
Lincoln City - Lancaster County

PLANNING COMMISSION AGENDA

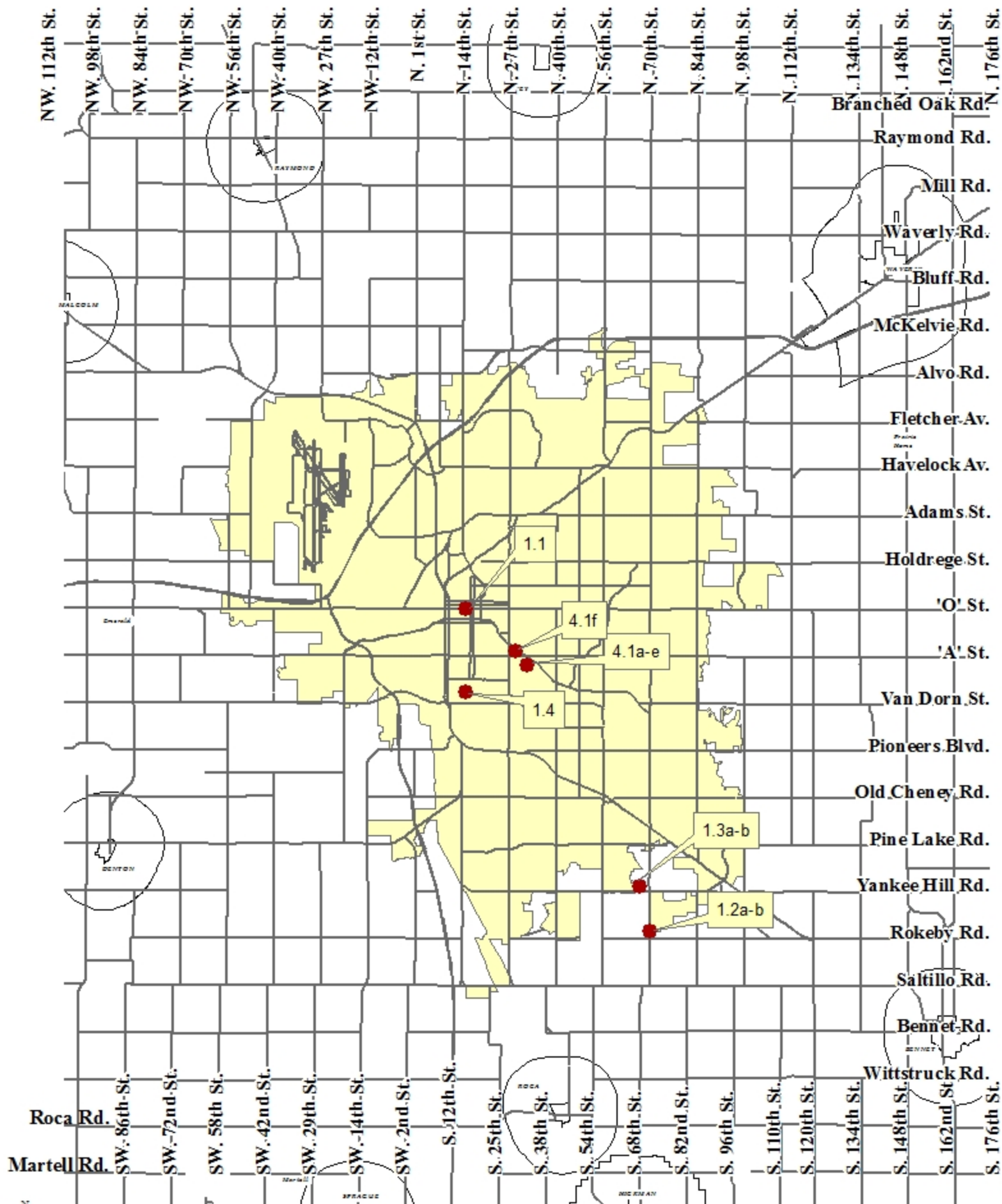
PLANNING COMMISSION

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

October 28, 2016



NOTICE: The Lincoln/Lancaster County Planning Commission will hold a public hearing on Friday, October 28, 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

FRIDAY, OCTOBER 28, 2016

Approval of minutes of the regular meeting held October 12, 2016.

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

COMPREHENSIVE PLAN CONFORMANCE:

- Page 01
- 1.1 Comprehensive Plan Conformance No. 16009, to review as to conformance with the 2040 Lincoln-Lancaster County Comprehensive Plan, an amendment to the Capital Improvement Plan for Fiscal Year 2016-2017, to add a project for street and streetscape.
Staff recommendation: Conformance with the Comprehensive Plan
Staff Planner: Kellee Van Bruggen, 402-441-6363, kvanbruggen@lincoln.ne.gov

ANNEXATIONS AND RELATED CHANGES OF ZONE:

- Page 09
- 1.2a Annexation No. 16011, to annex approximately 22 acres, more or less, on property generally located at South 70th Street and Rokeby Road.
Staff recommendation: Approval
Staff Planner: Brian Will, 402-441-6362, bwill@lincoln.ne.gov
- Page 09
- 1.2b Change of Zone No. 16032, from AG (Agricultural District) to R-3 (Residential District) for approximately 22 acres, more or less, on property generally located at South 70th Street and Rokeby Road.
Staff recommendation: Approval
Staff Planner: Brian Will, 402-441-6362, bwill@lincoln.ne.gov

Page 19 1.3a Annexation No.16012, to expand the Village Gardens Planned Unit Development by approximately 15 acres, more or less, on property generally located at the northwest corner of 70th Street and Yankee Hill Road.

Staff recommendation: Approval

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

Page 19 1.3b Change of Zone No. 04075G, Village Gardens Planned Unit Development (PUD), for a change from AG (Agricultural District) to R-3 (Residential District) PUD, and from AG (Agricultural District) to B-3 (Commercial District) PUD, on property generally located northwest of the intersection of 70th Street and Yankee Hill Road; for a Planned Unit Development District designation of said property; and for approval of a development plan which proposes modifications to the Zoning Ordinance, Land Subdivision Ordinance and Design Standards to provide approximately 12.5 acres for a place of religious assembly, and approximately 2.5 acres for neighborhood commercial uses.

Staff recommendation: Conditional Approval

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

CHANGE OF ZONE:

Page 71 1.4 Change of Zone No. 16027, to remove the Landmark Designation from that portion of the medical campus of Bryan Medical Center that formerly housed the Sophy Teeter's Nurses Home, on property generally located at 1650 Lake Street.

Staff recommendation: Approval

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

2. REQUESTS FOR DEFERRAL:

2.1 Change of Zone No. 16023, from AG (Agricultural District) to H-3 (Highway Commercial District) on approximately 2.62 acres, more or less, on property generally located at 6625 NW 48th Street.

Staff recommendation: Conditional Approval

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

2.2 Special Permit 16009, for construction of a carport, on property generally located at 18001 Kings Highway ****FINAL ACTION****

Staff recommendation: Conditional Approval

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

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

3.1 _____

3.2 _____

4. PUBLIC HEARING AND ADMINISTRATIVE ACTION:

COMPREHENSIVE PLAN CONFORMANCE AND RELATED ITEMS:

- Page 77 4.1a Comprehensive Plan Conformance No. 16005, to review as to conformance with the 2040 Comprehensive Plan, a request to declare a City-owned parking lot as surplus property for the zoo expansion, on property generally located at approximately 2847 A Street.
Staff recommendation: Conformance with the Comprehensive Plan
Staff Planner: George Wesselhoft, 402-441-6366, gwesselhoft@lincoln.ne.gov
- Page 85 4.1b Text Amendment No. 16010, amending Chapter 27.63 of the Lincoln Municipal Code relating to Special Permits by amending Section 27.63.170 to provide that a parking lot for a zoo may be allowed by Special Permit in the R-1 through R-8 zoning districts and in the O-2 zoning district if the parking lot is located within 360 feet from property occupied by a zoo and the parking lot is primarily used in connection with said zoo, and repealing Section 27.63.170 as hitherto existing.
Staff recommendation: Approval
Staff Planner: George Wesselhoft, 402-441-6366, gwesselhoft@lincoln.ne.gov
- Page 91 4.1c Change of Zone No. 16028, from B-3 (Commercial District) to R-6 (Residential District), on property generally located at 2847 A Street.
Staff recommendation: Approval
Staff Planner: George Wesselhoft, 402-441-6366, gwesselhoft@lincoln.ne.gov
- Page 97 4.1d Special Permit No. 16047, to construct an additional parking lot with associated waivers to setbacks and storm water detention, on property generally located at 2847 A Street.
Staff recommendation: Conditional Approval
Staff Planner: George Wesselhoft, 402-441-6366, gwesselhoft@lincoln.ne.gov
- Page 113 4.1e Street and Alley Vacation No. 16005, to vacate a portion of South 29th Street right-of-way, a portion of the east-west alley located in Block 2, Zehrung and Ames Addition, and a portion of Washington Street right-of-way, all generally located at 2847 A Street.
Staff recommendation: Conformance with the Comprehensive Plan
Staff Planner: George Wesselhoft, 402-441-6366, gwesselhoft@lincoln.ne.gov
- Page 121 4.1f Change of Zone No. 16022, to designate the Ager Building on Antelope Park Triangle east of the intersection of B Street and South 27th Street and associated premises west of the building as a local landmark under Section 27.57 of the Lincoln Municipal Code, on property generally located at 1300 South 27th Street.
Staff recommendation: Approval of Landmark Designation
Staff Planner: Stacey Hageman, 402-441-6361, slhageman@lincoln.ne.gov

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

Adjournment

PENDING LIST: *None*

Planning Dept. staff contacts:

David Cary, <i>Director</i>	402-441-6364	dcary@lincoln.ne.gov
Stephen Henrichsen, <i>Development Review Manager</i> . . .	402-441-6374	shenrichsen@lincoln.ne.gov
Paul Barnes, <i>Long Range Planning Manager</i>	402-441-6372	pbarnes@lincoln.ne.gov
Michael Brienzo, <i>Transportation Planner</i>	402-441-6369	mbrienzo@lincoln.ne.gov
Tom Cajka, <i>Planner</i>	402-441-5662	tcajka@lincoln.ne.gov
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
George Wesselhoft, <i>Planner</i>	402-441-6366	gwesselhoft@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.**

**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 OCTOBER 26, 2016 PLANNING COMMISSION MEETING

PROJECT #: Comprehensive Plan Conformance No. 16009
Amend FY 2016/17 Capital Improvement Program to include
Historic Haymarket Street and Streetscape Project

PROPOSAL: The City of Lincoln Urban Development Department has requested a review of the Historic Haymarket Street and Streetscape Project for conformance with the Comprehensive Plan for the purpose of amending the Fiscal Year (FY) 2016/17 Capital Improvement Program

CONCLUSION: The Historic Haymarket Street and Streetscape project is in general conformance with the Comprehensive Plan and supports several goals of the Plan.

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

LOCATION: N Street to S Street, 7th Street to 9th Street

PURPOSE: The Planning Commission is required to review the proposed project for conformity with the Comprehensive Plan.

COMPREHENSIVE PLAN SPECIFICATIONS:

"Placemaking - Describes principles and strategies intended to preserve and enhance the community's unique character - its sense of place - through preservation of cultural and historic resources and focused attention to the quality of public and private development through urban design." (Page 1.11)

"Preservation and renewal of historic buildings, districts, and landscapes is encouraged." (Page 2.8)

"Historic areas and quality new development share underlying aspects of good design - durable materials, thoughtful attention to maintaining or creating a desirable overall setting, accessibility by multiple modes and all people, well-designed and effective signs that communicate without dominating, and sustainable, maintainable landscaping." (Page 4.7)

"Lincoln currently has a well developed sidewalk system, and the requirement of sidewalks on both sides of all streets should continue. However, this system is in need of rehabilitation in many areas." (Page 10.27)

"Make adequate maintenance of existing and future pedestrian and bicycle facilities a priority." (Page 10.47)

ANALYSIS:

1. Current conditions have created hazards for pedestrians in the Historic Haymarket District. A temporary repair of asphalt was put in place in the summer of 2016 to reduce hazards between the concrete curbs and sidewalks and the settling pavers. These temporary improvements will last one to two years, and are not in keeping with the historic character of the district.
2. The pavers currently located in the pedestrian nodes were constructed on an aggregate and sand base. Current design standards for non-pervious pavement generally call for pavers to be placed on a concrete base that has been tied to the curb and sidewalk to reduce settling and trip hazards. Current design standards also require a smooth surface ADA pathway on sidewalks. The buffalo brick is generally uneven and should not be used for the ADA path.
3. The construction of the sidewalk and curb improvements will correspond to the mill and overlay project being planned for Historic Haymarket during the 2018 construction season.
4. The LPlan 2040 identifies the need for sidewalk rehabilitation and placemaking throughout the document. The Historic Haymarket Street and Streetscape Project accomplishes several polices of the LPlan 2040 as identified under Comprehensive Plan Specifications.
5. The Historic Preservation Commission will review proposed improvements when further developed.
6. The Urban Development Department indicates that other street and sidewalk improvements may be made to correct conditions. Improvements to street and pedestrian lights may be made, as well as replacements of damaged and deteriorating garbage cans, planters, bike bollards, and benches, if funds are available.
7. The Urban Development Department has requested that up to \$1.2 million in TIF funds are to be used in design and construction of street, streetscape, and sidewalk improvements in the City's FY 2016/17 Capital Budget. According to the City Charter, the City Council shall not appropriate any money in any budget for any capital improvement project unless and until the conformity or non-conformity of that project has been reported on by the Planning Department by a special report or in connection with the capital improvement programming process. This report provides this review and finding of Plan conformity.
8. This project will be added to the Urban Development Department CIP.

9. A finding of conformity with the Comprehensive Plan will permit the Urban Development Department to expend the TIF funds toward the Historic Haymarket Streets and Streetscape project and allow the project to be constructed.

Prepared by:

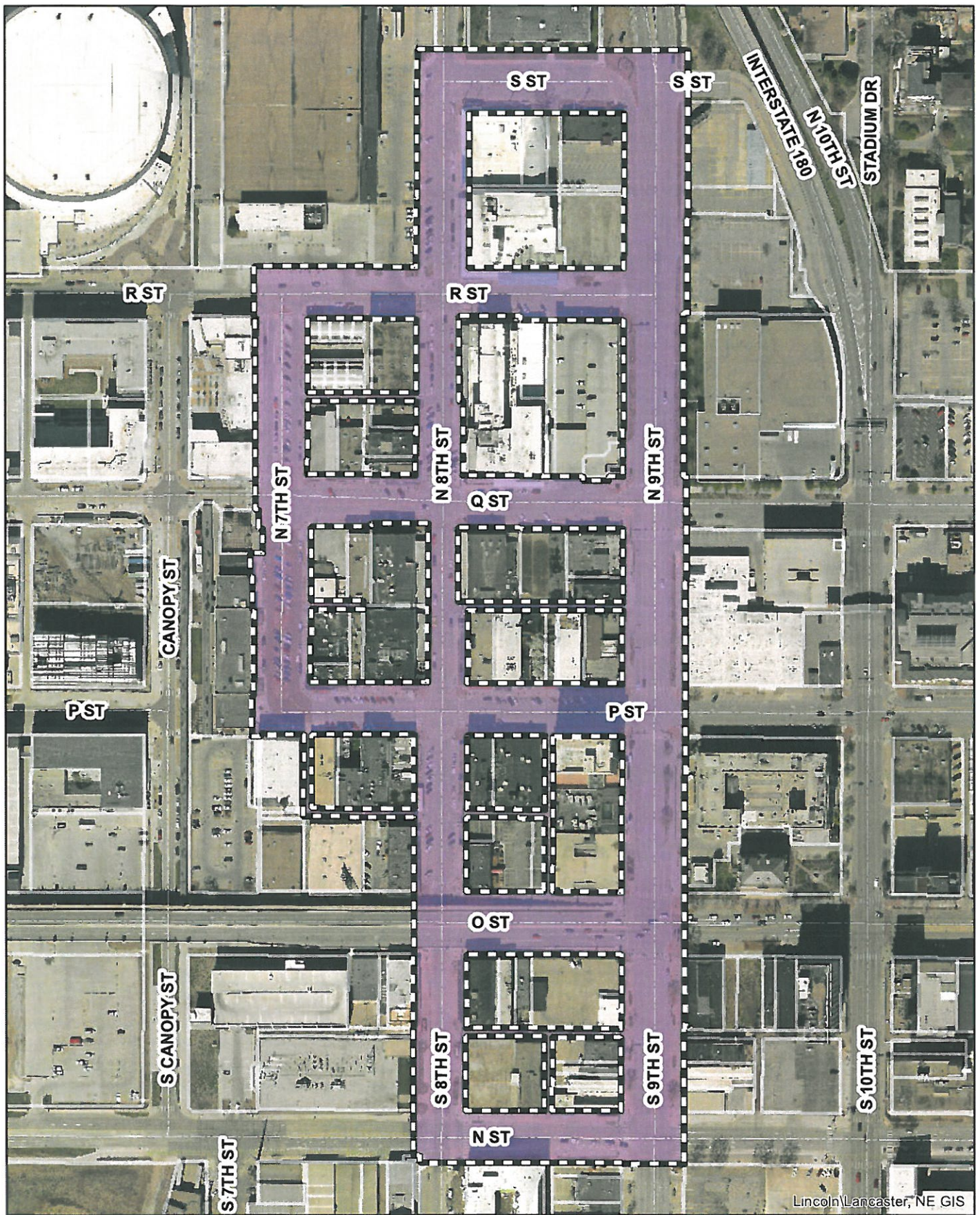
Kellee Van Bruggen
Planner
kvanbruggen@lincoln.ne.gov
402-441-6363

DATE: October 17, 2016

APPLICANT: City of Lincoln
Urban Development Department
555 S. 10th Street, Suite 205
Lincoln, NE 68508
402-441-7866

CONTACT: Hallie Salem, Manager - Downtown Redevelopment
hsalem@lincoln.ne.gov or 402-441-7866

F:\DevReview\CPC\16000\CPC16009 CIP Amendment Historic Haymarket Street and Streetscape.kbv.wpd



Historic Haymarket Street & Streetscape Project Area

 CIP Addition: Historic Haymarket Street & Streetscape Project Area





Urban Development Department
555 South 10th Street Suite 205 Lincoln NE 68508
402-441-7606 lincoln.ne.gov

October 3, 2016

Paul Barnes, Long-Range Planning Manager
Planning Department
City / County Building
555 S 10th Street
Lincoln, NE 68508

Dear Paul:

Please find the application for the proposed amendment to FY 16/17 CIP attached.

We request that the amendment be reviewed by Planning Commission for their consideration of its consistency with the Comprehensive Plan at the October 26 public hearing. We request that the amendment also be to City Council for introduction on November 7 and public hearing on November 21, 2016.

If you have any questions about the amendment or schedule, please contact me at 441.7866 or hsalem@lincoln.ne.gov.

Best Regards,

A handwritten signature in black ink, appearing to read "Hallie Salem", written in a cursive style.

Hallie Salem
Urban Development Manager

From: Kellee B. Van Bruggen
Sent: Friday, October 07, 2016 3:10 PM
To: Brenda J. Thomas
Subject: FW: ProjectDox Plan Review Task Assignment for CPC16009

From: Hallie E. Salem
Sent: Friday, October 07, 2016 3:06 PM
To: Kellee B. Van Bruggen <KVanBruggen@lincoln.ne.gov>
Cc: Paul D. Barnes <PBarnes@lincoln.ne.gov>; Steve S. Henrichsen <shenrichsen@lincoln.ne.gov>; Ben J. Higgins <watershed@lincoln.ne.gov>; Jon D. Carlson <jcarlson@lincoln.ne.gov>
Subject: RE: ProjectDox Plan Review Task Assignment for CPC16009

Urban Development is requesting an amendment to the FY 16/17 CIP for the Haymarket Street and Streetscape Project (N to S, 7th to 9th). The Amendment will enable up to \$1.2 million in TIF funds to be used in design and construction of street, streetscape, and sidewalk improvements in the Historic Haymarket District.

Historic Haymarket and West Haymarket have become a unified area generally known to the public as "Haymarket." Haymarket is the dining and entertainment core of Downtown Lincoln. Cars move slowly through this area that teems with pedestrians on Husker Football gamedays, First Fridays, Husker Basketball home games, concert event, Farmer's Markets, or even your average Friday and Saturday nights. The improvements made in the West Haymarket have transformed an area that was once train tracks and brownfields into an area made for the pedestrian in mind. These improvements have a smooth ADA path with amenity zones for plantings, benches, landscaping, trees, and permeable pavers. While Historic Haymarket generally has a narrower pedestrian path, the area has the same need for smooth pedestrian walkways that support the heavy pedestrian uses.

Current conditions have created hazards for pedestrians in the Historic Haymarket District. A temporary repair of asphalt was put in place in the summer of 2016 to reduce hazards between the concrete curbs and sidewalks and the settling pavers. These temporary improvements will last one to two years, and are not in keeping with the historic character of the district. The pavers currently located in the pedestrian nodes were constructed on an aggregate and sand base. Current design standards for non-pervious pavement generally call for pavers to be placed on a concrete base that has been tied to the curb and sidewalk to reduce settling and trip hazards. Current design standards also require a smooth surface ADA pathway on sidewalks. The buffalo brick is generally uneven and should not be used for the ADA path.

The construction of the sidewalk and curb improvements will correspond to the mill and overlay project being planned for Historic Haymarket during the 2018 construction season. The greatest need for improvements will be at the intersections of 8th and P and 8th and Q, as well as an area with a temporary bollard configuration for a stop sign at 7th and Q. Pavers in the street on 7th and P Streets, south of Q, will generally remain. Other street and sidewalk improvements may be made to correct conditions. Improvements to street and pedestrian lights may be made, as well as replacements of damaged and deteriorating garbage cans, planters, bike bollards, and benches, if funds are available.

A design team is expected to be hired to assist with the design. The project is expected to be bid in the fall of 2017, with construction in the Spring and Summer of 2018.

Hallie Salem, AICP
Manager - Downtown Redevelopment
Urban Development Department
555 S 10th Street, Suite 205
Lincoln, NE 68508
402.441.7866
402.441.8711 FAX
hsalem@lincoln.ne.gov

From: Kellee B. Van Bruggen
Sent: Friday, October 07, 2016 11:57 AM
To: Hallie E. Salem
Cc: Paul D. Barnes
Subject: FW: ProjectDox Plan Review Task Assignment for CPC16009

Could you provide any further information on the project to be included for review?

Kellee Van Bruggen
Transportation Planner
Lincoln/Lancaster County Planning Department
555 S. 10th Street, Suite 213
Lincoln, NE 68508
Phone: (402) 441-6363

From: Steve S. Henrichsen
Sent: Friday, October 07, 2016 10:54 AM
To: Kellee B. Van Bruggen <KVanBruggen@lincoln.ne.gov>
Subject: FW: ProjectDox Plan Review Task Assignment for CPC16009

Kellee

There isn't enough information in this application to know what is intended. There is a map of an area and a letter that doesn't explain anything.

Is more information coming?

Steve

From: projectdox@pdox.lincoln.ne.gov [mailto:projectdox@pdox.lincoln.ne.gov]
Sent: Wednesday, October 05, 2016 8:47 AM
To: Steve S. Henrichsen <shenrichsen@lincoln.ne.gov>
Subject: ProjectDox Plan Review Task Assignment for CPC16009



Plan Review Task Assignment

Attention Stephen:

You have been assigned a task on Project: **CPC16009**

You have **10 calendar days** to complete your review. Please log in to ProjectDox using the links below to begin your task.

Project:	CPC16009
Description:	Historic Haymarket Street and Streetscape
Task:	DepartmentReview
Assigned by:	Kellee Van Bruggen
Project Access Login to ProjectDox	

If you do not have access to the specified folder, please contact the Project Administrator.

Please do not reply to this email.

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for October 26, 2016 PLANNING COMMISSION MEETING

Note: This is a combined staff report for related items. This report contains a single background and analysis section for all items.

PROJECT #: Annexation #16011
Change of Zone #16032

PROPOSAL: To annex 21.91 acres, and change the zoning from AG Agriculture and R-3 Residential for Grandview Estates 1st Addition

LOCATION: South 70th Street and Rokeby Road

LAND AREA: Annexation #16011 - Approximately 21.91 acres
Change of Zone #16032 - Approximately 21.91 acres

CONCLUSION: The subject property is adjacent to the city limit, and the full range of municipal services can be provided if annexed. A change of zone to R-3 is consistent with the Future Land Use Map and compatible with the adjacent development. Both requests comply with the Zoning Ordinance and are consistent with the Comprehensive Plan.

RECOMMENDATION:

AN#16011

Approval

CZ#16032

Approval

PROPOSED CITY COUNCIL DISTRICT ASSIGNMENT: District #2.

GENERAL INFORMATION:

LEGAL DESCRIPTION: AN#16011 - See attached legal description.
CZ#16032 - See attached legal description.

EXISTING ZONING: AG Agriculture

SURROUNDING LAND USE AND ZONING:

North:	Residential (under development), Agriculture	AG, R-3
South:	Agriculture	AG
East:	Agriculture	AG
West:	Acreage Residential	AGR

EXISTING LAND USE: Agriculture.

HISTORY:

JUN 2014 - Special Permit #14014 for the Grandview Estates CUP was approved. The CUP showed a concept plan covering 109 acres with a site layout showing 316 dwelling units with an overall maximum allowed density of up to 760 dwelling units.

AUG 2014 - Annexation #14004 and Change of Zone #14017 covering approximately 27 acres were approved by the City Council so the first phase of the development could be final platted. These applications were associated with Special Permit #14014.

COMPREHENSIVE PLAN SPECIFICATIONS:

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

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

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

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

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

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

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

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

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

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

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

The character of existing residential areas should be respected as much as possible during the annexation process. When low density “acreage” areas are proposed for annexation due to the City’s annexation policy, additional steps should be taken to ease the transition as much as possible, such as public meetings, advance notice and written explanation of changes as a result of annexation. In general, many aspects of acreage life may remain unchanged, such as zoning or covenants. However, any annexation of existing residential areas will include some costs which must be the responsibility of property owners.

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

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

SPECIFIC INFORMATION:

UTILITIES & SERVICES:

- A. **Sanitary Sewer:** Sanitary sewer is available in the adjacent phase of this development to the west, and can be extended by the developer to serve this phase.
- B. **Water:** Water is also available in the adjacent phase of this development and can be extended as well.
- C. **Roads:** All internal streets associated with Grandview Estates 1st Addition are local streets and will constructed by the developer as part of the development. Nearby arterial streets include South 70th Street and Rokeby Road.

South 70th Street is a two-lane, asphalt county road, and is adjacent to a portion of this phase of the development. South 70th Street will not be improved to City standards at this time, but temporary turn lanes have been required to be installed by the developer at Lilee Lane. Rokeby Road is a gravel road, and improvements will be triggered at such time as lots are platted with access to it. This phase does not annex any land adjacent to Rokeby Road, so there will be no lots adjacent or access to it at this time.
- D. **Parks and Trails:** The bike trail system extends south along South 70th Street, and then follows the drainage southeast before jogging east across the north edge of this development. Easements to accommodate the trail have been dedicated with the final plats consistent with the Grandview Estates community unit plan (CUP).

- E. **Fire Protection:** After annexation, fire protection will be provided by Lincoln Fire Rescue (LFR). LFR recommends approval, noting that in response to the recently approved bond issue there will be new fire station built in southeast Lincoln, perhaps in the vicinity of South 70th Street and Pine Lake Road.

ANALYSIS:

1. These are related requests for both annexation and a change of zone, and are based upon the overall site plan for Grandview Estates 1st Addition CUP. They seek to expand the development by annexing an additional 21.91 acres, and re-zoning the land to R-3 to allow for additional single-family dwellings.
2. These requests constitute Phase II of the Grandview Estates 1st Addition development, and if approved will allow for an additional 22 acres to be final platted. Both requests are based upon, and consistent with, the concept plan approved with the original special permit. This plan provided for the associated special permit request also includes the current design for the improvement of Rokeby Road, which will include roundabouts at intersections.
3. The area to be annexed is located within Tier I, Priority B of the Comprehensive Plan. All utilities, including public water and sewer, exist adjacent to the area of these requests in Phase I of the same development. The development can be served by the full range of city services.
4. The subject property is located within the Southeast Rural Fire District #1. Under State law, the District can petition for compensation from the annexing municipality for lost revenue based upon the amount of service area annexed. For voluntary annexations such as this one, any costs due to the district are to be borne by the developer. In this case, staff has conducted the financial analysis and there is no money due the District.
5. It is also the developer's responsibility to reach an agreement regarding any compensation due the Rural Water District #1 (RWD) as a result of the proposed annexation. This developer has previously settled with the RWD, and no additional claim of reimbursement will be as a result of this annexation.
6. Annexation and re-zoning of the area of these requests was anticipated by Phase I of this development. The annexation agreement signed between the City and the developer as part of the original development to assign financial responsibility for public infrastructure is being followed. It is still in effect, it covers the area of these requests, and does not have to be amended.

7. These applications do not represent changes significant enough to warrant a major amendment to the community unit plan. However, there are minor changes and some corrections to the notes that should be reflected on the plans prior to approval of final plats. The changes can be approved by an administrative amendment approved by the Planning Director.
8. The site is designated for future urban density residential land uses on the Future Land Use Map, and these requests comply with the requirements of the Zoning Ordinance and Comprehensive Plan.

