
Lincoln City - Lancaster County

PLANNING COMMISSION AGENDA

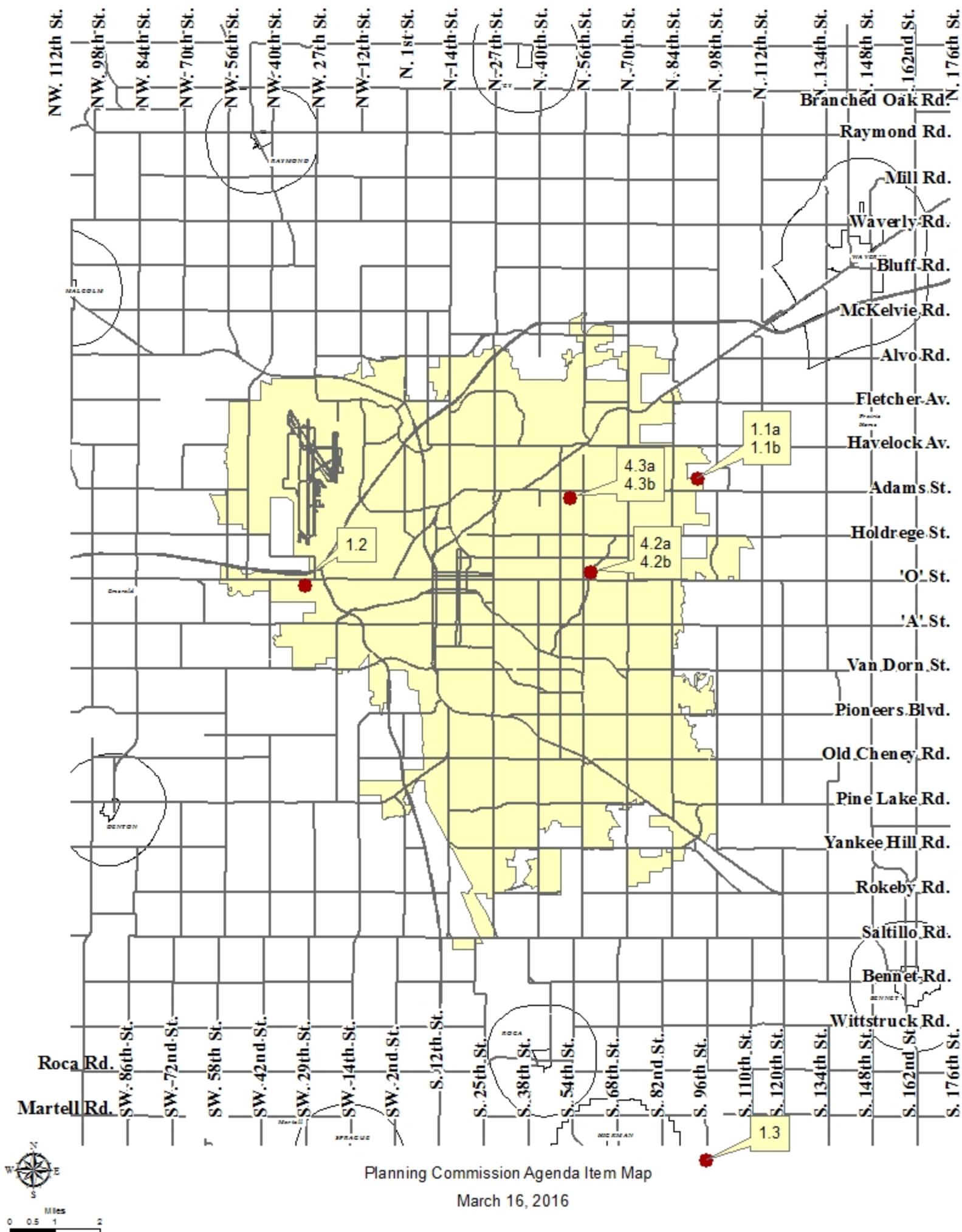
PLANNING COMMISSION

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

PLANNING STAFF

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

March 16, 2016



Planning Commission Agenda Item Map

March 16, 2016

NOTICE: The Lincoln/Lancaster County Planning Commission will hold a public hearing on Wednesday, March 16, 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, March 16, 2016 from 11:30 a.m. through 1:00 p.m. to discuss the LRTP/Comprehensive Plan Updates, 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, March 16, 2016

Approval of minutes of the regular meeting held March 2, 2016.

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

ANNEXATION AND RELATED CHANGE OF ZONE:

Page 01 1.1a Annexation No. 16002, to annex approximately 89.59 acres, more or less, including adjacent rights-of-way, on property generally located at North 89th and Fremont Streets.

Staff recommendation: Approval

Staff Planner: Andrew Thierolf, 402-441-6371, athierolf@lincoln.ne.gov

Page 01 1.1b Change of Zone No. 05054D, from B-2 (Planned Neighborhood Business District) to R-3 (Residential District); and from AG (Agriculture District) to R-3 (Residential District), on property generally located at North 89th and Fremont Street.

Staff recommendation: Conditional Approval

Staff Planner: Andrew Thierolf, 402-441-6371, athierolf@lincoln.ne.gov

CHANGES OF ZONE:

- Page 15 1.2 Change of Zone No. 16002, from H-3 (Highway Commercial District) to I-1 (Industrial District), on property generally located at S.W. 32nd and W. O Streets, Lincoln, Lancaster County Nebraska.

Staff recommendation: Approval

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

- Page 23 1.3 County Change of Zone No. 16003, from AG (Agricultural District) to R (Residential District), on property generally located at 21805 South 96th Street.

Staff recommendation: 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

TEXT AMENDMENTS:

- Page 29 4.1a Text Amendment No. 16003, amending the City of Lincoln Design Standards to add Chapter 3.100, Design Standards for Outdoor Lighting, providing design standards for the installation of outdoor luminaires; revisions to Section 3 amending the definition of "Lumen, Luminaire and Mounting height; amending Subsection 6.2 to refer to the latest addition of the cited IESNA Standard; amending subsections 6.3 and 6.4 to require LED light sources for local residential streets and to further require under 6.4 certain specified street light intensity, and to amend subsection 6.7 to refer to roadway luminaires instead of street lights, and repealing Sections 3, 4, 6, 7, 9, and 12 of Chapter 3.100 as hitherto existing.

Staff recommendation: Approval

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

- Page 43 4.1b Text Amendment No. 16005, amending Section 26.27.005 of the Lincoln Municipal Code relating to the minimum required improvements within a final plat to provide that the City may encourage and promote the installation of new minimum required improvements not required in a previously approved final plat by agreeing to subsidize the increased cost

of the new minimum required improvement in accordance with specific criteria adopted by resolution of the City Council; and repealing Section 26.27.005 of the Lincoln Municipal Code as hitherto existing.

Staff recommendation: Approval

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

CHANGE OF ZONE AND RELATED PERMIT:

Page 47 4.2a Change of Zone No. 16005, from H-2 (Highway Business District) to B-5 (Planned Regional Business District), on property generally located at 225 North Cotner Boulevard.

Staff recommendation: Approval

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

Page 47 4.2b Pre-existing Use Permit No. 3AG, to amend the boundary of the Gateway Mall Use Permit by adding the property at 225 North Cotner Boulevard for authority to construct up to 153 units of multi-family housing or to construct a mix of residential units and up to 36,000 square feet of commercial space including waivers to the maximum building height from 40 feet to 55 feet and to reduce residential parking requirements from 2 to 1.4 stalls per unit, on property generally located at 225 North Cotner Boulevard.

Staff recommendation: Conditional Approval

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

PRE-EXISTING SPECIAL PERMIT & RELATED STREET AND ALLEY VACATION:

Page 81 4.3a Street and Alley Vacation No. 16001, to vacate a portion of the North 50th Street public right-of-way between the south right-of-way line of St. Paul Avenue and the north right-of-way line of Baldwin Avenue, generally located at North 50th Street between St. Paul Avenue and Baldwin Avenue.

Staff recommendation: Conformance with the Comprehensive Plan

Staff Planner: Andrew Thierolf, 402-441-6371, athierolf@lincoln.ne.gov

Page 65 4.3b Pre-existing Special Permit No. 23H, amending Special Permit No. 23 to expand boundaries for construction of a 3-story education building of approximately 75,000 square feet, more or less, to include additional parking on the NE corner of 49th Street and Baldwin Avenue, and a waiver of the 35-foot height restriction applicable in the R-6 zoning district to allow up to 46 feet in height, on property generally located at North 50th Street and Huntington Avenue.

Staff recommendation: Conditional Approval

Staff Planner: Andrew Thierolf, 402-441-6371, athierolf@lincoln.ne.gov

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

Adjournment

PENDING LIST: *Special Permit No. 15064, to allow Avalon Event Paradise to be used for special events on property generally located at 12788 W. Roca Road.*

[01/06/15: Planning Commission voted 7-0 (Beecham and Lust absent) to place this item on Pending until such time that the applicant is ready to move forward.]

Planning Dept. staff contacts:

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Paul Barnes, <i>Long Range Planning Manager</i>	402-441-6372	pbarnes@lincoln.ne.gov
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Brian Will, <i>Planner</i>	402-441-6362	bwill@lincoln.ne.gov
Kellee Van Bruggen, <i>Transportation Planner</i>	402-441-6363	kvanbruggen@lincoln.ne.gov
Ed Zimmer, <i>Historic Preservation Planner</i>	402-441-6360	ezimmer@lincoln.ne.gov

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

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

ACCOMMODATION NOTICE

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

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for March 16, 2016 PLANNING COMMISSION MEETING

Note: This is a combined staff report for related items. This report contains a single background and analysis section for all items; however, there are separate conditions provided for each individual application.

PROJECT #: Annexation #16002
Change of Zone #05054D Prairie Village North Planned Unit Development (PUD)

PROPOSAL: To annex approximately 89.59 acres, change the zoning from AG Agriculture to R-3 PUD Residential on approximately 75.81 acres, and change the zoning from B-2 Planned Neighborhood Business to R-3 PUD Residential on approximately 7.4 acres within the Prairie Village North PUD

LOCATION: N 89th and Fremont Street

LAND AREA: Annexation #16002 - Approximately 89.59 acres
Change of Zone #05054D - Approximately 83.2 acres

CONCLUSION: The area to be annexed and re-zoned is shown as part of the overall concept plan associated with the previously approved PUD. The area is adjacent to the city limits, and the full range of municipal services can be provided if annexed. A change of zone to R-3 is consistent with the Future Land Use Map and compatible with the adjacent development. Both requests comply with the Zoning Ordinance and are consistent with the Comprehensive Plan.

<u>RECOMMENDATION:</u>
AN#16002
CZ#05054D
Approval
Conditional Approval

PROPOSED CITY COUNCIL DISTRICT ASSIGNMENT: District # 1

GENERAL INFORMATION:

LEGAL DESCRIPTION:

CZ#04054D

B-2 to R-3 on property legally described as a portion of Block 1, Lots 1-20, Prairie Village North 11th Addition; a portion of Block 1, Lots 1-18, and a portion of Outlot D,

Prairie Village North 6th Addition; and a portion of Block 4, Lots 1-12, 35-37, 52-55, Outlot G, Outlot H, Outlot C, except that portion lying west of a line that is 150 feet east of east line of the N 87th Street right-of-way, Prairie Village North Addition;

AG (Agriculture District) to R-3 (Residential District) on property legally described as all of Outlots B and C, Prairie Village North 15th Addition; and Lots 3 and 5 of the NE 1/4 of Section 11-10-7, and Lot 47, located in SE 1/4 of Section 11-10-7, Lancaster County, Nebraska

AN16002

The portion of Outlot A lying outside Lincoln City Limits, Outlots B and C, Prairie Village North 15th Addition; Lots 3 and 5, located in the NE 1/4 of Section 11-10-7; and Lot 47, located in the SE 1/4 of Section 11-10-7; and the portion of vacated CRI&P right-of-way lying west of the centerline of Stevens Creek located in the NW and NE 1/4 of Section 11-10-7, Lancaster County, Nebraska

EXISTING ZONING: A-G Agriculture, B-2 Planned Neighborhood Business

SURROUNDING LAND USE AND ZONING:

North:	Trail, Agriculture	AG
South:	Residential (under development)	R-3
East:	Agriculture	AG
West:	Residential, Commercial (under development)	R-3, B-2

EXISTING LAND USE: Agriculture, Residential

HISTORY:

March 2005	CZ#05054 Prairie Village North PUD was approved by the City Council.
February 5, 2007	AN#16021 and CZ#05054A Prairie Village North PUD was approved by the City Council.
October 16, 2014	AA#14026 to revise the lot and street layout and show grading/drainage and street profiles for the concept area was approved by the Planning Director.
July 2, 2015	AA#15026 to revise the land use table for areas south of Adams Street.

October 28, 2015 AA#15113 to add a table for R-5 uses and increase the height for R-5 from 35 feet to 45 feet.

November 5, 2015 AA#15072 to revise the notes for lots adjacent to Market Drive.

COMPREHENSIVE PLAN SPECIFICATIONS:

Pg 1.9 - The Future Land Use Map designates this site for urban density residential and green space land uses.

Pg. 1.10 - This site is shown in Tier I, Priority B on the Growth Tier Map.

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

Pg. 7.10 - Encourage a mix of housing types all within one area.

Pg 12.14 - The ANNEXATION POLICY of the 2040 Comprehensive Plan.

Annexation policy is a potentially powerful means for achieving many of the goals embodied in the Plan's Vision. Annexation is a necessary and vitally important part of the future growth and health of Lincoln. The annexation policies of the City of Lincoln include but are not limited to the following:

The provision of municipal services must coincide with the jurisdictional boundaries of the City – in short, it is not the intent of the City of Lincoln to extend utility services (most notably, but not necessarily limited to, water and sanitary sewer services) beyond the corporate limits of the City.

The extension of water and sanitary sewer services should be predicated upon annexation of the area by the City. City annexation must occur before any property is provided with water, sanitary sewer, or other potential City services.

The areas within Tier I Priority A that are not annexed serve as the future urban area for purposes of annexation per state statute and are appropriate for immediate annexation upon final plat. These areas have approved preliminary plans.

To demonstrate the City's commitment to the urbanization of land in Tier I Priority B, the City should annex land that is contiguous to the City and generally urban in character, as well as land that is engulfed by the City. Land which is remote or otherwise removed from the limits of the City of Lincoln will not be annexed.

Annually the City should review for potential annexation all property in Priority B for which basic infrastructure is generally available or planned for in the near term.

Annexation generally implies the opportunity to access all City services within a reasonable period of time.

Voluntary annexation agreements may limit or otherwise outline the phasing, timing or installation of utility services (e.g., water, sanitary sewer), and may include specific or general plans for the private financing of improvements to the infrastructure supporting or contributing to the land uses in the annexed area. The annexation of large projects may be done in phases as development proceeds.

The character of existing residential areas should be respected as much as possible during the annexation process. When low density "acreage" areas are proposed for annexation due to the City's annexation policy, additional steps should be taken to ease the transition as much as possible, such as public meetings, advance notice and written explanation of changes as a result of annexation. In general, many

aspects of acreage life may remain unchanged, such as zoning or covenants. However, any annexation of existing residential areas will include some costs which must be the responsibility of property owners.

Annexation to facilitate the installation of improvements and/or possible assessment districts is appropriate if it is consistent with the annexation policies of the Plan listed above.

Plans for the provision of services within the areas considered for annexation shall be carefully coordinated with the Capital Improvements Program of the City and the County.

SPECIFIC INFORMATION:

UTILITIES: All utilities are available to serve this development.

TRAFFIC ANALYSIS: All internal streets associated with the Prairie Village North PUD are local streets. Nearby arterial streets include North 84th Street and Adams Street, but neither is adjacent to this phase of the development.

PUBLIC SERVICE:

The nearest fire station is located at Touzalin Avenue and Fremont Street, approximately three miles from this development.

The nearest public elementary school is Kahoa, located at 7700 Leighton Avenue, located approximately two miles from this development.

ANALYSIS:

1. This is a request to amend the Prairie Village North PUD by annexing approximately 75.81 acres and change the zoning from AG to R-3 PUD. Additionally, the applicant is seeking to change the zoning of 7.4 acres of previously approved townhome lots from B-2 PUD Planned Neighborhood Business to R-3 PUD Residential.
2. The annexation request from the applicant does not include Outlot A of Prairie Village North 15th Addition and the segment of Murdock Trail directly north of the development. The City requests these areas be included in the annexation as they would be nearly completely surrounded by city following the applicant's proposed annexation. The additional areas should be annexed to avoid issues with determining jurisdiction, particularly with emergency services.
3. The total area to be annexed, including the City's request, is approximately 89.59 acres. The additional annexation areas requested by the City are not subject to a change of zone.

4. The area to be annexed is located within Tier I, Priority B of the Comprehensive Plan. All utilities, including public water and sewer, exist adjacent to the area in earlier phases of the same development. The development can be served by the full range of city services.
5. The previous site plan for this PUD had shown the area of this application as conceptual. Although the area was shown as conceptual, details concerning lot layout, street layout, and grading/drainage issues were evaluated for overall feasibility. There are no adjustments to the site layout with this application.
6. All previous waivers will apply to this application. Waivers for the R-3 district were granted to reduce the minimum lot width to 35 feet and the front yard setback to 15 feet for single family lots.
7. The site is designated for future urban density residential and green space on the Future Land Use Map. The areas designated as green space will have an R-3 zoning designation; however, they are to be reserved as outlots for green space and detention per the Prairie Village North PUD and will not include residential uses. The remaining areas receiving an R-3 zoning designation will be utilized for urban residential uses. These requests comply with the requirements of the Zoning Ordinance and Comprehensive Plan.
8. Lots 4 through 14 of Block 15 will need a Letter of Map Change from FEMA prior to obtaining building permits. The existing FEMA Flood Insurance Rate Map (FIRM) shows a portion of those lots as being in the floodplain. A preliminary study completed in an earlier phase of this PUD determined that the floodplain is not located within these residential lots. A Letter of Map Change is required with FEMA to officially remove these lots from the floodplain area.
9. The areas with a change of zone from B-2 to R-3 are existing residential lots that were approved as part of an earlier phase of the PUD. This change of zone will alleviate confusion by some third parties about the presence of residential lots within a B-2 zoning district. The lots will now be located in a more appropriate residential district. This change does not alter the layout of the existing PUD.

CONDITIONS:

Site Specific Conditions - CZ05054D:

1. Before a final plat is approved the developer shall cause to be prepared and submitted to the Planning Department a revised and reproducible final plot plan including 5 copies with all required revisions and documents as listed below upon approval of the planned unit development by the City Council.

- 1.1 Include a note that Lots 4 through 14 of Block 15 will need a Letter of Map Change from FEMA prior to obtaining building permits.
2. City Council approves associated Annexation #16002.
3. Before receiving building permits, the developer shall provide the following documents to the Planning Department:
 - 3.1 Verification from the Register of Deeds that the letter of acceptance as required by the approval of the planned unit development has been recorded.

Standard Conditions:

4. The following conditions are applicable to all requests:
 - 4.1 Before occupying the dwelling units/buildings all development and construction shall substantially comply with the approved plans.
 - 4.2 All privately-owned improvements shall be permanently maintained by the owner or an appropriately established homeowners association approved by the City Attorney.
 - 4.3 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.
 - 4.4 The terms, conditions, and requirements of the ordinance shall run with the land and be binding upon the developer, its successors and assigns.
 - 4.5 The applicant shall sign and return the letter of acceptance to the City Clerk. This step should be completed within 60 days following the approval of the special permit. The City Clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filling fees therefore to be paid in advance by the applicant. Building permits will not be issued unless the letter of acceptance has been filed.
 - 4.6 The site plan as approved with this ordinance voids and supersedes all previously approved site plans, however all ordinances approving previous permits remain in full force and effect unless specifically amended by this ordinance.

Prepared by:

Andrew Thierolf

Planner

DATE: March 8, 2016

APPLICANT: Starostka-Lewis, LLC
429 Industrial Lane
Grand Island, NE 68803
(402) 499-4793

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

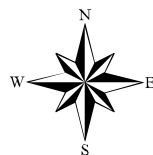


2013 aerial

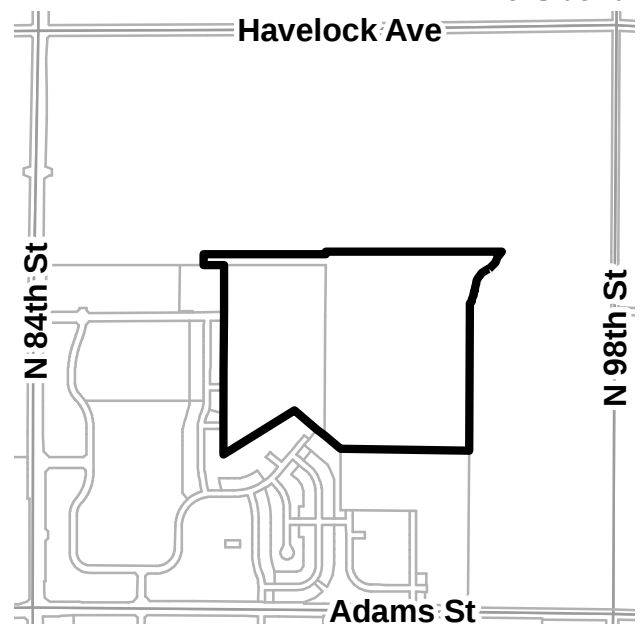
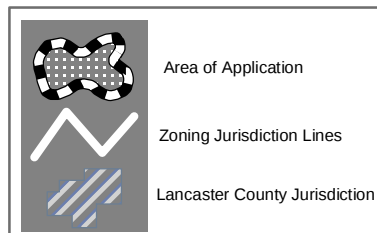
Annexation #: AN16002
Prairie Village North
N 89th St & Fremont St

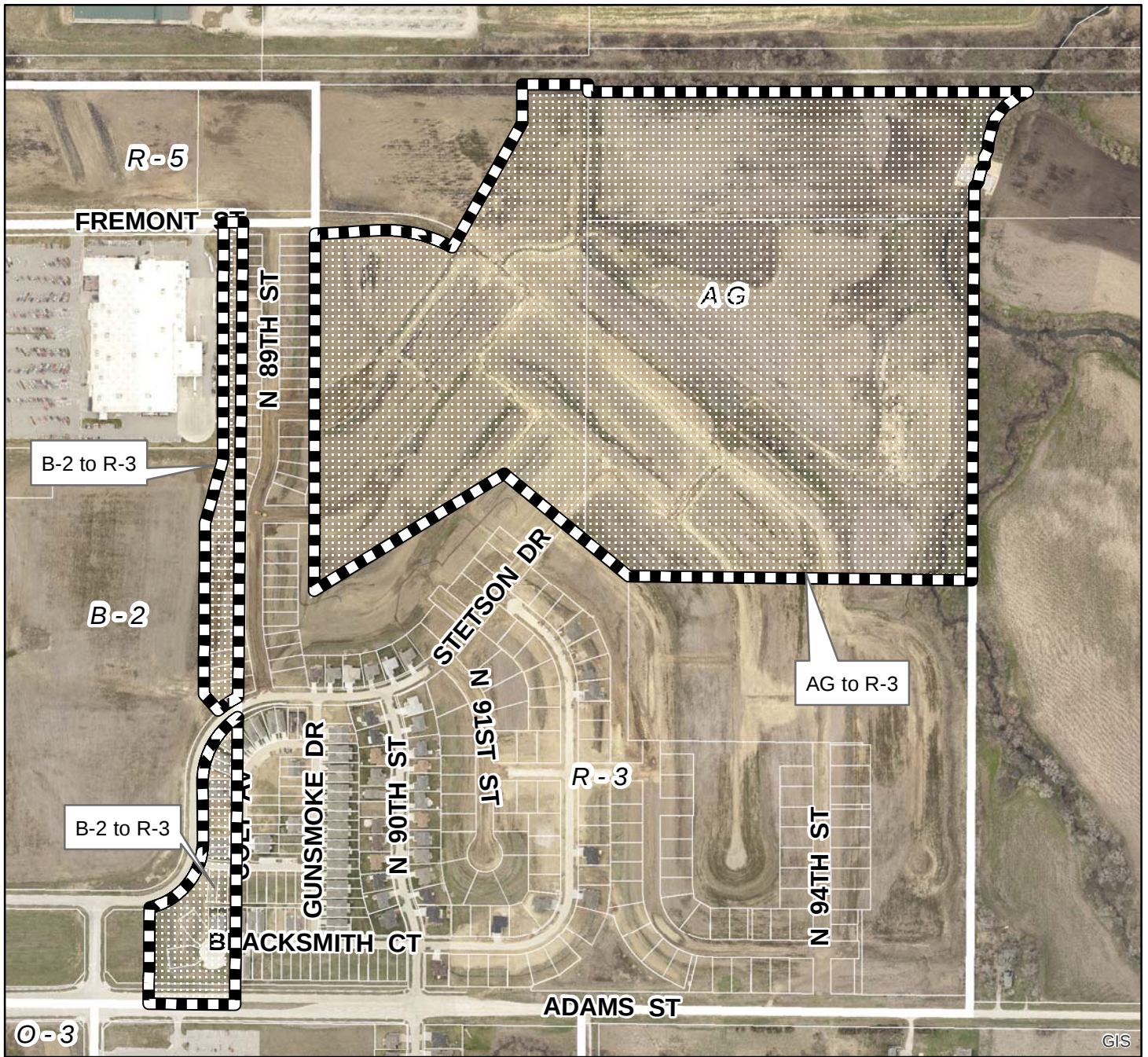
Zoning:

