
Lincoln City - Lancaster County

PLANNING COMMISSION AGENDA

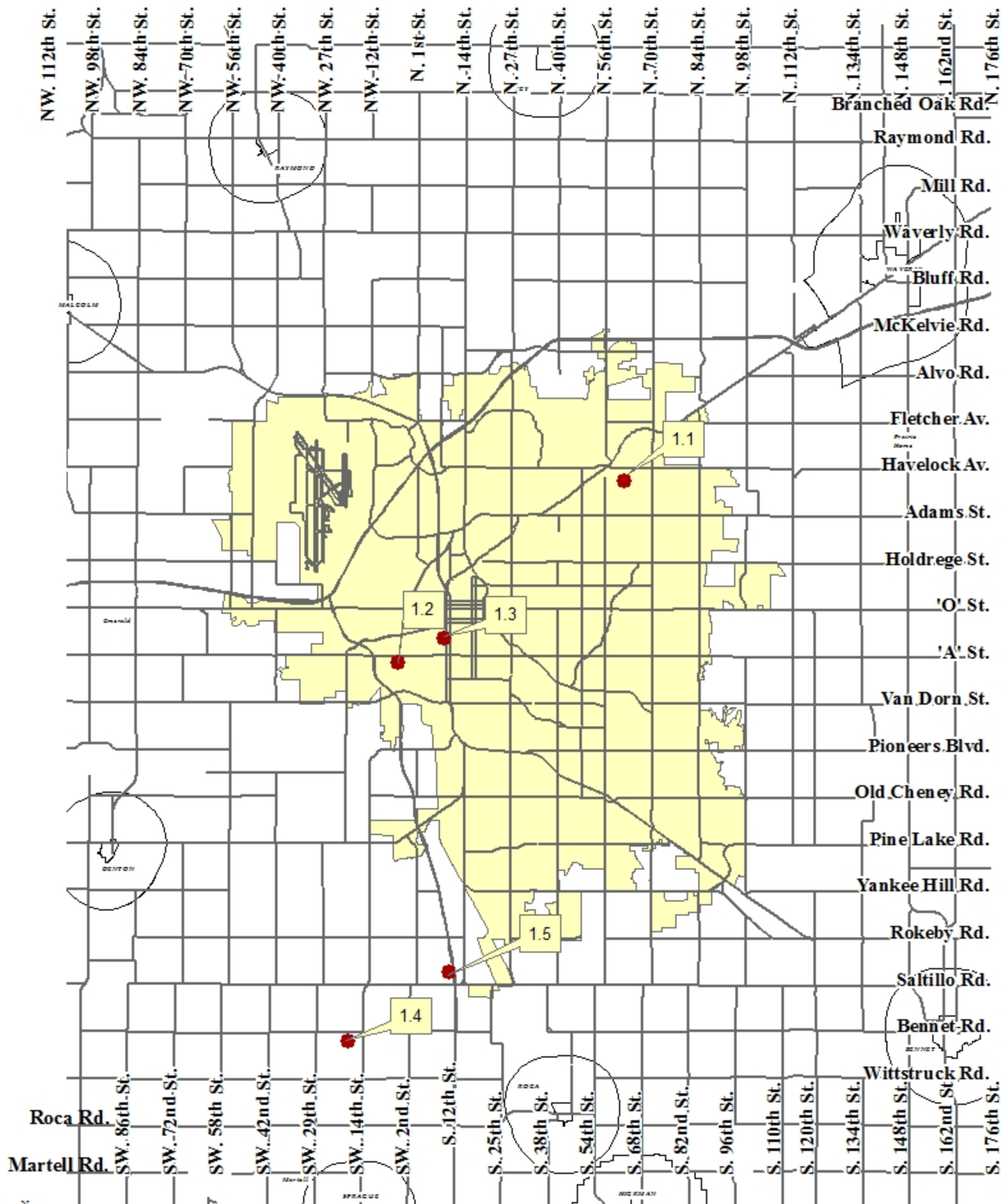
PLANNING COMMISSION

Chris Hove: Chair
Dennis Scheer: Vice-Chair
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

July 6, 2016



Planning Commission Agenda Item Map

July 6, 2016

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

****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, JULY 6, 2016

Approval of minutes of the regular meeting held June 22, 2016.

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

CHANGES OF ZONE:

Page 01 1.1 Change of Zone No. 16018, from O-3 (Office Park District) and R-4 (Residential) to R-4 Planned Unit Development, to include the existing church campus and a proposed new building, with a waiver to setbacks and parking requirements, on property generally located at 6111 Morrill Avenue.
Staff recommendation: Conditional Approval
Staff Planner: Andrew Thierolf, 402-441-6371, athierolf@lincoln.ne.gov

Page 19 1.2 Change of Zone No. 16019, from I-1 (Industrial) to R-T (Residential Transition), on property generally located at 1430 South Folsom Street.
Staff recommendation: Approval
Staff Planner: Rachel Jones, 402-441-7603, rjones@lincoln.ne.gov

SPECIAL PERMITS:

Page 29 1.3 Special Permit No. 16025, to allow for the development of a new Community Unit Plan comprised of 7 single-family units, with waivers to setbacks, minimum area and width requirements, and the lot width-to-depth ratio, on property generally located at 828 D Street and 848 D Street. ****FINAL ACTION****
Staff recommendation: Conditional Approval
Staff Planner: Rachel Jones, 402-441-7603, rjones@lincoln.ne.gov

Page 57 1.4 Special Permit No. 16027, for an Agricultural - Community Unit Plan, on approximately 84.36 acres, more or less, including 5 single-family lots, with waivers to pedestrian way, storm water detention, block length, and lot lines at right angles to street, on property generally located at West Bennet Road and SW 14th Street ****FINAL ACTION****
Staff recommendation: Conditional Approval
Staff Planner: Tom Cajka, 402-441-5662, tcajka@lincoln.ne.gov

Page 73 1.5 Special Permit No. 16028, for the sale of alcohol for consumption on and off the premises, on property generally located at 1050 Saltillo Road.
****FINAL ACTION****
Staff recommendation: Conditional Approval
Staff Planner: Brian Will, 402-441-6362, bwill@lincoln.ne.gov

2. REQUESTS FOR DEFERRAL:

2.1 _____

2.2 _____

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

3.1 _____

3.2 _____

4. PUBLIC HEARING AND ADMINISTRATIVE ACTION:

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

Adjournment

PENDING LIST: *None*

Planning Dept. staff contacts:

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Michael Brienzo, <i>Transportation Planner</i>	402-441-6369	mbrienzo@lincoln.ne.gov
Tom Cajka, <i>Planner</i>	402-441-5662	tcajka@lincoln.ne.gov
Brandon Garrett, <i>Planner</i>	402-441-6373	bgarrett@lincoln.ne.gov
Stacey Groshong Hageman, <i>Planner</i>	402-441-6361	slhageman@lincoln.ne.gov
Rachel Jones, <i>Planner</i>	402-441-7603	rjones@lincoln.ne.gov
Andrew Thierolf, <i>Planner</i>	402-441-6371	athierolf@lincoln.ne.gov
Brian Will, <i>Planner</i>	402-441-6362	bwill@lincoln.ne.gov
Kellee Van Bruggen, <i>Transportation Planner</i>	402-441-6363	kvanbruggen@lincoln.ne.gov
Ed Zimmer, <i>Historic Preservation Planner</i>	402-441-6360	ezimmer@lincoln.ne.gov

* * * * *

**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.**

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

ACCOMMODATION NOTICE

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

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for July 6, 2016 PLANNING COMMISSION MEETING

PROJECT #: Change of Zone No. 16018, Planned Unit Development (PUD)

PROPOSAL: From O-3 (Office Park) to R-4 (Residential) PUD
From R-4 to R-4 PUD

LOCATION: St. Patrick Church Campus and several lots to the south, generally between North 61st and North 62nd Streets and Ballard and Logan Avenues

LAND AREA: 3.2 acres

EXISTING ZONING: O-3 Office Park, R-4 Residential

CONCLUSION: The PUD will allow for expansion of the church campus while maintaining compatibility with the neighborhood. Most of the requested waivers were previously approved and reflect existing conditions on site. New waivers being requested will have minimal impact on neighbors and are consistent with the Comprehensive Plan.

RECOMMENDATION:		Conditional Approval
Waivers:		
27.72.020		
1.	Reduce front yard setback to 8 feet north of Morrill Avenue as shown on site plan (approved with Use Permit No. 102A).	Approval
2.	Reduce front yard setback to 8 feet along N 61 st Street north of Morrill Avenue as shown on site plan (approved with Use Permit No. 102A).	Approval
3.	Reduce front yard setback to 8 feet on south side of Morrill Avenue between N 61 st and N 62 nd Streets for area.	Conditional Approval parking
4.	Reduce front yard setback to 8 feet along N 62 nd Street south of Morrill Avenue for parking area.	Conditional Approval
5.	Reduce front yard setback to 1 foot along N 62 nd Street north of Morrill Avenue as shown on site plan (approved with Use Permit No. 102A).	Approval
6.	Reduce front yard setback to 13 feet along N 61 st Street north of Logan Avenue as shown on site plan.	Approval

7.	Reduce front yard setback to 10 feet along N 61 st Street south of Ballard Avenue for the existing school.	Approval
27.67.040		
8.	Reduce required parking for church and school to 19 stalls (approved with Use Permit No. 102).	Approval

GENERAL INFORMATION:

LEGAL DESCRIPTION:

O-3 to R-4 PUD

Lots 1-18 with adjacent vacated alley right-of-way, Block 44, Havelock, located in the NW 1/4 of Section 9-10-7, Lincoln, Lancaster County, Nebraska.

R-4 to R-4 PUD

Lots 1-7, Block 61, Havelock, located in the NW 1/4 of Section 9-10-7, Lincoln, Lancaster County, Nebraska.

EXISTING LAND USE: Church, Rectory, School, Parking Lot, Single Family Homes

SURROUNDING LAND USE AND ZONING:

North:	Residential, Commercial	B-3 Commercial
South:	Residential	R-4 Residential
East:	Residential	R-4, R-6 Residential
West:	Residential, Parking Lot, Church	P Public, R-4 Residential

HISTORY:

May 1979	Zoning for this area changed from B Two-Family Dwelling to R-4 Residential as part of the 1979 zoning update.
June 1980	Street and Alley Vacation No. 80004 approved to vacate the east-west alley through the St. Patrick Church campus, between 61 st and 62 nd Streets, Ballard and Morrill Avenues.
April 1997	Change of Zone No. 3051 approved for the existing St. Patrick Church campus from R-6 Residential to O-3 Office Park.

Use Permit No. 102 approved for the existing St. Patrick Church campus. Projects included in the use permit were an expanded school and new sanctuary.

November 1997 Administrative Amendment No. 97103 approved to expand the building envelope for some buildings shown on Use Permit No. 102.

August 2006 Special Permit No. 06042 approved to construct a rectory directly south of St. Patrick Church.

November 2013 Use Permit No. 102A approved to amend the site plan of the St. Patrick Church use permit to show revised layout for new sanctuary and parking lot.

April 2014 Administrative Amendment No. 14023 approved to revise a front yard setback shown on Use Permit No. 102A.

COMPREHENSIVE PLAN SPECIFICATIONS:

Page 1.8 The area is identified as Public/Semi-Public and Urban Density Residential on the Future Land Use Map.

Page 7.10 Strategies for existing neighborhoods:

Encourage a mix of compatible land uses in neighborhoods.

Redevelopment and infill should strive for compatibility with the character of the neighborhood and adjacent uses.

Support retention of public and semi-public uses (elementary schools, churches) as neighborhood centers (7.11).

AESTHETIC CONSIDERATIONS: The proposed donation center associated with this application will be required to meet Neighborhood Design Standards.

ANALYSIS:

1. This application is to create a Planned Unit Development (PUD) for the St. Patrick Church campus. The new facility associated with this PUD is a proposed St. Vincent de Paul donation center that may also be used for other uses accessory to the church. The PUD also allows for a future parking lot to be built south of Morrill Avenue without an additional Special Permit. All other facilities were previously approved.

2. The existing Use Permit No. 102A and Special Permit No. 06042, along with the proposed donation center and parking lot, are being combined into a single PUD. Use Permit No. 102A includes St. Patrick Church and St. Patrick Elementary School. Special Permit No. 06042 includes the church rectory. This PUD will supercede Use Permit No. 102A and Special Permit No. 06042; however, the approved site plans and conditions/waivers associated with each permit are included as part of this PUD. The site plans for Use Permit No. 102A and Special Permit No. 06042 are attached for reference.
3. The parking lot and donation center could be permitted in the residential district by Special Permit. Combining all these items into a single PUD eliminates the need for a Use Permit and several Special Permits over the church campus. The PUD also clarifies that the proposed donation center and parking lot are accessory to the church. It would be difficult to classify them as an accessory use to the church without this PUD, since they are across a public street from the sanctuary building. The zoning ordinance requires accessory uses to be on the same premises as the main use.
4. The building shown on the plan at the northeast corner of N 61st Street and Logan Avenue is the proposed St. Vincent de Paul donation center that will be operated by the church. People will be able to drop-off donated furniture and other items at this facility. The building will primarily serve as a drop-off and storage location, and will not include a retail component. The church will deliver the items to people in need on a per family/individual basis.

The PUD does not limit use of the building specifically as a donation center. Any use accessory to the church, in addition to any use permitted in the R-4 district, is allowed in the building. Examples of church accessory uses that could be permitted in the building include offices, storage, or daycare.
5. The proposed donation center building will be required to meet Neighborhood Design Standards. The standards address items such as the orientation of windows and entrances, height, and massing to ensure that the structure is compatible with the surrounding neighborhood.
6. The potential parking lot south of Morrill Avenue is located on two privately-owned residential parcels and one vacant parcel owned by the church. The church may purchase the two homes once the existing residents decide to move out. The specific layout for the parking lot and number of spaces has not been determined. The area will likely remain residential for several years.

Per the conditions of approval a note is to be added to the plan clarifying that the future parking lot can be built without a Special Permit. An Administrative Amendment would be required to approve the specific parking lot layout. The lots may continue to be used for residential in the future if the church elects not to construct a parking lot.

7. This application includes the following waivers:

27.72.020

Reduce front yard setback to 8 feet north of Morrill Avenue as shown on site plan (approved with Use Permit No. 102A).

Reduce front yard setback to 8 feet along N 61st Street north of Morrill Avenue as shown on site plan (approved with Use Permit No. 102A).

Reduce front yard setback to 8 feet south of Morrill Avenue between N 61st and N 62nd Streets for parking area.

Reduce front yard setback to 8 feet along N 62nd Street south of Morrill Avenue for parking area.

These reductions are to accommodate parking lots. Landscape screening that doubles the requirements of the Design Standards for Screening and Landscaping is provided in exchange for locating in the front yard. This is consistent with other parking lots in the city that have received a setback reduction. The reduced setbacks allow for more parking spaces, which reduces demand for on-street parking in the neighborhood. The parking lot and screening associated with Use Permit No. 102A have been installed. The potential parking lot south of Morrill Avenue is not shown on the plan and specific layout will be approved at a future date.

The right-of-way for all local streets in this area is 80 feet. A typical local street has 60 feet of right-of-way. The larger right-of-way provides an extra 10 feet of green space on each side of the street. The streets in this area are approximately 24 feet wide, leaving 28 feet on each side of the streets for green space and sidewalk. A parking lot with a setback of 8 feet has 36 feet from the edge of parking lot to road. The church owns property to the north, west, and south of the potential parking lot.

Reduce front yard setback to 1 foot along N 62nd Street north of Morrill Avenue as shown on site plan (approved with Use Permit No. 102A).

This setback reduction was previously approved for the new sanctuary that was constructed in 2014. There is approximately 29 feet from sanctuary wall to edge of street due to the increased green space associated with the adjacent right-of-way.

Reduce front yard setback to 13 feet along N 61st Street north of Logan Avenue as shown on site plan.

The impact on neighbors would be negligible given the increased green space associated with the adjacent right-of-way. With a setback of 13 feet the building would be approximately 41 feet from edge of street. The standard front yard setback in the R-4 district is 25 feet.

Reduce front yard setback to 10 feet along N 61st Street south of Ballard Avenue as shown on site plan.

This reduction reflects an existing condition. The St. Patrick Elementary School building was constructed in 1950 and is located 10 feet from the property line.

27.67.040

Reduce required parking for church and school to 19 stalls (approved with Use Permit No. 102).

This reduction was previously approved because the church has permission to use two nearby parking lots. This PUD would approve additional space for parking to be constructed at a future date.

8. This PUD allows for expansion of the St. Patrick Church campus while maintaining compatibility with the surrounding neighborhood. The proposed donation center building will meet Neighborhood Design Standards and the proposed parking lot will include enhanced screening and reduce on-street parking demand. The donation center will generally be residential in character with windows, pitched roof, and residential siding. The garage doors face the alley and rectory to the north. All other facilities shown in the PUD currently exist.

This approval permits a church accessory building as shown on site plan and future parking lot, all facilities associated with Use Permit No. 102A and Special Permit No. 06042, and associated waivers. This approval supercedes Use Permit No. 102A and Special Permit No. 06042.