Prepared by:

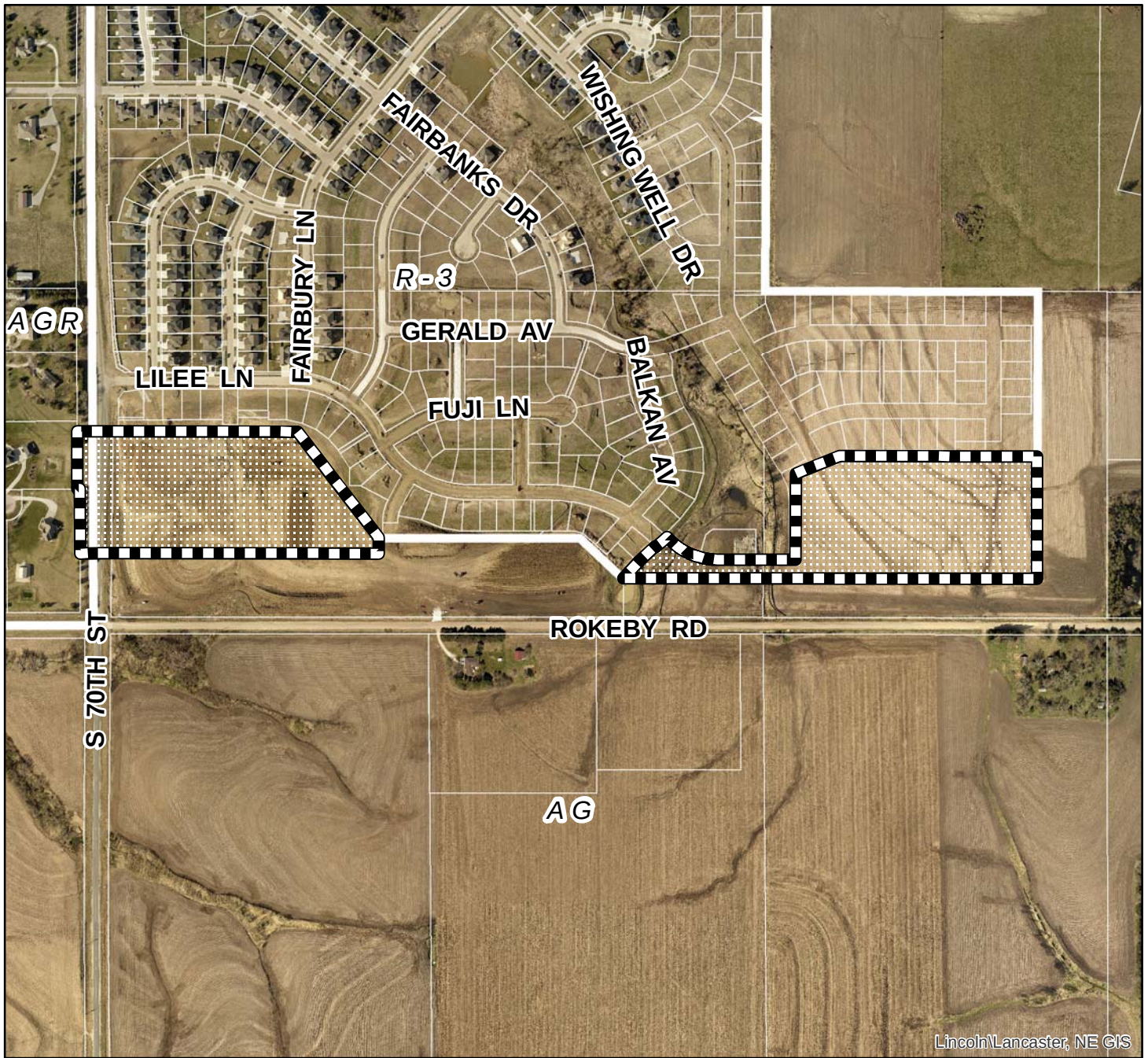
Brian Will, 441-6362, bwill@lincoln.ne.gov
October 12, 2016

**APPLICANT/
CONTACT:**

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

OWNER: Rokeby Holdings, LLC
8020 O Street
Lincoln, NE 68510

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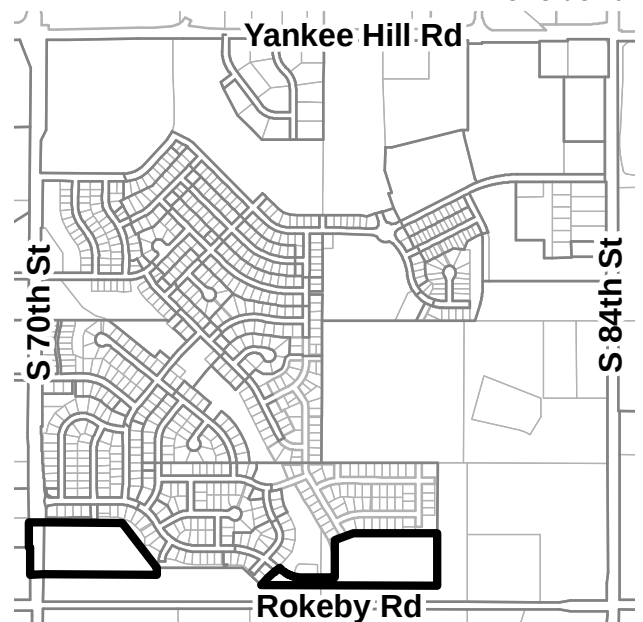
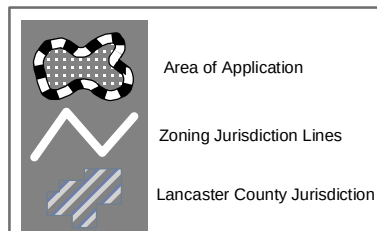
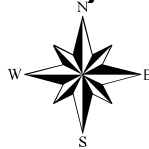
**Annexation #: AN16011
and Change of Zone #: CZ16032 (AG to R-3)
Grandview Estates 1st Addition
S 70th St & Rokeby Rd**

2016 aerial

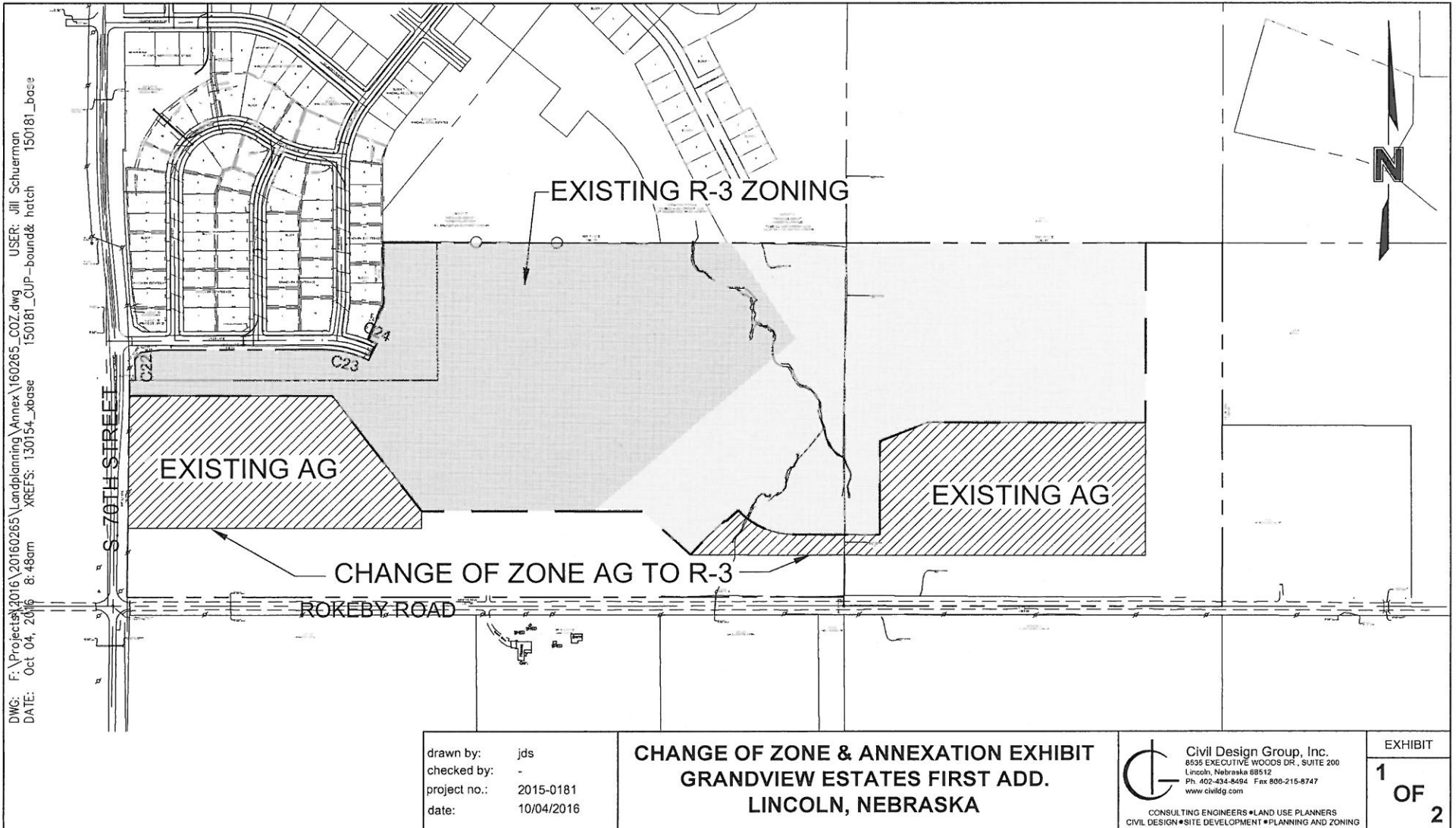
Zoning:

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

One Square Mile:
Sec.27 T09N R07E



DWG: F:\Projects\2016\20160265\Landplanning\Annex\160265_COZ.dwg USER: Jill Schuerman 150181_base
 DATE: Oct 04, 2016 8:48am XREFS: 150154_xbase 150181_bound& hatch 150181_base



drawn by: jds checked by: - project no.: 2015-0181 date: 10/04/2016	CHANGE OF ZONE & ANNEXATION EXHIBIT GRANDVIEW ESTATES FIRST ADD. LINCOLN, NEBRASKA	 Civil Design Group, Inc. 6535 EXECUTIVE WOODS DR., SUITE 200 Lincoln, Nebraska 68512 Ph. 402-434-8494 Fax 800-215-8747 www.civilg.com CONSULTING ENGINEERS • LAND USE PLANNERS CIVIL DESIGN • SITE DEVELOPMENT • PLANNING AND ZONING	EXHIBIT 1 OF 2
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CHANGE OF ZONE LEGAL DESCRIPTION- AG TO R-3 AND ANNEXATION

A legal description of Lot 74 Irregular Tract, located in the Southwest Quarter of Section 27, Township 9 North, Range 7 East, of the 6th P.M., Lincoln, Lancaster County, Nebraska and more particularly described as follows:

Beginning at the Northwest Corner of Lot 74, thence Easterly on the Northerly Line of Lot 74, on an assumed bearing of S 89°56'10" E for a distance of 730.01';
Thence continuing on the Northerly Line of Lot 74, S 37°26'17" E for a distance of 526.83';
Thence S 00°03'50" W for a distance of 63.25';
Thence N 89°56'10" W for a distance of 1056.22' to a point on the Westerly Line of Lot 74;
Thence on the Westerly Line of Lot 74, N 00°42'59" E for a distance of 481.24' to the Point of Beginning, and having a calculated area of 10.10 Acres more or less.

Subject to any and all easements and restrictions of record.

AND

A legal description of Lot 77 Irregular Tract, located in the Southwest and Southeast Quarters of Section 27, Township 9 North, Range 7 East, of the 6th P.M., Lincoln, Lancaster County, Nebraska and more particularly described as follows:

Referring to the Northeast Corner of Lot 77, thence Westerly on the Northerly Line of Lot 77 on an assumed bearing of N 89°54'12" W for a distance of 274.88'; Thence S 00°08'10" W for a distance of 652.43' to the **Point of Beginning**;

Thence continuing on the last described course S 00°08'10" W for a distance of 484.46';
Thence N 89°51'50" W for a distance of 1634.26' to a point on the Northerly Line of Lot 77;
Thence on the Northerly Line of Lot 77 the remaining 9 courses; N 42°30'57" E for a distance of 88.70';
Thence N 47°26'32" E for a distance of 87.99';
Thence with a non-tangential curve turning to the right with an arc length of 3.86', with a radius of 570.00', with a chord bearing of S 42°21'50" E, with a chord distance of 3.86';
Thence N 47°49'48" E for a distance of 60.00';
Thence with a non-tangential curve turning to the left with an arc length of 224.75', with a radius of 270.00', with a chord bearing of S 66°01'01" E, with a chord distance of 218.32';
Thence S 89°51'50" E for a distance of 309.15';
Thence N 00°08'10" E for a distance of 341.00';
Thence N 68°20'05" E for a distance of 185.80';
Thence S 89°51'50" E for a distance of 781.49' to the Point of Beginning, and having a calculated area of 11.81 Acres more or less.

Subject to any and all easements and restrictions of record.

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DATE: Oct 04, 2016 8:49am
USER: Jill Schuermon
XREFS: 130154_xbase
150181_CUP-bound& hatch
150181_base

drawn by: jds
checked by: -
project no.: 2015-0181
date: 10/04/2016

CHANGE OF ZONE & ANNEX. EXHIBIT GRANDVIEW ESTATES FIRST ADD. LINCOLN, NEBRASKA



Civil Design Group, Inc.
8535 EXECUTIVE WOODS, DR., SUITE 200
Lincoln, Nebraska 68512
Ph. 402-434-8494 Fax 866-215-8747
www.civildg.com

CONSULTING ENGINEERS • LAND USE PLANNERS
CIVIL DESIGN • SITE DEVELOPMENT • PLANNING AND ZONING

EXHIBIT

2
OF
2



Civil Design Group, Inc.

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

www.civildg.com

September 28, 2016

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

**Re: Request for Annexation, Change of Zone for additional land in Grandview Estates
CDG Project No. 2016-0265**

Dear Mr. Cary:

On behalf of Rokeby Holdings LTD, we submit the above applications for an annexation and change of zone from AG to R-3 for two parcels consisting of a total of 21.91 acres.

With these applications we also submit the following items:

Applications for a CUP, Change of Zone and Annexation
Change of Zone Fee - \$792.00
Plans, exhibits and legal descriptions uploaded via Project Dox

I hope that this letter in conjunction with the plan sets provides you with enough information to review these applications. In an effort to facilitate the review process, please feel free to call me at (402) 434-8494 so that I can address any questions you may have.

Sincerely,

Mike Eckert, AICP

cc: Rokeby Holdings LTD

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LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for October 26, 2016 PLANNING COMMISSION MEETING

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

PROJECT #: Annexation #16012
Change of Zone #04075G - Village Gardens Planned Unit Development (PUD)

PROPOSAL: To expand the existing PUD by annexing and changing the zoning from AG to R-3 PUD and B-3 PUD for approximately 14.46 acres of land.

LOCATION: South 67th Street and Yankee Hill Road

LAND AREA: Annexation #15006 - 45.73 acres more or less
Change of Zone AG to R-3 PUD - 12.46 acres more or less
Change of Zone AG to B-3 PUD - 2.00 acres more or less

EXISTING ZONING: AG Agriculture

PROPOSED ZONING: R-3 Residential (PUD) and B-3 Commercial (PUD)

CONCLUSION: The proposed annexation and change of zone are generally consistent with the overall concept plan originally approved early in 2005, and most recently as amended by CZ#04075F in 2015. Subject to the recommended conditions of approval, this request complies with the Zoning Ordinance and Comprehensive Plan.

RECOMMENDATION:

AN#16012

Approval

CZ#04075G from AG to R-3 PUD and B-3 PUD

Conditional Approval

GENERAL INFORMATION:

LEGAL DESCRIPTION: AN#16012 - See attached legal description.
CZ#04075G - See attached legal descriptions.

EXISTING LAND USE: Vacant, Residential

CITY COUNCIL DISTRICT: District #2

SURROUNDING LAND USE AND ZONING:

North:	Vacant, Residential under development	R-3, AG
South:	Acreage Residential	AGR
East:	Vacant	AG
West:	Residential under development	R-3

HISTORY:

Feb 2005 - CZ#04075 was approved by the City Council to allow the Village Gardens Planned Unit Development (PUD).

Dec 2007 - CZ#04075A was approved by the City Council to allow an adjustment to the applicable sign regulations and change the zoning on 2.17 acres from R3 PUD to B-3 PUD within the Village Gardens PUD.

Mar 2011 - AN#11001 and CZ#04075B were approved annexing and expanding the boundary of the Village Gardens PUD to include an additional 47 acres of land to accommodate a domiciliary care facility and additional dwelling units.

Apr 2012 - AN#12003 and CZ#04075C were approved annexing and changing the zoning from AG to R-3 PUD for approximately 40.68 acres for single-family residential development.

Apr 2012 - CZ#04075D was approved changing the zoning from AG to R-3 PUD for approximately 2 acres of land so the boundary of the PUD matched the recorded final plat of Village Meadows 3rd Addition.

Jul 2014 - AN#14003 and CZ#04075E were approved annexing and changing the zoning from AG to R-3 PUD for approximately 34 acres for single-family residential development.

OCT 2015 - AN#15006 and CZ#04075F were approved annexing and changing the zoning from AG to R-3 PUD for approximately 46 acres for single-family residential development.

COMPREHENSIVE PLAN SPECIFICATIONS:

Page 1.8 - The Future Land Use Map designates commercial and urban residential land uses for this PUD.

Page 1.4 - Neighborhoods are friendly to pedestrians, children, bicycles, the elderly and people with disabilities.

Page 7.4 - Strategies for Neighborhoods

-Discourage residential development in areas of environmental resources such as endangered species, saline wetlands, native prairies, and in floodplain corridors.

- Encourage preservation or restoration of natural resources within or adjacent to development.
- Provide adequate spacing from pipelines and areas where hazardous chemicals could be used and stored; notify property owners and residents along the pipeline about hazards and emergency actions.
- Encourage substantial connectivity and convenient access to neighborhood services (stores, schools, parks) from residential areas.
- Create housing opportunities for residents with special needs throughout the city that are integrated into and compatible with residential neighborhoods.
- Incorporate interconnected networks of streets, transit, trails, and sidewalks with multiple connections within and between neighborhoods and commercial centers to maximize access and mobility to provide alternatives and reduce dependence upon the automobile. -Provide sidewalks on both sides of all streets, or in alternative locations as allowed through design standards or review process.

Page 7.5 - Developing Neighborhoods - Developing neighborhoods should have a variety of housing types and sizes, plus commercial and employment opportunities. Developing a pedestrian orientation of buildings and street networks that provides substantial connectivity is also a priority for developing areas.

- Provide different housing types and choices, including affordable housing, throughout each neighborhood for an increasingly diverse population.

ANALYSIS:

1. This is an amendment to the Village Gardens PUD, and is a combined request for both annexation and a change of zone from AG to R-3 PUD and to B-3 PUD for approximately 14.46 acres of land.
2. The annexation of the original PUD in 2005 included an annexation agreement, and the areas subsequently annexed expanding the PUD are also subject to that agreement. No amendment to that agreement is required in association with these applications.
3. The change of zone request has two parts. The first part proposes to re-zone 12.46 acres from AG to R-3 PUD. The second part proposes to re-zone 2.00 acres from AG to B-3 PUD.

The residential portion (Lot 1, Block 27) will be designated as 'Neighborhood Center' for the purpose of applying zoning regulations per the associated Development Plan for the Village Gardens PUD. The intended land use is a church, which is an allowed use per the Development Plan. A full copy of the Development Plan is attached, even though only pages 8, 12, 15, 27, and 28 are being amended.

The commercial portion (Lot 2, Block 27) will be designated as 'Village Center' for the purpose of applying development regulations. This is the same zoning as the B-3 portion of the PUD located at the intersection of South 56th Street and Pine Lake Road where the developing commercial center is now located. No specific use is proposed for the subject lot, but the south one-half of the lot lies within Pipeline Planning Area (PPA) along Yankee Hill Road.

The Health Department previously calculated that the PPA extends 200' on either side of the pipeline in Yankee Hill Road. The location of the 200' hazard area is shown on Sheet 3 of 11 of the plan set and illustrates the impact upon this development.

The Health Department recommends that no habitable residential structures be located within the PPA. That allows open space, parking lots, garages, even office and commercial buildings to be located in the PPA area, but not dwellings.

4. The Development Plan is amended to include counseling as a conditional use in conjunction with the church. While pastoral counseling conducted by clergy associated with the church is a normal accessory use to the church, this amendment to the development plan allows counseling to be performed by licensed professionals not employed at the church, a use that would not normally be allowed.
5. The B-3 PUD lot (Lot 27, Block 2) may eventually be combined with the undeveloped land to the east and made part of a larger neighborhood commercial center. Because the center will likely be zoned B-2, the intent is to have the density and use regulations of the B-2 district apply in anticipation of that.

The Development Plan has been modified to note that the increased setbacks of the B-2 as compared to the B-3 apply to Lot 27, Block 2. However, because the uses allowed in the B-2 and B-3 districts vary somewhat, the Plan should also be modified to allow the range of B-2 uses on the lot as well.

6. The expansion of the PUD includes another access point onto Yankee Hill Road shown as South 67th Street. One-quarter mile spacing for median openings on arterial streets is the standard. The current preference of Public Works and Utilities is that it also be the location of a median opening, as well as the future location of a roundabout when Yankee Hill Road is improved.

South 67th Street does not align with South 68th Street, an existing residential street serving acreage development to the south. If South 67th Street becomes the median opening/roundabout, South 68th Street would be limited to right-in, right-out access onto Yankee Hill Road.

7. Public Works and Utilities/Watershed Management noted corrections and required changes to the grading and drainage plans. The recommendation for approval is subject to plans being revised to their satisfaction.

8. Lincoln Electric System notes that further review is necessary in the area of the transmission line easements with respect to site grading. As a result, final grading and drainage plans will need to receive their approval.
9. The proposed lot and street layout as well and the proposed changes to the Development Plan are generally consistent with the overall concept plan. The land uses are appropriate at this location subject to the recommended conditions of approval.

CONDITIONS:

This approval annexes and changes the zoning from AG to R-3 PUD and B-3 PUD for approximately 14.46 acres of land and approves amendments to the Village Gardens PUD Development Plan.

Annexation #16012

1. Will be scheduled with City Council once the applicant provides proof of release from the Rural Water District #1 prior to approval by the City Council.

Change of Zone #04075G

Site Specific

1. The City Council approves associated request AN#16012.
2. Upon approval of the planned unit development by the City Council, the developer shall cause to be prepared and submitted to the Planning Department 3 copies of a revised final plot plan and development plan including the following changes before receiving building permits.
 - 2.1 Revise the grading and drainage plans to the satisfaction of Public Works and Utilities and Lincoln Electric System.
 - 2.2 Show the required right-of-way in Yankee Hill Road to accommodate the future arterial street facility including roundabouts where planned to the satisfaction of Public Works and Utilities.
 - 2.3 Delineate that the 20' front setback also applies along Yankee Hill Road for Lot 2, Block 27.
 - 2.4 Add a note that states access to Lot 1, Block 27 will not be allowed off the north end of South 67th Street.

3. The construction plans comply with the approved plans.
4. Final plat(s) is/are approved by the City.

Standard

5. The following conditions are applicable to all requests:
 - 5.1 Before occupying the buildings all development and construction is to comply with the approved plans.
 - 5.2 All privately-owned improvements shall be permanently maintained by the owner or an appropriately established homeowners association approved by the City Attorney.
 - 5.3 The site plan and development plan accompanying this plan unit development shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
 - 5.4 This ordinance's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
 - 5.5 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 PUD. The City Clerk shall file a copy of the resolution approving the PUD 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.
6. The site plan and development plan as approved with this ordinance voids and supersedes all previously approved site plans, however all ordinance approving previous permits remain in force unless specifically amended by this ordinance.

Prepared by:

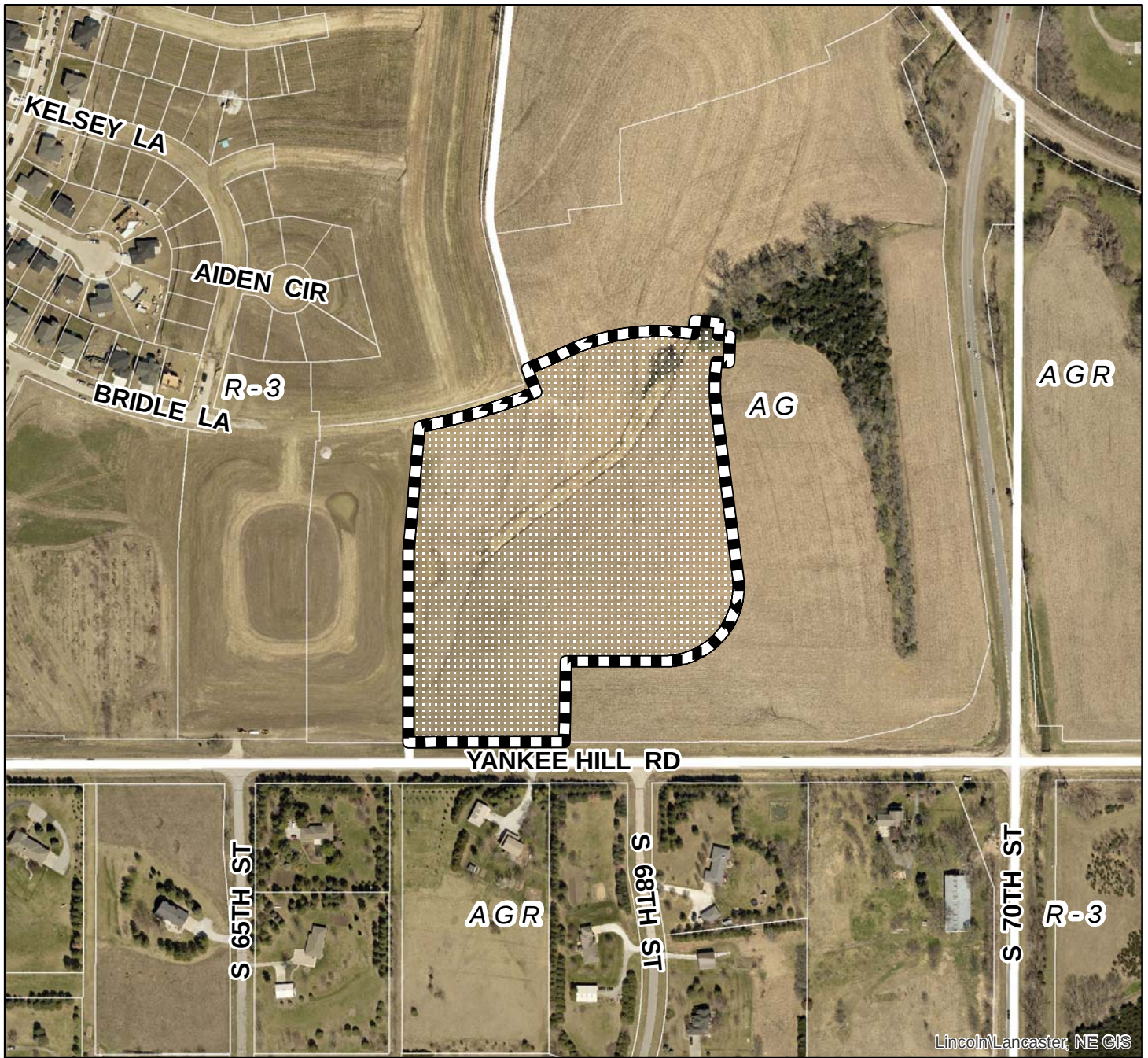
Brian Will, 441-6362, bwill@lincoln.ne.gov
Planner
October 12, 2016

OWNER: Village Gardens Development Company, LLC
7000 South 56th Street
Lincoln, NE 68516
402.416.5750

APPLICANT: 1640 LLC
1633 Normandy Court
Lincoln, NE 68512
402-423-6811

White Holdings Company
2001 Pine Lake Road
Lincoln, NE 68512

CONTACT: DaNay Kalkowski
Seacrest Kalkowski, LLC
1111 Lincoln Mall, Ste 350
Lincoln, NE 68508
402-435-6000



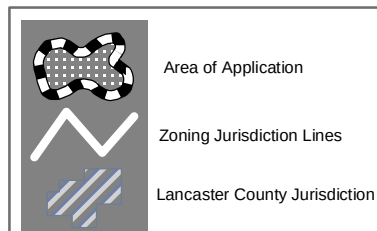
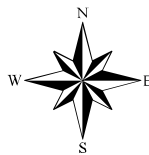
**Annexation #: AN16012 &
Change of Zone #: CZ04075G
Village Gardens PUD
S 70th St & Yankee Hill Rd**

2016 aerial

Zoning:

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
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O-3	Office Park District
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I-3	Employment Center District
P	Public Use District

**One Square Mile:
Sec.21 T09N R07E**



SEACREST & KALKOWSKI, PC, LLO

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

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

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

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

September 28, 2016

HAND DELIVERY

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

RE: Amendment to Village Gardens PUD

Dear David:

Our office represents White Holdings, LLC and 1640 LLC (collectively "Developers"), who own or have a contract interest in approximately 14.46 acres of property (the "Property") adjacent to the southeast edge of Village Gardens Planned Unit Development ("Village Gardens PUD"). Developers are requesting annexation of the Property and a change of zone from AG to R-3 PUD for approximately 11.19 acres of the Property, and from AG to B-3 PUD for the south 1.84 acres of the Property within the Village Gardens PUD. The area within the R-3 PUD is being identified as Neighborhood Center and is proposed for use as a church. The area within the B-3 PUD is being identified as Village Center and will permit neighborhood center type uses. It is anticipated that the B-3 PUD area may be rezoned and included within a future B-2 Use Permit when the property to the east is annexed and rezoned. Consequently, the PUD Development Plan includes setbacks on the B-3 PUD lot that are consistent with B-2 zoning.

Enclosed please find the following:

- a. City of Lincoln Zoning Application for Annexation;
- b. City of Lincoln Zoning Application for Change of Zone to R-3 PUD and B-3 PUD;
- c. Legal Descriptions for Changes of Zone;
- d. Legal Description for Annexation;
- e. PUD Site Plan;
- f. Application fees in the amount of \$2,700.72; and
- g. Revised Village Gardens PUD Development Plan with requested revisions marked.

Developers are also proposing to amend the Development Plan to add "counseling facilities in churches" as a Conditional Use in the R-3 Residential District. The proposed church intends to provide counseling services that may stretch beyond pastoral or spiritual counseling, and include licensed professionals who provide group and individual counseling and charge for their services. Because this use may extend beyond what is considered an accessory use to a church, we are identifying it as an allowed conditional use when it is conducted in a church (similar to day care facilities in a church).

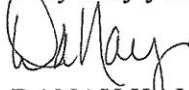
Mark Palmer from Olsson Associates will be uploading the PUD plans and Drainage Study to project docs once Planning Staff has created the project files and docs.

A portion of the Property being added to the Village Gardens PUD is located within the Pipeline Planning Area along Yankee Hill Road. All of said area is included within the proposed B-3 PUD and is not anticipated to have any residential uses.

A portion of the Property is also located within the boundaries of Rural Water District No. 1 and will need to be released in conjunction with annexation. We will work with the Water District on the appropriate release.

If you have any questions regarding the enclosed or need any additional information, please feel free to contact me or Mark.

