, two-story frame house (1031 S. 13th St.) stood north of the brick houses on the same lot, built c. 1910. That house was demolished in 1989 and that land between the brick houses and the alley is used for parking by residents.



Above: Detail from 1928 Map of Lincoln, Nebraska, Sanborn Map Co.
Below: View of 1045 S. 13th (left) and 1037-1039 S. 13th (right) from ESE, 2011

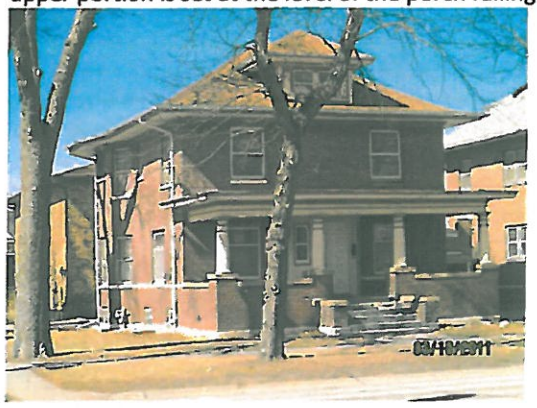
The houses are oriented east toward S. 13th St., and share similar dimensions, brickwork, overall boxy forms, hipped roofs, wide eaves, and hipped east and west dormers. Both have full length front porches with Tuscan columns, cast of concrete. The lower portions of both houses are veneered in dark red pressed brick with rounded edges. A stringcourse of cream-colored, glossy glazed terra cotta separates the base brick from the square-cornered pressed brick of the upper portion of each house.

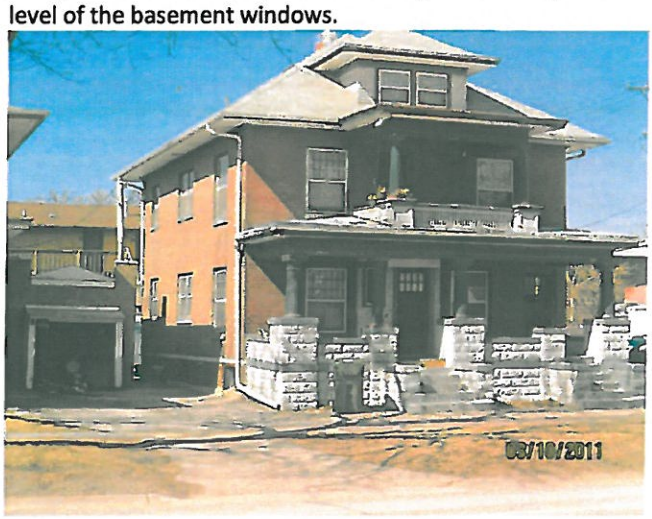
Both houses have a main, east entrance set in a projecting, polygonal vestibule. The houses also have a number of differences, most underscoring that the north structure was built as (and remains) a duplex and the south house was and is a single-family residence. The duplex porch is built of quarry-faced concrete blocks, with double stairs serving two entrances. The porch originally had three widely spaced, cast-concrete columns set on concrete block pedestals—one at each end and one at the center. Two shorter pedestals, without columns, flanked the twin stairs up from the front sidewalk. A fourth support pillar has been added to the south half of the porch. There is also a smaller, second floor porch centered on the low hipped roof of the main porch, with two columns and a flat roof with wide eaves.

The duplex units are "flats," with the ground floor apartment accessed via the more prominent entrance into the projecting vestibule flanked by a pair of double-hung windows. The upper unit is accessed by an entrance at the north end of the porch. That unit also has attic access, while both units have rear stairs down to the basement, which is divided between the two apartments.

The single-family house to the south has a brick porch and brick cheek-blocks flanking the center stairs. The cheek-blocks and porch railings are capped with cast stone, which also forms bases for the four columns. This house has a shallow, two-story bay window on the south side towards D Street, near the southwest corner.

Other differences between the houses are more subtle. Both are 30 feet wide, but the duplex is 36 feet deep, compared to 32 feet of the corner house. The terra-cotta string course separating the base of the house from the upper portion is set at the level of the porch railing and the first floor window sills, providing a strong link between porch and the rest of the house. The duplex porch, on the other hand, differs from that building in texture and material, and the string course on the body of the building is set lower, at the lintel level of the basement windows.

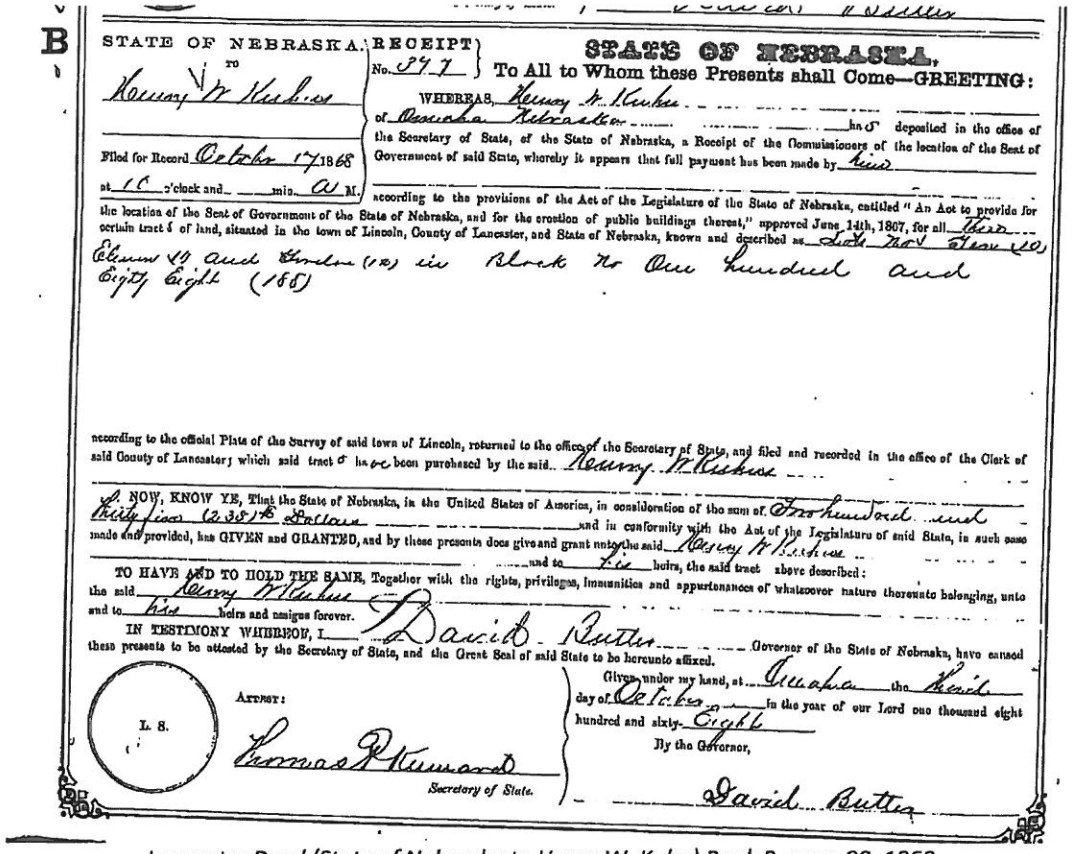




A small, stuccoed garage with structural tile walls is centered between the two residences, accessed by a driveway from S. 13th St. The garage has a façade parapet partially concealing a gable roof.

HISTORY:

While it can be said that all properties within the Original Plat of Lincoln were shaped by the founding of the Capital City in 1867, the evolution of urban land use reflected by 1037-1039 and 1045 So. 13th Street can be traced very directly to the earliest events of Lincoln. In 1868 Henry W. Kuhns of Omaha purchased Lots 11 and 12 of Block 188 of the Original Plat of Lincoln from the State of Nebraska for $235. Governor David Butler and Secretary of State Thomas P. Kennard signed the deed for the State.



B

STATE OF NEBRASKA. RECEIPT No. 377

TO Henry W Kuhns

Filed for Record October 17 1868 at 10 o'clock and ___ min. A M.

STATE OF NEBRASKA,

To All to Whom these Presents shall Come—GREETING:

WHEREAS, Henry W. Kuhns of Omaha Nebraska ... has deposited in the office of the Secretary of State, of the State of Nebraska, a Receipt of the Commissioners of the location of the Seat of Government of said State, whereby it appears that full payment has been made by him according to the provisions of the Act of the Legislature of the State of Nebraska, entitled "An Act to provide for the location of the Seat of Government of the State of Nebraska, and for the erection of public buildings thereat," approved June 14th, 1867, for all that certain tract of land, situated in the town of Lincoln, County of Lancaster, and State of Nebraska, known and described as Lots Nos eleven (11) and twelve (12) in Block No One hundred and Eighty Eight (188)

according to the official Plats of the Survey of said town of Lincoln, returned to the office of the Secretary of State, and filed and recorded in the office of the Clerk of said County of Lancaster; which said tract of land has been purchased by the said Henry W Kuhns

NOW, KNOW YE, That the State of Nebraska, in the United States of America, in consideration of the sum of Two hundred and Thirty five (235) Dollars and in conformity with the Act of the Legislature of said State, in such case made and provided, has GIVEN and GRANTED, and by these presents does give and grant unto the said Henry W Kuhns and to His heirs, the said tract above described:

TO HAVE AND TO HOLD THE SAME, Together with the rights, privileges, Immunities and appurtenances of whatsoever nature thereunto belonging, unto the said Henry W Kuhns and to His heirs and assigns forever.

IN TESTIMONY WHEREOF, I, David Butler Governor of the State of Nebraska, have caused these presents to be attested by the Secretary of State, and the Great Seal of said State to be hereunto affixed.

Given under my hand, at Omaha the Tenth day of October in the year of our Lord one thousand eight hundred and sixty Eight

By the Governor,

David Butler

L. S.

Attest:

Thomas P Kennard

Secretary of State.

Lancaster Deed (State of Nebraska to Henry W. Kuhn) Book B, page 90, 1868.

Kuhns was listed in the 1860 census as a 27-year-old, Pennsylvania-born "Lutheran Clerg'man" residing in Omaha.[1] Kuhns leased Lot 12 to Jay Homer Clark in 1896 for five years, at a rent of $25 per year. The lease refers to a dwelling house on the parcel,[2] but their arrangement apparently began much earlier, as J. Homer Clark, "carp[enter]" was listed at 1248 D St. in the Lincoln City Directory of 1887.[3] Since the lease granted to Clark the right to remove improvements from the land upon the termination of the lease, it seems likely he built a house at the corner,

[1] 1860 U. S Federal Census for Henry W. Kuhns, accessed 13 November 2015 through Ancestry.com.

[2] Lancaster County Register of Deeds, Lease 12-84.

[3] The City Directories of 1889,1890, and 1896 also list Clark at 1246 or 1248 D, at which time he was a "carrier P[ost] O[ffice]." The U. S. Census of 1900 listed Homer J. Clark, a 45 year old mail carrier born in North Carolina, as residing at 1246 D St. with his wife Julia A. (age 37) and their 10 year old son Clarence.

probably oriented south towards D Street (given the D St. address). Kuhn retained ownership of the property until his death in Omaha in 1899, then his three sons sold it in 1909.[4]

Jesse. A. Hayden purchased Lots 10-12 of Block 188 from the Kuhns heirs, for $7000.[5] . He obtained a building permit in April 1909 to "repair" a frame house on the corner lot.[6] This "repair" probably consisted of relocating Homer Clark's former house from the corner of the property to the north end, at the alley, as the City Directory of 1911 listed 1031 S. 13th as the only address associated with Lot 12..[7]

In 1912 Hayden sold the house on the north 42 feet of Lot 12 (plus the adjacent 10 feet of Lot 11) for $10 "and other considerations."[8] He sold the south 100 feet of Lot 12 (augmented with the east 5 feet of the south 100 feet of Lot 11) in 1912 to John M. Betz for $2500, with an easement or "sewer privilege" across Lot 11 to reach the alley.[9] Betz obtained building permits for both the corner single-family house ("Brick Veneer res[idence])" and the duplex ("veneer flat") in May, 1912, estimating the house would cost $3500 to build and the duplex $3000.[10] Betz was listed as owner and contractor on the permits. The City directory of 1913 listed his business as "real est[ate]" and his residence, with his wife Anna, as 1045 S. 13th St. In 1914 John and Anna Betz sold both brick buildings to Frona F. VanAndel for $17,000.[11] Frona and her husband William C. VanAndel moved into the corner house, probably with their son Torrance W. who had lived with them at their previous residence of 1722 R St. and who clerked for his father's "second-hand goods" business at 132 S. 10th St. In the1920s, Torrence was married and he and his wife lived in one of the "flats" at 1037 S. 13th. By 1942, William had died and widow Frona and her son and daughter-in-law Leda resided together at 1045. By 1971, Torrence had retired and was the sole family member listed at 1045 S. 13th. His estate sold the property in 1978.[12]

The improvement of this Lincoln property in the 1880s with a single family home was typical of the community's development in the 1870s and early 1880s. By the later 1880s and early 1890s, rapid population growth prompted new housing forms such as flats and row houses, which began to develop nearer downtown and the Capitol, such as the Bahr and Lyman Terraces at 11th and H Streets. The Panic of 1893 and resultant nationwide depression saw Lincoln's population shrink by nearly a quarter, from 55,000 in 1890 to 39,000 in 1900. As the city resumed more gradual growth in the 1900s and '10s, the area south of the Capitol resumed development and redevelopment, with a boom of apartment construction in the mid-teens.

Lot 12 of Block 188 of the Original Plat of Lincoln demonstrates well an alternative response to these trends. The early house on the site was not demolished (until it had served approximately a century), but rather relocated from the desirable corner of the lot to the less prominent alley. Subsequently two additional buildings, 1037-1039 and 1045 S. 13th, quadrupled the housing units on the lot. The popular American Four-square form was used, but the similar-appearing buildings produced quite different housing units, demonstrating the flexibility of the boxy Four-Square. The developer John Betz reoriented the buildings from D St. to S. 13th to take advantage of the longer

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[4] Lancaster County Register of Deeds Decree 104-194, Affidavit P-318, Warranty Deed 145-618.
[5] Lancaster County Warranty Deed 145-624.
[6] City of Lincoln Building Permit 3039, April 21, 1909.
[7] William M. Decker, a postal carrier, and his wife Margaret Louise were listed at 1031 S. 13th in the 1910 U. S. Census and the 1911 Lincoln City Directory.
[8] Lancaster County Warranty Deed 175-149.
[9] Lancaster County Warranty Deed 174-213.
[10] City of Lincoln Building Permits #4487 and 4549, May 1, 1912 and May 27, 1912, respectively.
[11] Lancaster County Warranty Deed 165-512.
[12] Lincoln City Directories, Lancaster County Deed 78-25205.

dimension of the corner lot, and he used high-quality materials such as two types of brick, cast-concrete columns and terra-cotta stringcourses.

8. SIGNIFICANCE

Period	Areas of Significance-Check and justify	
_prehistoric		
_1400-1499		
_1500-1599		
_1600-1699	_x architecture	_x community planning
_1700-1799		
_1800-1899		
_x 1900-		
_religion		

Specific dates: 1909, 1912

Builder/Architect: John M. Betz

Statement of Significance:
The Betz-VanAndel Houses at S. 13th and D Streets demonstrate the increased urbanization of Lincoln in the early 20th century, using the American Four-Square form to produce multiple units on a single corner lot. The houses are excellent examples of this popular early 20th century house type, here used creatively to produce a single-family home and a duplex of two "flats" in similar-appearing buildings.

9. STANDARDS FOR DESIGNATION
(Check one(s) that apply)

_x_ Associated with events, person, or persons who have made a significant contribution to the history, heritage, or culture of the City of Lincoln, the County of Lancaster, the State of Nebraska, or the United States;

_x_ Represents a distinctive architectural style or innovation, or is the work of a craftsman whose individual work is significant in the development of the City of Lincoln, the County of Lancaster, the State of Nebraska, or the United States.

10. MAJOR BIBLIOGRAPHICAL REFERENCES
See footnotes.
Lancaster County deeds, Lincoln City Directories, Lincoln City Building permits, U. S. Census.

11. FORM PREPARED BY:
Name/Title: **Ed Zimmer, Ph.D., Historic Preservation Planner**
Organization **Lincoln/Lancaster County Planning Dept.** Date Submitted **9 Oct. 2015**
Street & Number **555. S. 10th St.** Telephone **(402)441-6360**
City or Town **Lincoln** State **Nebraska**
Email ezimmer@lincoln.ne.gov

Signature Ed Zimmer

FOR HISTORIC PRESERVATION COMMISSION USE ONLY:

DATE LANDMARK/LANDMARK DISTRICT DESIGNATED

LANDMARK/LANDMARK DISTRICT NUMBER

H:\HPCNov\BetzVanAHsesLDApp.doc

Approved:

*City Council*_____
(date)

PRESERVATION GUIDELINES FOR
Beta VanAndel Houses
1037-39 and 1041 S. 13th Street, Lincoln, NE

1. Architectural Review of Landmark:

a. Photographs: On file in Planning Department.
b. Important architectural features:
Exterior: 2 ½ story, red brick residences, hipped roofs with dormers, east (front) porches;
c. Important landscape features: none
d. Architectural style and date: American Foursquares, 1912
e. Additions and modifications: none.

2. Notice of Work Needing Certificate:

A. A Certificate for Certain Work can be granted by the Preservation Commission or, in certain instances, by the Director of Planning. The application for the Certificate can be obtained from and should be filed with the Building and Safety Department. The following work to be conducted on the Landmark requires the procurement of a Certificate for Certain Work:

1. Exterior work requiring a Building Permit as defined in the Lincoln Building Code. Before conducting exterior work, check with the City Building and Safety Department to determine whether a Building Permit is necessary;
2. Demolition of a structure or portion of a structure as defined in the Lincoln Building Code;
3. Work involving:
   a. Replacement of exterior material and trim;
   b. Cleaning and maintenance of exterior masonry;
   c. Replacement of doors, storm doors, door frames, windows, storm windows, and screens (excluding seasonal) on north, east and south facades;
   d. Addition of awnings;
   e. Placement of mechanical systems, such as but not limited to, window air conditioners, solar collectors, etc visible from S. 13th or D Streets.;
   f. The addition or replacement of signs;
   g. Moving structures on or off the site. except for demolition of the garage;
   h. Installation of electrical, utility, and communications services on principal east, north or south facades;
   i. Placement of high intensity overhead lighting, antennae, and utility poles within the areas of the east, south or north facades.

B. The following work to be conducted on the Landmark does not require the procurement of a Certificate for Certain Work:

1. Changes involving routine maintenance and repair for the general cleaning and upkeep of the building but which include no direct physical change in design or material;
2. Interior changes involving no exterior alteration.
3. Demolition of the garage.

C. The penalty upon conviction for conducting work which requires a Certificate for Certain Work without procuring the Certificate or for doing work contrary to an issued Certificate is a fine not to exceed $100.00. Each and every day that such violation continues after notification may constitute a separate offense. The City of Lincoln may also pursue the remedies of injunction, mandamus, or other appropriate action to correct a violation.

3. **Standards for Owner and Preservation Commission:**

The following standards serve as a guide to the Landmark property owner in the preservation of their building. It is also intended that these Standards will aid the Commission in making decisions regarding issuance or denial of a Certificate.

When a decision on issuing or denying a Certificate is requested, the more definitive the presentation by the applicant, the easier it will be to convey and comprehend the effect of the proposed change. The owner or representative should plan to attend the public hearing to discuss the proposed work. When an application is being reviewed, it will be the responsibility of the applicant to demonstrate that the new work is compatible with these Standards.

A strict interpretation of these guidelines may be waived by the Preservation Commission if the applicant develops a design solution which meets the spirit and intent of the Historic Preservation Ordinance. In addition, although the owner of the landmark must receive Certificates for work identified above, a broader interpretation of the Guidelines for this property may be allowed by the Preservation Commission.

The Secretary of the Interior's
Standards for Rehabilitation of Historic Buildings

1. Every reasonable effort shall be made to provide a compatible use for a property which requires minimal alteration of the building, structure, or site and its environment, or to use a property for its originally intended purpose.

2. The distinguishing original qualities or character of a building, structure, or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.

3. All buildings, structures, and sites shall be recognized as products of their own time. Alterations that have no historical basis and which seek to create an earlier appearance shall be discouraged.

4. Changes which may have taken place in the course of time are evidence of the history and development of a building, structure, or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.

5. Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, or site shall be treated with sensitivity.

6. Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should match the material being replaced in

composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be physical, based on accurate duplications of features, substantiated by historic, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.

7. The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building material shall not be undertaken.

8. Every reasonable effort shall be made to protect and preserve archeological resources affected by, or adjacent to any project.

9. Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material, and such design is compatible with the size, scale, color, material, and character of the property, neighborhood or environment.

10. Wherever possible, new additions or alterations to structures shall be done in such a manner that if such additions or alterations were to be removed in the future the essential form and integrity of the structure would be unimpaired.

GUIDELINES FOR APPLYING THE SECRETARY OF THE INTERIOR'S STANDARDS FOR REHABILITATION

THE ENVIRONMENT

Recommended	Not Recommended
Retaining distinctive features such as the size, scale, mass, color, and materials of buildings, including roofs, porches, and stairways that give a neighborhood its distinguishing character.	Introducing new construction into neighborhoods that is incompatible with the character of the district because of size, scale, color, and materials.
Retaining landscape features such as parks, gardens, street lights, signs, benches, walkways, streets, alleys and building set-backs that have traditionally linked buildings to their environment.	Destroying the relationship of buildings and their environment by widening existing streets, changing paving material, or by introducing inappropriately located new streets and parking lots that are incompatible with the character of the neighborhood.
Using new plant materials, fencing, walkways, street lights, signs and benches that are compatible with the character of the neighborhood in size, scale, material and color.	Introducing signs, street lighting, benches, new plant materials, fencing, walkways and paving materials that are out of scale or inappropriate to the neighborhood.

BUILDING SITE

Recommended	Not recommended
Identifying plants, trees, fencing, walkways, outbuildings, and other elements that might be an important part of the property's history and development.	Leaving plant materials and trees in close proximity to the building that may be causing deterioration of the historic fabric.
Retaining plants, trees, fencing, walkways, street lights, signs, and benches that reflect the property's history and development.	

Recommended	Not Recommended
Basing decisions for new site work on actual knowledge of the past appearance of the property found in photographs, drawings, newspapers, and tax records. If changes are made, they should be carefully evaluated in light of the past appearance of the site.	Making changes to the appearance of the site by removing old plants, trees, fencing, walkways, outbuildings, and other elements before evaluating their importance in the property's history and development.
Providing proper site and roof drainage to assure that water does not splash against building or foundation walls, nor drain toward the building.	

BUILDING: STRUCTURAL SYSTEMS

Recommended	Not Recommended
Recognizing the special problems inherent in the structural systems of historic buildings, especially where there are visible signs of cracking, deflection, or failure.	Disturbing existing foundations with new excavations that undermine the structural stability of the building.
Undertaking stabilization and repair of weakened structural members and systems.	Leaving known structural problems untreated that will cause continuing deterioration and will shorten the life of the structure.
Replacing historically important structural members only when necessary. Supplementing existing structural systems when damaged or inadequate.	

BUILDING: EXTERIOR FEATURES

Masonry: Adobe, brick, stone, terra cotta, concrete, stucco and mortar

Recommended*	Not Recommended
Retaining original masonry and mortar, whenever possible, without the application of any surface treatment.	Applying waterproof or water repellent coatings or surface consolidation treatments unless required to solve a specific technical problem that has been studied and identified. Coatings are frequently unnecessary, expensive, and can accelerate deterioration of the masonry.
Repointing only those mortar joints where there is evidence of moisture problems or when sufficient mortar is missing to allow water to stand in the mortar joint.	Repointing mortar joints that do not need repointing. Using electric saws and hammers to remove mortar can seriously damage the adjacent brick.
Duplicating old mortar in composition, color and texture.	Repointing with mortar of high Portland cement content can often create a bond that is stronger than the building material. This can cause deterioration as a result of the differing coefficient of expansion and the differing porosity of the material and the mortar.
Duplicating old mortar in joint size, method of application, and joint profile.	Repointing with mortar joints of a differing size or joint profile, texture or color.
Repairing stucco with a stucco mixture that duplicates the original as closely as possible in appearance and texture.	Sandblasting, including dry and wet grit and other abrasives, brick or stone surfaces; this method of cleaning erodes the surface of the material and accelerates deterioration. Using chemical cleaning products that would have an adverse chemical reaction with the masonry materials, i.e., acid on limestone or marble.
Cleaning masonry only when necessary to halt deterioration or to remove graffiti and stains and always with the gentlest method possible, such as low pressure water and soft natural bristle brushes.	Applying new material which is inappropriate or was unavailable when the building was constructed, such as artificial brick siding, artificial cast stone or brick veneer.
Repairing or replacing, where necessary, deteriorated material with new material that duplicates the old as closely as possible.	Removing architectural features such as cornices, brackets, railings, shutters, window architraves and doorway pediments.
Replacing missing significant architectural features, such as cornices, brackets, railings, and shutters.	

Masonry: Adobe, brick, stone, terra cotta, concrete, stucco and mortar-----Continued

Retaining the original or early color and texture of masonry surfaces, including early signage wherever possible. Brick or stone surfaces may have been painted or whitewashed for practical and aesthetic reasons.	Removing paint from masonry surfaces indiscriminately. This may subject the building to damage and change its appearance.

*For more information consult Preservation Briefs: 1: "The Cleaning and Waterproof Coating of Masonry Buildings" and Preservation Briefs: 2: "Repointing Mortar Joints in Historic Brick Buildings." Both are available from Technical Preservation Services Division, Heritage Conservation and Recreation Service, U. S. Department of the Interior, Washington, D.C. 20240

Wood: Clapboard, weatherboard, shingles and other wooden siding

Recommended	Not Recommended
Retaining and preserving significant architectural features, whenever possible.	Removing architectural features such as siding, cornices, brackets, window architraves, and doorway pediments. These are, in most cases, an essential part of a building's character and appearance that illustrates the continuity of growth and change.
Repairing or replacing, where necessary, deteriorated material that duplicates in size, shape and texture the old as closely as possible.	Resurfacing frame buildings with new material that is inappropriate or was unavailable when the building was constructed such as artificial stone, brick veneer, asbestos or asphalt shingles, and plastic or aluminum siding. Such material can also contribute to the deterioration of the structure from moisture and insects.

Architectural Metals: Cast iron, steel, pressed tin, aluminum, zinc

Recommended	Not Recommended
Retaining original material, whenever possible.	Removing architectural features that are an essential part of a building's character and appearance, illustrating the continuity of growth and change.