CONDITIONS OF APPROVAL:

Site Specific Conditions:

1. Before receiving building permits the developer shall cause to be prepared and submitted to the Planning Department a revised and reproducible final plot plan including 4 copies with all required revisions and documents as listed below upon approval of the planned unit development by the City Council.
 - 1.1 Add note to Sheet 1:
"6121, 6135, and 6141 Morrill Avenue (Lots 1-4, Block 61) are subject to regulations of the R-4 zoning district and may also be used for parking without a separate Special Permit. Setbacks of 8 feet on Morrill Avenue and N 62nd Street are permitted for parking if screening is provided that doubles requirements of the Design Standards for Screening and Landscaping. Parking lot layout shall be approved through Administrative Amendment."
 - 1.2 Separate waivers from Sheet 1 Specific Notes and list under "Waivers" heading.
 - 1.3 Add waiver note: Front yard setback of 13 feet along N 61st Street north of Logan Avenue as shown on plan.
 - 1.4 Show dashed line along 10-foot setback in northeast area of site.
 - 1.5 Label trees on site plan. Label existing trees as "Existing to Remain".
Label new trees as the following:

State Street Miyabe Maple (east side of N 61st Street)
Northern Red Oak (north side of Logan Avenue)
Hackberry (south side of Morrill Avenue)
2. Proposed building on Sheet 3 shall meet Neighborhood Design Standards prior to final plan approval.

Standard Conditions:

3. The following conditions are applicable to all requests:
 - 3.1 Before occupying the buildings all development and construction shall substantially comply with the approved plans.

- 3.2 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.
- 3.3 The terms, conditions, and requirements of the ordinance shall run with the land and be binding upon the developer, its successors and assigns.
- 3.4 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.
- 3.5 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.

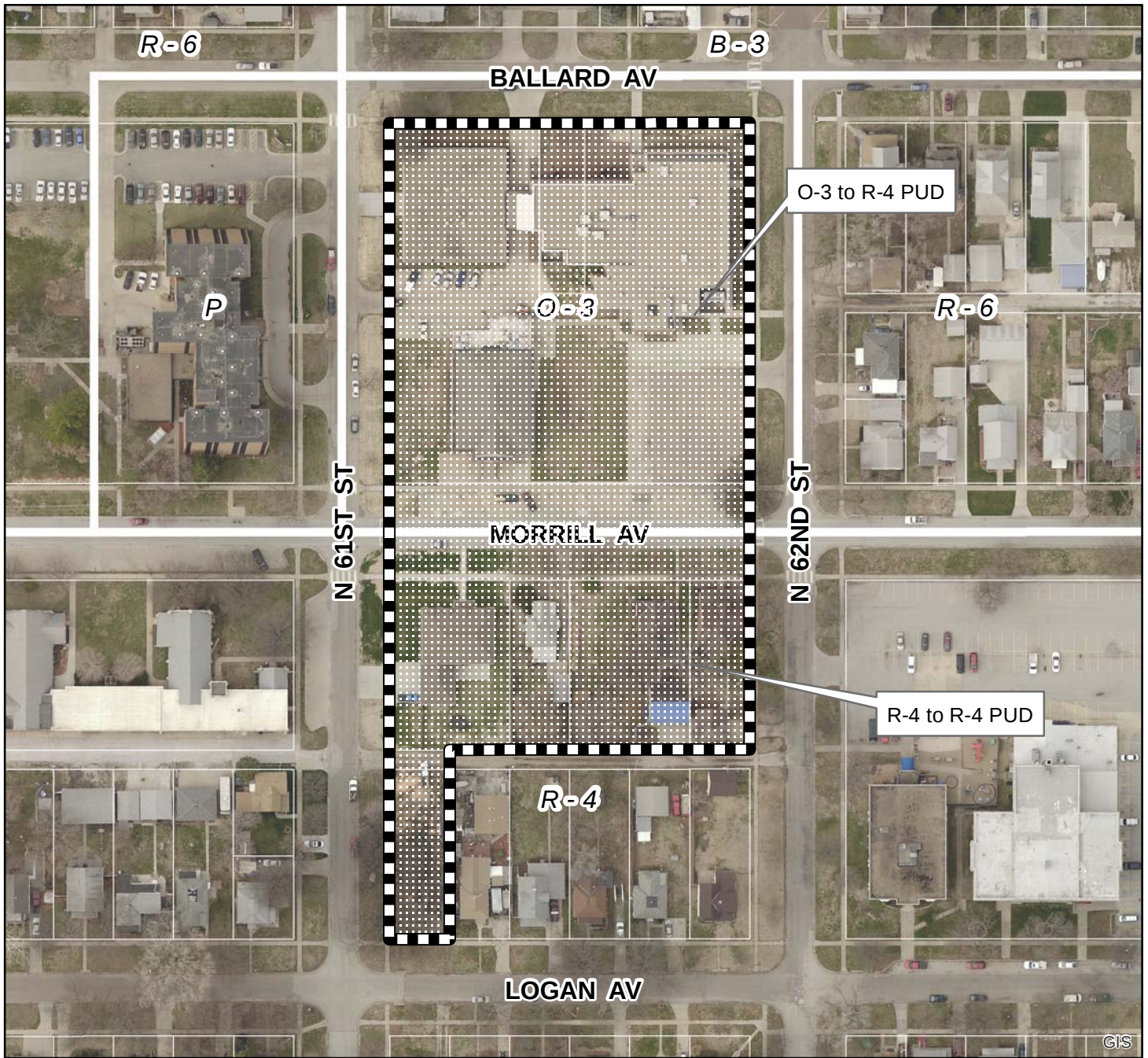
Prepared by:

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

June 27, 2016

APPLICANT: Fr. Troy Schweiger
St. Patrick Catholic Church
6111 Morrill Avenue
Lincoln, NE 68507

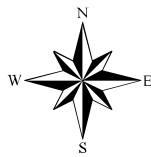
CONTACT: Kevin Clark
Clark Architects Collaborative
3330 Woods Avenue
Lincoln, NE 68510



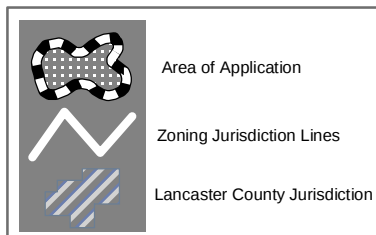
Change of Zone #: CZ16018
St Patrick Church PUD
N 61st ST & Morrill Ave

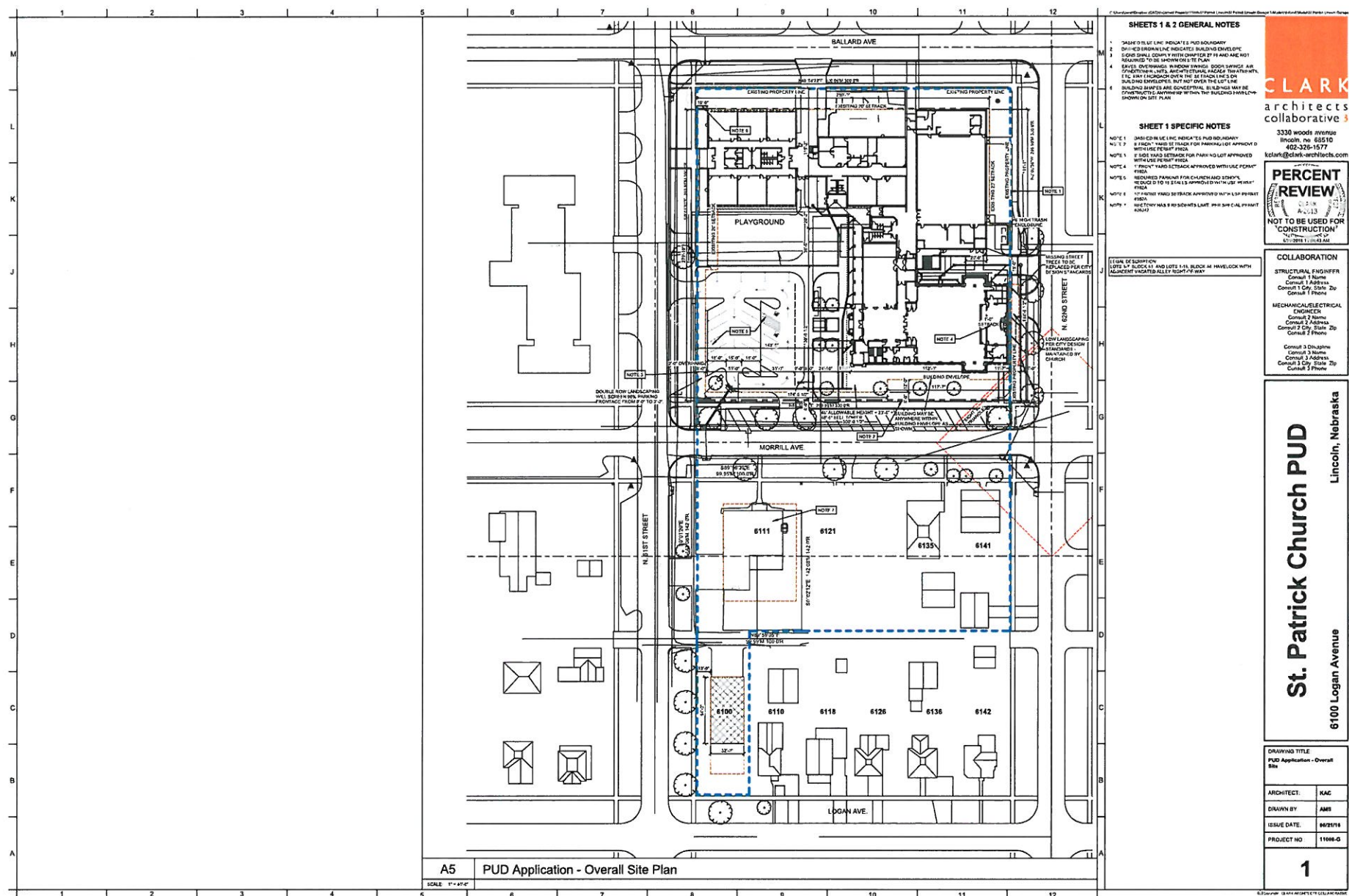
Zoning:

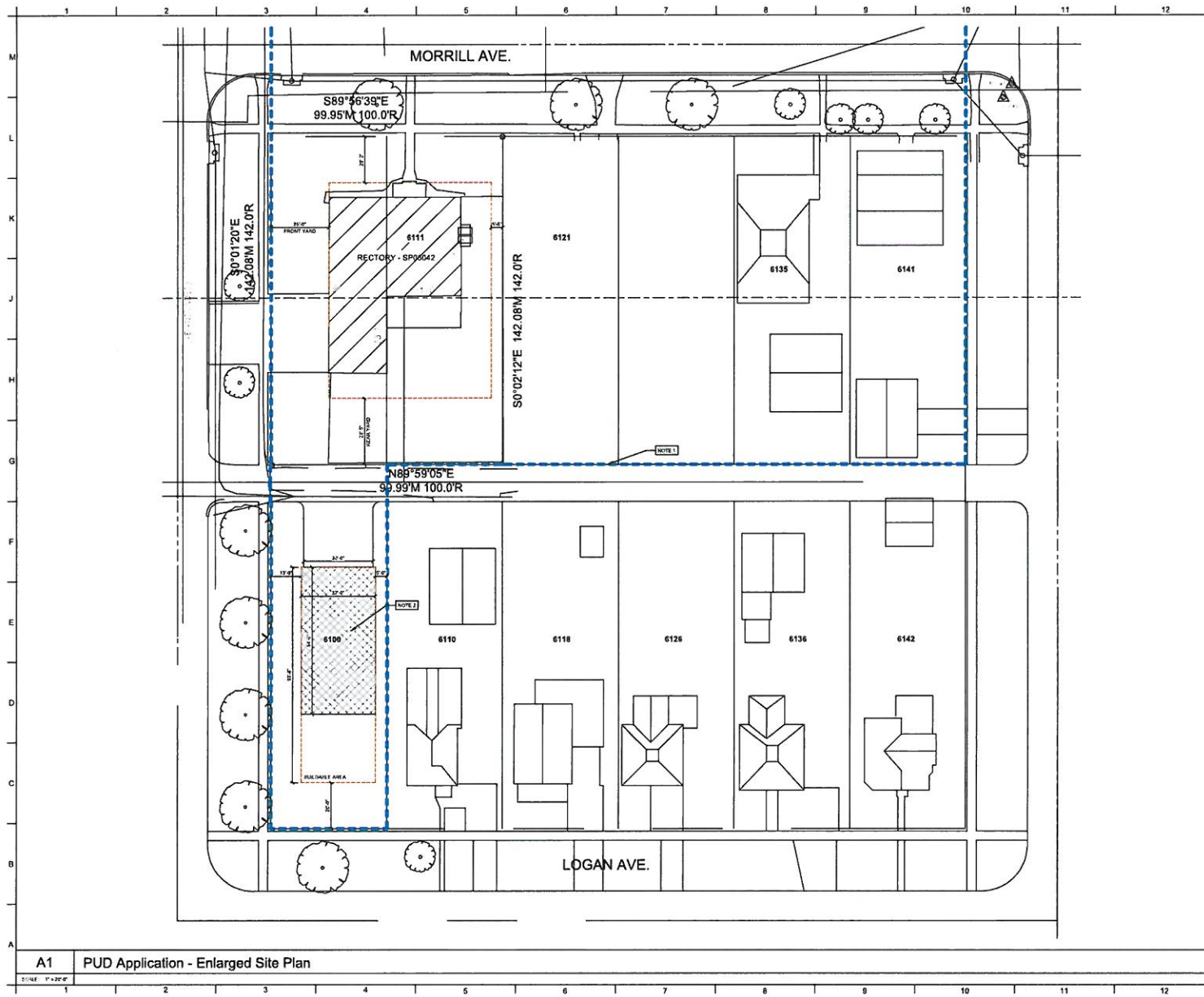
R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	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.09 T10N R07E







SHEETS 1 & 2 GENERAL NOTES

1. DASHED BLUE LINE INDICATES PUD BOUNDARY.
 2. DASHED BROWN LINE INDICATES BUILDING ENVELOPE.
 3. SETBACKS SHALL COMPLY WITH CHAPTER 27 OF NEB. REGS. AND NOT EXCEED 10 FEET UNLESS OTHERWISE SPECIFIED.
 4. EXISTING UTILITIES SHOWN ON THE PLAN ARE FOR INFORMATION ONLY. THE USER SHALL VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION.
 5. BUILDING SHADERS ARE CONCEPTUAL. BUILDINGS MAY BE CHANGED OR ELIMINATED WITHIN THE PUD. THE USER SHALL OBTAIN ALL NECESSARY PERMITS PRIOR TO CONSTRUCTION.

SHEET 2 SPECIFIC NOTES

NOTE 1: DASHED BLUE LINE INDICATES PUD BOUNDARY.
 NOTE 2: PROJECT'S FOOTPRINT OF NEW CHURCH.

CLARK
 architects
 collaborative

3330 WOODS AVENUE
 LINCOLN, NE 68510
 402-326-1577
 kclark@clark-architects.com

PERCENT REVIEW

NOT TO BE USED FOR CONSTRUCTION

COLLABORATION

STRUCTURAL ENGINEER
 CONSULT 1 NAME:
 CONSULT 1 CITY, STATE, ZIP:
 CONSULT 1 PHONE:

MECHANICAL/ELECTRICAL ENGINEER
 CONSULT 1 NAME:
 CONSULT 1 CITY, STATE, ZIP:
 CONSULT 1 PHONE:

St. Patrick Church PUD
 Lincoln, Nebraska

6100 Logan Avenue

DRAWING TITLE:
 PUD Application - Enlarged Site Plan

ARCHITECT:	KAC
DRAWN BY:	AMS
ISSUE DATE:	06/29/16
PROJECT NO:	11086-G

2

A1 PUD Application - Enlarged Site Plan



ST. PATRICK CATHOLIC CHURCH

6111 Morrill Avenue
402-466-2752
Lincoln, Nebraska 68507

J.M.J.

City of Lincoln
Planning Department
555 S 10th St, Ste 213
Lincoln, NE 68508

May 25th, 2016

To Whom it May Concern,

This letter is in reference to the application by St. Patrick Catholic Church for a Change of Zone. We are requesting to rezone the property owned by St. Patrick Catholic Church, Lots 1 - 18, Block 44, Havelock with adjacent vacated alley right-of-way from O-3 to R-4 Residential PUD and to rezone Lots 1-7, Block 61, Havelock from R-4 to R-4 PUD (Please note: Lots 2-4, Block 61, Havelock are owned by owners other than St. Patrick Catholic Church). On Tuesday, April 26th, 2016 St. Patrick Catholic Church held a community open forum to discuss our planned request to petition for a change of zone. Letters were sent to property owners in the area prior to the meeting. At the meeting there were no objections made by the attendees. The only comments made were in appreciation that we are keeping the community informed. Additionally, we spoke directly and in person with the owners of Lots 2-4, Block 61, Havelock and they are in support of our requested Change of Zone. No other comments or concerns have been received by St. Patrick's Church. Finally, we are requesting that the PUD supersede Use Permit 102A and Special Permit 06042.