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.11 T10N R07E

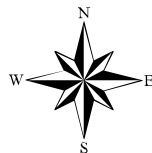




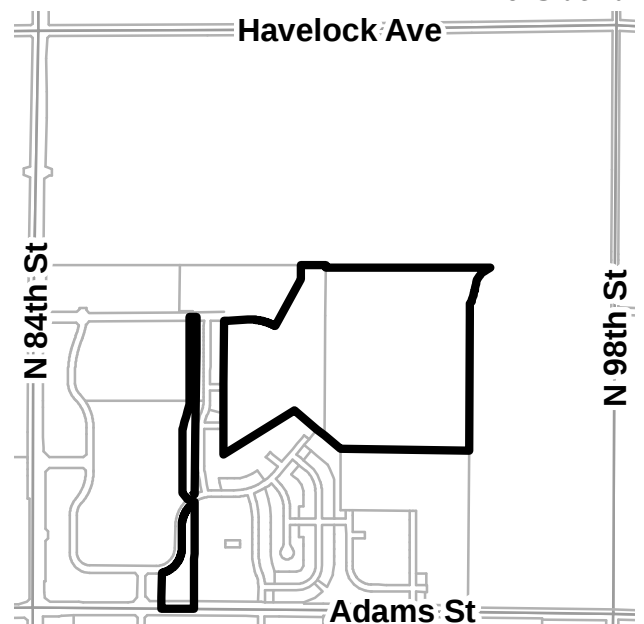
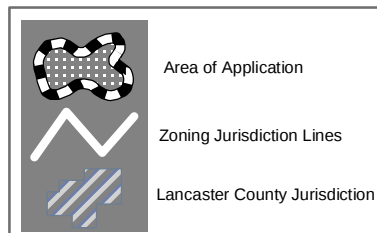
Change of Zone #: CZ05054D
Prairie Village North
N 89th St & Fremont St

Zoning:

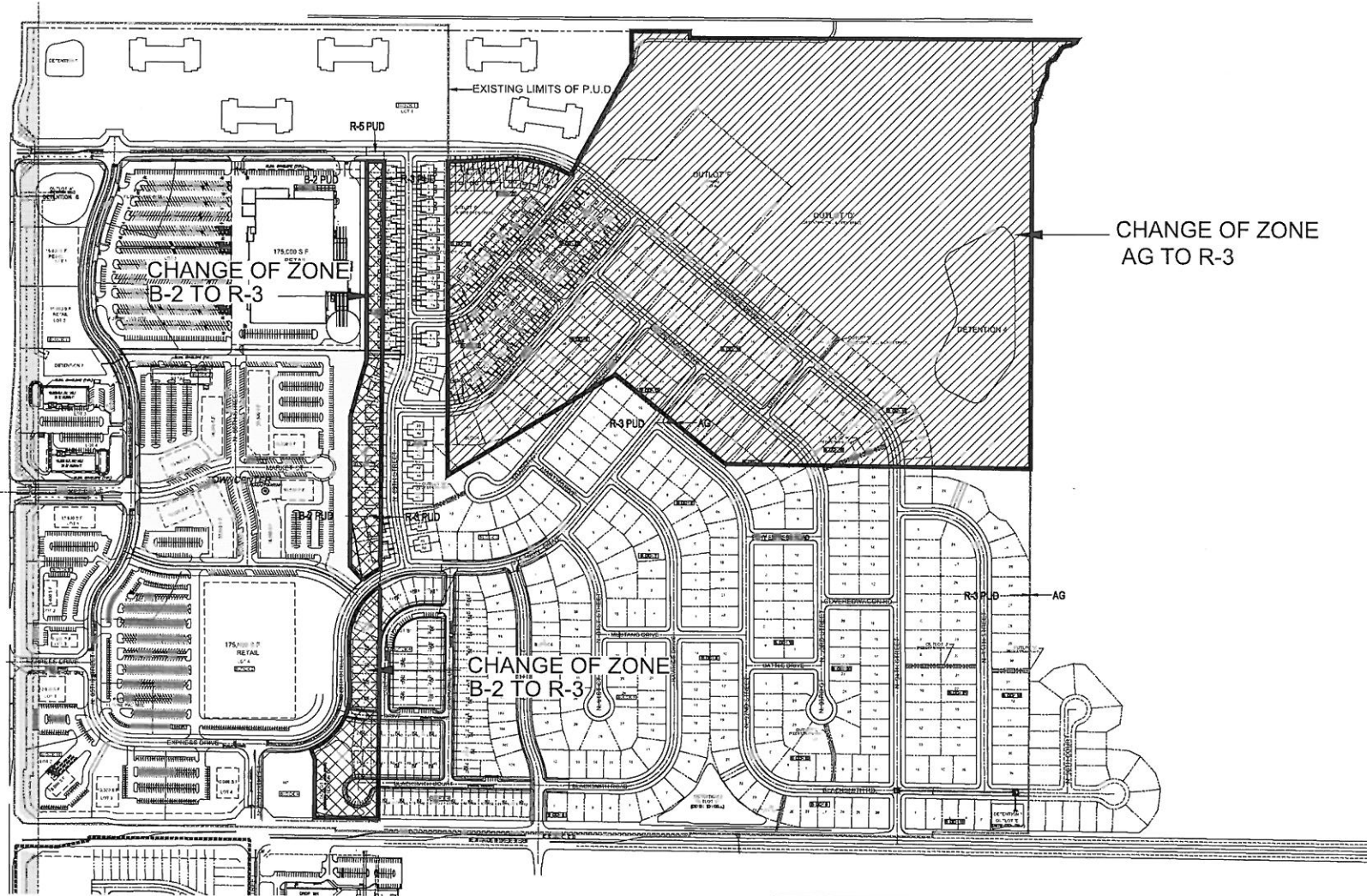
R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	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.11 T10N R07E



DWS: F:\Projects\2014\20140379\landplanning\Exhibit\140379_coz.dwg USER: Jill Schuerman
 DATE: Mar 03, 2016 10:59am XREFS: 150213_base 140061_Floodplain



drawn by: jds
 checked by: -
 project no.: 2014-0379
 date: 03/03/2016

**CHANGE OF ZONE
 PRAIRIE VILLAGE NORTH
 LINCOLN, NEBRASKA**

C Civil Design Group, Inc.
 6015 EXECUTIVE WOODS DR., SUITE 200
 LINCOLN, NEBRASKA 685 2
 PH: 402-434-8494 FAX: 402-434-8147
 WWW.CIVILDG.COM
 CONSULTING ENGINEER AND LAND USE PLANNER
 CIVIL DESIGN SITE DEVELOPMENT PLANNING AND ZONING

EXHIBIT
 1

SITE SPECIFIC NOTES

1. THE EXISTING JOANND BRANCH R-4 D-3 AND THE PROPOSED BRANCH R-3 R-4 B-2 AND O-

SITE SPECIFIC NOTES

1. THE EXISTING ZONING IS R-4. THE PROPOSED ZONING IS R-4. (R-4-2-A-1)

ZONE	NO. OF HOUSES	MULTIPLIER	# OF UNITS
R-3	100.04	6.88	1224
R-5	17.79	29.00	517
TOTAL, ALLOCATED UNITS			1741 UNITS
TOTAL, APPLICABLE UNITS			981 UNITS
TOTAL, UNDESIGNED UNITS			760 UNITS

- [illegible]

R-3 REQ	MINIMUM LOT AREA SQ. FT.	MINIMUM LOT WIDTH FEET	MINIMUM FRONT YARD SETBACK	MINIMUM SIDE YARD SETBACK	MINIMUM REAR YARD SETBACK	MINIMUM HEIGHT
SINGLE FAMILY	4,000 SQ. FT.	35'	15'	5'	20'	35'
SINGLE FAMILY ATTACHED	2,500 SQ. FT. FAMILY	10 PER FAMILY	15'	5' OR PARTY WALL	20'	35'

* SEE SHEET 4 FOR LOTS

R/S REQ	MINIMUM LOT AREA SQ FT	MINIMUM LOT WIDTH	MINIMUM FRONT YARD SETBACK	MINIMUM SIDE YARD SETBACK	MINIMUM REAR YARD SETBACK	MAXIMUM HEIGHT
DWELLING MULTIPLE	1 story 50 PER UNIT	30'	20' 20' ALLOWED BY CITY STREET	7' OR 10' IF OVER 30' IN HEIGHT	5' OR 30% OF LOT DEPTH WHICHEVER IS LESS	45'

B2 REQ	MINIMUM LOT AREA SQ. FT.	MINIMUM LOT WIDTH	MINIMUM FRONT YARD SETBACK	MINIMUM SIDE YARD SETBACK	MINIMUM REAR YARD SETBACK	MAXIMUM HEIGHT
DWELLING SINGLE FAMILY	4,000 SF	20'	20' 10' 15' 20' 25' 30'	5' 10' 15' 20' 25' 30'	20'	35'
DWELLING	3,000 SF	30'			20'	35'

SHEDDING MULTIPLE	1.000 SF PER UNIT	50'	2.000 SF PER SPACE UNITS	20'	35'	
TONGHOUSE	2.000 SF PER UNIT	20'		20'	35'	
OTHER POST TREATED PILING	0	50'	ALONG R. WITH LANDING ST.	0' TO 100' IN ROUTING RESIDENTIAL	0' TO 100' IN ROUTING RESIDENTIAL	41'

* TIDE AND REWARDS AROUND A RESIDENTIAL DISTRICT SHALL BE REEDED IN CONFORMANCE WITH THE LUSHORE DESIGN STANDARDS ADOPTED BY THE CITY OF LINCOLN

	MINIMUM LOT AREA S.F.	MINIMUM LOT WIDTH	MINIMUM FRONT YARD SETBACK	MINIMUM SIDE YARD SETBACK	MINIMUM REAR YARD SETBACK	AVERAGE HEIGHT
SINGLE- FAMILY RES.	4,000 S.F.	50'	30'-10' WITH A GRADE	5'-0' WHEN ABUTTING RESIDENTIAL DISTRICT	20'	38'
MIXED-USE	3,000 S.F.	30'			20'	35'

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UNIT TYPE	PER UNIT	LGTS.		
OTHER PERMITTED USES	4,000 S.F.	50'	20	35
TOWNHOUSE	2,000 S.F.	20'	20	35

A. SELL OF ALCOHOLIC BEVERAGES FOR CONSUMPTION ON THE PREMISES OF A RESTAURANT OR SIMILARLY WITH THE COUNTY OF LINCOLN MUNICIPAL CODE 10-1-040

- [illegible]

LAND USE TABLE - NORTH OF ADAMS STREET

LOTS	ZONE	LAND USE	RESID. S.F. ASSIGNED	OFFICE S.F. ASSIGNED	DWELLING UNITS ASSIGNED
LOTS 1, 3, 4, 5 & 10	BE PLD (175,000 SQ FT MAX IF RETAIL BLDG.)	BI USE	*	*	0
BLK 1, 4	BE PLD	BE USE, NO RETAIL	*	*	0
BLK 2 (DOWNCENTER)	BE PLD (175,000 SQ FT MAX IF RETAIL BLDG.)	BI USE	141,750	75,250	0
TOTAL ALLOWED			141,750	120,000	1,063

MARTIN, E. AND E. METALZEE 1987: 34

- [illegible]

LAND USE TABLE - SOUTH OF ADAMS STREET

LOTS	ZONE	LAND USE	RETAIL S.F. ASSIGNED	OFFICE S.F. ASSIGNED	DWELLING UN. ASSIGNED
BLOCKS SOUTH OF ADAMS	B2 PUD (50,000 SQ FT MAX IF RETAIL BLDG.)	B2 USES	*	*	0
BLOCKS SOUTH OF ADAMS	G-3 PUD (50,000 SQ FT MAX IF RETAIL BLDG.)	G-3 USES**	*	*	0
TOTAL ALLOWED			71,550	213,750	0

¹¹ SEE SHEET 1 FOR ADDITIONAL SPECIFICATIONS IN THIS PUD.

LEGEN

-  P U D BOUNDARY
 PROPOSED STREET CENTER
 PROPOSED R.O.
 ZONING DIVISION
 LIMIT OF ADMINISTRATIVE JURISDICTION
 EXISTING OVERHEAD ELECTRICAL FACILITY
 PROPOSED F.O.D.U. (FUTURE MILDOUT)
 LIMIT OF TOWN CENTER

FOR SITE DETAILS OF
THIS AREA SEE SHEET 5

FOR SETBACK DIMENSIONS OF THIS AREA SEE SHEET 4

NOT PART OF PUD
SHOWN IN CONCEPT O

Civil Design Group, Inc.
300 S. Main Street, Suite 200
Portland, ME 04101

REVISIONS

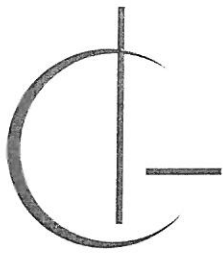
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1



Civil Design Group, Inc.

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

www.civildg.com

February 17, 2016

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

**Re: Annexation and Change of Zone Request: Prairie Village North PUD
CDG Project No. 2014-0379**

Dear David:

On behalf of Starostka Lewis, LLC., we submit an application for annexation and change of zone, from AG to R-3, for 75.06 acres of land located in the Prairie Village North PUD. Per the approved PUD for this area, this land will be occupied by single family and single-family attached homes and green space.

We are also requesting to change the zone on a series existing townhomes that abut the B-2 zoning area of the PUD. Now that these units are all platted, this zoning change will put the townhomes lots entirely in the appropriate R-3 zoning area of the PUD.

In conjunction with this submittal we submit the following information:

- Change of Zone and Annexation Application
- Change of Zone Filing Fee - \$792.00
- Change of Zone Exhibit
- List of Lots and Blocks for the change of zone.

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

Sincerely,

Mike Eckert, AICP

Encl

F:\Projects\2014\20140379\Landplanning\Doc\AA-planning_2-17-16.doc

Current Project - Agency Review Report

Agency Name	User Name	Review Cycle	Review Status	Comments	Assignment
County Engineer	ken schroeder	1	Corrections Required	Upon review, this office has no direct objections to this submittal but would offer the following comments for "Prairie Village North" Annexation "AN16002" and Change of Zone located in the S 1/2 of Section 11, T10N, R7E, near N. 84th Street and Adams Street. 1. The Annexation & Change of Zone drawing does not show irregular tract 3 which is listed on the lot list. 2. Shouldn't that portion of Outlot "A" of Prairie Village North 15th Addition not currently within Lincoln's City limits and the adjacent former Chicago, Rock Island & Pacific Railroad adjacent to this submittal be included with the proposed Annexation? 3. Development improvements to follow area annexation. February 28, 2016 (kds)	Individual
County Health	chris schroeder	1	Recommend Approval	The Lincoln-Lancaster County Health Department recommends approval of this proposed annexation.	Individual
County Sheriff	Jeff Bliemeister	1	Pending		Individual
Development Review Manager	steve henrichsen	1	Corrections Required		Individual
Emergency Communications	Kelly Davila	1	Pending		Individual
Fire Department	Patrick Borer	1	Pending		Individual
Law Department	Law Department	1	Pending		First In Group
LES	les reviews	1	Recommend Approval	2/24/2016- LES has no comments. -Sarah Ryan	First In Group
Lincoln Police Department	Lincoln Police Department	1	Pending		First In Group
Long Range Manager	David Cary	1	Pending		Individual

Current Project - Agency Review Report

Planning Dept	brandon garrett	1	Recommend Approval	City Council District 1.	Individual
	brenda thomas	1	No Review Required		First In Group
Public Works - Engineering Services	bob simmering	1	Recommend Approval	2-26.	First In Group
Public Works - Survey Check	julio talero	1	No Review Required	PWU	First In Group
Public Works - Watershed Management	ben higgins	1	Corrections Required	- Show final detailed grading and drainage plan on an amended PUD. Per notes on previous administrative amendments (e.g. note 33, sheet 2 – site plan AA15113, 10/28/15). Will review once receive amended PUD. - Include note an amended PUD, that Block 15, Lots 4 – 14 will need a Letter of Map Change prior to obtaining building permits (will also need to be shown on final plat)	Individual
Public Works & Utilities - Wastewater	brian kramer	1	Recommend Approval		Individual
Public Works & Utilities - Water	Public Works & Utilities - Water	1	Pending		First In Group
United States Post Office	kerry kowalski	1	Recommend Approval	Recommend approval on the condition all new delivery addresses are established in Centralized Box Units (CBUs) which will be purchased and installed at the developer's expense in a location mutually agreed upon by the developer and the US Postal Service.	First In Group

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for March 16, 2016 PLANNING COMMISSION MEETING

PROJECT #: Change of Zone No. 16002

PROPOSAL: From H-3 Highway Commercial District to I-1 Industrial District

LOCATION: West View Avenue, S.W. 32nd Street, and S.W. 31st Street, one block south of West 'O' Street

LAND AREA: 3.00 acres, more or less

EXISTING ZONING: H-3 Highway Commercial District

CONCLUSION: The proposed change of zone to the I-1 zoning district is in conformance with the 2040 Comprehensive Plan and is consistent with the zoning pattern in the area.

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

LEGAL DESCRIPTION: The whole of Lot 6, Block 3 and portions of Lot 1, Block 1, Lots 1 and 2, Block 2, and Lot 5, Block 3, EDM Industrial Center Addition, located in the NE 1/4 of Section 29-10-6, Lincoln, Lancaster County, Nebraska.

EXISTING LAND USES: Commercial, Light Industrial, and Vacant Land

SURROUNDING LAND USE AND ZONING:

North: Commercial, Vacant; H-3
South: Light Industrial, Vacant; I-1
East: Light Industrial; H-3 and I-1
West: Agricultural Production; H-3 and I-1

HISTORY:

August 2003 The City Council approved the EDM Business and Industrial Park Preliminary Plat (PP #02021).

July 2004 The Planning Director approved the EDM Industrial Center Addition Final Plat (FPPL #03049).

COMPREHENSIVE PLAN SPECIFICATIONS:

P. 1.9 - The Future Land Use Map of the Comprehensive Plan designates commercial and industrial land uses for these sites.

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. Provide flexibility to the marketplace in siting future commercial and industrial locations.

P. 5.5 - 5.6 - It is the policy that Commercial and Industrial Centers in Lancaster County be located:

- Within the City of Lincoln or incorporated villages.
- Outside of saline wetlands, signature habitat areas, native prairie and floodplain areas (except for areas of existing commercial and industrial zoning).
- Where urban services and infrastructure are available or planned for in the near term.
- In sites supported by adequate road capacity — commercial development should be linked to the implementation of the transportation plan.
- In areas compatible with existing or planned residential uses.
- In existing underdeveloped or redeveloping commercial and industrial areas in order to remove blighted conditions and to more efficiently utilize existing infrastructure.
- In areas accessible by various modes of transportation (i.e. automobile, bicycle, transit, and pedestrian).
- So that they enhance entryways or public way corridors, when developing adjacent to these corridors.
- In a manner that supports the creation and maintenance of green space as indicated in the environmental resources section of this Plan.

UTILITIES: All utilities are available.

TOPOGRAPHY: These properties generally slope down towards the south.

TRAFFIC ANALYSIS: West O Street is classified as a principal arterial in the 2040 Comprehensive Plan.

PUBLIC SERVICE: Fire stations are located near this site at 1700 South Coddington Avenue and 121 South 2nd Street.

AESTHETIC CONSIDERATIONS: There are no commercial design standards for this area. West O Street is shown as a Primary Entryway Corridor in the Comprehensive Plan. Entryway corridors are key entryways to the City that integrate enhanced wayfinding and public art to create distinctive first impressions of the community. There are currently no design standards for entryway corridors. These properties are located a minimum of 450 feet south of the West O Street right of way.

ANALYSIS:

1. This is a request for a change of zone from H-3 Highway Commercial District to I-1 Industrial District over five lots. The owners of Lots 5 and 6, Block 3, EDM Industrial Center Addition requested the change of zone over those parcels to bring them entirely within the I-1 zoning district. Both lots are under the same ownership. Lot 5 is currently bisected by the boundary line between the H-3 and I-1 zoning districts. The City of Lincoln also requests a change of zone over portions of Lot 1, Block 1 and Lots 1 and 2, Block 2, EDM Industrial Center Addition to match the I-3 district boundary to the property lines, as these properties also have split zoning.
2. The boundary H-3 and I-1 district boundary line bisects four of the five properties. On the south side of West O Street further to the east, the boundary between the districts has been updated previously to more closely reflect property lines. This change of zone therefore matches the zoning pattern to the east.
3. In general, the I-1 district allows a wider range of uses than the H-3 district. The only uses permitted in the H-3 district that are not permitted in the I-1 district are: private schools, domestic shelters, non-residential healthcare facilities, and hospitals. A number of uses change from permitted in the H-3 district to conditionally-permitted or special-permitted in the I-1 district but they are limited to non-industrial uses such as churches, outdoor theaters, daycares, and academies. Conversely, many commercial uses are permitted in the I-1 district that are only conditionally-permitted in the H-3 district. The I-1 district also permits approximately 50 uses that are not permitted in any form in the H-3 district including dry cleaning works, sheet metal shops, wholesale and distribution centers, refining or bulk storage of petroleum or natural gas, rock crushing, and salvage yards.
4. In addition to having fewer use restrictions, the I-1 district also allows smaller front, side, and rear yards and a greater building height than does the H-3 district. The height and lot regulations for the two districts are listed below for comparison:

H-3

Front Yard: 20'
Side Yard: Smaller of 15' or 10% of the lot width (min. 5')
Rear Yard: Smaller of 30'
Height: 55' *

* In all H zoning districts, if the height of the building is over 45 feet but not more than 55 feet, that portion of the building in excess of 45 feet shall be required to have one additional foot of setback to any required side and/or rear yard abutting an R-1 through R-4 zoning residential district for each one foot of building height in excess of 45 feet.

I-1

Front Yard: 15' *
Side Yard: 0'
Rear Yard: 0'
Height: 75'

* For lots developed with buildings on the effective date of this title, the front yard shall be none except where the frontage on one side of a street between two intersecting streets is located partly in the I-1 zoning district and partly in a zoning district that requires a front yard, in which case the front yard requirements of the adjacent district shall apply to the I-1 zoning district from the place where it abuts the other district to the next intersecting street, or for 300 feet, whichever is less.

4. The original applicant requested the change of zone over Lot 5, Block 3 in order to achieve a smaller setback on the north half of the lot. Based on the east/west orientation of the lot, the applicant would like to locate the future building on the north side of the lot, with overhead doors and paving on the south side of the building. The width of the parcel is approximately 126'. The setback requirements of the H-3 zoning district would cause the applicant to compromise their desired building depth and/or pavement width, and would limit the access to the overhead doors. However, the setback requirements of the I-1 zoning district could accommodate the applicant's preferred site plan showing a 65' wide building with 50' of pavement.

The applicant also requested the change of zone over their adjacent property on the north side, Lot 6, Block 3, to take advantage of the reduced setbacks.

5. This area is within the Airport Environs Noise District, and is located between the 60 DNL to 65 DNL and 65 DNL to 70 DNL noise contours. Commercial and industrial development is acceptable between those contours. In addition, all five properties are subject to the height restrictions in Chapter 27.59, Airport Zoning Regulations because they are in the inner approach zone and/or transition zone.

According to the Lincoln Airport Authority, not all of these properties may be able to construct up to the full 75' maximum height. The future building on Lot 5 is planned to be approximately 20' tall and would be well under the height restriction.

6. Industrial zoning is appropriate in this location. These properties are within an existing and previously approved industrial and commercial park. This change of zone is supportive of the intent of the future land use map in the Comprehensive Plan, which shows commercial uses along the south side of West O Street and industrial uses further to the south. There is adequate road capacity via West O Street to support industrial uses. No known uses would be made nonconforming by this change of zone. Because the I-1 district allows reduced setbacks, greater building height, and a broader range of uses, the portion of the change of zone requested by the City is not expected to cause hardship to the property owners.