Architectural Metals: Cast iron, steel, pressed tin, aluminum, zinc ----- Continued

Cleaning when necessary with the appropriate method. Metals should be cleaned by methods that do not abrade the surface.	Exposing metals which were intended to be protected from the environment. Do not use cleaning methods which alter the color, texture, and tone of the metal.

Roofs and Roofing

Recommended	Not Recommended
Preserving the original roof shape.	Changing the essential character of the roof by adding inappropriate features such as dormer windows, vents, or skylights.
Retaining the original roofing material, whenever possible.	Applying new roofing material that is inappropriate to the style and period of the building and neighborhood.
Providing adequate roof drainage and insuring that the roofing materials provide a weather-tight covering for the structure.	
Replacing deteriorated roof coverings with new material that matches the old in composition, size, shape, color, and texture.	Replacing deteriorated roof coverings with new materials that differ to such an extent from the old in composition, size, shape, color, and texture that the appearance of the building is altered.
Preserving or replacing, where necessary, all architectural features that give the roof its essential character, such as dormer windows, cupolas, cornices, brackets, chimneys, cresting, and weather vanes.	Stripping the roof of architectural features important to its character.

Windows and Doors

Recommended	Not Recommended
Retaining and repairing existing window and door openings including window sash, glass, lintels, sills, architraves, shutters, doors, pediments, hoods, steps, and all hardware	Introducing new window and door openings into the principal elevations, or enlarging or reducing window or door openings to fit new stock window sash or new stock door sizes.

Windows and Doors ----- Continued

Duplicating the material, design, and the hardware of the older window sash and doors if new sash and doors are used.

Installing visually unobtrusive storm windows and doors, where needed, that do not damage existing frames and that can be removed in the future.

Using original doors and door hardware when they can be repaired and reused in place.

Altering the size of window panes or sash. Such changes destroy the scale and proportion of the building.

Installing inappropriate new window or door features such as aluminum storm and screen window insulating glass combinations that require the removal of original windows and doors.

Installing plastic, canvas, or metal strip awnings or fake shutters that detract from the character and appearance of the building.

Discarding original doors and door hardware when they can be repaired and reused in place.

Entrances, Porches, and Steps

Recommended

Retaining porches and steps that are appropriate to the building and its development. Porches or additions reflecting later architectural styles are often important to the building's historical integrity and, wherever possible, should be retained.

Repairing or replacing, where necessary, deteriorated architectural features of wood, iron, cast iron, terra cotta, tile, and brick.

Not Recommended

Removing or altering porches and steps that are appropriate to the building's development and style.

Stripping porches and steps of original material and architectural features, such as handrails, balusters, columns, brackets, and roof decoration of wood, iron, cast iron, terra cotta, tile and brick.

Enclosing porches and steps in a manner that destroys their intended appearance.

Exterior Finishes

Recommended	Not Recommended
Discovering the historic paint colors and finishes of the structure and repainting with those colors to illustrate the distinctive character of the property.	Removing paint and finishes down to the bare surface; strong paint strippers whether chemical or mechanical can permanently damage the surface. Also, stripping obliterates evidence of the historical paint finishes. Repainting with colors that cannot be documented through research and investigation to be appropriate to the building and neighborhood.

NEW CONSTRUCTION

Recommended	Not Recommended
Keeping new additions and adjacent new construction to a minimum, making them compatible in scale, building materials, and texture.	Designing new work which is incompatible with the earlier building and the neighborhood in materials, size, scale, and texture.
Designing new work to be compatible in materials, size, scale, color, and texture with the earlier building and the neighborhood.	Imitating an earlier style or period of architecture in new additions, except in rare cases where a contemporary design would detract from the architectural unity of an ensemble or group. Especially avoid imitating an earlier style of architecture in new additions that have a completely contemporary function such as a drive-in bank or garage.
Using contemporary designs compatible with the character and mood of the building or the neighborhood.	Adding new height to the building that changes the scale and character of the building. Additions in height should not be visible when viewing the principal facades.
Protecting architectural details and features that contribute to the character of the building. Placing television antennas and mechanical equipment, such as air conditioners, in an inconspicuous location.	Adding new floors or removing existing floors that destroy important architectural details, features and spaces of the building.
	Placing television antennas and mechanical equipment, such as air conditioners where they can be seen from the street.

MECHANICAL SYSTEMS: Heating and Air Conditioning, Electrical, Plumbing, Fire Protection

Recommended	Not Recommended
Installing necessary mechanical systems in areas and spaces that will require the least possible alteration to the structural integrity and physical appearance of the building.	Causing unnecessary damage to the plan, materials, and appearance of the building when installing mechanical system.
Utilizing early mechanical systems, including plumbing and early lighting fixtures, where possible.	Attaching exterior electrical and telephone cables to the principal elevations of the building.
Installing the vertical runs of ducts, pipes, and cables in closets, service rooms, and wall cavities.	Installing the vertical runs of ducts, pipes, and cables in places where they will be a visual intrusion.
Insuring adequate ventilation of attics, crawlspaces, and cellars to prevent moisture problems.	Concealing or "making invisible" mechanical equipment in historic walls or ceilings. Frequently this concealment requires the removal of historic fabric.
Installing thermal insulation in attics and in unheated cellars and crawlspaces to conserve energy.	Installing "dropped" acoustical ceilings to hide mechanical equipment. This destroys the proportions and character of the rooms.
	Installing foam, glass fiber, or cellulose insulation into wall cavities of either wooden or masonry construction. This has been found to cause moisture problems when there is no adequate moisture barrier.

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LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for January 6, 2016 PLANNING COMMISSION MEETING

PROJECT #: Combined Special Permit/Use Permit No. 11H

PROPOSAL: To amend Combined Special Permit/Use Permit 11 to reflect the planned construction and demolition of several buildings, an increase in floor area, reduce the parking requirement, and increase the building height.

LOCATION: Northeast corner of South 27th Street and Pine Lake Road

LAND AREA: 76.33 acres more or less

EXISTING ZONING: B-5 and O-3

WAIVER /MODIFICATION REQUESTS:

1. Reduce the current parking requirement to 1 stall per 300 square feet regardless of use, except for movie theater uses.
2. Increase the maximum building height from 40' to 73' on Lot 16 for a new building.
3. Increase the maximum building height from 40' to 45' on Lot 17 and Outlot 'B' to permit architectural building features and lighting on a new parking garage.
4. Allow horizontal curves on Ridge Line Road, a private roadway, to be less than 150'.

CONCLUSION: The Future Land Use Map designates the area surrounding the intersection at South 27th Street and Pine Lake Road for commercial land uses. The waiver to the parking requirement is appropriate given the similar parking waivers previously approved at other comparable shopping centers in Lincoln with no detrimental impact. The waiver to the maximum building height is acceptable as the increased height would be allowed only over certain lots in the northeast part of the shopping center and additional screening will be installed. The waiver for height of the parking garage is only for architectural features and lighting, not for the main building walls. This request complies with the Zoning Ordinance and is consistent with the Comprehensive Plan.

RECOMMENDATION:	
SPUP #11H	Conditional Approval
Waivers:	
1. Reduce the parking requirement to 1 stall per 300 square feet regardless of use, except for theater uses.	Approval
2. Increase the building height from 40' to 73' on Lot 16, Block 1 as shown on the building elevation.	Conditional Approval
3. Increase the building height from 40' to 45' on Lot 17, Block 1 and Outlot 'B' to permit architectural features and lighting as shown on the building elevation.	Conditional Approval
4. Allow horizontal curves on a private roadway to be less than 150'.	Approval

GENERAL INFORMATION:

LEGAL DESCRIPTION: All of SouthPointe Pavilions 1st, 2nd, 3rd, 4th, and 5th Additions in the northwest quarter of Section 19, Township 9 North, Range 7 East and in the southwest quarter of Section 18, Township 9 North, Range 7 East of the 6th P.M., Lincoln, Lancaster County Nebraska.

EXISTING LAND USE: Commercial center

SURROUNDING LAND USE AND ZONING:
North: Single Family Dwellings; R-3
South: Single Family Dwellings, Attached Single Family Dwellings, and Commercial Center; R-3, H-4 and O-3
East: Single Family Dwellings and Commercial Center; R-3 and O-3
West: Single Family Dwellings and Commercial Center; R-1, O-3 and B-2

ASSOCIATED APPLICATIONS: None

HISTORY:
In 1979, the zoning over this area was converted from the J-1 Planned Regional Commercial District and C Multiple Dwelling District to the B-5 Planned Regional Business District. Change of Zone #2740 approved in 1994 reshaped the B-5 zoning,

converting some portions from B-5 to R-3 Residential District and O-3 Office Park District. The 1994 South Ridge Subarea Plan, adopted by the City Council on February 14, 1994 and incorporated into the Comprehensive Plan, allocated 1,360,000 square feet of commercial space to the four corners around the intersection of South 27th Street and Pine Lake Road. In February 1994, the City approved a Zoning and Annexation Agreement which has provided for the development of roads, water, sewer, and trails in the area. In December 1996, the City approved Combined Use Permit/Special Permit 11 for the authority to develop 717,000 square feet of commercial, retail, theater, and office uses on property generally located on the northeast corner of South 27th Street and Pine Lake Road.

Use Permit/ Special Permit History

11 The original generic permit was approved on December 9, 1996.

11A A more detailed site plan for the whole center was approved in February 1998.

11B Amendment approved in August 1998, increased the height limit from 40 to 46 feet for an entrance tower on the facade of the movie theater, reduced the front yard setback from 40 to 30 feet for 11 ground signs, reduced the parking requirement by 338 stalls due to noncurrent parking uses, and eliminated some sidewalks.

11C Increased the square footage from 717,000 SF to 730,000 SF and permitted an increase in the height limit from 40 to 60 feet for the main commercial center in April 1999.

11D Added an early childhood care facility with a maximum of 150 children in August 1999.

11E Was withdrawn in December 1999 before it was scheduled with the Planning Commission.

11F Increased the maximum number of children from 150 to 170 for an early childhood care facility in January 2000.

11G This application was submitted in August 2014 but was voided in October 2014.

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

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

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

P. 5.1 - Focus primarily on retention and expansion of existing businesses; attracting new businesses should also be encouraged.

P. 5.2 - Promote and foster appropriate, balanced, and focused future economic growth that maintains the quality of life of the community.

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

P. 5.2 - Strive for predictability for neighborhoods and developers.

P. 5.2 - Encourage commercial centers to encompass a broad range of land uses with the integration of compatible land use types.

P. 5.3 - Apply design standards as a tool for economic development. They provide assurances for surrounding property owners as well as prospective developers.

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

P. 5.6 - Encourage public-private partnerships, strategic alliances, and collaborative efforts as a means to accomplish future economic objectives.

P. 5.6 - Based on the projected population growth rates, the Plan identifies the potential for 58.6 million square feet of occupied retail, office, and service uses by 2040. A substantial portion of this future commercial capacity will be accommodated on sites already zoned or approved for commercial development or that have been identified in the Plan for future commercial land use.

P. 5.7-5.8 - Strategies for Commercial Centers:

- Locate Commercial Centers where they will have access to arterial streets with adequate capacity and be supported by transit, trails, sidewalks, and local streets.

- Develop smaller stores next to anchor stores to encourage small business and to provide a variety of goods and services for customers utilizing the centers.

- Design streets and public spaces to enhance pedestrian activity and support multiple modes of transportation.

- Create a pedestrian-oriented environment in the physical arrangement of buildings and parking.

- Develop Commercial Centers as compact clusters or mixed use nodes with appropriate site design features to accommodate shared
parking and ease of pedestrian movement, to minimize impacts on adjacent areas, and encourage a unique character.

- Design new Commercial Centers in a manner that facilitates future development and intensification of land uses on the site.

- Design buildings and land uses at the edge of the center to be compatible with adjacent residential land uses. Examples of compatible land uses include apartments, mixed use residential buildings, offices, assisted living facilities, or child care centers. Buildings should be compatible in terms of height, building materials and setback. Small compatible commercial buildings at the edge could include retail or service uses. Buildings with more intrusive uses should have greater setbacks, screening requirements and be built of more compatible materials.

- Locate the most intensive commercial uses, such as restaurants, car washes, grocery stores, gas stations/ convenience stores and drive through facilities nearer to the major street or roadway and furthest from the residential area (unless contained within a mixed use center). Lighting, dumpsters, loading docks and other service areas should be screened from residences.

P. 5.8-5.9 - Detailed Strategies for Future Commercial Centers:

2. Pedestrian orientation, parking at rear, multiple pedestrian routes, buildings and uses close to each other.

8. Provide for transit opportunities in the center design.

9. Provide public amenities such as recreational facilities, plazas, squares and other types of facilities or meeting areas open to public.

P. 5.14 - Strategies for Commercial Infill:

- Develop infill commercial areas to be compatible with the character of the area.

- Maintain and encourage businesses that conveniently serve nearby residents, while ensuring compatibility with adjacent neighborhoods.

- Avoid encroachment into existing neighborhoods during expansion of existing commercial and industrial uses, and take steps to ensure expansions are in scale with the adjacent neighborhood, are properly screened, fulfill a demonstrated need and are beneficial to health and safety.

P. 6.2 - Guiding Principles for Mixed Use Redevelopment:

- Incorporate and enhance street networks with multiple modes of transportation in order to maximize access and mobility options.
- Develop with substantial connectivity between developing or existing neighborhoods and developing or redeveloping commercial centers.

P. 6.10-6.11 - Strategies for Facilitating Redevelopment:

- Work with State and local government to extend financial incentives to designated locations within the built environment.
- Support and enhance existing infrastructure and amenities.

UTILITIES: All utilities are available at this site.

TOPOGRAPHY: The site generally slopes upwards from the south to the north and northeast.

TRAFFIC ANALYSIS: Pine Lake Road and South 27th Street are classified as Urban/Rural Minor Arterial streets. The original traffic study for the Southridge 27th and Pine Lake four-corner development projected a maximum Rush Hour (4-6 P.M.) trip cap of 3,995 trips for the northeast corner overall. The most recent approved plan estimated adjusted P.M. peak trips for the northeast corner at 3,471 trips. With this amendment, the total estimated peak trips will be 3,968. Although peak trips overall will increase with this amendment, they will not exceed the previously approved peak trip cap. Based on these projections, additional traffic generated by projects associated with this amendment could be accommodated on the existing road system.

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

REGIONAL ISSUES: A portion of the expanded commercial uses to be added as part of this amendment are designed as a regional retail and entertainment attraction. The additional traffic projected to result from the proposed redevelopment could be accommodated on the existing road system.

ENVIRONMENTAL CONCERNS: There are no major environmental concerns associated with this amendment. This redevelopment project will involve ground disturbance over an area greater than one acre and therefore must comply with the requirements of Lincoln Municipal Code Title 28, Stormwater Quality and Erosion. A Water Quality Control Form, Grading and Drainage Plan, Maintenance Plan, and other calculations have been submitted to Public Works and Utilities in accordance with Title 28.

AESTHETIC CONSIDERATIONS: Aesthetic considerations for this application relate

primarily to potential impacts of the proposed commercial building and parking garage on single family residences to the north. Additional landscape screening and berming are planned to the north of the structures to reduce the visual impact.

ALTERNATIVE USES: The Comprehensive Plan shows this area as Commercial on the Future Land Use Map. Therefore, this amendment is in accordance the future land use plan and no alternative uses are suggested.

ANALYSIS:

1. This is a request for an amendment to Combined Special Permit/Use Permit (SP/UP) #11 to increase the approved floor area, revise lot and building footprint layouts, reduce the parking requirement, and increase the building height for Lots 17 and 16 and Outlot 'B'.

2. The current specifications of the Special Permit/Use Permit are:

   A. Approved Maximum Floor Area: 730,000 square feet

   B. Constructed Floor Area: 670,978 square feet

   C. Height limit: 60' for the main commercial center, 46' for the entrance tower of the theater. The maximum height for all other areas within the use permit is 40' in the B-5 district and 45' in the O-3 district.

   D. Required Parking: 1 stall per 300 square feet for the office and bank uses on Lot 11; 4.5 stalls per 1,000 square feet for retail uses; 1 stall per 100 square feet for restaurants; and the movie theater parking requirement is 1 stall per 50 square feet of seating area plus parking for affiliated uses within 300 feet of the main use per Section 27.67.040.

   The following specifications are proposed with this amendment:

   E. Approved Maximum Floor Area: 818,985 square feet, a 12% increase over the current approved maximum floor area.

   F. Height Limit: 60' for the main commercial center, 46' for the entrance tower of the theater, 73' feet for a commercial building on Lot 16, and 45' for architectural building features and lighting on the parking garage on Lot 17 and Outlot 'B'.

   G. Required Parking: 1 stall per 300 square feet regardless of use, except the movie theater parking requirement would be unchanged.

3. Two reductions in the parking requirement were previously approved. A

reduction of the required parking was approved in September 1998 with SP/UP amendment #11B based on non-concurrent parking demands for the movie theater and office building to the north. Also approved with amendment #11B was a delay of construction of 104 parking stalls for the commercial uses east of the main shopping center until such time as a parking garage was constructed on the site.

4. The permit area is currently required to have 3,229 parking stalls. They currently have 3,274 parking stalls, a surplus of 45 stalls.

5. With the proposed reduced parking requirement, the permit area would be required to have 3,071 parking stalls, and with the construction of a parking garage would provide 3,808 stalls, a surplus of 737 stalls.

6. Two other similar shopping centers in Lincoln have recently converted to the 1:300 parking ratio regardless of use, East Park Plaza in July 2012 and Edgewood Shopping Center in August 2013. The Gateway Mall reduction to the 1:300 parking ratio is on the City Council agenda in January 2016.

7. The reduced parking requirement for this permit is acceptable due to the existence of non-concurrent uses that can share parking, the unlikelihood of spillover into residential neighborhoods, and the likelihood that shoppers will visit multiple tenants on one visit. Since the mid-20th century, shopping center parking requirements in the United States have typically been based on estimated peak demand, i.e., the busiest days and/or hours of the year. This standard has become less relevant over time for many shopping centers, particularly with the growth of online shopping on traditional peak days. The parking reduction would allow for further redevelopment, a wider range of uses within the center, and more efficient use of the site.

8. The minimum parking requirement proposed as part of this amendment will be met during all phases of construction.

9. The maximum height of the underlying zoning within this Combined Special Permit/Use Permit has been increased twice previously. The height limit was increased from 40' to 46' for an entrance tower on the facade of the movie theater in August 1998, and the height limit for the main commercial center was increased from 40' to 60' in April 1999. The waiver to the maximum building height is considered acceptable because the increased height would be allowed only over certain lots in the northeast part of the shopping center and additional screening will be installed. It is important to note that the waiver for height of the parking garage would only be for architectural features and lighting, not for the main building walls.

10. The new commercial building on Lot 16 (for Scheels) and parking garage would

be located approximately 100' from the north property line at their closest points, in conformance with the required 100' rear yard setback for the B-5 district. An increase in the maximum building height from 40' to 73' is requested. For reference, the existing building in that location that houses Michael's, Dressbarn, and Famous Footwear is 24' high for the main building and 29' for architectural features.

The commercial building planned for Lot 16 will be constructed at a maximum height of 73' to accomodate two central atriums. Along the rear facade of the building, the area under the central atrium extends out approximately 15-20' from the main building for 73' of the total 360' length of the rear facade. Only the extended portion underneath the atrium would sit at the 100' rear yard setback line; the remainder of the rear facade would sit back from the setback approximately 15-20'.

The parking garage will have ground level parking and two upper level parking decks. The wall of the top level will be approximately 34' high, with a height waiver for architectural features and lighting to 45'. Currently, the site of the future parking garage houses surface parking and the Scheels building.

11. The northeast corner of South 27th Street and Pine Lake Road has been planned as a regional commercial development since 1979 when it was re-zoned to the B-5 Planned Regional Commercial District. Originally, the area along what is now Williamsburg Drive west of South 32nd Street had been included within the B-5 district, but was re-zoned to R-3 in 1993 and platted as residential lots in 1994 to provide a buffer between the future shopping center and the pre-existing homes to the north. Those homes are adjacent to the shopping center on the north side where the Lot 16 commercial building and parking garage are planned. Therefore, it is important to note that the houses along Williamsburg Drive were developed after the shopping center was already zoned for regional commercial uses.

12. To reduce the visual impacts of the Lot 16 commercial building and parking garage, the applicant will install additional landscaping and berms north of the proposed structures. There are existing trees and berms on either side of the trail north of these future buildings that screen the commercial area from the nearby homes. Additional higher berming and evergreen trees, deciduous shade trees, and deciduous ornamental trees will be installed according to the approved landscape plan to enhance the existing screening and replace trees that have died. An approximately 14' wall will screen semi-trailer trucks behind loading docks and trash stations for the Lot 16 commercial building to provide noise and visual screening to the homes to the north.

13. The existing SouthPointe Trail connection into the shopping center will be slightly reconfigured in relation to the development planned on Lots 16 and 17 and Outlot

'B'.

14. An access point for loading trucks on the east side of the Lot 8 commercial building will be created that will take direct access from of South 32nd Street. The new connection would allow direct truck access to the rear of the building via a, whereas currently, the trucks must negotiate a 90 degree turn through the roundabout to and navigate the internal road network through parking and pedestrian crossings.

15. Informational letters describing the project were sent to neighbors on December 1. A neighborhood meeting was held on December 8. The comments received during the neighborhood meeting primarily related to concerns about traffic congestion, traffic speed relative to South 32nd Street and the trail crossing, and exterior lighting.

16. To address longstanding issues with traffic speeds on South 32nd Street north of the shopping center and neighborhood concerns about traffic levels related to the new development, the developer has agreed to work with Public Works and Utilities to install a traffic control measure along South 32nd Street at the bike trail crossing. Traffic measures will include curb extensions at the trail crossing as shown on the site plan to slow traffic at the crossing and modifications to traffic signal timing at the intersection of South 32nd Street and Pine Lake Road to reduce traffic congestion in the roundabout.

17. In roadway design, a horizontal curve provides a gradual transition between two strips of road. In consideration of site and design constraints with the proposed plan, Public Works and Utilities does not oppose a waiver to reduce the radii of horizontal curves on Ridge Line Road, as the generally lower speed of traffic within the shopping center would not create a safety hazard.

19. The following plans are to be approved as part of this Special Permit/Use Permit: The three sheets that include the 1) Detail/Note Plan, 2) Site Plan, and 3) Grading and Drainage Plan; the complete landscaping plan for the area north of Lots 16, 17, and Outlot B; two sheets that include elevations for the Lot 16 commercial building and parking garage. The remaining sheets are for informational purposes.

20. Redevelopment associated with this Combined Special Permit/Use Permit amendment will take place in phases. However, the amended site plan shows completion of all phases. The development phases as scheduled are as follows:

    Phase 1 Fall 2015 - Spring 2016: Construction of Valentino's/retail building on Lot 16 at South 28th Street and Pine Lake Road.

    Phase 2 Spring 2016 - Fall 2016: Demolition of existing food court and

construction of new Michael's building on Lot 6.

Phase 3 Fall 2016 - Fall 2018: Demolition of existing Michael's and Austad's building and construction of new Scheels building on Lot 16; relocation of DressBarn and Famous Footwear to Trader Joe's/Office Max building.

Phase 4 Fall 2018 - Spring 2019: Demolition of old Scheels building and construction of surface parking lot in its place.

Phase 5 Spring 2019 - Fall 2019: Construction of parking deck on Lot 17 and Outlot "B".

Phase 6 Fall 2019 - Fall 2020: Construction of retail building on ground level of parking deck.

Phase 7 Fall 2020: Scheduled completion of retail building on ground level of parking deck.

CONDITIONS OF APPROVAL:

This approval permits 818,985 square feet of floor area and waivers to increase the building height from 40' to 73' on Lot 16, Block 1 as shown on the elevation plan, increase the building height from 40' to 45' on Lot 17, Block 1 and Outlot 'B' to permit architectural features and lighting as shown on the elevation plan, reduce the required parking to 1 parking stall per 300 square feet of floor area regardless of use, except for theaters which remains unchanged, and allow horizontal curves on Ridge Line Road, a private roadway, to be less than 150'.

Site Specific Conditions:

1. The permittee shall cause to be prepared and submitted to the Planning Department a revised and reproducible final plot plan including **3** copies with all required revisions and documents as listed below upon approval before receiving building permits for Lot 16, Block 1 or before a final plat is approved:

   1.1 Make the following revisions to Sheet 1:

      1.1.1 Revise the text for Waiver #4 to reference Outlot 'B' instead of Outlot 'A'.

      1.1.2 Combine all sign related notes into Site Plan note #6 to read: "An additional center sign has been permitted on the retaining wall at S. 28th Street & Southridge Road. Signs need not be shown on this site plan, but need to be in compliance with chapter 27.69 of the

Lincoln Zoning Ordinance except where specified otherwise, and must be approved by Building & Safety Department prior to installation. Details of all signs, including type, location, height, and size, will be submitted separately at time of sign permit.

1.1.3 Add a note to the site plan stating that the developer will fund the necessary equipment for traffic signal timing modifications at S. 32nd Street and Pine Lake Road to reduce traffic congestion.

1.1.4 On the Land Use Table, correct the required parking figure for Lot 4, Block 1 to 764 stalls and correct the required parking figure for Lot 17 to 67 stalls. Adjust the total and ratio accordingly and other minor corrections to lot listings.

1.2 Make the following revisions to Sheet 2:

1.2.1 Add a sidewalk on the west side of S. 30th Street north of Zermatt Drive.

1.2.2 Remove the labels for use and square footage on each lot, as the land use table on Sheet 1 is sufficient description.

1.3 The following plans are to be approved as part of this Special Permit/Use Permit: The three sheets that include the 1) Detail/Note Plan, 2) Site Plan, and 3) Grading and Drainage Plan; the complete landscaping plan for the area north of Lots 16, 17, and Outlot B; two sheets that include elevations for the Lot 16 commercial building and parking garage. Adjust the sheet numbering to include the additional sheets.

1.4 A complete landscape (screen) plan for the area north of Lots 16, 17, and Outlot B approved by the Director of Planning.

1.5 Post a surety for the necessary traffic signal equipment to adjust signal timing at S. 32nd Street and Pine Lake Road as determined by Public Works and Utilities.

1.6 Design and install traffic calming measures at the trail crossing on S. 32nd Street to the satisfaction of Public Works and Utilities or post a surety for this work.

1.7 Submit required documents and calculations in compliance with the requirements of Lincoln Municipal Code Title 28 to the satisfaction of Public Works and Utilities.

1.8 Provide documentation from the Register of Deeds that the letter of

acceptance as required by the approval of the special permit has been recorded.