In this Planned Unit Development, the current buildings owned by St. Patrick Catholic Church would remain, those buildings being the Church/School complex on Lots 1-18, Block 44, Havelock and the Church Rectory on Lots 5-6, Block 61, Havelock. We are proposing the addition of a St. Vincent De Paul Building to be erected on Lot 7, Block 61, Havelock. St. Patrick Catholic Church has a vibrant outreach to the poor and those in need. The St. Vincent De Paul Society meets with community members in financial need and assesses the ways in which



ST. PATRICK CATHOLIC CHURCH

6111 Morrill Avenue
402-466-2752
Lincoln, Nebraska 68507

they can be of financial and material support. These meetings are held off site, in the homes of the persons or in a public area in the community. To help facilitate the needs of the various structures, we are further requesting a reduced setback on 61st Street between Logan Avenue and Morrill Avenue to a minimum setback of Eight (8) feet and a reduced setback on Morrill Avenue between 61st and 62nd street to a minimum setback of Eight (8) feet. There is a double row of landscaping on the north side of Morrill Avenue that has been installed as per the drawing. The final landscaping plan will be provided at the time the building permit for the 6100 Logan Avenue site is requested. Additionally, the building has been designed to fit in with the residential feel of the area as best as possible. Please see the drawings for more details.

We are proposing that Lots 1-4, Block 61, Havelock be used for parking for St. Patrick Church. The existing houses on Lots 1-4, Block 61, Havelock will remain and would be subject to the rules and regulations of R-4 Residential zoning district.

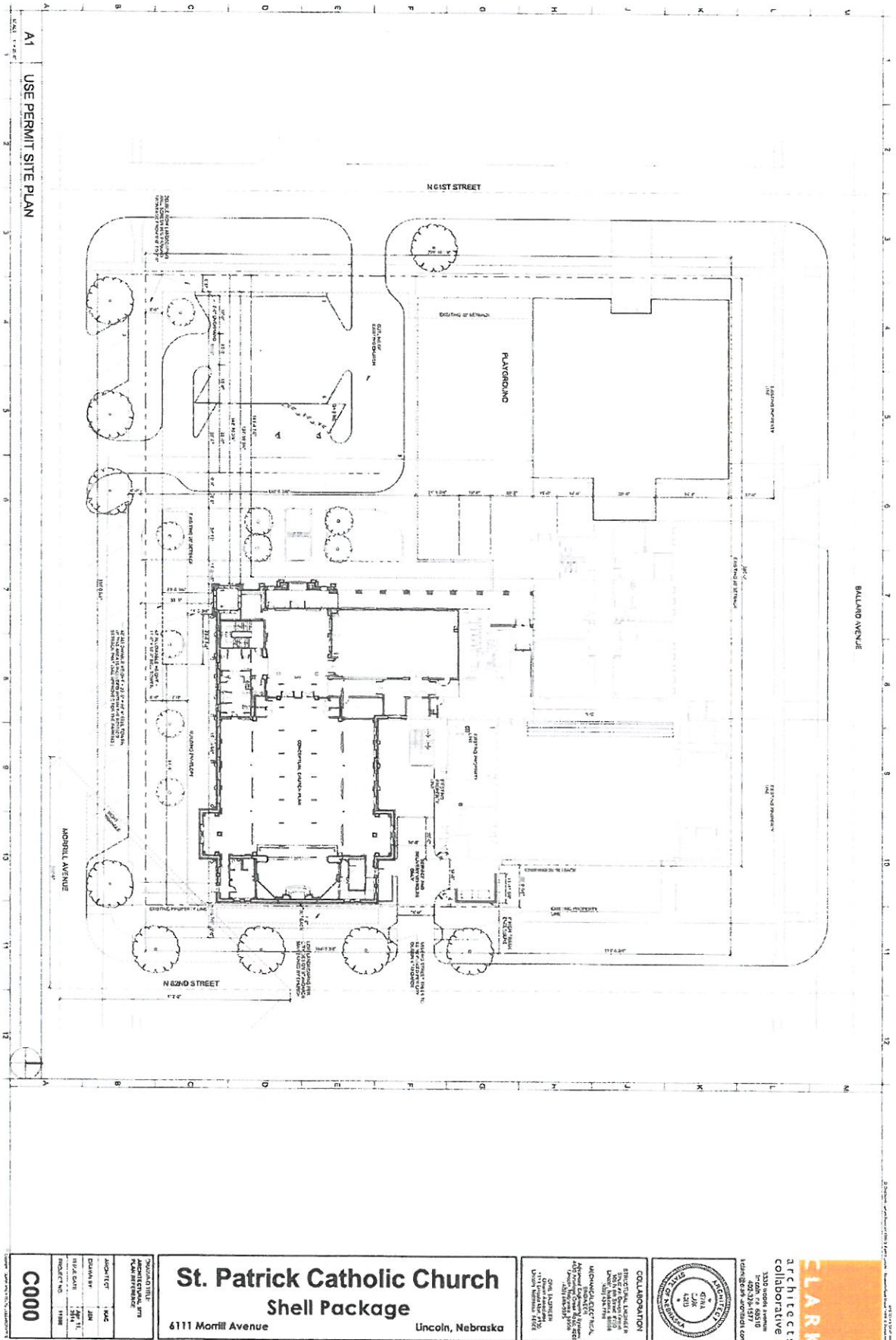
If you have any further questions please do not hesitate to contact me. I remain

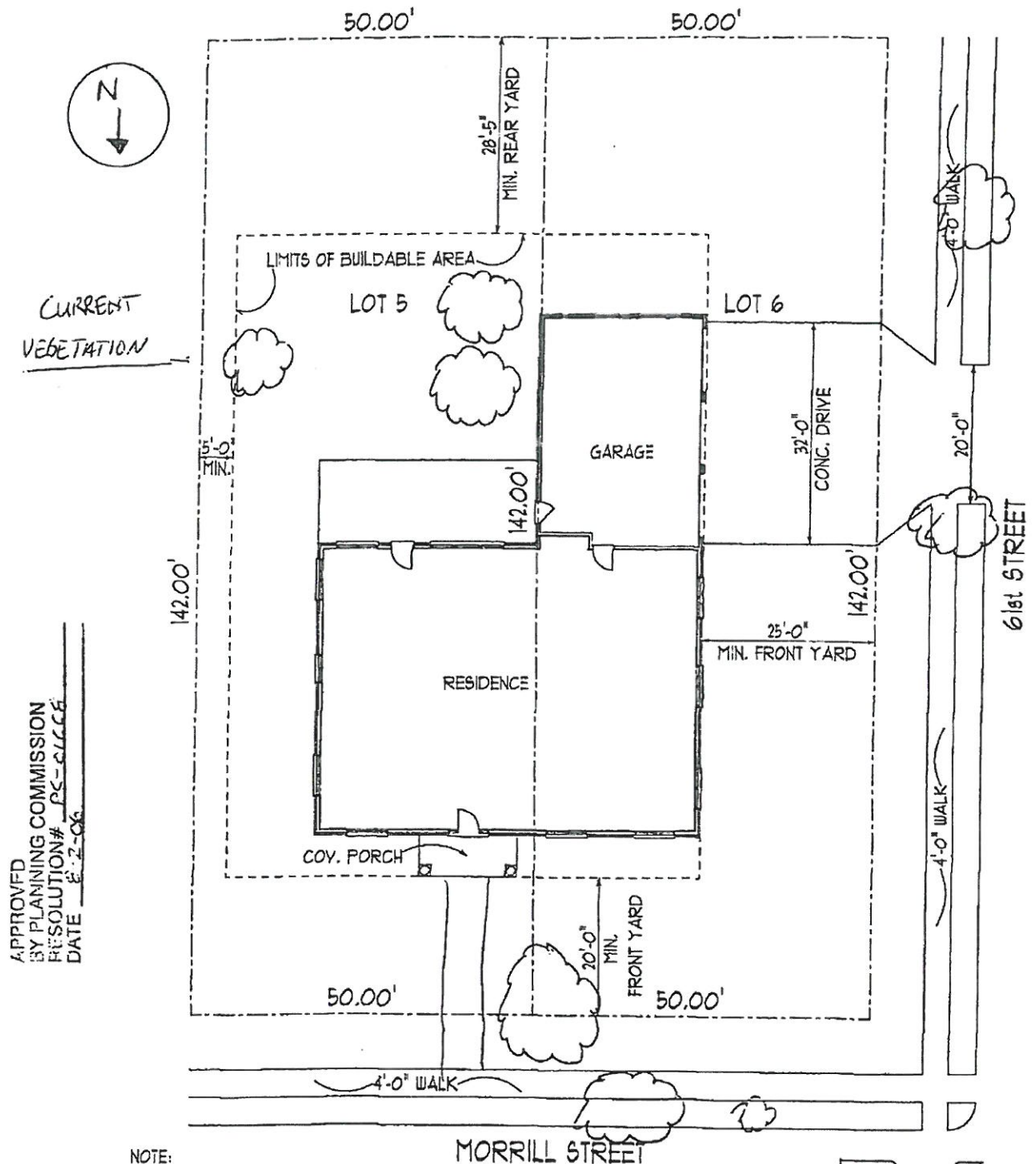
Sincerely yours,

Fr. Troy Schweiger

Pastor

UP #102A approved November 7, 2013
Amended with AA #14023 April 23, 2014





NOTE:
BUILDING MAY BE LOCATED
ANYWHERE WITHIN BUILDABLE
AREA OF LOT.

LEGAL:

HAVELOCK

ADDITION

LOT #5 & 6

BLOCK # 61

PLOT PLAN
SCALE: 1" = 20'-0"

FRONTIER GENERAL CONTRACTORS, LLC

NY 07206



N! INC.

NEW VENTURES
Custom Home Design

The Trade Center
6031 South 58th Street, Suite C
Lincoln, NE 68516
Phone: 420-0088
Fax: 420-0089

Current Project - Agency Review Report

Agency Name	User Name	Review Cycle	Review Status	Comments	Assignment
Building & Safety	christy eichorn	1	Corrections Required	1. Is this PUD 3 acres? 2. How will the signage be regulated for the commercial building? 3. Notes should be added to the General notes stating waivers and setback adjustments. 4. Don't show building envelopes only lot lines and setbacks.	First In Group
Development Review Manager	steve henrichsen	1	Corrections Required		Individual
Historic Districts/Capitol Environs	edward zimmer	1	Corrections Required	New garage/storage building does not meet Neighborhood Design Standards as required in R-4. Lacks orientation (porch, windows) to Logan Ave. and relief on west street frontage.	First In Group
Parks & Recreation	kevin saathoff	1	In Review	6/9/16 - As per your e-mail, let the applicant know that they need to add the trees I identified to their landscape plan. kls.	Individual

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for July 6, 2016 PLANNING COMMISSION MEETING

PROJECT #: Change of Zone No. 16019

PROPOSAL: From I-1 Industrial District to R-T Residential Transition District

LOCATION: 1430 South Folsom Street

LAND AREA: 0.57 acres, more or less

EXISTING ZONING: I-1 Industrial District

CONCLUSION: The proposed change of zone to the R-T zoning district provides an appropriate transition from residential to industrial uses in the area and is in conformance with the intent of the 2040 Comprehensive Plan.

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

LEGAL DESCRIPTION: Lot 28, I.T., located in the NE 1/4 of Section 34-10-6, Lincoln, Lancaster County, Nebraska.

EXISTING LAND USE: Single family detached dwelling

SURROUNDING LAND USE AND ZONING:

North: Vacant; I-1 (B-1 zoning is located approx. 60' to the north at the intersection of South Folsom and West A Streets)

South: Apartments and Light Industrial; R-6 and I-1

East: Light Industrial; I-1 (Lester Electrical)

West: Single family detached residential; R-2

COMPREHENSIVE PLAN SPECIFICATIONS:

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

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

P. 5.17 - *Hazardous Materials:* There are considerations for industrial uses in regard to the potential impact on adjacent property.

P. 5.18 - *Public Health & Safety Measures: Risk Reduction*: In areas where industrial and residential uses are already close, efforts should focus on changes in the quantity and type of hazardous materials used and on increasing the distance between where hazardous materials are stored and residential districts.

P. 7.1 - In existing neighborhoods, preservation, maintenance, and rehabilitation of existing housing should continue to be the focus.

P. 7.2 - *Neighborhoods & Housing Guiding Principles*

- Promote sustainability and resource conservation by preserving and improving housing in existing neighborhoods.
- Distribute and preserve affordable housing throughout the community to be near job opportunities and to provide housing choices within existing and developing neighborhoods.
- Make available a safe residential dwelling for all citizens.
- Provide a wide variety of housing types and choices for an increasingly diverse and aging population.
- Strive for predictability for neighborhoods and developers for residential development and redevelopment.

UTILITIES: All utilities are available.

TOPOGRAPHY: The site is generally flat.

TRAFFIC ANALYSIS: South Folsom Street and West A Street are classified as minor arterials in the 2040 Comprehensive Plan.

PUBLIC SERVICE: The nearest fire station is located at 1700 South Coddington Avenue.

ANALYSIS:

1. This is a request for a change of zone from I-1 Industrial District to R-T Residential Transition District over one lot that has an existing single family dwelling.
2. The use of the property as a dwelling makes it a legal nonconforming use, as housing is not permitted in the I-1 district. Section 27.61.050 states: "When the use of a building is nonconforming as defined in this chapter and such a building is damaged by a fire, explosion, act of God, or the public enemy to the extent of more than sixty percent of its fair market value, it shall not be restored except in conformity with the regulations of the district in which the building is located, or in conformance with the provisions of Chapter 27.75 [approval by the Board of Zoning Appeals], Section 27.63.280 [the Special Permit for Expansion of Nonconforming Uses], or this chapter."
3. The Lester Electrical property located to the east of this property is classified as a Light Industrial land use. To the west are single-family homes. A short distance

to the north is the intersection of South Folsom and West A Streets, which contains single family and mixed use buildings. To the south along South Folsom street are nine apartment buildings that were preliminary platted in 1979 and re-zoned from I-1 to R-6.

4. The house on this property was constructed in 1900. The property was originally zoned as Single Family (A-2) but much of the area was re-zoned as Light Industrial District (K) in 1969, causing the house to become nonconforming. With the 1979 zoning update, the K zoning was revised to I-1 Industrial District. The house pre-dates the industrial use to the east, which was constructed in 1976. Under the proposed R-T zoning, the house would once again become a conforming use. The R-T district is considered to be primarily a commercial district, but it permits single family dwellings by right.
5. The Future Land Use Map in the 2040 Comprehensive Plan shows this property and the property to the north as Industrial. However, this portion of South Folsom Street is more suited as a transitional area between the single family housing to the west and the industrial use to the east. If this property were to redevelop as a commercial use, it would act as a buffer between the industrial and residential areas to the west and south.
6. A change of zone to R-2 Residential District was initially considered. However, the R-2 zoning would cause the Lester Electrical building to become nonconforming because buildings in the I-1 district have a greater side yard setback when adjacent to residential zoning. A change of zone to the B-1 district was also considered to match the zoning at the intersection. However, under the B-1 district, the existing use would still be nonconforming because housing on the first floor is not permitted in the B-1 district. The proposed R-T district was chosen because it would make the house conforming, and because it a commercial district, it would not create a larger setback on the Lester Electrical property.
7. The Comprehensive Plan supports the preservation of existing housing and neighborhoods. With regards to areas where industrial and residential uses are already close, the Plan states that efforts should focus on tracking changes in the quantity and type of hazardous materials used in the industrial area and on increasing the distance between where hazardous materials are stored and residential districts.
8. The Lincoln-Lancaster County Health Department reviewed this application and recommends approval of this change of zone due to the existing use being residential and the existing residential zoning to the south of this proposed change of zone.

9. R-T Residential Transition zoning is appropriate in this location. This property is an existing single family dwelling that was made nonconforming through a zoning action several decades ago. The R-T district is considered a commercial district but it permits single family and two family housing by right. This change of zone is supportive of the intent of the future land use map in the Comprehensive Plan, which shows commercial and industrial uses along the east side of South Folsom Street in this location. This change of zone will make the existing house a conforming use and will not cause any properties to become nonconforming.