Very truly yours,

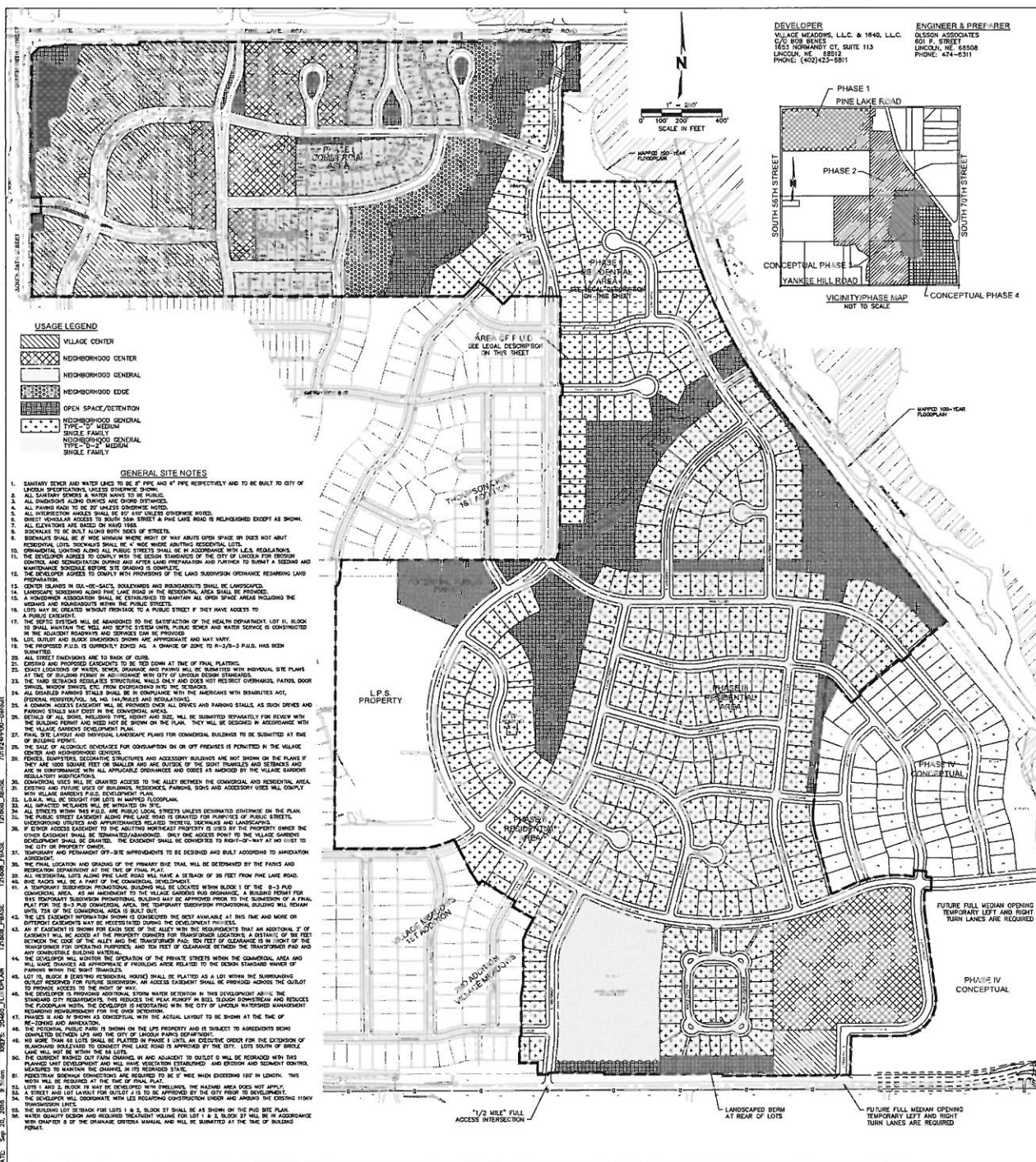


DANAY KALKOWSKI

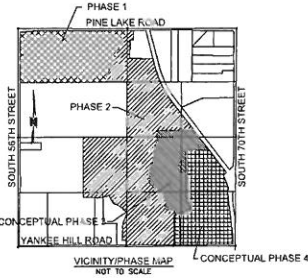
For the Firm

Enclosures

cc: White Holdings, LLC
1640 LLC
Village Gardens Development Company, LLC
Christ Lutheran Church



DEVELOPER	ENGINEER & PREFABRICATOR
VILLAGE MEADOWS, LLC & 1640, LLC. C/O BOB BOWEN 1653 NORMANDY CT, SUITE 113 LINCOLN, NE 68512 PHONE: (402) 423-6811	GILSON ASSOCIATES 601 P. STREET LINCOLN, NE 68508 PHONE: 474-6311



VILLAGE GARDENS

[illegible][illegible]

PUD LEGAL DESCRIPTION

[illegible]

		1000 N. 10th St., Suite 200 Lincoln, NE 68502 Tel: 402.441.1111 Fax: 402.441.1112 www.oxolsson.com	
COVER SHEET		REVISIONS	
SHEET 1 of 11	VILLAGE GARDENS - PHASE 2 PLANNED UNIT DEVELOPMENT	2016	REVISIONS
DRAWN BY CHECKED BY DESIGNED BY DATE SCALE PROJECT NO.	LINCOLN, NE	2016	REVISIONS

**ANNEXATION
LEGAL DESCRIPTION
PARCEL 1**

A TRACT OF LAND COMPOSED OF A PORTION OF LOT 99 I.T., LOCATED IN THE SOUTHEAST QUARTER OF SECTION 21, TOWNSHIP 9 NORTH, RANGE 7 EAST OF THE 6TH P.M., LANCASTER COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 21, TOWNSHIP 9 NORTH, RANGE 7 EAST OF THE 6TH P.M.; THENCE WESTERLY ON THE SOUTH LINE OF SAID SOUTHEAST QUARTER, ON AN ASSUMED BEARING OF S89°51'31"W, A DISTANCE OF 1,104.46' TO A POINT; THENCE N00°08'29"W, A DISTANCE OF 50.00' TO A POINT OF INTERSECTION WITH THE SOUTH LINE OF LOT 99 I.T., SAID POINT BEING ON THE SOUTH RIGHT-OF-WAY LINE OF YANKEE HILL ROAD, SAID POINT BEING **THE TRUE POINT OF BEGINNING**; THENCE S89°51'31"W, ON A SOUTH LINE OF SAID LOT 99 I.T., SAID LINE BEING A NORTH LINE OF SAID RIGHT-OF-WAY, SAID LINE BEING 50.00' NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 381.57' TO THE SOUTHWEST CORNER OF SAID LOT 99 I.T.; THENCE N00°08'30"W, ON A WEST LINE OF SAID LOT 99 I.T., A DISTANCE OF 464.37' TO A WEST CORNER OF SAID LOT 99 I.T.; THENCE N05°13'31"E, ON A WEST LINE OF SAID LOT 99 I.T., A DISTANCE OF 310.26' TO A NORTH CORNER OF SAID LOT 99 I.T., SAID POINT BEING A POINT OF CURVATURE FOR A NON-TANGENT CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 11°04'25", A RADIUS OF 1,544.41', AN ARC LENGTH OF 298.49' ON A NORTH LINE OF SAID LOT 99 I.T., A CHORD LENGTH OF 298.02', A TANGENT LENGTH OF 149.71', AND A CHORD BEARING OF N73°24'57"E TO A NORTH CORNER OF SAID LOT 99 I.T.; THENCE N21°22'44"W, ON A WEST LINE OF SAID LOT 99 I.T., A DISTANCE OF 60.01' TO A POINT, SAID POINT BEING A POINT OF CURVATURE FOR A NON-TANGENT CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 03°47'14", A RADIUS OF 1,484.41', AN ARC LENGTH OF 98.12', A CHORD LENGTH OF 98.10', A TANGENT LENGTH OF 49.08', AND A CHORD BEARING OF N65°57'19"E TO A POINT OF REVERSE CURVATURE FOR A CURVE IN A CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 33°58'16", A RADIUS OF 530.00', AN ARC LENGTH OF 314.24', A CHORD LENGTH OF 309.66', A TANGENT LENGTH OF 161.89', AND A CHORD BEARING OF N81°02'50"E TO A POINT OF REVERSE CURVATURE FOR A CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 00°43'24", A RADIUS OF 970.00', AN ARC LENGTH OF 12.24', A CHORD LENGTH OF 12.24', A TANGENT LENGTH OF 6.12', AND A CHORD BEARING OF S82°19'44"E TO A POINT; THENCE N05°32'14"E, A DISTANCE OF 32.03' TO A POINT; THENCE S84°27'46"E, A DISTANCE OF 60.00' TO A POINT; THENCE S05°32'14"W, A DISTANCE OF 29.03' TO A POINT OF CURVATURE FOR A NON-TANGENT CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 01°42'39", A RADIUS OF 967.00', AN ARC LENGTH OF 28.87', A CHORD LENGTH OF 28.87', A TANGENT LENGTH OF 14.44', AND A CHORD BEARING OF S87°05'45"E TO A POINT; THENCE S02°02'55"W, A DISTANCE OF 66.00' TO A POINT OF CURVATURE FOR A NON-TANGENT CURVE IN A CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 01°40'57", A RADIUS OF 1,033.00', AN ARC LENGTH OF 30.33', A CHORD LENGTH OF 30.33', A TANGENT LENGTH OF 15.17', AND A CHORD

BEARING OF N87°06'36"W TO A POINT; THENCE S06°19'17"W, A DISTANCE OF 7.40' TO A POINT OF CURVATURE FOR A CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 13°46'34", A RADIUS OF 490.00', AN ARC LENGTH OF 117.81', A CHORD LENGTH OF 117.53', A TANGENT LENGTH OF 59.19', AND A CHORD BEARING OF S00°34'00"E, TO A POINT; THENCE S07°27'16"E, A DISTANCE OF 405.30' TO A POINT OF CURVATURE FOR A CURVE IN A CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 97°17'52", A RADIUS OF 183.00', AN ARC LENGTH OF 310.76', A CHORD LENGTH OF 274.75', A TANGENT LENGTH OF 207.93', AND A CHORD BEARING OF S41°11'39"W, TO A POINT; THENCE S89°50'35"W, A DISTANCE OF 240.88' TO A POINT; THENCE S01°13'10"W, A DISTANCE OF 197.06' TO THE POINT OF BEGINNING, SAID TRACT CONTAINS A CALCULATED AREA 630,045.67 SQUARE FEET OR 14.46 ACRES, MORE OR LESS.

Friday, September 02, 2016
F:\Projects\015-2589\40-Design\Survey\SRVY\Final Plats\Exhibits\Parcel 1 legal.doc

LEGAL DESCRIPTION CHANGE OF ZONE FROM AG TO R3

A TRACT OF LAND COMPOSED OF A PORTION OF LOT 99 I.T., LOCATED IN THE SOUTHEAST QUARTER OF SECTION 21, TOWNSHIP 9 NORTH, RANGE 7 EAST OF THE 6TH P.M., LANCASTER COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

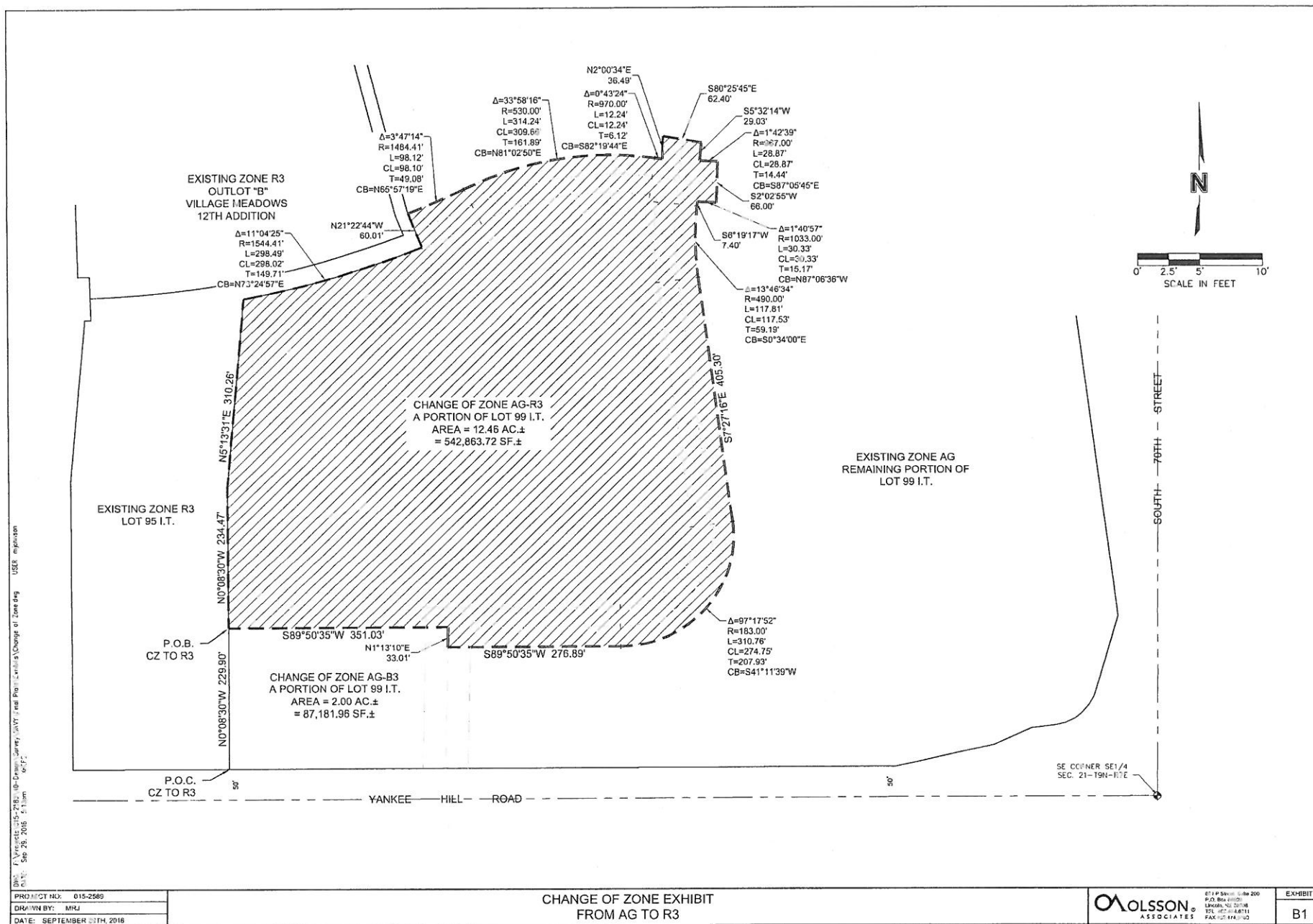
COMMENCING AT THE SOUTHEAST CORNER OF LOT 95 I.T., SAID POINT BEING ON THE NORTH RIGHT-OF-WAY LINE OF YANKEE HILL ROAD, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF LOT 99 I.T.; THENCE NORTHERLY ON A EAST LINE OF SAID LOT 95 I.T., SAID LINE BEING A WEST LINE OF SAID LOT 99 I.T., ON AN ASSUMED BEARING OF N00°08'30"W, A DISTANCE OF 229.90' TO **THE TRUE POINT OF BEGINNING**; THENCE CONTINUING N00°08'30"W ON SAID LINE, A DISTANCE OF 234.47' TO A WEST CORNER OF SAID LOT 99 I.T.; THENCE N05°13'31"E, ON A WEST LINE OF SAID LOT 99 I.T., SAID LINE BEING A EAST LINE OF SAID LOT 95 I.T., A DISTANCE OF 310.26' TO A WEST CORNER OF SAID LOT 99 I.T., SAID POINT BEING A POINT OF CURVATURE FOR A NON-TANGENT CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 11°04'25", A RADIUS OF 1,544.41', AN ARC LENGTH OF 298.49' ON A NORTH LINE OF SAID LOT 99 I.T., SAID LINE BEING A SOUTH LINE OF SAID LOT 95 I.T., A CHORD LENGTH OF 298.02', A TANGENT LENGTH OF 149.71', AND A CHORD BEARING OF N73°24'57"E TO A NORTH CORNER OF SAID LOT 99 I.T.; THENCE N21°22'44"W, ON A WEST LINE OF SAID LOT 99 I.T., SAID LINE BEING A EAST LINE OF SAID LOT 95 I.T., A DISTANCE OF 60.01' TO A POINT, SAID POINT BEING A POINT OF CURVATURE FOR A NON-TANGENT CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 03°47'14", A RADIUS OF 1,484.41', AN ARC LENGTH OF 98.12', A CHORD LENGTH OF 98.10', A TANGENT LENGTH OF 49.08', AND A CHORD BEARING OF N65°57'19"E TO A POINT OF REVERSE CURVATURE FOR A CURVE IN A CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 33°58'16", A RADIUS OF 530.00', AN ARC LENGTH OF 314.24', A CHORD LENGTH OF 309.66', A TANGENT LENGTH OF 161.89', AND A CHORD BEARING OF N81°02'50"E TO A POINT OF REVERSE CURVATURE FOR A CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 00°43'24", A RADIUS OF 970.00', AN ARC LENGTH OF 12.24', A CHORD LENGTH OF 12.24', A TANGENT LENGTH OF 6.12', AND A CHORD BEARING OF S82°19'44"E TO A POINT; THENCE N02°00'34"E, A DISTANCE OF 36.49' TO A POINT; THENCE S80°25'45"E, A DISTANCE OF 62.40' TO A POINT; THENCE S05°32'14"W, A DISTANCE OF 29.03' TO A POINT OF CURVATURE FOR A NON-TANGENT CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 01°42'39", A RADIUS OF 967.00', AN ARC LENGTH OF 28.87', A CHORD LENGTH OF 28.87', A TANGENT LENGTH OF 14.44', AND A CHORD BEARING OF S87°05'45"E TO A POINT; THENCE S02°02'55"W, A DISTANCE OF 66.00' TO A POINT OF CURVATURE FOR A NON-TANGENT CURVE IN A CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 01°40'57", A RADIUS OF 1,033.00', AN ARC LENGTH OF 30.33', A CHORD LENGTH OF 30.33', A TANGENT LENGTH OF 15.17', AND A CHORD BEARING OF N87°06'36"W TO A POINT; THENCE S06°19'17"W, A DISTANCE OF 7.40' TO A POINT OF CURVATURE FOR A CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 13°46'34", A RADIUS OF 490.00', AN ARC LENGTH OF 117.81', A CHORD LENGTH OF 117.53', A TANGENT LENGTH OF 59.19', AND A CHORD BEARING OF S00°34'00"E, TO A POINT; THENCE S07°27'16"E, A DISTANCE OF 405.30' TO A POINT OF CURVATURE FOR A CURVE IN A CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 97°17'52", A RADIUS OF 183.00', AN ARC LENGTH OF 310.76', A CHORD LENGTH OF 274.75', A TANGENT LENGTH OF 207.93', AND A CHORD BEARING OF S41°11'39"W, TO A POINT; THENCE S89°50'35"W, A DISTANCE OF 276.89' TO A POINT; THENCE N01°13'10"E, A DISTANCE OF 33.01' TO A POINT; THENCE S89°50'35"W, A DISTANCE OF 351.03' TO THE POINT OF BEGINNING, SAID TRACT CONTAINS A CALCULATED AREA 543,031.35 SQUARE FEET OR 12.47 ACRES, MORE OR LESS.

THURSDAY, SEPTEMBER 29, 2016

F:\PROJECTS\015-2589\40-DESIGN\SURVEY\SRVY\FINAL PLATS\EXHIBITS\ICZ TO R3.DOC

DWC: F:\Projects\015-2589\40-Design\SURVEY\SRVY\Final Plats\Exhibits\Change of Zone.dwg
DATE: Sep 29, 2016 5:35pm
USER: mjohnson
XREFS:

PROJECT NO: 015-2589	CHANGE OF ZONE LEGAL DESCRIPTION FROM AG TO R3		601 P Street, Suite 200 P.O. Box 84608 Lincoln, NE 68508 TEL 402.474.6311 FAX 402.474.5160	EXHIBIT
DRAWN BY: MRJ				A1
DATE: SEPT. 29TH, 2016				



PROJECT NO. 015-2589
 DRAWN BY: MRJ
 DATE: SEPTEMBER 20TH, 2016

**CHANGE OF ZONE EXHIBIT
 FROM AG TO R3**

MOLSSON ASSOCIATES
 6719 P. Drive, Suite 200
 P.O. Box 4000
 Lincoln, NE 68504
 TEL: 402-441-8811
 FAX: 402-441-8812

**EXHIBIT
 B1**

LEGAL DESCRIPTION
CHANGE OF ZONE
FROM AG TO B3

A TRACT OF LAND COMPOSED OF A PORTION OF LOT 99 I.T., LOCATED IN THE SOUTHEAST QUARTER OF SECTION 21, TOWNSHIP 9 NORTH, RANGE 7 EAST OF THE 6TH P.M., LANCASTER COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 95 I.T., SAID POINT BEING ON THE NORTH RIGHT-OF-WAY LINE OF YANKEE HILL ROAD, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF LOT 99 I.T., AND THE TRUE POINT OF BEGINNING; THENCE NORTHERLY ON THE EAST LINE OF SAID LOT 95 I.T., SAID LINE BEING THE WEST LINE OF SAID LOT 99 I.T., ON AN ASSUMED BEARING OF N00°08'30"W, A DISTANCE OF 229.90' TO A POINT; THENCE N89°50'35"E, A DISTANCE OF 351.03' TO A POINT; THENCE S01°13'10"W, A DISTANCE OF 33.01' TO A POINT; THENCE N89°50'35"E, A DISTANCE OF 36.01' TO A POINT; THENCE S01°13'10"W, A DISTANCE OF 197.06' TO A POINT OF INTERSECTION WITH THE SOUTH LINE OF SAID LOT 99 I.T., SAID POINT BEING ON THE NORTH RIGHT-OF-WAY LINE OF YANKEE HILL ROAD; THENCE S89°51'31"W, ON THE SOUTH LINE OF SAID LOT 99 I.T., SAID LINE BEING THE NORTH LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 381.57' TO THE POINT OF BEGINNING, SAID TRACT CONTAINS A CALCULATED AREA 87,181.96 SQUARE FEET OR 2.00 ACRES, MORE OR LESS.

THURSDAY, SEPTEMBER 29, 2016

F:\PROJECTS\015-2589\40-DESIGN\SURVEY\SRVY\FINAL PLATS\EXHIBITS\CZ TO B3.DOC

DWC: F:\Projects\015-2589\40-Design\Survey\SRVY\Final Plots\Exhibits\Change of Zone.dwg
DATE: Sep 29, 2016 5:42pm
USER: mjohnson
REF:

PROJECT NO: 015-2589	CHANGE OF ZONE LEGAL DESCRIPTION FROM AG TO B3		EXHIBIT
DRAWN BY: MRJ			A2
DATE: SEPT. 29TH, 2016			

601 P Street, Suite 200
P.O. Box 84608
Lincoln, NE 68508
TEL 402.474.6311
FAX 402.474.5160

EXISTING ZONE R3
OUTLOT "B"
VILLAGE MEADOWS
12TH ADDITION

EXISTING ZONE R3
LOT 95 I.T.

CHANGE OF ZONE AG-R3
A PORTION OF LOT 99 I.T.
AREA = 12.46 AC.±
= 542,863.72 SF.±

EXISTING ZONE AG
REMAINING PORTION OF
LOT 99 I.T.

CHANGE OF ZONE AG-B3
A PORTION OF LOT 99 I.T.
AREA = 2.00 AC.±
= 87,181.96 SF.±

N0°08'30"W 229.90'

N89°50'35"E 351.03'

S1°13'10"W 33.01'
N89°50'35"E 36.01'

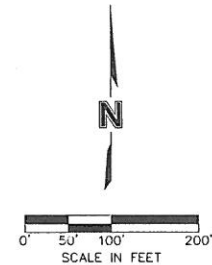
S1°13'10"W 197.06'

S89°51'31"W 381.57'

P.O.B.
CZ TO B3

YANKEE HILL ROAD

SE CORNER 1/4
SEC. 21-T9N-R7E



SOUTH - 70TH STREET

DRAWN BY: MRJ
DATE: SEPTEMBER 23RD, 2016
PROJECT NO: 015-2509
DRAWN BY: MRJ
DATE: SEPTEMBER 23RD, 2016
PROJECT NO: 015-2509

CHANGE OF ZONE EXHIBIT FROM AG TO B3

MOLSSON ASSOCIATES
611 P. Street, Suite 200
P.O. Box 6000
Lincoln, NE 68506
TEL: 402.478.4314
FAX: 402.478.4313

EXHIBIT
B2



Planned Unit Development District

DEVELOPMENT PLAN

December 22, 2016

INTRODUCTION

THE REGULATING PLAN

R-3 AND B-3 LAND USES

THE TRANSECT ZONE MATRICES

LOT & BUILDING STANDARDS

SIGNAGE & PARKING STANDARDS

REGULATORY MODIFICATIONS

PUD MAP SHEETS

GLOSSARY

INTRODUCTION

Village Gardens is designed to promote a balance of community and private life in an affordable, attractive and sustainable setting. Plan elements include a diversity of housing – from grand homesteads to small cottages and apartments – an active public realm in the Village Center and Neighborhood Centers, and a network of picturesque streets, trails and open space.

The Village Gardens Development Plan (“Development Plan”) codify the Village Garden’s principles and help assure a satisfactory level of quality in the implementation of a diverse, attractive and healthy community. The Development Plan regulates the design of streets, public spaces, landscape and buildings with sufficient flexibility to foster creativity and diversity —and will result in a place designed by many minds, hands and hearts. The Development Plan also helps build an understanding of the relationship between community space and private property.

This project is unique and different for the City of Lincoln developing area. Use limitations and other regulations of the underlying zoning district and other regulatory chapters of the Lincoln Municipal Code (“LMC”) shall apply, unless specially modified by this Development Plan.

The Village Gardens Development Plan is comprised of the following components: Introduction, the Regulating Plan, the R-3 and B-3 Land Uses, the Transect Zone Matrices, the Lot & Building Standards, the Regulatory Modifications, the PUD Map Sheets and Glossary. The Glossary is a definition of terms located at the end of this document for ease of use and understanding. These Development Plan components modify the use limitations and regulations of the LMC. The Development Plan is designed to regulate buildings on private properties to shape the public realm and help create quality streets, plazas, parks and other public spaces.

PUD Requirements, Construction and Amendments

The Village Gardens PUD is authorized and approved as planned unit development district pursuant to Chapter 27.60 of the Lincoln Municipal Code, as may be amended from time to time. A separate special permit or use permit is not necessary or required to permit any special permitted use or use permit use. This Village Gardens PUD will replace any required special permit or use permit under the LMC and any applicable ordinances, regulations, codes, and design standards.

After approval of the Village Gardens PUD, building permits, certificates of occupancy and final plats of the property will be issued or approved upon general compliance with the Development Plan as approved, or as amended. In circumstances where there are minor variations from the Development Plan, the Planning Director or his designee, shall review the proposal and determine if the proposal is in general conformance with the spirit and intent of the approved Village Gardens PUD.

After the City Council has approved the Village Gardens PUD, the Planning Director is authorized to approve amendments pursuant to 27.60.060 LMC.

The Transect Zoning Classification

The Transect is a planning categorization system that organizes the elements of the built environment on a scale from rural to urban. Developed by Andres Duany and his firm Duany–Plater-Zyberk Town Planners (DPZ), the Transect (which is inspired by a conservation biology tool for studying the changes and diversity in vegetation and habitat along a line drawn across ecosystems) provides a regulatory structure that utilizes zoning categories based on the concept of immersive environments. Here, all of the elements of the human environment work as self-sustaining, interdependent subsystems, each with distinct characteristics and behavior patterns.

The Transect has several zones, from the rural open space neighborhood edge, to the village center. The transition zone between the surrounding rural landscape and Village Gardens is called the Neighborhood Edge zone. The Neighborhood Edge zone consists of single-family homes on larger lots.

The Neighborhood General zone, the largest zone in most neighborhoods, is primarily residential, but is more urban in character. In comparison with the Neighborhood Edge zone, it includes higher density with a range of housing types from medium sized single-family houses to townhouses.

The Neighborhood Center zone is typically located around a neighborhood park and functions as the social center of a neighborhood. Limited retail, office and civic uses complement higher density residential uses.

The Village Center will be the development's commercial core. A mixed-use zone, it allows for a mix of commercial and high-density residential uses.

The Master Plan

The Master Plan is a visual reference map of Village Gardens that provides the conceptual and vision plan for the entire Village Gardens development. This provides information on street connectivity, future parks, and pathways for the development. See The Master Plan (Conceptual). Yet, like any visionary plan, it is subject to change as future phases of development are brought forth for approval.

The Regulating Plan

The Regulating Plan is a graphic reference map of Village Gardens and identifies the boundaries of the Village Gardens PUD district. In addition, the Regulating Plan illustrates the private areas and public rights-of-way to the Transect Zones and the Lot & Building Standards. The Regulating Plan provides specific information on each building and/or lot, and describes the relationship of each lot to the public realm (the streets, parks, pathways, etc.) and the surrounding environment.

The R-3 and B-3 Land Uses

The R-3 and B-3 Land Uses denote the specific uses that are appropriate to the R-3 and B-3 districts. The basis of this section is the City of Lincoln Municipal Code.

The Transect Zone Matrices

Land Use Types Matrix

The Land Uses Types Matrix describes the permitted uses within each Transect Zone, complementary to the goals of developing a diverse, attractive and healthy community. Separate uses may be combined or mixed on a single lot in two ways. The first is vertical combination, where two different uses, such as retail on the first floor and housing above, are combined in one building. The second type of use integration is horizontal, where two uses that may be attached by a common wall, or detached on a single lot. For example, a professional office might be located along the side of a house, or in a garage in the rear. The combination of allowed uses is presented in an easy to understand graphic matrix, with additional clarifying notes attached.

Lot & Building Types Matrix

The Lot & Building Types Matrix describes the permitted Lot & Building Types within each Transect Zone. The matrix indicates which building types, described in the Lot & Building Standards below, are permitted outright or with certain conditions. The goal is to provide for a variety of buildings in each zone while fostering compatibility and an overall coherent development pattern.

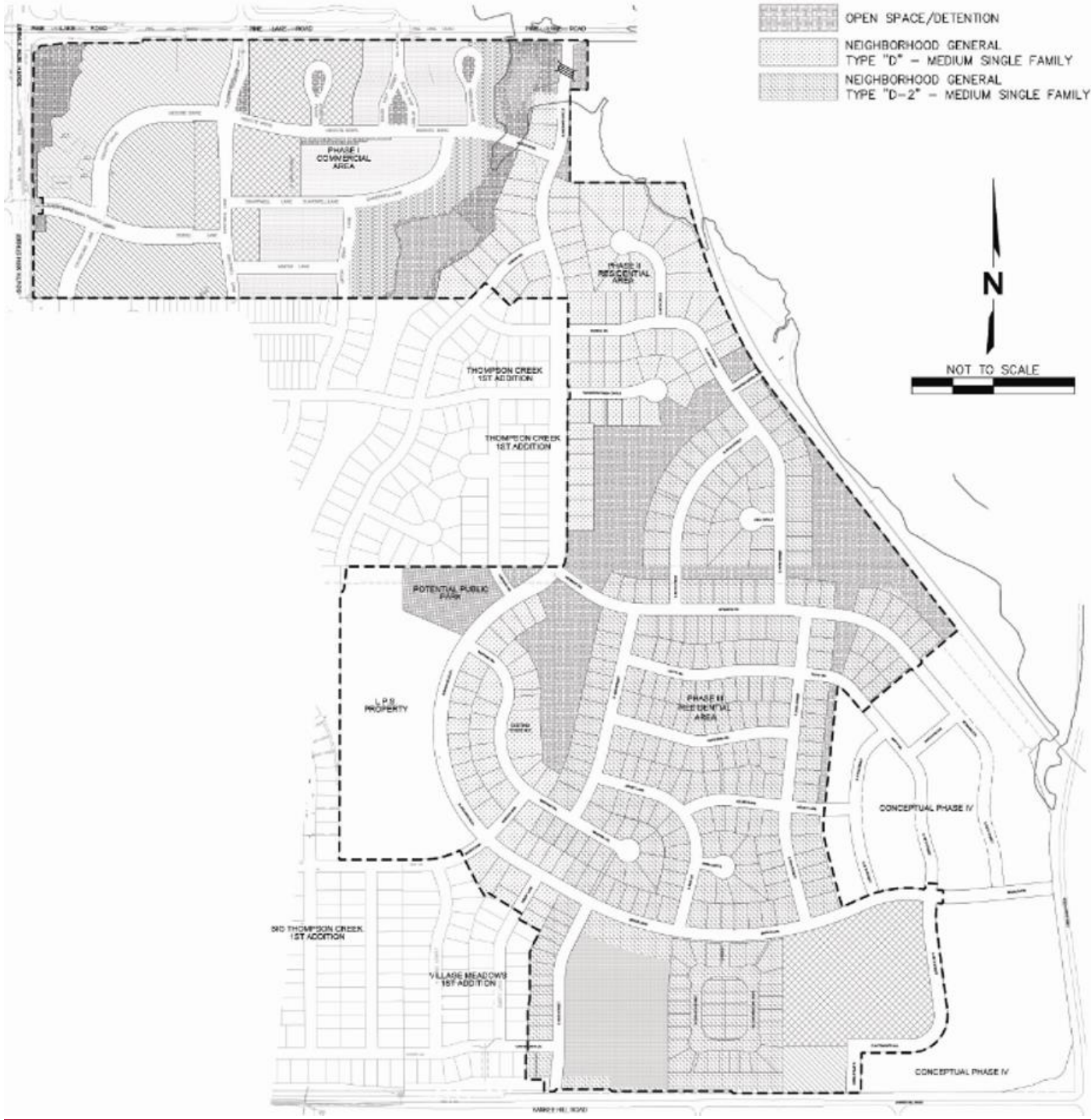
The Lot & Building Standards

The Village Gardens Lot & Building Standards (“Building Standards”) establish basic site and building design features. Building types are based on the traditional models prevalent in the region. Each lot & building type describes the physical constraints on the placement and configuration of three-dimensional building forms and façade elements, such as porches and balconies, on the lot. The Building Standards include detached, Accessory Buildings such as garages, and describe spaces for vehicle parking.

REGULATING PLAN

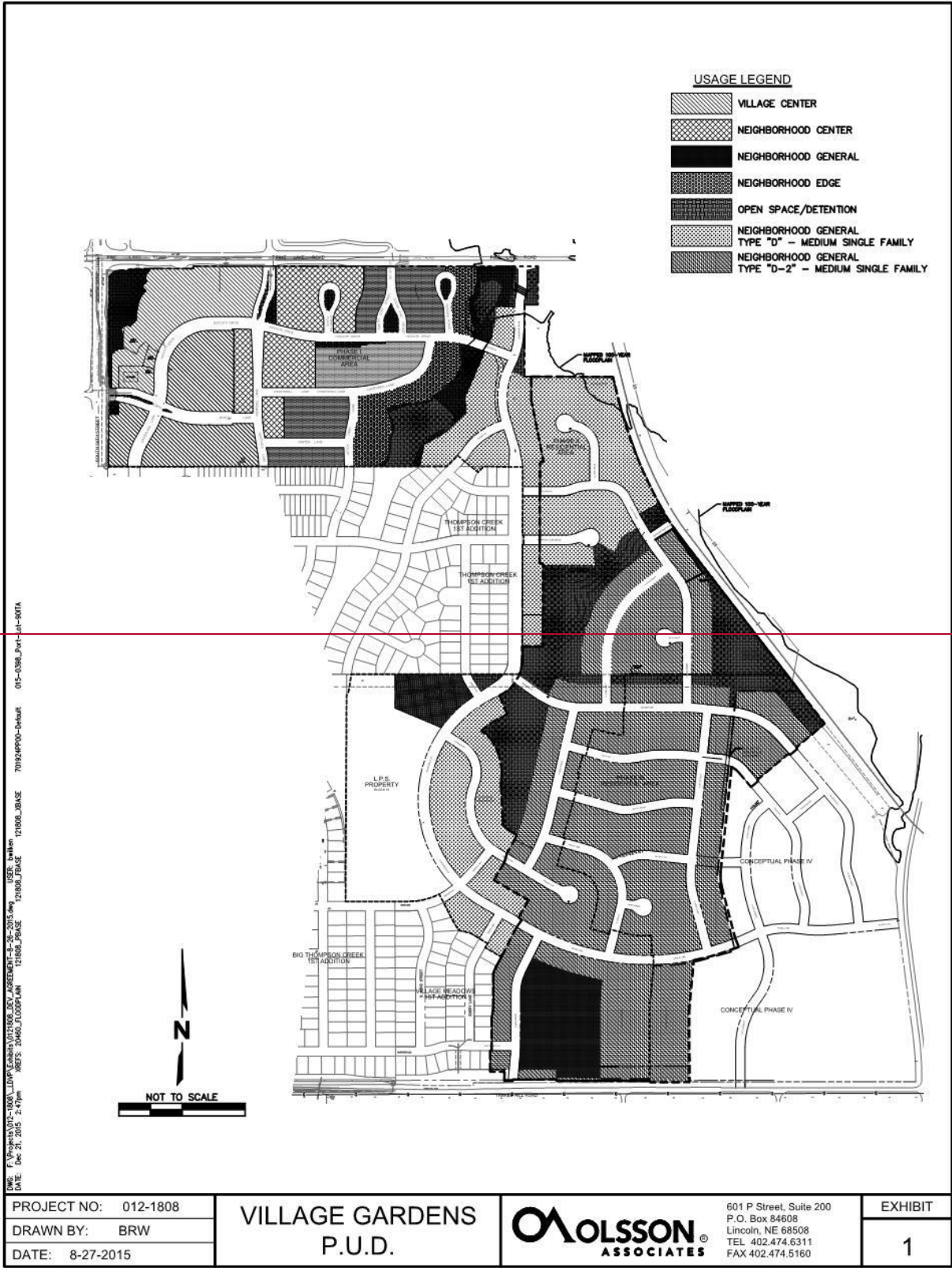
USAGE LEGEND

- VILLAGE CENTER
- NEIGHBORHOOD CENTER
- NEIGHBORHOOD GENERAL
- NEIGHBORHOOD EDGE
- OPEN SPACE/DETENTION
- NEIGHBORHOOD GENERAL TYPE "D" - MEDIUM SINGLE FAMILY
- NEIGHBORHOOD GENERAL TYPE "D-2" - MEDIUM SINGLE FAMILY



THE REGULATING PLAN

Village Gardens Development Standards



R-3 AND B-3 LAND USES

R-3 Permitted Uses, Conditional Uses and Special Permitted Uses

Permitted Uses:

A building or premises shall be permitted to be used for the following purposes in the R-3 Residential District:

- (a) Single-family dwellings (See Land Use Types Matrix; See Lot & Building Matrix);
- (b) Two-family dwellings (See Land Use Types Matrix; See Lot & Building Matrix);
- (c) Parks, playgrounds, and community buildings owned or operated by a public agency;
- (d) Public libraries;
- (e) Public elementary and high schools, or private schools having a curriculum equivalent to a public elementary or public high school and having no facilities regularly used for housing or sleeping purposes;
- (f) Nursery Garden Centers and Green Houses (See Land Use Types Matrix);
- (g) Civic or Community (See Land Use Types Matrix--Prohibited in Neighborhood General and Neighborhood Edge);
- (h) Workshop (See Land Use Types Matrix);
- (i) Retail (See Land Use Types Matrix--Prohibited in Neighborhood General and Neighborhood Edge);
- (j) Office (See Land Use Types Matrix);
- (k) Live-Work Unit (See Land Use Types Matrix; See Lot & Building Matrix--Prohibited in Neighborhood General and Neighborhood Edge);
- (l) Lodging (See Land Use Types Matrix--Prohibited in Neighborhood General and Neighborhood Edge);
- (m) Residential (See Land Use Types Matrix; See Lot & Building Matrix);
- (n) Secondary Dwelling Unit (See Land Use Types Matrix; See Lot & Building Matrix).