Standard Conditions:

2. The following conditions are applicable to all requests:

2.1 Before occupying the buildings all development and construction is to substantially comply with the approved plans.

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

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

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

2.6 The site plan as approved with this resolution voids and supersedes all previously approved site plans, however all resolutions/ordinances approving previous permits remain in force unless specifically amended by this resolution.

Prepared by

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

DATE: December 22, 2015

APPLICANT: RED Capital Management LLC
7500 College Blvd., Suite 750
Overland Park, KS 66210

OWNER: RED Capital Management LLC and Powder Mountain LLC
7500 College Blvd., Suite 750
Overland Park, KS 66210

CONTACT: Kent Seacrest
111 Lincoln Mall, Suite 350
Lincoln, NE 68508

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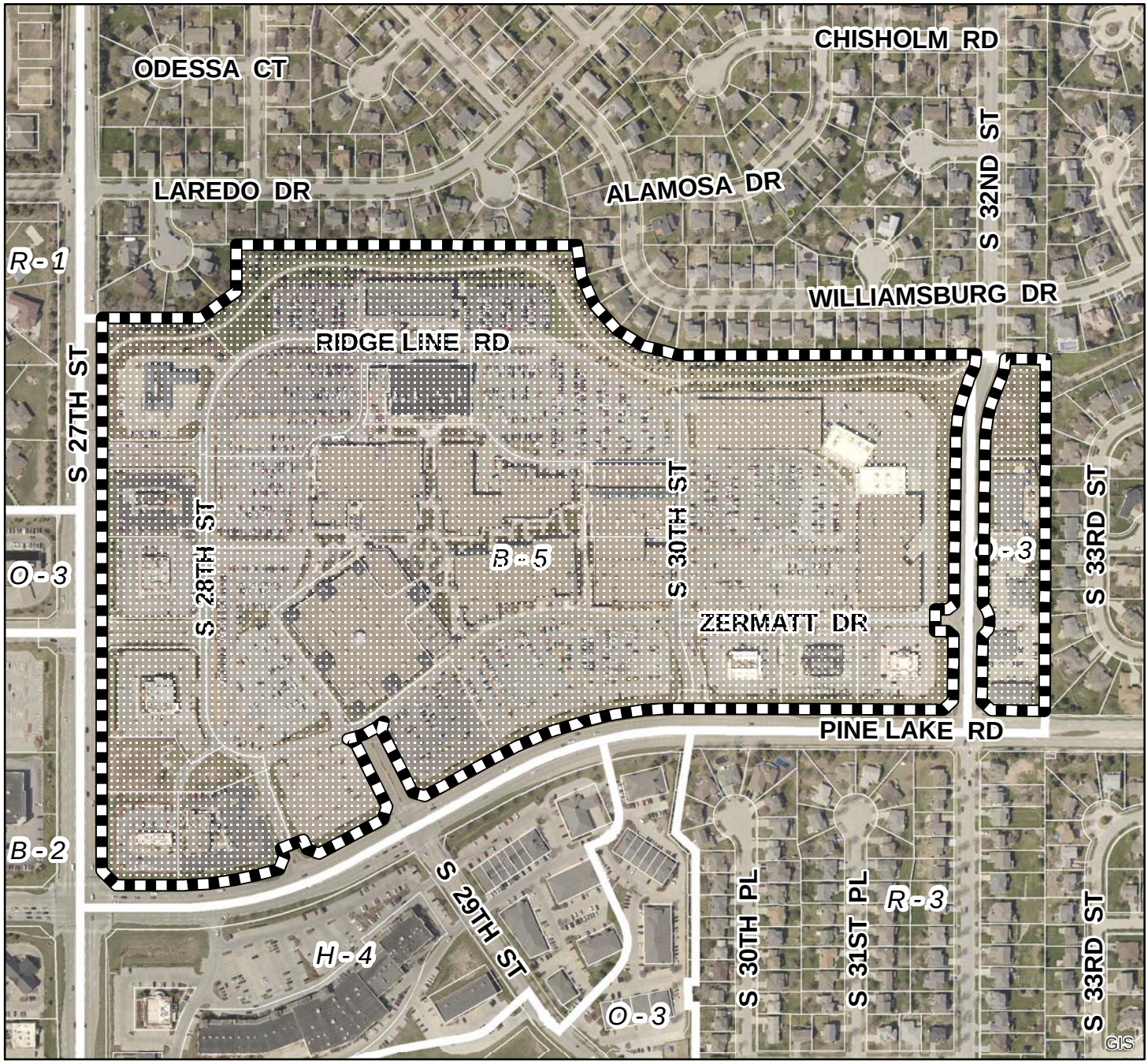


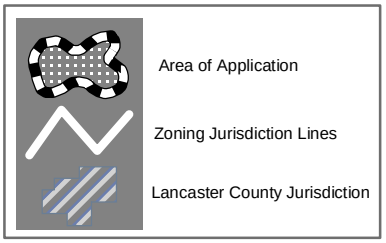
2013 aerial

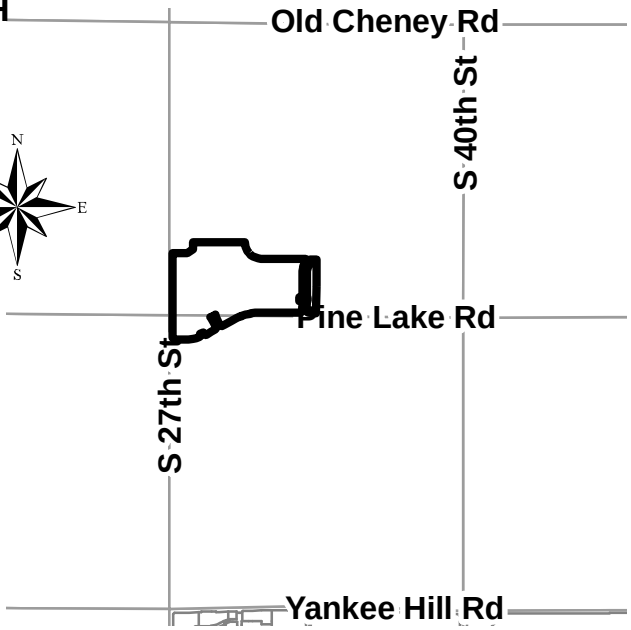
Combined Special Permit Use Permit #: SPUP11H
SouthPointe Pavillions Shopping Center
S 27th St & Pine Lake Rd

Zoning:

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

One Square Mile:
Sec.18 T09N R07E
Sec.19 T09N R07E





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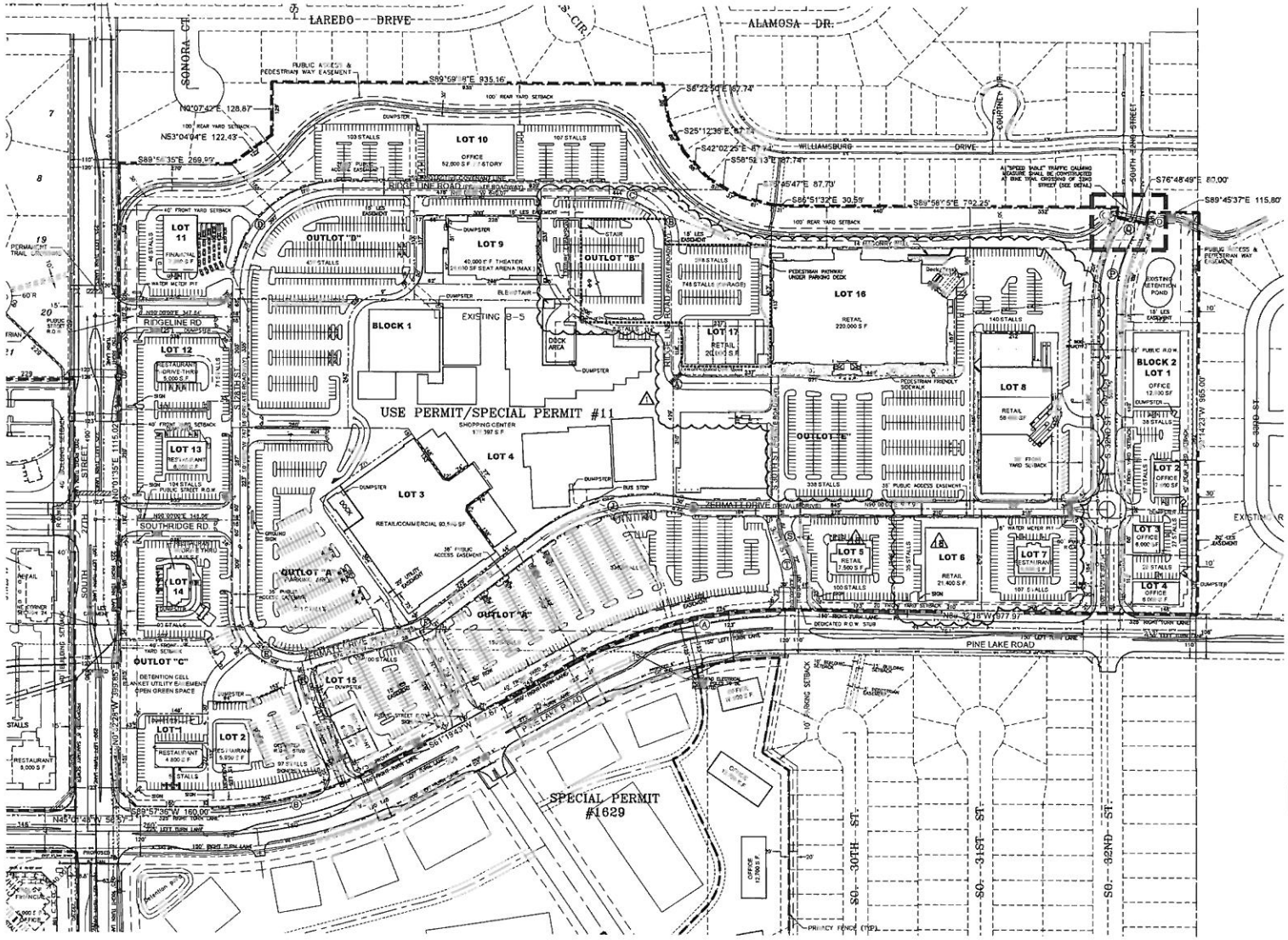
SOUTHRIDGE USE PERMIT
AMENDMENT
SITE PLAN


LAREDO DRIVE
ALAMOSA DR.
SONORA CT.
WILLIAMSBURG DRIVE
SOUTH 32ND STREET
RIDGELINE RD
SOUTHRIDGE RD
PINE LAKE ROAD
S. 30TH ST.
S. 31ST ST.
S. 32ND ST.
LOT 10
OFFICE
52,000 S.F. / 6 STORY
LOT 9
40,000 S.F. THEATER
(21,000 SF SEAT ARENA MAX.)
LOT 16
RETAIL
220,000 S.F.
LOT 17
RETAIL
20,000 S.F.
LOT 8
RETAIL
56,000 S.F.
BLOCK 2
LOT 1
OFFICE
12,000 SF
LOT 2
OFFICE
7,000 SF
LOT 3
OFFICE
6,000 SF
LOT 4
OFFICE
6,000 SF
LOT 5
RETAIL
7,500 S.F.
LOT 6
RETAIL
21,400 S.F.
LOT 7
RESTAURANT
6,000 S.F.
LOT 11
FINANCIAL
4,000 S.F.
LOT 12
RESTAURANT
DRIVE-THRU
5,000 S.F.
LOT 13
RETAIL
6,000 S.F.
LOT 14
RETAIL
6,000 S.F.
LOT 15
RESTAURANT
4,800 S.F.
LOT 1
RESTAURANT
5,000 S.F.
LOT 2
RESTAURANT
5,000 S.F.
BLOCK 1
EXISTING B-S
LOT 3
RETAIL/COMMERCIAL 93.5% SF
LOT 4
OUTLOT "A"
OUTLOT "B"
OUTLOT "C"
OUTLOT "D"
OUTLOT "E"
USE PERMIT/SPECIAL PERMIT #11
SHOPPING CENTER
111,397 S.F.
SPECIAL PERMIT
#1629
PRIVACY FENCE (TYP.)
EXISTING RETENTION POND
PEDESTRIAN FRIENDLY SIDEWALK
PEDESTRIAN PATHWAY UNDER PARKING DECK
748 STALLS (GARAGE)
DETENTION CELL
BLANKET UTILITY EASEMENT
OPEN GREEN SPACE
PUBLIC ACCESS & PEDESTRIAN WAY EASEMENT
S89°59'18"E 935.16'
N0°07'42"E 128.67'
N53°04'44"E 122.43'
S89°56'35"E 269.97'
S6°22'54"E 67.74'
S25°12'35"E 87.74'
S42°02'25"E 87.74'
S58°52'13"E 87.74'
S65°41'47"E 87.73'
S65°51'23"E 30.59'
S69°56'15"E 752.25'
S76°48'49"E 80.00'
S89°45'37"E 115.80'
N0°13'55"E 1115.02'
N89°30'00"E 344.06'
S89°57'36"W 160.00'
N45°01'24"W 56.57'
S89°19'43"W 977.97'
N0°13'55"E 965.00'
S0°14'23"W 965.00'
S0°22'29"W 399.85'
S0°13'55"W 1115.02'
S89°30'00"W 347.64'
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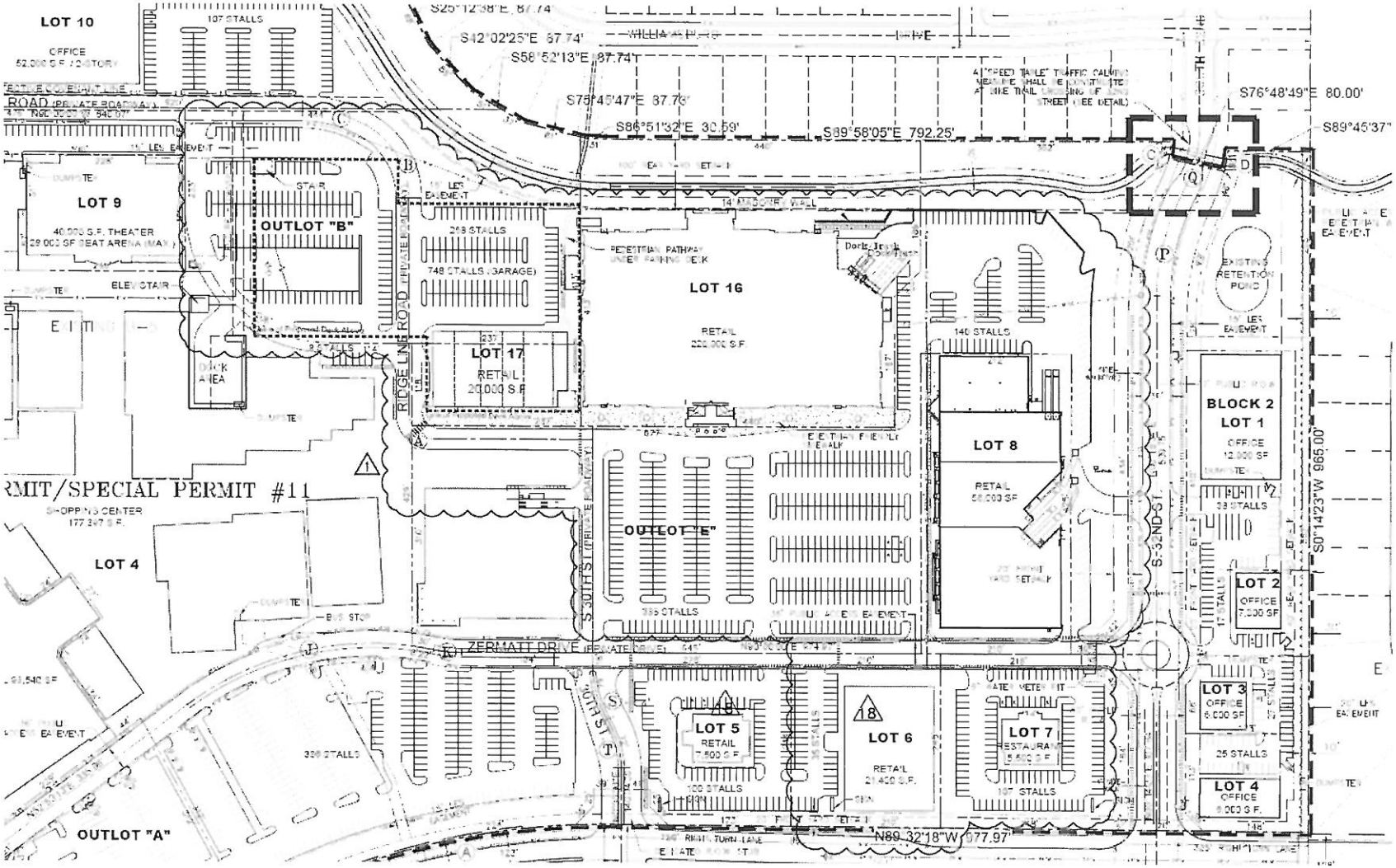
S89°19'43"W 977.97'
S89°19'43"W 977.97'
S89°19'43"W 977


LOT 10
107 STALLS
OFFICE
S42°02'25"E 87.74'
S58°52'13"E 87.74'
S75°45'47"E 87.76'
S86°51'32"E 30.59'
S89°58'05"E 792.25'
S76°48'49"E 80.00'
S89°45'37"
LOT 9
40,000 S.F. THEATER
29,000 SF SEAT ARENA (MAIN)
OUTLOT "B"
STAIR
ELEVATOR
268 STALLS
748 STALLS (GARAGE)
LOT 16
RETAIL
220,000 S.F.
LOT 17
RETAIL
20,000 S.F.
RIDGELINE ROAD (PRIVATE ROADWAY)
140 STALLS
LOT 8
RETAIL
58,000 SF
BLOCK 2
LOT 1
OFFICE
12,000 SF
38 STALLS
LOT 2
OFFICE
7,000 SF
S0°14'23"W 965.00'
S.3RD ST
RMIT/SPECIAL PERMIT #11
SHOPPING CENTER
177,347 S.F.
LOT 4
OUTLOT "E"
S.30TH ST (PRIVATE ROADWAY)
395 STALLS
ZERMATT DRIVE (PRIVATE DRIVE)
LOT 5
RETAIL
7,500 S.F.
100 STALLS
LOT 6
RETAIL
21,400 S.F.
LOT 7
RESTAURANT
5,400 S.F.
187 STALLS
LOT 3
OFFICE
6,000 SF
25 STALLS
LOT 4
OFFICE
6,000 S.F.
OUTLOT "A"
336 STALLS
N89°32'18"W 677.97'

SOUTHRIDGE USE PERMIT
AMENDMENT
DETAIL AND GENERAL NOTE PLAN

ENGINEER & PREPARER

OLSSON ASSOCIATES
601 P STREET
SUITE 200
LINCOLN, NEBRASKA 68508
PH. (402)474-6311

GENERAL NOTES

SITE PLAN

1. ALL DIMENSIONS ALONG CURVES ARE CHORD DISTANCES.
2. ALL LOT DIMENSIONS ARE APPROXIMATE & MAY VARY UP TO 10 FEET, PROVIDED ALL SETBACKS ARE RETAINED.
3. CONTOURS TO CITY OF LINCOLN DATUM.
4. ALL DIMENSIONS ARE TO BACK OF CURB.
5. INDIVIDUAL LANDSCAPE PLANS WILL BE SUBMITTED AT TIME OF BUILDING PERMIT.
6. DETAILS OF ALL SIGNS, INCLUDING TYPE, LOCATION, HEIGHT & SIZE, WILL BE SUBMITTED SEPARATELY AT TIME OF BUILDING PERMIT.
7. LOTS MAY BE CREATED WITHOUT FRONTAGE TO A PUBLIC STREET IF THEY HAVE ACCESS TO A PUBLIC ACCESS EASEMENT.
8. FENCES, DECORATIVE STRUCTURES, & ACCESSORY BUILDINGS ARE NOT SHOWN ON THE SITE PLAN IF THEY ARE 25' BY 25' OR SMALLER AND ARE CONSTRUCTED OUTSIDE OF SETBACKS, SITE TRIANGLES, EASEMENTS, AND REQUIRED MINIMUM PARKING, AND ARE BUILT ACCORDING TO THE ZONING ORDINANCE PROVISIONS, AND ARE IN CONFORMANCE WITH ALL OTHER APPLICABLE CODES.
9. THE DEVELOPER RESERVES THE RIGHT TO BUILD ANYWHERE WITHIN THE BUILDING ENVELOPES SHOWN ON EACH LOT.
10. A REDUCTION OF THE BACK YARD SETBACK FROM 40 FEET TO 20 FEET IN THAT PORTION OF THE O-3 ZONE LOCATED ON THE EASTERN EDGE OF THE DEVELOPMENT THAT IS NORTH OF THE SOUTHEAST CORNER OF THE DEVELOPMENT AND RUNNING TO PINE LAKE ROAD (NORTHEAST POINT OF THE SOUTHEAST CORNER OF THIS DEVELOPMENT.)
11. A TEMPORARY STRUCTURE MAY BE ERECTED FOR SEASONAL ACTIVITIES IN THE CARPOOL AREA. THE STRUCTURE SHALL NOT BE ANY GREATER THAN 500 SF OR IN PLACE FOR MORE THAN 45 DAYS.
12. THERE SHALL BE LIMITED ACCESS FROM THE PARKING LOT TO THE RING ROAD (PRIVATE ROADWAY) ON THE NE CORNER TO PROVIDE FOR UNIMPEDED TRAFFIC FLOW.
13. THE YARD SETBACKS REGULATES STRUCTURAL WALLS ONLY AND DOES NOT RESTRICT OVERHANGS, PATIOS, NON-HEATED ENCLOSED AREAS, DOOR SWINGS, WINDOW SWINGS, ECT. FROM ENCROACHING INTO THE SETBACKS.
14. THE SALE OF ALCOHOLIC BEVERAGES FOR CONSUMPTION ON AND OFF PREMISES IS PERMITTED.
15. ALL EAVES, CANOPIES AND OTHER BUILDING PROJECTIONS MAY EXTEND OVER THE BUILDING ENVELOPE LINES BUT NOT LOT LINES.
16. THIS CENTER IS TO BE DESIGNED AS AN "UPSCALE" SPECIALTY SHOPPING CENTER. THE LAYOUT AND MATERIALS ARE INTENDED TO PRESENT A SHOPPING COMPLEX OF UNIQUE CHARACTER INCORPORATING THE FOLLOWING:
    A. WALLS SHALL BE INTEGRALLY COLORED KING-SIZED BRICK MASONRY, PRECAST CONCRETE AND EIFS SYSTEMS. MATERIALS CAN BE MIXED WITH NO LESS THAN 25% EIFS OR 35% MASONRY PER FACADE.
    B. A DURABLE STONE, SIMULATED STONE OR KING-SIZE BRICK VENEER BASE.
    C. EXTERIOR ORNAMENTAL METALS (I.E. FENCES, EXTERIOR STAGING, ETC.) SHALL BE PAINTED A COMPATIBLE COLOR WITH THE SHOPPING CENTER.
    D. ALL EXTERIOR BUILDING FACADES SHALL COMPLY WITH BUILDING MATERIAL LISTED HEREIN.
    E. AT THE TIME PERMITTEE, ITS SUCCESSOR OR ASSIGNS SUBMITS AN ADMINISTRATIVE AMENDMENT, PERMITTEE SHALL PROVIDE EVIDENCE TO THE PLANNING DEPARTMENT THAT A COPY OF SUCH REQUESTED AMENDMENT AND ALL PLANS RELATED THERETO HAVE BEEN PROVIDED TO AN OFFICER OF THE SOUTHERN HILLS NEIGHBORHOOD ASSOCIATION FOR DISTRIBUTION TO INTERESTED MEMBERS OF THE ASSOCIATION.
    F. AN ADDITIONAL SIGN HAS BEEN PERMITTED ON THE RETAINING WALL AT S. 28TH STREET & SOUTHRIDGE ROAD.
    G. PRIVATE ROADWAY ACCESS EASEMENTS, UTILITY EASEMENTS AND DRY UTILITY EASEMENTS WILL BE RELOCATED AS NEEDED TO SERVE THE BUILDINGS AND PROVIDE THE NECESSARY SITE ACCESS.
    H. SEASONAL SALES IN THE PARKING LOTS ARE PERMITTED AS LONG AS THE MINIMUM PARKING REQUIREMENT FOR THE CENTER IS NOT MET OR EXCEEDED.

UTILITIES

1. PUBLIC UTILITIES ARE LOCATED IN ADJACENT PUBLIC STREETS.
2. ALL DRIVES 36' ARE TYPICAL UNLESS OTHERWISE NOTED.
3. ALL PAVING RADII TO BE 20' UNLESS OTHERWISE NOTED.
4. ALL INTERSECTION ANGLES SHALL BE 90° UNLESS OTHERWISE NOTED.
5. SANITARY SEWER AND WATER LINES TO BE 8" PIPE AND 6" D.I. PIPE RESPECTIVELY UNLESS OTHERWISE SHOWN AND TO BE BUILT TO CITY OF LINCOLN SPECIFICATIONS.

GRADING & DRAINAGE

1. BUILDINGS ADJACENT TO STORM WATER DETENTION FACILITIES SHALL HAVE A MINIMUM OPENING ELEVATION OF ONE FOOT ABOVE THE 100 YEAR FLOOD ELEVATION.
2. MORE SPECIFIC STORM SEWER & DRAINAGE PLANS WILL BE SUBMITTED WITH INDIVIDUAL SITE PLANS AS THEY ARE DEVELOPED (ADMINISTRATIVE AMENDMENT TO THE USE PERMIT) IN ACCORDANCE WITH CITY OF LINCOLN DESIGN STANDARDS.

SIDEWALK & BIKE TRAIL

1. EASEMENTS AS SHOWN SHALL BE GRANTED FOR PUBLIC USE AND FOR SIDEWALKS. ALL SIDEWALKS SHALL BE 4' WIDE AND ALL SIDEWALK EASEMENTS SHALL BE 5' WIDE (UNLESS OTHERWISE NOTED)
2. THE CITY WAIVES THE REQUIREMENT TO BUILD SIDEWALKS ALONG THE SOUTH SIDE OF THE PUBLIC R.O.W. STUBS RIDGELINE ROAD AND SOUTHRIDGE ROAD. THE CITY FURTHER WAIVES THE REQUIREMENT THAT A SIDEWALK BE BUILT ALONG THE WEST SIDE OF THE PUBLIC R.O.W. STUB FOR SOUTH 29TH STREET.
3. THE BIKE TRAIL WILL NOT BE USED FOR ANY CONSTRUCTION VEHICLE TRAFFIC. ANY DEBRIS OR SEDIMENT THAT ENCROACHES ON THE TRAIL WILL BE CLEANED OFF ON A DAILY BASIS AT THE DEVELOPER'S EXPENSE FOR THE DURATION OF THE CONSTRUCTION OF THIS DEVELOPMENT.