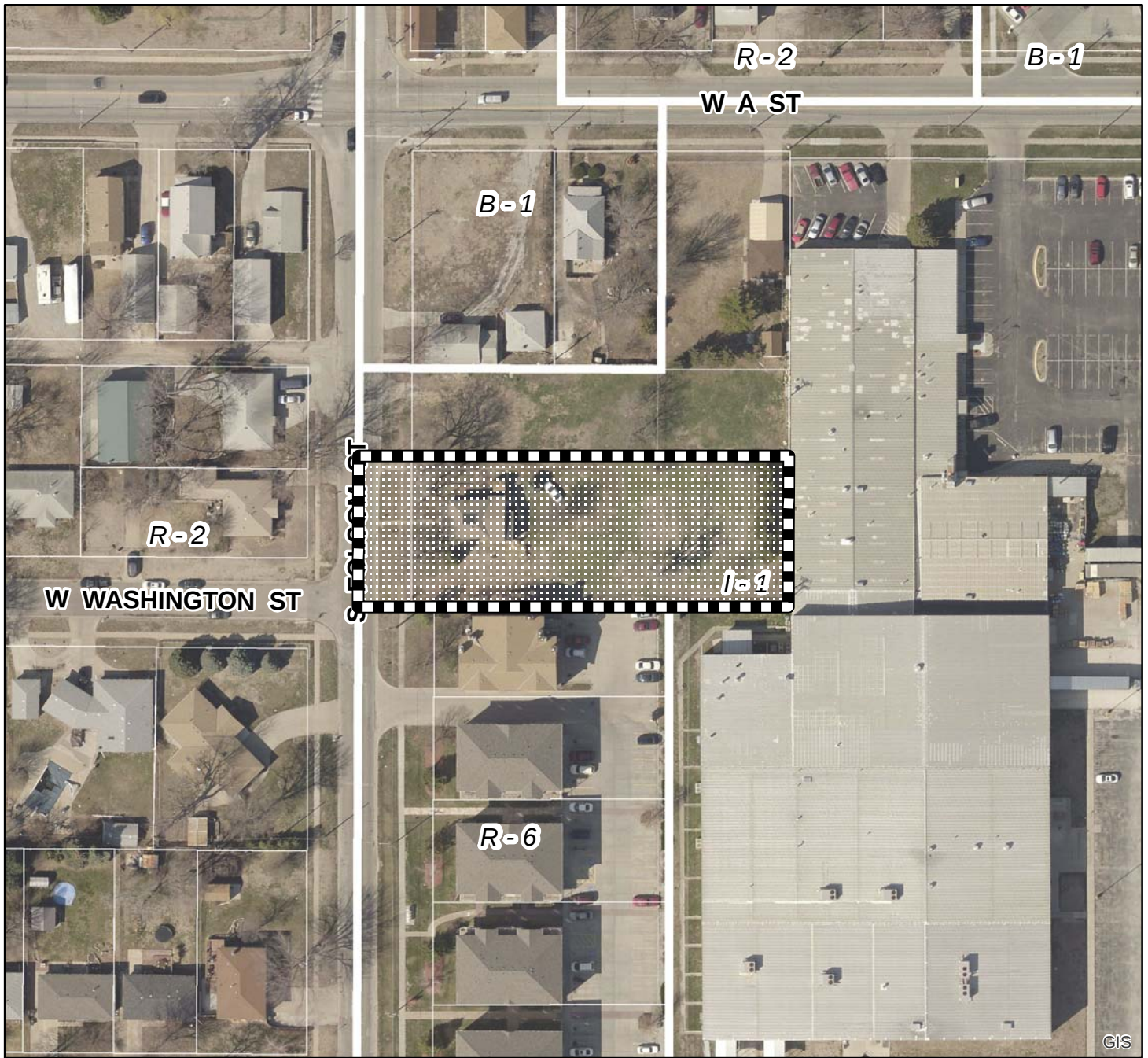
Prepared by:

Rachel Jones, Planner

DATE: June 28, 2016

APPLICANT/OWNER/CONTACT: Frieda Buskirk
1430 South Folsom Street
Lincoln, NE 68522

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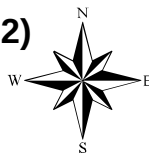


2013 aerial

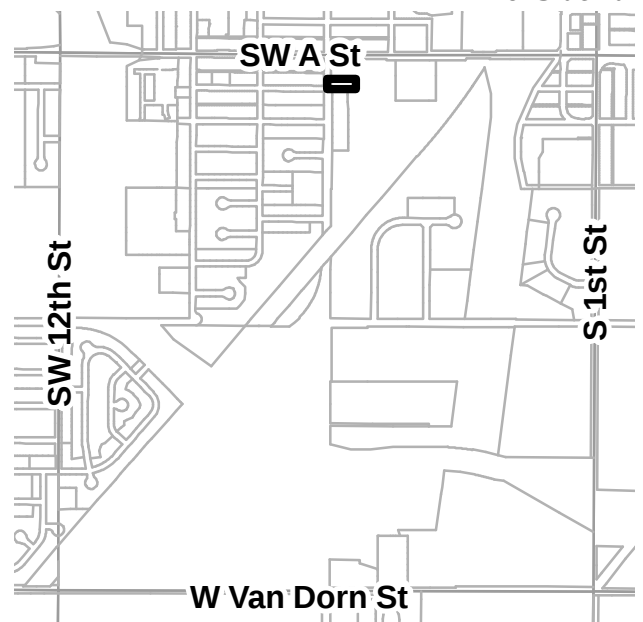
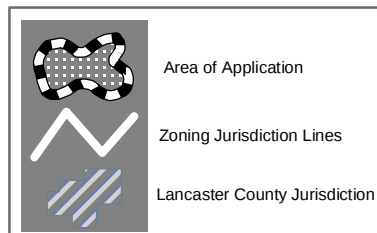
Change of Zone #: CZ16019 (I-1 to R-2) S Folsom St & W A St

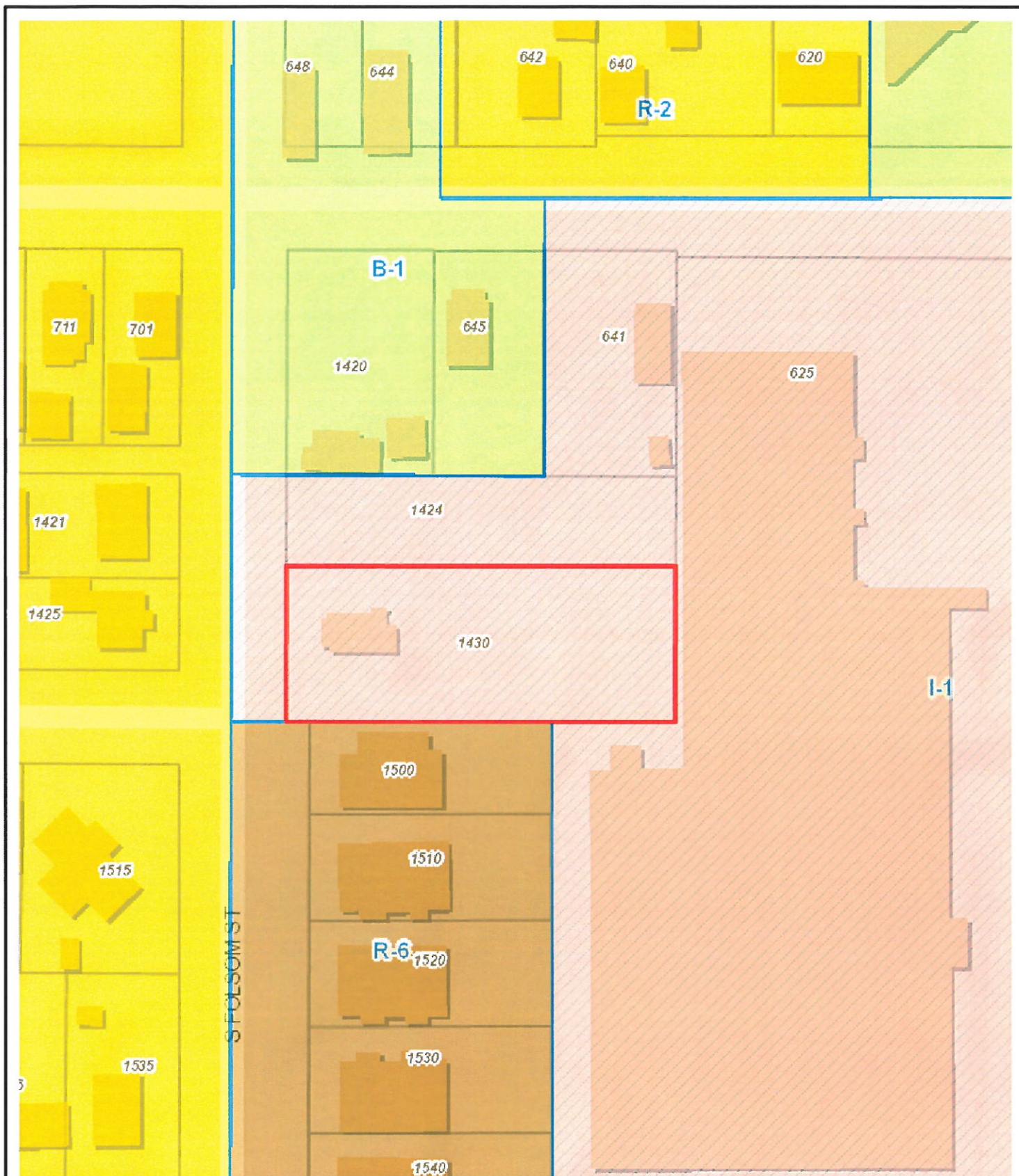
Zoning:

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.34 T10N R06E





Lancaster County/City of Lincoln GIS Map

1430 S. Folsom Street - Change of Zone from I-1 to R-T



Printed: Jun 03, 2016

DISCLAIMER: The information is presented on a best-efforts basis, and should not be relied upon for making financial, survey, legal or other commitments. If you have questions or comments regarding the data displayed on this map, please email ags@lincoln.ne.gov and you will be directed to the appropriate department.

June 2, 2016

Well hey I'm trying to get the reverse mortgage. I had hip replacement and I had to hire someone to mow my lawn which cost me \$75⁰⁰ a week had to get a new furnace and central air conditioner which cost me \$6,000 dollars. Have yet to get a new roof which will cost \$5,000 dollars and I'm slowly running out of money. Plus paying my house insurance and car insurance and I would rather stay in my house than sell my house and move somewhere else and now I can mow my own lawn have a rider ~~over~~ over

My house is paid for
I'd be alot happier in
my home than living
somewhere else.

Thank you for everything
you have done.
and Thank you
Rachel Jones for all
your help

And to get the reverse
mortgage I have to get
my house rezoned.

to residential. In case
my house would catch fire for me to be

Thanks able to rebuild

Freda Bruskert

Current Project - Agency Review Report

Agency Name	User Name	Review Cycle	Review Status	Comments	Assignment
Airport Authority	jon large	1	Recommend Approval	27.58 - Outside Airport Environs District. 27.59 - In Turning Zone, between approaches to Runways 32 and 35. Any future structures should follow the requirements of the chapter.	First In Group
Building & Safety	christy eichorn	1	Recommend Approval	Rezoning this property to residential will make the adjacent property non conforming/non standards with regards to their side yard setback.	First In Group
County Health	chris schroeder	1	Recommend Approval	The Lincoln-Lancaster County Health Department is recommending approval of this change of zone due to the existing use being residential and the existing residential zoning to the south of this proposed change of zone.	Individual
Development Review Manager	steve henrichsen	1	Recommend Approval		Individual
Planning Dept	brenda thomas	1	No Review Required		First In Group
Public Works - Engineering Services	bob simmering	1	No Review Required	6-14	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

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for July 6, 2016 PLANNING COMMISSION MEETING

PROJECT #: Special Permit No. 16025

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

LOCATION: 828 D Street and 848 D Street

LAND AREA: 0.86 acres more or less

EXISTING ZONING: R-4 Residential District

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

RECOMMENDATION:	Conditional Approval
WAIVER/MODIFICATIONS:	
<i>Waiver to Title 26 - Subdivision Ordinance</i>	
1. Waive the requirement per Section 26.23.140 that lots intended to be occupied by two-family structures shall have a maximum depth of three times their width.	Approval
<i>Waivers to Title 27 - Zoning Ordinance</i>	
2. Reduce the front yard setback from 25' to 15' on D and E Streets and 5' on South 9 th Street.	Approval
3. Reduce the rear yard setback from 20' to 18'.	Approval
<u>Single-Family Dwellings</u>	
4. Reduce the minimum lot area requirement from 5,000 sq. ft. to 3,500 sq. ft.	Approval
5. Reduce the minimum average lot width from 50' to 35'.	Approval
6. Reduce the side yard setback from 5' to 4' or 3' as shown on the site plan.	Approval

Two-Family Dwellings

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

GENERAL INFORMATION:

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

EXISTING LAND USE: Vacant (undeveloped) land

SURROUNDING LAND USE AND ZONING:

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

HISTORY:

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

March 2007	Board of Zoning Appeals #07001 was granted to vary the required rear yard from 30' to 10'.
April 2007	Special Permit #07007 was approved by the Planning Commission to expand the nonstandard church into the required front yard for an addition to the existing structure.
June 2007	The Zion Church burned down.
October 2007	Change of Zone #07047 was approved by the City Council change the zoning over these and a number of other properties from R-6 Residential District to R-4 Residential District due to the higher than typical percentage of single family dwellings.

COMPREHENSIVE PLAN SPECIFICATIONS:

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

P. 7.2 - Neighborhoods and Housing Guiding Principles:

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

UTILITIES: All utilities are available at this site.

TOPOGRAPHY: The site is generally flat.

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

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

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

ANALYSIS:

1. This is a request for a Community Unit Plan (CUP) to develop up to 7 dwelling units on property located northwest of South 9th and D Streets.
2. The future land use map shows this area as urban density residential. The proposed development provides for 7 dwelling units on 7 buildable lots, with 5 single family detached dwelling units and 2 single family attached units. This density would be achieved under the existing R-4 zoning district, and is an appropriate urban density for this neighborhood.
3. The proposed density is below that which would be permitted by right and within the CUP. The R-4 zoning district without a CUP permits would permit up to 10 two-family units, or 5 single family units, on this site. The applicant is also requesting fewer dwelling units with this application than the maximum density of the CUP under R-4 zoning would allow. The maximum density of this CUP is 13.93 dwelling units per acre with a 20% reduction to accommodate the small size of the tract, which equates to 9 units. The developer is not requesting the right to utilize the remaining 2 units permitted under the maximum CUP density.
4. This project is envisioned as a creative housing development that incorporates a central commons area. The commons area provides open space for residents and could be used as a gathering space, shared garden, play area, etc. Vehicular access will be taken off the north-south alley with parking at the rear of the dwellings to prevent the introduction of new driveways to the streets, thereby preserving the pedestrian orientation of the block faces.
5. The applicant has requested waivers to the minimum lot size and setback requirements for both single-family and two-family dwellings per Section 27.72.020 of the Zoning Ordinance, and a waiver to the required lot width-to-depth ratio for two-family dwellings per Section 26.23.140 of the Subdivision Ordinance, as listed above. These waivers are appropriate because the proposed density is similar to this block and neighborhood, and the density does not exceed the maximum permitted by right or within the CUP in this location. The requested waivers facilitate the overall creative concept of this redevelopment.
6. This property is within the South Bottoms Historic District. The Historic Preservation Commission (HPC) reviewed this application at their regular meeting on June 16, 2016 and recommended approval (see attached minutes of the HPC meeting). Several illustrations presented at the HPC meeting are attached for informational purposes; however, the sheet numbered G1.1 is the only official sheet for the CUP.
7. The availability of on-street parking has historically been a concern in attached single family developments, especially in those developments with streets that are narrower than the standard width and very narrow lots, leaving little room for on-

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

8. This site can be easily served by existing infrastructure such as roads and utilities. Access to this development will be provided off D and E Streets via the alley.
9. Neighborhood meetings to present this application and gain input were held in March and May of 2016.
10. Several revisions to the site plan are required and are listed in the conditions of approval.

CONDITIONS OF APPROVAL:

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

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

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

- Reduce the required front yard from 25' to 15' on D and E Streets and 5' on South 9th Street.
- Reduce the required rear yard from 20' to 18'.

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

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

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

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

Site Specific Conditions:

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

- 1.1 Revise the sheet numbering to show "Sheet 1 of 1" for Sheet G1.1 as this will be the only sheet for the approved CUP.
- 1.2 Revise the sheet title to read, "Cooper Commons Community Unit Plan, Special Permit #16025" and delete the "Submittal Documents" subtitle.
- 1.3 Under the Proposed CUP table, correct "Font" to "Front".
- 1.4 Remove the "Drawing Index".
- 1.5 Remove "(side)" from the front yard setback label along 9th Street.
- 1.6 Revise Note A.3 to state "Building footprints are conceptual and may be located anywhere within the approved building envelopes."
- 1.7 Revise Note B.2 to state "Accessory Buildings are permitted in the identified Commons area in Outlot A and must meet the minimum 5 foot front yard setback to 9th Street."
- 1.8 Revise Note C.1 to state "A final plat will be required according to the proposed lot sizes."
- 1.9 Revise Note C.2 to state "Proposed exterior home designs are subject to review and recommendation by the Historic Preservation Commission and must meet the Design Standards for Neighborhoods."
- 1.10 Remove the "Lot Total - 8" under the Proposed Lots table.
- 1.11 Under the Proposed CUP table, change the proposed "3,714 average square feet" to "3,500 single family/ 2,400 two-family lots" to allow for minor variation.
2. Before a final plat is approved provide the following documents to the Planning Department:
 - 2.1 Verification from the Register of Deeds that the letter of acceptance as required by the approval of the special permit has been recorded.
3. Final plat(s) is/are approved by the City.

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

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

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

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

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

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

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

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

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

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

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

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

to maintain the outlots on a permanent and continuous basis.

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

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

- (1) Permittee shall not be relieved of Permittee's maintenance obligation for each specific private improvement until a registered professional engineer or nurseryman who supervised the installation of said private improvement has certified to the City that the improvement has been installed in accordance with approved plans.
- (2) The maintenance agreements are incorporated into covenants and restrictions in deeds to the subdivided property and the documents creating the association and the restrictive covenants have been reviewed and approved by the City Attorney and filed of record with the Register of Deeds.

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

Standard Conditions:

4. The following conditions are applicable to all requests:
 - 4.1 Before occupying the dwelling units all development and construction shall substantially comply with the approved plans.
 - 4.2 All privately-owned improvements, including landscaping and recreational facilities, shall be permanently maintained by the Permittee or an appropriately established homeowners association approved by the City.
 - 4.3 The physical location of all setbacks and yards, buildings, parking and circulation elements, and similar matters be in substantial compliance with the location of said items as shown on the approved site plan.