Prepared by:

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

DATE: March 3, 2016

APPLICANTS: Jeremy Williams, P.E.
1609 'N' Street
Lincoln, NE 68508

Lincoln-Lancaster County Planning Department
555 S. 10th Street, Suite 213
Lincoln, NE 68508

OWNERS: Larry and Connie Coffey
701 Marina Bay Place
Lincoln, NE 68528

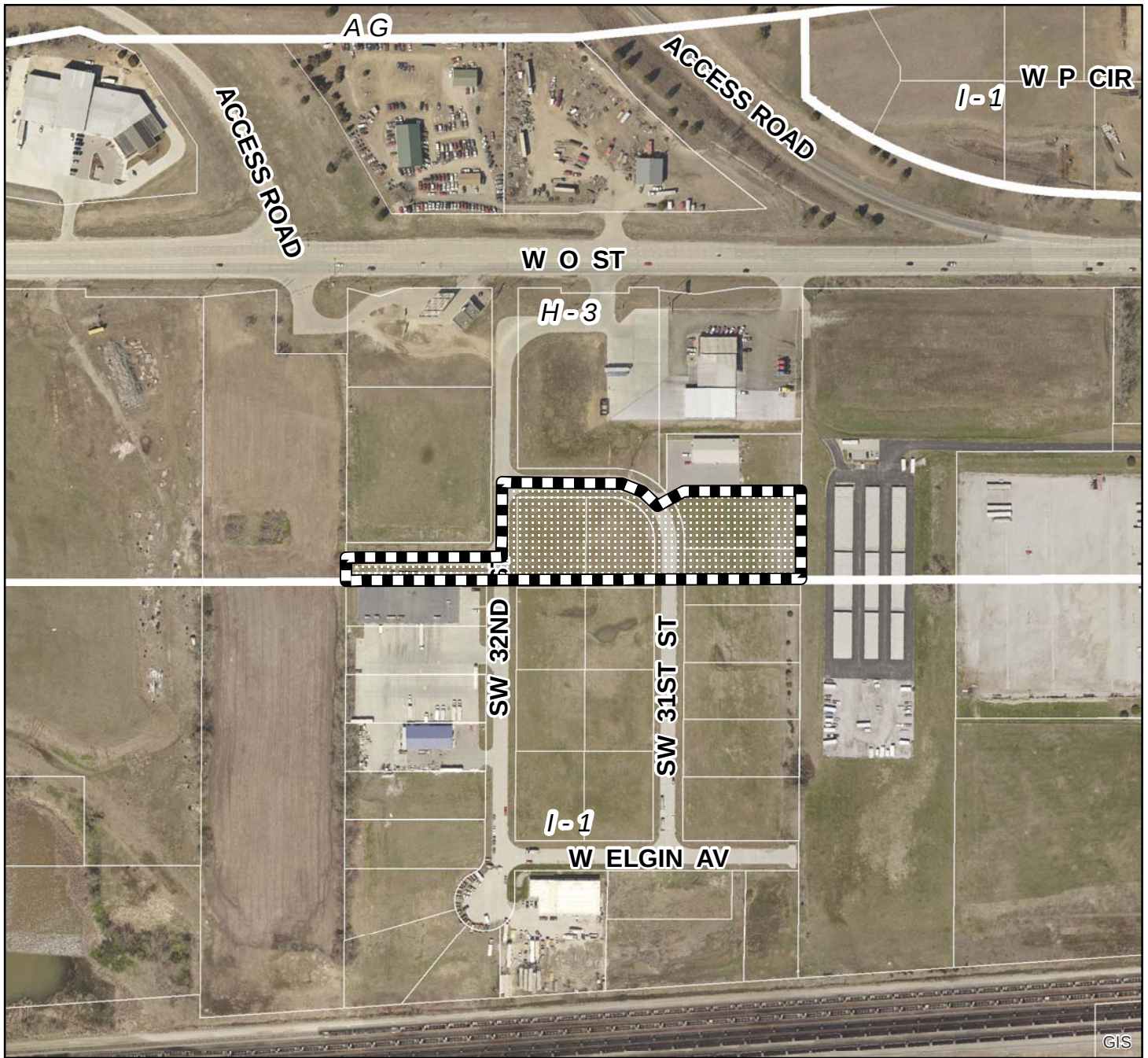
Placzek Properties LLC
3716 Leavenworth Street
Omaha, NE 68105

CONTACTS: Jeremy Williams, P.E.

1609 'N' Street
Lincoln, NE 68508

Rachel Jones, Planner
Lincoln-Lancaster County Planning Department
555 S. 10th Street, Suite 213
Lincoln, NE 68508

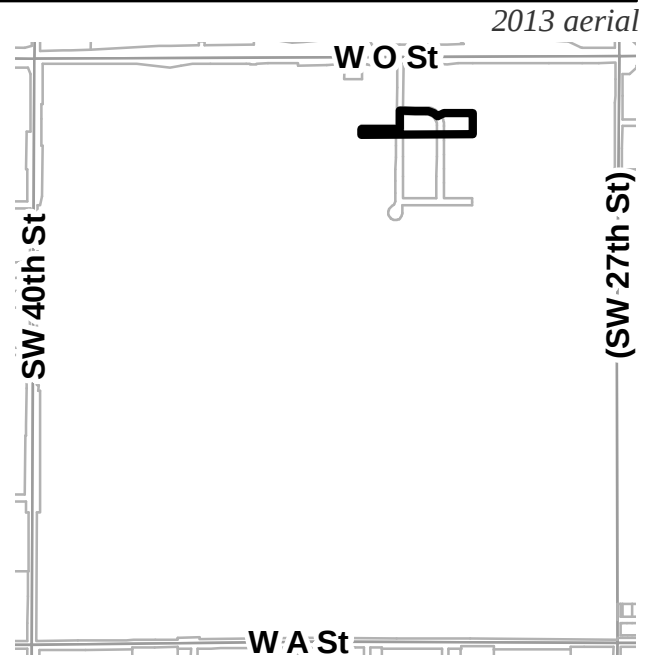
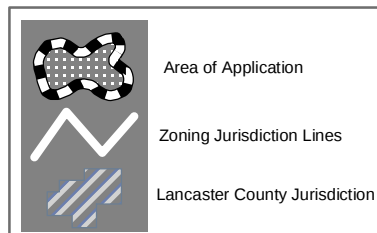
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Change of Zone #: CZ16002 (H-3 to I-1)
EDM Industrial Center Addition
SW 32nd St & W O St
Zoning:

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

One Square Mile:
 Sec.29 T10N R06E



Design Associates

of Lincoln, Inc.



ARCHITECTS • PLANNERS • ENGINEERS

February 5, 2016

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

Re: Change of Zone
Lots 5 & 6, EDM Industrial Center Addition

Dear Mr. Cary:

On behalf of Larry & Connie Coffey, owners of Lots 5 & 6, EDM Industrial Center Addition, we submit this application for a Change of Zone. Currently, all of Lot 6 and the north half of Lot 5 is zoned H-3. The south half of Lot 5 is zoned I-1. With this application, we request that the H-3 district be changed to match the I-1 district.

Included with this submittal is the following information:

Change of Zone Application
Change of Zone (greater than one acre) Filing Fee - \$792.00
This cover sheet and a site exhibit will be uploaded to ProjectDox.

Please feel free to contact us (402) 474-3000 if we can provide any additional information or answer any questions that will assist in the review of this application.

Sincerely,

Jeremy Williams, P.E.

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for March 16, 2016 PLANNING COMMISSION MEETING

PROJECT #: Change of Zone No.16003

PROPOSAL: From AG Agricultural to R Residential

LOCATION: 21805 S. 96th Street. (S. 96th Street and Panama Road)

LAND AREA: 0.66 acres, more or less

EXISTING ZONING: AG Agricultural

CONCLUSION: These small lots are more urban in nature than agricultural and are adjacent to "R" zoning on the east and south. The lots should be rezoned from AG Agricultural to "R" Residential.

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

LEGAL DESCRIPTION: Lot 41 and Lot 75 located in the SE 1/4 of Section 2, Township 7 North, Range 7 East, Lancaster County, NE

EXISTING LAND USE: Single family dwellings

SURROUNDING LAND USE AND ZONING:

North:	AG Agricultural	Single family dwellings and farm ground
South:	R Residential	Single family dwellings
East:	R Residential	Single family dwellings
West:	AG Agricultural	Farm ground

COMPREHENSIVE PLAN SPECIFICATIONS: This area is shown as the generalized edge between Agriculture and Residential on the Land Use Plan. (P.12.2)

UTILITIES: The property is within the Holland Sanitary Improvement District (SID). The SID supplies water and sanitary sewer.

PUBLIC SERVICE: The property is located within the Hickman Rural Fire District and is served by the Norris School District.

ANALYSIS:

1. This application is located in the unincorporated village of Holland. A post office was established in 1873 and The Reformed Church of Holland was established in 1886. Although the town was never platted or incorporated, small lots were established near the church and the area developed with small lots. A lot of the small lots are zoned "R" Residential.
2. The applicant is requesting a change of zone on Lot 41. The change of zone will reduce the setbacks enabling the applicant to build a garage. Lot 41 is approximately 13,500 square feet. The side yard setback for AG is 60 feet and the rear yard setback is 100 feet. In the R District the side yard setback is 10 feet and the rear yard setback is 30 feet.
3. The Planning Department is requesting a change of zone on Lot 75 to the south of Lot 41. Lot 75 is approximately 15,222 square feet. Without the change of zone, Lot 75 would have "R" zoning to the north, south and east. The lot is more urban in nature than agricultural.
4. These lots are urban size lots and are adjacent to the "R" District on the south and east. Each lot has a single family house.
5. All utilities exist at this location.

Prepared by:

Tom Cajka
Planner

DATE: February 29, 2016

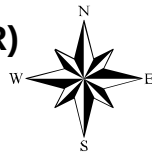
APPLICANT/Owner Douglas Wieskamp
12301 Panama Road
Hickman, NE 68372

CONTACT: Same as applicant



2013 aerial

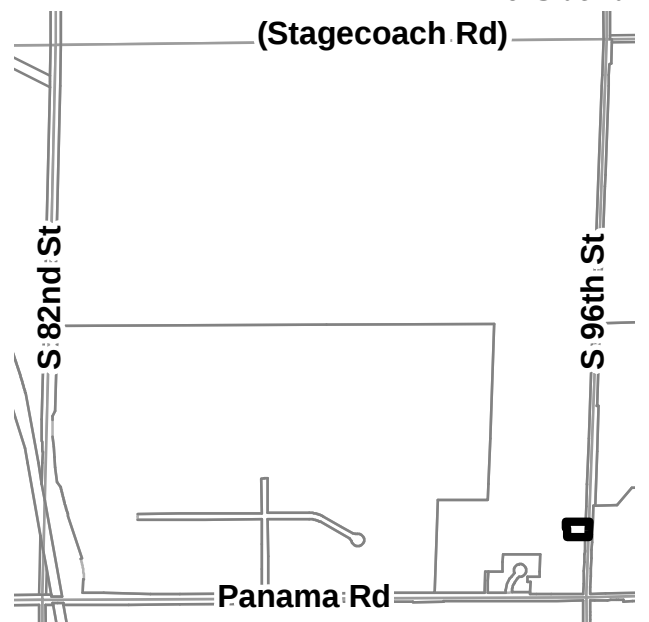
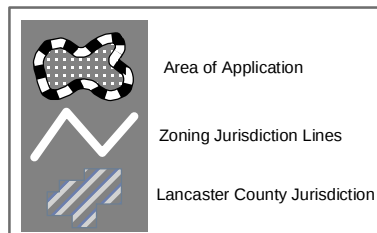
Change of Zone #: CZ16003 (AG to R) S 96th St & Panama Rd

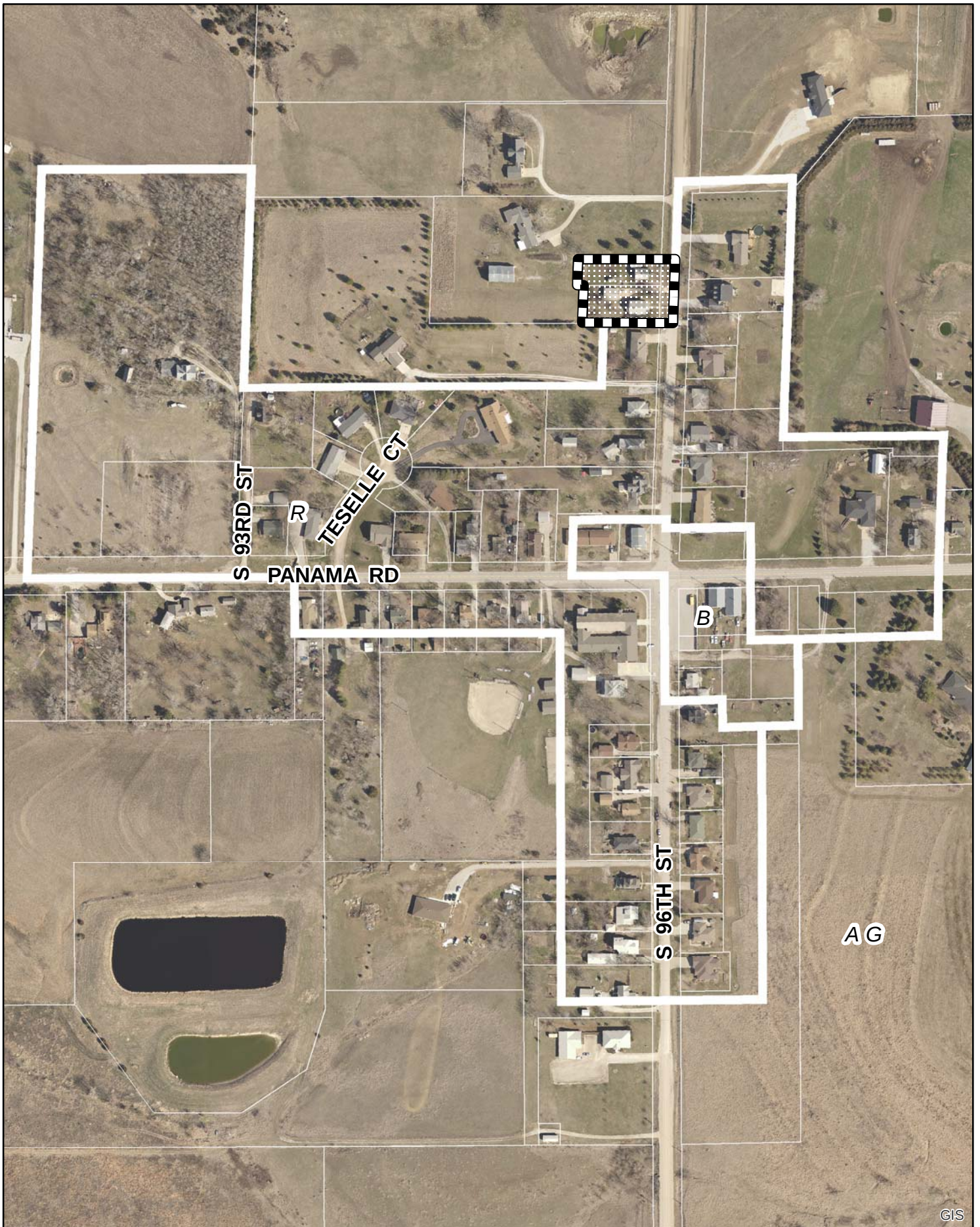


One Square Mile:
Sec.02 T07N R07E

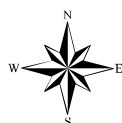
Zoning:

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

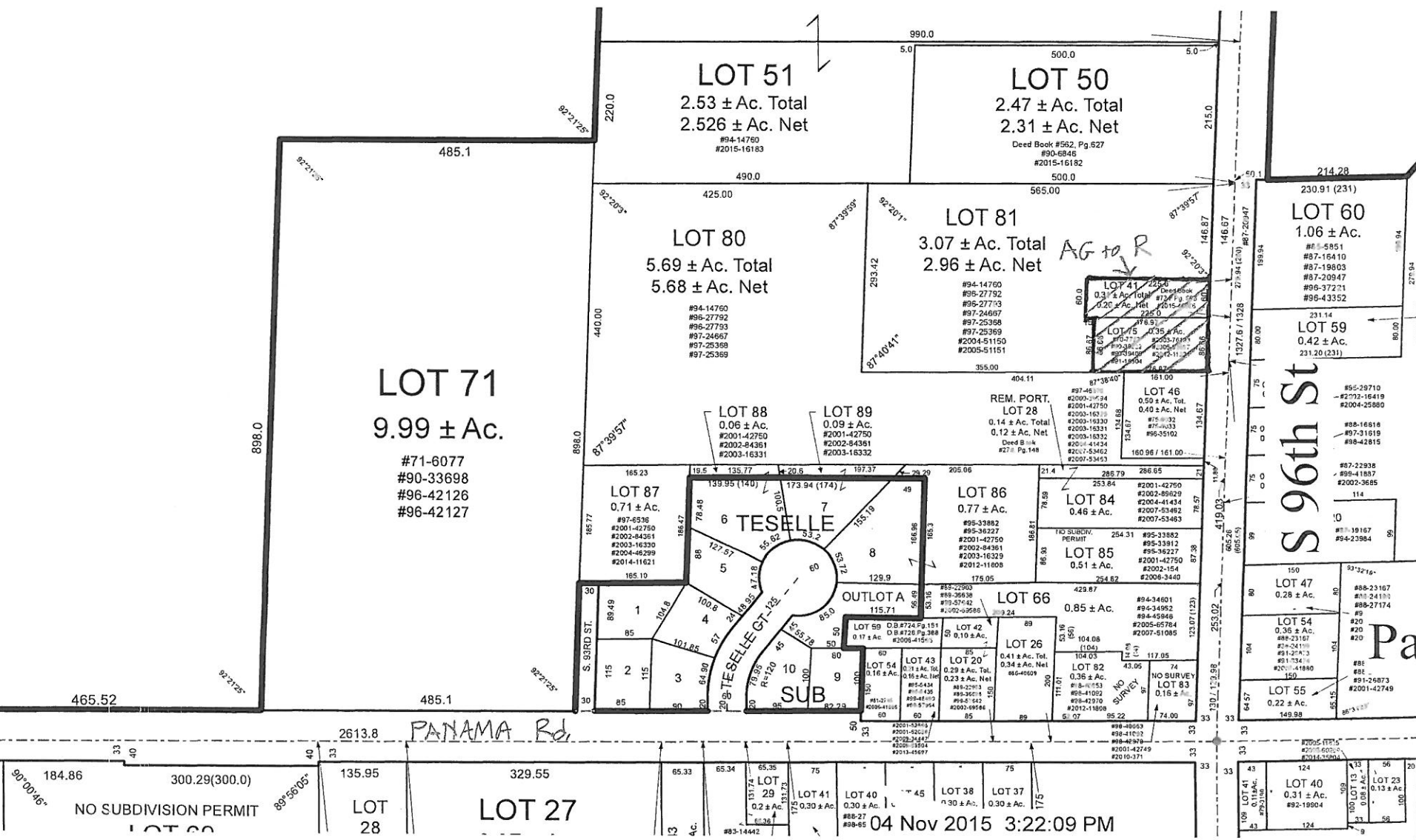




Change of Zone #: CZ16003



2013 aerial



CHANGE OF ZONE #16003

Tom J. Cajka

From: Patti Wieskamp <patti.wieskamp@nsdtitans.org>
Sent: Wednesday, March 02, 2016 1:05 PM
To: Tom J. Cajka
Subject: Zoning Change

Tom -

I would like to request a zoning change to the property at 21805 South 96th Street in Holland, Nebraska. I would like the property to be zoned residential instead of agricultural. The reason for this request is that we would like to build the garage closer to the line. Changing the zoning would enable us to do that.

Please call me if you have any questions.

Thank you!

Doug Wieskamp

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT
for MARCH 16, 2016 PLANNING COMMISSION MEETING

PROJECT #: Text No.16003

PROPOSAL: Amend Chapter 3.100 of the City Design Standards for Outdoor Lighting to require all street lights to be Light Emitting Diode (LED).

CONCLUSION: Requiring all street lights to be LED will benefit the City in lower energy costs and lower maintenance costs. LED street lights limit up lighting and light trespass.

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

ASSOCIATED APPLICATIONS:
TX #16005

COMPREHENSIVE PLAN SPECIFICATIONS:
Promote the conservation and efficient use of energy in all areas. (P.11.2)

Through the Cleaner Greener Lincoln Program, the City currently funds municipal lighting upgrades. (P.11.3)

At the local level, energy conservation saves money and energy which benefits both homeowners and businesses. Through the Cleaner Greener Lincoln Program, the City is setting goals and developing measurable strategies to use energy more efficiently, which will in turn save the City and its residents money. (P.11.6)

ANALYSIS:

1. This application is to amend Chapter 3.100 of the City of Lincoln Design Standards pertaining to street lighting.
2. Lincoln Electric System is proposing a change to require all street lights be LED as opposed to High Pressure Sodium Vapor (HPSV).
3. A Street Light Coordination Committee was formed in August 2013. The Committee consists of representatives from LES, Public Works and Utilities, Parks and Recreation, Urban Development and Finance. The Committee recommended requiring all new street lights to be LED.
4. As of January 1, 2014 LES has been replacing failed HPSV luminaires on all Mast Arm Street Lighting with LED luminaires. Any new Mast Arm Street lights have also been LED. These lights are generally found on arterial streets and in commercial

centers. Some areas of Lincoln that have LED street lights are West Haymarket and "P" Street in the downtown area.

5. In 2015 LES began replacing failed post top luminaires with LED. Post top luminaires, also referred to as ornamental street lights, are generally used on local streets in residential areas. The current City Design Standards requires local residential streets to have post top luminaires.
6. The benefits of having LED street lights are lower energy costs, lower maintenance costs and better color rendering. The disadvantages are higher up front costs for developers and higher replacement costs to the City. On average the cost of an LED Post Top Luminaire is about \$185.00 more than a HPSV luminaire. Payback in energy and maintenance savings on the added cost varies by luminaire type, but is typically 10 to 15 years. Expected LED luminaire life span is 25 to 30 years compared to 4-5 years for HPSV luminaire.
7. The requirement for LED street lights would only apply to subdivisions approved after the adoption of the text change. To encourage LED street lights on those developments already approved, the City is proposing to pay 100 percent of the cost differential, between the cost of the approved HPSV fixture and the cost of a comparable LED fixture on post top luminaire.
8. On January 21, 2016 the proposed text was sent to 126 recipients that include developers, architects, engineers, LIBA, realtors and home builders that are listed on the Planning Departments contact list. The Planning Department did not receive any comments in opposition to the proposed text.

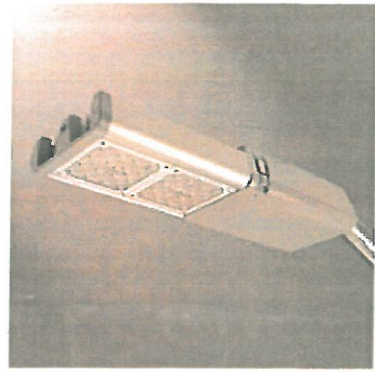
Prepared by:

Tom Cajka
Planner

DATE: February 26, 2016

APPLICANT/CONTACT: Jeff Hlavac
Lincoln Electric System
2620 Fairfield St.
Lincoln, NE 68501
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LED Mast Arm:

POST TOP LUMINAIRE



HPSV Mast Arm:



Here is a picture of Old Cheney after the road widening project was completed. It's easy to see the yellowing/orangish light in the neighborhoods and the white light on Old Cheney. This is a pretty dramatic image of HPSV vs. LED. It also demonstrates the extreme cutoff capability of the LED luminaires. The area behind the sidewalk is virtually black with nearly zero light pollution.



Chapter 3.100

DESIGN STANDARDS FOR OUTDOOR LIGHTING

*The Building and Safety Department is assigned responsibility
for administration of these design standards.*

Section 1. GENERAL PROVISIONS

All outdoor luminaires ~~installed after the date Resolution (Misc. No. 08009) is adopted~~ shall be installed in conformance with the provisions of this chapter and the applicable provisions of the City of Lincoln regulating the installation of such fixtures.

No illumination source shall exceed initial output of 4050 lumens unless it is within a cutoff or full cutoff luminaire, except for luminous tube lighting such as neon, cold cathode and fiber optic cable, or as specified for Class II or Class III lighting, or as otherwise provided in this chapter.

All fixtures greater than 4050 lumens, except as specifically provided for in this chapter, shall be cutoff or full cutoff and mounted level in the horizontal and vertical axis with the central part of the beam directed vertically downward.

The installation of any mercury vapor luminaires for use as outdoor lighting is prohibited.

Section 2. MATERIALS AND METHODS OF INSTALLATION

The City of Lincoln encourages the use of quality materials, methods and designs. It is not the intent of this chapter to prevent the use of any design, material or method of installation not specifically forbidden; provided, any such alternate has been approved. The Building and Safety Department may approve any such proposed alternate if manufacturers' documentation provides satisfactory evidence that the proposed alternate is equivalent to the applicable requirements of this chapter.

Section 3. DEFINITIONS

The following terms and definitions shall apply in the enforcement and interpretation of this chapter:

Class I lighting (General) shall mean all outdoor lighting used to illuminate outdoor areas other than areas described for Classes II through IV.

Class II lighting (Accent/Decorative) shall mean all outdoor lighting used for accent or decorative effects. Examples of Class II lighting include, but are not limited to, the illumination of landscape features, flags, pennants or banners, fountains, statues, art work, and building walls.

Class III lighting (Street Lighting) shall mean all outdoor lighting used to illuminate public streets or highways and private roads subject to public access easement.

Class IV lighting (Outdoor Recreational Facilities) shall mean all outdoor lighting used to illuminate outdoor recreational facilities.