WAIVERS

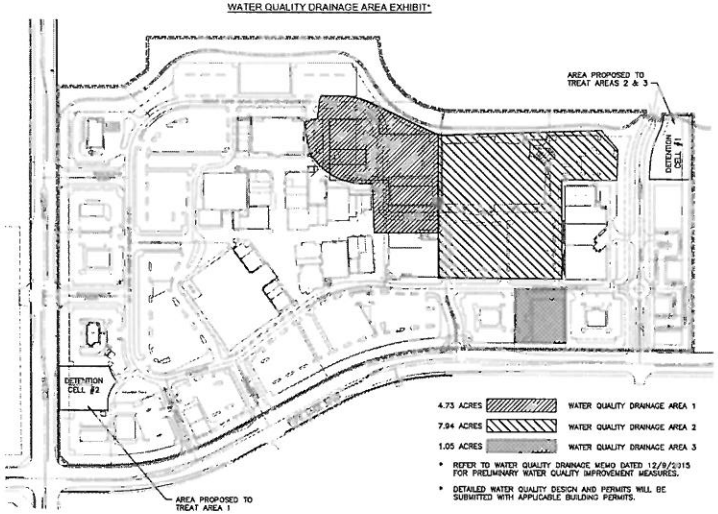
1. A WAIVER TO TITLE 27 SECTION 27.67.020 TO ALLOW ONE PARKING STALL FOR EVERY 300 SQUARE FEET OF BUILDING AREA FOR ALL LOTS INCLUDED IN THIS USE PERMIT/SPECIAL PERMIT EXCEPT FOR THE THEATRE USES.
2. A WAIVER TO TITLE 27 SECTION 27.72.03(A) TO ALLOW A MAXIMUM HEIGHT OF 73' ON LOT 16, AND 60' FOR LOT 4 TO PERMIT ARCHITECTURAL BUILDING FEATURES.
3. A WAIVER TO CHAPTER 2-25 OF THE DESIGN STANDARDS TO ALLOW FOR HORIZONTAL CURVES LESS THAN 150' FOR THE PRIVATE ROADWAY.
4. A WAIVER TO TITLE 27 SECTION 27.73.03(A) TO ALLOW A MAXIMUM HEIGHT OF 45' ON LOT 17 & OUTLOT 'A' TO PERMIT ARCHITECTURAL BUILDING FEATURES AND LIGHTING.

LAND USE TABLE

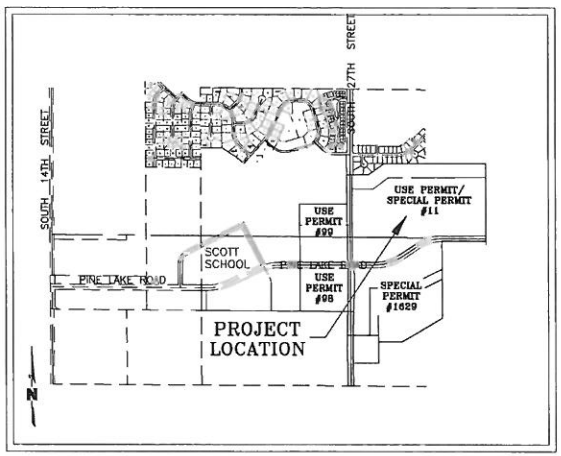
BLOCK / LOT NUMBER	USE	FLOOR AREA (FT2)	REQUIRED PARKING @ 3.1/1000 SF	PROVIDED PARKING	ADJ PM PEAK TRIPS	HEIGHT
BLOCK 1						
1	COMMERCIAL	4,600	16	52	149	40'
2	COMMERCIAL	5,950	20	67	68	40'
3	COMMERCIAL	93,540	312	421	343	40
4	COMMERCIAL	229,130	743	771	974	80'
5***	COMMERCIAL	7,500	25	100	26	40'
6***	COMMERCIAL	21,400	71	35	91	40'
7	COMMERCIAL	5,500	18	107	61	40'
8	COMMERCIAL	56,000	187	475	205	40'
9	THEATER*	41,000	453*	0	100	45'**
10	COMMERCIAL	52,000	173	210	100	40'
11	COMMERCIAL	7,250	24	48	268	40'
12	COMMERCIAL	5,300	17	71	155	40'
13	COMMERCIAL	6,500	22	104	72	40'
14	COMMERCIAL	4,815	16	93	156	40'
15	COMMERCIAL	8,600	29	100	64	40'
16	COMMERCIAL	227,605	733	1016	939	73'
17 / OUTLOT 'A'	COMMERCIAL	20,000	49	0	85	45'
BLOCK 2						
1	O-3 USES	12,000	40	38	34	45
2	O-3 USES	7,000	23	17	21	45
3	O-3 USES	6,000	20	27	16	45'
4	O-3 USES	6,000	20	25	18	45'
	TOTAL	815,985	3,032	3,808	3,385 (TRIP CAP = 3,910)	
	RATIO		3.7/1,000 S.F.	4.65/1,000 S.F.		

* THEATER CALCULATED AT 1 SPACE / 90 SF OF ARENA BASED ON 40,814 SF ARENA
** THE ENTRANCE FEATURE FOR THE THEATER IN LOT 9 SHALL BE A MAXIMUM HEIGHT OF 48' TO THE MIDPOINT OF THE HIP ROOF
*** FOR LOTS 5 & 6, THE PROVIDED PARKING COUNTS FOR BOTH LOTS

WATER QUALITY DRAINAGE AREA EXHIBIT*



* REFER TO WATER QUALITY DRAINAGE MEMO DATED 12/9/2015 FOR PRELIMINARY WATER QUALITY IMPROVEMENT MEASURES.
* DETAILED WATER QUALITY DESIGN AND PERMITS WILL BE SUBMITTED WITH APPLICABLE BUILDING PERMITS.



VICINITY MAP

OLSSON ASSOCIATES
601 P STREET, Suite 200, LINCOLN, NEBRASKA 68508
P.O. Box 84608, LINCOLN, NEBRASKA 68501
TEL 402.474.6311 FAX 402.474.5160 www.olssonassociates.com

NO	DATE	REVISION DESCRIPTION

RE / ISSUES

2015

DETAIL / NOTE PLAN

AMENDMENT TO THE SOUTHRIDGE USE PERMIT

LINCOLN, NEBRASKA

SHEET 1 of 3

DWG: F:\Projects\012-0157_LDNP Preliminary Plan\12-0157_LINDPA_9-16-15.dwg USER: bwilken
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SITE PLAN

1. ALL DIMENSIONS ALONG CURVES ARE CHORD DISTANCES.
2. ALL LOT DIMENSIONS ARE APPROXIMATE & MAY VARY UP TO 10 FEET, PROVIDED ALL SETBACKS ARE RETAINED.
3. CONTOURS TO CITY OF LINCOLN DATUM.
4. ALL DIMENSIONS ARE TO BACK OF CURB.
5. INDIVIDUAL LANDSCAPE PLANS WILL BE SUBMITTED AT TIME OF BUILDING PERMIT.
6. DETAILS OF ALL SIGNS, INCLUDING TYPE, LOCATION, HEIGHT & SIZE, WILL BE SUBMITTED SEPARATELY AT TIME OF BUILDING PERMIT.
7. LOTS MAY BE CREATED WITHOUT FRONTAGE TO A PUBLIC STREET IF THEY HAVE ACCESS TO A PUBLIC ACCESS EASEMENT.
8. FENCES, DECORATIVE STRUCTURES, & ACCESSORY BUILDINGS ARE NOT SHOWN ON THE SITE PLAN IF THEY ARE 25' BY 25' OR SMALLER AND ARE CONSTRUCTED OUTSIDE OF SETBACKS, SITE TRIANGLES, EASEMENTS, AND REQUIRED MINIMUM PARKING, AND ARE BUILT ACCORDING TO THE ZONING ORDINANCE PROVISIONS, AND ARE IN CONFORMANCE WITH ALL OTHER APPLICABLE CODES.
9. THE DEVELOPER RESERVES THE RIGHT TO BUILD ANYWHERE WITHIN THE BUILDING ENVELOPES SHOWN ON EACH LOT.
10. A REDUCTION OF THE BACK YARD SETBACK FROM 40 FEET TO 20 FEET IN THAT PORTION OF THE O-3 ZONE LOCATED ON THE EASTERN EDGE OF THE DEVELOPMENT THAT IS NORTH OF THE SOUTHEAST CORNER OF THE DEVELOPMENT AND RUNNING TO PINE LAKE ROAD (NORTHEAST POINT OF THE SOUTHEAST CORNER OF THIS DEVELOPMENT.)
11. A TEMPORARY STRUCTURE MAY BE ERECTED FOR SEASONAL ACTIVITIES IN THE CARPOOL AREA. THE STRUCTURE SHALL NOT BE ANY GREATER THAN 500 SF OR IN PLACE FOR MORE THAN 45 DAYS.
12. THERE SHALL BE LIMITED ACCESS FROM THE PARKING LOT TO THE RING ROAD (PRIVATE ROADWAY) ON THE NE CORNER TO PROVIDE FOR UNIMPEDED TRAFFIC FLOW.
13. THE YARD SETBACKS REGULATES STRUCTURAL WALLS ONLY AND DOES NOT RESTRICT OVERHANGS, PATIOS, NON-HEATED ENCLOSED AREAS, DOOR SWINGS, WINDOW SWINGS, ECT. FROM ENCROACHING INTO THE SETBACKS.
14. THE SALE OF ALCOHOLIC BEVERAGES FOR CONSUMPTION ON AND OFF PREMISES IS PERMITTED.
15. ALL EAVES, CANOPIES AND OTHER BUILDING PROJECTIONS MAY EXTEND OVER THE BUILDING ENVELOPE LINES BUT NOT LOT LINES.
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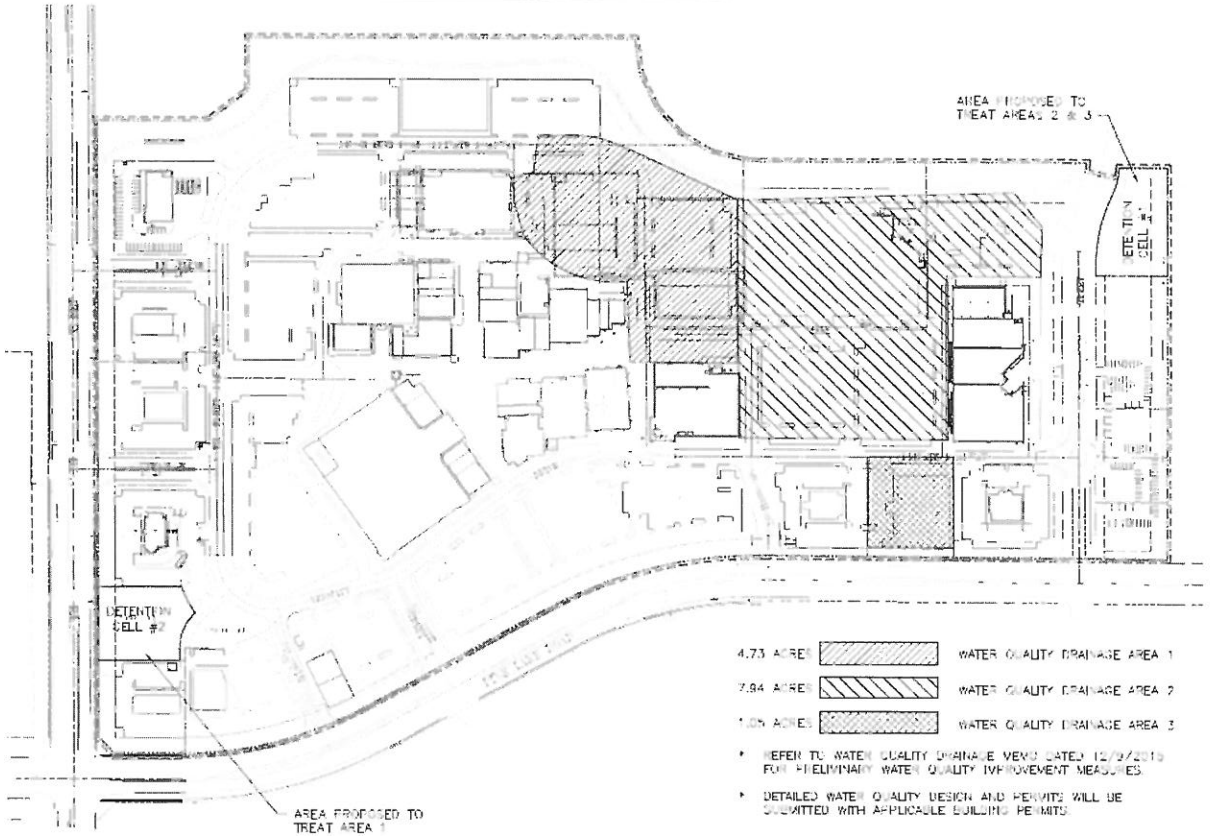


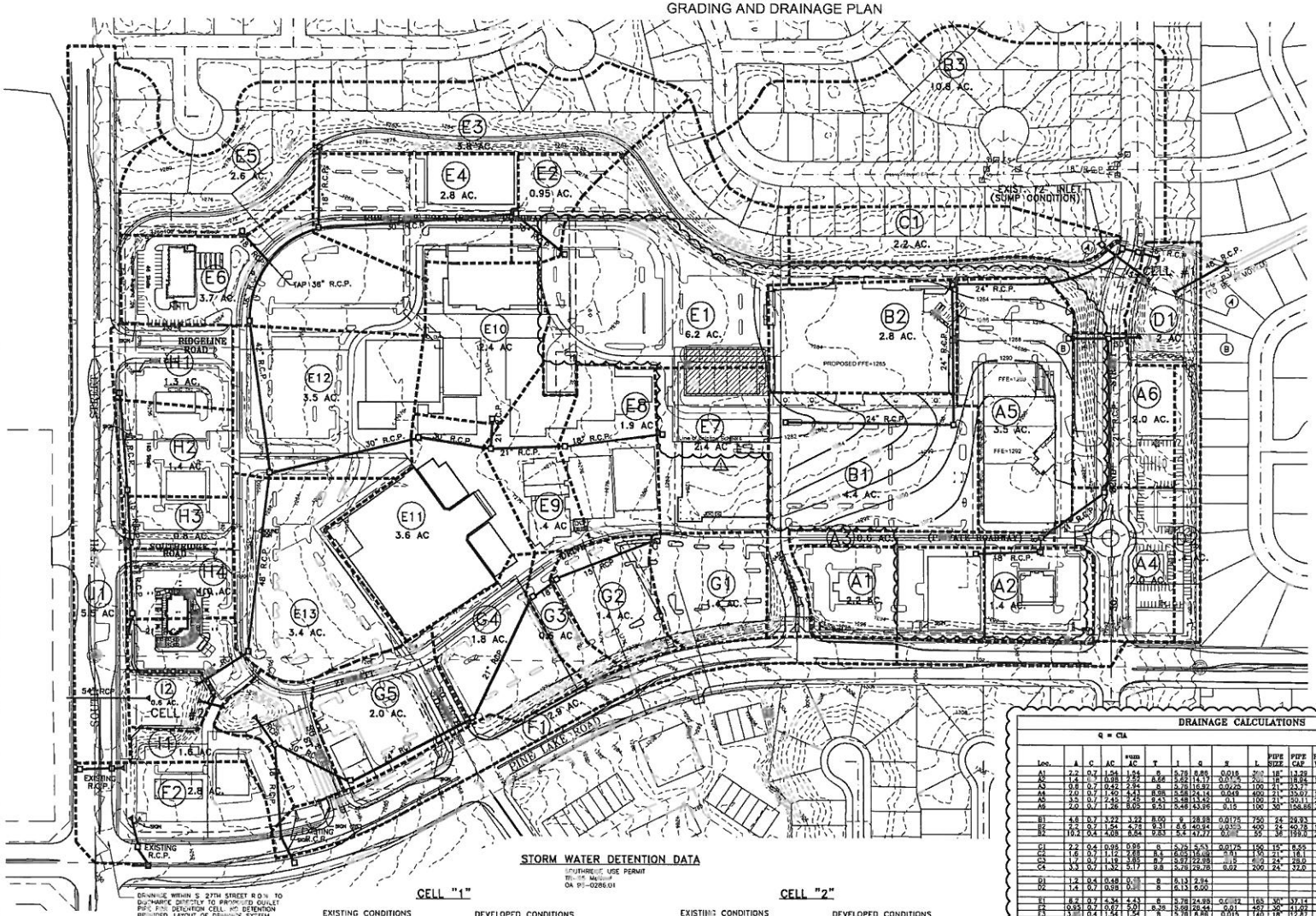
* REFER TO WATER QUALITY DRAINAGE MEMO DATED 12/27/2010 FOR PRELIMINARY WATER QUALITY IMPROVEMENT MEASURES.
* DETAILED WATER QUALITY DESIGN AND PERMITS WILL BE SUBMITTED WITH APPLICABLE BUILDING PERMITS.

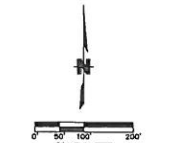
LAND USE TABLE						
BLOCK/ LOT NUMBER	USE	FLOOR AREA (FT2)	REQUIRED PARKING @ 1/300SF	PROVIDED PARKING	ADJ. PM PEAK TRIPS	HEIGHT
BLOCK 1						
1	COMMERCIAL	4,600	16	52	149	40'
2	COMMERCIAL	5,950	20	97	66	40'
3	COMMERCIAL	93,540	312	421	343	40'
4	COMMERCIAL	229,130	743	771	978	60'
5***	COMMERCIAL	7,500	25	100	28	40'
6***	COMMERCIAL	21,400	71	35	91	40'
7	COMMERCIAL	5,500	18	107	61	40'
8	COMMERCIAL	56,000	187	475	205	40'
9	THEATER*	40,000	453*	0	122	46'**
10	COMMERCIAL	52,000	173	210	100	40'
11	COMMERCIAL	7,250	24	46	269	40'
12	COMMERCIAL	5,000	17	71	155	40'
13	COMMERCIAL	6,500	22	104	72	40'
14	COMMERCIAL	4,815	16	93	150	40'
15	COMMERCIAL	8,600	29	100	64	40'
16	COMMERCIAL	220,000	733	1016	939	73'
17 / OUTLOT "A"	COMMERCIAL	20,000	49	0	85	45'
BLOCK 2						
1	O-3 USES	12,000	40	38	34	45'
2	O-3 USES	7,000	23	17	21	45'
3	O-3 USES	8,000	20	27	18	45'
4	O-3 USES	6,000	20	25	18	45'
	TOTAL	816,965	3,032	3,806	3,968 (TRIP CAP = 3,995)	
	RATIO		3.70 / 1,000 S.F.	4.65 / 1,000 S.F.		

* THEATER CALCULATED AT 1 SPACE / 50 SF OF ARENA. BASED ON 22,634 SF ARENA.
**THE "ENTRANCE TOWER" FOR THE THEATER IN LOT 9 SHALL BE A MAXIMUM HEIGHT OF 46' TO THE MIDPOINT OF THE HIP ROOF.
*** FOR LOTS 5 & 6, THE PROVIDED PARKING COUNTS FOR BOTH LOTS.

PARKING FOR EACH INDIVIDUAL LOT SHALL NOT BE REDUCED BELOW THE NUMBER OF STALLS PARCELED OFF FOR THAT LOT WITHOUT THE APPROVAL OF THE LOT 4 OWNER.

SOUTHRIDGE USE PERMIT
AMENDMENT
GRADING AND DRAINAGE PLAN





LEGEND

- 1285 — BUILDING PAD ELEVATION
- DRAINAGE BOUNDARY
- 36" R.C.P. — STORM SEWER
- 1290 — PROPOSED CONTOURS

STORM WATER DETENTION DATA

SOUTHRIDGE USE PERMIT
TL-95 Medium
DA 95-0286.01

CELL "1"

EXISTING CONDITIONS	DEVELOPED CONDITIONS
-AREA= 37.9 acres	-AREA= 28.5 acres
-CN= 85	-CN= 95
-Tc= 0.28 hr	-Tc= 0.18 hr

RUNOFF SUMMARY

EXISTING CONDITIONS STORM RUNOFF (CFS)		DEVELOPED CONDITIONS STORM RUNOFF (CFS)	
2	55	2	91
5	77	5	124
10	99	10	154
25	119	25	180
50	136	50	202
100	155	100	225

DETENTION POND

STORM	INFLOW RATE (CFS)	RELEASE RATE (CFS)	STORAGE VOLUME (AC-FT.)	POOL ELEV.
2	91	55	1.2	*
5	124	77	1.7	*
10	154	99	2.0	*
25	180	119	2.2	*
50	202	136	2.5	*
100	225	155	2.7	*

CELL "2"

EXISTING CONDITIONS		DEVELOPED CONDITIONS	
-AREA= 36.0 acres		-AREA= 18.2 acres	
-CN= 85		-CN= 95	
-Tc= 0.23 hr		-Tc= 0.23 hr	

RUNOFF SUMMARY

EXISTING CONDITIONS STORM RUNOFF (CFS)		DEVELOPED CONDITIONS STORM RUNOFF (CFS)		DEVELOPED CONDITIONS TO CELL (CFS)		DEVELOPED CONDITIONS FLOWBY (CFS)	
2	86	2	194	2	180	2	14
5	126	5	282	5	243	5	19
10	164	10	362	10	338	10	24
25	196	25	374	25	347	25	27
50	223	50	417	50	387	50	30
100	255	100	468	100	435	100	33

DETENTION POND

STORM	INFLOW RATE (CFS)	RELEASE RATE (CFS)	STORAGE VOLUME (AC-FT.)	POOL ELEV.	TOTAL RELEASE RATE FROM SITE (CFS)
2	180	72	3.5	*	2 88
5	243	107	4.4	*	5 126
10	298	140	5.2	*	10 164
25	347	169	5.9	*	25 196
50	387	193	6.6	*	50 223
100	435	222	7.2	*	100 255

DRAINAGE CALCULATIONS

Q = CIA — Storm Frequency 10 Yrs.

Loc.	A	C	AC	sum AC	T	I	Q	S	L	PIPE SIZE	PIPE CAP	PIPE VEL.	TIME in Min.	COMMENTS
A1	2.2	0.7	1.54	1.54	8	5.78	8.86	0.015	50	18"	19.88	7.25	0.66	
A2	1.4	0.7	0.98	0.98	6.58	5.78	5.63	0.0175	150	15"	18.22	10.29	0.41	
A3	0.8	0.7	0.42	2.94	8	5.78	16.92	0.0225	100	21"	53.77	9.88	0.17	
A4	2.0	0.7	1.40	4.34	8.58	5.64	24.34	0.0049	400	30"	59.07	14.08	0.48	
A5	3.5	0.7	2.45	2.45	9.43	5.48	13.43	0.1	100	21"	30.11	40.83	0.05	
A6	2.0	0.7	1.40	1.40	8	5.78	8.09	0.15	55	18"	52.68	42.56	0.05	
B1	4.4	0.7	3.22	3.22	8.09	5	28.08	0.0175	750	24	78.83	8.51	1.11	SIZED TO CARRY 100 YEAR FLOWS
B2	2.8	0.7	1.54	4.76	9.31	4.8	40.94	0.0125	400	24	40.78	12.99	0.51	SIZED TO CARRY 100 YEAR FLOWS
B3	10.2	0.4	4.08	8.84	9.83	5.4	47.77	0.005	55	36	199.9	28.15	0.03	
C1	2.2	0.4	0.95	0.95	8	5.78	5.53	0.0175	150	15"	8.55	6.98	0.36	FLOW TO EXISTING GRATE INLET
D1	1.6	0.7	1.12	1.12	8	5.78	6.48	0.01	170	21"	18.1	6.7	0.35	
D2	1.2	0.7	1.19	3.65	8.7	5.57	22.98	0.15	60	24"	78.0	8.9	1.14	
D3	3.3	0.7	2.40	6.41	9.85	5.34	24.34	0.0049	400	30"	59.07	14.08	0.48	
E1	6.2	0.7	4.34	4.43	8	5.78	24.99	0.0012	165	30"	37.13	7.57	0.39	
E2	0.95	0.7	0.67	5.01	8.39	5.69	28.44	0.01	457	30"	41.07	6.53	0.93	
E3	5.8	0.7	4.06	4.06	8	5.78	8.86	0.015	150	18"	12.87	7.28	0.10	
E4	2.8	0.7	1.96	3.50	8.29	5.59	19.25	0.06	210	30"	100.47	20.47	0.17	
E5				8.51	9.47	5.17	43.92	0.01	210	36"	59.13	8.44	0.42	
E6	2.8	0.4	1.04	1.04	8	5.78	6.00	0.01	150	18"	19.02	9.64	0.31	
E7	3.7	0.7	2.59	17.14	9.98	5.36	65.25	0.01	385	42"	100.61	10.46	0.58	
E8	2.4	0.7	1.68	1.68	8	5.78	9.67	0.0026	270	18"	10.54	5.96	0.43	
E9	1.9	0.7	1.33	3.00	8.43	5.67	17.36	0.0016	160	21"	20.01	8.15	0.18	
E10	1.4	0.7	0.98	3.82	8.61	5.59	22.31	0.01	60	30"	41.07	8.36	0.16	
E10	2.4	0.7	1.68	1.68	8	5.78	9.67	0.0056	170	21"	12.27	6.10	0.33	
E11	3.6	0.7	2.52	2.52	8.33	5.49	13.79	0.022	140	30"	80.84	12.19	0.19	
E12	3.5	0.7	2.45	32.78	10.56	5.28	80.16	0.01	380	48"	143.84	11.43	0.55	
E13	3.4	0.7	2.38	25.18	11.11	5.18	130.39	0.06	150	48"	351.55	25.00	0.09	OUTLET TO DETENTION CELL
F1	2.9	0.7	2.03	2.03	9	5.91	12.0	0.015	230	18"	13.0	7.3	0.53	PINE LAKE ROAD ROW EST TC @ 8 MIN. INITIAL TIME PLUS 1 MIN. TRAVEL TIME IN PIPE
F2	2.8	0.7	1.75	1.75	8	6.13	10.7							OUTLET TO DETENTION CELL
G1	1.4	0.7	0.98	0.98	8	6.13	6.00	0.02	240	15"	9.2	7.4	0.54	
G2	1.4	0.7	0.98	1.96	8.5	6.00	11.78	0.025	90	18"	18.8	9.4	0.15	
G3	0.6	0.7	0.42	2.38	8.7	5.97	14.21	0.019	310	21"	19.0	8.1	0.64	
G4	1.8	0.7	1.26	3.64	9.1	5.83	21.20	0.01	345	24"	23.0	7.3	0.80	
G5	2.0	0.7	1.40	5.04	10.1	5.61	28.26	0.01	210	30"	64.0	13.1	0.29	
G5	1.2	0.7	0.84	7.91	8.5	6.00	47.50	0.012	85	36"	72.0	10.4	0.10	OUTLET TO DETENTION CELL
H1	1.3	0.7	0.91	0.91	8	6.13	5.58	0.05	215	15"	9.2	7.4	0.53	
H2	1.4	0.7	0.98	1.89	8.5	6.00	11.34	0.01	125	15"	11.5	9.2	0.23	
H3	0.8	0.7	0.56	2.45	8.7	5.97	14.63	0.024	170	18"	16.8	9.6	0.30	
H4	1.0	0.7	0.70	3.15	9.0	5.91	18.62	0.02	80	21"	22.3	8.3	0.11	OUTLET TO DETENTION CELL
I1	1.6	0.7	1.12	1.12	8	6.13	6.87							DIRECT DISCHARGE TO DET. CELL (OVERLAND FLOW)
I2	0.6	0.4	0.24	0.24	9.0	5.91	1.57							DETENTION CELL AREA
J1	5.5	0.7	3.85	3.85	9	5.91	22.75							27TH ST. ROW. EST TC @ 9 MIN. INITIAL TIME PLUS 1 MIN. TRAVEL TIME IN PIPE