- 4.4 The terms, conditions, and requirements of this resolution shall run with the land and be binding upon the Permittee, its successors and assigns.
- 4.5 The applicant shall sign and return the letter of acceptance to the City Clerk. This step should be completed within 60 days following the approval of the special permit. The City Clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the applicant. Building permits will not be issued unless the letter of acceptance has been filed.

Prepared by

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

DATE: June 28, 2016

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

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

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

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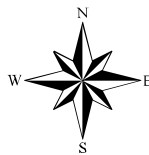


2013 aerial

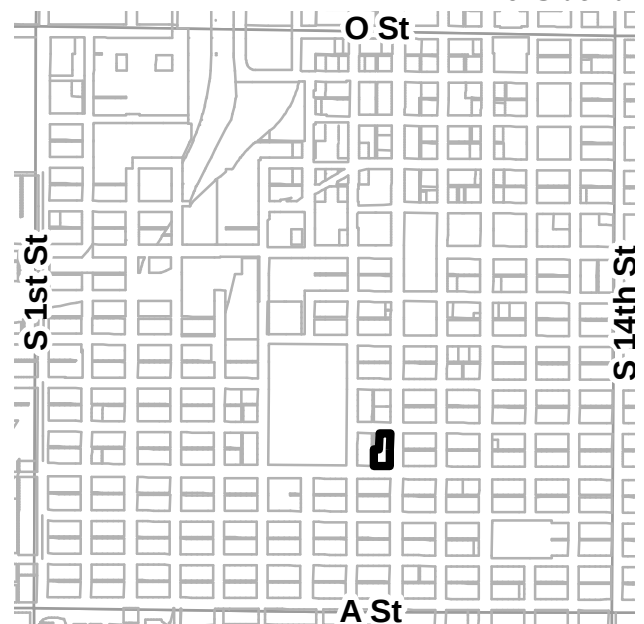
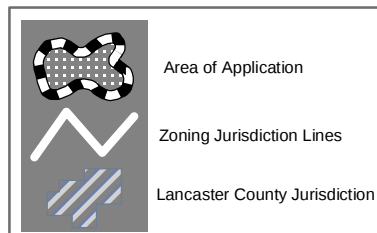
Special Permit #: SP16025
Cooper Commons CUP
S 9th St & D St

Zoning:

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



One Square Mile:
Sec.26 T10N R06E





LINCOLN

Community Unit Plan Submittal Documents



Vicinity Plan

Project Location

Drawing Index:

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



Site Plan

1"=30'-0"

Existing Property:

Zoning:	R4	
Address:	828 T Street	848 T Street
Parcel ID:	10-26-413-003-000	10-26-413-011-000
Area:	37,600 sf	0.862 acres
Structures:	None	

Notes:

- A1. Proposed Utility Connections-Proposed indicates initial design intent. Utility Services connections are currently in progress, and subject to final review and approval with Utility Providers. Utility Easements to be developed as required.
- A2. Proposed Project is located within 300' of a Property listed on the National Register of Historic Places
- A3. Proposed Home Footprints indicated for reference only. Final design of Homes currently in progress.

Proposed CUP

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

Notes:

- B1. Accessory Buildings are permitted per R-4 zoning ordinance
- B2. Accessory Buildings located in Outlot A, no closer to 9th Street than the identified 5' frontyard setback.

Proposed Lots

	Front Width	Depth	Area	Rowhouse Lot	Frontage/ Frontyard
1	37'-0"	104'	3,870 sf	No	T Street Public Street
2	36'-0"	104'	3,814 sf	No	T Street Public Street
3	36'-0"	104'	3,807 sf	No	T Street Public Street
4	36'-3.5"	104'	4,064 sf	No	T Street Public Street
5	36'-0"	104'	3,801 sf	Yes	E Street Public Street
6	23'-7.5"	104'	2,415 sf	Yes	E Street Public Street
7	36'-0"	104'	3,872 sf	No	E Street Public Street
Average			3,714 sf avg		
Outlot A	Irregular		11,619 sf		

Lot Total- 8

Notes:

- C1. Proposed Lot Size- Subject to Proposed Re-Plat, currently in progress.
- C2. Proposed Home Designs- Currently in Progress. Subject to review and Approval by one or both of the following Commissioned Committees:
- Historic Preservation Commission
 - Urban Design Committee



Architect
Peace Studio Architects, Inc.
1630 13th Ave, Suite B
Lincoln, NE 68502
402.217.1830
www.peacestudioarch.com



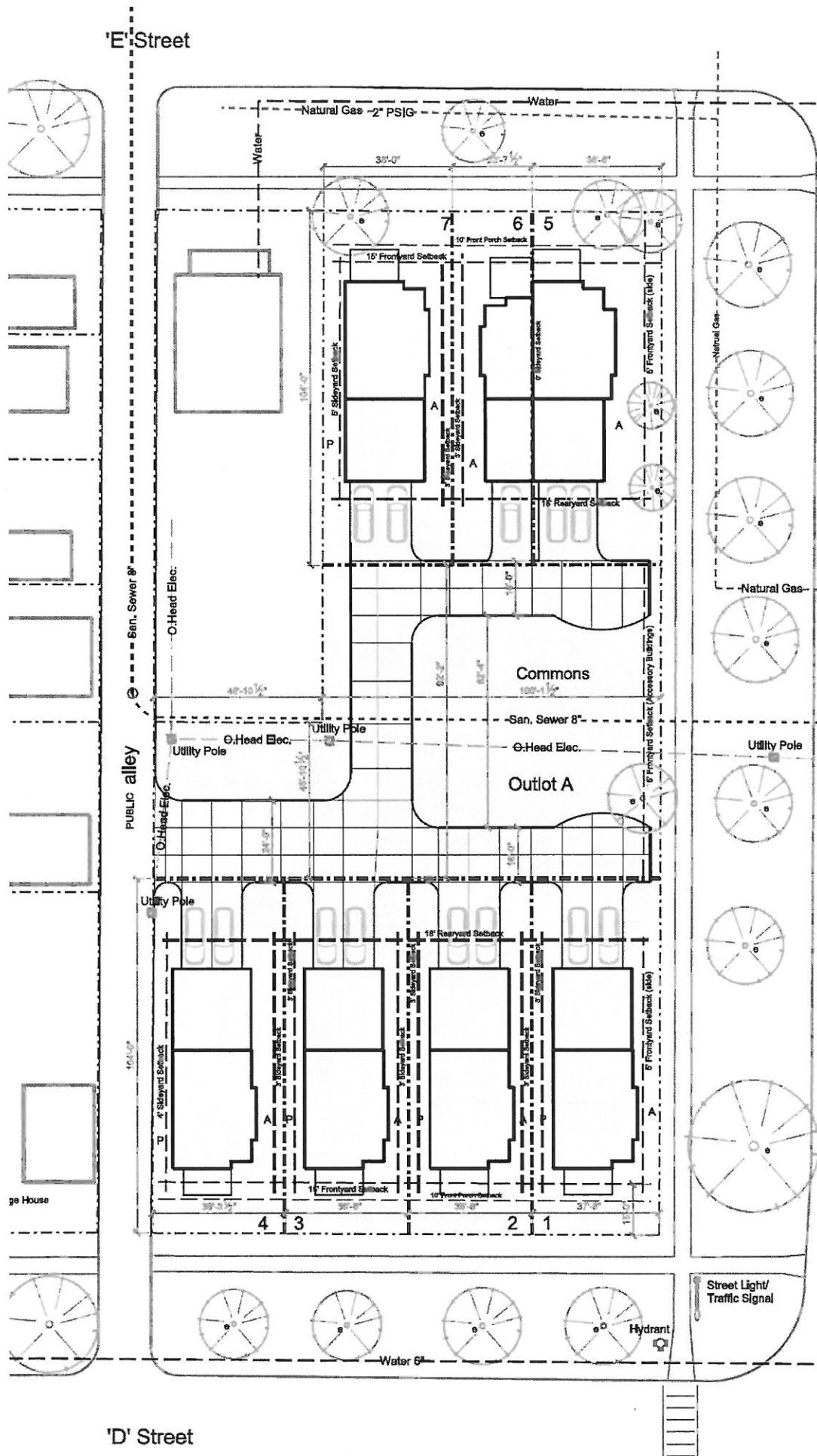
9+d



Job Number: 18001.dwg
Date: 9 May 2018

G1.1

39



Existing Property:

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

Notes:

- A1. Proposed Utility Connections- Proposed indicate initial design intent. Utility Services connections are currently in progress, and subject to final review and approval with Utility Providers. Utility Easements to be developed as required.
- A2. Proposed Project is located within 300' of a Property listed on the National Register of Historic Places
- A3. Proposed Home Footprints indicated for reference only. Final design of Homes currently in progress.

Proposed CUP

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

Notes:

- B1. Accessory Buildings are permitted per R-4 zoning ordinance
- B2. Accessory Buildings located in Outlot A, no closer to 9th Street than the Identified 5' frontyard setback.

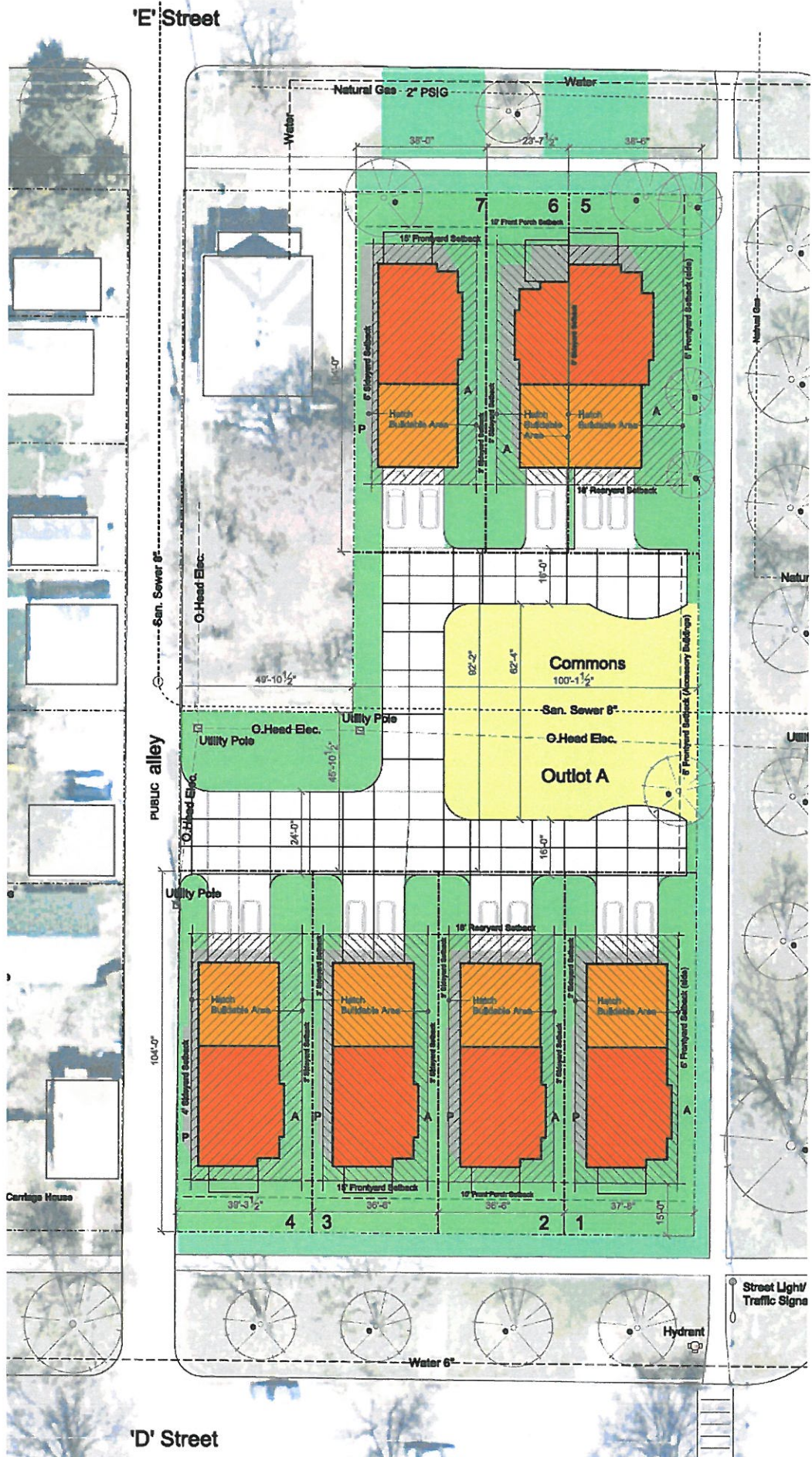
Proposed Lots

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

Lot Total- 8

Notes:

- C1. Proposed Lot Sizes- Subject to Proposed Re-Plat, currently in progress.
- C2. Proposed Home Designs- Currently in Progress.
Subject to review and Approval by one or both of
the following Committees/ Commissions:
 - a. Historic Preservation Commission
 - b. Urban Design Committee













May 9, 2016

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

Mr. David Cary,

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

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

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

Best,

Shawn Ryba, Chief Operating Officer



MEETING RECORD EXCERPT

RE: Special Permit No. 16009

Meeting of 06/16/2016

NAME OF GROUP: HISTORIC PRESERVATION COMMISSION

DATE, TIME AND PLACE OF MEETING: Thursday, June 16 2016, 1:30 p.m.,
Conference Room 214, 2nd Floor, County-City Building,
555 S. 10th Street, Lincoln, Nebraska

STATED PURPOSE OF MEETING: Regular Historic Preservation Commission Meeting

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

ACTION:

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

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

Current Project - Agency Review Report

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

Current Project - Agency Review Report

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

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for JULY 6, 2016 PLANNING COMMISSION MEETING

PROJECT #: Special Permit No.16027

PROPOSAL: A request per Section 27.63.320 for Winch Wrench Community Unit Plan.

LOCATION: Southwest 14th Street and West Bennet Road.

LAND AREA: 84.36 acres, more or less

EXISTING ZONING: AG Agriculture

WAIVER /MODIFICATION REQUEST:

1. Pedestrian Way for blocks over 1,000 feet in length.
2. Storm Water Detention
3. Block length
4. Lot lines at right angles to the street.

CONCLUSION: The special permit for a Community Unit Plan is in conformance with the 2040 Comprehensive Plan.

RECOMMENDATION:	Conditional Approval
Waivers/modifications:	
1. Pedestrian Way for blocks over 1,000 feet in length.	Approval
2. Storm Water Detention	Approval
3. Block length	Approval
4. Lot lines at right angles to the street.	Approval

GENERAL INFORMATION:

LEGAL DESCRIPTION: Lots 31,44 and 45 all Irregular Tracts located in the Northeast Quarter of Section 9, Township 8 North, Range 6 East; Lancaster County, NE

EXISTING LAND USE: Agriculture

SURROUNDING LAND USE AND ZONING:

North:	AG Agriculture	Farm ground and single family dwellings
South:	AG Agriculture	Farm ground, acreages and church.
East:	AG Agriculture	Farm ground and single family dwellings

West: AG Agriculture Farm ground and single family dwellings

COMPREHENSIVE PLAN SPECIFICATIONS:

Neighborhoods and Housing: Guiding Principles (p. 7.2)

- Provide a wide variety of housing types and choices for an increasingly diverse and aging population
- Encourage acreages to develop in appropriate areas and preserve farmland.

Neighborhoods and Housing: Rural Areas (p. 7.12)

Clustering lots in one portion of a development site, while preserving both farmland and environmental resources on the remainder, should continue to be encouraged in agriculturally-zoned areas.

UTILITIES: Each lot shall have individual water wells and septic systems.

TRAFFIC ANALYSIS: S.W. 14th Street and West Bennet Road are gravel County roads. S.W. 14th Street is paved north of Bennet Road.

PUBLIC SERVICE: This area is served by the Southwest Rural fire district and the Lancaster County Sheriff.

ENVIRONMENTAL CONCERNS: This is not prime farmland. There is a small area of floodplain in the far southwest corner of the property.

ANALYSIS:

1. This request is for a special permit for a Community Unit Plan with Build Through to cluster 5 lots on 84 acres. The site is located southwest of the intersection of West Bennet Road and SW 14th Street. The lots vary in size from 3 to 4.55 acres.
2. The proposed site plan for the CUP is to allow up to 5 lots/dwelling units. The 5 lots are clustered along W. Leoma Lane. Required to meet build-through (BTA) standards, the plan shows a future street layout for the urban reserve component that will enable further subdivision at such time as the property is annexed and can be served by the full range of City services.
3. The build-through plan shows how the acreage lots can be further subdivided in the future. BTA requires that each lot show building envelopes. Property owners must locate the house within one of these building envelopes. Typically the house and any accessory structures are required to locate within one of the three building envelopes. This allows for future subdivision of the lot with minimal conflicts. Due to this development being on the edge of Lincoln's 3-mile zoning jurisdiction and outside of Tier 3, accessory structures will be allowed in any of the building envelopes. It is possible it could be 30 or more years to urbanization and the value of the accessory buildings will be reduced over time.