Class V lighting (Salt Creek Tiger Beetle Environs) shall mean all outdoor lighting used to illuminate the area within the Salt Creek Tiger Beetle environs (this is a holding class for anticipated Federal Standards).

Cutoff and Full-Cutoff shall mean outdoor light fixtures shielded or constructed by the manufacturer so as to comply with the Illuminating Engineering Society of North America (IESNA) definition for cutoff and full cut-off outdoor lighting fixtures as found in the IESNA Lighting Handbook, 9th edition.

Display Area shall mean the area used for the outdoor display of merchandise for sale including aisles between the display.

Field Angle shall mean the angle of the cone of light from reflector lamps or flood luminaires encompassing the central part of the beam out to the angle where the intensity is 10 percent of maximum.

Foot-candle (abbreviated fc) shall mean a unit of measure of illumination (number of lumens per area) or how much light is on a surface. A foot-candle is defined as one lumen per square foot.

Glare shall mean the amount of direct or indirect artificial light (measured with the meter vertical at 5 feet above ground level and rotated in a horizontal plane so it is facing the brightest source) in excess of the vertical foot candle limits allowed by Section 9 of this chapter.

IESNA shall mean Illuminating Engineering Society of North America.

Illuminance shall mean the amount of light falling onto a unit area of a horizontal surface (luminous flux per unit area) measured in lumens per square foot (foot-candles) at 3 feet above ground level.

Light trespass shall mean the amount of direct or indirect artificial light (measured with the meter horizontal and facing upwards at 3 feet above ground) in excess of the horizontal foot candle limits allowed by Section 9 of this chapter.

Lumen shall mean a unit of light emitted from a source. Where used in this chapter, lumen shall mean the “initial” manufacturer published amount emitted from the ~~lamp or lamps constituting the light source.~~ (Example: a LED lamp equivalent to a 100 watt incandescent lamp has approximately 1700 lumens of light output.) ~~(Note 4050 lamp lumens is generally equivalent to one 50-watt high pressure sodium or one 200-watt incandescent lamp.)~~

Luminaire shall mean a complete manufactured and UL listed lighting unit consisting of a ~~lamp or lamps~~light source, together with the parts designed to distribute the light, to position and protect the ~~light source~~lamps and to connect the ~~light source~~lamps to the power supply. (Roadway luminaires are exempt from UL listing.)

Mounting height shall mean the distance from finished grade to the bottom most portion of any light emitting source, (e.g. ~~lamp~~, LED, surface of lens).

Nit is a unit of luminance equal to one candela per square meter.

Outdoor recreational facilities shall mean public, or private facilities designed and equipped for the outdoor conduct of sports, leisure time activities, and other customary and usual recreational activities. Outdoor recreational facilities include, but are not limited to, fields or stadiums for softball, baseball, football, soccer, golf courses, driving ranges and other “field sports,” and courts for tennis, basketball, volleyball, handball and other “court sports.”

Parking area shall mean an area, other than a street, designed or used primarily for parking of vehicles. This includes both “required” and “surplus” parking areas for residential, commercial and industrial uses, and inventory storage areas for automobile dealerships, but not display areas.

Person shall mean any natural person, firm partnership, association, corporation, company, or organization of any kind.

Private shall mean an area, street or facility that is not available for use by the general public.

Public shall mean an area, street or facility, whether publicly or privately owned, that is available for general public use, either free or for remuneration.

Residential shall mean an area or development in which the land use is zoned or used for single family, two-family or multi-family dwelling units. It shall include public streets and private roads within such areas.

Section 4. CLASS I LIGHTING (GENERAL)

4.1 Requirements

- A. Exterior lighting for outdoor vehicle display area shall not exceed an average maintained illuminance of 20 foot-candles.

If any portion of the outdoor auto display area is within 500 feet of residential zoning, the average maintained illuminance shall not exceed 20 foot-candles and the luminaires shall be full cutoff for the entire outdoor vehicle display area.
- B. Outdoor areas under lighted canopies, such as gas pump islands and ATM bays, shall not exceed an average maintained illuminance of 20 foot-candles.

If any portion of the canopy area is within 500 feet of a residential zoning district, the average maintained illuminance shall not exceed 20 foot-candles and the luminaires shall be full cutoff or mounted so that the bottom of the lens is recessed or flush with the bottom surface of the canopy for the entire canopy area.
- C. Class I lighting in residential zoning districts shall not exceed an average maintained illuminance of 4 foot-candles. All other Class I lighting, including but not limited to lighting of entrance ways, dining areas, display of merchandise other than vehicles and outdoor work areas shall not exceed an average maintained illuminance of 6 foot-candles.
- D. All Class I lighting levels shall be reduced to an average maintained illuminance level of 4 foot-candles after business hours.
- E. Illuminance level shall not exceed 4 foot-candles average maintained on parking surface for off-street parking.

Section 5. CLASS II LIGHTING (ACCENT/DECORATIVE)

5.1 Requirements

- A. Luminaires used to illuminate buildings, flags, artwork or other landscape features may have lamps exceeding an output of 4050 lumens and be non-cutoff in design and aimed upward, but the field of angle of the lamp may not extend beyond the surface to be illuminated, or the luminaire must have shielding to provide the same limiting effect.
- B. All Class II lighting must be selected, installed and aimed so that the amount of light trespass and glare beyond the area intended to be lighted is minimized or eliminated.

Section 6. CLASS III LIGHTING (STREET LIGHTING)

6.1 General Requirements

- A. LES shall prepare or approve all designs for all lighted streets. LES will install and/or operate and maintain City of Lincoln street lighting for all lighted streets. LES shall establish, encourage, promote and employ energy conservation measures in the design, operation and maintenance of these street lighting systems.
- B. Only ~~high pressure sodium (HPS)~~ light emitting diode (LED) sources or an equivalent or higher efficiency source shall be used.
- C. Street lighting may exceed trespass and glare standards.
- D. All luminaires for street lighting shall be mounted level in the horizontal and vertical axis.

6.2 Design Requirements

Street lighting design shall be done in accordance with the IESNA "AMERICAN NATIONAL STANDARD PRACTICE FOR ROADWAY LIGHTING", latest~~9th~~ edition, except as specifically provided in this section.

6.3 Standard Street Lighting

LES may install/replace and maintain, "standard lighting" in any area where the City Council has not provided for "ornamental street lighting." Informal petitions signed by affected property owners or requests by the Mayor, City Council, Police Department or Public Works Department will precipitate investigation by LES Street Light Engineering to design and order the installation of justifiable lighting.

The standard street light shall normally consist of a wood pole and bracket with a ~~pendant~~ LES approved roadway luminaire. Wiring will be underground in areas with an underground source and overhead in areas with an overhead source. Whenever directed by the Public Works Department, wiring shall be installed underground.

For local residential streets, ~~lamps shall be 70 watt high pressure sodium sources or equivalent efficiency sources.~~ Poles shall generally be ~~twenty feet high mounting height and~~ placed at street intersections and mid-block with normal interval spacing of 240 feet.

For all other streets, the street lights intensity will be designed to 70% illuminance or higher and 100% of uniformity of IESNA recommended practices, ~~depending on the uniformity.~~

6.4 Ornamental Street Lighting

Ornamental Lighting shall be constructed in areas designated by the City Council as “Ornamental Lighting Districts” or authorized by mayoral “Executive Order” areas and shall be of a design specified to provide illumination in accordance with these standards. Such systems are to be served by underground wiring and design/construction will consist of a metal, concrete or fiberglass Standard (pole).

For local residential streets the standard street lamp/luminaire will be ~~post top with a 70-watt high pressure sodium vapor type~~ a LES approved light emitting diode (LED) post top luminaire, or an LES approved lamp/luminaire source of equal or greater efficiency, mounted generally 20 feet above grade. The units shall be located at all intersections and at approximate mid-block normal interval spacings of 240 feet.

For all other streets, the street lights intensity will be designed to 70% illuminance or higher and 100% of uniformity of IESNA recommended practices, ~~depending on uniformity~~. The City Council authorizes the City Engineer or subdivision developer (in the case of “Executive Order” areas) to advertise for equipment and installation-construction bids for ornamental lighting. LES is responsible for inspecting and monitoring work done by contractors and maintaining the lighting after its installation.

6.5 Supplemental Streetscape Lighting

Supplemental streetscape lighting shall be for decorative purposes only and are not intended to light the street. No supplemental streetscape light shall exceed 4050 lumens unless it is within a cutoff luminaire.

6.6 Existing Street Lighting (replacement)

LES will replace existing street lighting if it has been determined that maintenance of the existing system is no longer economically feasible. LES will replace the system with standard components equivalent to those currently being installed. Requests for special lighting equipment requires specific action by property owners/developers and approval by the LES Engineering staff.

If an existing wood pole (bracket style) area desires ornamental lighting, the property owners in that area shall pay the difference between such “standard street lighting” and “ornamental residential street lighting.”

6.7 Arterial Street Lighting

“Permanent” arterial lighting consists of metal, concrete or fiberglass poles specifically designed to support bracket mounted roadway luminaires ~~pendant street lights~~, generally served with underground wiring. The roadway illuminance ~~street lights intensity~~ will be designed to 70% or higher and 100% of uniformity of IESNA recommended practices ~~depending on uniformity~~.

“Temporary” arterial lighting may consist of wood utility poles supporting bracket mounted fixtures served overhead. Such systems will be converted to permanent at such time as roadway improvement factors, capital improvement funds and system age priorities permit.

6.8 Street Light Maintenance

LES will responsibly maintain street lighting in a manner recognizing public safety and convenience needs of such systems.

The principal objective is to keep as many lights as possible functioning properly and responding promptly to “light-out” call-ins.

Lighting which becomes unreliable and maintenance prone will be replaced as expeditiously as possible, within budget limitations.

Section 7. CLASS IV LIGHTING (OUTDOOR RECREATIONAL FACILITIES)

7.1 Requirements

- A. Except, as noted in this section hereinafter, recreational facilities shall be lighted in accordance with the IESNA RP-6 standards for “SPORTS AND RECREATIONAL AREA LIGHTING,” latest edition, including standards for illuminance and uniformity ratio.
- B. Glare Control
 - 1. The luminaires shall meet, when installed and aimed, IES “Cutoff” type luminaire designation as defined in the IESNA Lighting Handbook, 9th edition.
 - 2. Sports flood luminaires shall have a maximum aiming angle up from nadir (the point 90 degrees down from horizontal) of seventy-two (72 degrees) above nadir or two times the mounting heights out from the pole the fixture is mounted on, whichever is less.
- C. Time of Operation
 - 1. Outdoor recreational and sports facilities, except golf driving ranges, may remain lighted past 12:00 midnight to complete recreational and sports activities that are in progress and under illumination at 12:00 midnight and still be in conformance with this chapter, i.e., activities in progress may complete after 12:00 midnight, but they cannot start under illumination after 12:00 midnight, However, in no case shall the illumination stay on past 12:30 a.m.:

Lighting for golf driving ranges shall be off between 11:00 p.m. and sunrise.

Section 8. CLASS V LIGHTING (SALT CREEK TIGER BEETLE ENVIRONS)

These requirements will be developed by the United States Fish and Wildlife Service and amended into this code when available.

Section 9. LIGHT TRESPASS AND GLARE

- A. All lighting except, Class III (street lighting) or as otherwise exempted elsewhere in this chapter, shall meet the requirements for luminaire, shielding, placement and aiming to minimize light trespass and glare such that:
 - 1. No more than 2.0 foot-candles is measured on a vertical plane located at the property line of the adjacent property.
 - 2. Light trespass from a non-residential use abutting, or across the alley from, a residential district shall not exceed 0.5 foot-candles at the residential property line measured on a horizontal plane.
- B. Exterior building surfaces shall not exceed an average surface brightness of 750 nits.
- C. Signs are regulated for surface brightness by Chapter 27.69 of the LMC. Sign illumination shall be included in the measurement of light trespass.

Section 10. SUBMISSION OF PLANS AND EVIDENCE OF COMPLIANCE

- A. The application for a building permit involving outdoor lamps (except Class III lighting) that exceed 4050 lumens shall include evidence that the proposed work will comply with this chapter. Single-family and two-family dwellings are exempt from the requirements of this section. The submission shall contain, but not be limited to, four complete sets of the following:
 - 1. The location of the site where the outdoor luminaires or outdoor light fixtures will be installed;
 - 2. Plans showing the location, type and the mounting heights of all fixtures, both existing and proposed, on the premises, including point-by-point lighting level (initial and maintained) printouts with calculation areas delineated and average values and initial horizontal and vertical values at 20 foot intervals across all property lines.

3. A description of the outdoor light fixtures including, but not limited to, manufacturer's catalog cuts, ITL photometric report with candela distribution, drawings, and shielding information.
 4. Justification for light loss factors (LLF) utilized by the calculations for the light levels submitted.
- B. The above required plans and descriptions shall be sufficiently complete to enable the City to readily determine whether compliance with the requirements of these design standards will be met. At a minimum, the plans shall show point-by-point horizontal foot-candle levels (initial and maintained) for all areas of the project subject to these Design Standards for Outdoor Lighting. The plans shall also include horizontal and vertical foot-candle levels at twenty foot intervals at all property lines. These horizontal and vertical levels shall be taken at the heights required by this code. If such plans and descriptions cannot enable the City to make a determination of compliance with the requirements of these design standards by reason of the nature or configuration of the devices, fixtures or lamps proposed, the applicant shall submit further evidence of compliance enabling such determination.
- C. Submittal and drawings shall be signed by a professional engineer licensed in Nebraska, a lighting designer certified by the National Council on Qualifications for the Lighting Profession (NCQLP) or by the licensed electrical contractor that is performing the work. This engineer, lighting designer or contractor shall certify that the submitted design meets these design standards. Submittal must contain the name of the company that prepared the drawings and the name, title and telephone number of the person that performed the design work.
- D. All projects resubmitted for approval shall include a written description of all changes and comments keyed and attached to the plan check comments.
- E. Plans and calculations are not required when an electrical contractor submits an application for an electrical permit; however, the contractor or associated engineer or lighting designer shall certify that the intended work meets these design standards.

Section 11. INSTALLATION

The owner or contractor of record (except Class III lighting) shall install the approved outdoor luminaires or outdoor light fixtures in conformance to the listing, manufacturer's installation specifications, and all applicable local and state electrical codes. An electrical permit and inspection by the City of Lincoln Department of Building and Safety is required.

Section 12. PERMANENT EXEMPTIONS

- A. Nonconformance. All outdoor luminaire existing and legally installed prior to the adoption of Resolution (~~Misc. No. 08009~~TX No. 16003) are exempt from the requirements of this chapter, except that when existing luminaires are reconstructed or replaced, such reconstruction or replacement shall be in compliance with this chapter, unless it is part of a larger set of the same fixtures, being replaced with the same type of fixture, and no other fixture in that set has been replaced in the past 3 months.
- B. Fossil Fuel Light. All outdoor light fixtures producing light directly by combustion of fossil fuels (such as kerosene lanterns and gas lamps) are exempt from the requirements of this chapter.
- C. Holiday Decorations. Lights used for holiday decorations are exempt from the requirements of this chapter.
- D. Other Uses. Airport lighting which is required for the safe and efficient movement of aircraft during flight, take off, landing, taxiing, loading, unloading, and servicing areas is exempt from the provisions of this chapter. All other outdoor lighting at airport facilities shall comply with the provisions of this chapter. These standards also shall not apply to correctional facilities, heliports, hospital emergency entrances, outdoor workers governed by OSHA standards, or other uses for which lighting standards are preempted by federal or state regulations.
- E. This chapter shall not apply to portable temporary lighting used by law enforcement, utilities or emergency services personnel.

Section 13. TEMPORARY EXEMPTIONS

- A. General. Temporary exemptions are required to be approved for any situation that is not allowed by this chapter where temporary lighting is required including, but not limited to, search lights, construction, parades, special civic or public events, special business events, grand openings of businesses, etc: The exemption shall be permitted on the premises for no more than two occasions and for no more than a combined total of ten days in any calendar year.

(New Chapter 3.100 adopted by Resolution No. A-850+223, 9-15-08)

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT
for MARCH 16, 2016 PLANNING COMMISSION MEETING

PROJECT #: Text No.16005

PROPOSAL: Amend Title 26.27.005 of the City Land Subdivision Ordinance to subsidize increase costs generated by new requirements.

CONCLUSION: This amendment allows the City the opportunity to subsidize the added cost and expense of new minimum required improvements for previously approved final plats in conformance with specific criteria adopted by resolution of the City Council.

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

ASSOCIATED APPLICATIONS:

TX16003 Amendment to Chapter 3.100 for Outdoor Lighting

ANALYSIS:

1. The subdivision ordinance requires the subdivider to be responsible for the entire cost and expense of the minimum improvements in a subdivision. The proposed change allows the City Council to subsidize increase cost of new minimum required improvements not required in previously approved final plats.
2. The City and Lincoln Electric System (LES) is proposing a change to require all street lights be Light Emitting Diode (LED) as opposed to High Pressure Sodium Vapor (HPSV).
3. LED lights are approximately \$185.00 more per fixture than HPSV. The City proposes to subsidize the difference in costs for approved final plats. This amendment will specifically allow a subsidy of the minimum improvement. The proposed LED subsidy will only apply to final plats that were approved prior to adoption of this ordinance.
4. For final plats approved prior to adoption of this ordinance street lights are not required to be LED. The City is offering the subsidy to offset the increase in cost and to encourage the developer to install LED lights.
5. Benefits of LED lights over HPSV lights include decreased energy consumption, decreased maintenance costs, improved visibility and better color rendering.

6. This text amendment could apply to other improvements in the future, such as sidewalks, roads, utilities or storm water improvements.

Prepared by:

Tom Cajka
Planner

DATE: March 2, 2016

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ORDINANCE NO. _____

1 AN ORDINANCE amending Section 26.27.005 of the Lincoln Municipal Code
2 relating to the minimum required improvements within a final plat to provide that the City may
3 encourage and promote the installation of new minimum required improvements not required in a
4 previously approved final plat by agreeing to subsidize the increased cost of the new minimum
5 required improvement in accordance with specific criteria adopted by resolution of the City Council;
6 and repealing Section 26.27.005 of the Lincoln Municipal Code as hitherto existing.

7 BE IT ORDAINED by the City Council of the City of Lincoln, Nebraska:

8 Section 1. That Section 26.27.005 of the Lincoln Municipal Code be amended to read
9 as follows:

10 **26.27.005 General Requirements.**

11 The items listed in this chapter shall be the minimum improvements required in a
12 subdivision. These minimum improvements shall conform to and be constructed in conformance
13 with the design standards approved by the city, other sections of the Lincoln Municipal Code, and
14 the standard specifications of the city. The subdivider, his successors and assigns, shall be
15 responsible for the entire cost and expense of the minimum improvements unless indicated otherwise
16 in this title. The City may encourage and promote the installation of new minimum required
17 improvements not required in a previously approved final plat by agreeing to subsidize the added
18 cost and expense of the new minimum required improvement in conformance with specific criteria
19 adopted by resolution of the City Council. The Planning Director may waive the minimum
20 improvements when no additional lots are created in a subdivision.

21 Section 2. That Section 26.27.005 of the Lincoln Municipal Code as hitherto existing
22 be and the same is hereby repealed.

1 Section 3. Pursuant to Article VII, Section 7 of the City Charter, this ordinance shall
2 be posted on the official bulletin board of the City, located on the wall across from the City Clerk's
3 office at 555 S. 10th Street, in lieu of and in place of newspaper publication with notice of passage
4 and such posting to be given by publication one time in the official newspaper by the City Clerk.
5 This ordinance shall take effect and be in force from and after its passage and publication as herein
6 and in the City Charter provided.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ____ day of _____, 2016:

Mayor

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for March 16, 2016 PLANNING COMMISSION MEETING

This is a combined staff report for related items. This report contains a single background and analysis section for all items. However, there are separate conditions provided for each individual application.

PROJECT #: Pre-Existing Use Permit No. 3AG
Change of Zone 16005

PROPOSAL: To change the zoning from H-2, Highway Business District, to B-5, Planned Regional Business District, and to amend the boundary of the Gateway Mall Use Permit to authorize development of up to 153 multi-family residential units, or up to 36,000 square feet of commercial floor area or any combination thereof on property generally located at 225 N. Cotner Boulevard. The change of zone application also includes the City's request to rezone property generally located at 300 S. 56th Street from R-2, Residential District, to P, Public Use District.

LOCATION: 225 N. Cotner Boulevard and 300 S. 56th Street

LAND AREA: CZ16005 3 acres, more or less
PEUP3AG 105 acres, more or less, including 2 acres added with this application

EXISTING ZONING: H-2 Highway Business District and R-2 Residential

CONCLUSION: Mixed-use that includes residential units is appropriate for this site. This site can be easily served by existing infrastructure such as roads and utilities. Several commercial areas are located within walking distance of this site which makes this location desirable for additional residential development. The parking reduction and increase in building height are supported and should have minimal impact on surrounding properties. Subject to the conditions of approval, this proposal is in conformance with the Comprehensive Plan.

RECOMMENDATION:

CZ16005 Approval

PEUP3AG Conditional Approval

WAIVERS:

1. Per Section 27.64.010, to allow an increase in height of buildings in Area "H" from 40 feet to 55 feet. Conditional Approval

2. Per Section 27.64.010, to reduce the residential parking requirement in Area "H" from 2 to 1.4 stalls per dwelling unit.

Conditional Approval

GENERAL INFORMATION:

LEGAL DESCRIPTION: CZ16005

From R-2 to P: Those portions zoned R-2 on Lots 113 & 138, located in the SW 1/4 of Section 21-10-7, Lincoln, Lancaster County, Nebraska.

From H-2 to B-5: The remaining portion of Lot 163, located in the SW 1/4 of Section 21-10-7, Lincoln, Lancaster County, Nebraska.

PEUP3AG:
See attached legal description.

EXISTING LAND USE: Office Building & Electrical Substation

SURROUNDING LAND USE AND ZONING:

CZ16005

North: Lincoln Public Schools Facility; R-2
South: American Legion; O-2
East: Masonic Lodge/Restaurant; H-2
West: Single-Family Dwellings; R-2

PEUP3AG

North: Masonic Lodge; H-2
South: Bank; H-2
East: Ameritas Office; B-5
West: Retail Center; H-2

HISTORY:

225 N. Cotner Boulevard was rezoned from H-1, Highway Business District, to H-2, Highway Business District and the L.E.S. substation was rezoned from F, Restricted Commercial District and A-2, Single Family Dwelling District, to P, Public Use, and R-2, Residential District, with the 1979 Zoning Update.

February 1990 Special Permit 1353 was approved for a parking lot in a residential district on the west portion of the L.E.S. substation property.

January 1996 Special Permit 1593 was approved for on-sale liquor on the west portion of the L.E.S. substation.

COMPREHENSIVE PLAN SPECIFICATIONS:

P. 1.9 - This property is shown as Commercial on the Future Land Use Map.

P. 6.1 - Based on the projected demographic trends, fiscal constraints for expanding infrastructure and numerous opportunities for future redevelopment of commercial areas, the Plan identifies the potential for 8,000 new dwelling units to be located within the existing built-out portion of the City by 2040.

6.2 - Increasing residential densities by adding new dwelling units to existing commercial areas in the form of mixed use centers also strengthens the buying power of adjacent neighborhoods by adding more "rooftops."

P. 6.2 - Mixed Use Redevelopment should:

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

Encourage substantial connectivity and convenient access to neighborhood services (stores, schools, parks) from nearby residential areas.

Incorporate and enhance street networks with multiple modes of transportation in order to maximize access and mobility options.

Promote activities of daily living within walking distance.

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

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

P. 6.4 - Nodes may be classified as Regional, Community, Neighborhood or Mixed Use Office Centers and can be thought of as "villages within the city" with a broad range of land use types including civic, residential, special needs housing, retail, office and service.

P. 6.5 - This area is highlighted on the Mixed Use Redevelopment Nodes and Corridors Map and is recommended for an estimated potential of 500 - 1,000 dwelling units.

P. 6.6/6.7 - Mixed Use Redevelopment Nodes and Corridors should strive for residential densities of at least seven dwelling units per gross acre within buildable areas inside the project boundary and should remove impediments to achieving mixed-use residential and commercial development.

UTILITIES: This site is served by existing utilities. There are overhead utilities on the north and west sides of the site that should be noted on the plan.

TOPOGRAPHY: The property at 225 N. Cotner is generally flat with a steep upward slope on the west side of the lot.

TRAFFIC ANALYSIS: N. Cotner Boulevard is classified as a Minor Arterial and P Street is a local street.

PUBLIC SERVICE: The nearest fire station is located at 901 N. Cotner Boulevard.

ENVIRONMENTAL CONCERNS:

This project will be subject to the redevelopment criteria for stormwater quality standards.

ANALYSIS:

1. This request is for a change of zone from H-2 to B-5 and to amend the boundary of the Gateway Mall Use Permit to include the property at 225 N. Cotner Boulevard. The applicant would like to redevelop this property with a four story building for up to 153 dwelling units, or 36,000 square feet of commercial space or some combination thereof. The site would include two levels of underground parking and a surface parking lot. It is unlikely that redevelopment would include 36,000 square feet of commercial area and 153 dwelling units due to parking requirements. Including the approval of both residential units and commercial floor area now provides flexibility when this site redevelops. Mixed-use is allowed and encouraged in the B-5 district.