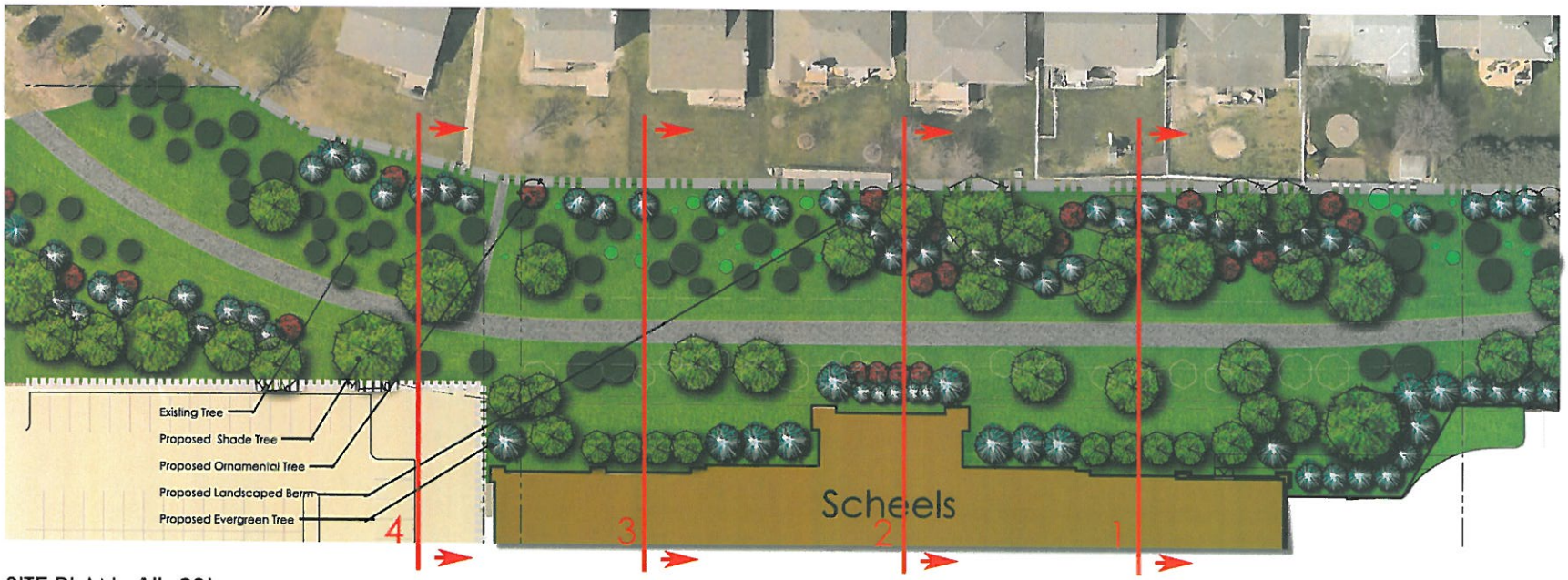
OLSSON ASSOCIATES
1111 Lincoln Mall, Suite 111
Lincoln, NE 68508
TEL 402 474 6311
www.olssonassociates.com

REVISIONS

NO.	DATE	REVISION DESCRIPTION

GRADING & DRAINAGE PLAN
AMENDMENT TO THE SOUTHRIDGE USE PERMIT
LINCOLN, NEBRASKA
2015

SHEET 3 of 3



SITE PLAN 1"=20'

LEGEND

- EXISTING TREE TO REMAIN
- EXISTING TREE TO BE RELOCATED
- EXISTING TREE TO BE REMOVED
- PROPOSED ORNAMENTAL TREE
- PROPOSED EVERGREEN TREE
- PROPOSED SHADE TREE

PLANT SCHEDULE

DECIDUOUS SHADE TREES - 2"-3" CAL.

SYCAMORE
RED OAK
WHITE OAK
SAWTOOTH OAK
SWAMP WHITE OAK

DECIDUOUS SHADE TREES - 3"-5" CAL.

FRONTIER ELM
SHAMROCK LINDEN
LEGACY SUGAR MAPLE
NORWAY MAPLE

DECIDUOUS ORNAMENTAL TREES - 2" CAL.

CENTURION CRABAPPLE
SNOW DRIFT CRABAPPLE
IVORY SILK TREE LILAC

EVERGREEN TREES - 16'-18' HT.

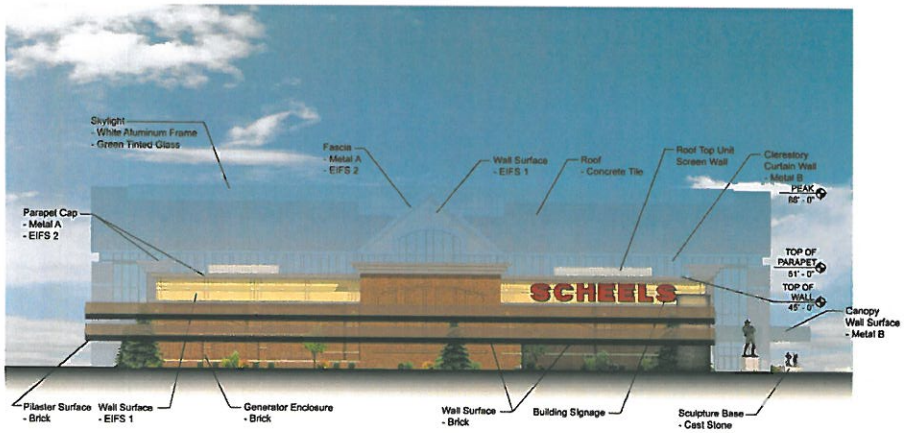
BLACK HILLS SPRUCE
COLORADO SPRUCE
VANDERWOLF PINE

Proposed SCHEELS Relocation
Lincoln, NE
12.04.15

OCHSNER HARE & HARE
a design studio of OLSSON ASSOCIATES

RED

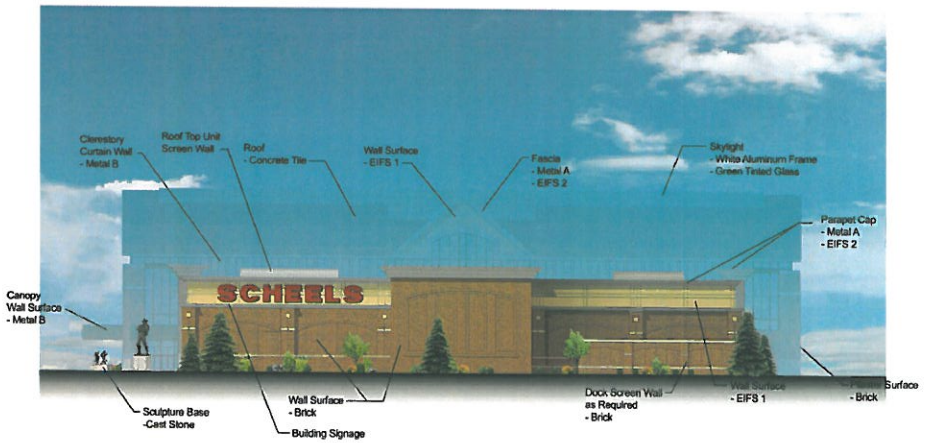
SOUTHPOINTE PAVILIONS



West Elevation

North Elevation

South Elevation



East Elevation

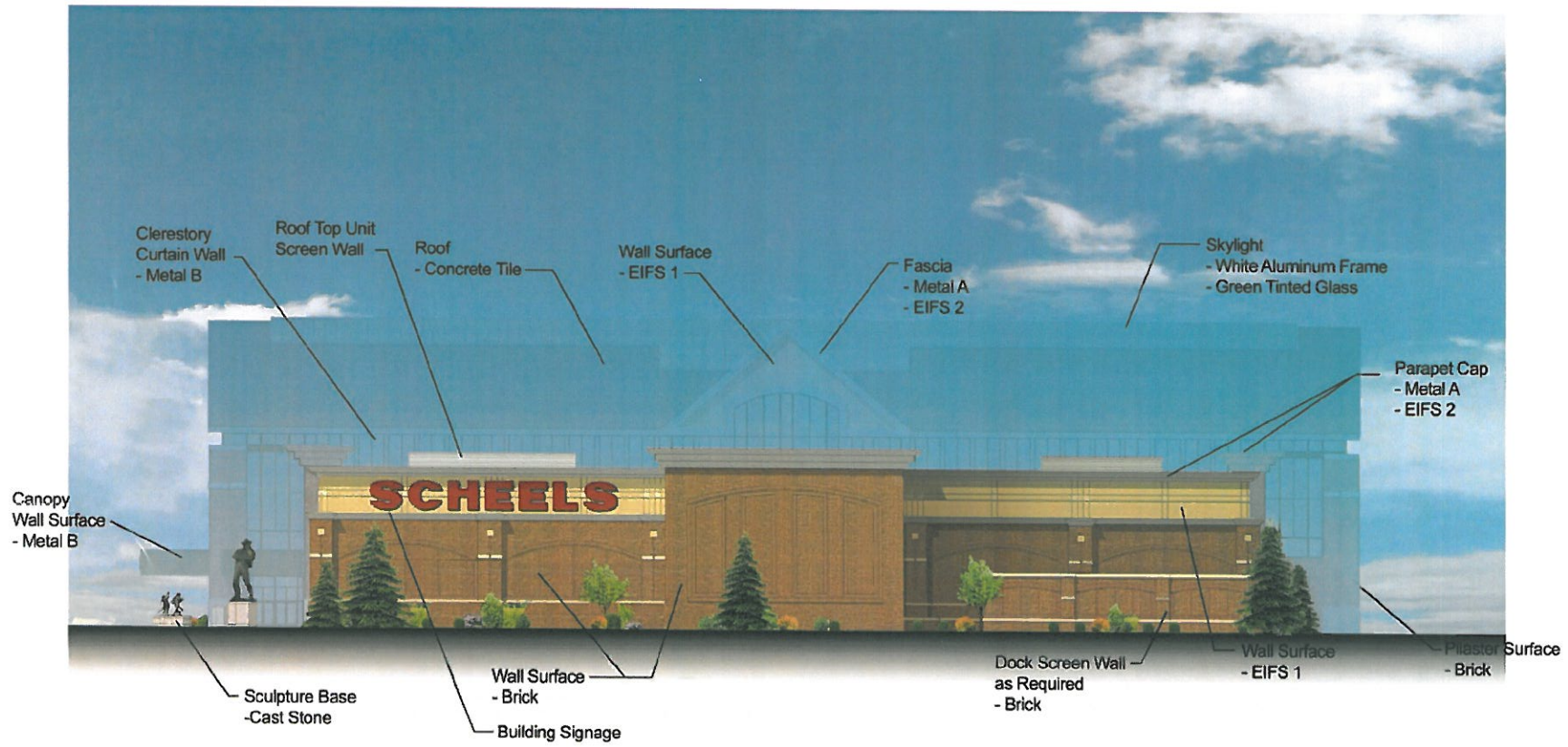
Proposed SCHEELS Relocation
Lincoln, NE
11.24.15

RED

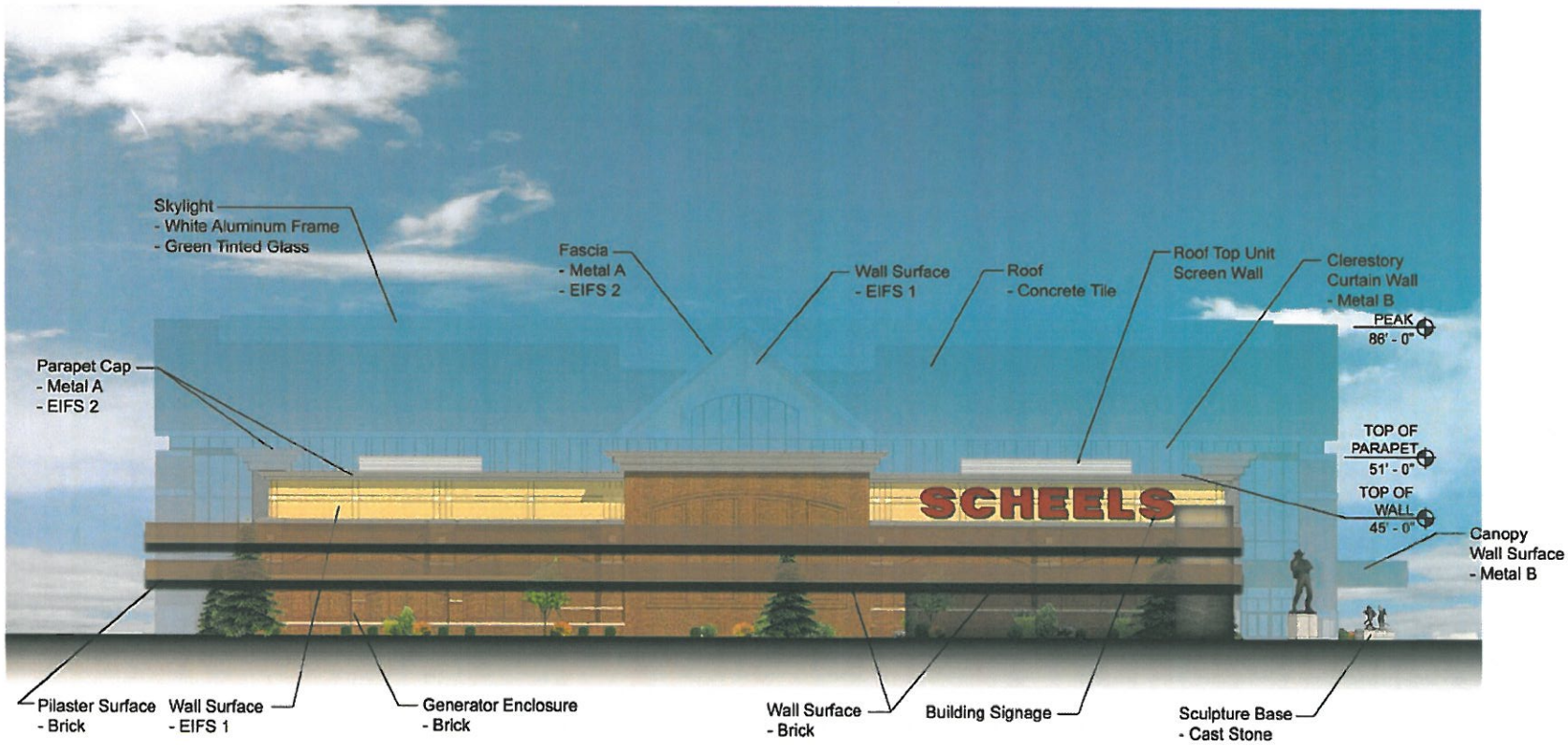
SOUTHPOINTE PAVILIONS

North Elevation

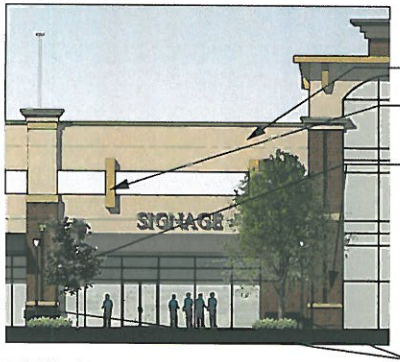
South Elevation



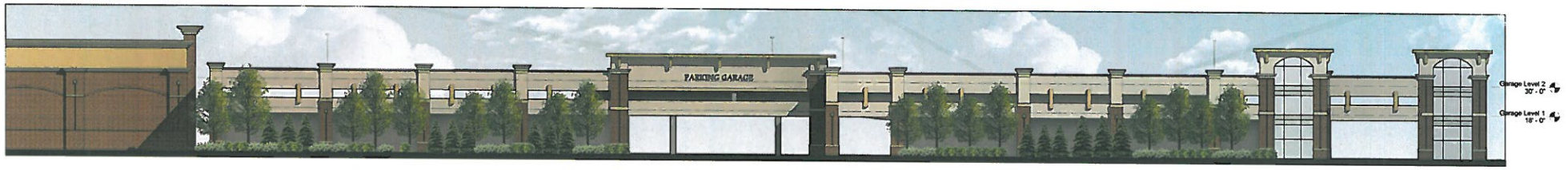
East Elevation



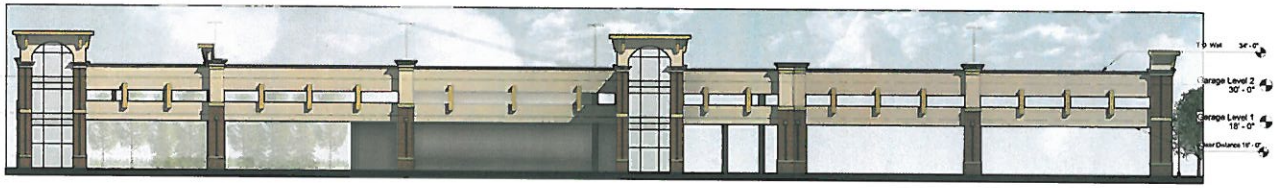
West Elevation



4 Elevation - Garage South Enlarged bay
1/8" = 1'-0"



3 Elevation - Garage North
1/16" = 1'-0"



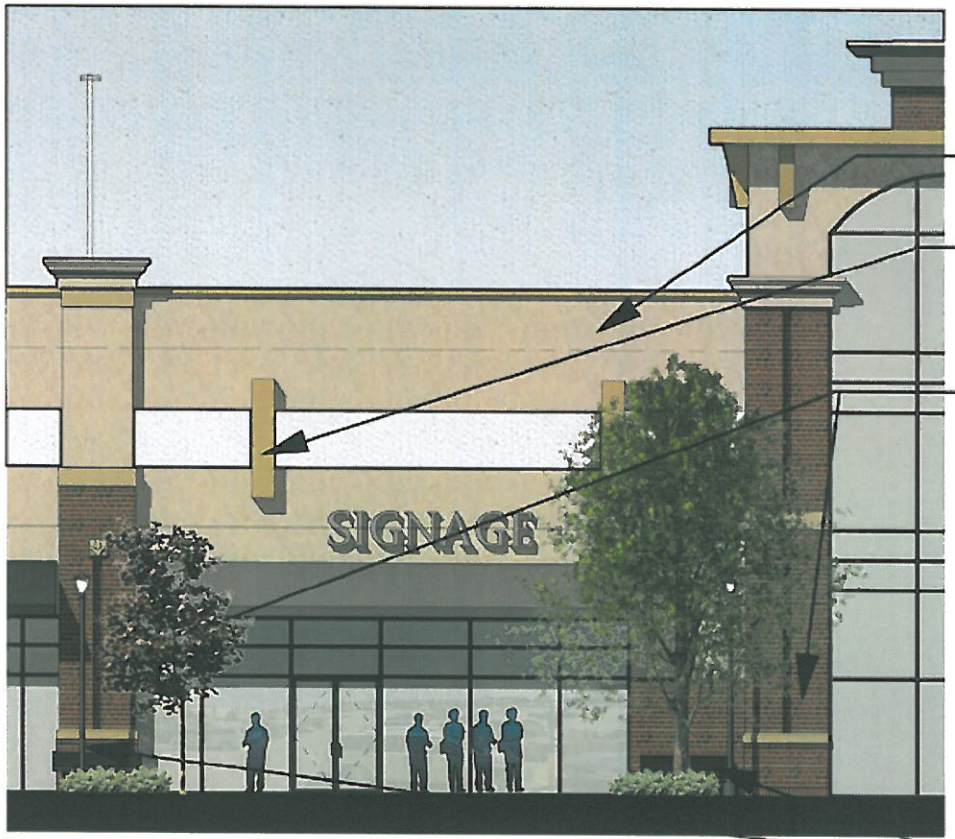
2 Elevation - Garage West
1/16" = 1'-0"

1 Elevation - Garage South
1/16" = 1'-0"

Proposed SCHEELS Relocation
Lincoln, NE
11.24.15

RED

SOUTHPOINTE PAVILIONS



Textured Paint to match
EIFS - Oyster Shell

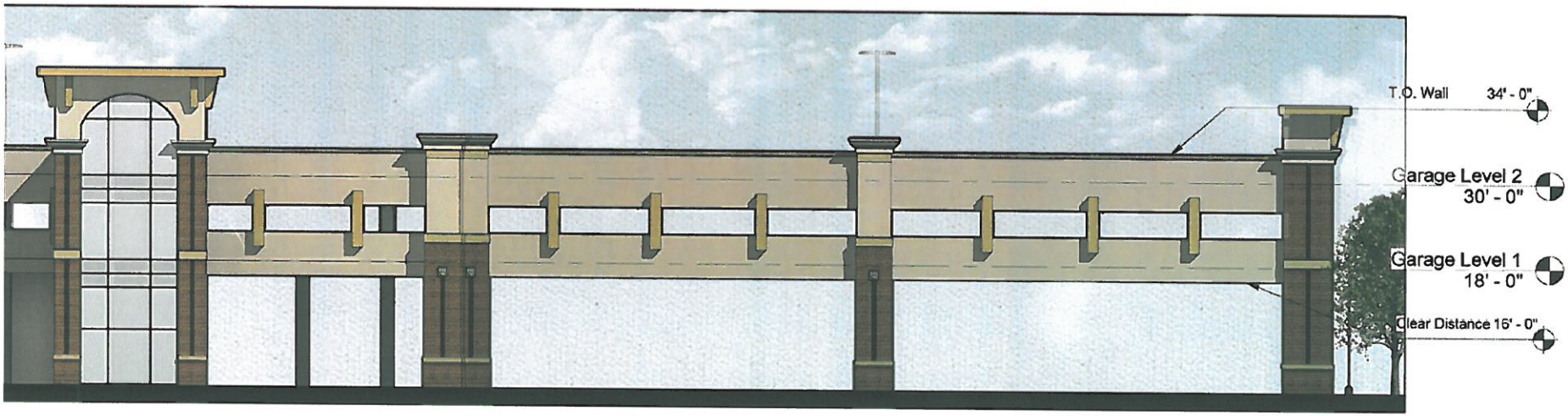
EIFS extrusions to match
EIFS - Manor White

Brick pilaster with
same brick, brick detailing
cast stone, quions and
EIFS cornice details as
found in shopping center

Light fixtures, benches and
other amenities to match
shopping center standards

4 Elevation - Garage South Enlarged bay
1/8" = 1'-0"

3 Elevation - Garage North
1/16" = 1'-0"



2 Elevation - Garage West
1/16" = 1'-0"

1 Elevation - Garage South
1/16" = 1'-0"

SEACREST & KALKOWSKI, PC, LLO

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TELEPHONE (402) 435-6000
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KENT SEACREST
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December 21, 2015

Mr. David Carey, Acting Director
Lincoln Lancaster Planning Department
County-City Building
555 South 10th Street, Suite 213
Lincoln, NE 68508

Re: Updated Letter; South Ridge Use Permit (SouthPointe Pavilions)
Amendment to the Combined Use Permit / Special Permit #11F

Dear Mr. Carey:

Our law firm represents RED Capital Management LLC ("**RED**"), who is the owner of the western portion of SouthPointe Pavilions shopping center. RED has been working closely with Scheels All Sports, Inc. ("**Scheels**") and Powder Mountain LLC who is the current owner of the eastern portion of SouthPointe Pavilions in a proposed reconfiguration of SouthPointe Pavilions. One of the largest components will be a new Scheels 220,000 square foot store that will replace its current store. We are requesting an Amendment to the Use Permit / Special Permit #11F ("**Use Permit Amendment**") to implement the new configuration of SouthPointe Pavilions in the B-5 Planned Regional Business District.

1. SouthPointe Pavilions Modifications: The project area is not seeking any rezoning. The Use Permit Amendment seeks to combine the B-5 and O-3 retail and office areas comprising the northeast corner of the Southridge Use Permit ("**SouthPointe Pavilions**"). The major rehabilitation of SouthPointe Pavilions will be implemented in phases. Attached, please find maps showing seven proposed phases. The key sequence includes the following:

- Relocation of tenants (Michaels, Dressbarn, and Famous Footwear), Spring 2016-Fall 2016;
- Demolition of Food Court, Michaels, Famous Footwear, Dressbarn and Austad's buildings, Spring 2016-Fall 2016;
- Construction of a new Scheels store (220,000 SF), Fall 2016 - Fall 2018, modeled after the Overland Park, Kansas store that opened in June;
- Demolition of existing Scheels store and construction of new surface parking lots, Fall 2018-Spring 2019;

- Construction of a new two level Parking Deck (314 stalls at grade, 700 stalls two levels above grade), Spring 2019-Fall 2019; and
- Construction of 20,000 square feet of retail spaces located on the southern street level of the Parking Deck (Fall 2019-Fall 2020).

2. Use Permit/Special Permit Modifications: The Use Permit / Special Permit plans have been revised to remove the other three corners from the plan set. These three corners have been developed under separate Use Permits / Special Permits and are therefore redundant to this plan set.

SouthPointe Pavilions is currently approved for 730,000 square feet of Floor Area. Currently 670,978 square feet is occupied space at SouthPointe Pavilions. We propose to increase the allowable buildable area to 820,000 square feet. This is a 12% increase in usable area for the shopping center.