4. Water quantity data information was submitted by the applicant. The information provided was obtained from the Nebraska Department of Natural Resources Registered Groundwater Wells data base. Based on the information provided Lincoln-Lancaster County Health Department is of the opinion there is sufficient groundwater quantity to serve the needs of this CUP. This area is located within Rural Water District #1 however the nearest water line is 2+ miles away.
5. The development proposes a new street name West Leoma Lane. Emergency Communications has concerns with this street name. Similar sounding names of Leon, Leo and Loma already exist in the City. A new street name is required for public safety.
6. The applicant has requested a waiver to block length and pedestrian way. The maximum block length allowed by subdivision ordinance is 1,320 feet. Due to the large lot sizes and acreage subdivision setting the waiver is acceptable. With county roads and no sidewalks, the pedestrian way waiver is acceptable.

CONDITIONS OF APPROVAL:

Per Section 27.63.320 this approval permits a Community Unit Plan for 5 dwelling units with waivers to pedestrian way, block length, lot lines at right angle and storm water detention.

Site Specific Conditions:

1. Before a final plat is approved the permittee shall cause to be prepared and submitted to the Planning Department a revised and reproducible final plot plan including **3** copies with all required revisions and documents as listed below:
 - 1.1 Identify the building envelopes.
 - 1.2 In note 2 delete the text after family residence and replace with "Located within one of the building envelopes shown. Accessory structures may be located within any of the building envelopes."
 - 1.3 Change the street name of West Leoma Lane.
 - 1.4 Show minimum opening elevations for Lots 2 & 3, Block 1 and Lot 2, Block 2.
 - 1.5 Show a 30' wide Drainage Easement over the channel crossing in Lot 2, Block 2.
 - 1.6 Submit location and calculations of Water Quality Best Management Practices that meet requirements for new development.

- 1.7 Show the capacity for the two culverts and cross sections. Also, need to make sure the 50 yr event has a 1 ft freeboard from overtopping the road. Will need a drainage easement over the 100-year ponding at the inlet to each culvert.
 - 1.8 Make corrections to the satisfaction of the County Engineer.
2. Before a final plat is approved provide the following documents to the Planning Department:
 - 2.1 Verification from the Register of Deeds that the letter of acceptance as required by the approval of the special permit has been recorded.
3. Final plat(s) is/are approved by the City.

If any final plat on all or a portion of the approved community unit plan is submitted five (5) years or more after the approval of the community unit plan, the city may require that a new community unit plan be submitted, pursuant to all the provisions of section 26.31.015. A new community unit plan may be required if the subdivision ordinance, the design standards, or the required improvements have been amended by the city; and as a result, the community unit plan as originally approved does not comply with the amended rules and regulations.

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

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

to complete the street paving of public streets, and temporary turnarounds and barricades located at the temporary dead-end of the streets shown on the final plat within two (2) years following the approval of the final plat.

to complete land preparation including storm water detention/retention facilities and open drainageway improvements to serve this plat prior to the installation of utilities and improvements but not more than two (2) years following the approval of the final plat

to complete the installation of the street name signs within two (2) years following the approval of the final plat.

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

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

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

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

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

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

to maintain the outlots on a permanent and continuous basis.

to recognize that there may be additional maintenance issues or costs associated with the proper functioning of storm water detention/retention facilities as they were designed and construction within the development and that these additional maintenance issues or costs are the responsibility of the Permittee.

to maintain County roads in good order and condition, including repair and replacement of paving as reasonably necessary, until the County Board specifically accepts the maintenance.

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

- (1) Permittee shall not be relieved of Permittee's maintenance obligation for each specific private improvement until a registered professional

engineer or nurseryman who supervised the installation of said private improvement has certified to the City that the improvement has been installed in accordance with approved plans.

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

to relinquish the right of direct vehicular access to Southwest 14th Street.

to submit to all potential purchasers of lots, a copy of the ground water report.

Standard Conditions:

4. The following conditions are applicable to all requests:
 - 4.1 Before occupying the dwelling units all development and construction shall substantially comply with the approved plans.
 - 4.2 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 therefor to be paid in advance by the applicant. Building permits will not be issued unless the letter of acceptance has been filed.

Prepared by

Tom Cajka
Planner

DATE: June 24, 2016

APPLICANT: REGA Engineering
601 Old Cheney Road, Suite A
Lincoln, NE 68512
402-484-7342

OWNER: Randall Winch
908 E. Trailblazer Road
Casa Grande, Arizona 685193

CONTACT: Marcia Kinning
601 Old Cheney Road, Suite A
Lincoln, NE 68512
402-484-7342

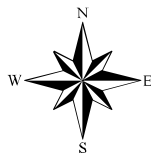
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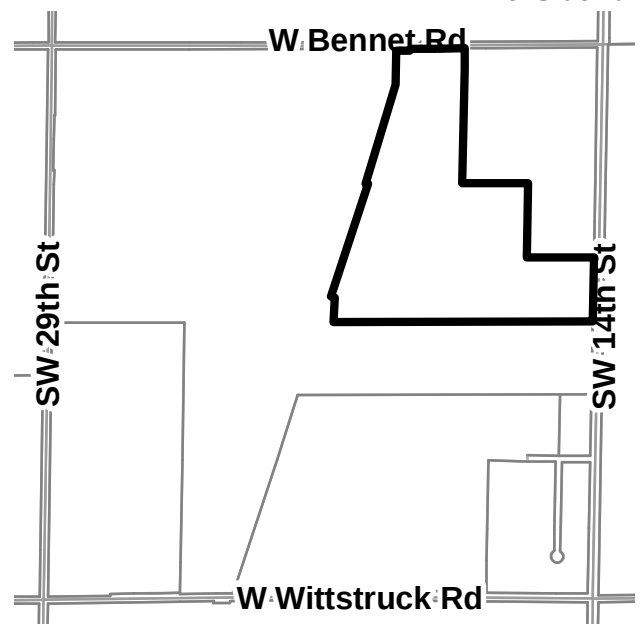
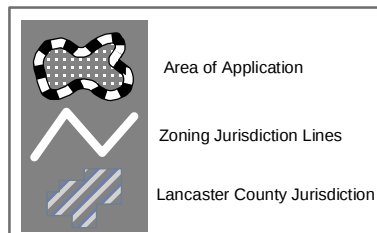
Special Permit #: SP16027
Winch Wrench Acres CUP
SW 14th St & W Bennet Rd

Zoning:

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



One Square Mile:
Sec.09 T08N R06E



2013 aerial

LEGAL DESCRIPTION:

IRREGULAR TRACT LOTS 31, 44, 45, LOCATED IN THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 8 NORTH, RANGE 6 EAST OF THE SOUTH PRINCIPAL MERIDIAN, LANCASTER COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

REFERRING TO THE EAST QUARTER CORNER OF SAID SECTION 9, THENCE ON THE SOUTH LINE OF SAID NORTHEAST QUARTER OF SECTION 9, S89°49'25"W, A DISTANCE OF 60.10 FEET TO THE POINT OF BEGINNING;

THENCE ON THE SOUTH LINE OF SAID NORTHEAST QUARTER OF SECTION 9, S89°49'25"W, A DISTANCE OF 2488.20 FEET;

THENCE N03°15'33"E, A DISTANCE OF 231.14 FEET;

THENCE N71°47'23"W, A DISTANCE OF 37.92 FEET;

THENCE N18°01'41"E, A DISTANCE OF 1133.58 FEET;

THENCE N89°48'28"W, A DISTANCE OF 28.37 FEET;

THENCE N18°01'41"E, A DISTANCE OF 891.48 FEET;

THENCE N01°09'11"E, A DISTANCE OF 328.25 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF WEST BENNET ROAD;

THENCE ON THE SOUTH RIGHT-OF-WAY LINE OF WEST BENNET ROAD, N89°43'17"E, A DISTANCE OF 100.37 FEET TO A POINT ON THE FORMER EASTERLY RIGHT-OF-WAY LINE OF THE CHICAGO ROCK ISLAND AND PACIFIC RAILROAD;

THENCE ON SAID FORMER EASTERLY RIGHT-OF-WAY LINE OF THE CHICAGO ROCK ISLAND AND PACIFIC RAILROAD, N18°01'41"E, A DISTANCE OF 52.87 FEET TO A POINT ON THE NORTH LINE OF SAID NORTHEAST QUARTER OF SECTION 9;

THENCE ON THE NORTH LINE OF SAID NORTHEAST QUARTER OF SECTION 9, N89°43'17"E, A DISTANCE OF 538.79 FEET;

THENCE S01°04'51"W, A DISTANCE OF 1320.76 FEET;

THENCE N89°45'50"E, A DISTANCE OF 628.19 FEET;

THENCE S01°03'12"W, A DISTANCE OF 712.66 FEET;

THENCE N89°41'45"E, A DISTANCE OF 840.27 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SOUTHWEST 14TH STREET;

THENCE ON SAID WEST RIGHT-OF-WAY LINE OF SOUTHWEST 14TH STREET, S01°01'23"W, A DISTANCE OF 610.16 FEET TO THE POINT OF BEGINNING AND CONTAINING A CALCULATED AREA OF 3,674,817.96 SQUARE FEET OR 84.38 ACRES.

SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY THAT THIS BOUNDARY SURVEY WAS MADE UNDER MY SUPERVISION AND THAT I AM A LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF NEBRASKA.

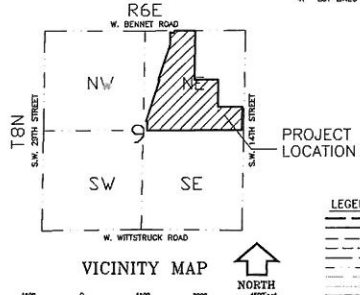
DATE: LYLE L. LOTH, L.S. #314

GENERAL NOTES:

- THIS COMMUNITY UNIT PLAN CONTAINS 84.38 ACRES.
- THIS COMMUNITY UNIT PLAN PERMITS 5 SINGLE FAMILY LOTS AND 1 OUTLOT. EACH LOT SHALL CONTAIN A MAXIMUM OF ONE SINGLE FAMILY RESIDENCE AND OUT BUILDINGS, ALL LOCATED WITHIN THE BUILDING SETBACKS AS SHOWN AND/OR NOTED.
- THE DEVELOPER PROPOSES THE USE OF INDIVIDUAL WATER WELLS FOR POTABLE WATER SUPPLY. INDIVIDUAL WATER WELLS FOR EACH LOT TO BE CONSTRUCTED IN SUCH A MANNER THAT AN ADEQUATE SUPPLY OF POTABLE WATER MEETING THE CURRENT STANDARDS OF THE DEPARTMENT OF HEALTH OF THE STATE OF NEBRASKA FOR DRINKING PURPOSES IS AVAILABLE TO EVERY LOT WITHIN THE SUBDIVISION AT THE TIME IMPROVEMENTS ARE DEDICATED THEREON. ALL WATER WELLS SHALL BE CONSTRUCTED IN COMPLIANCE WITH THE RULES AND REGULATIONS OF THE HEALTH DEPARTMENT.
- THE DEVELOPER PROPOSES THE USE OF INDIVIDUAL WASTE WATER SYSTEMS. IF PERCOLATION TEST DOES NOT PERMIT SUB SURFACE FILLS, LAGOONS SHALL BE INSTALLED. WASTE WATER SYSTEMS SHALL BE APPROVED BY THE LANCASTER COUNTY HEALTH DEPARTMENT.
- THE DEVELOPER SHALL CONSTRUCT AND SURFACE THE PUBLIC STREET WITH 3" OF CRUSHED ROCK AND 1" OF GRAVEL IN ACCORDANCE WITH THE LANCASTER COUNTY STANDARDS. THE COUNTY SHALL BE NOTIFIED PRIOR TO THE LAYING OF THE GRAVEL. ALL SURFACING RADIUS AT ALL INTERSECTION INTERSECTIONS SHALL BE 30 FEET. THE SURFACING RADIUS AT THE INTERSECTION OF W. LEOMA LANE AND S.W. 14TH STREET SHALL BE 80.0 FEET.
- ALL CURVILINEAR DIMENSIONS ARE CHORD LENGTHS.
- LOT DIMENSIONS SHOWN ARE APPROXIMATE AND MAY VARY UP TO 10 FEET. ALL DIMENSIONS ALONG CURVES ARE CHORD DISTANCES.
- ALL INTERSECTION ANGLES SHALL BE 90° UNLESS OTHERWISE NOTED.
- MOVING AND TROWING OF THE SEEDED PORTION OF THE INTERIOR ROADWAY SHALL BE THE RESPONSIBILITY OF THE ADJACENT PROPERTY OWNER.
- DIRECT VEHICULAR ACCESS TO S.W. 14TH STREET IS HEREBY RELINQUISHED EXCEPT FOR W. LEOMA LANE. EACH LOT IS LIMITED TO NO MORE THAN TWO ACCESSES TO W. LEOMA LANE.
- ALL TOPOGRAPHIC CONTOURS ARE AT NAVD83 DATUM.
- EASEMENTS SHALL BE DEDICATED AT THE TIME OF FINAL PLAT FOR CULVERTS THAT EXTEND BEYOND THE PUBLIC RIGHT-OF-WAY.
- ALL CULVERTS SHALL HAVE EITHER A FLARED-END SECTION OR CONCRETE HEADWALL ON THE INLET END. GRADING SHALL BE CONSTRUCTED TO ALLOW FOR PROPER DRAINAGE THROUGH CULVERTS.
- GRADING SHALL EXTEND AROUND TEMPORARY TURN-AROUND AND THE DEVELOPER SHALL NOTIFY ALL PURCHASERS THAT DITCHES MAY NOT BE FILLED IN.
- SIGNS NEED NOT BE SHOWN ON THIS PLAN, BUT NEED TO BE IN COMPLIANCE WITH CHAPTER 27.06 OF THE LINCOLN ZONING ORDINANCE, AND MUST BE APPROVED BY BUILDING & SAFETY DEPARTMENT PRIOR TO INSTALLATION.
- ALL CULVERT DRAINAGE PIPE UNDER DRIVEWAYS TO BE 18-INCH DIAMETER OR LARGER AND 24 FEET IN LENGTH OR LONGER.
- A HOMEOWNERS ASSOCIATION SHALL BE ESTABLISHED TO MAINTAIN W. LEOMA LANE.

WAIVERS

- PEDESTRIAN WAY
- STORM WATER DETENTION
- BLOCK LENGTH
- LOT LINES AT RIGHT ANGLES TO STREET



LEGEND

- BOUNDARY OF PRELIMINARY PLAT
- PROPOSED LOT LINE
- SETBACK/BUILDING ENVELOPE
- EASEMENT
- CENTERLINE
- SECTION LINE
- ADJACENT PROPERTY LINES
- EXISTING PAVEMENT
- PROPOSED PAVEMENT

DENSITY CALCULATIONS

AREA WITHIN C.U.P. = 84.38 AC.
 84.38 x 0.55 = 46.308
 (20% BONUS) 4.6308 x 1.20 = 5.55776
 TOTAL UNITS ALLOWED = 5
 TOTAL UNITS SHOWN = 5

OWNER/DEVELOPER

RANDALL S. WINCH
 808 E. TRULBACHER RD.
 CASA GRANDE, AZ 85183 (402)421-6545

PETITIONER
 JEFFY COLESON
 4350 ROY STREET
 P.O. BOX 65
 ROLA, NE (402)526-0280

SURVEYOR/ENGINEER:

LYLE L. LOTH
 REGA ENGINEERING GROUP, INC.
 611 OLD CHENEY ROAD, SUITE 'A'
 LINCOLN, NE 68512 (402)421-2300

PROJECT
 151392

REVISIONS	DATE	BY	MLK
1	6/17/16		
2	6/17/16		
3	6/17/16		
4	6/17/16		
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19	6/17/16		
20	6/17/16		