The City is including a change of zone from R-2 to P on the L.E.S. substation property located at 300 S. 56th Street. This is considered a minor clean-up action.

2. 225 N. Cotner Boulevard is presently zoned H-2, Highway Business District. The H-2 district is found along major arterial streets, such as O and N. 48th Streets, and allows neighborhood uses and a few heavier commercial uses such as car sales/repair and mini-warehouses. The H-2 zoning district does not allow residential uses. The proposed zoning district is B-5, Planned Regional Business District, and allows a wide range of regional-level commercial and residential uses.
3. N. Cotner Boulevard is currently the dividing line between the B-5 district on the east and the H-2 district on the west. Since H-2 does not allow residential uses the property must be rezoned for the development. The B-5 district is supported on the west side of N. Cotner Boulevard for several reasons. Mixed-use infill and redevelopment at this location is appropriate given its proximity to major transportation corridors and commercial centers. Residential units on this block will continue to support the redevelopment efforts surrounding Gateway Mall and along O Street. Multi-family residential could be allowed in an 'R' district Community Unit Plan or Planned Unit Development, but the B-5 district allows for higher density and allows mixed-use. It is likely that the remaining properties fronting N. Cotner between 'O' and 'R' Streets could be rezoned to B-5 in the future to support additional mixed-use redevelopment.
4. Gateway Mall and the blocks surrounding are identified as a redevelopment node in the Comprehensive Plan. Nodes are identified in the Comprehensive Plan as "Commercial Centers... that are encouraged to be redeveloped into walkable residential mixed use centers." The redevelopment node map labels the area surrounding Gateway Mall as a Primary Area for Mixed Use Redevelopment and

indicates that between 500 and 1,000 dwelling units could be developed in and around Gateway Mall. The proposal to add 153 residential units at this location is supported by the Comprehensive Plan and the Redevelopment Nodes concept.

5. This area is shown as Commercial on the Future Lane Use Map. The Comprehensive Plan recognizes that Mixed Use Redevelopment Nodes and Corridors supplement the "Commercial" land use designation. This property is appropriate for mixed use redevelopment and adheres to the future land use designation.
6. The site plan shows two driveways on P Street and one driveway on N. Cotner. This configuration will close one driveway on N. Cotner that is near the intersection with P Street. Access to the site as proposed is supported by the Public Works and Utilities Department, but several deviations must be approved.
7. This application includes a waiver to decrease the parking requirement for residential uses and an increase in the height of the building. The parking reduction would reduce the residential parking ratio from 2 stalls per unit to 1.4 stalls per unit. Given the location of this development the surrounding properties should not be impacted by any overflow parking. The justification to reduce the parking is supported with the condition that no more than 60 of the units contain more than 1 legal bedroom. This assumes that 1 bedroom units will have 1 car and all other unit types will have 2 cars. StarTran also provides bus service on Route 44 on R Street to the north. Given the nearby bus route and many services within walking distance, it is likely that residents may choose to walk or use public transportation further reducing the reliance on personal vehicles. Commercial parking requirements remain unchanged and are 1 stall per 300 square feet of floor area within the use permit.

The B-5 district does not require a minimum lot area for residential units which allows high-density in B-5. As density increases in the zoning districts the parking requirements generally decrease. For comparison, the residential density proposed with this development would be allowed in an R-8 zoning district. The parking requirement in the R-8 district is 1 stall per dwelling unit, and the applicant's proposal exceeds that.

The applicant is also requesting an increase in building height from 40 to 55 feet. The proposed building would be 4 stories tall and is shown with a 20 foot setback to the north and a slightly larger setback on the west. A portion of the site has a 5 foot setback, but that is adjacent to the L.E.S. substation. The substation will not be impacted by a taller building, so the smaller setback is appropriate at that location. The property to the west also is at a higher elevation than the redevelopment site which should minimize the increase in height as well. For comparison, the existing H-2 zoning allows buildings up to 55 feet in height with a 5 foot side and 30 foot rear

yard setbacks. Since this property is a corner lot, either the north or west sides could be the 5 foot side yard setback. The proposed height of 55 feet is the same as the H-2 zoning district, and the proposed side yard setback of 20 feet is much greater than the 5 foot side yard required in the H-2 district. All properties surrounding this site are commercial so there will be no impacts to single-family uses. The 20 foot setbacks are appropriate.

8. The sidewalk adjacent to this site is approximately 4 to 6 feet from the back of curb. A pedestrian friendly streetscape requires the sidewalk be located at least 8 feet from the back of curb so that street trees can be planted between the sidewalk and the street. The streetscape zone will be verified at the time of building permit.
9. Residential developments in the B-5 district must provide a minimum amount of open space. The total amount required is figured based in the number of dwelling units. If 153 dwelling units are development, then approximately 3,500 square feet of open space is required.
10. This location is appropriate for mixed-use and high-density residential. The site is already served by existing infrastructure and roads. The location is within walking distance of several grocery stores and other commercial services. This proposal conforms to the Redevelopment Nodes and Corridors concept and should further support the redevelopment efforts underway in the area. Subject to the conditions of approval this request is supported by the Comprehensive Plan.

CONDITIONS OF APPROVAL:

PEUP3AG: This approval permits up to 153 dwelling units, or up to 36,000 square feet of commercial floor area or any combination thereof in Area "H" with waivers to increase the building height from 40 feet to 55 feet and to reduce the residential parking requirements from 2 stalls to 1.4 stalls per unit.

CZ16005: Approval.

Site Specific Conditions:

1. The City Council approves associated request:
 - 1.1 Change of Zone #16005
2. 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:

- 2.1 Add a note to the overall plan that states, "Screening in Area H will comply with the landscaping and screening standards for Multiple Family Dwellings found in Chapter 3.50 of the Design Standards. The landscape plan shall be approved at the time of building permit."
- 2.2 Add a note to the plan that states, "Methods to meet water quality standards will be submitted and approved by Watershed Management prior to obtaining a building permit."
- 2.3 Change all references on the site plan for 225 N. Cotner from Area "C" to Area "H".
- 2.4 Add a reference to the Waiver Number in the Parking Table for Area "H".
- 2.5 Revise Waiver #3 to state, "Area H building height from 40 to 55 feet, provided that at least a 20 foot setback is provided to the north and to the west, except in the area adjacent to the L.E.S. substation."
- 2.6 Revise Waiver #4 to state, "In Area H, 1.4 parking stalls are required per dwelling unit as long as no more than 60 of the dwelling units contain more than 1 legal bedroom."
- 2.7 Provide documentation from the Register of Deeds that the letter of acceptance as required by the approval of the special permit has been recorded.
- 2.8 Replace the thick boundary line between Area B and Area H with the line type that separates other areas within the use permit.
- 2.9 Add the 20' setbacks to Area H on the overall site plan.
- 2.10 Remove the REGA name from this site plan.
- 2.11 Add text at the end of Waiver #2 that states, "...unless otherwise noted."
- 2.12 Amend Note #7 to include 'P' Street.
- 2.13 Amend the Parking Table to reflect Residential and Commercial uses in Area H.
- 2.14 The required easements as shown on the site plan are recorded with the Register of Deeds.
- 2.15 Add a note to the plan that includes any conditions from the approved

deviation request regarding the N. Cotner Boulevard of P Street accesses.

2.16 Add the utility easements on the north and west to the site plan.

Standard Conditions:

3. The following conditions are applicable to all requests:
 - 3.1 Before occupying the dwelling units all development and construction is to substantially comply with the approved plans.
 - 3.2 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.
 - 3.3 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.
 - 3.4 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
 - 3.5 The applicant shall sign and return the letter of acceptance to the City Clerk. This step should be completed within 60 days following the approval of the special permit. The City Clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filing fees therefore to be paid in advance by the applicant. Building permits will not be issued unless the letter of acceptance has been filed.
 - 3.6 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

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

DATE: March 3, 2016

APPLICANT/OWNER: Austin Realty Investments

Use Permit #PEUP3AG
Change of Zone #16005

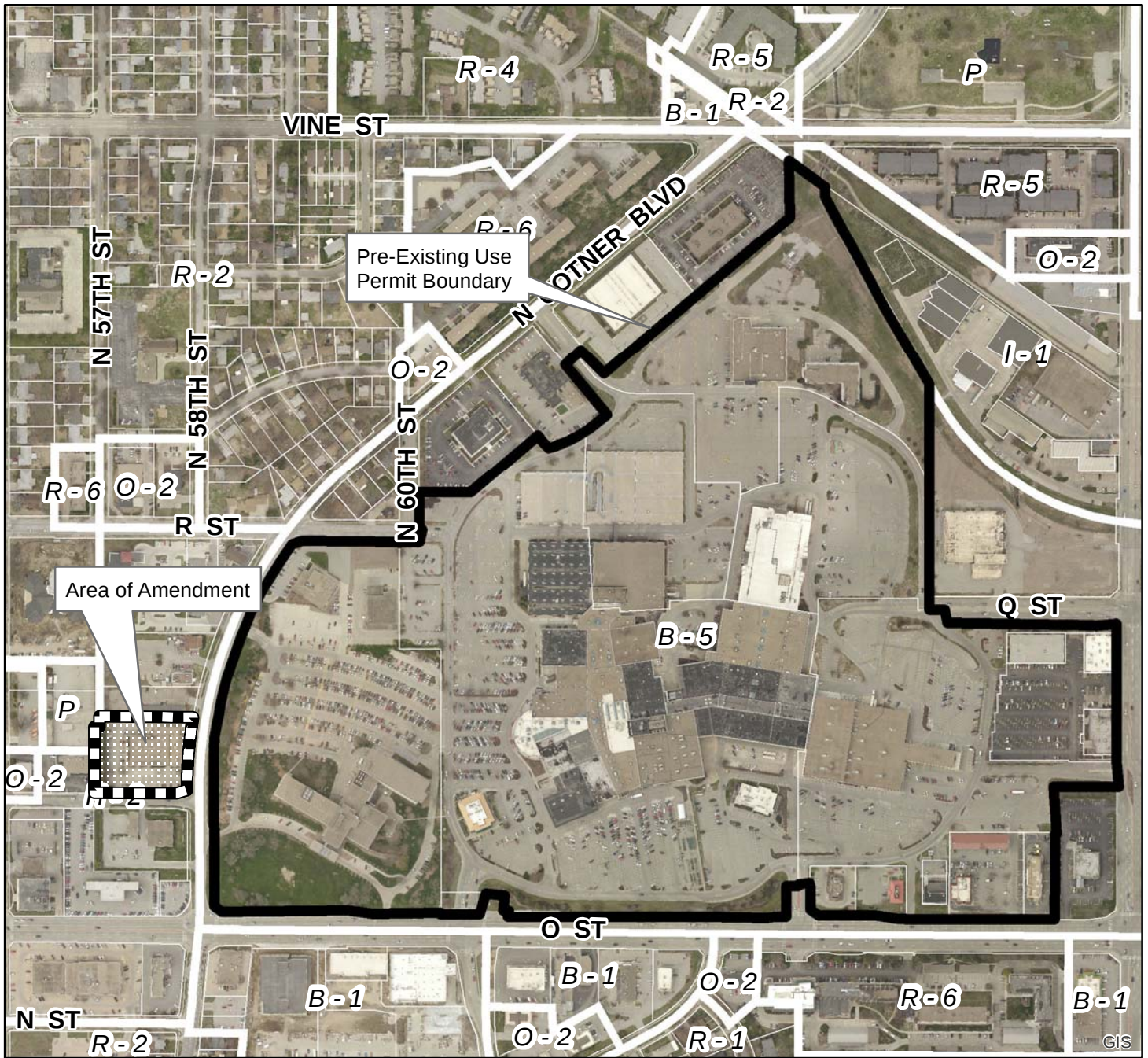
Page 9

8525 Executive Woods Drive
Lincoln, NE 68512

CONTACT:

Mike Eckert
8535 Executive Woods Drive
Lincoln, NE 68512

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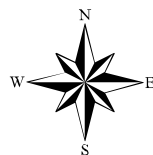


2013 aerial

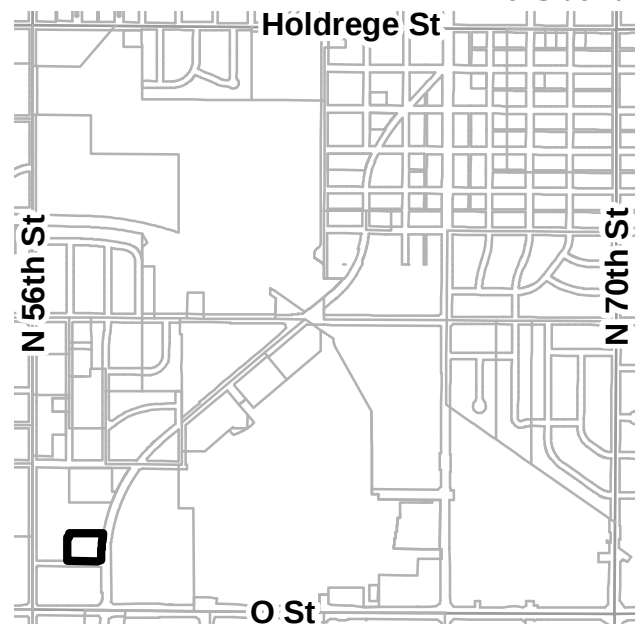
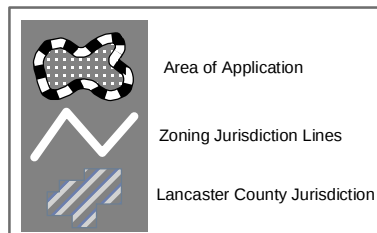
Use Permit #: PEUP3AG
Gateway
N Cotner Blvd & P St

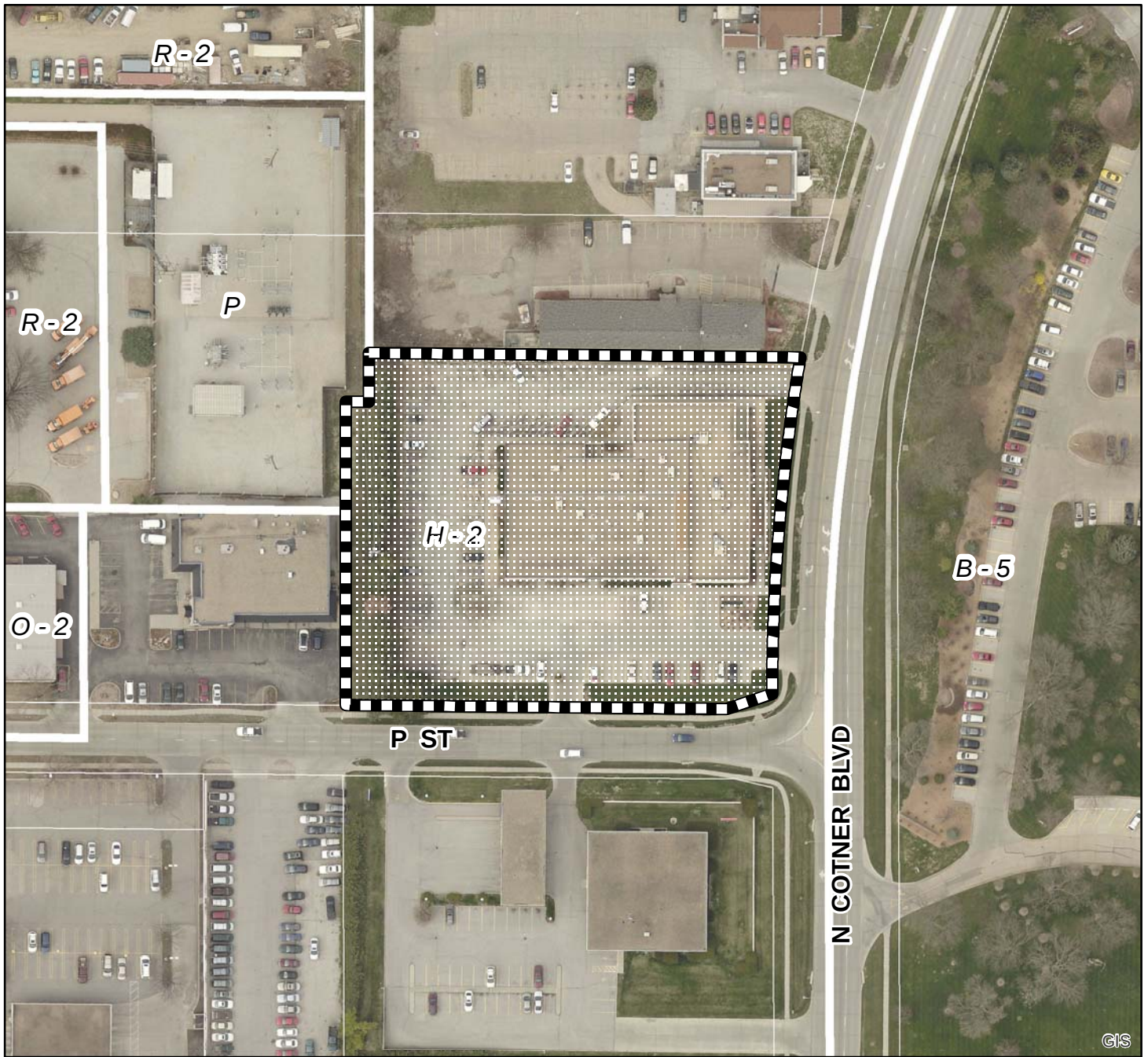
Zoning:

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



One Square Mile:
Sec.21 T10N R07E



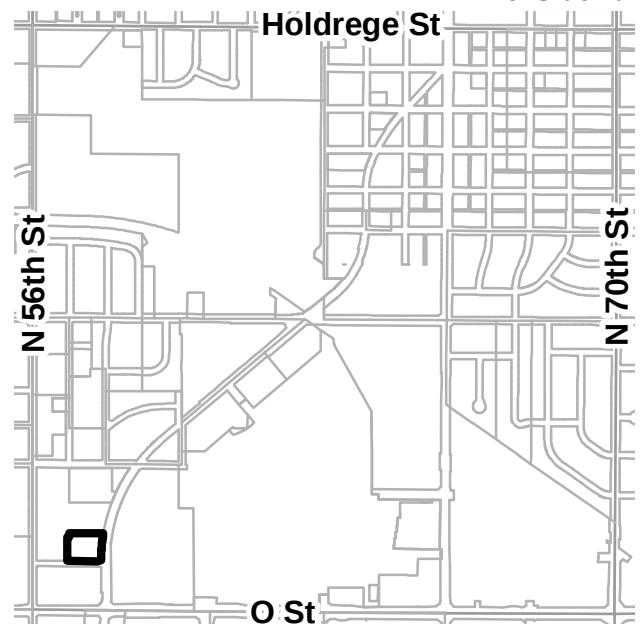
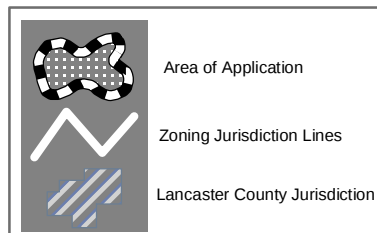
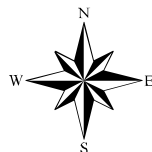


Use Permit #: PEUP3AG
N Cotner Blvd & P St

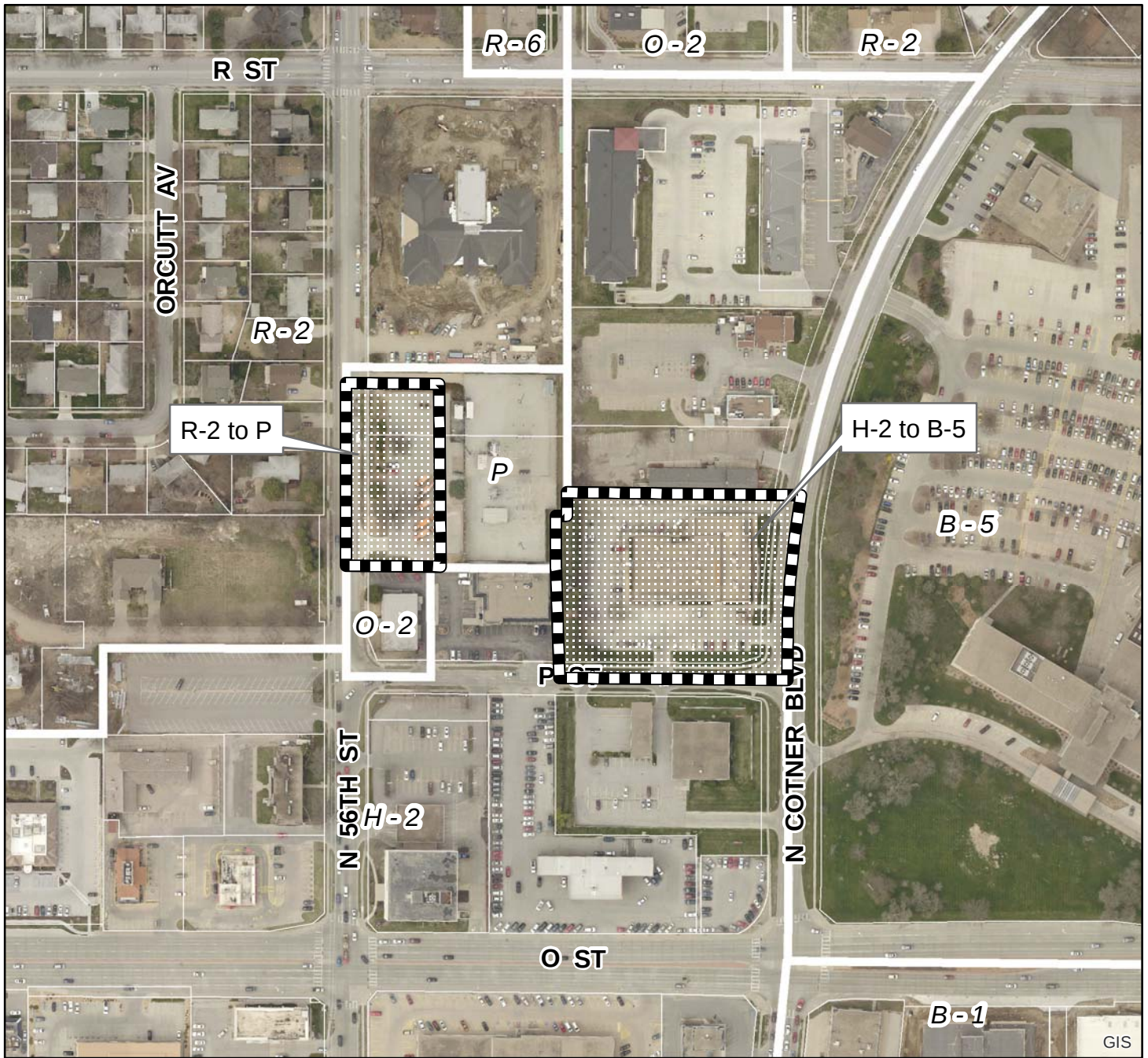
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I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile:
Sec.21 T10N R07E



2013 aerial



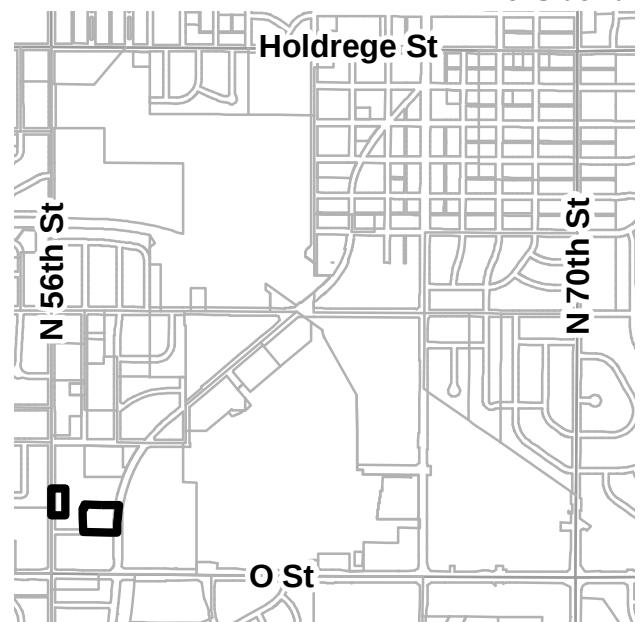
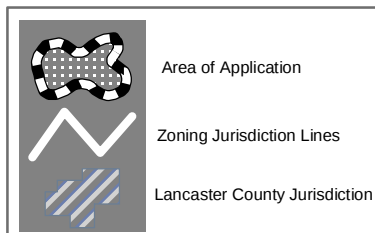
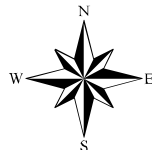
2013 aerial

Change of Zone #: CZ16005 N Cotner Blvd & P 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.20 T10N R07E
Sec.21 T10N R07E