The original traffic study for the 27th & Pine Lake four corner development projected a maximum Rush Hour (4-6 PM) trip cap of 3,995 trips for the SouthPointe Pavilions corner. Accordingly, SouthPointe Pavilions was permitted for a maximum of 3,995 Rush Hour (4-6 PM) trips and the original developers of the four corners contributed to the construction of the required and constructed S. 27th and Pine Lake roadway improvements. The proposed 820,000 square feet is projected to generate 3,970 trips which is still under the approved 3,995 original Trip Cap.

The Use Permit Amendment plans have also been revised to reflect the following changes:

- Lot 8 is being reduced in size to only include the eastern building.
- Lot 16 is being created to accommodate the new 220,000 SF Scheels building.
- Lot 17 and Outlot "B" are being created to accommodate a 2 level Parking Deck and 20,000 SF associated Retail building.
- Lot 6 is the Foodcourt building lot. This building is planned for demolition, it will now accommodate a 21,400 SF Retail building.
- Perimeter setbacks along Pine Lake Road and South 32nd Street are being reduced from 40 feet to 20 feet to meet the current B-5 setback standard.
- An additional access off 32nd Street is being requested to facilitate truck access to Lots 8 and 16.
- Additional sidewalks are shown to be constructed to enhance the pedestrian access within the shopping center. The orientation of the new Scheels and the 20,000 SF of new retail under the Parking Deck opens up the shopping center and provides a quality pedestrian connection between the SouthPointe Pavilions' courtyard and the eastern buildings.

Lots 6, 16, 17 and Outlots "B" and "E" will be subject to the new Post Construction Stormwater Management requirements as a redevelopment land development project. A basic description of the intent for water quality treatment has been provided, however, specific details will be provided with the individual building permit submittals.

3. Requested Modifications: The Use Permit Amendment includes the following three modifications or waivers to Title 27 of the Lincoln Municipal Code and Design Standards:

A. Title 27 – Section 27.67.020 -- A waiver to the parking standards for B-5 Planned Regional Business District and O-3 Office Park District to allow one overall parking stall ratio of 1 stall per 300 square feet of building area for all lots included within the Use Permit / Special Permit. The existing B-5 parking standard for the movie theater would remain unchanged and still provide one space/50 sq. ft. of seating area plus parking for affiliated uses within 300 ft. of the main use.

- The City has granted this same modification to the B-5 zoned areas of Edgewood and East Park Plaza.
- The reduced parking standard will allow SouthPointe Pavilions to meet the required parking standards during the construction phases.
- During non-construction periods, SouthPointe's private parking requirements are much higher to accommodate parking demand during the busier shopping days.

B. Title 27 – Section 27.72.030(a) – To allow height limitations to 73' for buildings on Lots 16 to accommodate Scheels' two architectural gable atriums.

- The existing Use Permit allows a 60 feet setback for portions of the west side of the shopping center and 40 feet setback for the balance. RED seeks a height increase to 73 feet on Lot 16 to allow the architectural building atrium for Scheels' new flagship store. The atrium accommodates many large features, including a 65 feet high Ferris wheel.
- Scheels has stated that its new flagship store requires the shown height and Scheels has stated it will not be able to reduce the height of the two architectural gable atriums.
- During pre-submittal meetings with City Staff, we were asked whether the Scheels 220,000 SF building could be relocated further from the Southern Hill's neighborhood to three more interior locations. We submitted to the Planning Department the alternative locations with explanations why each alternative was unattainable or impracticable.
- Very soon SouthPointe Pavilions will be celebrating its 20th anniversary. This important project is a major renovation and reinvestment of $103 million to help insure that SouthPointe Pavilions and the surrounding neighborhoods remain healthy for the next twenty years and beyond. Like homes, shopping centers need to be updated and improved periodically to meet new lifestyle changes and help avoid degradation of property values. It is in everyone's interest to ensure that SouthPointe Pavilions remains Lincoln's quality shopping center and the surrounding neighborhoods remain strong, while enjoying the nearby improved shopping center amenities. The implementation of the new Scheels store is the linchpin in ensuring

that SouthPointe and the surrounding neighborhoods do not see degradation that is happening to many older shopping center areas in the nation.

C. Title 27 – Section 27.72.030(a) – To allow height limitations to 45' on Lot 17 & Outlot 'A' to permit architectural building features on the Parking Deck and light poles.

- The existing Use Permit allows a 60 feet setback for portions of the west side of the shopping center and 40 feet setback for the balance. RED seeks a height increase to permit the architectural features of the Parking Deck.
- City Building and Safety interprets light pole fixtures on top of the Parking Deck to need to meet height restrictions.
- RED has increased the available building footprint in order to reduce the potential height of the Parking Deck.
- During pre-submittal meetings with City Staff, we were asked whether the Scheels 220,000 SF building and Parking Deck could be relocated further from the Southern Hill's neighborhood. We submitted to the Planning Department the alternative locations with explanations why each alternative was unattainable or impracticable.
- The implementation of the new Scheels store requires the accompanying Parking Deck. The new Scheels store, other related building improvements and Parking Deck are necessary to ensuring that SouthPointe and the surrounding neighborhoods do not see future reduction of property values. Without periodical improvements and updates to a shopping center, surrounding business and residential environs can degrade in value and quality.

D. Title 2 – Chapter 2.25 of the City Design Standards – To allow horizontal curves for the private roadway to be less than 150'.

- The reconfigured "Loop Road" is a private roadway and the horizontal geometrics of the roadway require curves less than 150' north and south of the proposed Parking Deck.

3. Submittal Materials as Part of the Application: The following documents are submitted as part of this Application:

A. City Application Form for Use Permit / Special Permit Amendment
B. Application fee in the amount of $3,792
C. 1 – 8 1/2 x 11 Use Permit / Special Permit plan set (3 sheets)
D. Site Plan, General Note Plan, & Grading/Drainage Plan
E. Water quality improvement memorandum
F. 1 set of Construction Phasing exhibits (7 sheets)
G. Neighborhood notification letter
H. Building and parking deck elevations
I. Landscape screening plan

4. Submittal Materials for Information Purposes Only: The following documents are submitted for information purposes only:

A. Proposed Scheels Relocation Site Plan

B. Exterior and interior pictures from a similar 220,000 SF Scheels store in Overland Park, Kansas
C. Landscape screening elevations (Section 1 through4)

Mark Palmer with Olsson Associates will upload the necessary submittal documents (#3, #4 and #5 above) into ProjectDox once notified. In the near future, we will also be submitting to the Planning Department a final plat to reflect the new lot lays and easements as shown on the Use Permit Amendment.

4. Neighborhood and City Review: On December 8th, RED and Scheels held a neighborhood meeting at Scott Middle School with the surrounding neighborhoods and other interested stakeholders. At the neighborhood meeting, we reviewed the proposed reconfiguration of SouthPointe Pavilions, including the proposed waivers, parking, lighting, landscaping buffering, bus stop and screening of the Scheels' dock and dumpsters. We also will review the meeting participants' comments with City Staff next week and will make the necessary changes accordingly.

The current Use Permit requires any amendment to be submitted to the President of the Southern Hills Neighborhood Association for distribution to any interested members of the Association. By way of this letter, we are sending a copy of this letter, application and related plan submittal materials to Phil White, President, Southern Hills Neighborhood Association. Mr. White reported last night that the Association was inactive.

We have had several pre-submittal meetings with the City Administration to improve this exciting economic development project and reduce its negative attributes. We appreciate the City's staff suggestions and modifications. We look forward to continuing to work with the neighborhood, stakeholders and the City as the process moves through the review and approval stages.

Very truly yours,

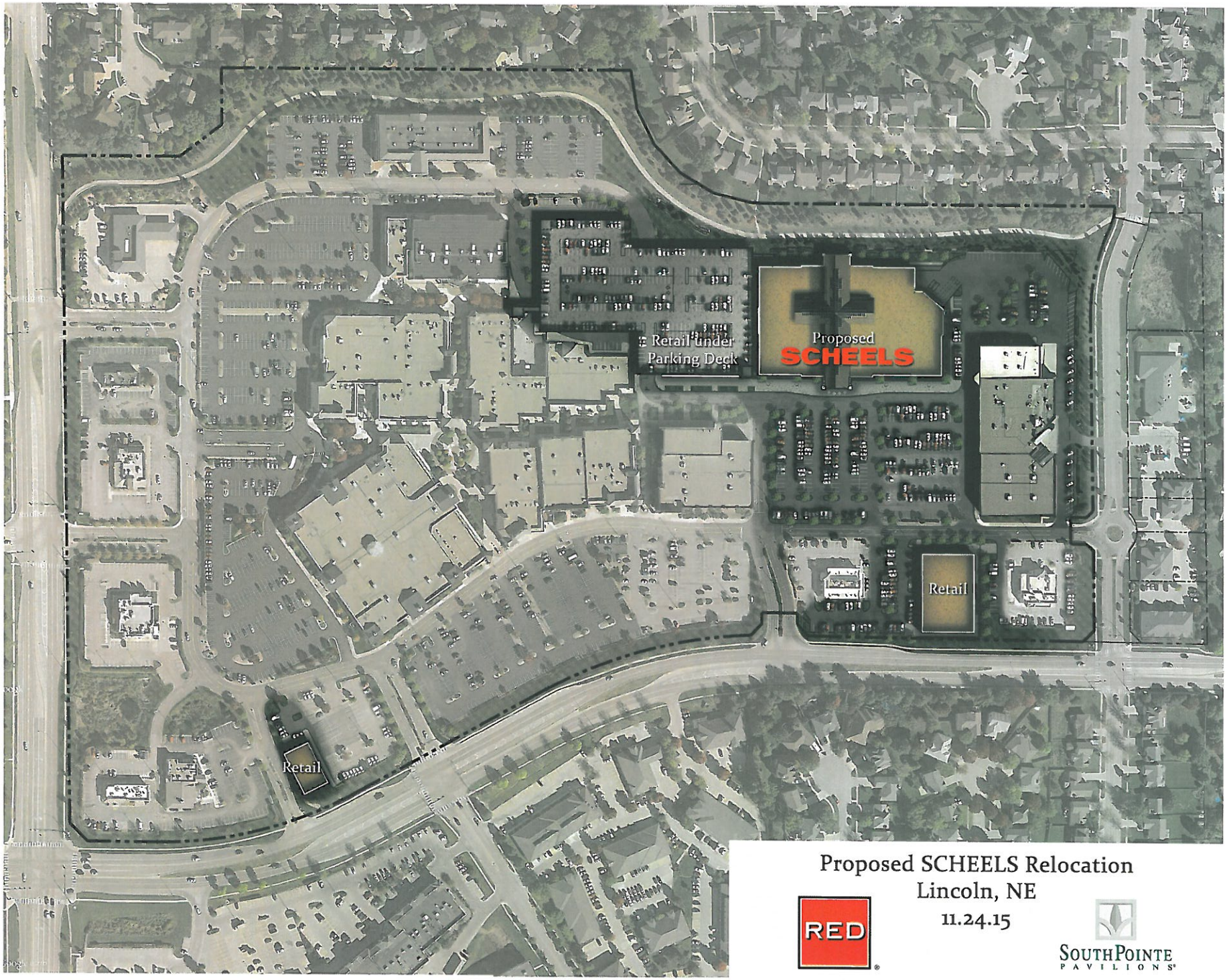
Kent

KENT SEACREST
For the Firm

Enclosures

cc: Councilmember Jon Camp
Councilmember Jane Raybould
Phil White, President, Southern Hills Neighborhood Association
(2815 Laredo Drive, Lincoln, NE 68516)
Mike Lang, Economic Development Aid to Mayor Beutler
David Landis, Urban Development Department

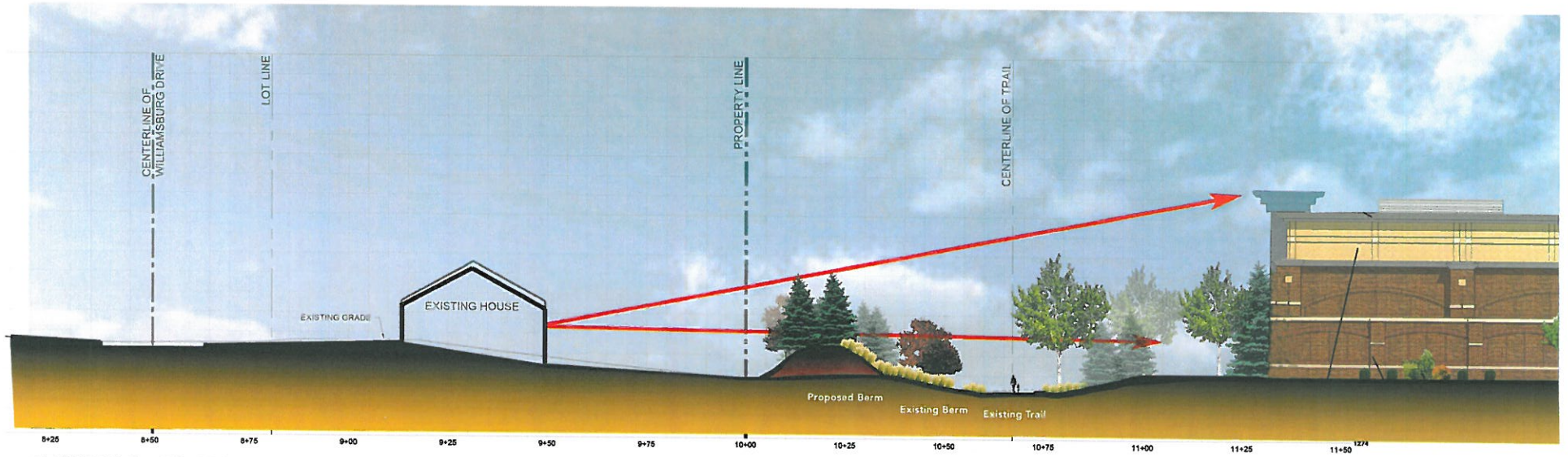
Dallas McGee, Urban Development Department
Steve Henrichsen, Planning Department
Rachel Jones, Planning Department
Bill Nelson, Scheels All Sports, Inc.
Louie Sikich, Scheels All Sports, Inc.
Jeff McMahon, RED Capital Management LLC
Jeff Gierhan, RED Capital Management LLC
Julie Lattimer, RED Capital Management LLC
Dr. Greg and Dr. Margaret Sutton
Kent Thompson, Powder Mountain LLC
Rick Krueger, Powder Mountain LLC
Michael D. Weatherl, Powder Mountain LLC
Mark Palmer, Olsson Associates



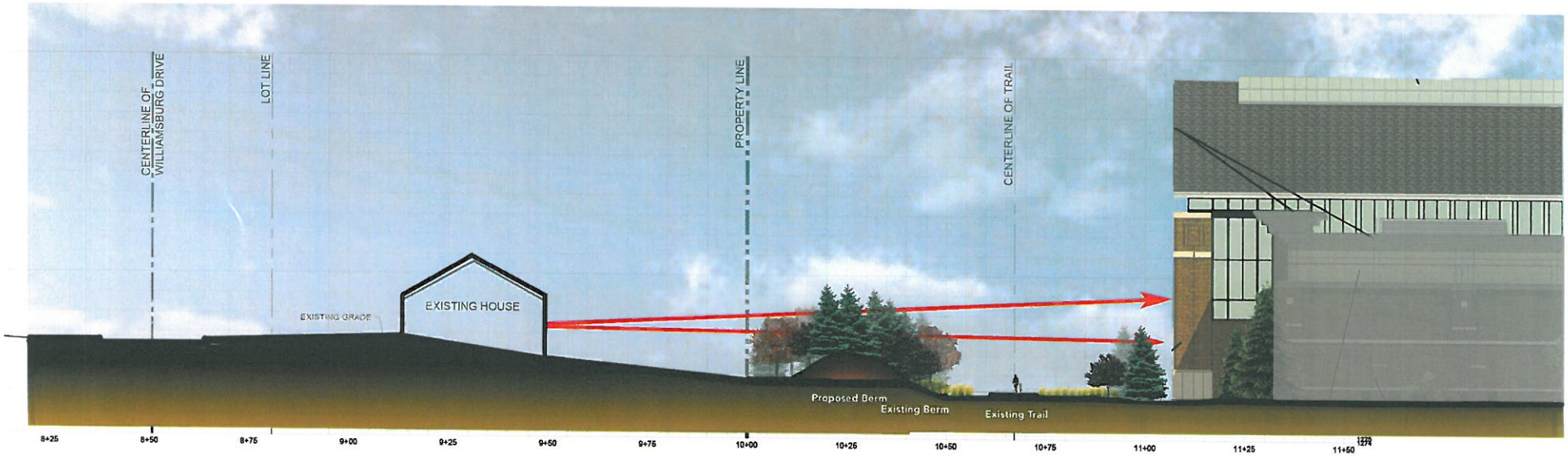
Proposed SCHEELS Relocation
Lincoln, NE
11.24.15

RED

SOUTHPOINTE PAVILIONS



SECTION 1 1"=10'



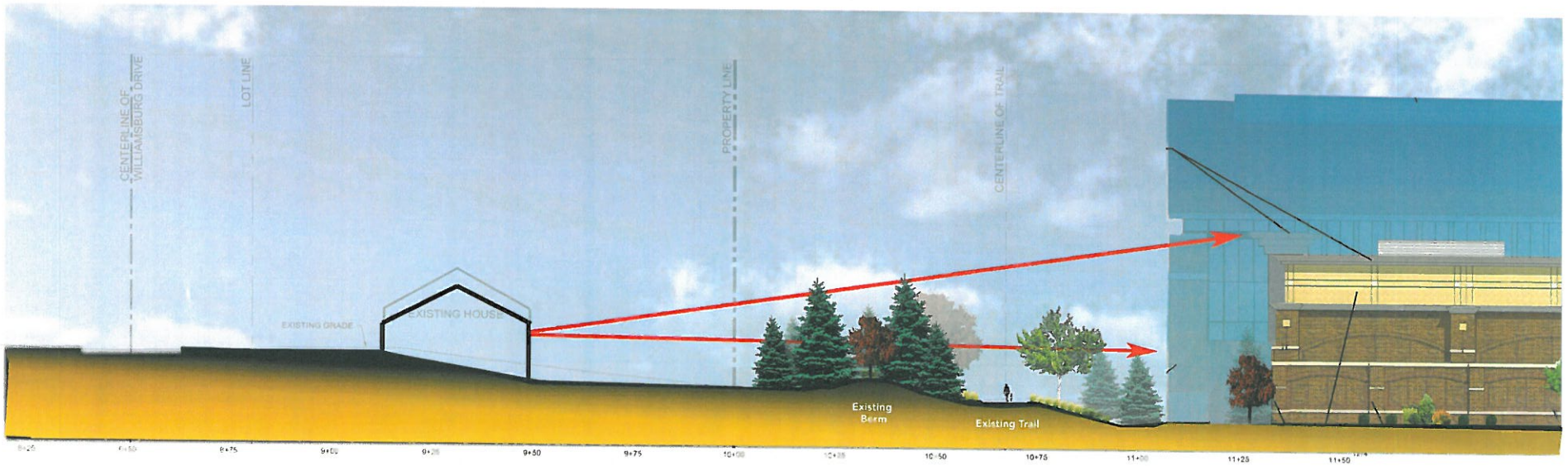
SECTION 2 1"=10'

Proposed SCHEELS Relocation
Lincoln, NE
12.04.15

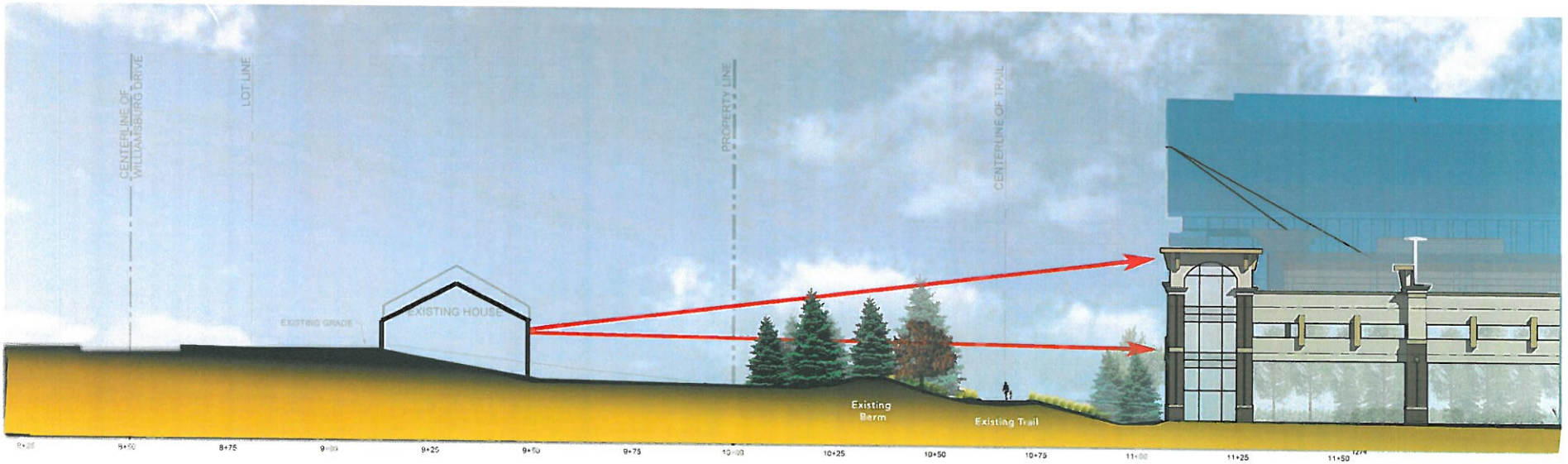
OCHSNER HARE & HARE
a design studio of OLSSON ASSOCIATES

RED

SOUTHPOINTE PAVILIONS



SECTION 3 1"=10'



SECTION 4 1"=10'

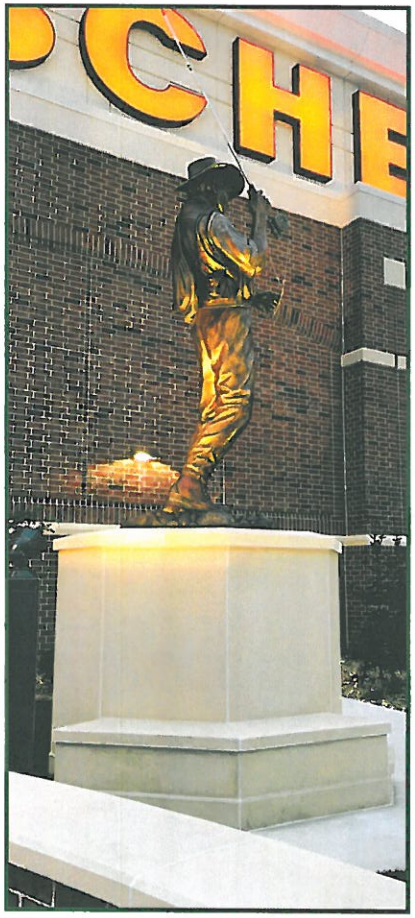
Proposed SCHEELS Relocation
Lincoln, NE
12.04.15

OCHSNER HARE & HARE
a design studio of OLSSON ASSOCIATES

RED

SOUTHPOINTE PAVILIONS

Exterior Photos - Overland Park, KS

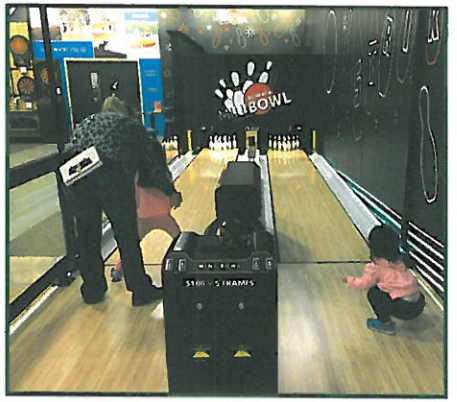


Proposed SCHEELS Relocation
Lincoln, NE
11.24.15

RED

SOUTHPOINTE PAVILIONS

Interior Photos - Overland Park, KS



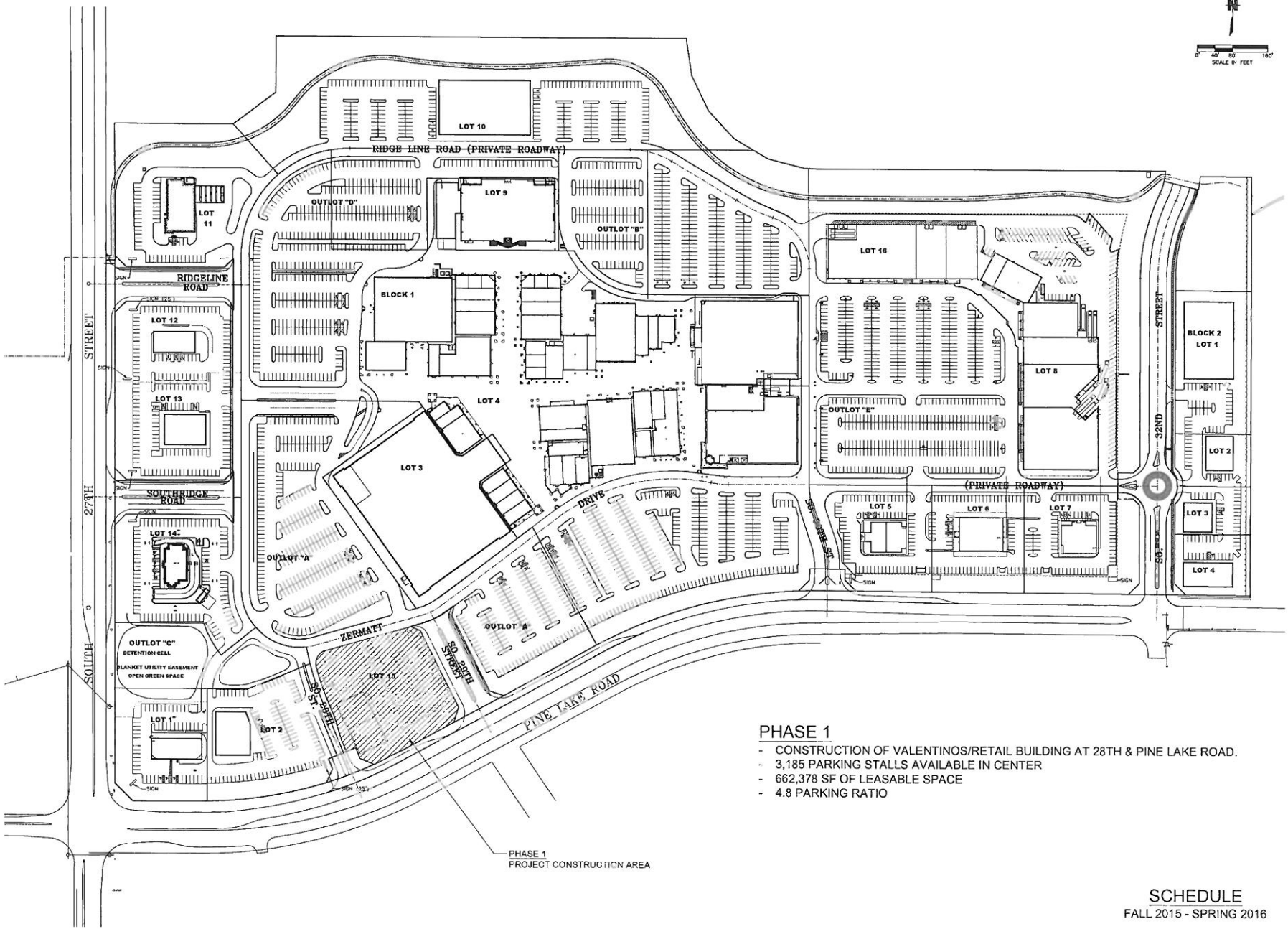
Proposed SCHEELS Relocation
Lincoln, NE
11.24.15