REGA
 ENGINEERING
 GROUP, INC.
 601 OLD CHENEY ROAD, SUITE A
 LINCOLN, NEBRASKA 68512
 (402)484-7342

- ENGINEERING
- PLANNING
- LAND SURVEYING

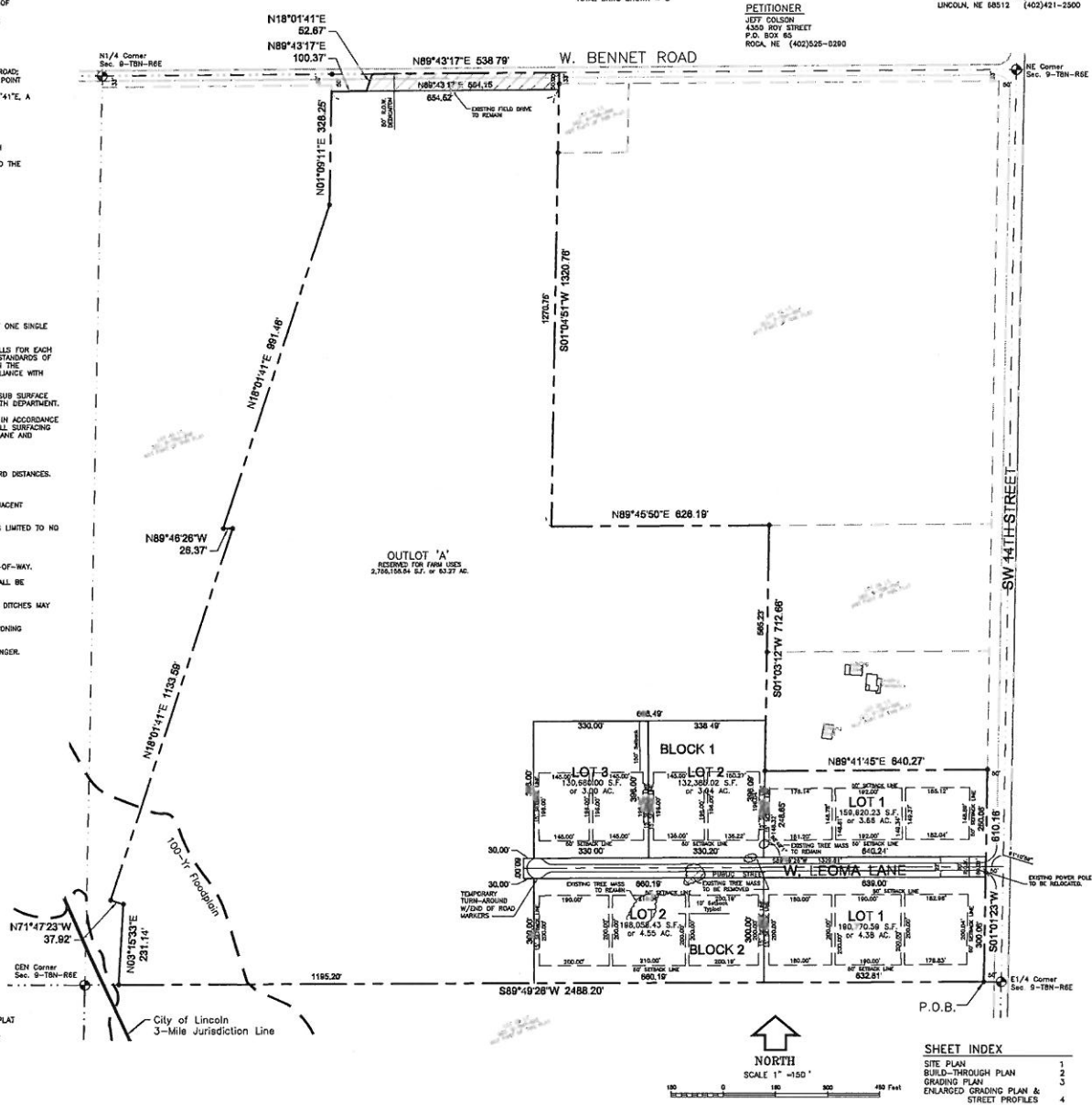
**WINCH WRANCH ACRES
 'AG' COMMUNITY UNIT PLAN
 SITE PLAN**

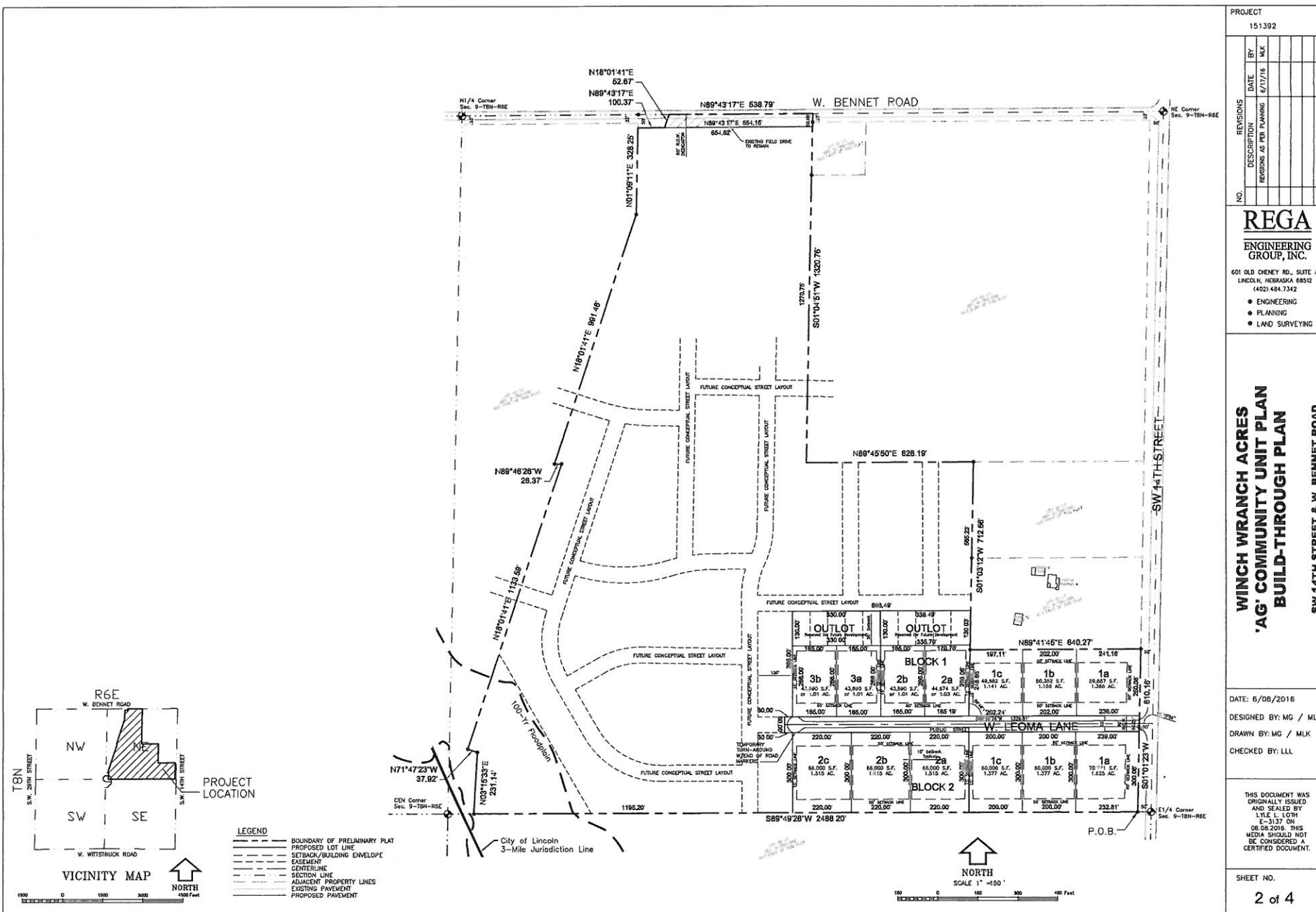
SW 14TH STREET & W. BENNET ROAD

DATE: 6/08/2016
 DESIGNED BY: MG / MLK
 DRAWN BY: MG / MLK
 CHECKED BY: LLL

THIS DOCUMENT WAS
 ORIGINALLY ISSUED
 AND SEALED BY
 LYLE L. LOTH
 E-3137 ON
 06.08.2016. THIS
 MEDIA SHOULD NOT
 BE FURNISHED A
 CERTIFIED DOCUMENT.

SHEET NO.
 1 of 4





GENERAL NOTES

1. THIS COMMUNITY UNIT PLAN CONTAINS 84.36 ACRES.
2. THIS COMMUNITY UNIT PLAN PERMITS 5 SINGLE FAMILY LOTS AND 1 OUTLOT. EACH LOT SHALL CONTAIN A MAXIMUM OF ONE SINGLE FAMILY RESIDENCE AND OUT BUILDINGS, ALL LOCATED WITHIN THE BUILDING SETBACKS AS SHOWN AND/OR NOTED.
3. THE DEVELOPER PROPOSES THE USE OF INDIVIDUAL WATER WELLS FOR POTABLE WATER SUPPLY. INDIVIDUAL WATER WELLS FOR EACH LOT TO BE CONSTRUCTED IN SUCH A MANNER THAT AN ADEQUATE SUPPLY OF POTABLE WATER MEETING THE CURRENT STANDARDS OF THE DEPARTMENT OF HEALTH OF THE STATE OF NEBRASKA FOR DRINKING PURPOSES IS AVAILABLE TO EVERY LOT WITHIN THE SUBDIVISION AT THE TIME IMPROVEMENTS ARE ERECTED THEREON. ALL WATER WELLS SHALL BE CONSTRUCTED IN COMPLIANCE WITH THE RULES AND REGULATIONS OF THE HEALTH DEPARTMENT.
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5. THE DEVELOPER SHALL CONSTRUCT AND SURFACE THE PUBLIC STREET WITH 3" OF CRUSHED ROCK AND 1" OF GRAVEL IN ACCORDANCE WITH THE LANCASTER COUNTY STANDARDS. THE COUNTY SHALL BE NOTIFIED PRIOR TO THE LAYING OF THE GRAVEL. ALL SURFACING RADII AT ALL INTERIOR INTERSECTIONS SHALL BE 30 FEET. THE SURFACING RADII AT THE INTERSECTION OF W. LEOMA LANE AND S.W. 14TH STREET SHALL BE 50.0 FEET.
6. ALL CURVILINEAR DIMENSIONS ARE CHORD LENGTHS.
7. LOT DIMENSIONS SHOWN ARE APPROXIMATE AND MAY VARY UP TO 10 FEET. ALL DIMENSIONS ALONG CURVES ARE CHORD DISTANCES.
8. ALL INTERSECTION ANGLES SHALL BE 90° UNLESS OTHERWISE NOTED.
9. MOWING AND TRIMMING OF THE SEEDED PORTION OF THE INTERIOR ROADWAY SHALL BE THE RESPONSIBILITY OF THE ADJACENT PROPERTY OWNER.
10. DIRECT VEHICULAR ACCESS TO S.W. 14TH STREET IS HEREBY RELINQUISHED EXCEPT FOR W. LEOMA LANE. EACH LOT IS LIMITED TO NO MORE THAN TWO ACCESSES TO W. LEOMA LANE.
11. ALL TOPOGRAPHIC CONTOURS ARE AT NAVD88 DATUM.
12. EASEMENTS SHALL BE DEDICATED AT THE TIME OF FINAL PLAT FOR CULVERTS THAT EXTEND BEYOND THE PUBLIC RIGHT-OF-WAY.
13. ALL CULVERTS SHALL HAVE EITHER A FLARED-END SECTION OR CONCRETE HEADWALL ON THE INLET END. GRADING SHALL BE CONSTRUCTED TO ALLOW FOR PROPER DRAINAGE THROUGH CULVERTS.
14. GRADING SHALL EXTEND AROUND TEMPORARY TURN-AROUND AND THE DEVELOPER SHALL NOTIFY ALL PURCHASERS THAT DITCHES MAY NOT BE FILLED IN.
15. SIGNS NEED NOT BE SHOWN ON THIS PLAN, BUT NEED TO BE IN COMPLIANCE WITH CHAPTER 27.69 OF THE LINCOLN ZONING ORDINANCE, AND MUST BE APPROVED BY BUILDING & SAFETY DEPARTMENT PRIOR TO INSTALLATION.
16. ALL CULVERT DRAINAGE PIPE UNDER DRIVEWAYS TO BE 18-INCH DIAMETER OR LARGER AND 24 FEET IN LENGTH OR LONGER.
17. A HOMEOWNERS ASSOCIATION SHALL BE ESTABLISHED TO MAINTAIN W. LEOMA LANE.

N8:

WINCH WRANCH ACRES
'AG' COMMUNITY UNIT PLAN
LEGAL DESCRIPTION

IRREGULAR TRACT LOTS 31, 44, 45, LOCATED IN THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 8 NORTH, RANGE 6 EAST OF THE SIXTH PRINCIPAL MERIDIAN, LANCASTER COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

REFERRING TO THE EAST QUARTER CORNER OF SAID SECTION 9; THENCE ON THE SOUTH LINE OF SAID NORTHEAST QUARTER OF SECTION 9, S89°49'26"W, A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING;

THENCE ON THE SOUTH LINE OF SAID NORTHEAST QUARTER OF SECTION 9, S89°49'26"W, A DISTANCE OF 2488.20 FEET;

THENCE N03°15'33"E, A DISTANCE OF 231.14 FEET;

THENCE N71°47'23"W, A DISTANCE OF 37.92 FEET;

THENCE N18°01'41"E, A DISTANCE OF 1133.59 FEET;

THENCE N89°46'26"W, A DISTANCE OF 26.37 FEET;

THENCE N18°01'41"E, A DISTANCE OF 991.46 FEET;

THENCE N01°09'11"E, A DISTANCE OF 328.25 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF WEST BENNET ROAD;

THENCE ON SAID SOUTH RIGHT-OF-WAY LINE OF WEST BENNET ROAD, N89°43'17"E, A DISTANCE OF 100.37 FEET TO A POINT ON THE FORMER EASTERLY RIGHT-OF-WAY LINE OF THE CHICAGO ROCK ISLAND AND PACIFIC RAILROAD;

THENCE ON SAID FORMER EASTERLY RIGHT-OF-WAY LINE OF THE CHICAGO ROCK ISLAND AND PACIFIC RAILROAD, N18°01'41"E, A DISTANCE OF 52.67 FEET TO A POINT ON THE NORTH LINE OF SAID NORTHEAST QUARTER OF SECTION 9;

THENCE ON THE NORTH LINE OF SAID NORTHEAST QUARTER OF SECTION 9, N89°43'17"E, A DISTANCE OF 538.79 FEET;

THENCE S01°04'51"W, A DISTANCE OF 1320.76 FEET;

THENCE N89°45'50"E, A DISTANCE OF 626.19 FEET;

THENCE S01°03'12"W, A DISTANCE OF 712.66 FEET;

THENCE N89°41'45"E, A DISTANCE OF 640.27 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SOUTHWEST 14TH STREET;

THENCE ON SAID WEST RIGHT-OF-WAY LINE OF SOUTHWEST 14TH STREET, S01°01'23"W, A DISTANCE OF 610.16 FEET TO THE POINT OF BEGINNING AND CONTAINING A CALCULATED AREA OF 3,674,817.96 SQUARE FEET OR 84.36 ACRES.

File No. 151392
June 8, 2016
Revised June 17, 2016

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

RE: WINCH WRANCH ACRES
'AG' C.U.P.
W. BENNET ROAD & S.W. 14TH STREET

Dear David,

On behalf of Randall Winch, we are submitting the above mentioned application for your review. Winch Wrench Acres is a proposed 'AG'-C.U.P. with a 20% bonus on approximately 84.36 acres. We are showing 5 single family acreage lots, containing a minimum area of 3 acres.

Each lot shall have individual water wells and septic systems. We have reviewed the registered groundwater well data from the Nebraska Department of Natural Resources in the project area. It would appear with the number of registered wells that there is ample water for these five proposed residential lots.

The proposed street is shown as a public street and will be constructed to meet Lancaster County design standards. This project is located within the 3-mile jurisdiction of the City of Lincoln.

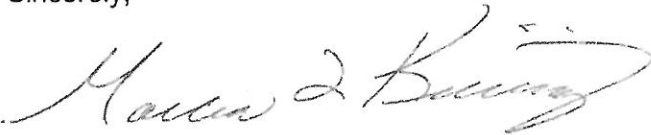
Page 2

We are requesting the following waivers.

1. Pedestrian Ways (Lincoln Municipal Code 26.23.125 and 26.11.040)
Due to being a rural subdivision with a standard county road cross section and there are no sidewalks within the development this City requirement is being requested to be waived.
2. Storm Water Detention (Lincoln Municipal Code 26.11.40)
Due to being a rural subdivision with the majority of the property being kept non-developed this City requirement is being requested to be waived. The required culverts have been shown on the grading plan.
3. Block Length (Lincoln Municipal Code 26.23.130)
The 5 proposed lots are clustered in the southeast corner of the development to preserve and meet the required open space/farm area. The block length is exceeded at this time, however the future conceptual layout shows a future connection to the south which is slightly west of the quarter section line. The future conceptual street layout also shows connecting streets to adjacent property to the east and west of the development as well.
4. Lot lines at right angles to the street (Lincoln Municipal Code (26.23.14(c))
The lot line between Lots 1 and 2, Block 1 is the only lot line not perpendicular to the street. The reason for this is due to the bearing of the existing lot line which is the north portion of the east line of Lot 2, Block 1. Due to this line already being established and to eliminate the possible confusion with having two different bearings for the east line of said lot, we request that line stay at the same bearing as already established.

We look forward to working with you and your staff as this project moves forward through the approval process. Please feel free to contact me if you have any further questions or comments.

Sincerely,



Marcia L. Kinning

cc: Randall Winch and Jeff Colson
Enclosures: City Application
City Application Fee \$3,792.00
Legal Description

REGA

ENGINEERING
GROUP, INC.

File No. 151392
June 15, 2016

Mr. John Chess
Environmental Health Supervisor
Environmental Public Health
City of Lincoln/Lancaster County Health Department
3140 N Street
Lincoln, NE 68510

RE: WINCH WRANCH ACRES
'AG' C.U.P.
W. BENNET ROAD & S.W. 14TH STREET

Dear John,

On behalf of Randall Winch, we have submitted an application for a County Community Unit Plan (C.U.P.) to create 5 single family lots with a minimum area of 3 acres. The development shall have individual water wells and septic systems. With the application submitted to the Planning Department, hydrological information from the existing surrounding area wells has been provided.

Based on our phone discussion, we are requesting that the submitted hydrological information be accepted in lieu of the grid system requirement of providing a well for every 10 acres of the proposed developed area within the development.

The hydrological information consisted of the registered groundwater well data from the Nebraska Department of Natural Resources within the four Sections surrounding the project area. It would appear with the number of registered wells that there is ample water for these five proposed residential lots.

Please feel free to contact me if you have any questions or comments.