REVISIONS

DATE	
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225 N. COTNER BLVD

DETAILED SITE PLAN

LINCOLN, NEBRASKA

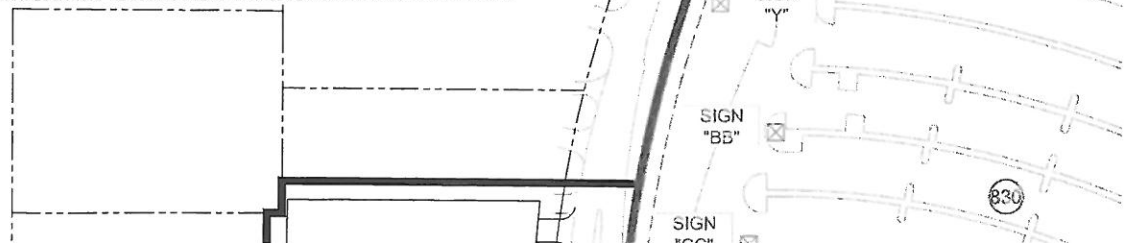
2016

designed by	jds
checked by	-
approved by	-
project no	2014-031
drawing no	-
date	07-07-2014

SHEET
1A

GENERAL NOTES:

1. EXISTING SIGNS ARE SHOWN ON THE SITE PLAN. NEW SIGNS NEED NOT BE SHOWN ON THIS SITE PLAN, BUT NEED TO BE IN COMPLIANCE WITH CHAPTER 27.69 OF THE LINCOLN ZONING ORDINANCE AND MUST BE APPROVED BY THE BUILDING & SAFETY DEPARTMENT PRIOR TO INSTALLATION.
2. BANNER SIGNS (RESOLUTION A-88555)
 - A. BANNERS AND BANNER HARDWARE MAY BE INSTALLED ON EXISTING LIGHT POLES IN THE PARKING LOTS THAT ARE UNDER GATEWAYS' OWNERSHIP AND CONTROL AS INDICATED ON THIS SITE PLAN.
 - B. EACH LIGHT POLE MAY HAVE A PAIR OF BANNERS, WITH EACH BANNER BEING A MAXIMUM 8 X 2 1/2 FEET IN AREA.
 - C. BANNERS MUST BE AFFIXED TO THE BANNER HARDWARE ALONG THE TOP AND BOTTOM PERIMETERS AND TO THE POLES IN A WAY THAT THEY REMAIN RIGID.
 - D. THE HEIGHT OF THE BANNER SHALL NOT EXCEED 18 FEET.
 - E. EXISTING LANDSCAPE MATERIALS ALONG THE O STREET FRONTAGE SHALL REMAIN IN PLACE AND BE REPLACED AS REQUIRED TO MAINTAIN THE CURRENT LEVEL OF SCREENING.
 - F. THE PERMITTEE MUST SUBMIT INFORMATION TO BUILDING AND SAFETY DEPARTMENT WITH THE SIGN PERMIT THAT IS SUFFICIENT FOR THE DEPARTMENT TO DETERMINE THE BANNERS AND HARDWARE WILL WITHSTAND WIND LOADS.
 - G. BANNERS SHALL BE MAINTAINED AND REPLACED AS NEEDED SO THAT THEY DO NOT PRESENT A TORN OR FADED APPEARANCE/ IF ANY BANNERS FALL OUT OF COMPLIANCE WITH THIS CONDITION AND THE PERMITTEE AFTER APPROPRIATE NOTICE TO BRING ANY BANNERS INTO COMPLIANCE FAILS TO DO SO, THE BUILDING AND SAFETY DEPARTMENT MAY ORDER THE PERMANENT REMOVAL OF ALL BANNERS.
 - H. BANNERS SHALL BE ALLOWED FOR TWO YEARS AFTER THE APPROVAL OF THIS USE PERMIT. THE PERMITTEE MAY SUBMIT A REQUEST TO THE PLANNING DIRECTOR THAT CAN BE APPROVED ADMINISTRATIVELY TO EXTEND THE USE OF THESE BANNERS FOR A SPECIFIC OR INDEFINITE PERIOD OF TIME.
3. IMPROVEMENTS SHOWN ON THIS PLAN ARE CONCEPTUAL AND SUBJECT TO MINOR CHANGE.
4. IN AREAS A-G THE PARKING REQUIREMENT IS 1 SPACE PER 300 SQUARE FEET OF GROSS FLOOR AREA FOR ALL USES. THE PARKING ARRANGEMENT AS SHOWN IS FOR ILLUSTRATION PURPOSES AND MAY BE MODIFIED.
5. AREA A IS PERMITTED AT 1,336,500 SQUARE FEET OF GROSS FLOOR AREA. FLOOR AREA IN AREAS 1 & B MAY BE INCREASED ADMINISTRATIVELY UP TO 15% OF THESE AMOUNTS. AREAS C-G DO NOT HAVE A LIMITATION ON FLOOR AREA.
6. ADMINISTRATIVE AMENDMENTS TO THE USE PERMIT ARE NOT NECESSARY IF ALL OF THE FOLLOWING ARE MET:
 - A. NO BUILDING EXTENDS INTO THE SETBACKS AS SHOWN, IF A SETBACK IS NOT SPECIFICALLY IDENTIFIED ON THE PLAN, THE SETBACK SHALL BE PER THE ZONING ORDINANCE;
 - B. THE PARKING REQUIREMENTS ARE MET FOR THE PROPERTY IN QUESTION;
 - C. NO ACCESS DRIVES OR INTERNAL CIRCULATION DRIVES OTHER THAN INTERNAL PARKING LOTS ARE ALTERED;
 - D. THE FLOOR AREA CAP FOR AREAS A AND B ARE NOT EXCEEDED FOR ANY CHANGES IN THESE AREAS. THE FLOOR AREA CAP MAY BE INCREASED UP TO 15% BY ADMINISTRATIVE AMENDMENT.
7. A PEDESTRIAN STREETSCAPE ZONE SHALL BE PROVIDED ALONG "O" STREET, N. 66TH STREET, "Q" STREET AND N. COTNER BOULEVARD. IF THE STREETSCAPE ZONE DOES NOT EXIST THEN IT MUST BE INSTALLED AT THE TIME OF BUILDING PERMIT FOR AN ADDITION OR THROUGH AN AMENDMENT TO THE USE PERMIT. THE REQUIREMENT TO INSTALL THE STREETSCAPE ZONE MAY BE WAIVED BY THE PLANNING DIRECTOR AT THE TIME OF BUILDING PERMIT.
 - A. THE STREETSCAPE ZONE SHALL INCLUDE A PLANTING AREA BETWEEN THE BACK OF CURB AND A SIDEWALK OF AT LEAST 8 FEET FOR STREET TREES AND A 5 FOOT WIDE SIDEWALK.
 - B. PUBLIC ACCESS EASEMENTS SHALL BE DEDICATED OVER ANY PORTION OF THE PUBLIC SIDEWALK THAT IS LOCATED ON PRIVATE PROPERTY.
 - C. THE STREETSCAPE IS NOT REQUIRED IN AREA A ADJACENT TO THE 50' BUFFER ALONG "O" STREET AS LONG AS THE 50' LANDSCAPE BUFFER REMAINS.
8. NO PARKING, DRIVEWAYS OR OTHER DEVELOPMENT SHALL OCCUR IN THE FRONT YARD SETBACKS OR THE 50 FOOT LANDSCAPE BUFFER ALONG "O" STREET EXCEPT FOR SIGNAGE.
9. ALL TERMS AND CONDITIONS OF PRE-EXISTING USE PERMIT NO. 3 SHALL APPLY UNLESS SPECIFICALLY AMENDED BY THIS USE AMENDMENT.
10. SIGNS A & B ARE LOCATED WITHIN THE PUBLIC RIGHT-OF-WAY. THEY WILL BE REMOVED FROM THE RIGHT-OF-WAY IF REQUESTED BY THE NEBRASKA DEPARTMENT OF ROADS OR IF A NEW CENTER SIGN IS REQUESTED AT THAT LOCATION. REMOVING THE SIGNS WILL BE DONE AT NO COST TO THE CITY.



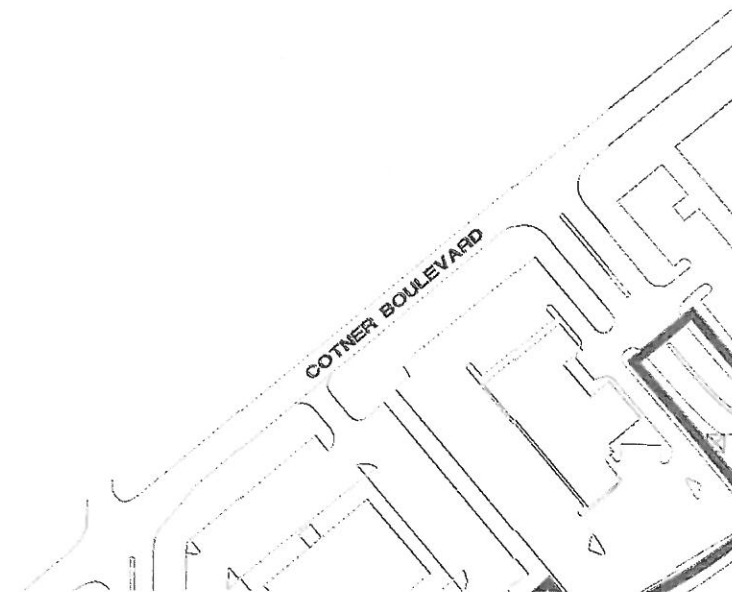
PARKING TABLE			
AREA DESIGNATION	A	B	C
PERMITTED USES	COMMERCIAL	COMMERCIAL	RESIDENTIAL
CURRENT GROSS FLOOR AREA	1,177,589	212,355	153 APARTMENT UNITS
EXISTING NUMBER OF PARKING STALLS IN DESIGNATED AREA	4,449	830	---
CURRENT STALL REQUIREMENT PER 1:300 RATIO	3,928	710	215 PER WAIVER

WAIVER LIST:

1. MAXIMUM BUILDING HEIGHT FROM 40 FEET TO 65 FEET FOR ANY NEW ADDITION TO AREA "A" MEASURED FROM THE AVERAGE ADJACENT GRADE OF THE ADDITION TO THE HIGHEST POINT OF THE ADDITION, EXCLUDING NECESSARY MECHANICAL APPURTENANCES.
2. PARKING RATIO FOR ALL USES TO 1 STALL PER 300 SQUARE FEET OF GROSS BUILDING SQUARE FOOTAGE.
3. MAXIMUM BUILDING HEIGHT FROM 40 FEET TO 55 FEET FOR AREA "C" MEASURED FROM THE AVERAGE ADJACENT GRADE OF THE ADDITION TO THE HIGHEST POINT OF THE ADDITION, EXCLUDING NECESSARY MECHANICAL APPURTENANCES.
4. OF THE RESIDENTIAL PARKING REQUIREMENT IN AREA "C". 1.4 STALLS PER UNIT SO LONG AS NO MORE THAN 60 OF THE PROPOSED 153 UNITS ARE LARGER 1 BEDROOM UNITS WITHOUT A DEN.

GENERAL NOTES:

1. EXISTING SIGNS ARE SHOWN ON THE SITE PLAN. NEW SIGNS NEED NOT BE SHOWN ON THIS SITE PLAN, BUT NEED TO BE IN COMPLIANCE WITH CHAPTER 27.69 OF THE LINCOLN ZONING ORDINANCE AND MUST BE APPROVED BY THE BUILDING & SAFETY DEPARTMENT PRIOR TO INSTALLATION.
2. BANNER SIGNS (RESOLUTION A-88555)
 - A. BANNERS AND BANNER HARDWARE MAY BE INSTALLED ON EXISTING LIGHT POLES IN THE PARKING LOTS THAT ARE UNDER GATEWAY'S OWNERSHIP AND CONTROL AS INDICATED ON THIS SITE PLAN.
 - B. EACH LIGHT POLE MAY HAVE A PAIR OF BANNERS, WITH EACH BANNER BEING A MAXIMUM 8 X 2 ½ FEET IN AREA.
 - C. BANNERS MUST BE AFFIXED TO THE BANNER HARDWARE ALONG THE TOP AND BOTTOM PERIMETERS AND TO THE POLES IN A WAY THAT THEY REMAIN RIGID.
 - D. THE HEIGHT OF THE BANNER SHALL NOT EXCEED 18 FEET.
 - E. EXISTING LANDSCAPE MATERIALS ALONG THE O STREET FRONTAGE SHALL REMAIN IN PLACE AND BE REPLACED AS REQUIRED TO MAINTAIN THE CURRENT LEVEL OF SCREENING.
 - F. THE PERMITTEE MUST SUBMIT INFORMATION TO BUILDING AND SAFETY DEPARTMENT WITH THE SIGN PERMIT THAT IS SUFFICIENT FOR THE DEPARTMENT TO DETERMINE THE BANNERS AND HARDWARE WILL WITHSTAND WIND LOADS.
 - G. BANNERS SHALL BE MAINTAINED AND REPLACED AS NEEDED SO THAT THEY DO NOT PRESENT A TORN OR FADED APPEARANCE/ IF ANY BANNERS FALL OUT OF COMPLIANCE WITH THIS CONDITION AND THE PERMITTEE AFTER APPROPRIATE NOTICE TO BRING ANY BANNERS INTO COMPLIANCE FAILS TO DO SO, THE BUILDING AND SAFETY DEPARTMENT MAY ORDER THE PERMANENT REMOVAL OF ALL BANNERS.
 - H. BANNERS SHALL BE ALLOWED FOR TWO YEARS AFTER THE APPROVAL OF THIS USE PERMIT. THE PERMITTEE MAY SUBMIT A REQUEST TO THE PLANNING DIRECTOR THAT CAN BE APPROVED ADMINISTRATIVELY TO EXTEND THE USE OF THESE BANNERS FOR A SPECIFIC OR INDEFINITE PERIOD OF TIME.



PEUP3AG Legal Description

Lots 1-5, Gateway Shopping Center Subdivision; Lots 1-3 & Outlot A, Q Place, except east part for street; Lot 256 of Irregular Tracts except that part lying NW of a line 40' east of the centerline of Cotner Blvd. and except parts in NW and south for road; Lot 262 of Irregular Tracts except south part for road; Lot 263 of Irregular Tracts except 544.35 SF in south for street; Lot 265 of Irregular Tracts except 2835.5 SF in south part for road; Lot 266 of Irregular Tracts except the south portion of right of way of 'O' Street; Lot 163 of Irregular Tracts except 182.63 SF in the SE corner for Street; all located in the S ½ of Section 21, Township 10 North, Range 7 East of the 6th P.M., Lincoln, Lancaster County, Nebraska.



Civil Design Group, Inc.

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

www.civildg.com

February 17, 2016

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

**Re: 225 N. Cotner Blvd, Amended Use Permit and Change of Zone applications,
CDG Project #2014-0314.**

Dear Mr. Cary:

On behalf of Austin Realty Investments., we submit the above mentioned Amended Use Permit and Change of Zone applications. With these applications we are requesting to amend the existing B-5 Gateway Use Permit by adding the 225 N. Cotner Blvd property as Area 'C' and subsequently changing the zoning on this lot from H-2 to B-5.

We request the following waivers with this application:

1. For maximum building height from 40 feet to 55 feet for area 'C' measured from the average adjacent grade of the addition to the highest point of the addition, excluding necessary mechanical appurtenances.
2. Of the residential parking requirement in area 'C' to 1.4 stalls per unit so long as no more than 60 of the proposed 153 units are larger than 1 bedroom units without a den.

In conjunction with this submittal we have included the following:

Change of Zone Fee - \$792.00

Amended PUD Fee - \$1029.60

Change of Zone and Amended PUD Application Form

We hope that this letter and associated plan sheets provide you with enough information to review this CUP and change of zone application. As always, please call me at (402) 434-8494 if you have questions.

Sincerely,

Mike Eckert, AICP

Encl

cc: Austin Realty Investments

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LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for MARCH 16, 2016 PLANNING COMMISSION MEETING

- PROJECT #:** Pre-Existing Special Permit No.23H
- PROPOSAL:** A request per Section 27.63.075 to amend the special permit to include a new 75,000 square foot science building and associated parking, and expand the special permit boundary to accommodate additional off-street parking for Nebraska Wesleyan University.
- LOCATION:** N 56th St and Baldwin Ave.
- LAND AREA:** Area of existing special permit is approximately 50.61 acres, proposed expansion is approximately 0.36 acres.
- EXISTING ZONING:** R-6, Residential
- CONCLUSION:** The proposed science building will provide for the continued success of a community asset while remaining sensitive to the surrounding neighborhood. The increased building height matches the character of surrounding properties.

RECOMMENDATION:	Conditional Approval
Waivers/modifications:	
1. Increase maximum height for the proposed science building from 35 feet to 46 feet	Approval

GENERAL INFORMATION:

LEGAL DESCRIPTION: The western 50 feet of Lot 1 and Lot 2, the south 3 feet of the eastern 92 feet of Lot 2, the eastern 92 feet of Lot 1, the eastern 92 feet of Lot 2 except the south 3 feet of Lot 2, Lot 3, Lot 4, Lot 5, Lot 6, Lot 7, Lot 8, Block 77, University Place, located in the NE 1/4 of Section 17-10-7; irregular tract between 50th and 56th Streets and Madison and Huntington Avenues located in the NE 1/4 of Section 17-10-7, Lincoln, Lancaster County, Nebraska.

EXISTING LAND USE: Nebraska Wesleyan University campus, multi-family dwelling, single family dwelling, parking, public right-of-way

SURROUNDING LAND USE AND ZONING:

North:	R-2, R-4, R-6 Residential	Single-family and multi-family dwellings
South:	R-6 Residential	Single-family and multi-family dwellings
East:	R-2, R-4, R-6 Residential	Single-family and multi-family dwellings
West:	R-2 Residential, B-3 Commercial	Single-family and multi-family dwellings, First United Methodist Church, Commercial

ASSOCIATED APPLICATIONS: SAV16001 to vacate N 50th Street between Baldwin Avenue and St. Paul Avenue

HISTORY:

April 13, 1994	PESP#23A for additional off-street parking and for a new health and fitness center was approved by the Planning Commission.
Sept. 8, 1997	PESP#23B to expand an existing parking lot at N. 53 rd St. and Huntington Ave. was approved by the City Council.
Sept. 10, 1997	PESP#23C to expand the boundary of the campus at N 53 rd Street and Huntington Avenue was approved by the Planning Commission.
August 1998	PESP#23D to expand the boundary of the campus at the northwest corner to include two houses to provide room and board for up to ten students was approved by the Planning Commission.
May 6, 2002	PESP#23E to allow the addition of student housing to accommodate 350 students was approved by the City Council.
August 31, 2005	PESP#23F to expand the boundary of the special permit to accommodate additional off-street parking was approved by the Planning Commission.
February 8, 2012	PESP#23G to expand the boundary of the special permit to accommodate additional off-street parking was approved by the Planning Commission.

COMPREHENSIVE PLAN SPECIFICATIONS:

Support the necessary expansion of education facilities while remaining sensitive to surrounding neighborhoods. (p.8.9)

Improve the efficiency, performance, and connectivity of a balanced transportation system...An efficient system allows people to move from place to place in as direct a route as possible, allowing them to reduce the amount of time spent in travel, the distance that must be traveled, and the amount of time spent in congested traffic. (p. 10.24)

The area of application is shown as Public & Semi-Public in the 2040 Comprehensive Plan. (p.12.3)

The 2004 N 48th Street/University Place Plan includes the Wesleyan Campus as an integral component. The following references are relevant:

The improvement of the residential quality of the University Place neighborhoods is a widely shared goal. One important step in achieving that goal is to provide the neighborhood residents, particularly those in the blocks surrounding the Nebraska Wesleyan University campus, with a plan that helps them feel confident that future University expansion will not have a detrimental impact on their property values and overall quality of life. This plan should also include provisions, which facilitate collaborative efforts by the University, the neighborhood, and the City to invest in the revitalization of these neighborhoods. (p.4)

A major institution like Wesleyan University generates understandable demands for land, parking and housing that it must address. Yet, these requirements can also affect the quality of the residential environment. (p.5)

Issues for the transitional area between Wesleyan University and 48th Street:

A major and growing demand for parking. Despite large, University-owned surface lots on the west side of 50th Street, parking demand appears highest in this part of the neighborhood. (p. 24)

Local circulation. Two-sided, on-street parking, local traffic generated by both the university and business communities, and relatively narrow streets create some congestion, especially along 49th Street. (p. 25)

Campus/business district connections and campus visibility from 48th Street. Despite a large presence in the neighborhood, the University is tucked two blocks away from its primary approach route. The University campus and the business district are also not strongly connected, despite their relative adjacency. (p. 25)

An urban university campus adds to these parking problems. NWU, like many colleges, does not meet its parking demand on campus...Universities have difficulty buying the land necessary for surface parking, which in any case can threaten the quality of the campus; but have equal difficulty raising funds to build very expensive parking structures. As a result, a good deal of parking demand is met by the neighborhood's already crowded streets. (p.61)

The overall supply of parking in the neighborhood should be increased, without destroying the character of the area...The University must identify locations for new parking, including the consideration of decks over surface lots. However, it must take care not to harm the neighborhood by expanding opportunistically into the residential fabric. (p.61)

The neighborhood should provide good local traffic circulation at speeds appropriate to residential areas. While most of University Place follows the City's street grid, the NWU campus, University Place Park, and the Dead Man's Run floodplain interrupt the grid's continuity. This, along with existing traffic signal placement, tends to channel traffic onto a few continuous streets, such as Leighton Avenue between 48th and 56th Streets. (p.61)

50th Street identified as a Share-the-Road Bicycle Route/enhanced pedestrian corridor. (p. 73)

NWU is encouraged to regard the blocks to the west of the current core campus, between 50th and 48th Streets and Madison and Huntington as an area suitable for campus expansion. (p. 80)

TRAFFIC ANALYSIS:

N 50th Street, St. Paul Avenue, and Baldwin Avenue are local streets. A portion of N 50th is proposed to be vacated to locate the new science building.

ANALYSIS:

1. This application is to amend the special permit to include a new 75,000 square foot science building and associated parking, and expand the special permit boundary to accommodate additional off-street parking for Nebraska Wesleyan University.
2. The proposed science building will be three stories and reach 46 feet in height. The applicant is seeking a waiver to increase the maximum allowable height from 35 feet (the R-6 district maximum) to 46 feet. The height increase would apply only to the proposed science building.
3. The increased height fits the character of the surrounding area. Lincoln Manor, located directly to the west of the proposed science building, is four stories tall. First United Methodist Church, located to the north, is approximately three stories tall. A student housing facility that is three stories tall is located to the south.
4. Nebraska Wesleyan University is a community asset and the existing campus area is nearing full build-out. The proposed science building is needed for the University to advance its educational mission and better serve future students.
5. The proposed science building is primarily located within an area of N 50th Street right-of-way to be vacated with Street and Alley Vacation #16001. Analysis for the street vacation can be found in the Street and Alley Vacation #16001 staff report.
6. The Comprehensive Plan supports the necessary expansion of education facilities while remaining sensitive to surrounding neighborhoods. The N 48th Street/University Place Plan designates this area as suitable for future campus expansion.
7. The proposed science building is situated on the site to have a reduced impact on neighbors. The building is located approximately 175 feet east of Lincoln Manor, with a landscaped parking lot in-between the two structures. The building is also oriented to preserve the viewshed of “Old Main” from First United Methodist Church.
8. The expanded boundary includes property on the northeast corner of Baldwin Avenue and N 49th Street that is currently owned by the University. The existing uses are a multi-family complex and a single-family dwelling. The proposed use is a parking lot.

9. Two parking areas east of N 50th Street are being reconfigured to accommodate the proposed science building. These two areas show a net gain of 11 parking spaces.
10. The submitted site plan shows proposed parking spaces west of the science building backing into the public alleyway, which is not permitted. The site plan requires revisions, so no final count for net parking gained or lost is available at this time. The new and modified parking areas will be required to meet design standards for screening and landscaping.
11. The expansion area is designated as Public & Semi-Public in the 2040 Comprehensive Plan.

CONDITIONS OF APPROVAL:

Per Section 27.63.075 this approval permits a private school with a waiver to increase the height of the proposed science building from 35 feet to 46 feet.

Site Specific Conditions:

1. The City Council approves the associated request:
 - 1.1 Street and Alley Vacation #16001
2. 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 **5** copies with all required revisions and documents as listed below:
 - 2.1 Revise the parking table to include accurate existing and proposed parking stall counts.
 - 2.2 Revise proposed parking lot layout for science building so that parking stalls are not backing into public alley and are not located in front yard setbacks.
 - 2.3 Provide sidewalk connection from Baldwin Avenue to west side of proposed science building.
 - 2.4 Identify area located on the southwest side of the proposed science building.
 - 2.5 Show the general parking layout of Area J.
 - 2.6 Remove the copyright notice from title bar.
 - 2.7 Move name of the proposed recreation area so it can be clearly read.