Conditional Uses:

A building or premises may be used for the following purposes in the R-3 Residential District in conformance with the conditions prescribed herein:

- (a) Churches:
 - (1) Parking shall be in conformance with the parking matrix as identified in the Village Gardens Development Plan;
 - (2) The required front and side yards shall be landscaped in conformance with the standards adopted by resolution of the City Council;
 - (3) Required side and rear yards shall be five feet or the same as the district, (See Village Gardens Development Plan Section LOT & BUILDING STANDARDS for specifications of Community buildings)
 - (4) Buildings shall not cover more than ninety_percent of the lot area.
- (b) Group homes:
 - (1) Group homes shall comply with all sign, height and area regulations of the district, and all provisions of the minimum standard housing ordinance. Parking shall be regulated in conformance with the provisions of Chapter 27.67;
 - (2) The distance between the proposed use and any existing group home measured from lot line to lot line is not less than one-half mile;
 - (3) Such use shall be permitted only so long as the facility continues to be validly licensed by the State of Nebraska.
- (c) Early childhood care facilities in churches:
 - (1) The parking and loading/unloading area for such facilities shall comply with the parking matrix as identified in the Village Gardens Development Plan;
 - (2) Such facilities shall comply with all applicable state and local early childhood care requirements;
 - (3) Such facilities shall comply with all applicable building and life safety code requirements;
 - (4) Such facilities shall be fenced and have play areas that comply with the design standards for early childhood

care facilities;

(5) Such facilities must receive a conditional use permit from the Department of Building and Safety.

(d) Domestic shelter:

(1) Parking shall be in conformance with Chapter 27.67;

(2) The maximum number of residents occupying such a facility shall not exceed one person per 2,000 square feet of lot area;

(3) The distance between the proposed use of any existing domestic shelter measured from lot line to lot line shall not be less than one mile.

(e) Early childhood care facilities with a maximum of fifteen children present at any time:

(1) The parking and loading/unloading area for such facilities shall comply with the provisions of Chapter 27.67 of the Lincoln Municipal Code and the design standards for early childhood care facilities;

(2) Such facilities shall comply with all applicable state and local early childhood care requirements;

(3) Such facilities shall comply with all applicable building and life safety code requirements;

(4) Such facilities shall be fenced and have play areas that comply with the design standards for early childhood care facilities;

(5) Such facilities shall be used as the permanent residence of the licensed childcare provider;

(6) Such facilities with thirteen or more children must receive a conditional use permit from the Department of Building and Safety;

(7) Early childhood care facilities located in mobile homes shall have a severe weather emergency action plan approved by the Health Department.

(f) Elderly or retirement housing; and health care facility, residential:

(1) Up to two dwelling units in an elderly or retirement housing project may be designated as caretaker or visitor units and the occupants thereof shall not be subject to the age requirements otherwise applicable to occupants of such a project;

(2) Ten percent of the dwelling units in an elderly or retirement housing project may be designated as units for handicapped persons and the occupants thereof shall not be subject to the age requirements otherwise applicable to occupants of such a project; and

(3) Any individual under sixty years of age who resides with an elderly person sixty years of age or more in an elderly or retirement housing project dwelling unit may continue to reside in that dwelling unit after such elderly person has died or due to health reasons has been relocated to a different residence.

(g) Counseling facilities in churches:

(1) The parking for such facilities shall comply with the requirements for mixed use in parking matrix as identified in the Village Gardens Development Plan.

(2) Such facilities shall comply with all applicable state and local licensing requirements.

Special Permitted Uses:

A building or premises may be used for the following purposes in the R-3 Residential District if a special permit for such use has been obtained in conformance with the requirements of Chapter 27.63:

(a) Private schools, other than those permitted above;

(b) Omitted;

(c) Dwellings for members of religious orders;

(d) Mobile home courts;

(e) Recreational facilities;

(f) Church steeples, amateur radio antenna installations, towers, and ornamental spires which exceed the maximum district height;

(g) Broadcast towers;

(h) Extracting sand, gravel, and soil;

(i) Certain parking lots as defined in Chapter 27.63;

(j) Expansion of nonconforming uses;

- (k) Historic preservation;
- (l) Public utility purposes;
- (m) Wind energy conversion systems;
- (n) Mobile home subdivisions;
- (o) Housing and related facilities for the physically handicapped;
- (p) Outdoor seasonal sales;
- (q) Cemeteries;
- (r) Domiciliary care facility;
- (s) Expansion of nonstandard single and two-family dwellings into required yards;
- (t) Early childhood care facilities with sixteen or more children, or with fifteen or fewer children not meeting the specified conditions for a permitted conditional use under Section 27.15.030;
- (u) Neighborhood support services;
- (v) Clubs;
- (w) Connection of single-family dwelling to accessory building for the physically handicapped;
- (x) Adult care centers.

B-3 Land Uses Permitted Uses, Conditional Uses and Special Permitted Uses

Permitted Uses:

A building or premises shall be permitted to be used for the following purposes in the B-3 Commercial District:

- (a) Parks, playgrounds, and community buildings, owned or operated by a public agency;
- (b) Public libraries;
- (c) Public elementary and high schools, or private schools having a curriculum equivalent to a public elementary or public high school, and having no rooms regularly used for housing or sleeping purposes;
- (d) Churches;
- (e) Nonprofit religious, educational, and philanthropic institutions;
- (f) Banks, savings and loan associations, credit unions, and finance companies;
- (g) Barber shops, beauty parlors, and shoeshine shops;
- (h) Private schools, including but not limited to, business or commercial schools, dance or music academies, and nursery schools;
- (i) Adult care centers;
- (j) Hospitals and clinics for animals, but not open kennels;
- (k) Self-service laundromats, and laundrettes;
- (l) Receiving stores for dry cleaning or laundry;
- (m) Messenger and telegraph stations;
- (n) Office buildings; (See Land Use Types Matrix)
- (o) Restaurants;
- (p) Stores or shops for the sale of goods at retail; (See Land Use Types Matrix)
- (q) Undertaking establishments;
- (r) Photography studios;
- (s) Key shops;
- (t) Ambulance services;
- (u) Retail bakery;
- (v) Sales and showrooms, including service facilities and rental of equipment, provided all displays and merchandise are within the enclosure walls of the buildings;
- (w) Milk distribution stations, but not involving any bottling on the premises;
- (x) Food storage lockers;
- (y) Optical lens grinding and finishing;
- (z) Clubs;
- (aa) Parking lots and storage garages;
- (bb) Enclosed commercial recreational facilities;
- (cc) Motorcycle, bicycle, and home and office equipment, but not including vehicle body repair shops
- (dd) Mail order catalog sales;
- (ee) Tailor shops, shoe repair shops, upholstery shops, printing and photocopying shops, or other, similar business

establishments.

(ff) Health care facilities including:

(b) Convalescent or nursing home

(d) A facility for out-patient physical, occupational, or vocational therapy or rehabilitation

(gg) Recreational facilities;

(hh) Sale of alcoholic beverages for consumption on the premises;

(ii) Sale of alcoholic beverages for consumption off the premises.

(jj) Civic or Community (See Land Use Types Matrix--Prohibited in Neighborhood General and Neighborhood Edge);

(kk) Workshop (See Land Use Types Matrix);

(ll) Nursery Garden Centers and Green Houses (See Land Use Types Matrix);

(mm) Live-Work Unit (See Land Use Types Matrix; See Lot & Building Matrix--Prohibited in Neighborhood General and Neighborhood Edge);

(nn) Lodging (See Land Use Types Matrix);

(oo) Residential (See Land Use Types Matrix; See Lot & Building Matrix);

Conditional Uses:

A building or premises may be used for the following purposes in the B-3 Commercial District in conformance with the conditions prescribed herein:

(a) Automobile wash facility:

(1) Automatic, conveyor-operated: The length and location of vehicle stacking lane or lanes for the approach side or sides and the exit side or sides of the wash operation shall be in conformance with the "guidelines and regulations for driveway design and location" as adopted by the City of Lincoln.

The stacking space shall not be located within the required front yard.

(2) Self-service, coin-operated car wash: The car wash facility shall not exceed four wash bays. The length and location of vehicle stacking lane or lanes for the approach side or sides and the exit side or sides of the wash operation shall be in conformance with the "guidelines and regulations for driveway design and location" as adopted by the City of Lincoln. The stacking space shall not be located within the required front yard.

(b) Motels and hotels: A distance of at least twenty feet shall be maintained between buildings on the lot, and each hotel or motel unit shall have a minimum enclosed floor area of 200 square feet.

(c) Furnace, heating, sheet metal, electrical shops or electrical contractors, heating and air conditioning contractors, and cabinet shops or stores:

(1) The floor area of said premises not devoted to sales or office space shall not exceed 8,000 square feet;

(2) Not more than ten percent of the lot or tract occupied by the establishment shall be used for open and unenclosed storage of material and equipment;

(3) All outside storage of material and equipment shall be screened by an opaque six-foot tall fence constructed of wood, or a substitute material found acceptable by the Director of Building and Safety.

(d) Tire stores and sales, including vulcanizing:

(1) The floor area of said premises not devoted to sales or office space shall not exceed 4,000 square feet;

(2) There shall be no manufacturing on the premises.

(e) Tailor shops, shoe repairing, upholstery shops, printing, photocopying, household appliances repairs, or similar business establishments; dyeing and drycleaning works; laundry; plumbing and water softener service shops. The floor area of said premises not devoted to sales or office space shall not exceed 4,000 square feet.

(f) Recycling center:

(1) The building area of such center shall not exceed 4,000 square feet;

(2) Adequate traffic stacking shall be provided on site as determined by the city;

(3) All required parking shall be provided on site;

(4) The facility shall not be designed to receive nor shall it accept shipments by semi-trailer trucks;

- (5) The construction and operation of such center shall comply with all applicable health and fire codes;
- (g) Early childhood care facilities:
- (1) Such facilities shall comply with all applicable state and local early childhood care requirements;
 - (2) Such facilities shall comply with all building and life safety code requirements;
 - (3) Such facilities shall be fenced and have play areas that comply with the design standards for early childhood care facilities;
 - (4) Such facilities must receive a conditional use permit from the Department of Building and Safety.
- (h) Service stations and automobile or appliance sales and repair facilities, but not including vehicle body repair shops.
- (1) No automobile or appliance sales and repair facility shall be permitted to locate within 100 feet of any residential use or district;
 - (2) Any service station or automobile or appliance sales and repair facility located within 100 feet of any residential use or district which was lawfully established in this district on the effective date of this ordinance, shall screen the facility from such residential use or district by the use of an opaque fence six feet in height, constructed of wood, or of a substitute material found acceptable to the Director of Building and Safety subject to the provision of condition (3) below;
 - (3) Any service station or automobile or appliance sales and repair facility located within 100 feet of any residential use or district which was lawfully established in this district on the effective date of this ordinance shall have until October 1, 2003 to be brought into compliance with condition (2) above;
 - (4) The locational or screening requirements of (1), (2), and (3) above shall not apply when said residential use or district is across a public street from the service station or automobile or appliance sales and repair facility, but shall apply if said residential use or district is across an alley or private drive from the service station or automobile or appliance sales and repair facility;
 - (5) Any service station lawfully established in this district, after the effective date of this ordinance, shall screen the facility from any residential use or district by the use of an opaque fence, six feet in height, constructed of wood or of a substitute material found acceptable to the Director of Building and Safety; provided that said screening requirement shall not apply when said residential use or district is across a public street from the service station, but shall apply if said residential use or district is across an alley or private drive from the service station.

Special Permitted Uses:

A building or premises may be used for the following purposes in the B-3 Commercial District if a special permit for such use has been obtained in conformance with the requirements of Chapter 27.63:

- (a) Health care facilities;
- (a) Hospitals
 - (b) A facility in which sixteen or more people reside while receiving therapy, counseling, or rehabilitation for physical, emotional, or mental disease or disability;
 - (c) Public health clinics and facilities;
 - (d) Ambulatory surgical care center which does not allow for overnight stay by patients. Ambulatory surgical center does not include an office or clinic used solely by a practitioner or group of practitioners in the practice of medicine, dentistry, or podiatry. Except as provided in (a) above, health care facilities does not include doctors' or dentists' professional offices and private clinics.
- (b) Church steeples, towers, and ornamental spires which exceed the maximum district height;
- (c) Broadcast towers;
- (d) Expansion of nonconforming use;
- (e) Historic preservation;
- (f) Public utility purposes;
- (g) Wind energy conversion systems;
- (h) Cemeteries;
- (i) Dwellings above the first story of a building which cannot meet the yard requirements of Section 27.33.080(g);

THE TRANSECT ZONE MATRICES

Land Use Types Matrix

Village Gardens features a mix of uses, all complementary to the goal of developing a healthy, affordable community. Instead of disconnected ‘pods’ of single-use activity, Village Gardens reflects traditional Midwestern small town form, with streets that may contain residential, retail and civic uses within a single block.

While the Village Center provides for the majority of commercial uses, the Neighborhood Center zone allows a range of land uses. The Neighborhood General and Edge zones allow only residential development and limited home occupation opportunities.

Transect Zones →		Shaded = Permitted Not Shaded = prohibited			
Land Use Types →	Transect Zone/ Land Use Types	Village Center (underlying B-3 district)	Neighborhood Center (underlying R-3 district)	Neighborhood General (underlying R-3 district)	Neighborhood Edge (underlying R-3 district)
	Civic or Community		See Note 1	n/a	n/a
	Workshop	See Note 2	See Note 3, 10	See Note 4, 10	See Note 4, 10
	Retail		See Note 5	n/a	n/a
	Nursery, Garden Center & Green Houses				
	Office		See Note 6, 10	See Note 7, 10	See Note 7, 10
	Live-Work Unit		See Note 10		
	Lodging		See Note 8	See Note 8	See Note 8
	Residential	See Note 11	See Note 11	See Note 11	See Note 11
	Secondary Dwelling Unit	n/a	See Note 9	See Note 9	See Note 9
	Elderly or Retirement Housing & Healthcare Facility, Residential				

Notes:

- Civic or community uses ~~or a church~~ serving primarily Village Gardens residents and their guests or a church.
- Workshop uses only permitted in conjunction with retail sales within the same building. Workshop uses shall be located on the first floor and occupy at maximum the rear 75% of the building footprint or located in the basement of the building. Outdoor storage of manufacturing components or equipment is prohibited.
- Workshop uses shall be limited to 600 sq. ft. in floor area. Workshop uses shall be located in an Accessory Building to the rear of the primary building, or shall be located on the first floor and occupy at maximum the rear 50% of the primary building footprint or located in the basement of the primary building. Outdoor storage of manufacturing components or equipment is prohibited. Workshop uses may operate in conjunction with first floor retail.
- Workshop uses shall be limited to 600 sq. ft. in floor area. Workshop uses shall be located in an Accessory Building to the rear of the primary building, or shall be located on the first floor and occupy at maximum the rear 50% of the primary building footprint or located in the basement of the primary building. Outdoor storage of manufacturing components or equipment is prohibited. Product sales and signage shall be prohibited.
- Retail uses are limited to 2,000 sq. ft. located on the first floor of a live/work building. A maximum of two live/work units may be connected to create up to 4,000 sq. ft. of retail uses. Permitted uses allow retail sales, personal services (such as hair salons), childcare facilities, and coffee shops or restaurants with a maximum of 40 seats. Signage permitted.

Village Gardens Development Standards

6. Office uses are limited to 2,500 sq. ft. located primarily in a live/work building. A maximum of two live/work units may be connected to create up to 5000 sq. ft. of office uses. Point-of-service and signage permitted.
7. Office uses shall be limited to home occupations. A home occupation shall mean any office occupation or activity carried on within a dwelling unit or Accessory Building by a member of the family residing on the residential lot, which occupation or activity is incidental and secondary to the residential occupancy and does not change the residential character thereof. Home occupations shall be a maximum of 1000 sq. ft. in floor area, located either in an Accessory Building to the rear of the primary building, or in the primary building, occupying at maximum 50% of the building footprint. Point-of-service type offices shall be prohibited. Signage permitted.
8. Lodging shall be limited to bed & breakfast establishments with a maximum of four guest rooms. One additional parking space per guest room shall be required on-site. Signage is permitted.
9. Secondary dwelling units shall not exceed 1000 sq. ft. in floor area on lots with a width of 45 ft or more. On lots with a minimum width of less than 45 ft., the secondary dwelling units shall not exceed 600 sq. ft. and shall be located within an Accessory Building to the rear of the primary building. Secondary dwelling units shall have separate outside entrances.
10. Up to two non-family member employees may be employed and work on site. One on-site parking space per employee is required.
11. See Lot & Building Types Matrix for allowed residential uses.

Lot & Building Types Matrix

Village Gardens provides a variety of lot and building types, from large detached houses around the perimeter to small cottages, attached row houses and apartments in the Neighborhood Center and Village Center zones. The mix of uses and building types provides the choices needed to create a neighborhood where people of different ages, incomes and families can live, work and play.

Transect Zones →		Shaded = Permitted Not Shaded = prohibited			
Lot & Building Types →	Transect Zone/ Lot & Building Types	Village Center (underlying B-3 district)	Neighborhood Center (underlying R-3 district)	Neighborhood General (underlying R-3 district)	Neighborhood Edge (underlying R-3 district)
	Type A – Rowhouse	n/a	See Note 1, 7	See Note 7	n/a
	Type B – Townhouse	n/a	See Note 1,7	See Note 7	n/a
	Type B/C - Bungalow Court	n/a	See Note 1, 7	See Note 7	n/a
	Type C – Small SF	n/a	See Note 1,7	See Note 7	n/a
	Type D – Medium SF	n/a	See Note 1,7	See Note 7	See Note 7
	Type E – Large SF	n/a	n/a	See Note 7	See Note 7
	Type F – MF Mansion	See Note 3	See Note 1, 3, 7	n/a	n/a
	Type G – MF Apartment		See Note 4, 7	n/a	n/a
	Type H – Civic or Community	See Note 2	See Note 2, 5	n/a	n/a
	Type I – Mixed-Use	See Note 6	n/a	n/a	n/a
	Type J –Elderly or Retirement Housing & Healthcare Facility, Residential	n/a	See Note 8	See Note 8	See Note 8

Notes:

1. Live/work units permitted. Commercial uses shall be limited according to the Land Use Types within this document.
2. Structures that are not fully enclosed having a footprint of less than 400 sq ft. and an overall height of less than 16 ft. shall be considered landscape elements.
3. Limited to 12 units per building in the Village Center; limited to 8 units per building in the Neighborhood Center.
4. Limited to lots between Yankee Hill Road and Chatsworth Lane.
5. Limited to Civic or Community uses serving primarily Village Gardens residents and their guests or a church. Civic or Community buildings shall be limited according to the Civic or Community use designation in the Land Use Types matrix.
6. Mixed-use buildings may occupy two or more of the following uses within the same building: retail, professional services, personal services, workshop, office, artisan, restaurant, lodging, childcare, professional business, governmental services, entertainment, recreational, residential and related accessory uses. Uses may be divided vertically or horizontally.
7. All residential lots along Pine Lake Road will have a setback of 20' from Pine Lake Road.
8. Permitted use on lots more than 10,000 sq. ft.

SIGNAGE & PARKING STANDARDS:

Sign Information:

The following requirements apply to the signage requirements in Village Gardens based on the Village Gardens PUD. If the requirement is not listed, the Village Gardens PUD is governed by the City of Lincoln code. Please refer to the Village Gardens Regulatory Modifications document for specific information on the alterations made to the City of Lincoln codes regarding Signage.

1. In the R-3 zoning districts, the specific regulations are as follows: In the Neighborhood Center areas, up to two on-premises wall signs or projecting signs per lot, each not to exceed eight square feet of sign area, used to identify commercial uses and home occupations. In the Neighborhood General and Neighborhood Edge areas, one on-premises wall sign per lot, not to exceed two square feet of sign area, nonilluminated and nonreflecting, used to identify home occupations. One on-premises wall sign per lot, not to exceed two square feet of sign area, nonilluminated and nonreflecting, used to identify transitional lot uses, block parents, the name of the premises or occupants thereof, or to provide similar information. Lighted vending machines are not permitted in view from off the premises. In the case of an Elderly or Retirement Housing facility, or a Healthcare Facility, Residential on a lot of more than 10,000 square feet, one ground sign of 32 square feet per side is permitted for street frontage. If facility abuts more than one street, one sign per street is approved. Lighting of the sign may be external or letters may be individually lit; no backlit signs will be permitted. Notwithstanding the foregoing, signage on Lot 1, Block 27 shall be governed by the City of Lincoln codes for the underlying R-3 zoning.
2. In the B-3 zoning districts, at the entrances abutting major arterials of the 'Village Center' usage area of Village Gardens, a ground sign identifying and advertising the Village Center businesses shall be permitted. Such sign shall not exceed 150 square feet and a height of 10 feet. In addition to the other allowed signs, one ground sign not more than 150 square feet in the height identifying and advertising the Village Center Businesses shall be permitted at each major arterial street entrance to the Village Center area of Village Gardens.
3. When part of a landscape screen approved by the Planning Director, the following ground signs, not exceeding twenty square feet in area or six feet in height and identifying a multiple-dwelling complex or subdivision area, may be located in the required front yard or building line district:
 - a. Up to two signs may be located at each entrance to the multiple-dwelling complex or subdivision area.
4. Directional, educational and informational signs may be attached to any natural object due to the nature and aesthetics of the Village Gardens project with the approval of the Planning Director.
5. 27.69.340 Permitted Signs for General Planned Unit Developments Subsection (a) is deleted. See B-3 and R-3 underlying zoning standards listed for Village Gardens PUD sign requirements as contained in the Development Plan for the applicable requirements.

Parking matrix:

The following matrix defines the parking requirements per lot and building type for easy reference. This information can also be found within the Lot & Building Standards.

Transect Zone/ Lot & Building Types	# of Parking Spaces per du	Min. Number of Parking Spaces per 100 sq. ft of largest seating area and per 600 sq. ft for other uses	Secondary Dwelling Unit requirements	Live-Work requirements
Type A – Rowhouse	1	n/a	No on-site parking required for secondary dwelling units	2 parking spaces are required per du.
Type B – Townhouse	2	n/a	No on-site parking required for secondary dwelling units	n/a
Type B/C - Bungalow Court	2	n/a	No on-site parking required for secondary dwelling units	n/a
Type C – Small SF	2	n/a	No on-site parking required for secondary dwelling units	n/a
Type D – Medium SF	2	n/a	No on-site parking required for secondary dwelling units	n/a
Type E – Large SF	2	n/a	No on-site parking required for secondary dwelling units	n/a
Type F – MF Mansion	1.5	n/a	n/a	n/a
Type G – MF Apartment	1.5	n/a	n/a	n/a
Type H – Civic or Community	n/a	1*	No on-site parking required for secondary dwelling units	n/a
Type I – Mixed-Use	1	1	n/a	n/a
Type J –Elderly or Retirement Housing & Healthcare Facility, Residential	**	n/a	n/a	n/a

*Total number of on-site parking stalls required for a combined Civic/Community use and Early Childhood Care Facility in the Neighborhood Center shall be 82 parking stalls based upon a 10,000 square foot area of largest assembly area and 270 children and 30 full time staff members.

**Parking requirements per City of Lincoln Municipal Code and Design Standards.

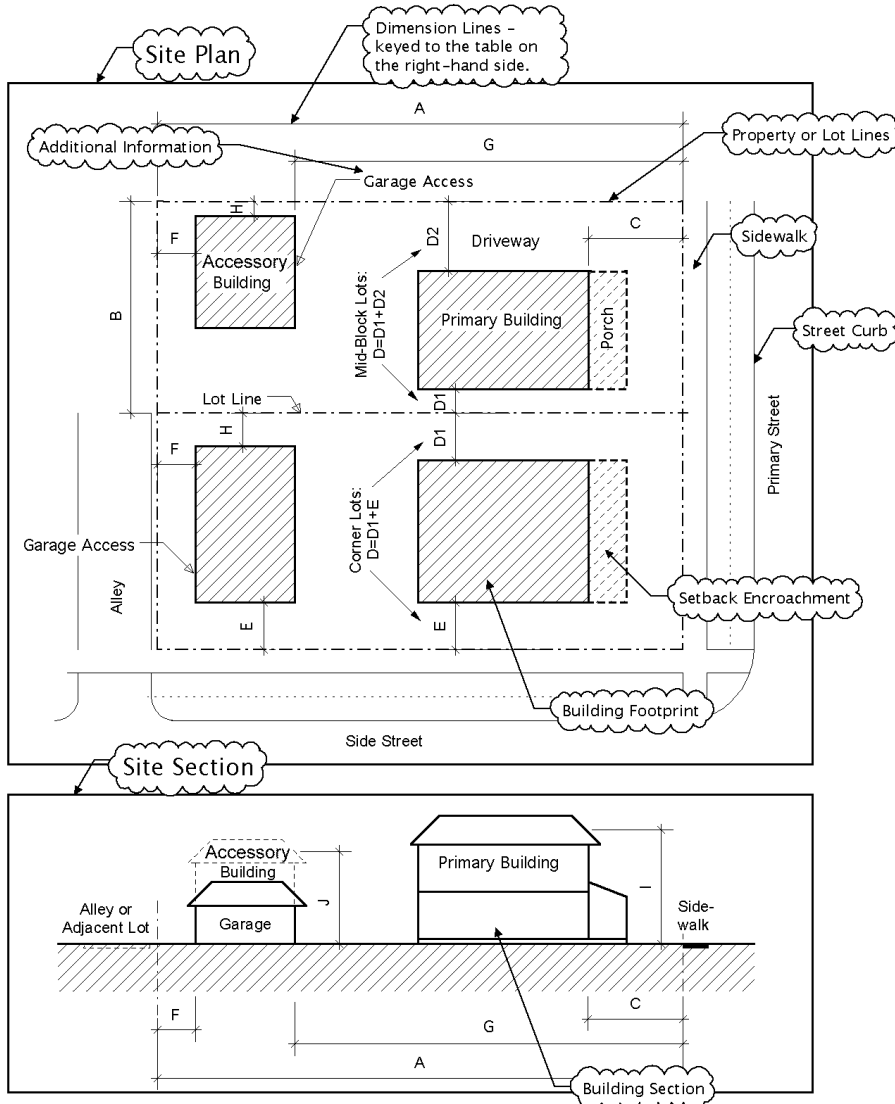
PM TRIP COUNT STANDARDS AND CALCUATIONS

**TRIP CALCULATION REMOVED AS PART OF
ADMINISTRATIVE AMENDMENT TO CZ04075E**

LOT & BUILDING STANDARDS

How To Interpret Lot Diagrams

The Village Gardens Lot & Building Standards are designed to be user-friendly and understandable by developers, regulators, homebuilders and homeowners. Each building type is detailed in individual pages, with key diagrams such as the following to illustrate concepts that are difficult to adequately portray only in text form.

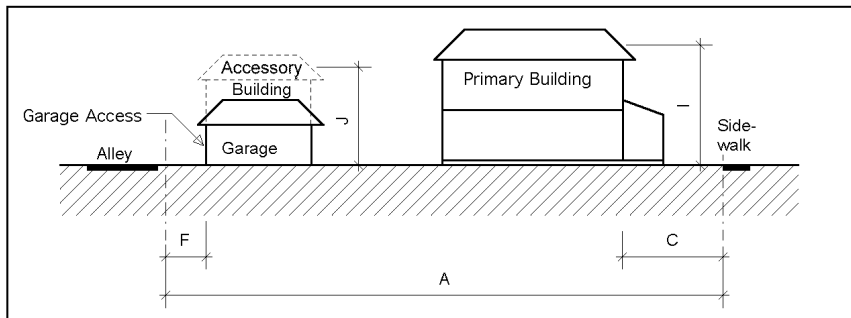
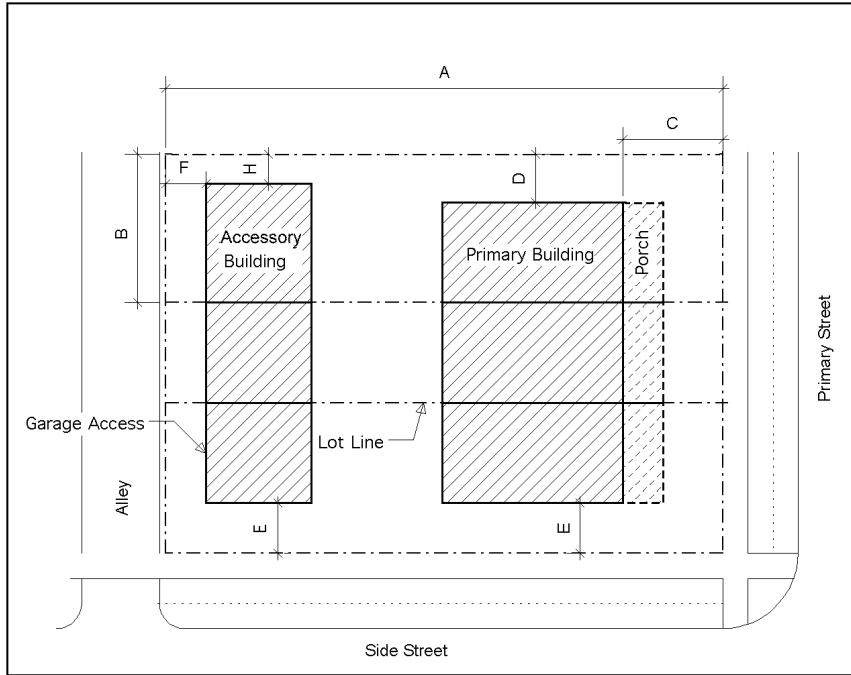


Type X – Lot Standards	
A Min. Lot Depth	x ft.
B Min. Lot Width	x ft.
C Min. Primary Street Setback	x ft.
D Min. Combined Side Yard Adjacent Lot Setback	x ft.
E Min. Side Street Setback	x ft.
F Min. Primary or Accessory Bldg. Rear Setback	x ft.
G Min. Accessory Bldg. Front Setback	x ft.
H Min. Accessory Bldg. Side Setback	x ft.
I Max. Primary Bldg. Height	x ft.
J Max. Accessory Bldg. Height	x ft.
Min. Number of On-Site Parking Spaces per Dwelling Unit	x
Secondary Dwelling Unit	Y/N
Y = permitted; N = prohibited	
Primary Building Entrance	
Note	
Allowable Encroachments: (Proper Sight Triangle must be maintained)	
Note	
Note	
Note	

This diagram represents a site-section through the lot, and is primarily used to represent building heights. It is also useful for illustrating the lot standards 3-dimensionally.