RED

SOUTHPOINTE PAVILIONS

SOUTHPOINTE SCHEELS EXPANSION

PHASE 1



PHASE 1

- CONSTRUCTION OF VALENTINOS/RETAIL BUILDING AT 28TH & PINE LAKE ROAD.
- 3,185 PARKING STALLS AVAILABLE IN CENTER
- 662,378 SF OF LEASABLE SPACE
- 4.8 PARKING RATIO

SCHEDULE

FALL 2015 - SPRING 2016

OLSSON ASSOCIATES

REVISIONS

PHASE 1

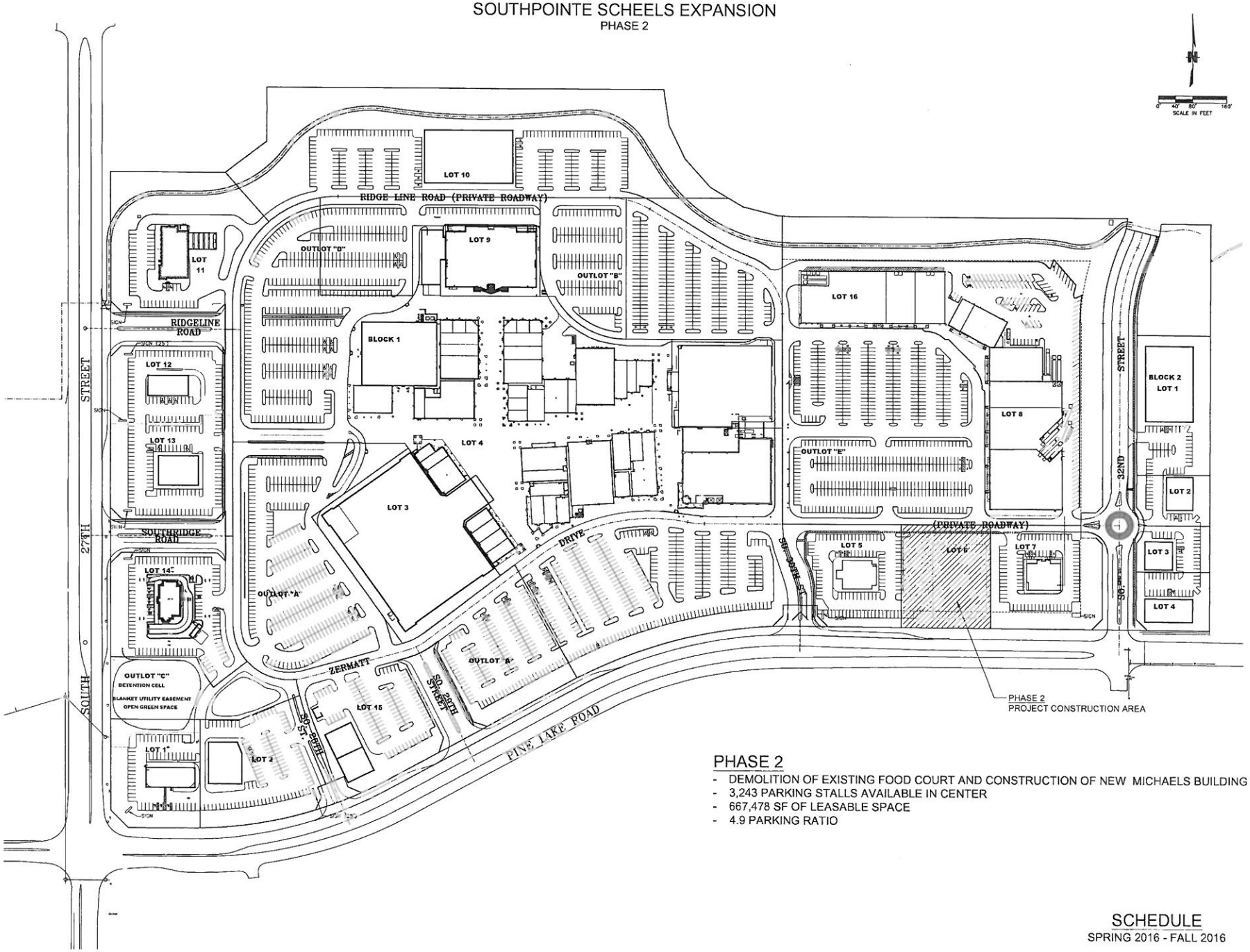
SOUTHPOINTE SCHEELS EXPANSION

LINCOLN, NEBRASKA

2015

SHEET 1 of 7

SOUTHPOINTE SCHEELS EXPANSION
PHASE 2



PHASE 2

- DEMOLITION OF EXISTING FOOD COURT AND CONSTRUCTION OF NEW MICHAELS BUILDING
- 3,243 PARKING STALLS AVAILABLE IN CENTER
- 667,478 SF OF LEASABLE SPACE
- 4.9 PARKING RATIO

SCHEDULE

SPRING 2016 - FALL 2016

OLSSON ASSOCIATES

REVISIONS

PHASE 2

SOUTHPOINTE SCHEELS EXPANSION

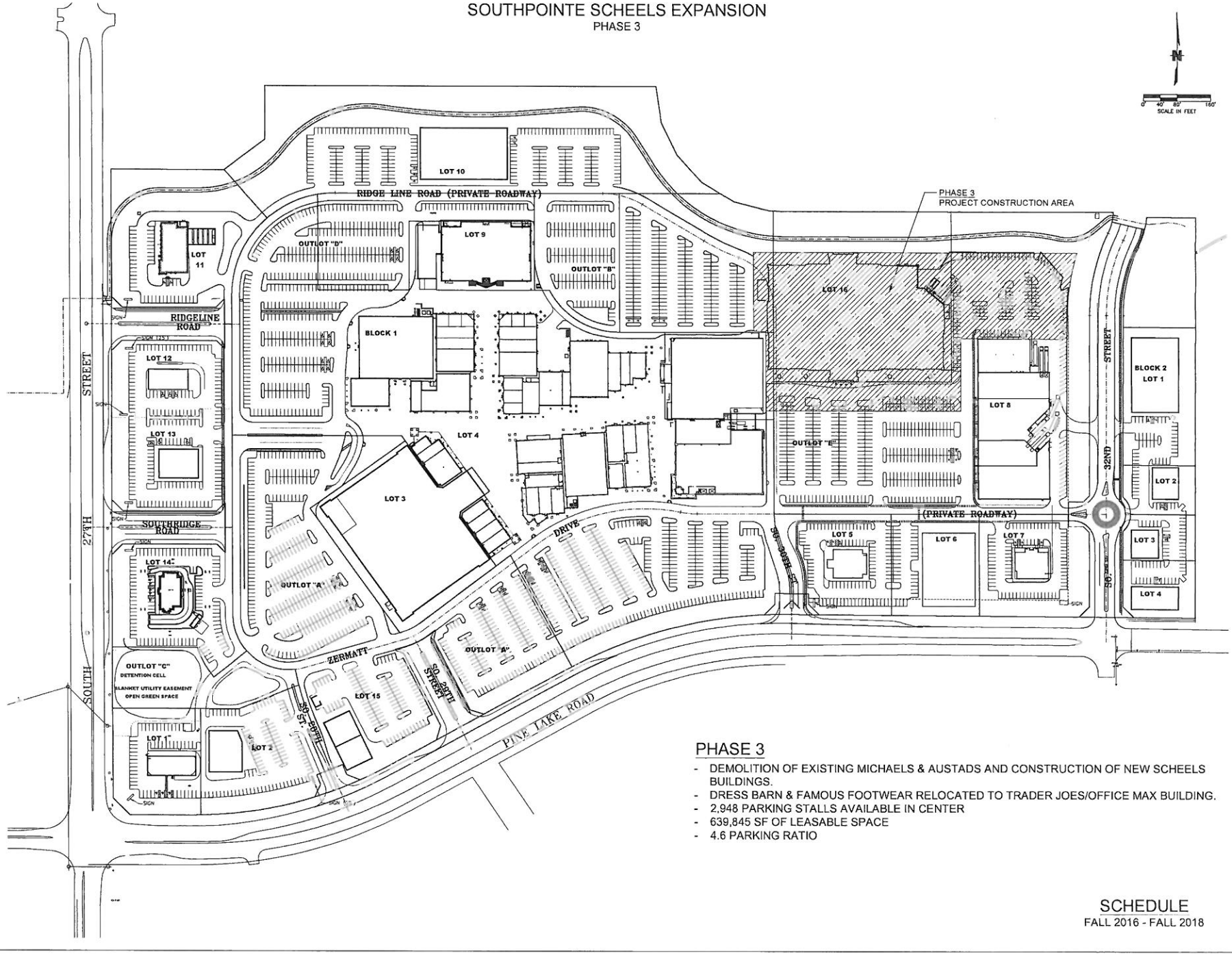
LINCOLN, NEBRASKA

2015

SHEET 2 of 7

SOUTHPOINTE SCHEELS EXPANSION

PHASE 3



PHASE 3

- DEMOLITION OF EXISTING MICHAELS & AUSTADS AND CONSTRUCTION OF NEW SCHEELS BUILDINGS.
- DRESS BARN & FAMOUS FOOTWEAR RELOCATED TO TRADER JOES/OFFICE MAX BUILDING.
- 2,948 PARKING STALLS AVAILABLE IN CENTER
- 639,845 SF OF LEASABLE SPACE
- 4.6 PARKING RATIO

SCHEDULE

FALL 2016 - FALL 2018

OLSSON ASSOCIATES

REVISIONS

PHASE 3

SOUTHPOINTE SCHEELS EXPANSION

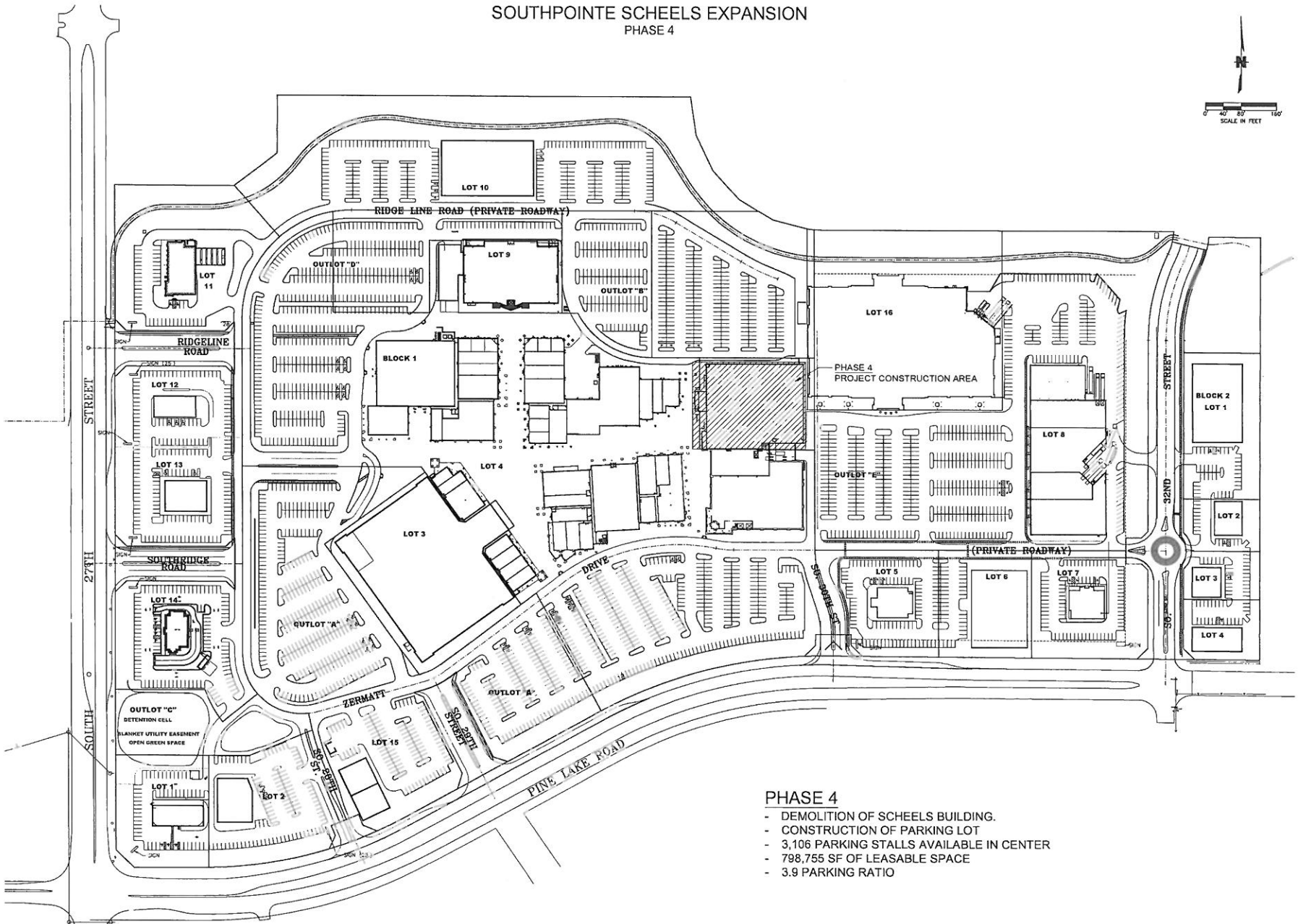
LINCOLN, NEBRASKA

2015

SHEET 3 of 6

SOUTHPOINTE SCHEELS EXPANSION

PHASE 4



PHASE 4

- DEMOLITION OF SCHEELS BUILDING.
- CONSTRUCTION OF PARKING LOT
- 3,106 PARKING STALLS AVAILABLE IN CENTER
- 798,755 SF OF LEASABLE SPACE
- 3.9 PARKING RATIO

SCHEDULE

FALL 2018 - SPRING 2019

OLSSON ASSOCIATES

REVISIONS

PHASE 4

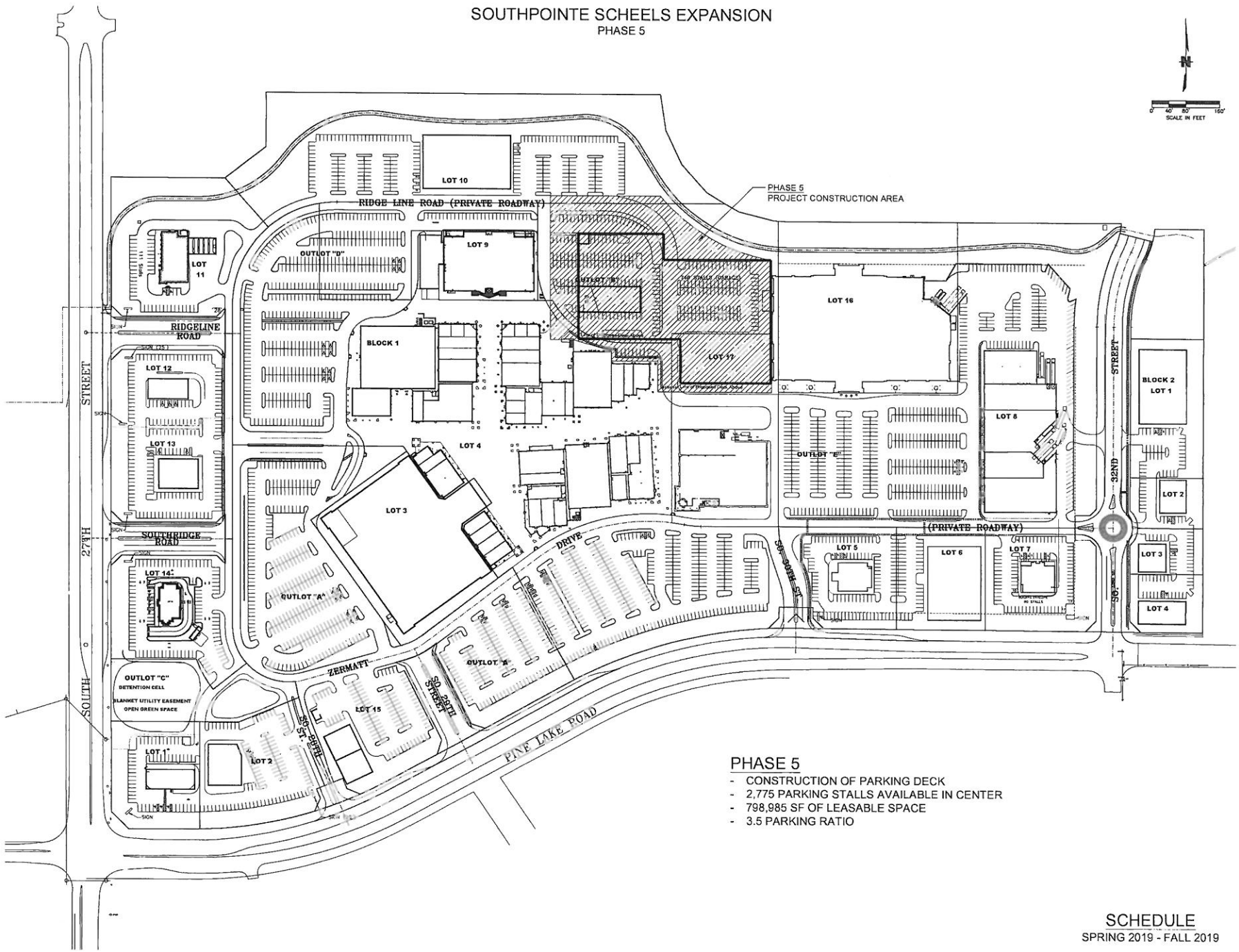
SOUTHPOINTE SCHEELS EXPANSION

LINCOLN, NEBRASKA

2015

SHEET 4 of 7

SOUTHPOINTE SCHEELS EXPANSION
PHASE 5



PHASE 5
- CONSTRUCTION OF PARKING DECK
- 2,775 PARKING STALLS AVAILABLE IN CENTER
- 798,985 SF OF LEASABLE SPACE
- 3.5 PARKING RATIO

SCHEDULE
SPRING 2019 - FALL 2019

OLSSON ASSOCIATES

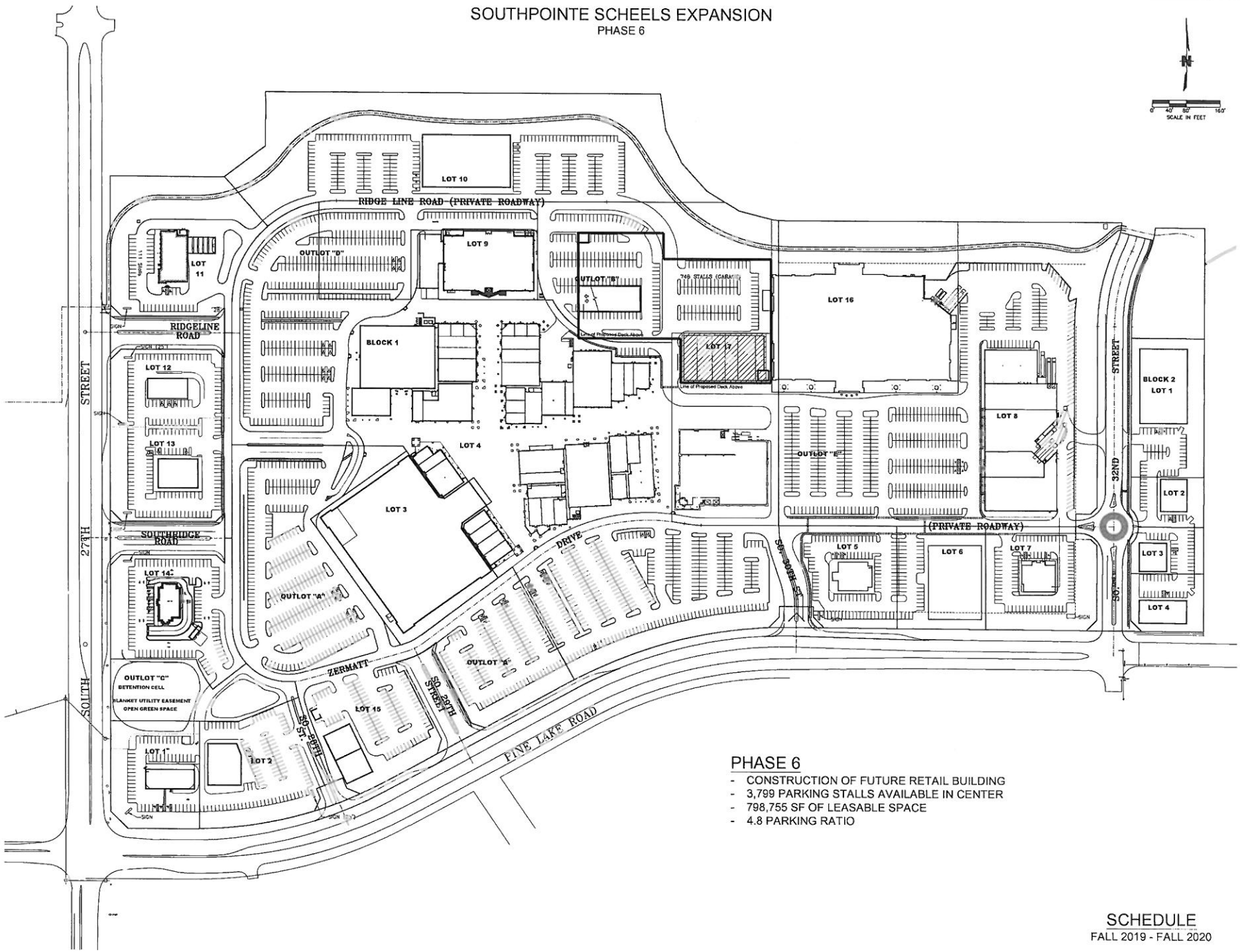
REVISIONS

PHASE 5
SOUTHPOINTE SCHEELS EXPANSION
2015
LINCOLN, NEBRASKA

SHEET
5 of 7

SOUTHPOINTE SCHEELS EXPANSION

PHASE 6



PHASE 6

- CONSTRUCTION OF FUTURE RETAIL BUILDING
- 3,799 PARKING STALLS AVAILABLE IN CENTER
- 798,755 SF OF LEASABLE SPACE
- 4.8 PARKING RATIO

SCHEDULE

FALL 2019 - FALL 2020

OLSSON ASSOCIATES

REVISIONS

PHASE 6

SOUTHPOINTE SCHEELS EXPANSION

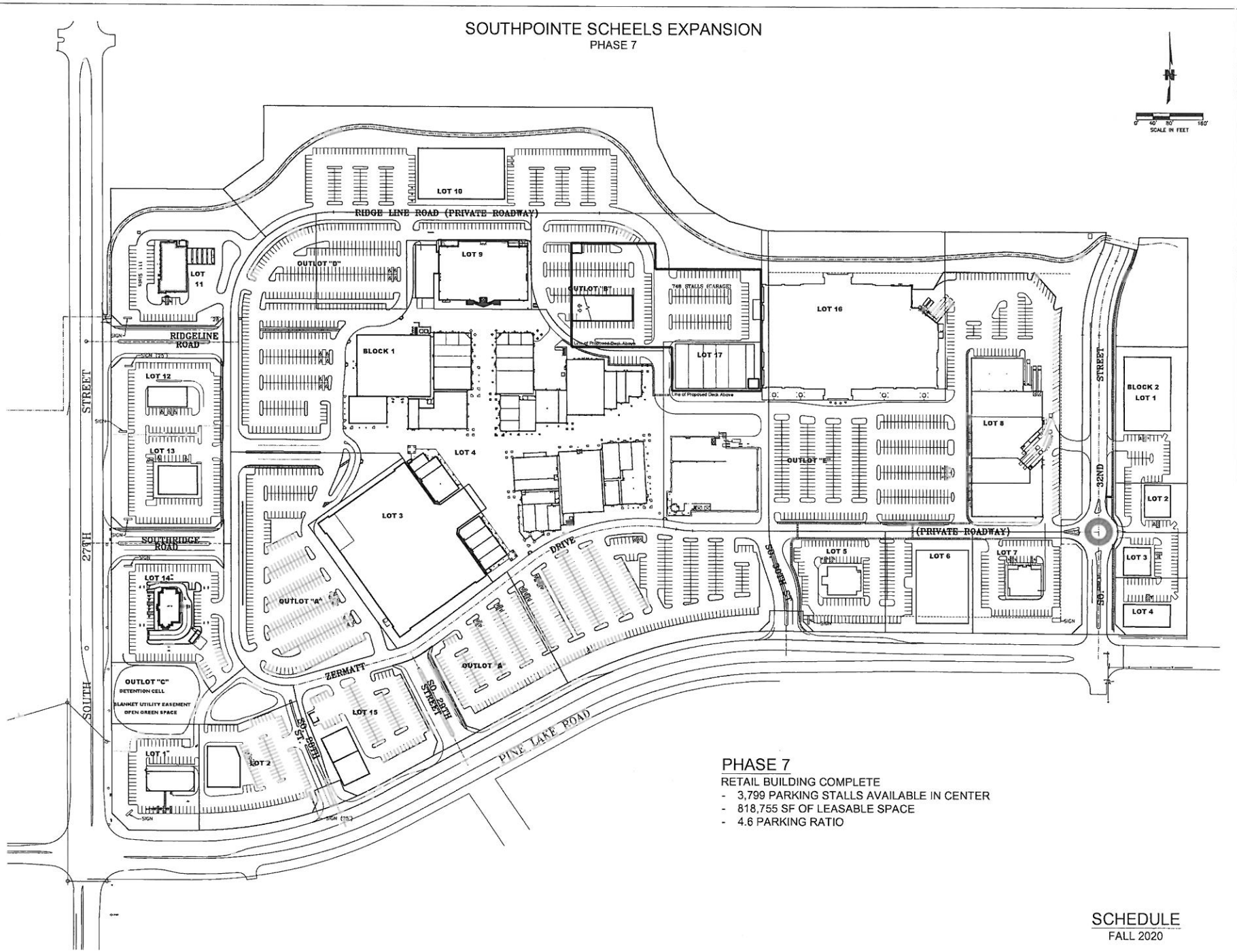
LINCOLN, NEBRASKA

2015

SHEET 6 of 7

SOUTHPOINTE SCHEELS EXPANSION

PHASE 7



PHASE 7

RETAIL BUILDING COMPLETE

- 3,799 PARKING STALLS AVAILABLE IN CENTER
- 818,755 SF OF LEASABLE SPACE
- 4.6 PARKING RATIO

SCHEDULE

FALL 2020

OLSSON ASSOCIATES

REVISIONS

PHASE 7

SOUTHPOINTE SCHEELS EXPANSION

2015

LINCOLN, NEBRASKA

SHEET 7 of 7

Current Project - Agency Review Report

Agency Name	User Name	Review Cycle	Review Status	Comments	Assignment
Building & Safety	christy eichorn	1	Corrections Required	See markups AND There does not appear to be a reason to distinguish between "retail" and "restaurant" on this site plan since the parking requirement will all be 1/300. Lots east of S. 32nd street should all be labeled O-3 rather than "office". Clarify if the pad sites are to meet their own parking requirements. Show a total for lots and outlots reserved for common parking and access. Please clarify that the signs will be per the B-5 and O-3 and supersede any precious sign requirements.	First In Group
City Recycling Office	gene hanlon	1	In Review	Is it possible to request that they prepare a construction waste management plan which reduces the amount of construction and demolition waste they send to the landfill? If the City is contributing any TIF financing or public funding to this project this might be a reasonable request.	Individual
County Health	chris schroeder	1	Recommend Approval	During the construction process, the land owner(s) will be responsible for controlling off-site dust emissions in accordance with Lincoln-Lancaster County Air Pollution Regulations and Standards Article 2 Section 32. Dust control measures shall include, but not limited to application of water to roads, driveways, parking lots on site, site frontage and any adjacent business or residential frontage. Planting and maintenance of ground cover will also be incorporated as necessary.	Individual
Development Review Manager	steve henrichsen	1	Corrections Required		Individual
Emergency Communications	Kelly Davila	1	Pending		Individual
Fire Department	patrick horer	1	Recommend	Lincoln Fire and Rescue recommends approval of this	Individual