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

- 3.1 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:

4. The following conditions are applicable to all requests:

- 4.1 Before starting the operation all development and construction shall substantially comply with the approved plans.
- 4.2 The physical location of all setbacks and yards, buildings, parking and circulation elements, and similar matters be in substantial compliance with the location of said items as shown on the approved site plan.
- 4.3 The terms, conditions, and requirements of this resolution shall run with the land and be binding upon the Permittee, its successors and assigns.
- 4.4 The applicant shall sign and return the letter of acceptance to the City Clerk. This step should be completed within 60 days following the approval of the special permit. The City Clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, 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.
- 4.5 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

Andrew Thierolf
Planner

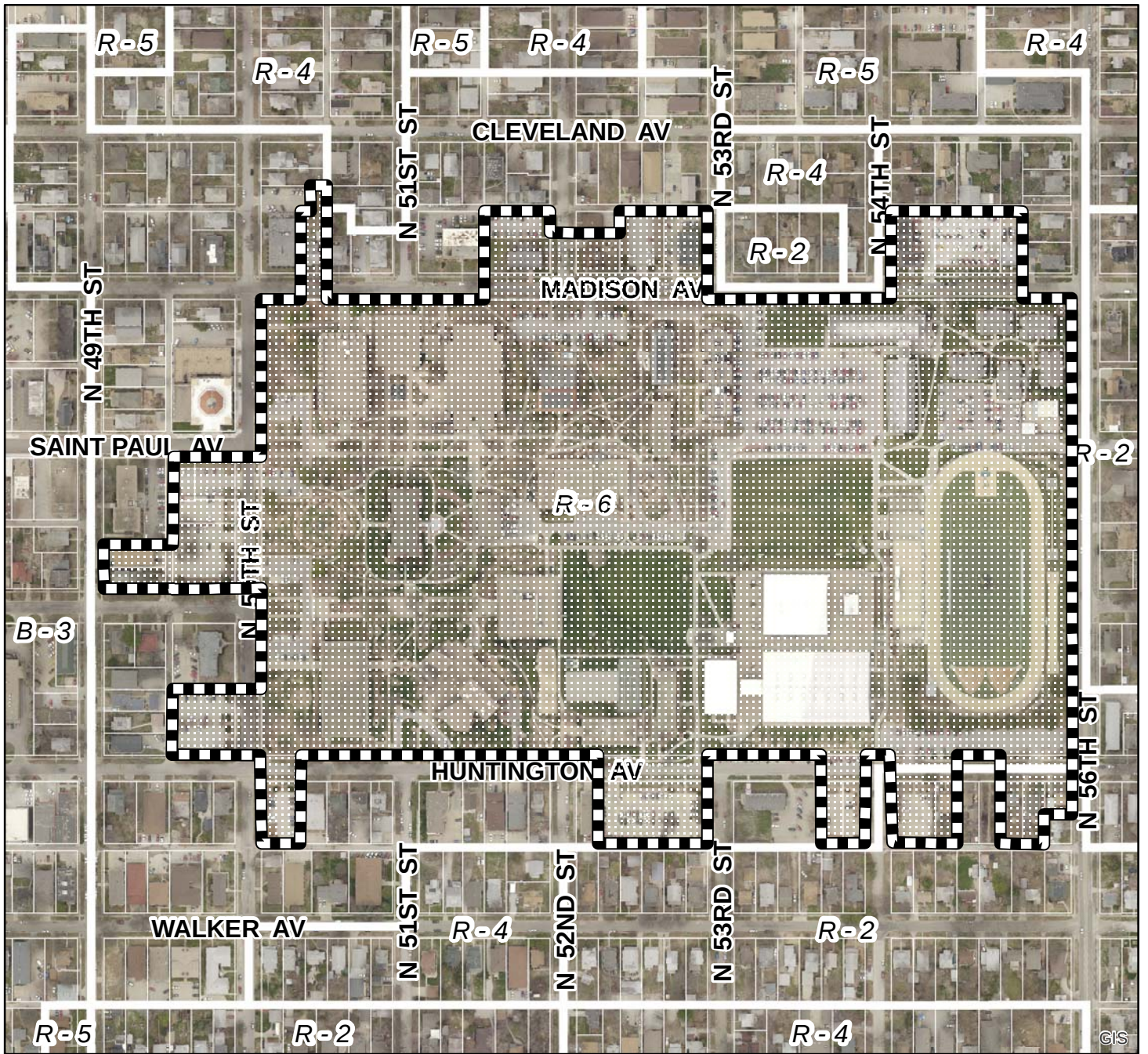
DATE: March 8, 2016

APPLICANT: Wesleyan University
5000 Saint Paul Ave.
Lincoln, NE 68504

OWNER: Same as applicant

CONTACT: Tom Huston
233 South 13th Street
Lincoln, NE 68508

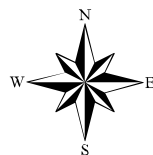
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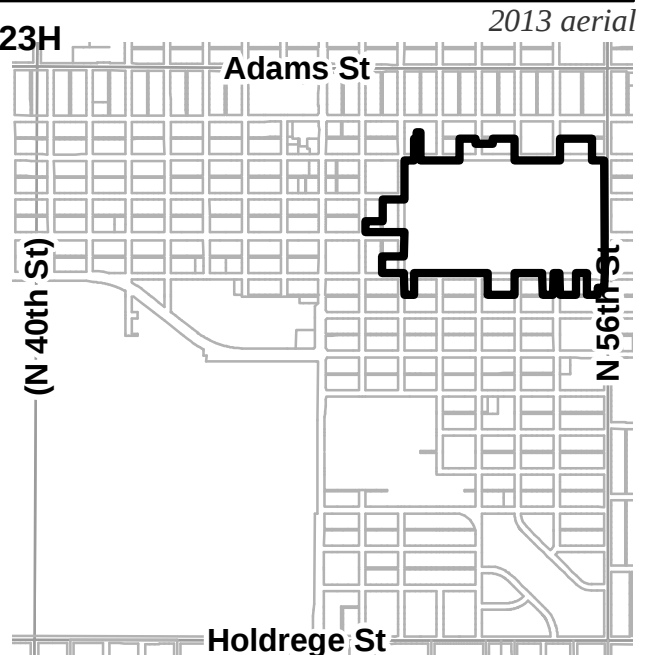
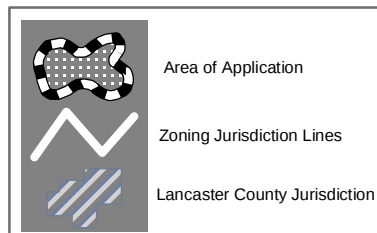
Pre-existing Special Permit Amendment #: PESP23H
Nebraska Wesleyan University Science Initiative
N 50th St & St Paul Av

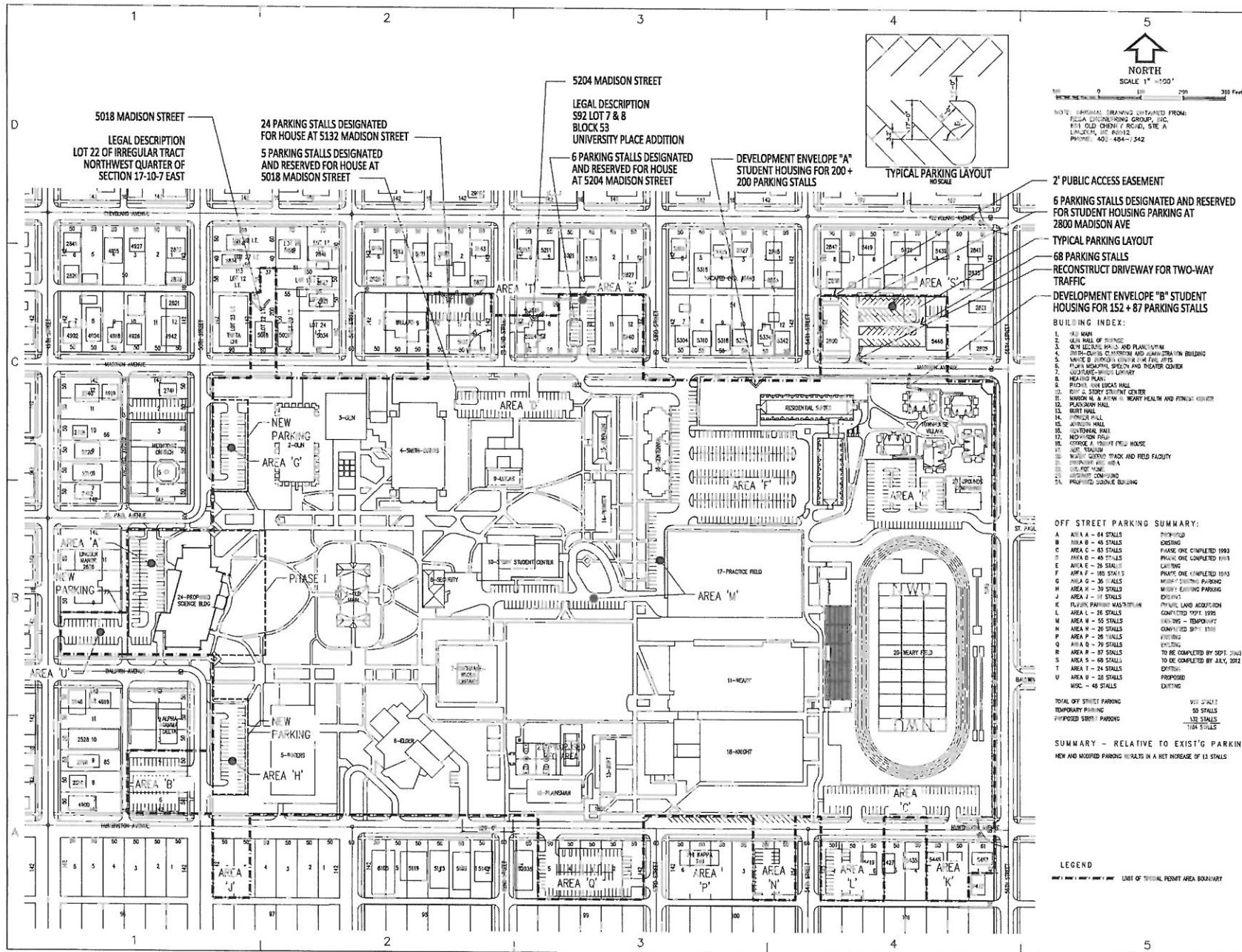
Zoning:

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 T10N R07E





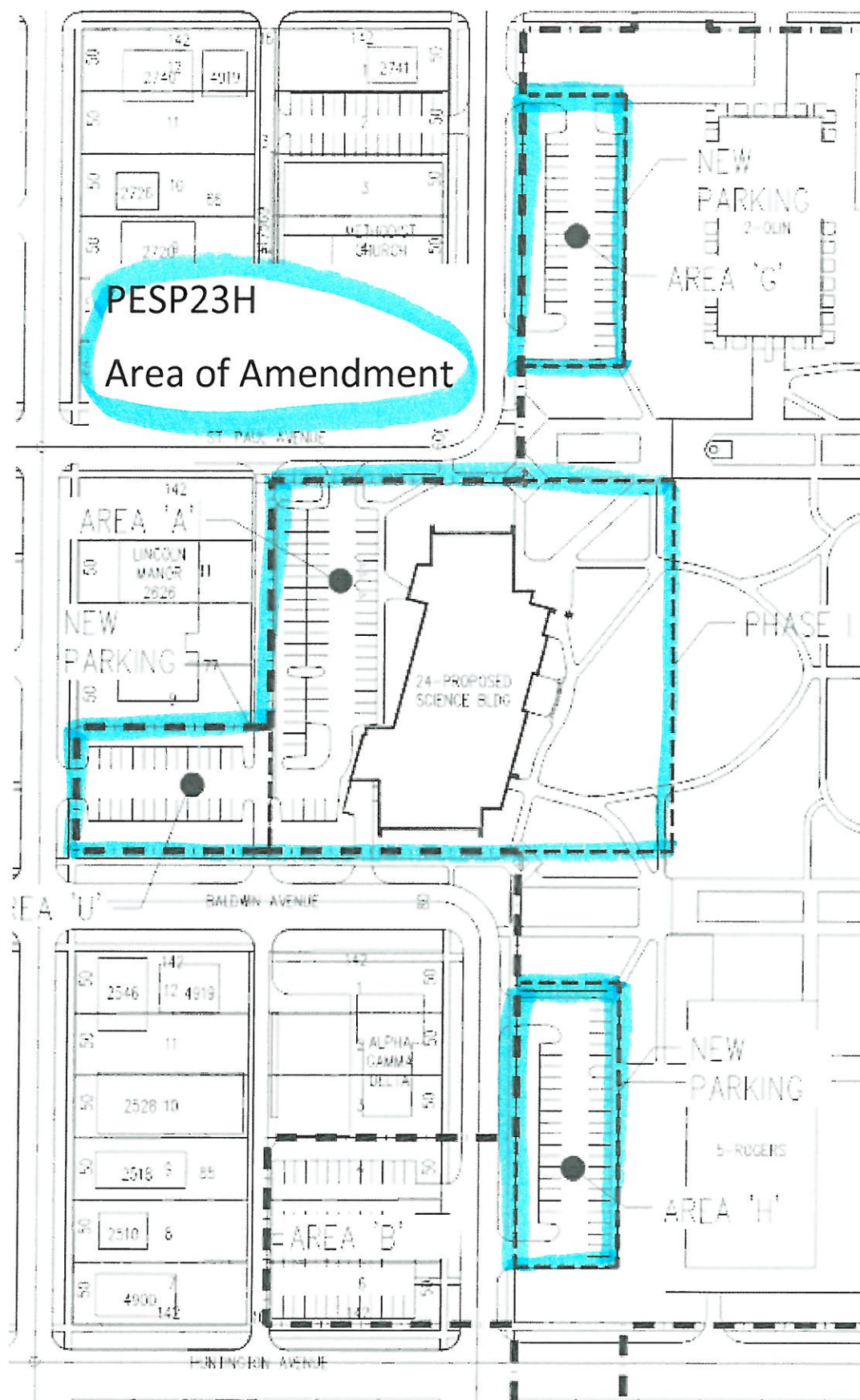


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www.cfbarchitects.com

**NEBRASKA
WESLEYAN
UNIVERSITY**
5000 ST. PAUL AVENUE
LINCOLN, NE

**AMENDMENT TO
SPECIAL PERMIT 23
CAMPUS PLAN**

SP-1.00



Current Project - Agency Review Report

Agency Name	User Name	Review Cycle	Review Status	Comments	Assignment
Building & Safety	christy eichorn	1	In Review	Confirm calculation of the height of the building. There should be some flexibility built in to the waiver request. What are the setback requirements for uses within this special permit? Does the applicant need to amend their sign package with this expansion?	First In Group
City Recycling Office	Gene Hanlon	1	Pending		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 Borer	1	Pending		Individual
Historic Districts/Capitol Environs	Historic Districts/Capitol Environs	1	Pending		First In Group
Law Department	Tonya Peters	1	Pending		Individual
LES	LES	1	Pending		First In Group
Lincoln Police Department	Lincoln Police Department	1	Pending		First In Group

Current Project - Agency Review Report

Parks & Recreation	mark canney	1	Recommend Approval		First In Group
Planning Dept	brenda thomas	1	No Review Required		First In Group
Public Works - Engineering Services	bob simmering	1	Recommend Approval	2-23. Need plans and EO for construction of intersections. Preserve utility easements unless relocation is approved.	First In Group
Public Works - Watershed Management	ben higgins	1	Corrections Required	Storm drainage in 50th drains north to south from north of St. Paul to Huntington through 21" to 30" Reinforced Concrete Pipes in 50th. Need to see and approve plans on how Wesleyan plans to re route the drainage.	Individual
Public Works & Utilities - Wastewater	brian kramer	1	Corrections Required	need to retain sanitary sewer easements in 50th or remove if no buildings connected.	Individual
Public Works & Utilities - Water	Public Works & Utilities - Water	1	Pending		First In Group
Stronger Safer Neighborhoods	Jon Carlson	1	Pending		Individual
United States Post Office	kerry kowalski	1	Recommend Approval	Recommend approval on the condition all new delivery addresses are established in Centralized Box Units (CBUs) which will be purchased and installed at the developer's expense in a location mutually agreed upon by the developer and the US Postal Service.	First In Group
Urban Development	Wynn Hjermstad	1	Pending		First In Group
Windstream	Todd Williams	1	Pending		Individual

L. BRUCE WRIGHT
 JAMES M. BAUSCH
 ROBERT J. ROUTH
 DAVID R. BUNTAIN
 STEPHEN H. NELSEN
 MICHAEL C. MUELLER
 DANIEL R. STOGSDILL
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February 17, 2016

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 SHANNON E. FALLON
 KATHERINE M. KOCK
 KATIE A. JOSEPH
 LILY A. CARR
 FREDRIC H. KAUFFMAN
 DONALD E. BURT
 STEPHEN E. GEHRING

VIA HAND DELIVERY

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

Re: Nebraska Wesleyan University submittal of: (a) Application to Amend
 Pre-existing Special Permit #23; and (b) Petition to Vacate Public
 Right of Way of North 50th Street Between St. Paul Avenue and
 Baldwin Avenue
 Our File No.: 10892.017

Dear Mr. Cary:

This firm represents Nebraska Wesleyan University ("NWU"), which
 proposes to expand its campus with the addition of a new science building
 located on the western edge of its campus. NWU seeks to amend pre-existing
 Special Permit #23 and to vacate the public way of North 50th Street between
 St. Paul Avenue and Baldwin Avenue. We enclose applications associated with
 those requests.

A. PROJECT

NWU proposes to construct a new science building on real property
 generally located to the west of North 50th Street between St. Paul Avenue and
 Baldwin Avenue. The new science building is proposed as a 3 story education
 structure containing approximately 75,000 square feet. This new science
 building will assist NWU in preparing its students for the 21st century. In
 connection with this construction NWU seeks to amend the pre-existing Special
 Permit #23 by expanding its boundaries to include Lots 7 and 8, Block 77,
 University Place, City of Lincoln, Lancaster County, Nebraska. Additionally in
 furtherance of pedestrian safety and campus cohesiveness, NWU seeks to

vacate that portion of the North 50th Street Right of Way between the south right of way line of St. Paul Avenue and the north right of way line of Baldwin Avenue. NWU currently owns all abutting parcels to said portion of the public right of way. The new structure proposed to be located is in the vacated right-of-way as shown on the site plan accompanying the application.

The new science building development includes additional parking spaces located across Lots 7 and 8, Block 77, University Place, City of Lincoln, Lancaster County, Nebraska. Because those lots are not within the boundaries of Special Permit #23, NWU seeks to expand the boundaries to include Lots 7 and 8. When the project is completed, NWU will reflect a net gain of parking stalls, as shown on the parking table on the site plan. Additionally, the construction of the new science building will increase pedestrian traffic across North 50th Street as students, faculty, and staff will walk between the new science building and the existing campus. The vacation of 50th Street between St. Paul Avenue and Baldwin Avenue will foster pedestrian safety on its campus. The science building will assist NWU in the creation of a campus "quad" area consistent with the campus master plan with the "Old Main" structure located east of the site of the new building.

B. SUBMITTAL

NWU requests the city to amend pre-existing Special Permit #23 to include: (1) the new science building on the campus Site Plan; (2) add Lots 7 and 8, Block 77, University Place; and (3) to vacate the public way of North 50th Street between the south right of way line of St. Paul Avenue and the north right of way line of Baldwin Avenue.

C. WAIVER

NWU further seeks a waiver of the 35 foot height restriction applicable in the "R-6" zoning district by Table 27.72.020. The height of the three story structure shall be 46 feet and thus, NWU seeks a waiver for the 11 foot increment above the 35 foot restriction. The mechanical appurtenance located on top of the structure is exempt from the height restriction due to the operation of LMC § 27.72.110(b) as the mechanical space is less than 20 feet in height and is recessed by more than 15 feet from the building faces.

D. ENCLOSURES

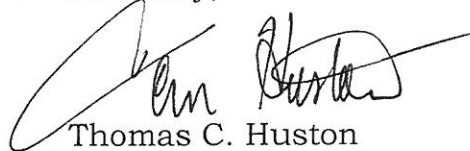
Enclosed with this delivery is the:

David Cary
February 17, 2016
Page 3

1. Application Request Form which requests the amendment of Special Permit #23; and seeks vacation of North 50th Street;
2. Site Plan as required by the City of Lincoln application. The electronic version will be uploaded to the ProjectDox registry;
3. Application Fee in the amount of \$957.00 payable to the City of Lincoln for:
 - a. Special Permit Amendment of \$792.00; and
 - b. Street vacation of \$165.00.
4. Petition to Vacate Public Way with Release and Waiver of Rights and Title, and Quitclaim Deed to City of Lincoln signed by Nebraska Wesleyan University, as owner of all abutting parcels; and
5. Information Sheet detailing the requested vacation of public way.
6. Letters of Support for the NWU science building from businesses and residential neighbors.

If there are any questions, please do not hesitate to contact me.

Sincerely,



Thomas C. Huston
For the Firm

Enclosure

cc: Fred Ohles (via email)
Tish Gade-Jones (via email)
Pastor Larry Moffit (via email)

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for March 16, 2016 PLANNING COMMISSION MEETING

PROJECT #: Street and Alley Vacation No. 16001

PROPOSAL: Vacate the North 50th Street right-of-way between the south right-of-way line of St. Paul Avenue and the north right-of-way line of Baldwin Avenue.

LOCATION: Between St. Paul Avenue and Baldwin Avenue along North 50th Street.

LAND AREA: Approximately 17,600 square feet (0.4 acres)

CONCLUSION: While this vacation will increase block length, decrease connectivity, and increase traffic on N 49th Street, it is needed by Nebraska Wesleyan University to expand their campus. The proposed science building and associated street vacation will help the University, a significant institution in Lincoln and a key element of the University Place neighborhood, advance its educational mission and better serve future students.

RECOMMENDATION:	Conforms to the Comprehensive Plan
------------------------	------------------------------------

GENERAL INFORMATION:

LEGAL DESCRIPTION: A portion of the North 50th Street public right-of-way between the south right-of-way line of St. Paul Avenue and the north right-of-way line of Baldwin Avenue, located in the NE 1/4 of Section 17-10-7, Lincoln, Lancaster County, Nebraska.

SURROUNDING LAND USE AND ZONING:

North:	R-6 Residential	Wesleyan University, First United Methodist Church
South:	R-6 Residential	Wesleyan University, Student Housing
East:	R-6 Residential	Wesleyan University
West:	R-6 Residential	Parking Lot

ASSOCIATED APPLICATIONS: Pre-Existing Special Permit No.23H to amend the special permit to include a new 75,000 square foot science building and associated parking, and expand the special permit boundary to accommodate additional off-street parking for Nebraska Wesleyan University.

COMPREHENSIVE PLAN SPECIFICATIONS:

Strategy for existing neighborhoods: maintain existing pattern of streets for connectivity. (p. 7.11)

Support the necessary expansion of education facilities while remaining sensitive to surrounding neighborhoods. (p. 8.9)

Schools are vital to the preservation of existing neighborhoods and every effort should be made to enhance and retain “neighborhood schools.” (p. 8.9)

Improve the efficiency, performance, and connectivity of a balanced transportation system...An efficient system allows people to move from place to place in as direct a route as possible, allowing them to reduce the amount of time spent in travel, the distance that must be traveled, and the amount of time spent in congested traffic. (p. 10.24)

N 50th Street is not shown on the Functional Street and Road Classification plan. Local streets and alleys are not included in the functional classification. (p. 10.15)

The 2004 N 48th Street/University Place Plan includes the Wesleyan Campus as an integral component. The following references are relevant:

Nebraska Wesleyan is identified as a key ingredient that contributes to the great urban setting of University Place. (p. 5)

The neighborhood should provide good local traffic circulation at speeds appropriate to residential areas. While most of University Place follows the City's street grid, the NWU campus, University Place Park, and the Dead Man's Run floodplain interrupt the grid's continuity. This, along with existing traffic signal placement, tends to channel traffic onto a few continuous streets, such as Leighton Avenue between 48th and 56th Streets. (p.61)

The University Place development concept shows N 50th Street remaining open as a local through street. (p. 63)

50th Street identified as a Share-the-Road Bicycle Route/enhanced pedestrian corridor. (p. 73)

NWU is encouraged to regard the blocks to the west of the current core campus, between 50th and 48th Streets and Madison and Huntington as an area suitable for campus expansion. (p. 80)

The N 48th Street/University Place Plan is a guide for the future of N 48th Street and University Place; it does not represent final design. Implementation of the plan's recommendations will require further refinement, decision-making, design and funding. (p. 81)

UTILITIES:

Utilities and easements currently located in the existing right-of-way will need to be addressed. Relocation will likely be necessary due to the location of the proposed science building.

TRAFFIC ANALYSIS:

N 50th Street, St. Paul Avenue, and Baldwin Avenue are local streets.

PUBLIC SERVICE:

The Star Tran University Place bus route currently travels along the portion of N 50th Street to be vacated. The route is proposed to be re-routed away from N 50th Street in the updated Transit Development Plan.