Type A – Rowhouse

Rowhouses are attached single-family houses on individual platted lots. Rowhouses share common walls with one or more adjacent units. Rowhouse groups consist of a minimum of three units. Alleys in the rear of the lots provide vehicular access to Rowhouses. Front driveways and street facing garages are prohibited. Attached or detached garages and shared driveways are permitted.



NOTES FROM THE LOT & BUILDING TYPES MATRIX:

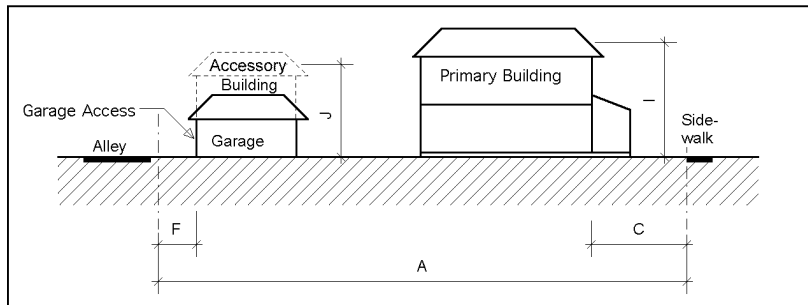
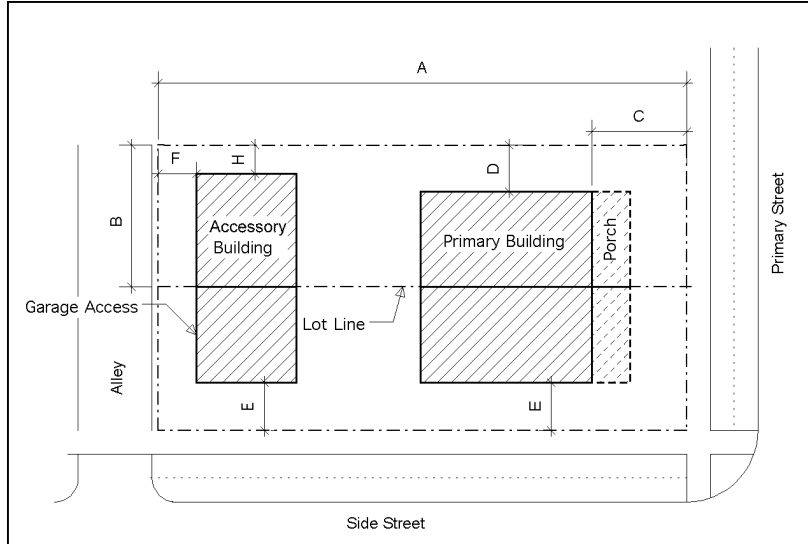
- Live/work units permitted. Commercial uses shall be limited according to the Land Use Types within this document.

Type A – Lot Standards

A	Min. Lot Depth	80 ft.
B	Min. Lot Width (each unit)	18 ft.
C	Min. Primary Street Setback	
	• Neighborhood Center	0 ft.
	• Neighborhood General	0 ft.
D	Min. Combined Side Yard Adjacent Lot Setback	5 ft.
	One side of end lots only. Setback on attached side shall be 0 ft.	
	At corner lots, only the side street setback E shall be applied.	
E	Min. Side Street Setback	5 ft.
F	Min. Primary or Accessory Bldg. Rear Setback	8 ft.
G	Min. Accessory Bldg. Front Setback	n/a
H	Min. Accessory Bldg. Side Setback	2 ft.
	This setback may be waived if Accessory Buildings are attached.	
I	Max. Primary Bldg. Height	40 ft.
	Tower elements of a maximum of 200 sq. ft. in floor area shall be exempt of the height limit and may exceed the ridge height of the primary roof by a maximum of 10 ft.	
J	Max. Accessory Bldg. Height	30 ft.
PARKING:		
	Min. Number of On-Site Parking Spaces per Dwelling Unit	1*
	No on-site parking required for secondary dwelling units. * If it is a live-work unit, 2 parking spaces are required per du.	
	Secondary Dwelling Unit	Y*
	Y = permitted; N = prohibited	
	*Shall be limited to 600 sq. ft	
	Primary Building Entrance	
	The primary pedestrian building entrance shall be located along a public street, common walkway or park.	
	Allowable Encroachments: (Proper Sight Triangle must be maintained)	
	Covered or uncovered porches or stoops may encroach into the front or side street setback no deeper than 12 ft. and no closer than 0 ft. from a property line.	
	Bay windows and other similar enclosed building elements may be no wider than 6 ft. and may encroach up to 2 ft. in setbacks no closer than 0 ft. from a property line. The bay windows must not encroach within 4 ft. of the corners of the primary building. Any light well or egress window may be located in any required front, side or rear yard, provided: No such light well or egress window may be placed within two feet of any property Line.	
	Uncovered decks, balconies & trellises may encroach into setbacks, no deeper than 8 ft. and no closer than 0 ft. from a property line.	
	All building setbacks and building encroachments shall provide the proper Sight Triangle.	
	Driveways may encroach into all setbacks where curb cuts are permitted.	

Type B – Townhouse

Townhouses are attached single-family houses on individual platted lots. Townhouses share a common wall with one adjacent unit. Alleys in the rear of the lots provide vehicular access to Townhouses. Front driveways and street facing garages are prohibited. Attached or detached garages and shared driveways are permitted.



NOTES FROM THE LOT & BUILDING TYPE MATRIX:

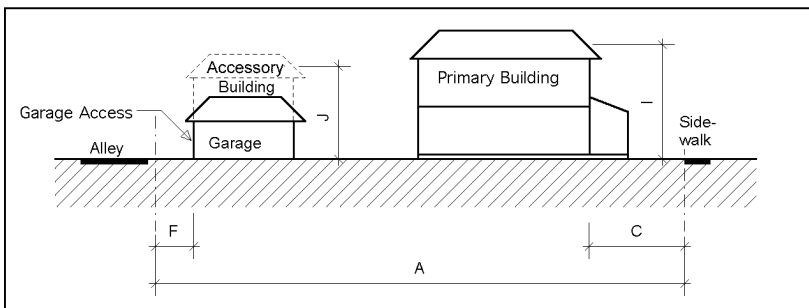
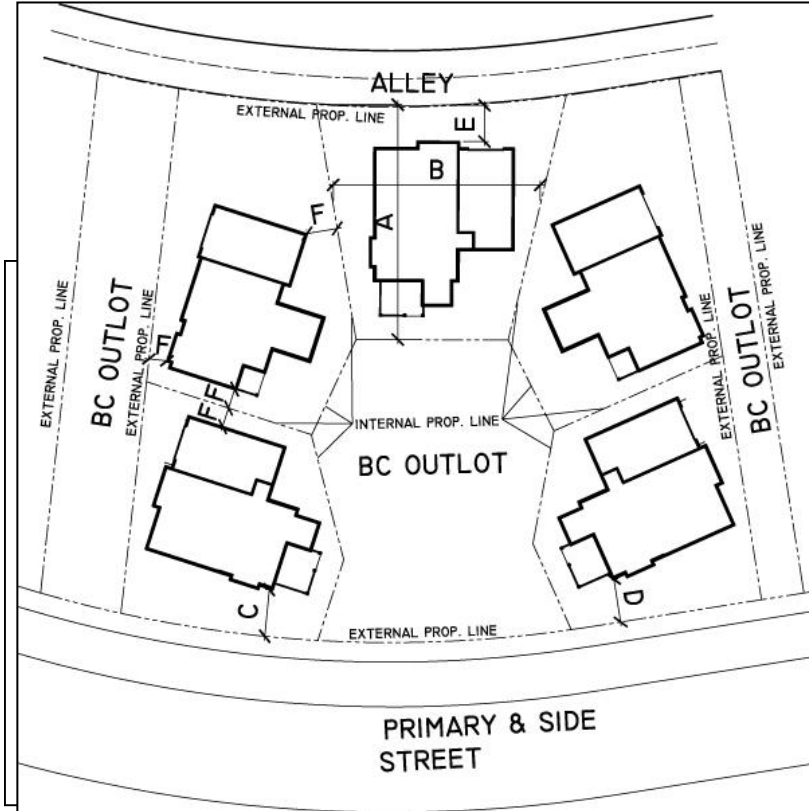
- ❑ Live/work units permitted. Commercial uses shall be limited according to the Land Use Types within this document.

Type B – Lot Standards

A	Min. Lot Depth	80 ft.
B	Min. Lot Width (each unit)	20 ft.
C	Min. Primary Street Setback	
	• Neighborhood Center	0 ft.
	• Neighborhood General	0 ft.
D	Min. Combined Side Yard Adjacent Lot Setback	5 ft.
	One side of end lots only. Setback on attached side shall be 0 ft.	
	At corner lots, only the side street setback E shall be applied.	
E	Min. Side Street Setback	5 ft.
F	Min. Primary or Accessory Bldg. Rear Setback	8 ft.
G	Min. Accessory Bldg. Front Setback	n/a
H	Min. Accessory Bldg. Side Setback	2 ft.
	This setback may be waived if Accessory Buildings are attached.	
I	Max. Primary Bldg. Height	
	• Neighborhood Center	40 ft.
	• Neighborhood General	40 ft.
	Tower elements of a maximum of 200 sq. ft. in floor area shall be exempt of the height limit and may exceed the ridge height of the primary roof by a maximum of 10 ft.	
J	Max. Accessory Bldg. Height	30 ft.
	PARKING:	
	Min. Number of On-Site Parking Spaces per Dwelling Unit	2
	No on-site parking required for secondary dwelling units	
	Secondary Dwelling Unit	Y*
	Y = permitted; N = prohibited	
	*Shall be limited to 600 sq. ft.	
	Primary Building Entrance	
	The primary pedestrian building entrance shall be located along a public street, common walkway or park.	
	Allowable Encroachments: (Proper Sight Triangle must be maintained)	
	Covered or uncovered porches or stoops may encroach into the front or side street setback no deeper than 12 ft. and no closer than 0 ft. from a property line.	
	Bay windows and other similar enclosed building elements may be no wider than 6 ft. and may encroach up to 2 ft. in setbacks no closer than 0 ft. from a property line. The bay windows must not encroach within 4 ft. of the corners of the primary building. Any light well or egress window may be located in any required front, side or rear yard, provided: No such light well or egress window may be placed within two feet of any property Line.	
	Uncovered decks, balconies & trellises may encroach into setbacks, no deeper than 8 ft. and no closer than 0 ft. from a property line.	
	All building setbacks and building encroachments shall provide the proper Sight Triangle.	
	Driveways may encroach into all setbacks where curb cuts are permitted.	

Type B/C – Bungalow Court

Bungalow Courts are detached single-family dwelling units on individual platted lots situated around a shared outlot featuring shared landscaping and sidewalk system. Alleys in the rear of the lots provide vehicular access to Bungalow Courts. Front driveways and street facing garages are prohibited. Attached or detached garages and shared driveways are permitted.



NOTES FROM THE LOT & BUILDING TYPE MATRIX:

- ❑ Live/work units permitted. Commercial uses shall be limited according to the Land Use Types within this document.

ADDITIONAL NOTES:

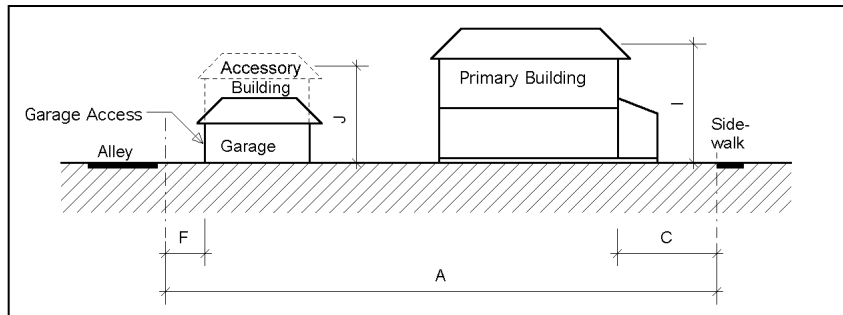
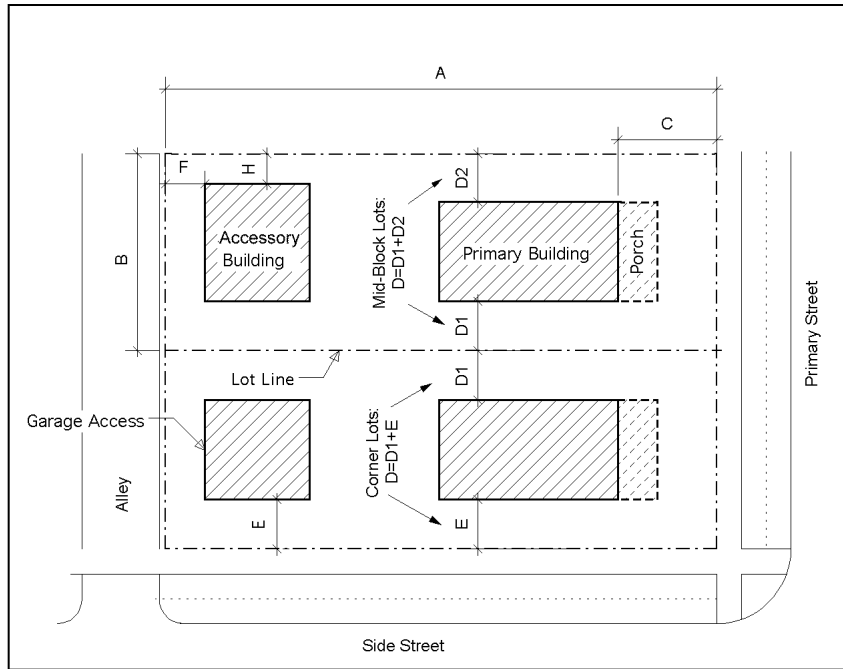
- ❑ Driveways providing access to the Bungalow Court dwelling units will NOT be accessible from public streets or roadways. Such driveways will only be accessible from the alleys.

Type B/C – Lot Standards

A Min. Lot Depth	30ft.
B Min. Lot Width (each unit)	30 ft.
C Min. Primary Street Setback	
• Neighborhood Center	10 ft.
• Neighborhood General	10 ft.
D Min. Side Street Setback	5 ft.
E Min. Primary or Accessory Bldg. rear setback	8 ft.
F Min. Primary or Accessory Bldg. rear,side, front setback from internal property line	3 ft.
G Min. Accessory Bldg. Side Setback	n/a
This setback may be waived if Accessory Buildings are attached.	
H Max. Primary Bldg. Height	
• Neighborhood Center	40 ft.
• Neighborhood General	40 ft.
Tower elements of a maximum of 200 sq. ft. in floor area shall be exempt of the height limit and may exceed the ridge height of the primary roof by a maximum of 10 ft.	
I Max. Accessory Bldg. Height	20 ft
PARKING:	
Min. Number of On-Site Parking Spaces per Dwelling Unit including outside parking in outlot areas	2
No on-site parking required for secondary dwelling units	
Secondary Dwelling Unit	N
Y = permitted; N = prohibited *Shall be limited to 600 sq. ft	
Primary Building Entrance	
The primary pedestrian building entrance shall be located along a public street, common walkway or park.	
Allowable Encroachments: (Proper Sight Triangle must be maintained)	
Bay windows and other similar enclosed building elements may be no wider than 6 ft. and may encroach up to 2 ft. in setbacks no closer than 0 ft. from a property line. Any light well or egress window may be located in any required front, side or rear yard, provided: No such light well or egress window may be placed within two feet of a corner that is adjacent to an outlot property line.	
Uncovered decks, balconies & trellises may encroach into setbacks no closer than 0 ft. from a property line.	
All building setbacks and building encroachments shall provide the proper Sight Triangle.	
Driveways may encroach into all setbacks where curb cuts are permitted.	
Internal lot line shall be defined as a lot line that is adjacent to a bungalow court outlot or a shared lot line between two bungalow court lots.	

Type C – Small Single-Family

Small Single-Family Houses are the smallest type of detached residential units in Village Gardens. Small Single-Family Houses are located on intimate lots and have reduced side yards. Alleys in the rear of the lots provide vehicular access to Small Single-Family Houses. Front driveways and street facing garages are prohibited. Attached or detached garages and shared driveways are permitted.



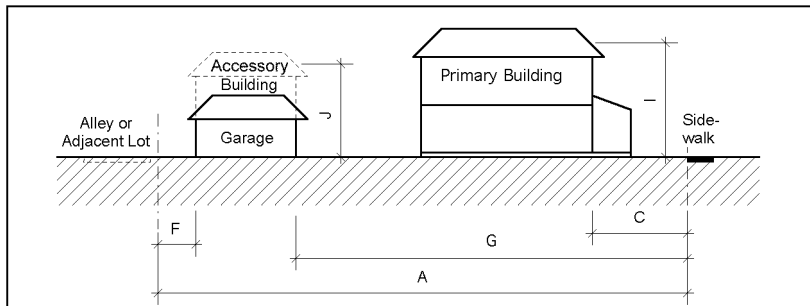
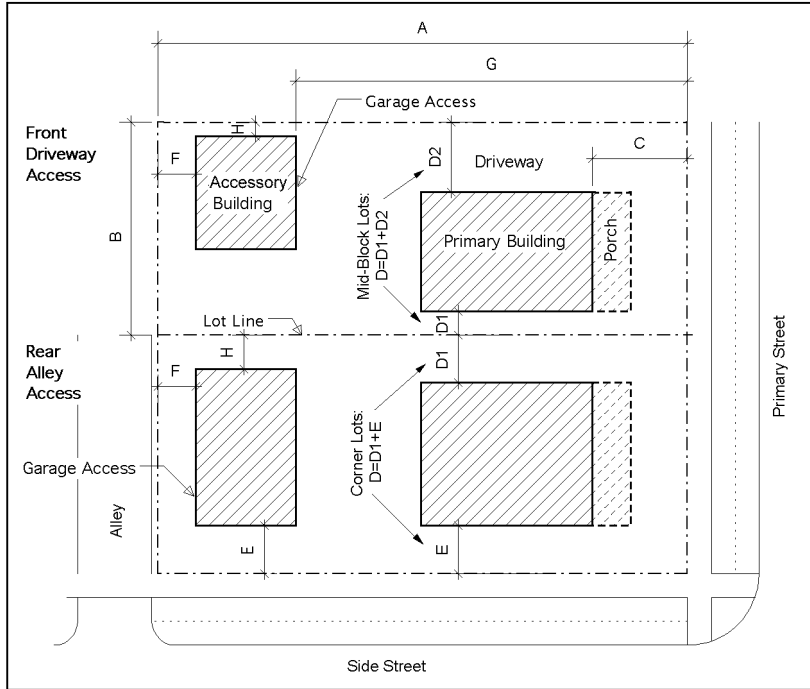
NOTES FROM THE LOT & BUILDING TYPE MATRIX:

- ❑ Live/work units permitted. Commercial uses shall be limited according to the Land Use Types within this document.

Type C – Lot Standards		
A	Min. Lot Depth	80 ft.
B	Min. Lot Width	33 ft.
C	Min. Primary Street Setback	
	• Neighborhood Center	10 ft.
	• Neighborhood General	15 ft.
D	Min. Combined Side Yard Adjacent Lot Setback	7 ft.
	Setback shall be a minimum of 3 ft. on one side.	
	At corner lots, the side street setback E shall be included in the calculation of D.	
E	Min. Side Street Setback	5 ft.
F	Min. Primary or Accessory Bldg. Rear Setback	8 ft.
G	Min. Accessory Bldg. Front Setback	n/a
H	Min. Accessory Bldg. Side Setback	3 ft.
	This setback may be waived if Accessory Buildings are attached.	
I	Max. Primary Bldg. Height	
	• Neighborhood Center	40 ft.
	• Neighborhood General	40 ft.
	Tower elements of a maximum of 200 sq. ft. in floor area shall be exempt of the height limit and may exceed the ridge height of the primary roof by a maximum of 10 ft.	
J	Max. Accessory Bldg. Height	30 ft.
PARKING:		
	Min. Number of On-Site Parking Spaces per Dwelling Unit	2
	No on-site parking required for secondary dwelling units	
	Secondary Dwelling Unit	Y*
	Y = permitted; N = prohibited	
	* Lots with less than 45 ft. wide shall be limited to 600 sq. ft in building size. Lots 45 ft wide are limited to 1000 sq. ft. in building size.	
	Primary Building Entrance	
	The primary pedestrian building entrance shall be located along a public street, common walkway or park.	
	Allowable Encroachments: (Proper Sight Triangle must be maintained)	
	Covered or uncovered porches or stoops may encroach into the front or side street setback no deeper than 12 ft. and no closer than 0 ft. from a property line.	
	Bay windows and other similar enclosed building elements may be no wider than 6 ft. and may encroach up to 2 ft. in setbacks no closer than 00 ft. from a property line. The bay windows must not encroach within 4 ft. of the corners of the primary building. Any light well or egress window may be located in any required front, side or rear yard, provided: No such light well or egress window may be placed within two feet of any property Line.	
	Uncovered decks, balconies & trellises may encroach into setbacks, no deeper than 8 ft. and no closer than 0 ft. from a property line.	
	All building setbacks and building encroachments shall provide the proper Sight Triangle.	
	Driveways may encroach into all setbacks where curb cuts are permitted.	

Type D – Medium Single-Family

Medium Single-Family Houses are mid-sized detached residential units. Medium Single-Family Houses are located on mid-sized lots and have useable side yards. Alleys in the rear of the lots or front driveways may provide vehicular access to Medium Single-Family Houses. However, if alley access is provided front driveways and street facing garages shall be prohibited. Attached or detached garages and shared driveways are permitted.



NOTES FROM THE LOT & BUILDING TYPE MATRIX:

□ None

Type D – Lot Standards

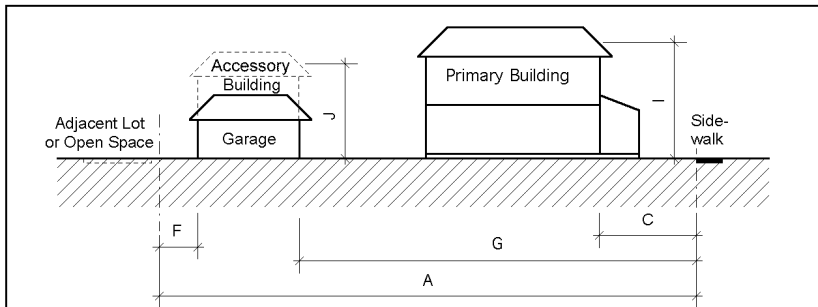
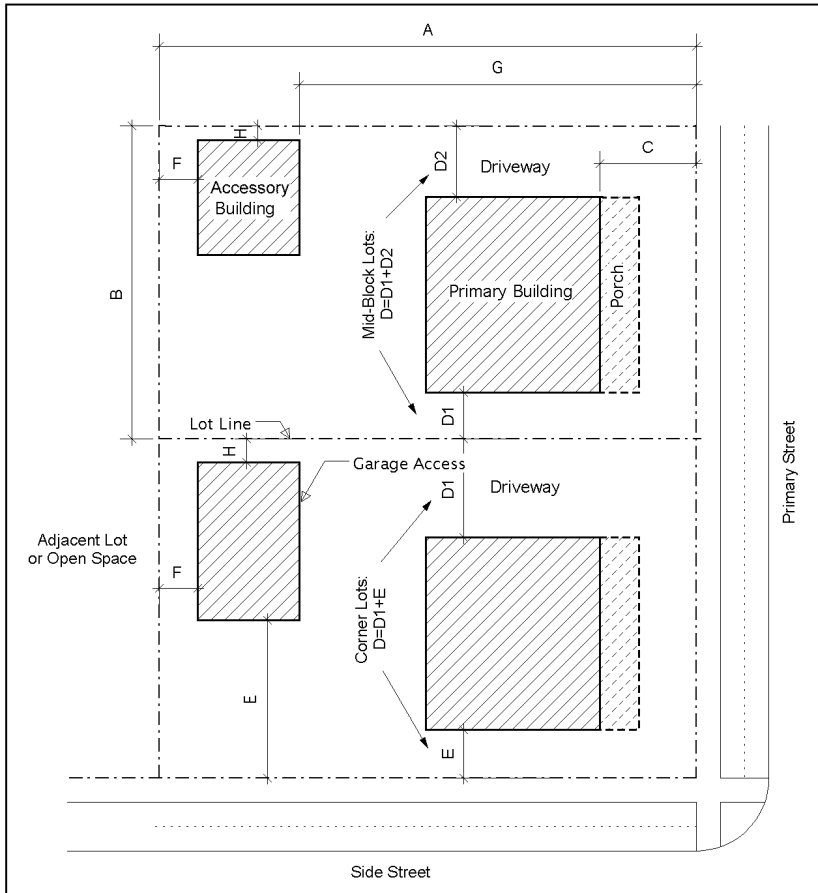
A	Min. Lot Depth	80 ft.
B	Ave. Lot Width	50 ft.
C	Min. Primary Street Setback	
	Neighborhood Center	10 ft.
	Neighborhood General	15 ft.
	Neighborhood Edge	15 ft.
D	Min. Combined Side Yard Adjacent Lot Setback	10 ft.
	Setback shall be a minimum of 3 ft. on one side.	
	At corner lots, the side street setback E shall be included in the calculation of D.	
E	Min. Side Street Setback	5 ft.
F	Min. Primary or Accessory Bldg. Rear Setback	8 ft.
	May be reduced to 3 ft. if garage is front accessed.	
G	Min. Accessory Bldg. Front Setback	45 ft.
H	Min. Accessory Bldg. Side Setback	3 ft.
	This setback may be waived if Accessory Buildings are attached.	
I	Max. Primary Bldg. Height	
	• Neighborhood General	40 ft.
	• Neighborhood Edge	40 ft.
	Tower elements of a maximum of 200 sq. ft. in floor area shall be exempt of the height limit and may exceed the ridge height of the primary roof by a maximum of 10 ft.	
J	Max. Accessory Bldg. Height	30 ft.
	PARKING:	
	Min. Number of On-Site Parking Spaces per Dwelling Unit	2
	No on-site parking required for secondary dwelling units	
	Secondary Dwelling Unit	Y*
	Y = permitted; N = prohibited	
	* Shall be limited to 1000 sq. ft.	
	Primary Building Entrance	
	The primary pedestrian building entrance shall be located along a public street, common walkway or park.	
	Allowable Encroachments: (Proper Sight Triangle must be maintained)	
	Covered or uncovered porches or stoops may encroach into the front or side street setback no deeper than 12 ft. and no closer than 0 ft. from a property line.	
	Bay windows and other similar enclosed building elements may be no wider than 6 ft. and may encroach up to 2 ft. in setbacks no closer than 0 ft. from a property line. The bay windows must not encroach within 4 ft. of the corners of the primary building. Any light well or egress window may be located in any required front, side or rear yard, provided: No such light well or egress window may be placed within two feet of any property line.	
	Uncovered decks, balconies & trellises may encroach into setbacks, no deeper than 8 ft. and no closer than 0 ft. from a property line.	
	All building setbacks and building encroachments shall provide the proper Sight Triangle.	
	Driveways may encroach into all setbacks where curb cuts are permitted.	

Type D-2 – Village Meadows Medium Single-Family Lot Standards

The maximum height and minimum lot requirements for Type D-2 – Village Meadows Medium Single Family lots shall be regulated in conformance with the requirements in Lincoln Municipal Code Chapter 27.72 for the R-3 Residential District.

Type E – Large Single-Family

Large Single-Family Houses are the largest detached residential units in Village Gardens. Large Single-Family Houses are located on large lots that offer flexibility in building configuration and have generous front, side and back yards. Front driveways provide vehicular access to Large Single-Family Houses. Attached or detached garages and shared driveways are permitted.



NOTES FROM THE LOT & BUILDING TYPE MATRIX:

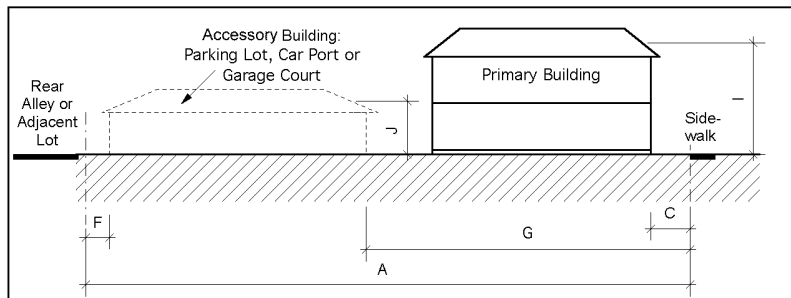
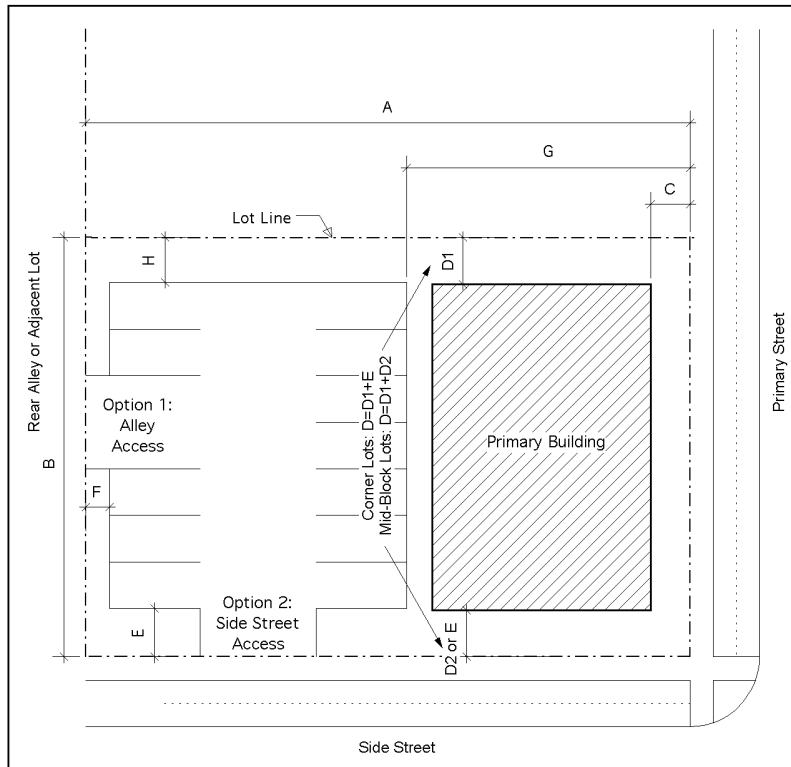
□ None

Type E – Lot Standards

A	Min. Lot Depth	80 ft.
B	Ave. Lot Width	80 ft.
C	Min. Primary Street Setback	15 ft.
D	Neighborhood General	15 ft.
	Neighborhood Edge	15 ft.
D	Min. Combined Side Yard Adjacent Lot Setback	15 ft..
	Setback shall be a minimum of 5 ft. on one side.	
	At corner lots, the side street setback E shall be included in the calculation of D.	
E	Min. Side Street Setback	10 ft.
F	Min. Primary or Accessory Bldg. Rear Setback	3 ft.
G	Min. Accessory Bldg. Front Setback	45 ft.
H	Min. Accessory Bldg. Side Setback	3 ft.
This setback may be waived if garages are attached.		
I	Max. Primary Bldg. Height	40 ft.
Tower elements of a maximum of 200 sq. ft. in floor area shall be exempt of the height limit and may exceed the ridge height of the primary roof by a maximum of 10 ft.		
J	Max. Accessory Bldg. Height	30 ft.
PARKING:		
Min. Number of On-Site Parking Spaces per Dwelling Unit		2
No on-site parking required for secondary dwelling units		
Secondary Dwelling Unit		Y*
Y = permitted; N = prohibited		
* Shall be limited to 1000 sq. ft.		
Primary Building Entrance		
The primary pedestrian building entrance shall be located along a public street, common walkway or park.		
Allowable Encroachments: (Proper Sight Triangle must be maintained)		
Covered or uncovered porches or stoops may encroach into the front or side street setback no deeper than 12 ft. and no closer than 0 ft. from a property line.		
Bay windows and other similar enclosed building elements may be no wider than 6 ft. and may encroach up to 2 ft. in setbacks no closer than 0 ft. from a property line. The bay windows must not encroach within 4 ft. of the corners of the primary building. Any light well or egress window may be located in any required front, side or rear yard, provided: No such light well or egress window may be placed within two feet of any property Line.		
Uncovered decks, balconies & trellises may encroach into setbacks, no deeper than 8 ft. and no closer than 0 ft. from a property line.		
All building setbacks and building encroachments shall provide the proper Sight Triangle.		
Driveways may encroach into all setbacks where curb cuts are permitted.		