Current Project - Agency Review Report

			Approval	application.	
LES	les reviews	1	Corrections Required	12/16/2015- Uploaded red line drawing into the miscellaneous documents folder. Comments were: 1) "Retain all existing easements as marked."- Jennifer Bangert. 2) "Retain easements as shown."- Steve Hanks -Sarah Ryan	First In Group
Lincoln Police Department	Lincoln Police Department	1	Pending		First In Group
Lower Platte South NRD	kyle hauschild	1	Recommend Approval		Individual
Parks & Recreation	Parks & Recreation	1	Pending		First In Group
Planning Dept	brenda thomas	1	No Review Required		First In Group
Public Works - Engineering Services	bob simmering	1	Recommend Approval	12-20. PW agrees with deviation requests on horizontal curve radius; posted speed on internal street is 15mph which would allow shortened radius. Neighborhood meeting raised questions on 4 traffic issues: speed on 32nd, roundabout at 32nd and Zermatt' 30th and Pine Lake, and 27th and Laredo. PW recommends approval with condition that developer participates with city in resolving these issues where appropriate.	First In Group
Public Works - Watershed Management	ben higgins	1	Corrections Required	- The redevelopment WQ Measures and the Southpointe Pavilion Detention Cell modifications report have some inconsistencies. Meeting being set up with OA to go over. - For the Redevelopment WQ Measures report: the WQCV in cubic feet is incorrect, should be 8,758 cubic feet - FYI, East pond is currently dysfunctional (debris, logs, erosion, separated joints, standing water) so will require extra surety (note: sureties will be required for both ponds). Owner (Silver Offices, LLC) aware of issue since November 2013 with latest letter request to fix sent out 12/10/15. - Insufficient information provided so may be additional comments with next review.	Individual
Public Works & Utilities - Wastewater	brian kramer	1	Recommend Approval	The sanitary sewers within the South Pointe shopping complex are private. But will need to be abandoned and tapped per building and safety processes.	Individual

Current Project - Agency Review Report

Public Works & Utilities - Water	Dave Beyersdorf	1	In Review		First In Group
Stronger Safer Neighborhoods	Jon Carlson	1	Pending		Individual
United States Post Office	kerry kowalski	1	Recommend Approval	Recommend approval with the condition that any new deliveries established are added to the current centralized deliveries just south of Bed Bath and Beyond.	First In Group
Windstream	Jon Littrell	1	Pending		Individual

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for OCTOBER 28, 2015 PLANNING COMMISSION MEETING

REVISED NOVEMBER 24, 2015
(Revisions underlined and italic)
(Revisions highlighted December 1, 2015)

PROJECT #: Special Permit No.15064

PROPOSAL: A request per Article 13, Section 13.001.27 for Expanded Home Occupation for Avalon Event Paradise

LOCATION: 12788 West Roca Road.

LAND AREA: 32.43 acres, more or less

EXISTING ZONING: AG Agricultural

CONCLUSION: This special permit for Expanded Home Occupation to allow large gatherings, such as wedding receptions, should have minimal impact on adjacent properties given the site plan and proposed conditions. The nearest property is approximately 450 feet away. The waiver to exceed the 15,000 square feet limit for outdoor areas is acceptable based on the amount of area needed for parking for most events that would be much smaller. The waiver to allow the parking not be gravel is acceptable since the parking area is grass and any dust would be minimal. In conclusion the use is acceptable with limitation on size and number of large events.

RECOMMENDATION:	Approval
Waivers	
1. To waive the requirement that the parking area be gravel.	Approval
2. Allow the parking and other related business activity to exceed 15,000 sq. ft.	Approval

GENERAL INFORMATION:

LEGAL DESCRIPTION: Lot 27 I.T. located in the SW1/4 of Section 17, Township 8 North, range 5 East; Lancaster County, NE

EXISTING LAND USE: Single family house.

SURROUNDING LAND USE AND ZONING:

North:	AG Agricultural	Single family homes
South:	AG Agricultural	farm ground
East:	AG Agricultural	Single family homes on acreage size lots
West:	AG Agricultural	Single family homes

HISTORY:

September 21, 2010 County Special Permit #10028 for expanded home occupation for a medical office located at 12100 West Roca Road was approved by the Lancaster County Board of Commissioners.

COMPREHENSIVE PLAN SPECIFICATIONS:

Continue to encourage and permit accessory home businesses, and locate businesses within the commercial areas of incorporated towns as they expand beyond the definition of home occupation. (P.5.5)

TRAFFIC ANALYSIS:

This is on and has access to West Roca Road (Highway 33) a two lane paved highway.

PUBLIC SERVICE:

This area is served by the Lancaster County Sheriff's Department

AESTHETIC CONSIDERATIONS:

Light and noise from events.

ANALYSIS:

1. This request is for an expanded Home Occupation to allow the rental of the "boathouse" and adjacent land to allow for gatherings such as wedding receptions and family reunions. The owners of this property have been renting out for large events contrary to zoning.

2. The owner could rent out the boathouse only as a home occupation. Home occupation is a conditional use and would not require this special permit.*. Home occupations allow one person that does not reside on the premises to be employed in the home occupation. The home occupation must be carried on within a dwelling unit or an accessory building. This does not preclude outside activity if it is limited and incidental to the home occupation.* Due to the receptions and other gatherings, *and having more than one employee that does not reside on the premise* the special permit for Expanded Home Occupation is required.

3. *The Lancaster County Zoning Regulations were amended in September 2009 to allow Expanded Home Occupation by special permit. The intent was to allow small family owned businesses to operate out of their homes. The business is to be accessory to the residential use of the property and operated by the family occupying the residence. This condition makes it more likely that the business will be a "good neighbor." The business should not detract from the peace and enjoyment of surrounding properties*

4. The gatherings/receptions take place in the boathouse and the tent area as shown on the attached site plan. The boat house is approximately 450 feet and the tent area is approximately 540 feet from the nearest neighboring property to the east. The properties to the east are buffered by a large number of evergreen trees along the east lot line.

5. The outside gatherings are proposed to be held May through October. On average there would be 12 to 15 events held per year. Some busier months may have an event every weekend.

6. The applicant is requesting two waivers. The first is to waive the requirement that the parking lot be gravel. The parking area is grass. The applicant states that the parking area is not irrigated and remains dry. The second waiver is to allow the outside areas to exceed 15,000 sq. ft. The parking area and the tent area is approximately 35,000 sq. ft. They are showing a large parking area to accommodate the occasional large gathering of 200 to 300 persons. . Typically the events have approximately 75 vehicles. The waivers are appropriate since there is no large reception hall or paved lot on site and will be used infrequently. The site will retain its rural character. Due to its large size and extensive landscaping.

7. The county special permit conditions for expanded home occupation are as follows:

   (b) On-site sales shall be limited primarily to products grown, manufactured, processed, treated or assembled on the premise.
   This would be a service provided by the residents. There are no sales of goods on site. The service being provided is the use of land and one building.

   (c) No more than two (2) persons, who are not members of the family residing on the premises, may be employed to carry out the occupation or activity on the premises.
   Applicant states that they have one outside employee. ~~People who lease the property are responsible for hiring caterers, people to set up tents, bands and any others for a wedding or other gathering. These people are on site infrequently and thus are not considered employees of Avalon Event Paradise and do not count toward the 2 outside employees.~~

The Planning Department, Building and Safety Department and County Attorney's Office discussed what constitutes employed under this provision.

With respect to who should be considered to be "employed" under this provision, we determined that those employed for expanded home occupation should include anyone who is employed to carry out the activity on the premises and who also is not a family member living on the premise, regardless of who is determined to be the employee's employer. Accordingly, employees of the resident family or the LLC as well as employees of the resident family's or LLC's independent contractors who are working on-site to carry out the events should be counted as employees engaged in the home occupation's activity. For example, it is likely that persons setting up a tent, catering, or bartending, would be the employees of one of the independent contractors hired to prepare or operate the site for an event, and therefore they would be "employed" on the premises to carry out the home occupation's activity. Because owners of the LLC would not be considered employees based merely on their status as owners, given the information to date any owner of the LLC could work on site and not be considered to be "employed."

(d) The lot area shall be 10 acres or larger
This is a 32.43 acre premise.

(e) Driveways and parking areas shall be provided with an all-weather (gravel or rock) surface to minimize dust and mud.
Parking is shown on a grass area measuring 300' x 100'. The driveway is asphalt. The applicant is requesting a waiver to the gravel requirement.

(f) No more than 50% of the floor area of the residence may be used for said business. **The residence is 4,068 sq. ft. per the Lancaster County Assessor site. The boathouse is 950 square feet or 23 percent of the floor area.**

(g) The total floor area for all buildings used for said business shall not be more than 10,000 square feet.
The boat house is the only permanent building and it is 950 sq. ft.

(h) Outside area used for work area, storage or other business activity (of vehicles,
equipment, or materials used in the business) and parking shall not exceed 15,000 square feet.
There is an area set aside if the event is to have tents. This area is 4,800 sq. ft. The parking area shown on the site plan is 30,000 sq. ft. The applicant is requesting a waiver to allow more than 15,000 sq. ft.

(I) All outside business related activity shall be located at least 200 feet from all premise property lines and shall be visually screened from public streets and

adjacent property lines. Said visual screening shall be approved as part of the special permit
The boathouse and the tent area is more than 200 feet from the property lines.
The parking area is approximately 60 feet from the lot line adjacent Highway 33. The area is screened with a double row of trees.

(j) Health Department regulations and all other County, State, and Federal rules and
regulations shall apply. The Health Department may require dust control of nearby unpaved roads to mitigate the impact of traffic approaching and leaving the premise.
The only adjacent road is Highway 33.

(k) Building permits will be obtained as required for all new construction and remodeling of existing buildings under this permit.
All buildings must meet code and be approved by Building and Safety.

(l) Only one vehicle/truck over 2.5 tons (gross weight) is permitted on the site. No more than four (4) business vehicles shall be parked or stored outside on the site at any one time.
No auto or truck storage is requested. Only parking for guests.

(m) There is no sign other than one non-animated, non-illuminated, non-reflecting nameplate not more than twenty (20) square feet in area, which name plate designates the home occupation carried on within.
No sign location is shown. There is a current sign located at the entrance drive from Hwy 33.

(n) A site plan for this special permit shall be approved and followed.
A site plan was provided (see attached)

8. Similar uses in the county approved by special permit that have large attendance such as, Camp Gargano, Camp Sonshine *and Prairie Creek Inn* have limitations on the number of participants at any one time**.** *Camp Gargano and Camp Sonshine were approved as "recreational facility" and Prairie Creek Inn was approved through a special permit for Historic Preservation and Expanded Home Occupation.*

9 *Prairie Creek Inn located at 2400 S. 148th Street was approved for a Bed and Breakfast and Expanded Home Occupation by County Special Permit 08021A. As accessory to the Bed and Breakfast wedding ceremonies and receptions were allowed.*

Events are limited to 300 persons except that up to 4 events per calendar

year of up to 500 persons may be allowed through the Lancaster County Amusement License process. Events of over 200 persons must utilize portable changeable message sings warning traffic on S. 148th Street fo turning vehicles.

Although Prairie Creek Inn is similar in its use, there are differences in the surrounding area. The distance between the nearest property line and the area of where events happen is over 1,250 feet. This is more than twice the distance of Avalon Event Paradise to its nearest property line. There are only six houses in proximity to the event area as compared to 24 houses near Avalon Event Paradise.

10. ~~Camp Sonshine was limited to 300 persons and Camp Gargano was limited to 150 persons. Camp Gargano was also allowed to have up to 500 persons 6 time per year if a separate amusement license is granted by the County Board. This limitation was due in part because of the sites being on gravel roads.~~
Camp Gargano located at SW 29th Street and West Wittstruck Road was approved for a Recreational Facility by special permit in June 2012. Originally the camp was for a club that allowed up to 50 persons for a youth athletic club. In 2012 the special permit was changed to "Recreational Facility". Recreational facility is defined as facilities primarily for participation by the public in athletic activities. As accessory to active recreation, they may also have fundraisers, training events and receptions.

Camp Gargano is allowed:
1) a maximum occupancy of 50 persons per day that shall not exceed 5 consecutive days in a given calendar week.
2) A maximum occupancy of 150 persons that shall not exceed 5 events in a 30 day period and no more than 2 events in a calendar week.
3) One day occupancy of 500 persons 6 times in a calendar year, if a separate amusement license is granted by the County Board..

Alcohol may be served for special events by a licensed caterer if a Special Designated Licenses is approved. Alcohol is not considered a land use issue.

The special event area is 600 feet away from the adjacent properties and is buffered by a tree mass and draiangeway. Major events, those over 500 persons, must conclude by 10:00 p.m.

There was substantial opposition to this special permit. 81 letters were sent to property owners within one mile. Of the 81 property owners, 21 were in opposition. Opposition was to the increased size, number of participants, traffic, noise, and alcohol.

11. Camp Sonshine generally located at S. 25th Street and 1/4 mile south of Bennet Road was approved for a recreational facility in May 2012. The recreational

facility is a camp for children. The special permit allows up to 300 campers with a four tier approach.

a. Tier 1: between 80 and 150 campers. Mitigation efforts: spray water or calcium chloride on S 25th from Saltillo Rd to Camp Sonshine entrance, arrange car pools, communicate transportation information to parents via Parent Guide, digital media and print materials, petition for road regrading at County 1&6 Road Plan public hearing.

b. Tier 2: Between 151 and 180 campers. Continue with Tier 1 actions, close existing driveway and begin using new entrance drive to the west of current location.

c. Tier 3: Between 181 and 200 campers. Continue Tier 1 & 2 actions, implement bus transportation option, pick up 40 to 50 campers from 2 or 3 "drop off" sites.

d. Tier 4: Between 201 and 300 campers. Continue Tier 1, 2, & 3 actions, pick up 80 to 100 campers from 3 to 5 "drop off" sites, evaluate traffic situation and address most important concerns affecting traffic impact.

12. Other expanded home occupation special permits approved in the County include a medical office located at 12100 West Roca Road and for outdoor storage at Highway 77 and between Hickman Road and Stagecoach Road. A third expanded home occupation was approved for a counter top business at N. 1st Street and Mill Road.

13. To help minimize the impact to adjacent neighbors the number of large events, those between 100 and ~~350~~ *150* persons, should be limited to no more than ~~15 in any calendar year~~ *two times per month.* Having more smaller events would help reduce traffic and noise. *The business should not detract from the peace and enjoyment of surrounding properties. In order to meet this goal no amplified music should be allowed outside.*

CONDITIONS OF APPROVAL:

Per Article 13, Section 13.001.27 this approval permits Expanded Home Occupation for the site in conformance with the attached site plan to be used for rental of the boathouse and/or designated open space for overnight stays, parties, wedding receptions, family reunions and other such gatherings *with the following conditions.*

1. No limit on the number of events that have no more than 50 people.

2. Events between 50 and 150 persons are allowed two days in any one calendar month.

3. Any outside music is not allowed to use speakers or other forms of amplification.

4. Any outdoor event must conclude by 11:00 p.m.

5. Fireworks are not allowed except on July 3rd and 4th.

6. No more than two persons, who are not members of the family residing on the premises, may be employed to carry out the occupation or activity on the premises.

~~for less than 100 people per event. Each calendar year 15 events are allowed for 100 to 350 people per event.~~ This special permit also waives the condition that the parking lot be gravel and waives that the outside area used for the business not exceed 15,000 square feet.

Standard Conditions:

1. The following conditions are applicable to all requests:

1.1 Before starting the operation all development and construction shall substantially comply with the approved plans.

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

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

1.4 The applicant shall sign and return the letter of acceptance to the County Clerk. This step should be completed within 60 days following the approval of the special permit. The Permittee shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds. Building permits will not be issued unless the letter of acceptance has been filed.

Prepared by

Tom Cajka
Planner

DATE: October 20, 2015

APPLICANT: Viann Martin
2315 Winding Ridge Road
Lincoln, NE 68512
402-540-0792

OWNER: Martin Estates LLC
2315 Winding Ridge Road
Lincoln, NE 68512
402-540-0792

CONTACT: Same as applicant

F:\DevReview\SP\15000\SP15064 REVISED Avalon Event Paradise.tjc.wpd

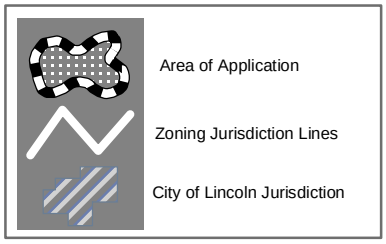
2013 aerial

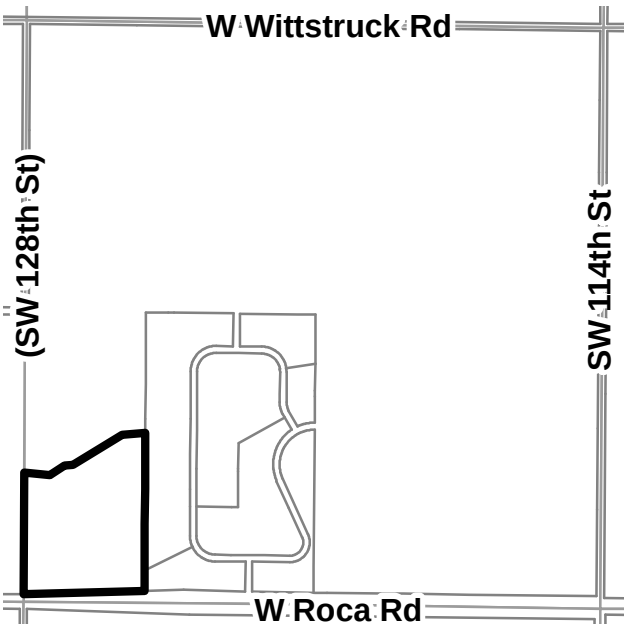
Special Permit #: SP15064
Avalon Event Paradise
SW 128th St & W Roca Rd

Zoning:

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

One Square Mile:
Sec.17 T08N R05E





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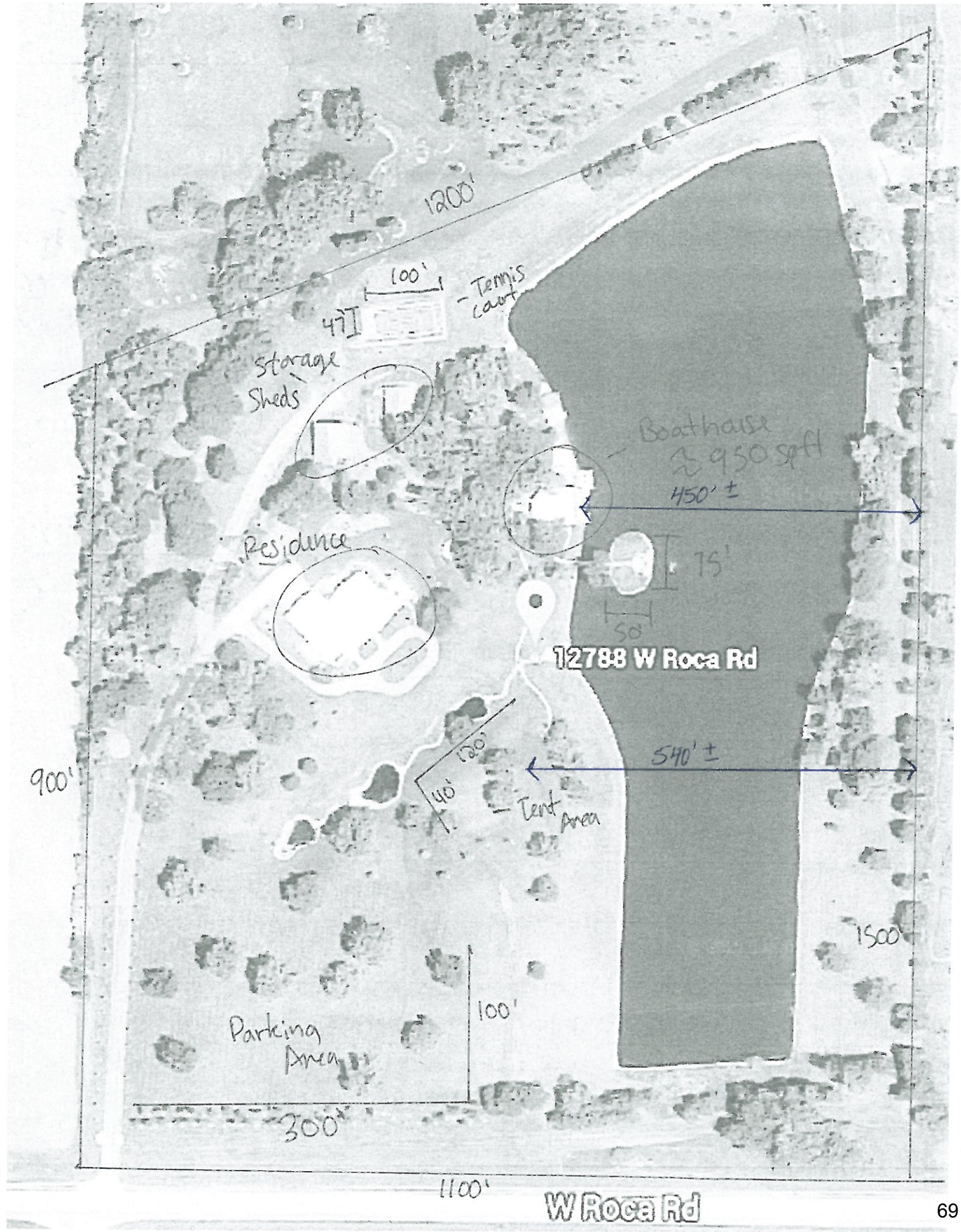
1200'
100'
47'
Tennis court
storage Sheds
Residence
Boathouse
≈ 950 sqft
450' ±
75'
50'
12788 W Roca Rd
540' ±
120'
40'
Tent Area
900'
1500'
100'
Parking Area
300'
1100'
W Roca Rd

September 25, 2015

Lancaster County Planning Department:

This letter is to request that the planning department approve a special permit for the family business, Avalon Event Paradise, a host site for special events, such as, weddings and family reunions. It is our intent to offer the use of our scenic property for such events on a seasonal basis. The property lends itself nicely to such events as it is private and is located a good distance from other residents. Having held a few such events without prior knowledge of the necessity of needing county approval, we can state unequivocally that they have been orderly and without complaint. To the contrary, many local residents of Crete have commented that they are glad to see that we have restored the property and are keeping it looking so nice. Parking has not been a problem as we provide ample space at the front of the property and we also recommend the use of shuttles from the hotels where guests are staying. This greatly cuts down on the amount of traffic and creates easy access for guests. We have hired one person who works as a private contractor to maintain the property and give tours for prospective clients. The property includes a 12 acre lake with an island setting where weddings are held. It also includes a boathouse for the wedding party to use during events. There is also a reception area designated for tent use if the guests choose to rent a tent structure for events. It is our intent to pay close attention to the needs of neighbors as we operate this business for public enjoyment. The closest neighbors reside to the east of the 12 acre lake approximately 400 yards from the event site and are buffered by a large number of trees and shrubs. Therefore, we have never had a complaint of noise disturbance or any other disturbance as the guests do remain on the west side of the lake where the events are held. It is our sincere request that we be allowed to offer this site as a space for future events and to operate peacefully with respect to the neighboring properties. We appreciate your consideration. Thank you.

Tom J. Cajka

From: Viann2000 <viann2000@aol.com>
Sent: Wednesday, October 14, 2015 1:29 PM
To: Tom J. Cajka
Subject: Special Waiver

I am requesting a waiver to extend the allotted parking area on our property located at12788 W Roca Rd.
Although most of our weddings only require parking for to-75 vehicles, we highlighted a larger area on the site map in order to accommodate the occasionally larger gathering.
A typical parking spot is 8.5x18' and the 100x300' area we have highlighted on the site map could accommodate up to 200 vehicles.
We are averaging only 1 event per month, and therefore, I also request that we not be required to rock or gravel the area for parking. Again this area is not irrigated and is located on a high point of the property, so it remains very dry and suitable for event parking.

Thank you for your consideration.

Viann Martin
(Owner)

Sent from my iPad