Sincerely,



Lyle L. Loth, PE-3137

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for July 6, 2016 PLANNING COMMISSION MEETING

P.A.S.: Special Permit #16028 - Sesotris Shriners Temple

PROPOSAL: To authorize the licenses premises for the sale of alcoholic beverages for consumption on and off the premises per Sections 27.63.680 and 27.63.685.

CONCLUSION: This request complies with all applicable criteria for the special permits for the sale of alcohol for consumption on and off the premises. This is an appropriate land use at this location.

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

GENERAL INFORMATION:

LEGAL DESCRIPTION: A portion of Lot 50, located in the SE 1/4 of Section 35-09-06, Lancaster County, Nebraska, more particularly described as Park Vista Commerce Center Condominium, Amended, Unit 7.

LOCATION: 1050 Saltillo Road, located northwest of the intersection of Saltillo Road and Highway 77.

EXISTING ZONING: H-3 Highway Commercial

EXISTING LAND USE: Commercial

SURROUNDING LAND USE AND ZONING:

North:	Commercial	H-3
South:	Commercial	H-3
East:	Highway 77	
West:	Commercial	H-3

COMPREHENSIVE PLAN SPECIFICATIONS: The Comprehensive Plan designates this area for commercial land uses.

BACKGROUND: This is a request to allow the sale of alcohol for consumption both on and off the premises in conjunction with the Shriner's social hall. Most of the facility is open to the public for a use as a fraternal meeting hall which include a lounge, bar and a great hall for large meetings and receptions. However, a significant portion of the building is dedicated to offices and storage areas and which are not open to the general public. Due

to the limited access, the restricted areas will not be part of the licensed premises for the purpose of the sale of alcohol.

The provisions for special permits require that separate special permits be granted for each on and off-sale use, recognizing the requirements of each are slightly different. This report contains the reviews of the requirements for both special permits.

ANALYSIS:

- 1. SPECIAL PERMIT REQUIREMENTS PER LINCOLN MUNICIPAL CODE (LMC) 27.63.680:** The sale of alcoholic beverages for consumption on the premises may be allowed in the B-1, B-3, H-1, H-2, H-3, H-4, I-1, I-2, and I-3 zoning districts and on the premises of a restaurant in the O-3 district upon the approval of a special permit subject to the requirements of the respective districts, all applicable ordinances, and the following conditions:

(a) Parking shall be in conformance with Chapter 27.67 Parking.

Parking must be provided at the rate specified in the Zoning Ordinance. In this case, excess parking is available. The required parking in the H-3 zoning district is one space per 300 square feet of floor, except for a list of uses in the parking ordinance which have special conditions. The sale of alcohol for consumption on the premises and social hall are two of those uses, where the requirement instead is one space per 100 square feet of floor area. The parking rate is applied based upon the use of the building, which is split between a social hall, and the offices and storage area for the Shriners organization.

The floor area/parking breakdown is as follows:

On-sale area (@ 1:100) -	12,406 sq. ft - 125 stalls req'd
Remaining area (@ 1:300 -	7,913 sq. ft. - 27 stalls req'd
Total parking req'd	152 stalls
Total parking provided	169 stalls

(b) The sale of alcoholic beverages for consumption off the premises shall not be permitted without issuance of a permit under LMC Section 27.63.685 of this code.

The issuance of a separate special permit to allow the sale of alcohol for consumption off the premise has also been requested and is included in the second half of this report.

(c) The designated area specified in a license issued under the Nebraska Liquor Control Act of any building approved for such activity must be located no closer than (i) 100 feet from the property line of a premises used in whole

or in part for a first-floor residential use, day care facility, park, church, or state mental health institution, or (ii) 100 feet from a residential district (except where such use is accessory to a golf course or country club).

The proposed licensed premises is located in a commercial center located northwest of the intersection of Saltillo Road and Highway 77. The center is zoned H-3, and is occupied by multiple large commercial buildings. The nearest of any of the location criteria to the licensed premises are the property lines of first floor residential uses. One is located to the east and the other to the south, both are zoned AG, and both are more than 900' away.

(d) Any lighting on the property shall be designed and erected in accordance with all applicable lighting regulations and requirements.

No new lighting is proposed as part of this request.

(e) Vehicle stacking for a drive-through window used as any part of the permitted business operation shall not be located in any required building setback from a residential district.

A drive-through window is not a part of this application.

(f) The use shall not have any amplified outside sound or noise source, including bells, buzzers, pagers, microphones, or speakers within 150 feet of any residential district. This shall not apply to sound sources audible only to the individual to whom they are directed, such as personal pagers, beepers, or telephones.

No such devices are shown as part of this application.

(g) No access door to the business, including loading or unloading doors, shall face any residential district if such doors are within 150 feet of the residential district. This shall not apply to emergency exit doors required by building or safety codes. No door facing a residential district shall be kept open during the operation of the establishment.

The main entrance to the facility faces Highway 77. There is no residential zoning district within 150'.

(h) Vehicular ingress and egress to and from the property shall be designed to avoid, to the fullest extent possible, disruption of any residential district. Particular attention shall be given to avoiding designs that encourage use of residential streets for access to the site instead of major streets.

Access to the site is via a private driveway off of Saltillo Road. Saltillo Road is a major street, and the driveway serves all commercial uses.

(i) All other regulatory requirements for liquor sales shall apply, including licensing by the state.

(j) The City Council may consider any of the following as cause to revoke the special permit approved under these regulations:

(1) Revocation or cancellation of the liquor license for the specially permitted premises; or

(2) Repeated violations related to the operation of the permittee's business.

(3) Repeated or continuing failure to take reasonable steps to prevent unreasonable disturbances and anti-social behavior on the premises related to the operation of the permittee's business including, but not limited to, violence on site, drunkenness, vandalism, solicitation, or litter.

2. SPECIAL PERMIT REQUIREMENTS PER LINCOLN MUNICIPAL CODE (LMC)

27.63.685: Alcoholic beverages may be sold for consumption off the premises in the B-1, B-3, H-1, H-2, H-3, H-4, I-1, and I-3 zoning districts upon the approval of a special permit. A special permit for such use may be granted subject to the requirements of the respective districts, all applicable ordinances, and the following conditions:

(a) Parking shall be in accordance with Section 27.67.020 of the Lincoln Municipal Code.

For off-sale alcohol, the parking requirement is the same as that of the zoning district. In this case, the requirement for the H-3 zoning district it is one space per 300 square feet of floor area. Given the premises meets the much higher parking requirement of 1:100 for on-sale alcohol, the requirement for off-sale in the H-3 zoning district is easily achieved.

(b) The sale of alcoholic beverages for consumption on the premises shall not be permitted without issuance of a permit under LMC Section 27.63.680 of this code.

The issuance of a separate special permit to allow the sale of alcohol for consumption on the premise has also been requested and is included in the first half of this report.

(c) The licensed premises of any building approved for such activity must be located no closer than (i) 100 feet from the property line of a premises used

in whole or in part for a first-floor residential use, day care facility, park, church, or state mental health institution, or (ii) 100 feet from a residential district.

As noted previously in this report, the proposed licensed premises is located in a commercial center located northwest of the intersection of Saltillo Road and Highway 77. The center is zoned H-3, and is occupied by multiple large commercial buildings. The nearest of any of the location criteria to the licensed premises are the property lines of first floor residential uses. One is located to the east and the other to the south, both are zoned AG, and both are more than 900' away.

(d) Any lighting on the property shall be designed and erected in accordance with all applicable lighting regulations and requirements.

No new lighting is shown as part of this request.

(e) Vehicle stacking for a drive-through window used as any part of the permitted business operation shall not be located in any required building setback from a residential district.

A drive-through window is not proposed.

(f) The use shall not have any amplified outside sound or noise source, including bells, buzzers, pagers, microphones, or speakers within 150 feet of any residential district. This shall not apply to sound sources audible only to the individual to whom they are directed, such as personal pagers, beepers, or telephones.

No such devices are proposed as part of this application.

(g) No access door to the business, including loading or unloading doors, shall face any residential district if such doors are within 150 feet of the residential district. This shall not apply to emergency exit doors required by building or safety codes. No door facing a residential district shall be kept open during the operation of the establishment.

The main entrance to the facility faces Highway 77. There is no residential zoning district within 150'.

(h) Vehicular ingress and egress to and from the property shall be designed to avoid, to the fullest extent possible, disruption of any residential district. Particular attention shall be given to avoiding designs that encourage use of residential streets for access to the site instead of major streets.

Access to the site is via a private driveway off of Saltillo Road. Saltillo Road is a major street, and the driveway serves all commercial uses.

(i) All other regulatory requirements for liquor sales shall apply, including licensing by the state.

(j) The City Council may consider any of the following as cause to revoke the special permit approved under these regulations:

- (1) Revocation or cancellation of the liquor license for the specially permitted premises; or
- (2) Repeated violations related to the operation of the permittee's business.
- (3) Repeated or continuing failure to take reasonable steps to prevent unreasonable disturbances and anti-social behavior on the premises related to the operation of the permittee's business including, but not limited to, violence on site, drunkenness, vandalism, solicitation, or litter.

3. This request for both the sale of alcohol for consumption on and off the premises complies with all applicable requirements of the Zoning Ordinance, and is consistent with the Comprehensive Plan. It is compatible with surrounding uses and is an appropriate use of land at this location.

CONDITIONS:

This approval permits the sale of alcohol for consumption both on and off the premises consistent with the approved site plan.

Site Specific:

1. Provide three copies of the site plan to the Planning Department:

Standard:

2. The following conditions are applicable to all requests:
 - 2.1 Before the sale of alcohol for consumption on and off the premises, all development and construction is to substantially comply with the approved plans.
 - 2.2 The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.

- 2.3 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
- 2.4 The applicant shall sign and return the letter of acceptance to the City Clerk. This step should be completed within 60 days following the approval of the special permit. The City Clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filling fees therefore to be paid in advance by the applicant. The sale of alcohol shall not commence until the letter of acceptance has been returned.

Prepared by:

Brian Will, AICP, 441-6362, bwill@lincoln.ne.gov
Planner
June 21, 2016

OWNER: Sosotris Temple Holding Company
1050 Saltillo Road
Lincoln, NE 68430
402-474-6890

APPLICANT: Keith Plummer
3736 Savannah Circle
Lincoln, NE 68516

CONTACT: Bob Nootz
1828 High Street
Beatrice, NE 68310
402-474-6890

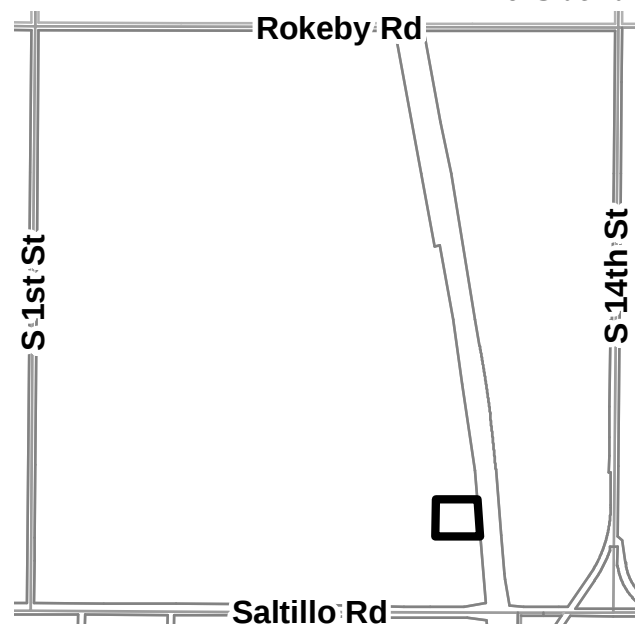
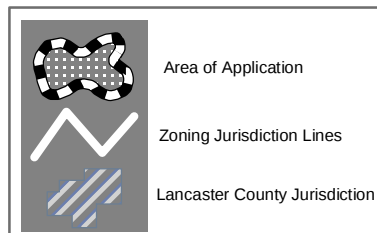


Special Permit #: SP16028
Sesostris Shriners Temple
Highway 77 & Saltillo Rd

Zoning:

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

One Square Mile:
 Sec.35 T09N R06E



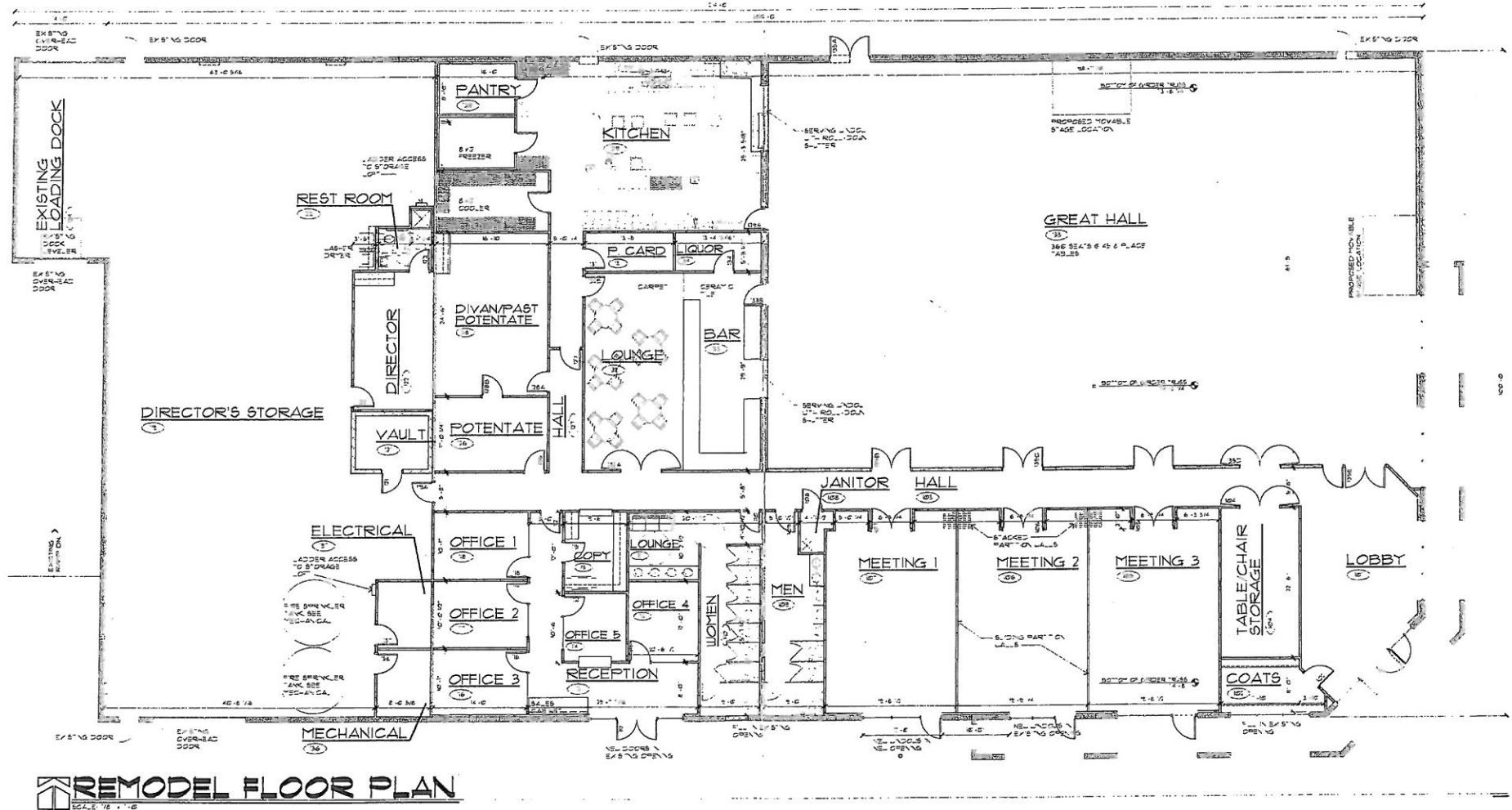
2013 aerial

City of Lincoln
Planning Department

RE: Special Use Permit for Sesostris Temple Holding Corporation

Sesostris Temple Holding Corporation owns and operates a facility located at 1050 Saltillo Rd in Roca, NE. We are a 501(c) 10 fraternal organization. The major philanthropy of our organization is to support Shriners Hospitals for Children. We provide transportation of patients and their family to Shriners Hospitals at no cost to the patient or parent. Our facility is large enough to accommodate small to medium size functions for both our own use and as a rental hall for meetings, receptions, anniversaries, etc. Many of our meetings and functions include meals and alcohol. When we rent the facility for wedding receptions, anniversary parties, seminars, and various other functions, the sale of alcohol is requested. We use fundraisers, rental fees, and alcohol sales to supplement membership dues which alone are insufficient to pay for those expenses associated with maintaining the facility. Alcohol sales are a significant source of revenue. We apply for, and receive an exemption for tax relief on real and personal property each year (Form 451) from the Lancaster county assessor. As such, we limit the hours of operation for alcohol sales to 20 hours a week or less. The activities requesting alcohol sales are less than the 20 hour limit. No other waivers are requested.

EXHIBIT "A"





Lancaster County/City of Lincoln GIS Map

Printed: Jun 21, 2016

DISCLAIMER: The information is presented on a best-efforts basis, and should not be relied upon for making financial, survey, legal or other commitments. If you have questions or comments regarding the data displayed on this map, please email ags@lincoln.ne.gov and you will be directed to the appropriate department.