Type F – Multi-Family Mansion

Multi-Family Mansions are the smallest multi-family buildings in Village Gardens. Multi-Family Mansions are designed to resemble large houses in order to be compatible with other residential building types. Multi-Family Mansions may have a minimum of 4 units per building in the Neighborhood Center zone, and a minimum of 6 units per building in the Village Center zone, but are limited to 12 units per building in the Village Center and limited to 8 units per building in the Neighborhood Center. Parking is located in small parking lots, carports or garage courts in the rear of the building, screened from public streets and walkways. Alleys in the rear of the lots or driveways off of side streets may provide vehicular access to Multi-Family Mansions. However, if alley access is provided direct street access shall be prohibited. Attached or detached garages and shared driveways are permitted.



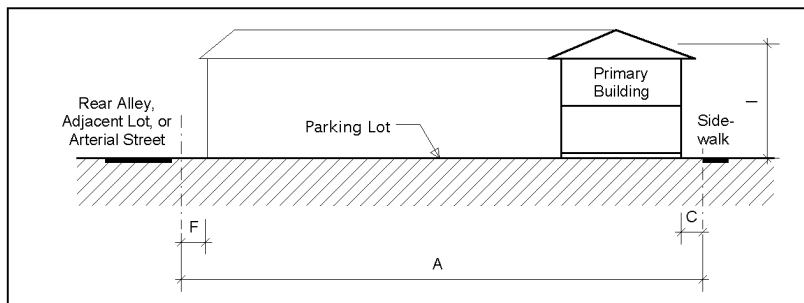
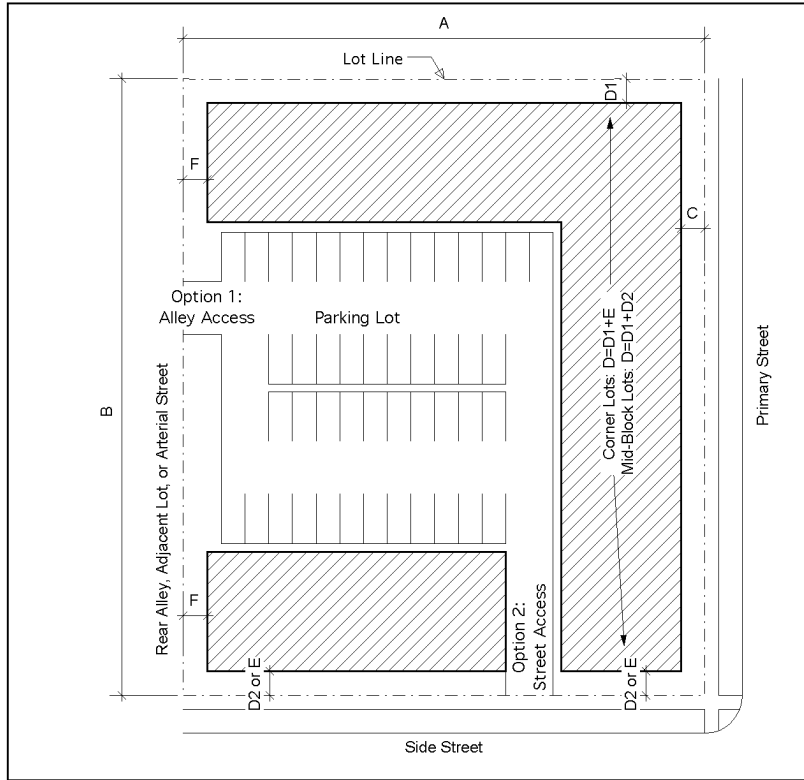
NOTES FROM THE LOT & BUILDING TYPE MATRIX:

- ❑ Live/work units permitted. Commercial uses shall be limited according to the Land Use Types within this document.

Type F – Lot Standards	
A Min. Lot Depth	80 ft.
B Min. Lot Width	85 ft.
C Min. Primary Street Setback	
• Village Center	0 ft.
• Neighborhood Center	10 ft.
D Min. Combined Side Yard Adjacent Lot Setback	20 ft.
Setback shall be a minimum of 5 ft. on one side.	
At corner lots, the side street setback E shall be included in the calculation of D.	
E Min. Side Street Setback	10 ft.
F Min. Primary or Accessory Bldg. Rear Setback	8 ft.
May be reduced to 3 ft. if there is no alley access.	
G Min. Accessory Bldg. Front Setback	45 ft.
H Min. Accessory Bldg. Side Setback	3 ft.
I Max. Primary Bldg. Height	
• Village Center	40 ft.
• Neighborhood Center	40 ft.
Tower elements of a maximum of 200 sq. ft. in floor area shall be exempt of the height limit and may exceed the ridge height of the primary roof by a maximum of 10 ft.	
J Max. Accessory Bldg. Height	30 ft.
PARKING:	
Min. Number of On-Site Parking Spaces per Dwelling Unit	1.5
Secondary Dwelling Unit	N
Y = permitted; N = prohibited	
Primary Building Entrance	
The primary pedestrian building entrance shall be located along a public or private street, common walkway or park.	
Allowable Encroachments: (Proper Sight Triangle must be maintained)	
Covered or uncovered porches or stoops may encroach into the front or side street setback no deeper than 12 ft. and no closer than 0 ft. from a property line.	
Bay windows and other similar enclosed building elements may be no wider than 6 ft. and may encroach up to 2 ft. in setbacks no closer than 0 ft. from a property line. The bay windows must not encroach within 4 ft. of the corners of the primary building. Any light well or egress window may be located in any required front, side or rear yard, provided: No such light well or egress window may be placed within two feet of any property line.	
Uncovered decks, balconies & trellises may encroach into setbacks, no deeper than 8 ft. and no closer than 0 ft. from a property line.	
All building setbacks and building encroachments shall provide the proper Sight Triangle.	
Driveways may encroach into all setbacks where curb cuts are permitted.	

Type G – Multi-Family Apartment

Apartment Buildings are the highest density residential buildings in Village Gardens. Apartment Buildings may be configured in a variety of layouts, including U-shaped courtyard, L-shaped courtyard, or bar-shaped. Parking is located in parking lots in the rear of or between buildings, screened from public streets and walkways. Attached or detached garages and shared driveways are permitted.



NOTES FROM THE LOT & BUILDING TYPE MATRIX:

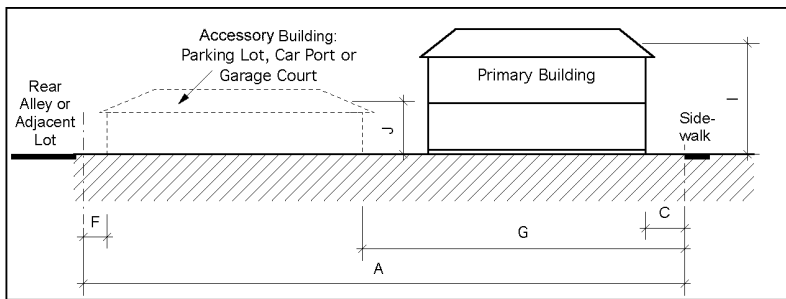
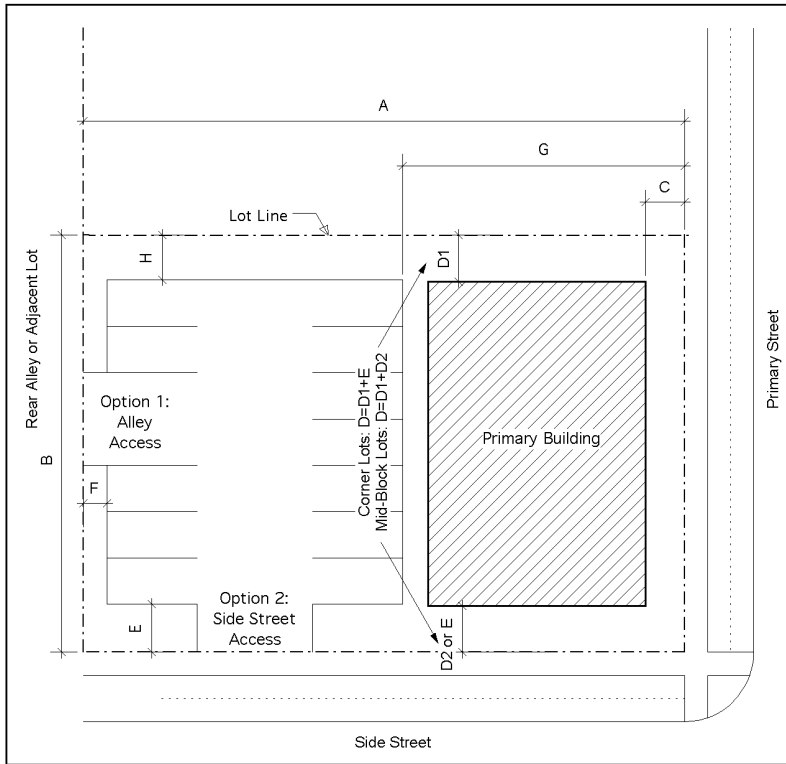
- ❑ Apartments allowed in Village Center zone. In the Neighborhood Center this use is limited to lots between Yankee Hill Road and Chatsworth Lane in a future PUD.

Type G – Lot Standards

A	Min. Lot Depth	80 ft.
B	Min. Lot Width	100 ft.
C	Min. Primary Street Setback	
	• Village Center	0 ft.
	• Neighborhood Center	10 ft.
D	Min. Combined Side Yard Adjacent Lot Setback	20 ft.
	Setback shall be a minimum of 10 ft. on one side.	
	At corner lots, the side street setback E shall be included in the calculation of D.	
E	Min. Side Street Setback	
	• Village Center	0 ft.
	• Neighborhood Center	10 ft.
F	Min. Rear Setback	10 ft.
G	Min. Accessory Bldg. Front Setback	n/a
H	Min. Accessory Bldg. Side Setback	n/a
I	Max. Primary Bldg. Height	
	• Village Center	40 ft.
	• Neighborhood Center	40 ft.
	Tower elements of a maximum of 200 sq. ft. in floor area shall be exempt of the height limit and may exceed the ridge height of the primary roof by a maximum of 10 ft.	
J	Max. Accessory Bldg. Height	n/a
PARKING:		
	Min. Number of On-Site Parking Spaces per Dwelling Unit	1.5
	Secondary Dwelling Unit	N
	Y = permitted; N = prohibited	
	Primary Building Entrance	
	The primary pedestrian building entrance shall be located along a public or private street, common driveway, common walkway or park.	
	Allowable Encroachments: (Proper Sight Triangle must be maintained)	
	Covered or uncovered porches or stoops may encroach into the front or side street setback no deeper than 12 ft. and no closer than 0 ft. from a property line.	
	Bay windows and other similar enclosed building elements may be no wider than 6 ft. and may encroach up to 2 ft. in setbacks no closer than 0 ft. from a property line. The bay windows must not encroach within 4 ft. of the corners of the primary building. Any light well or egress window may be located in any required front, side or rear yard, provided: No such light well or egress window may be placed within two feet of any property Line.	
	Uncovered decks, balconies & trellises may encroach into setbacks, no deeper than 8 ft. and no closer than 0 ft. from a property line.	
	All building setbacks and building encroachments shall provide the proper Sight Triangle.	
	Driveways may encroach into all setbacks where curb cuts are permitted.	

Type H – Community

Community Buildings play a central role in the social life of local residents. They are given prominent sites, often terminating view corridors and therefore are required to have well-designed architectural emphasis on their public facades and include a main entrance on the public street or green. Community buildings may include special massing features, such as towers. In order to foster design creativity, these buildings have the least amount of zoning control, but may be subject to a special architectural design review to insure the highest quality design on important sites.



NOTES FROM THE LOT & BUILDING TYPE MATRIX:

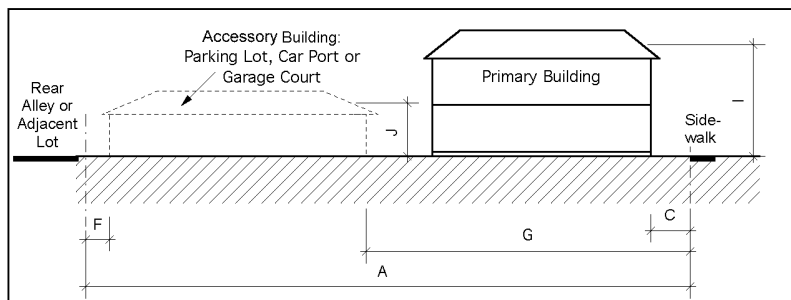
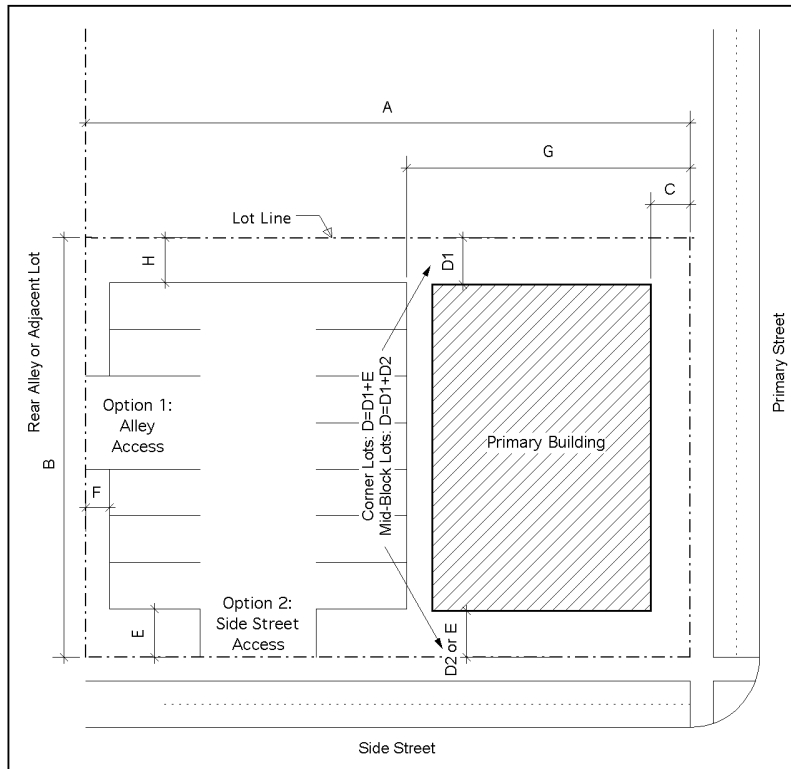
- ❑ Structures that are not fully enclosed, have a footprint of less than 400 sq ft. and an overall height of less than 16ft. shall be considered landscape elements.
- ❑ In the Neighborhood Center, Community buildings are limited to Civic or Community uses serving primarily Village Gardens residents and their guests or churches.

Type H – Lot Standards	
A Min. Lot Depth	80 ft.
B Min. Lot Width	n/a
C Min. Primary Street Setback	
• Village Center	0 ft.
• Neighborhood Center*	5 ft.
D Min. Side Yard Adjacent Lot Setback*	5 ft.
At corner lots, the side street setback E shall be included in the calculation of D.	
E Min. Side Street Setback*	0 ft.
F Min. Primary or Accessory Bldg. Rear Setback*	8 ft.
May be reduced to 3 ft. if there is no alley access.	
G Min. Accessory Bldg. Front Setback	45 ft.
H Min. Accessory Bldg. Side Setback	3 ft.
I Max. Primary Bldg. Height	
• Village Center	40 ft.
• Neighborhood Center	40 ft.
Tower elements of a maximum of 300 sq. ft. in floor area shall be exempt of the height limit and may exceed the ridge height of the primary roof by a maximum of 30 ft.	
J Max. Accessory Bldg. Height	30 ft.
PARKING:	
Refer to the parking matrix as identified in the Village Gardens Development Plan	
Secondary Dwelling Unit	Y
Y = permitted; N = prohibited	
Primary Building Entrance	
The primary pedestrian building entrance shall be located along a public or private street, common driveway, walkway or park.	
Allowable Encroachments: (Proper Sight Triangle must be maintained)	
Covered or uncovered porches or stoops may encroach into the front or side street setback no deeper than 12 ft. and no closer than 0 ft. from a property line.	
Bay windows and other similar enclosed building elements may be no wider than 6 ft. and may encroach up to 2 ft. in setbacks no closer than 0 ft. from a property line. The bay windows must not encroach within 4 ft. of the corners of the primary building. Any light well or egress window may be located in any required front, side or rear yard, provided: No such light well or egress window may be placed within two feet of any property Line.	
Uncovered decks, balconies & trellises may encroach into setbacks, no deeper than 8 ft. and no closer than 0 ft. from a property line.	
All building setbacks and building encroachments shall provide the proper Sight Triangle.	
Driveways may encroach into all setbacks where curb cuts are permitted.	

*20 ft. minimum front, side and rear yard setbacks for Lot 1, Block 27

Type I – Mixed-Use

In the Village Center zone, higher density, mixed-use development forms the core of Village Gardens. Mixed-Use buildings, a common typology in small Midwestern main streets, feature ground floor storefront retail, offices or living units with walk-up apartments or offices on upper stories. Parking is located in parking lots, carports or garage courts in the rear of the building, screened from public streets and walkways. Alleys in the rear of the lots or driveways off of side streets may provide vehicular access. Drive thru's are permitted in the Village Center.



NOTES FROM THE LOT & BUILDING TYPE MATRIX:

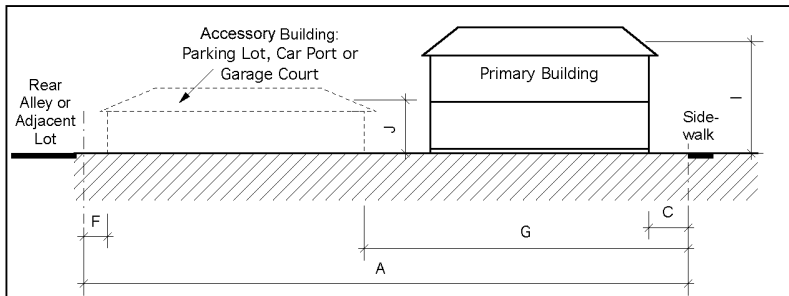
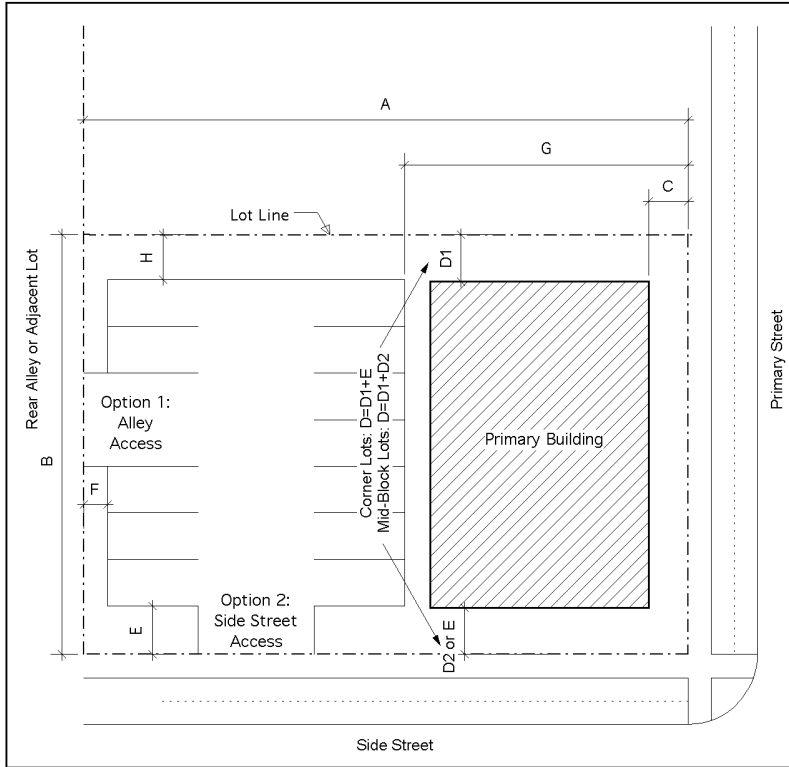
- ❑ Mixed-use buildings may occupy two or more of the following uses within the same building: retail, professional services, personal services, workshop, office, artisan, restaurant, lodging, childcare, professional business, governmental services, entertainment, recreational, residential and related accessory uses. Uses may be divided vertically or horizontally.

Type I – Lot Standards		
A	Min. Lot Depth	n/a ft.
B	Min. Lot Width	n/a.
C	Min. Primary Street Setback*	0 ft.
	Min. Combined Side Yard Adjacent Lot Setback*	0 ft.
At corner lots, the side street setback E shall be included in the calculation of D.		
E	Min. Side Street Setback*	0 ft.
F	Min. Primary Accessory Bldg. Rear Setback*	8 ft.
May be reduced to 3 ft. if there is no alley access.		
G	Min. Accessory Bldg. Front Setback	45 ft.
H	Min. Accessory Bldg. Side Setback	3 ft.
This setback may be waived if Accessory Buildings are attached.		
I	Max. Primary Bldg. Height	50 ft.
Tower elements of a maximum of 200 sq. ft. in floor area shall be exempt of the height limit and may exceed the ridge height of the primary roof by a maximum of 10 ft.		
J	Max. Accessory Bldg. Height	30 ft.
	Max. Lot Coverage	100%
PARKING:		
	Min. Number Parking Spaces per Dwelling Unit for residential	1
	Min. Number Parking Spaces per 600 sf. of commercial uses	1
Parking shall be accommodated on-site or off-site as part of a cross-parking easement. On Street parking in the B-3 area is allowed to be counted in the B-3 area cross-parking easement.		
	Secondary Dwelling Unit	N
Y = permitted; N = prohibited		
Primary Building Entrance		
The primary pedestrian building entrance shall be located along a public or private street, common driveway, common walkway or park.		
Allowable Encroachments: (Proper Sight Triangle must be maintained)		
Covered or uncovered porches or stoops may encroach into the front or side street setback no deeper than 12 ft. and no closer than 0 ft. from a property line.		
Bay windows and other similar enclosed building elements may be no wider than 6 ft. and may encroach up to 2 ft. in setbacks no closer than 0 ft. from a property line. The bay windows must not encroach within 4 ft. of the corners of the primary building.		
Uncovered decks, balconies & trellises may encroach into setbacks, no deeper than 8 ft. and no closer than 0 ft. from a property line.		
All building setbacks and building encroachments shall provide the proper Sight Triangle.		
Driveways may encroach into all setbacks where curb cuts are permitted.		

***Minimum setbacks for Lot 2, Block 27:**
20 ft. front and side yards
50 ft. rear yard

Type J –Elderly or Retirement Housing & Healthcare Facility, Residential

Elderly or Retirement Housing facilities house the elderly and incorporate features to address access problems experienced by the elderly. Healthcare Facility, Residential includes buildings or structures used in a residential nature that are licensed or approved by the state or an appropriate agency, if any. Each of these facilities will have staff and guest parking equal or greater than the present City of Lincoln standards for such facilities.



Type J – Lot Standards		
A	Min. Lot Depth	n/a
B	Min. Lot Width	n/a
C	Min. Primary Street Setback	20 ft.
D	Min. Side Yard Setback	15 ft.
E	Min. Side Street Setback	15 ft.
F	Min. Primary Bldg. Rear Setback	20 ft.
	Min. Accessory Bldg. Rear Setback	3 ft.
G	Min. Accessory Bldg. Front Setback	45 ft.
H	Min. Accessory Bldg. Side Setback	8 ft.
	This setback may be waived if Accessory Buildings are attached.	
I	Max. Primary Bldg. Height	50 ft.
	Tower elements of a maximum of 200 sq. ft. in floor area shall be exempt of the height limit and may exceed the ridge height of the primary roof by a maximum of 10 ft.	
J	Max. Accessory Bldg. Height	30 ft.
	Max. Lot Coverage	75%
PARKING:		
per City of Lincoln municipal code and design standards		
Parking shall be accommodated on-site .		
Secondary Dwelling Unit		N
Y = permitted; N = prohibited		
Primary Building Entrance		
The primary pedestrian building entrance shall be located along a public or private street, common driveway, common walkway or park.		
Allowable Encroachments: (Proper Sight Triangle must be maintained)		
All building setbacks and building encroachments shall provide the proper Sight Triangle.		
Driveways may encroach into all setbacks where curb cuts are permitted.		

NOTES FROM THE LOT & BUILDING TYPE MATRIX:

- ❑ Permitted use on lots more than 10,000 sq. ft.

THE REGULATORY MODIFICATIONS

See Village Gardens Regulatory Modifications document for specific information on regulatory documents modified for the Village Gardens PUD, dated this even date and incorporated herein by this reference.

THE PUD MAP SHEETS

See Village Gardens PUD Map Sheets (30"x42") prepared by Olsson Associates and dated this even date and incorporated herein by this reference.

GLOSSARY

Alley:

The vehicle passageway within a block, which provides access to accessory building and garbage bins along the rear edge of lots.

Accessory Building:

A smaller, detached structure located in the rear of a lot. Accessory Buildings may contain the following uses: garage, home office, workshop, secondary dwelling units and accessory uses.

Accessory Use:

An accessory use is one that is incidental to the main use.

Assisted Living Facility:

Assisted living facility shall mean a facility where shelter, food, and care are provided for remuneration for a period of more than twenty-four consecutive hours to four or more persons residing at such facility who require or request such services due to age, illness, or physical disability.

Average Lot Width:

Average lot width shall mean the width determined by dividing the total lot area by the depth of the lot from the right of way line to the furthest rear lot line. If the rear lot line and right of way are not parallel, an average depth dimension shall be used.

Bungalow Court:

Two or more single-family dwelling units built on separate lots that are situated around a shared outlot with shared landscaping and sidewalk system.

Civic Use:

Occupied building space used primarily for neighborhood use, public education, charity, cultural performance, gatherings, displays and accessory uses administered by non-profit neighborhood, cultural, educational, charitable and religious organizations.

Combined Side Yard Adjacent Lot Setback:

The sum of the distances between the side lot lines and the side elevations of a building. Roof overhangs may encroach into the setback. On street corners, the Side Street Setback shall be included in the calculation.

Commercial Use:

Occupied building space used for the conduct of retail, professional services, personal services, workshop, office, artisan, restaurant, lodging, childcare, professional business, governmental services, entertainment, recreational uses and accessory uses.

Elderly or Retirement Housing:

Elderly or retirement housing shall mean a residential development which incorporates specific features designed to alleviate access problems commonly experienced by the elderly, and in which each occupied dwelling unit is occupied by at least one person of sixty years of age or more. Dwellings may be detached, attached, or multiple-family.

Façade:

An elevation or 'face' of a building, from ground level to roofline.

Front Façade:

The elevation with the main entrance to a building, usually facing a public street.

Healthcare Facility, Residential:

Residential health care facility shall mean a building or structure that is to be used in a residential nature, licensed or approved by the state or an appropriate agency, if required. Residential health care facility could include but would not be limited to the following types of facilities: Assisted Living, Nursing Care, Convalescent Home, Hospice Home, Group home for 16 or more people and Intermediate Care.

Home Occupation:

A home occupation shall mean any office occupation or activity carried on within a dwelling unit or Accessory Building by a member of the family residing on the residential lot, which occupation or activity is incidental and secondary to the residential occupancy and does not change the residential character thereof.

Live/Work Unit:

A building in single ownership that provides commercial uses on the first floor and a residential use dwelling unit on the upper floor(s). The owner may occupy the commercial space and reside in the dwelling unit, or the owner may lease or rent the commercial space or the dwelling together or separately.

Lodging Use:

Premises used for short-term human habitation and accessory uses. Food service may be included, unless otherwise prohibited.

Lot:

Lot shall mean a parcel of land occupied or intended for occupancy by a use permitted by the Development Plan and fronting on a permitted public or private street, common driveway, common walkway or park as described in the Lots and Building Standards.

Lot Coverage:

The maximum area of a lot that may be occupied by a structure. Lot coverage is expressed as a ratio. Open porches, decks, terraces, and stoops are excluded from the calculations.

Mixed-Use Building:

A single building that occupies two or more of the following use: retail, professional services, personal services, workshop, office, artisan, restaurant, lodging, childcare, professional business, governmental services, entertainment, recreational, residential and related accessory uses. Uses may be divided vertically or horizontally.

Office Use:

Premises used for services, including professional, financial, clerical, administrative, medical and accessory uses. Retail and manufacturing are excluded.

Point-Of-Service:

Office uses or services frequented by customers or clients.

Primary Building:

The principal building on a site, containing the primary residence or business. The primary building fronts on the primary street.

Primary Street:

When there are two streets abutting a lot, the primary street will be the street identified by the building's legal address.

Primary Street Setback:

The distance between the frontage line of a primary street and the front façade of a building.

Rear Setback:

The distance between the rear lot line and the rear wall of a building. Roof overhangs may encroach into the setback.

Residential Use:

Premises or dwelling used primarily for human habitation and related accessory uses.

Retail Use:

Premises used for the exchange of services or goods and accessory uses including but is not limited to, bicycle sales and repair shops and sale of alcoholic beverages for consumption on-premise and the sale of alcoholic beverages for consumption off-premises.

Rowhouse:

Attached single-family houses on individual platted lots. Rowhouses share common walls with one or more adjacent units.

Side Street:

When there are two streets abutting a lot, the primary street will be the street identified by the building's legal address and the side street will be the other abutting street.

Secondary Dwelling Unit:

Secondary Dwelling Units are located on the same lot as the primary dwelling unit and may be rented but not sold separately. Secondary dwelling units may be located within the primary building or within a Accessory Building to the rear of the primary building. Secondary dwelling units shall have separate outside entrances.

Sight Triangle:

The applicable Figure shown on Appendix A Sight Distance, City of Lincoln Design Standards, provided that, the Sight Triangle for Figure SD-2, Uncontrolled and Yield Controlled Intersections, shall be the crossed hatched areas marked a “area free of obstructions >30” high.” (a triangular area comprised of two lot lines measured 25 feet from the intersecting corner of the lots, and the third leg, the hypotenuse, that connects the two 25 foot sides.

Side Street Setback:

The distance between the frontage line of a side street and the street facing side elevation of the building. Roof overhangs may encroach into the setback.

Storefront:

The portion of a building at the first story of a building that is made available for retail use. Storefronts shall be directly accessible from sidewalks.

Stoop:

An entry platform on the frontage of a building. Stoops may be roofed but they need not necessarily be enclosed.

Townhouse:

Attached single-family houses on individual platted lot. A townhouse shares a common wall with one adjacent unit.

Workshop Use:

Premises used for the creation, assemblage, repair of goods and hobbies, including their retail sale, unless otherwise prohibited.

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for October 26, 2016 PLANNING COMMISSION MEETING

PROJECT #: Change of Zone No. 16027—removal of landmark overlay

PROPOSAL: A request to remove the landmark designation from the portion of the Bryan Medical Center West campus which was the site of the former Sophy Teeter Nurses Residence, now demolished.

LOCATION: An area on the Med. Center campus near the northwest corner of Lake Street and S. 17th Street

LAND AREA: 20,000 square feet, more or less

EXISTING ZONING: R-4, Residential District

WAIVER/MODIFICATION REQUEST:
None.

CONCLUSION: This request would remove the landmark overlay from the site of the former Teeters building.

RECOMMENDATION:	Approval
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GENERAL INFORMATION:

LEGAL DESCRIPTION: Lots 4-6 of Johnson's 2nd Addition and Lots 4 and 5, Meeses Subdivision, located in the SW 1/4 of Section 36-10-6, Lincoln, Lancaster County, Nebraska, generally located at 1650 Lake Street.

EXISTING LAND USE: Site of recently demolished building.

SURROUNDING LAND USE AND ZONING:

North: Non-Residential Healthcare Facility; R-4
South: Residential, R-4
East: Church, School, and Residential, R-4
West: Non-Residential Healthcare Facility; R-4

HISTORY:

May 1979 Converted from B, Two-Family to R-4, Residential during the 1979 Zoning Update.

March 1983	Special Permit No. 1020 for expansion of the hospital was granted.
1987-2001	Various amendments (A-G) to Special Permit No. 1020G were approved.
November 2002	Former Sophy Teeters Nurses Residence was designated a Landmark under LMC27.57.
June 2015	Special Permit No. 1020H was approved to add the former grocery store site on the southwest corner of 17 th and South Streets to the medical center campus.
March 2015	Bryan Medical Center applied to Historic Preservation Commission for demolition of Teeters Nurses Residence and for construction of a memorial garden on the site.
April 2015	Historic Preservation Commission denied a preservation certificate for demolition of the Teeters Nurses Residence.
November 2015	Planning Director issued a Certificate of Allowance for demolition of Teeters Building after expiration of 6-month waiting period, as required under LMC27.57.
July 2016	The former Independence Center, originally Sophy Teeters Nurses Residence, was demolished.
August 2016	Special Permit No. 1020I was approved, removing the Teeters Building from the campus site plan, with a condition that application be made to remove the landmark overlay.