ANALYSIS:

1. This is a request to vacate N 50th Street right-of-way between St. Paul Avenue and Baldwin Avenue. The vacation would result in the removal of one block length of N 50th Street.
2. N 50th Street is classified as a local street in the 2040 Comprehensive Plan.
3. Nebraska Wesleyan University owns the property on both sides of the right-of-way. The vacated right-of-way would be utilized as a location for the University's proposed science building.
4. This segment of N 50th Street follows an uninterrupted path for approximately 14 blocks, with University Place Park on the south and merging with Somerset Avenue on the north. Between N 50th and N 56th Streets no local streets continue through Nebraska Wesleyan's existing campus.
5. The 2040 Comprehensive Plan promotes an efficient transportation system that allows people to move from place to place in as direct a route as possible in order to reduce the amount of time spent on travel, the distance that must be traveled, and the amount of time spent in congested traffic. The Comprehensive Plan states that the street network in existing neighborhoods should be maintained to provide connectivity. This vacation will lengthen internal neighborhood vehicular trips and focus more traffic onto N 49th Street, which already receives circulation traffic from nearby commercial properties. N 49th Street will become the only connected north-south street between N 48th Street and N 56th Street.
6. Chapter 26.23.130 of the Lincoln Municipal Code (LMC) provides standards regarding block length. Block length is determined by measuring the perimeter of the block and dividing by two. In neighborhoods originally platted prior to 1950, which includes University Place, maximum block length is 1,000 feet.

Campus uses typically have large block lengths. Block length for the Nebraska Wesleyan campus as measured by the LMC is 2,880 feet, which would increase to 3,250 feet with this vacation. The largest block lengths for other similar institutions in Lincoln include: University of Nebraska Downtown Campus - 5,100 feet; University of Nebraska East Campus - 6,600 feet; Union College - 2,650 feet.

7. The 2040 Comprehensive Plan supports the expansion of educational facilities if implemented in a way that is sensitive to the surrounding neighborhood. The N 48th Street/University Place Plan designates the area between N 48th Street and N 50th Street for future campus expansion. The development concept contained in the plan shows N 50th Street remaining open as a through street; however, the plan notes that this concept does not represent final design and will require further refinement.
8. Reducing connectivity and increasing block length is contrary to the Comprehensive Plan; however, expansion of a significant educational facility such as Nebraska Wesleyan University is supported by the Comprehensive Plan, and this expansion is needed for the University to advance its educational mission and better serve future students.
9. Pedestrian circulation through the neighborhood would not be affected with the vacation. The submitted site plan for the associated request PESP No. 23H shows a pedestrian walkway along the east side of the proposed science building near the existing sidewalk alignment on N 50th Street.
10. The vacation would allow for the proposed science building to be constructed in the right-of-way. This location allows for the preservation of green space in front of “Old Main” but also allows for the science building to be set back from neighbors to the west.
11. The area of N 50th Street to be vacated currently accommodates approximately 22 on-street parking spaces. The submitted site plan for the associated request PESP No. 23H shows proposed parking spaces backing into the public alleyway, which is not permitted. The site plan requires revisions, so no final count for net parking gained or lost is available at this time.
12. Storm water drainage and storm sewer would be affected by the street vacation and science building construction. The Public Works and Utilities Department requests a utilities plan that addresses infrastructure currently located within N 50th Street right-of-way.
13. New intersections would need to be constructed at N 50th Street and St. Paul Avenue, and N 50th Street and Baldwin Avenue. The Public Works and Utilities Department requests plans for construction of these two intersections.
14. Lots 2 through 5 of Block 77 in the University Place subdivision will no longer have access to a street once the N 50th Street right-of-way is vacated. A final plat will be required prior to being scheduled on the City Council agenda to ensure that all future lots will have street access.
15. Lincoln Municipal Code Chapter 14.20 requires the City to establish the proper price to be paid for the right-of-way, as well as any amounts necessary to

guarantee required reconstruction within the right-of-way. These values must be established and deposited with the City Clerk prior to scheduling the vacation request with the City Council.

BEFORE THE VACATION REQUEST IS SCHEDULED ON THE CITY COUNCIL AGENDA THE FOLLOWING MUST BE COMPLETED:

- 1.1 The provisions of Chapter 14.20 of the Lincoln Municipal Code are met.
- 1.2 The abutting owners must submit a final plat that will create lots that front on and have access to public streets or private roadways and all requirements of the final plat have been completed except the transfer of ownership of the vacated street to the subdividers.

BEFORE DEED TRANSFER THE FOLLOWING MUST BE COMPLETED:

- 2.1 Submit a utility plan that addresses existing utilities and easements to the satisfaction of Public Works and Utilities.
- 2.2 Include retention of utility easements by City with deed transfer.
- 2.3 Submit plans and Executive Order for intersection construction at St. Paul Avenue and N 50th Street, and Baldwin Avenue and N 50th Street.

Prepared by

Andrew Thierolf
Planner

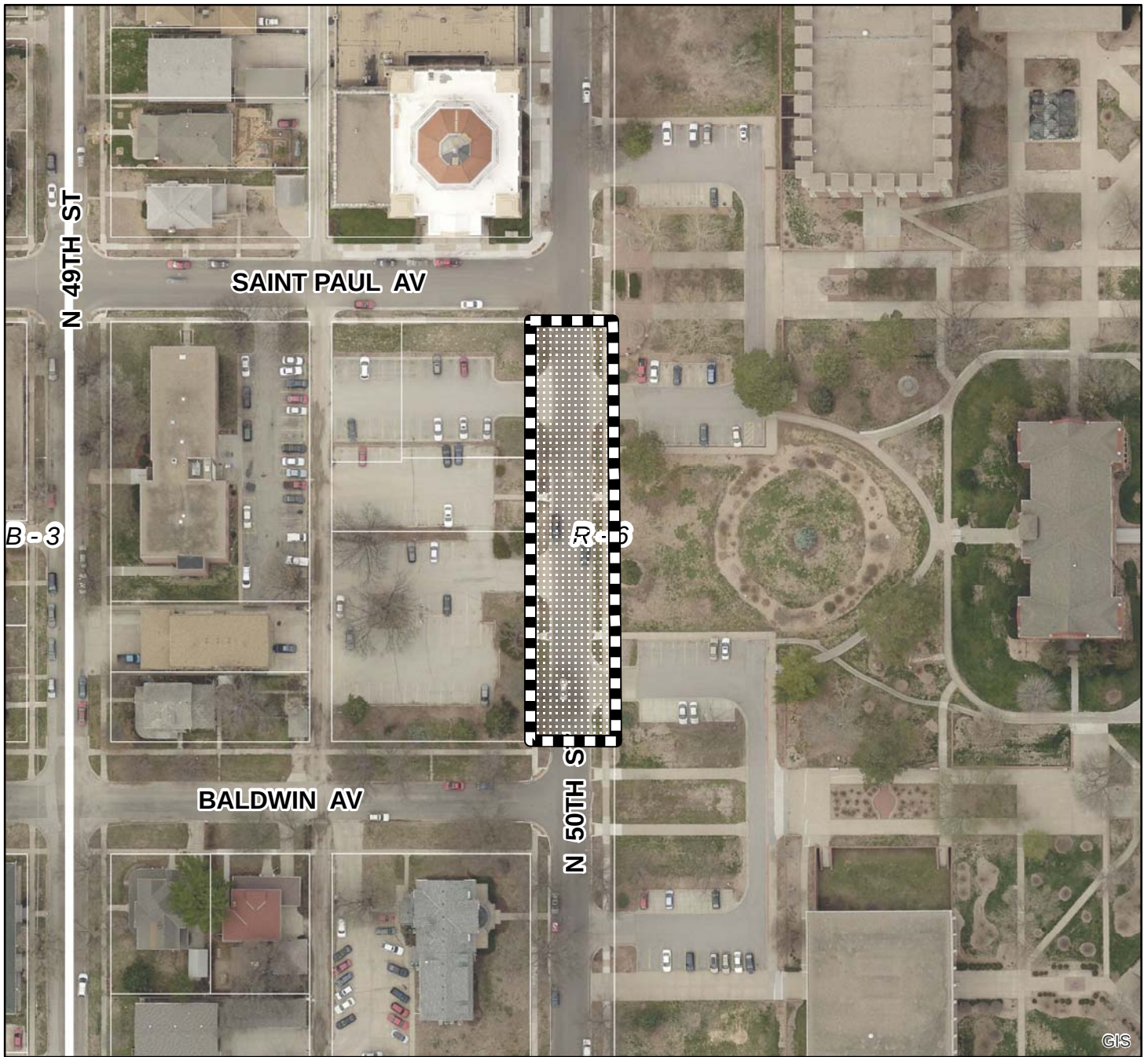
DATE: March 8, 2016

APPLICANT: Wesleyan University
5000 Saint Paul Ave.
Lincoln, NE 68504

OWNER: Same as applicant

CONTACT: Tom Huston
233 South 13th Street
Lincoln, NE 68508

F:\DevReview\SAV\16000\SAV16001 Wesleyan.adt.wpd



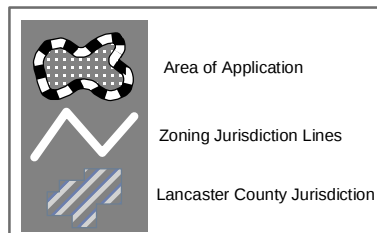
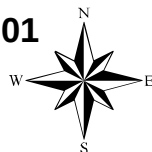
2013 aerial

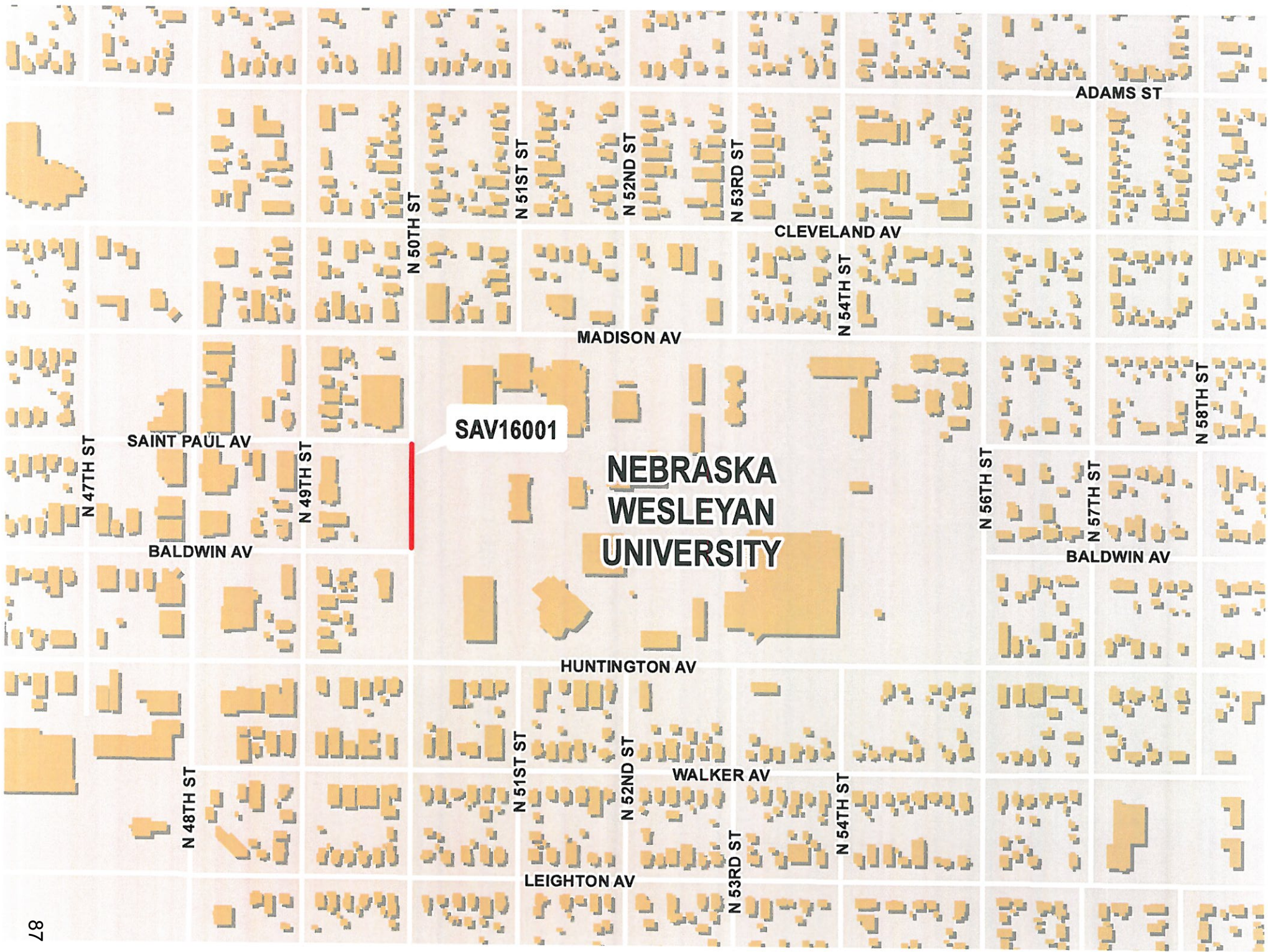
Street and Alley Vacation #: SAV16001
N 50th St -
St Paul Av to Baldwin Av

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 T10N R07E





ADAMS ST

N 50TH ST

N 51ST ST

N 52ND ST

N 53RD ST

CLEVELAND AV

N 54TH ST

MADISON AV

N 58TH ST

N 56TH ST

N 57TH ST

BALDWIN AV

NEBRASKA
WESLEYAN
UNIVERSITY

SAV16001

SAINT PAUL AV

N 47TH ST

N 49TH ST

BALDWIN AV

HUNTINGTON AV

WALKER AV

N 51ST ST

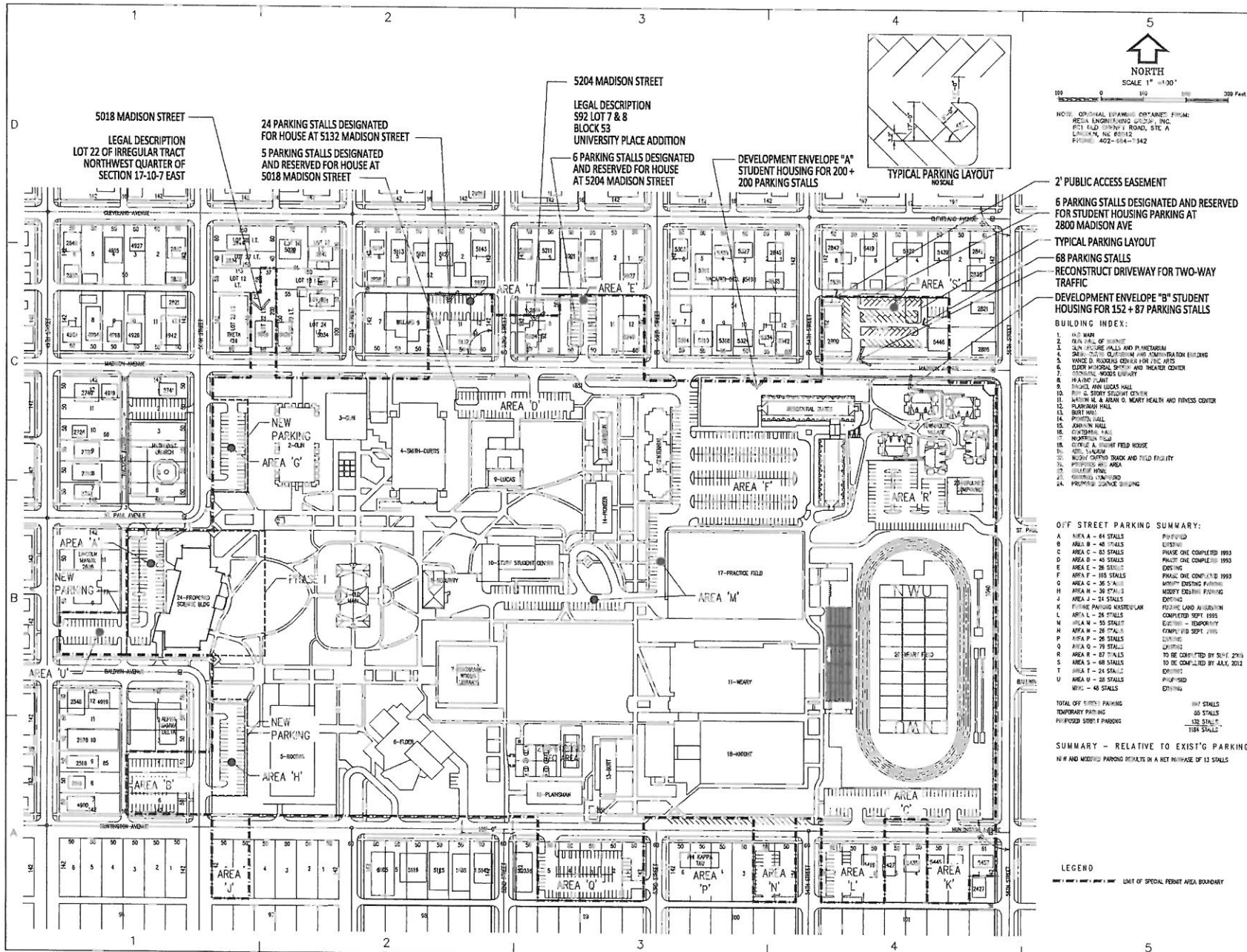
N 52ND ST

N 54TH ST

N 53RD ST

LEIGHTON AV

N 48TH ST



CFB
Celli-Flynn Brennan
Architects & Planners
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NEBRASKA
WESLEYAN
UNIVERSITY
5000 ST. PAUL AVENUE
LINCOLN, NE

AMENDMENT TO
SPECIAL PERMIT 23
CAMPUS PLAN
SP-1.00

Current Project - Agency Review Report

Agency Name	User Name	Review Cycle	Review Status	Comments	Assignment
Black Hills Corp	Black Hills Corp	1	Pending		First In Group
Building & Safety	christy eichorn	1	No Review Required		First In Group
Development Review Manager	steve henrichsen	1			Individual
Emergency Communications	Kelly Davila	1	Pending		Individual
Fire Department	Patrick Borer	1	Pending		Individual
Historic Districts/Capitol Environs	Historic Districts/Capitol Environs	1	Pending		First In Group
Law Department	rick peo	1	Recommend Approval	The Law Department has reviewed the Petition to Vacate Public Way submitted for SAV 16001. The ownership set forth in the Petition is correct and the Petition has been properly executed and acknowledged.	First In Group
LES	les reviews	1	Recommend Approval	2/24/2016- No easements necessary (Steve Hanks). -Sarah Ryan	First In Group
Lincoln Police Department	Lincoln Police Department	1	Pending		First In Group
Planning Dept	brenda thomas	1	No Review Required		First In Group
Public Works - Engineering Services	bob simmering	1	In Review	2-23. Need plans and EO for intersection construction.	First In Group
Public Works - Watershed Management	ben higgins	1	Corrections Required	Storm drainage in 50th drains north to south from north of St. Paul to Huntington through 21" to 30" Reinforced Concrete Pipes in 50th. Need to see and approve plans on how Wesleyan plans to re route the drainage.	Individual
Public Works & Utilities - Wastewater	brian kramer	1	Corrections Required	We have a manhole and sanitary sewer in 50th at the midpoint between st paul and Baldwin, that runs east/west and need to retain easements for the sewer and access easements to be able to get to it.	Individual

Current Project - Agency Review Report

Public Works & Utilities - Water	Public Works & Utilities - Water	1	Pending		First In Group
Stronger Safer Neighborhoods	Jon Carlson	1	Pending		Individual
Time Warner Cable	Time Warner Cable	1	Pending		First In Group
Urban Development	Wynn Hjermstad	1	Pending		First In Group
Urban Development - Real Estate	Urban Development - Real Estate	1	Pending		First In Group
Windstream	Todd Williams	1	Pending		Individual

L. BRUCE WRIGHT
JAMES M. BAUSCH
ROBERT J. ROUTH
DAVID R. BUNTAIN
STEPHEN H. NELSEN
MICHAEL C. MUELLER
DANIEL R. STOGSDILL
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RICHARD P. JEFFRIES
TRACY A. OLDEMEYER
PAMELA EPP OLSEN

CLINE WILLIAMS
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February 17, 2016

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DONALD E. BURT
STEPHEN E. GEHRING

VIA HAND DELIVERY

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

Re: Nebraska Wesleyan University submittal of: (a) Application to Amend
Pre-existing Special Permit #23; and (b) Petition to Vacate Public
Right of Way of North 50th Street Between St. Paul Avenue and
Baldwin Avenue
Our File No.: 10892.017

Dear Mr. Cary:

This firm represents Nebraska Wesleyan University ("NWU"), which
proposes to expand its campus with the addition of a new science building
located on the western edge of its campus. NWU seeks to amend pre-existing
Special Permit #23 and to vacate the public way of North 50th Street between
St. Paul Avenue and Baldwin Avenue. We enclose applications associated with
those requests.

A. PROJECT

NWU proposes to construct a new science building on real property
generally located to the west of North 50th Street between St. Paul Avenue and
Baldwin Avenue. The new science building is proposed as a 3 story education
structure containing approximately 75,000 square feet. This new science
building will assist NWU in preparing its students for the 21st century. In
connection with this construction NWU seeks to amend the pre-existing Special
Permit #23 by expanding its boundaries to include Lots 7 and 8, Block 77,
University Place, City of Lincoln, Lancaster County, Nebraska. Additionally in
furtherance of pedestrian safety and campus cohesiveness, NWU seeks to

STERLING RIDGE
12910 PIERCE STREET, SUITE 200
OMAHA, NE 68144-1105
(402) 397-1700

1207 M STREET
P.O. BOX 510
AURORA, NE 68818
(402) 694-6314

NORTHERN HEIGHTS PROFESSIONAL PLAZA
416 VALLEY VIEW DRIVE, SUITE 304
SCOTTSBLUFF, NE 69361
(308) 635-1020

330 SOUTH COLLEGE AVENUE
SUITE 300
FORT COLLINS, CO 80524-7162
(970) 221-2637

vacate that portion of the North 50th Street Right of Way between the south right of way line of St. Paul Avenue and the north right of way line of Baldwin Avenue. NWU currently owns all abutting parcels to said portion of the public right of way. The new structure proposed to be located is in the vacated right-of-way as shown on the site plan accompanying the application.

The new science building development includes additional parking spaces located across Lots 7 and 8, Block 77, University Place, City of Lincoln, Lancaster County, Nebraska. Because those lots are not within the boundaries of Special Permit #23, NWU seeks to expand the boundaries to include Lots 7 and 8. When the project is completed, NWU will reflect a net gain of parking stalls, as shown on the parking table on the site plan. Additionally, the construction of the new science building will increase pedestrian traffic across North 50th Street as students, faculty, and staff will walk between the new science building and the existing campus. The vacation of 50th Street between St. Paul Avenue and Baldwin Avenue will foster pedestrian safety on its campus. The science building will assist NWU in the creation of a campus "quad" area consistent with the campus master plan with the "Old Main" structure located east of the site of the new building.

B. SUBMITTAL

NWU requests the city to amend pre-existing Special Permit #23 to include: (1) the new science building on the campus Site Plan; (2) add Lots 7 and 8, Block 77, University Place; and (3) to vacate the public way of North 50th Street between the south right of way line of St. Paul Avenue and the north right of way line of Baldwin Avenue.

C. WAIVER

NWU further seeks a waiver of the 35 foot height restriction applicable in the "R-6" zoning district by Table 27.72.020. The height of the three story structure shall be 46 feet and thus, NWU seeks a waiver for the 11 foot increment above the 35 foot restriction. The mechanical appurtenance located on top of the structure is exempt from the height restriction due to the operation of LMC § 27.72.110(b) as the mechanical space is less than 20 feet in height and is recessed by more than 15 feet from the building faces.

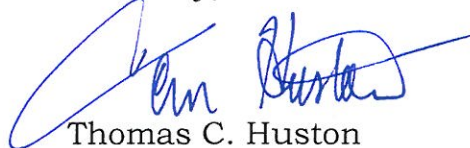
D. ENCLOSURES

Enclosed with this delivery is the:

1. Application Request Form which requests the amendment of Special Permit #23; and seeks vacation of North 50th Street;
2. Site Plan as required by the City of Lincoln application. The electronic version will be uploaded to the ProjectDox registry;
3. Application Fee in the amount of \$957.00 payable to the City of Lincoln for:
 - a. Special Permit Amendment of \$792.00; and
 - b. Street vacation of \$165.00.
4. Petition to Vacate Public Way with Release and Waiver of Rights and Title, and Quitclaim Deed to City of Lincoln signed by Nebraska Wesleyan University, as owner of all abutting parcels; and
5. Information Sheet detailing the requested vacation of public way.
6. Letters of Support for the NWU science building from businesses and residential neighbors.

If there are any questions, please do not hesitate to contact me.

Sincerely,



Thomas C. Huston
For the Firm

Enclosure

cc: Fred Ohles (via email)
Tish Gade-Jones (via email)
Pastor Larry Moffit (via email)