ASSOCIATED APPLICATIONS: None.

ANALYSIS:

1. This is an application that will bring the zoning map relative to the Bryan Medical Center West site plan up to date, reflecting the demolition of the landmark Teeters Building.
2. Bryan has met the requirement of LMC27.57 "Historic Preservation District" relative to obtaining a Certificate of Allowance prior to the demolition of the Sophy Teeters Nurses Residence.
3. Landmark designations are zoning overlays. No further historic preservation purpose is served by retaining the landmark overlay on the Teeters Building site.

4. The Historic Preservation Commission held a public hearing on this application September 15, 2016. The Commission recommended approval 5-0. (Excerpt from Meeting Record is attached.)

Prepared by

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

DATE: October 14, 2016

APPLICANT: Bryan Medical Center
Attn: David Reese
1600 S. 48th Street
Lincoln, NE 68506

OWNERS: Bryan Medical Center
Attn: David Reese
1600 S. 48th Street
Lincoln, NE 68506

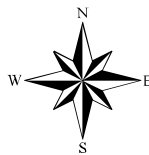
CONTACT: DaNay Kalkowski
1111 Lincoln Mall, Suite 350
Lincoln, NE 68508

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2016 aerial

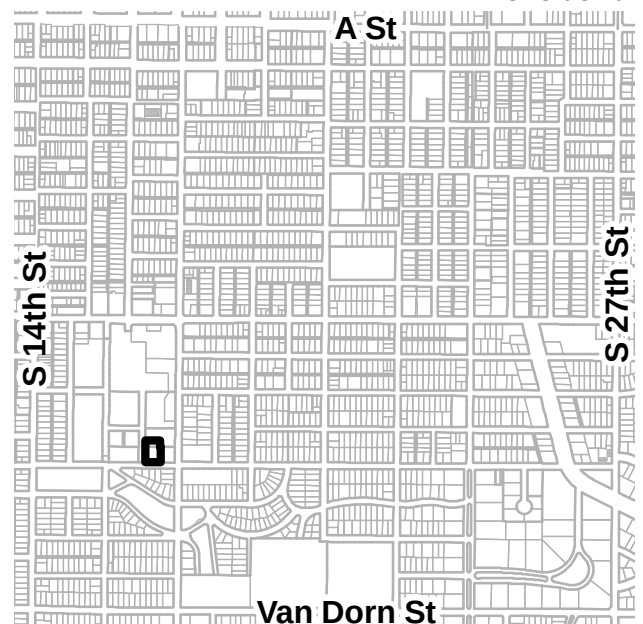
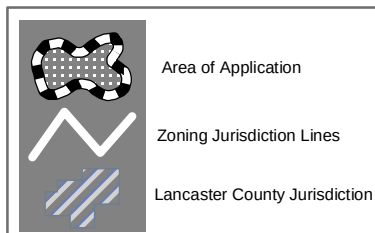
Change of Zone #: CZ16027 **Removal of Landmark District** **S 17th St & South St**



Zoning:

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

One Square Mile:
Sec.36 T10N R06E



MEETING RECORD EXCERPT
RE: Teeters Building Landmark Overlay Removal
Meeting of 09/15/2016

NAME OF GROUP: HISTORIC PRESERVATION COMMISSION

DATE, TIME AND Thursday, September 15, 2016, 1:30 p.m., Conference
PLACE OF MEETING: Room 214, 2nd Floor, County-City Building, 555 S. 10th Street, Lincoln,
Nebraska

STATED PURPOSE Regular Historic Preservation Commission Meeting
OF MEETING:

**CHANGE OF ZONE NO. 16027 TO REMOVE THE ZONING OVERLAY FROM THAT PORTION OF
THE BRYAN MEDICAL CENTER WEST CAMPUS, FORMERLY OCCUPIED BY THE
SOPHY TEETERS NURSES HOME, 1650 LAKE STREET.** **SEPTEMBER 15, 2016**

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

Zimmer stated this is related to the demolition of the Sophy Teeters Nurses home. Recently, the site plan for Bryan was adjusted by Special Permit to reflect the demolition of the building. We asked them to apply for the removal of this designation so the modern memorial garden would not be required to come through the historic review process. This has to be done by a Change of Zone since it is a zoning overlay. It is primarily an administrative clean-up. McKee asked if a motion to remove the item was necessary. Zimmer said it would be appropriate to move in favor of the Change of Zone.

Hewitt noted that he originally declared a conflict of interest because he is emeritus trustee of the Bryan Foundation. He will do so again today.

Action:

Motion for approval made by McKee, seconded by Gengler and carried 5-0: Bavitz, Gengler, Johnson, McKee, and Munn voting 'yes'; Hewitt abstaining; Francis absent.

F:\Boards\HPC\MINUTES\2016\HPC091516 Exerpt for Teeters Building.wpd

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for October 26, 2016 PLANNING COMMISSION MEETING

PROJECT #: Comprehensive Plan Conformance No. 16005

PROPOSAL: To review as to conformance with the 2040 Lincoln-Lancaster County Comprehensive Plan, a proposal to declare approximately 30,139 square feet of land as surplus property.

LOCATION: Generally located at 2847 A Street

LAND AREA: 30,139 square feet, more or less

CONCLUSION: The declaration of surplus generally conforms with the Comprehensive Plan. Lincoln Electric System will need to retain a 5.0' easement on the south property line and a 15.0' easement along the north property line.

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

LEGAL DESCRIPTION: A tract of land composed of Lots 2 through 5, and a portion of Lot 1, all in Block 2, Zehrunge and Ames Addition, All Located in the Northwest Quarter of Section 31, Township 10 North, Range 7 East of the 6th P.M., City of Lincoln, Lancaster County, Nebraska.

EXISTING ZONING: B-3 Commercial District, R-6 Residential District

EXISTING LAND USE: Public Parking Lot

SURROUNDING LAND USE AND ZONING:

North: Park Land/Zoo; P
South: Single Family Residential; R-2
East: Bike Trail; P
West: Single Family Residential; R-6

ASSOCIATED APPLICATIONS:

Change of Zone No. 16028 from B-3 Commercial to R-6 Residential
Text Amendment No. 16010 to allow zoo parking in residential zoning within 360' of the Zoo
Street and Alley Vacation No. 16005 to vacate street and alley right of way
Special Permit No. 16047 for Zoo expansion parking

Waiver No. 16007 to waive parking lot surfacing

HISTORY:

The property zoning was changed from Multiple Dwelling District (D)/Commercial District (I) to R-6 Residential/B-3 Commercial with the 1979 Zoning Ordinance update.

Prior to use as a parking lot the historic use of the property was commercial, most recently A Street Antique Collectibles Mall in the early 2000s and previously United True Value Supply & Rental in the 1990s.

A demolition permit was issued in 2009 for the building which was previously on the site.

The City acquired one lot as part of the Rock Island Trail project and the other four lots from the Lincoln Parks and Recreation Foundation in 2010.

COMPREHENSIVE PLAN SPECIFICATIONS:

P. 1.2 - Preservation and enhancement of the many quality of life assets within the community continues. For a "good quality of life", a community has more than jobs, shelter, utilities and roads - there are numerous services, education, historic, natural and cultural resources that are fundamental to enriching lives. As the population continues to become more diverse, the richness and variety of Lincoln and Lancaster County's cultural assets will enrich the quality of life for all those living here.

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

P. 9.12 - The Lincoln Children's Zoo is one of only five zoos in the nation dedicated to educating our youth. The Zoo's design is tailored specifically for children. The zoo is located on city-owned land near South 27th Street and A Street, but is managed by a nonprofit organization. The zoo plans to expand its facilities and attractions to the west along A Street and also has plans for additional parking south of A Street.

ANALYSIS:

1. This is a request to find the property generally located at 2847 A Street as surplus. The City acquired one lot as part of the Rock Island Trail project and the other four lots from the Lincoln Parks and Recreation Foundation in 2010. This property currently has a parking lot which gains access from A Street. The property does not contain any structures.
2. The City proposes to sell the lots to the Lincoln Children's Zoo for parking lot improvements to accommodate the Zoo's plans for expansion.
3. The Lincoln Children's Zoo expansion plans include this surplus property as part of parking lot improvements on the south side of A Street.
4. There has been no other opposition to the sale of the property by any other departments or public agencies. There is a request to retain easements; specifically,

Lincoln Electric System requests a 5.0' easement on the south property line and a 15.0' easement along the north property line.

5. The Comprehensive Plan on page 9.12 mentions Zoo plans for expansion of its facilities and attractions to the west along A Street and additional parking south of A Street.
6. The portion of the surplus property that is zoned B-3 would be required to be rezoned to R-6 with the Zoo expansion as a condition of approval of Special Permit No. 16047.
7. The proposal to surplus the land subject to retention of easements for Lincoln Electric System to retain a 5.0' easement on the south property line and a 15.0' easement along the north property line is consistent with the Comprehensive Plan.

Prepared by

George Wesselhoft, Planner
(402-441-6366, gwesselhoft@lincoln.ne.gov)

October 13, 2016

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

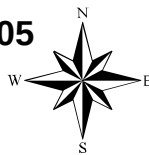
CONTACT: City of Lincoln
Michelle Backemeyer
555 S. 10th Street, Suite 205
Lincoln, NE 68508

F:\DevReview\CPC\16000\CPC16005 2847 A Street Surplus.gjw.wpd



2016 aerial

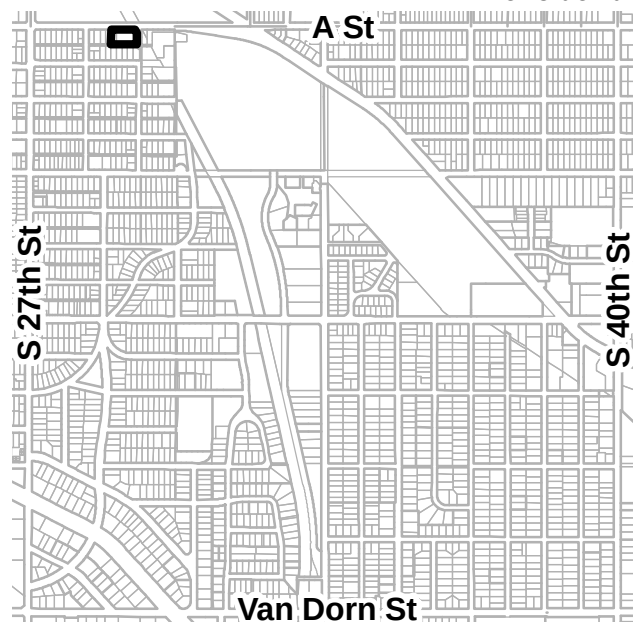
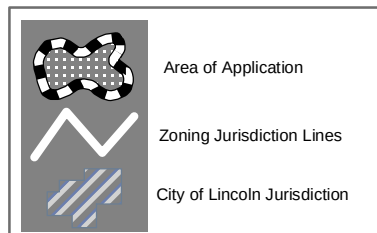
Comp Plan Conformance #: CPC16005 S 27th St & A St

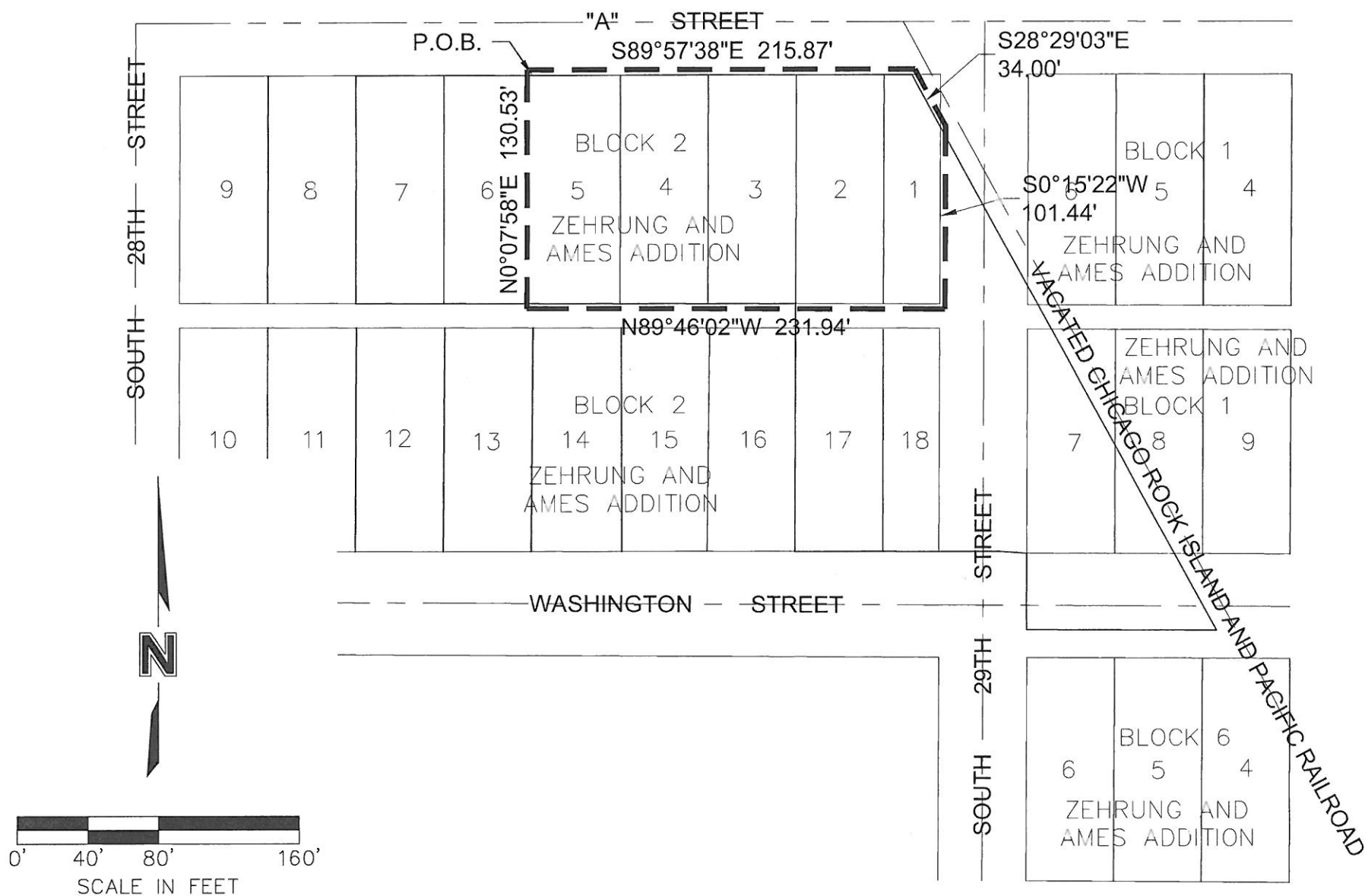


Zoning:

- 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.31 T10N R07E





DATE: SEPT. 8TH, 2016

SURPLUS PROPERTY EXHIBIT



OLSSON ASSOCIATES

601 P Stree, Suite 200
P.O. Box 84608
Lincoln, NE 68508
TEL 402.474.6311
FAX 402.474.5160

EXHIBIT

B

LEGAL DESCRIPTION SURPLUS PROPERTY

A TRACT OF LAND COMPOSED OF LOTS 2 THROUGH 5, AND A PORTION OF LOT 1, ALL IN BLOCK 2, ZEHRUNG AND AMES ADDITION, ALL LOCATED IN THE NORTHWEST QUARTER OF SECTION 31, TOWNSHIP 10 NORTH, RANGE 7 EAST OF THE 6TH P.M., CITY OF LINCOLN, LANCASTER COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 5, BLOCK 2, ZEHRUNG AND AMES ADDITION, SAID POINT BEING ON THE SOUTH RIGHT-OF-WAY LINE OF "A" STREET, SAID POINT BEING **THE TRUE POINT OF BEGINNING**; THENCE EASTERLY ON THE NORTH LINE OF SAID LOT 5, AND ON THE NORTH LINE OF LOTS 4 THROUGH 1, BLOCK 2, ZEHRUNG AND AMES ADDITION, SAID LINE BEING THE SOUTH LINE OF SAID RIGHT-OF-WAY, SAID LINE ALSO BEING 33.00' SOUTH OF AND PARALLEL WITH THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 31, TOWNSHIP 10 NORTH, RANGE 7 EAST OF THE 6TH P.M. ON AND ASSUMED BEARING OF S89°57'38"E, A DISTANCE OF 215.87' TO A POINT LOCATED 10.00' WEST OF AND PERPENDICULAR TO THE CENTER LINE OF THE CHICAGO, ROCK ISLAND AND PACIFIC RAILROAD RIGHT-OF-WAY, THENCE S28°29'03"E, ON A LINE 10.00' SOUTH OF AND PARALLEL THE CENTER LINE OF SAID RAILROAD RIGHT-OF-WAY, A DISTANCE OF 34.00' TO A POINT OF INTERSECTION WITH THE EAST LINE OF SAID LOT 1, SAID POINT BEING ON THE WEST RIGHT-OF-WAY LINE OF SOUTH 29TH STREET; THENCE S00°15'22"W, ON THE EAST LINE OF SAID LOT 1, SAID LINE BEING THE WEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 101.44' TO THE SOUTHEAST CORNER OF SAID LOT 1, SAID POINT BEING ON THE NORTH LINE OF THE EAST-WEST ALLEY IN BLOCK 2, ZEHRUNG AND AMES ADDITION; THENCE N89°46'02"W, ON THE SOUTH LINE OF SAID LOT 1, AND ON THE SOUTH LINE OF SAID LOTS 2 THROUGH 5, SAID LINE BEING THE NORTH LINE OF SAID EAST-WEST ALLEY, A DISTANCE OF 231.94' TO THE SOUTHWEST CORNER OF SAID LOT 5; THENCE N00°07'58"E, ON THE WEST LINE OF SAID LOT 5, A DISTANCE OF 130.53' TO THE POINT OF BEGINNING, SAID TRACT CONTAINS A CALCULATED AREA 30,139.14 SQUARE FEET OR 0.69 ACRES, MORE OR LESS.

THURSDAY, SEPTEMBER 08, 2016

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PROPERTY.DOC

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 DATE: Sep 08, 2016 3:09pm
 USER: mjohnson

PROJECT NO: 016-0630	SURPLUS PROPERTY LEGAL DESCRIPTION		601 P Street, Suite 200 P.O. Box 84608 Lincoln, NE 68508 TEL 402.474.6311 FAX 402.474.5160	EXHIBIT
DRAWN BY: MRJ				A
DATE: SEPT. 8TH, 2016				

August 16, 2016

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

Dear David:

Enclosed is an application to declare surplus the City property located at approximately 2847 "A" Streets. The City acquired one lot as part of the Murdock Trail project, and the other four from the Lincoln Parks and Recreation Foundation in 2010, and we are now selling the lots to the Lincoln Children's Zoo for parking lot improvements to accommodate the Zoo's plans for expansion. There has been no other opposition to the sale of the property by any other departments or public agencies other than the request to retain easements as noted in the attached responses.

Please forward the request to the Planning Commission for their earliest consideration for Comprehensive Plan conformance. My understanding is that the request should be on the September 14, 2016, agenda.

If you have questions or need additional information, please contact me at 441-8617 or at mbackemeyer@lincoln.ne.gov. Thank you.

Sincerely,



Michelle R. Backemeyer
Real Estate and Relocation
Assistance Agent

cc: Dave Landis, Director, Urban Development Dept.

Attachments

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for October 26, 2016 PLANNING COMMISSION MEETING

PROJECT #: Text Amendment No. 16010

PROPOSAL: Amend Section 27.63.170 (a)(2) to allow zoo parking lots by Special Permit in the R-1, R-2, R-3, R-4, R-5, R-6, R-7, R-8 and O-2 zoning districts where the land to be used for parking is located within 360 feet from property occupied by the associated zoo use.

CONCLUSION: Parking lots for college, university or church uses are currently allowed by Special Permit in the R-1 thru R-8 and O-2 zoning districts where the land to be utilized for the parking is located within 360 feet of the use and provided the parking is used primarily in connection with said use. These uses by their very nature may have need for parking that is non contiguous but located nearby. A zoo by its very nature as a regional attraction may also necessitate additional parking such as for daily overflow usage which is not on the main property or same zoning district of the use itself but in close proximity. Allowing the option for a special permit for parking is appropriate to support the zoo use. This request is consistent with the Zoning Ordinance and Comprehensive Plan.

RECOMMENDATION:	Approval
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GENERAL INFORMATION:

ASSOCIATED APPLICATIONS:

Comprehensive Plan Conformance No. 16005 for surplus property
Change of Zone No. 16028 from B-3 Commercial to R-6 Residential
Street and Alley Vacation No. 16005 to vacate street and alley right of way
Special Permit No. 16047 for Zoo expansion parking
Waiver No. 16007 to waive parking lot surfacing

COMPREHENSIVE PLAN SPECIFICATIONS:

P. 1.2 - Preservation and enhancement of the many quality of life assets within the community continues. For a "good quality of life", a community has more than jobs, shelter, utilities and roads -

there are numerous services, education, historic, natural and cultural resources that are fundamental to enriching lives. As the population continues to become more diverse, the richness and variety of Lincoln and Lancaster County's cultural assets will enrich the quality of life for all those living here.

P 8.2 - Promote cooperation and coordination among both the public and private sectors in the development and maintenance of community facilities.

P. 9.12 - The Lincoln Children's Zoo is one of only five zoos in the nation dedicated to educating our youth. The Zoo's design is tailored specifically for children. The zoo is located on city-owned land near South 27th Street and A Street, but is managed by a nonprofit organization. The zoo plans to expand its facilities and attractions to the west along A Street and also has plans for additional parking south of A Street.

ANALYSIS:

1. This is a request to amend the Zoning Ordinance to allow zoo parking lots by Special Permit in the R-1, R-2, R-3, R-4, R-5, R-6, R-7 R-8 and O-2 zoning districts where the land to be used for the parking is located within 360 feet from the property occupied by the associated zoo use.
2. Currently 27.63.170 Parking Lots. (a)(2) allows college, university or church parking lots by Special Permit in the R-1, R-2, R-3, R-4, R-5, R-6, R-7, R-8 and O-2 zoning districts where such parking lots are not located on the same property as the associated use as long as they are not more than 360 feet from the property occupied by the associated use.
3. The intent of 27.63.170 Parking Lots is to provide flexibility where certain uses may be allowed to have incidental parking in close proximity to their use but where the parking lot may not necessarily be located in the same zoning district. By way of the Special Permit the parking may be allowed without having to change the zoning.
4. Through the Special Permit the Planning Commission may authorize the use of the parking lot with public notice to the neighbors and may impose conditions where appropriate and necessary to ensure compliance with the Comprehensive Plan and to protect the health, safety, general welfare of the community.
5. College, university and church uses by their very nature may need incidental or overflow parking that while close to the main use site may not be located on the same property or necessarily in the same zoning district.
6. A zoo use by its nature as a regional attraction may also need to provide parking which is not necessarily located on the same site or zoning district as the primary facility.
7. In the case of the Lincoln Children's Zoo, additional parking is proposed as part of their expansion which would be located south of A Street and therefore not on the same site as the Zoo itself. The additional parking would include the current parking

lot property on the south side of A Street that the City will sell to the Zoo as surplus but will also include an area adjacent Washington Street to the south.

8. The Comprehensive Plan on page 9.12 mentions Zoo plans for expansion of its facilities and attractions to the west along A Street and additional parking south of A Street.
9. The proposed text amendment will further the parking expansion needs of the Lincoln Children's Zoo, however, there may still be infrequent events such as Boo at the Zoo that still necessitate more satellite parking beyond the parking on the south side of A Street.
10. The recommend approval of associated Special Permit No. 16047 for Zoo expansion parking is conditioned upon approval of this text amendment application.
11. The proposed text amendment to 27.63.170(a)(2) expands current Lincoln Municipal Code by adding zoo as a use in addition to college, university or church uses that may be allowed through Special Permit to have parking on property located not more than 360 feet from the main property of the use. This request is consistent with the intent of the Zoning Ordinance and Comprehensive Plan.

Prepared by:

George Wesselhoft, Planner
(402-441-6366, gwesselhoft@lincoln.ne.gov)

October 13, 2016

OWNER: City of Lincoln
555 S. 10th Street
Lincoln, NE 68508

**APPLICANT/
CONTACT:** City of Lincoln
Nicole Fleck-Tooze
2740 A Street
Lincoln, NE 68502

F:\DevReview\TX\16000\TX16010 Lincoln Children's Zoo.gjw.wpd

ORDINANCE NO. _____

1 AN ORDINANCE amending Chapter 27.63 of the Lincoln Municipal Code
2 relating to Special Permits by amending Section 27.63.170 to provide that a parking lot may be
3 allowed by special permit in the R-1 through R-8 zoning districts and in the O-2 zoning district if
4 the parking lot is located within 360 feet from property occupied by a zoo and the parking lot is
5 primarily used in connection with said zoo, and repealing Section 27.63.170 as hitherto existing.

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

7 Section 1. That Section 27.63.170 of the Lincoln Municipal Code be amended to
8 read as follows:

9 **27.63.170 Parking Lots.**

10 (a) Parking lots may be allowed by special permit in the R-1, R-2, R-3, R-4, R-5, R-6,
11 R-7, R-8, and O-2 zoning districts in conformance with the provisions of Chapter 27.67 and
12 under one of the following conditions:

13 (1) A. The premises upon which the parking lot is located shall not be located
14 more than 300 feet from the boundary of one of the following districts:
15 O-1, B-1, B-3, B-4, H-2, H-3, or I-1 and the following conditions shall be
16 met:

17 (i) The parking lot shall not use a local residential street for access,
18 unless access cannot be gained to the proposed parking lot from a
19 non-residential street. If access is proposed from a local residential
20 street, such access must be gained at a location that does not
21 negatively impact adjacent residential zoned property.

22 (ii) Any adjacent alley serving the parking lot shall be paved.

1 B. In addition to the above conditions, the Planning Commission, in passing
2 upon applications for special permits under subparagraph (1), shall also
3 consider the following criteria:

4 (i) There shall be no residential use located between the parking lot
5 and the commercial or industrial establishment.

6 (ii) The parking lot shall not disrupt the continuity of the block face,
7 and the character of the existing residential neighborhood shall be
8 preserved.

9 (iii) The parking lot shall be allowed only if it can function as a
10 transitional use while protecting the adjacent residential use.

11 (iv) The parking lot shall abut a commercial or industrial zoning district.

12 An adjustment to these criteria may be granted by the Planning
13 Commission upon a determination that there is a sufficient cause for such
14 an adjustment and that there will be no significant impact on adjacent
15 residential uses, or

16 (2) The land shall not be located more than 360 feet from property occupied by a
17 college, university, ~~or~~ place of religious assembly, or zoo; provided that the
18 parking lots are used primarily in connection with the said college, university,
19 ~~or~~ place of religious assembly, or zoo.

20 (b) Parking areas consisting of less than six parking spaces may be allowed by special
21 permit in the same zoning districts in conformance with the same provisions and under the same
22 conditions applicable to parking lots as contained in paragraph (a) of this section.

23 (c) If requested by the applicant, the City Council may adjust the
24 location of any sign permitted by section 27.69.160 and the location of parking and allow

1 parking and drive aisles in the front and side yards and may increase the minimum screening and
2 landscaping requirements consistent with adequate protection of the environment and adjacent
3 land uses.

4 Section 2. That Section 27.63.170 of the Lincoln Municipal Code as hitherto
5 existing be and the same is hereby repealed.

6 Section 3. That this ordinance shall take effect and be in force from and after
7 passage and publication in one issue of a daily or weekly newspaper of general circulation in the
8 City, according to law.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ____ day of _____, 2016:

Mayor

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT
for October 26, 2016 PLANNING COMMISSION MEETING

PROJECT #: Change of Zone No. 16028

PROPOSAL: From B-3 Commercial District to R-6 Residential District

LOCATION: Generally located at 2847 A Street

LAND AREA: Approximately 33,350 square feet

EXISTING ZONING: B-3 Commercial District

CONCLUSION: The proposed change of zone to the R-6 zoning district is in conformance with the intent of the 2040 Comprehensive Plan and is consistent with the zoning pattern in the area on the south side of A Street.

<u>RECOMMENDATION:</u>	Approval
-------------------------------	----------

GENERAL INFORMATION:

LEGAL DESCRIPTION: Lots 1-4, Block 2, Zehrung and Ames Addition, a Portion of "A" Street Right of way, and a portion of South 29th Street Right of Way, all located in the Northwest Quarter of Section 31, Township 10 North, Range 7 East of the 6th P.M., City of Lincoln, Lancaster County, Nebraska.

EXISTING LAND USE: Public Parking Lot

SURROUNDING LAND USE AND ZONING:

North: Park Land/Zoo; P
South: Single Family Residential; R-2
East: Bike Trail; P
West: Parking Lot/Single Family Residential; R-6

ASSOCIATED APPLICATIONS:

Comprehensive Plan Conformance No. 16005 for surplus property
Text Amendment No. 16010 to allow zoo parking in residential zoning within 360' of the Zoo
Street and Alley Vacation No. 16005 to vacate street and alley right of way
Special Permit No. 16047 for Zoo expansion parking
Waiver No. 16007 to waive parking lot surfacing

HISTORY:

The property zoning was changed from Multiple Dwelling District (D)/Commercial District (I) to R-6 Residential/B-3 Commercial with the 1979 Zoning Ordinance update.

Prior to use as a parking lot the historic use of the property was commercial, most recently A Street Antique Collectibles Mall in the early 2000s and previously United True Value Supply & Rental in the 1990s.

A demolition permit was issued in 2009 for the building which was previously on the site.

The City acquired one lot as part of the Rock Island Trail project and the other four lots from the Lincoln Parks and Recreation Foundation in 2010.

COMPREHENSIVE PLAN SPECIFICATIONS:

P. 1.2 - Preservation and enhancement of the many quality of life assets within the community continues. For a “good quality of life”, a community has more than jobs, shelter, utilities and roads - there are numerous services, education, historic, natural and cultural resources that are fundamental to enriching lives. As the population continues to become more diverse, the richness and variety of Lincoln and Lancaster County’s cultural assets will enrich the quality of life for all those living here.

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

P. 9.12 - The Lincoln Children’s Zoo is one of only five zoos in the nation dedicated to educating our youth. The Zoo’s design is tailored specifically for children. The zoo is located on city-owned land near South 27th Street and A Street, but is managed by a nonprofit organization. The zoo plans to expand its facilities and attractions to the west along A Street and also has plans for additional parking south of A Street.

ANALYSIS:

1. This is a request for a change of zone from B-3 Commercial District to R-6 Residential District. The B-3 Zoning dates back to when earlier commercial uses existed on the site prior to the demolition of the last building in 2009 and Lincoln Parks Foundation acquisition of the property in 2010.
2. This area is proposed for change of zone as a condition of the Special Permit for the Lincoln Children’s Zoo parking lot improvements on the south side of A Street. This is in conjunction with a text amendment to 27.63.170 to add zoo parking as a use that may be allowed through Special Permit when within 360 feet of the main use site. The intent of these applications together is to allow for the Zoo parking improvements while at the same time removing the commercial zoning which is no longer appropriate based on the use of the site.

3. The proposed use on this property is parking for the Zoo expansion. No buildings are proposed for this property. Parking is allowed in B-3, but it is more appropriate to have land zoned residential so that a parking lot can be reviewed and the potential impact on adjacent residences addressed.
4. It is not anticipated that this change of zone would negatively impact neighboring properties. Changing the zoning from B-3 Commercial to R-6 Residential would be more consistent with the neighborhood and while still allowing for the parking through Special Permit which is the intended use, it would remove the potential for future, more intensive commercial uses that could have greater neighborhood impact.
5. The recommended approval of associated Special Permit No. 16047 for Zoo expansion parking is conditioned upon approval of this Change of Zone application.
6. This change of zone is consistent with the zoning pattern in the area on the south side of A Street which is R-6 Residential from this location west to 27th Street.

Prepared by

George Wesselhoft, Planner
(402-441-6366, gwesselhoft@lincoln.ne.gov)

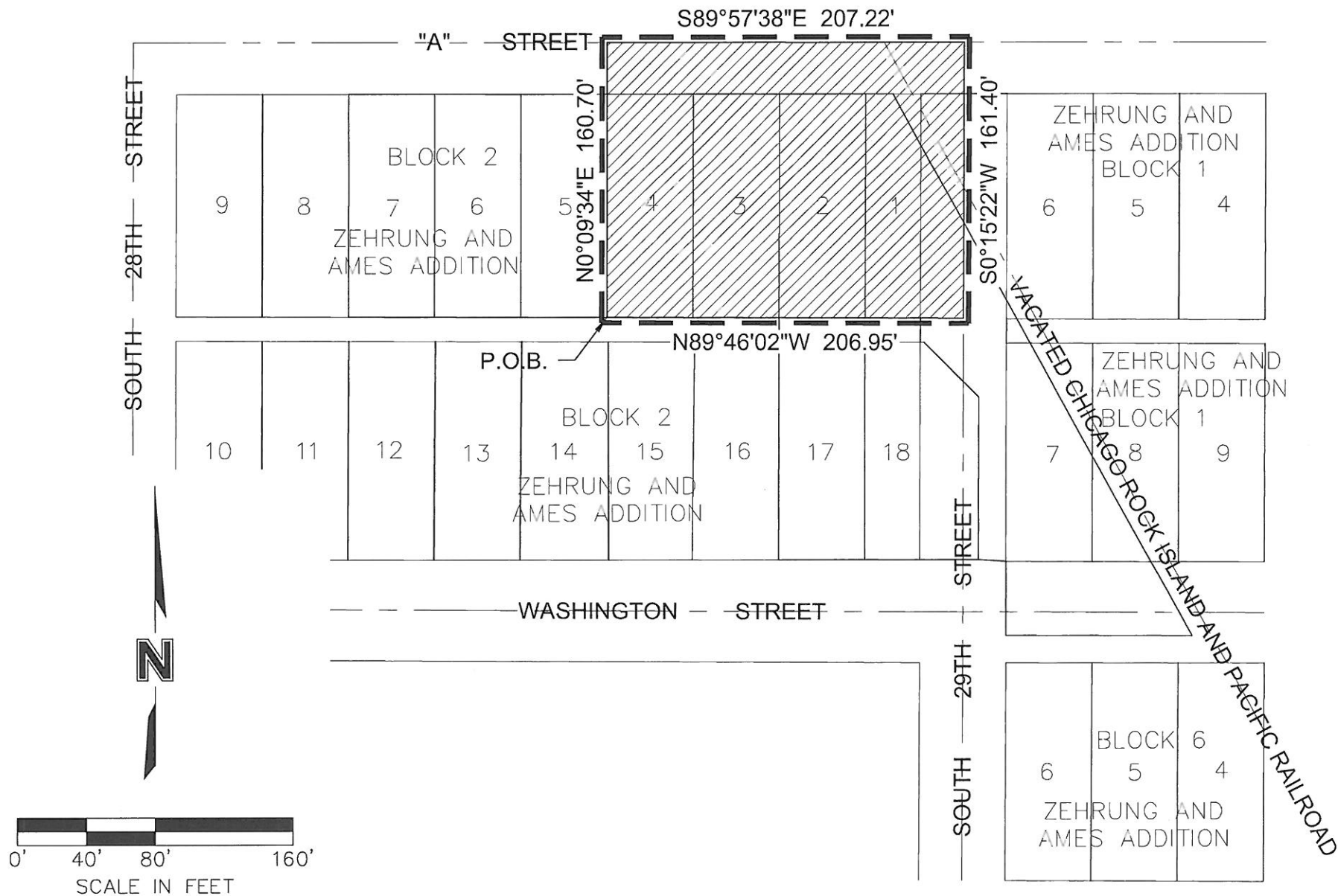
October 13, 2016

OWNER: City of Lincoln
555 S. 10th Street
Lincoln, NE 68508

**APPLICANT/
CONTACT:** City of Lincoln
Nicole Fleck-Tooze
2740 A Street
Lincoln, NE 68502

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 XREFS: V_SURVEY_160330
 USER: mjohnson



PROJECT NO:	016-0630
DRAWN BY:	MRJ
DATE:	SEPT. 8TH, 2016

CHANGE OF ZONE EXHIBIT



601 P Street, Suite 200
 P.O. Box 84608
 Lincoln, NE 68508
 TEL 402.474.6311
 FAX 402.474.5160

EXHIBIT
B

LEGAL DESCRIPTION CHANGE OF ZONE FROM B3 TO R6

A TRACT OF LAND COMPOSED OF LOTS 1 THROUGH 4, BLOCK 2, ZEHRUNG AND AMES ADDITION, A PORTION OF "A" STREET RIGHT-OF-WAY, AND A PORTION OF SOUTH 29TH STREET RIGHT-OF-WAY, ALL LOCATED IN THE NORTHWEST QUARTER OF SECTION 31, TOWNSHIP 10 NORTH, RANGE 7 EAST OF THE 6TH P.M., CITY OF LINCOLN, LANCASTER COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 4, BLOCK 2, ZEHRUNG AND AMES ADDITION; THENCE NORTHERLY ON THE WEST LINE OF SAID LOT 4, AND ON THE NORTHERLY EXTENSION OF SAID LINE, ON AN ASSUMED BEARING OF N00°09'34"E, A DISTANCE OF 160.70' TO A POINT OF INTERSECTION WITH THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 31, TOWNSHIP 10 NORTH, RANGE 7 EAST OF THE 6TH P.M.; THENCE S89°57'38"E, ON THE NORTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 207.22' TO A POINT OF INTERSECTION WITH THE CENTER LINE OF SOUTH 29TH STREET RIGHT-OF-WAY; THENCE S00°15'22"W, ON THE CENTER LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 161.40' TO A POINT OF INTERSECTION WITH THE EASTERLY EXTENSION OF THE NORTH LINE OF THE EAST-WEST ALLEY LOCATED IN BLOCK 2, ZEHRUNG AND AMES ADDITION; THENCE N89°46'02"W, ON THE EASTERLY EXTENSION OF THE NORTH LINE OF THE EAST-WEST ALLEY LOCATED IN BLOCK 2, ZEHRUNG AND AMES ADDITION, AND ON THE NORTH LINE OF SAID EAST-WEST ALLEY, SAID LINE BEING THE SOUTH LINE OF LOTS 1 THROUGH 4, BLOCK 2, ZEHRUNG AND AMES ADDITION, A DISTANCE OF 206.95' TO THE POINT OF BEGINNING, SAID TRACT CONTAINS A CALCULATED AREA 33,350.25 SQUARE FEET OR 0.77 ACRES, MORE OR LESS.

FRIDAY, SEPTEMBER 09, 2016

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DATE: Sep 09, 2016 10:38am
USER: mjkjncn

PROJECT NO: 016-0630	CHANGE OF ZONE LEGAL DESCRIPTION		601 P Street, Suite 200 P.O. Box 84608 Lincoln, NE 68508 TEL 402.474.6311 FAX 402.474.5160	EXHIBIT
DRAWN BY: MRJ				A
DATE: SEPT. 8TH, 2016				

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for October 26, 2016 PLANNING COMMISSION MEETING

- PROJECT #:** Special Permit No. 16047
- PROPOSAL:** A request per Section 27.63.170 for parking in residential zoning districts.
- LOCATION:** Generally located between A Street and Washington Street at 2847 A Street
- LAND AREA:** Approximately 1.57 acres
- EXISTING ZONING:** B-3 Commercial (to be rezoned to R-6 Residential), R-6 Residential, R-2 Residential
- CONCLUSION:** The parking lot should have minimal impact on the surrounding area with appropriate screening and will provide more off street parking for the Zoo. The reduction to the front yard setback is acceptable with the addition of street trees to mitigate the loss of green space versus Washington/S. 29th Street.

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

Waivers/modifications:

1. Reduction of Front Yard Setback at the Intersection of Washington Street and South 29th Street from 25 feet to 20 feet subject to approval of Street and Alley Vacation No. 16005.

GENERAL INFORMATION:

LEGAL DESCRIPTION: See attached.

EXISTING LAND USE: Existing Zoo surplus parking lot, existing duplex and single family home at 2823 and 2825 A Street (both owned by Opahc Properties LLC for the Zoo), South 29th Street, Washington Street and alley right of way to be vacated, single family home at 2858 Washington Street (owned by Opahc Properties LLC), vacant parcel owned by Opahc Properties LLC and vacant City owned property adjacent the bike trail.

SURROUNDING LAND USE AND ZONING:

North:	P Public	City Park Land/Zoo
South:	R-2 Residential	Duplex, Single Family Homes
East:	P Public	Bike Trail
West:	R-6 Residential/R-2 Residential	Apartments/Single Family Homes

ASSOCIATED APPLICATIONS:

Change of Zone No. 16028 from B-3 Commercial to R-6 Residential
Comprehensive Plan Conformance No. 16005 for Surplus Property
Text Amendment No. 16010 to allow zoo parking in residential zoning within 360' of the Zoo
Street and Alley Vacation No. 16005 to vacate street and alley right of way
Waiver No. 16007 to waive parking lot surfacing

COMPREHENSIVE PLAN SPECIFICATIONS:

P. 1.2 - Preservation and enhancement of the many quality of life assets within the community continues. For a "good quality of life", a community has more than jobs, shelter, utilities and roads - there are numerous services, education, historic, natural and cultural resources that are fundamental to enriching lives. As the population continues to become more diverse, the richness and variety of Lincoln and Lancaster County's cultural assets will enrich the quality of life for all those living here.

P 1.9 - This area is shown as Commercial and Urban Density Residential in the 2040 Comprehensive Plan.

P. 7.10 - Redevelopment and infill should strive for compatibility with the character of the neighborhood and adjacent uses (i.e., parking at rear, similar setback, height and land use).

P. 9.12 - The Lincoln Children's Zoo is one of only five zoos in the nation dedicated to educating our youth. The Zoo's design is tailored specifically for children. The zoo is located on city-owned land near South 27th Street and A Street, but is managed by a nonprofit organization. The zoo plans to expand its facilities and attractions to the west along A Street and also has plans for additional parking south of A Street.

UTILITIES: The area is served by existing utilities. The proposed replacement infiltration basin is located over a 24" water main. Adjustments will be needed to address cover depth over the 24" water main. There is a sanitary sewer located under the parking lot. Easements need to be retained and access to manholes considered in the design. Also, LES will need retention of all easements due to existing facilities.

TOPOGRAPHY: The existing area generally slopes from west to east. The Special Permit grading plan shows the same west to east gradual slope along A Street with modified contours in the southwestern area for the relocated infiltration basin.

TRAFFIC ANALYSIS: Access for the Zoo parking lot would continue to be off A Street, which is the present access to the overflow parking. Alley traffic would be rerouted as part of the Street and Alley Vacation through a 14' public access easement that would connect to Washington Street. Therefore, there would be no significant traffic impacts.

AESTHETIC CONDITIONS: A landscaping plan that meets Design Standards and any conditions of approval of this Special Permit will be required to be submitted before Building Permit to insure adequate screening to mitigate the impact of vehicles in proximity to residential dwellings.

ALTERNATIVE USES: Continued use of existing Zoo overflow parking on A Street and continued use of existing residential or residential redevelopment to the south and west.

ANALYSIS:

1. This is a request for a parking lot in the R-6 and R-2 Residential zoning districts for the nearby Lincoln Children's Zoo use. Parking lots are allowed in residential districts by Special Permit. The attached plan shows the entire proposed project boundary for the Zoo parking on the south side of A Street, but the portion in the P Public zoning district owned by the City of Lincoln is not in the Special Permit area.
2. The existing Zoo overflow parking lot on the south side of A Street which is part of the Special Permit boundary presently includes B-3 zoned area which will be changed to R-6 as part of associated application Change of Zone No. 16028. This existing parking lot is being declared surplus by the City and will be sold to the Zoo.
3. Associated Text Amendment No. 16010 amends current Lincoln Municipal Code by adding zoo as a use in addition to college, university or church uses that may be allowed through Special Permit to have parking on property located not more than 360 feet from the main property of the use including R-6 and R-2 zoning.
4. The Special Permit boundary includes area that is part of associated Street and Alley Vacation No. 16005 to vacate South 29th Street, part of Washington Street at South 29th Street corner and adjoining alley segment which will be part of the parking lot project area.
5. The Special Permit includes a waiver request to reduce the front yard setback from 25 feet to 20 feet for the R2 Zoning area along Washington Street. This would be the resulting setback after approval of Street and Alley Vacation No. 16005.
6. A separate Waiver from Paved Parking application (Waiver No. 16007) will be considered by City Council for the Phase 2 of the parking lot. This request will allow two years until Phase 2 would have to be paved.
7. A request for approved alternate to Chapter 28.03 has been submitted to Public Works Department for the stormwater quality. The required water quality volume is proposed to be installed offsite as a part of the Lincoln Children's Zoo expansion project with overall detention north of A Street on the main Zoo property.

8. Storm water detention is not required for the parking lot per Public Works Watershed Management. The applicant notes the increase in proposed runoff from the existing gravel parking lot and the proposed concrete parking lot is negligible and the downstream storm sewer system is sized adequately to discharge the runoff from the contributing area.
9. The existing infiltration basin located at the corner of Washington and 29th Streets will be removed and a new infiltration basin will be constructed as part of the new parking lot expansion.
10. There would be no traffic impact to the neighborhood as the new Zoo parking area would still take access via A Street with no access to either Washington Street or the adjacent alley. Landscaping required as part of the Design Standards with additional landscaping versus residential as one of the conditions of approval will provide adequate buffering.
11. The current parking lot contains approximately 60 parking stalls. The proposed new parking lot total stall count would be 145 spaces (85 more than current lot) with 103 spaces in Phase 1 and 42 spaces in Phase 2. The proposed parking lot would be set back 20 foot versus A Street in conformance with the R-6 zoning front setback. The proposed parking lot would be set back 20 feet from Washington/S. 29th Street with 5 foot waiver from the R-2 zoning front set back of 25 feet. Street trees 50 feet on center will be provided to offset the reduction in front yard setback for the parking versus Washington Street/South 29th Street.
12. Sidewalk connection to the Rock Island Trail will be provided by way of a 4' sidewalk from Washington Street. The sidewalk will be located along the far south side of the Special Permit boundary to avoid any conflict with the parking areas.

CONDITIONS OF APPROVAL:

Per Section 27.63.170 for Parking Lots this approval permits Parking in the R-6 and R-2 Residential Zoning Districts as shown on the site plan with waivers to front yard setback and storm water detention. The approval of this Special Permit is conditioned on the approval of the following associated applications: Change of Zone 16028, Text Amendment 16010, and Street and Alley Vacation No. 16005.

Site Specific Conditions:

1. Before receiving building permits or before a final plan 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 that the only two existing trees shown on the grading plan, within the boundary of the special permit, are to be preserved.
- 1.2 Revise Note #1 to state "Parking lot layout is conceptual. Any revisions to the layout will be done by administrative amendment."
- 1.3 Revise Note #3 to state that a separate waiver was requested to the City of Lincoln Parking Lot Design Standards to allow Phase 2 of the Parking Lot to be surfaced with gravel/aggregate for a period of time not to exceed two (2) years.
- 1.4 Change Note #4 to state The Proposed 14' Access Easement on Block 2, Lot 17 will be surfaced with aggregate and will receive a concrete driveway approach from 5' north of the property line to the back of curb on Washington Street.
- 1.5 Change Note #9 to A landscape screen of at least 60% from ground elevation to a height of 10 feet will be provided along the west side of Lot 17, Zehrung and Ames Addition.
- 1.6 Add note at Washington Street and S. 29th Street that measures will be taken to safely mark the new curve in the gravel street to the satisfaction of the Public Works & Utilities Department.
- 1.7 Submit Plan with corrections to the satisfaction of the Public Works - Engineering Services Division.
- 1.8 Submit Plan with corrections and information to the satisfaction of the Public Works & Utilities - Watershed Management Division.
- 1.9 Submit Plan with corrections to the satisfaction of the Public Works & Utilities - Water Division concerning Replacement Infiltration Basin over 24" water main.
- 1.10 Submit Plan with corrections to the satisfaction of the Public Works & Utilities - Wastewater Division concerning sanitary sewer. Easements need to be retained and access to manholes considered in the design for existing sanitary sewer that is located under the parking lot.
- 1.11 Submit Plan with corrections to the satisfaction of the Lincoln Electric System concerning easements that are needed for facilities.
- 1.12 Submit screening and landscaping plan that meets Design Standards to the satisfaction of the Planning Director and Parks & Recreation Department. This plan shall include street trees 50 feet on center to offset the reduction

in front yard setback for the parking versus Washington Street/South 29th Street. Also, this plan shall include where adjacent to residential use, a screen evenly distributed horizontally, which may vary in height, so as to screen at least sixty percent (60%) of the surface area of a vertical plane extending along the length of the abutting property line and from the ground elevation to a height of ten feet (10') above the adjacent ground elevation.

- 1.13 Submit final Site Plan with the updated legal description.
2. Before receiving building permits provide the following documents to the Planning Department:
 - 2.1 Verification from the Register of Deeds that the letter of acceptance as required by the approval of the special permit has been recorded.
3. Prior to the issuance of a building permit:
 - 3.1 The construction plans must substantially comply with the approved plans.

Standard Conditions:

4. The following conditions are applicable to all requests:
 - 4.1 All privately-owned improvements, including landscaping shall be permanently maintained by the Permittee or an appropriately established association approved by the City.
 - 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, filling fees therefor to be paid in advance by the applicant. Building permits will not be issued unless the letter of acceptance has been filed.

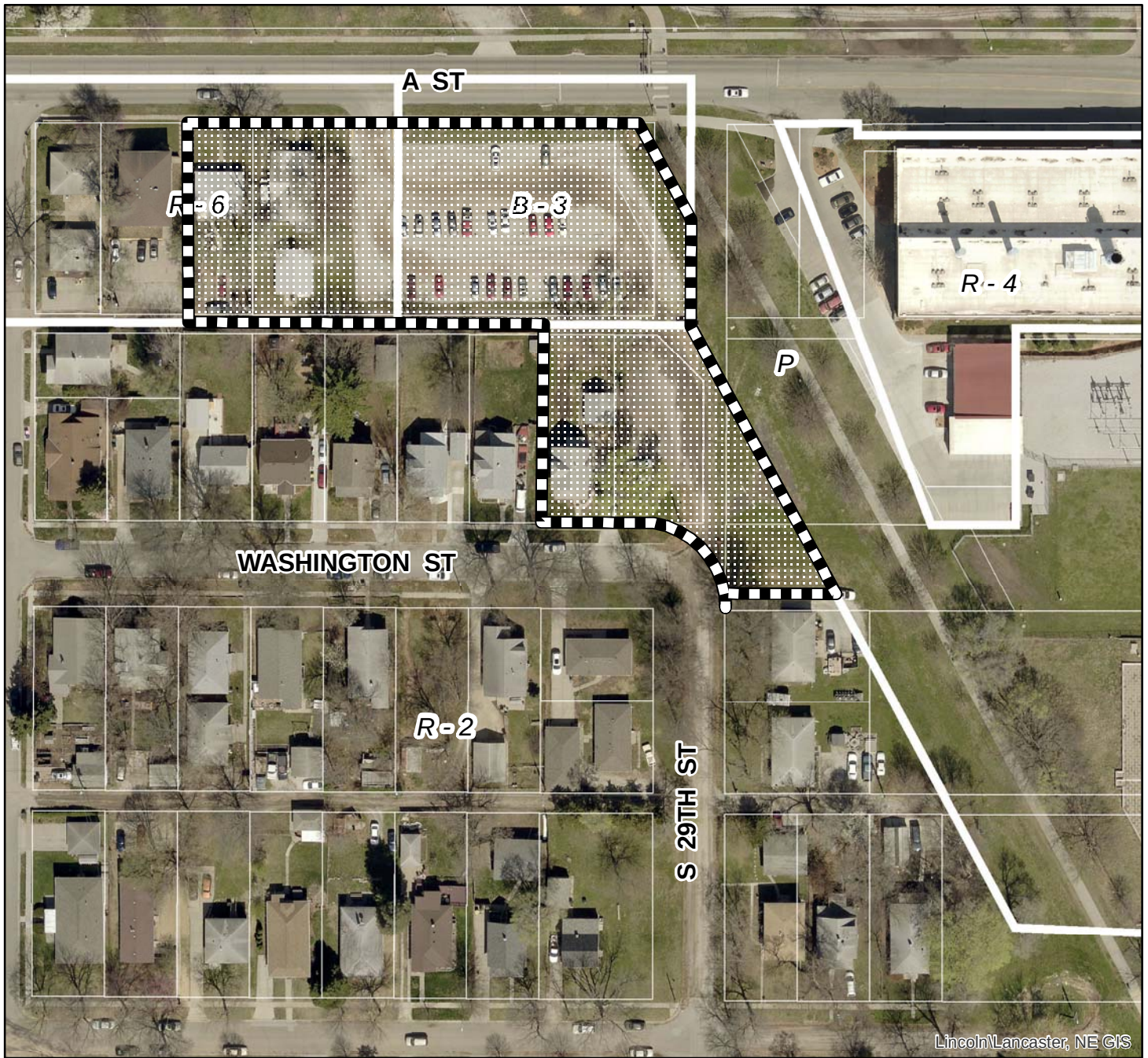
Prepared by

George Wesselhoft, Planner
(402-441-6366, gwesselhoft@lincoln.ne.gov)
October 13, 2016

OWNER: Opahc Properties, LLC
1222 South 27th Street
Lincoln, NE 68502

**APPLICANT/
CONTACT:** Thomas C. Huston
233 S. 13th Street, Suite 1900
Lincoln, NE 68508

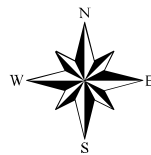
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Lincoln Lancaster, NE GIS

2016 aerial

Special Permit #: SP16047 **Lincoln Children's Zoo** **S 27th St & A St**

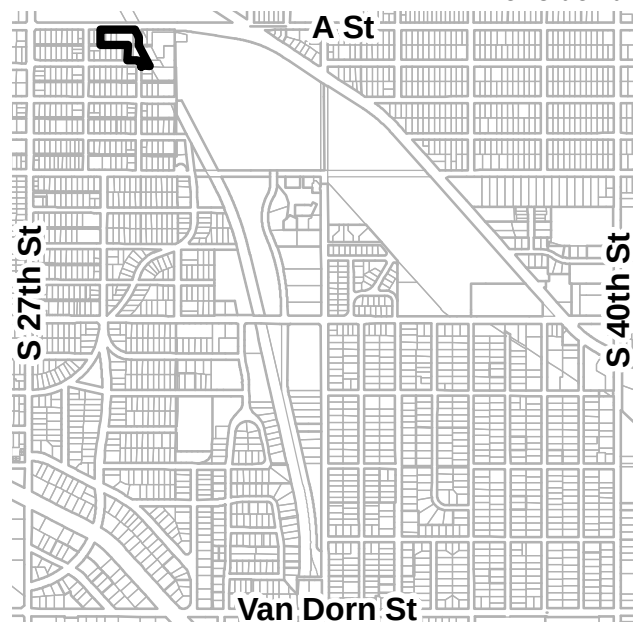
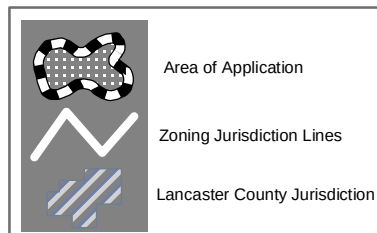


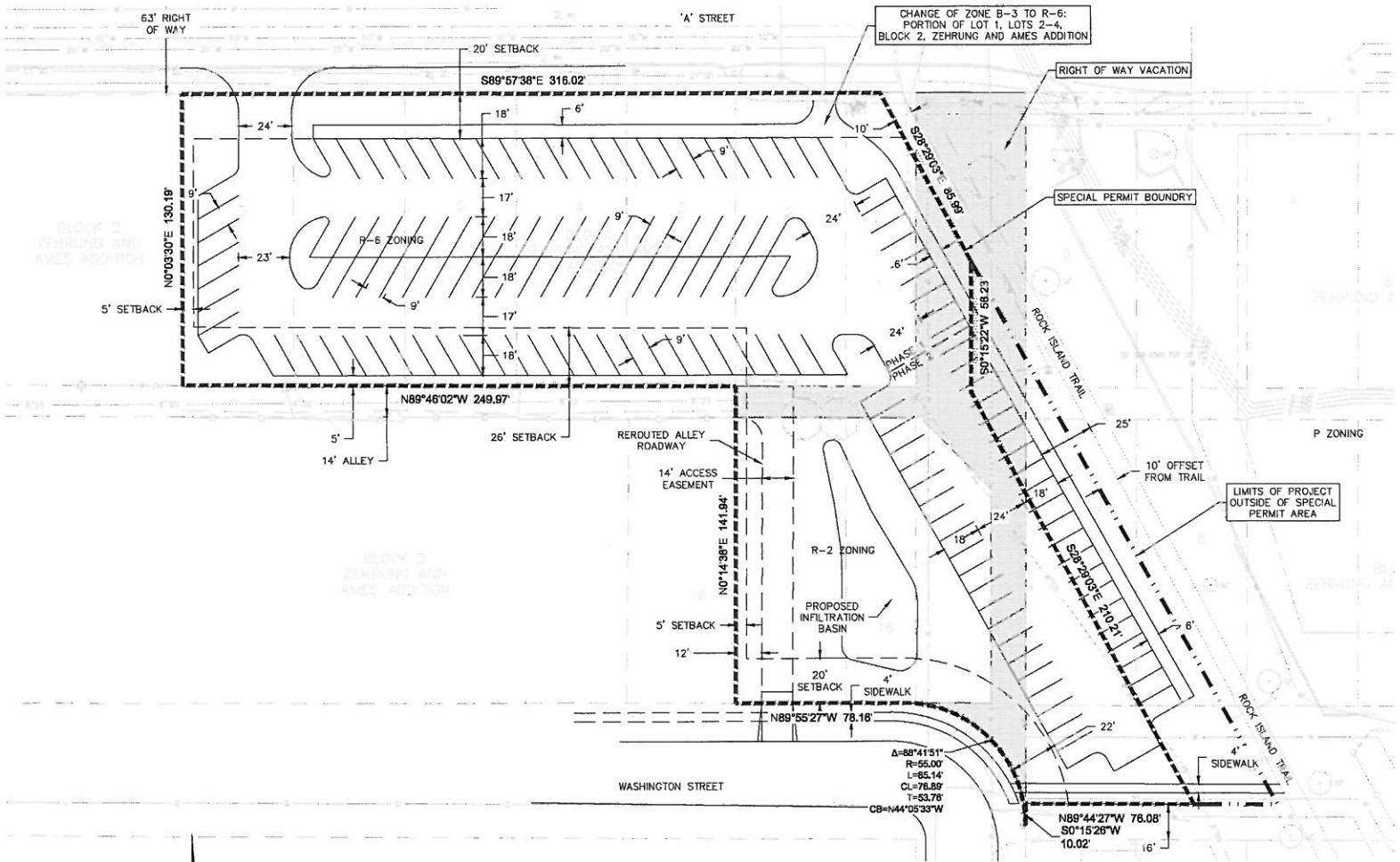
Zoning:

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

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One Square Mile:
Sec.31 T10N R07E





GENERAL NOTES

1. PARKING LAYOUT IS CONCEPTUAL AND WILL BE FINALIZED AT TIME OF SUBMITTAL FOR PARKING LOT PERMIT AT BUILDING AND SAFETY. PARKING LOT WILL BE DESIGNED IN ACCORDANCE WITH CITY OF LINCOLN DESIGN STANDARDS.
2. A WAIVER IS REQUESTED TO REDUCE THE FRONT YARD SETBACK OF WASHINGTON STREET AND S. 29TH STREET TO 20'.
3. A WAIVER IS REQUESTED TO THE CITY OF LINCOLN PARKING LOT DESIGN STANDARDS TO ALLOW PHASE 2 OF THE PARKING LOT TO BE SURFACED WITH GRAVEL/AGGREGATE FOR A PERIOD OF TIME NOT TO EXCEED TWO (2) YEARS.
4. THE PROPOSED 14' ACCESS EASEMENT ON BLOCK 2, LOT 17 WILL BE SURFACED WITH AGGREGATE AND WILL RECEIVE A CONCRETE DRIVEWAY APPROACH FROM 5' OUTSIDE THE PROPERTY LINE TO BACK OF CURB ON WASHINGTON STREET.
5. THE EXISTING INFILTRATION BASIN LOCATED AT THE CORNER OF WASHINGTON AND 29TH STREET WILL BE REMOVED AND A NEW INFILTRATION BASIN WILL BE CONSTRUCTED. THE INFILTRATION BASIN SHALL MATCH THE ORIGINAL DESIGN INTENT AS SHOWN ON CONSTRUCTION PLANS TITLED "ACP-04: ANTELOPE PARK, CITY PROJECT NO. 701585, DATED MAY 2013."
6. A REQUEST FOR APPROVED ALTERNATE TO CHAPTER 28.03 OF THE REGULATIONS OF POST CONSTRUCTION STORMWATER MANAGEMENT HAS BEEN SUBMITTED FOR THE STORMWATER QUALITY BEST MANAGEMENT PRACTICES ASSOCIATED WITH THE PARKING LOT. THE REQUIRED WATER QUALITY VOLUME IS PROPOSED TO BE INSTALLED OFFSITE AS A PART OF THE LINCOLN CHILDREN'S ZOO EXPANSION PROJECT. WATER QUALITY DESIGN AND REQUIRED TREATMENT VOLUME WILL BE IN ACCORDANCE WITH CHAPTER 8 OF THE DRAINAGE CRITERIA MANUAL AND WILL BE SUBMITTED AT THE TIME OF BUILDING AND SAFETY PERMIT.
7. A WAIVER IS REQUESTED TO CHAPTER SIX (6) OF THE DRAINAGE CRITERIA MANUAL TO ELIMINATE THE STORMWATER DETENTION REQUIREMENTS FOR THE PARKING LOT. THE INCREASE IN PROPOSED RUNOFF FROM THE EXISTING GRAVEL PARKING LOT AND THE PROPOSED CONCRETE PARKING LOT IS NEGLIGIBLE AND THE DOWNSTREAM STORM SEWER SYSTEM IS SIZED ADEQUATELY TO DISCHARGE THE RUNOFF FROM THE CONTRIBUTING AREA.
8. LANDSCAPING WILL BE PROVIDED IN ACCORDANCE WITH CITY OF LINCOLN PARKING LOT DESIGN STANDARDS FOR SCREENING. A LANDSCAPE PLAN WILL BE PROVIDED AT THE TIME OF BUILDING PERMIT FOR THE PARKING LOT CONSTRUCTION.
9. LANDSCAPE BUFFER WILL BE PROVIDED ON WEST SIDE OF ACCESS EASEMENT ON LOT 17, ZEHRUNG AND AMES ADDITION.

**LEGAL DESCRIPTION
SPECIAL PERMIT**

A TRACT OF LAND COMPOSED OF A PORTION OF LOT 1, BLOCK 2, ZEHRUNG AND AMES ADDITION, LOTS 2 THROUGH 6, BLOCK 2, ZEHRUNG AND AMES ADDITION, THE EAST 45.00' OF LOT 7, BLOCK 2, ZEHRUNG AND AMES ADDITION, AND LOTS 17 AND 18, BLOCK 2, ZEHRUNG AND AMES ADDITION, A PORTION OF LOTS 7 AND 8, BLOCK 1, ZEHRUNG AND AMES ADDITION, AND, A PORTION OF EAST-WEST ALLEY IN BLOCK 2, ZEHRUNG AND AMES ADDITION, A PORTION OF SOUTH 29TH STREET RIGHT-OF-WAY, AND A PORTION OF VACATED WASHINGTON STREET RIGHT-OF-WAY, ALL LOCATED IN THE NORTHWEST QUARTER OF SECTION 31, TOWNSHIP 10 NORTH, RANGE 7 EAST OF THE 6TH P.M., CITY OF LINCOLN, LANCASTER COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 7, BLOCK 2, ZEHRUNG AND AMES ADDITION, SAID POINT BEING ON THE SOUTH RIGHT-OF-WAY LINE OF "A" STREET, SAID POINT BEING 30.00' SOUTH OF THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 31, TOWNSHIP 10 NORTH, RANGE 7 EAST OF THE 6TH P.M., THENCE EASTERLY ON THE NORTH LINE OF SAID LOT 7, SAID LINE BEING THE SOUTH LINE OF SAID RIGHT-OF-WAY, SAID LINE ALSO BEING 30.00' SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID NORTHWEST QUARTER, ON AN ASSUMED BEARING OF S89°57'38"E, A DISTANCE OF 5.00' TO A POINT OF INTERSECTION WITH THE WEST LINE OF A TRACT OF LAND DESCRIBED IN CORPORATION WARRANTY DEED, FILED LANCASTER COUNTY REGISTER OF DEEDS, INSTRUMENT NUMBER 1997-027331, SAID POINT BEING **THE TRUE POINT OF BEGINNING**; THENCE CONTINUING S89°57'38"E ON THE NORTH LINE OF SAID LOT 7, AND ON THE NORTH LINE OF LOTS 6 THROUGH 1, BLOCK 2, ZEHRUNG AND AMES ADDITION, SAID LINE BEING THE SOUTH LINE OF SAID RIGHT-OF-WAY, SAID LINE ALSO BEING 30.00' SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 311.03' TO A POINT LOCATED 10.00' WEST OF AND PERPENDICULAR TO THE CENTER LINE OF THE VACATED CHICAGO, ROCK ISLAND AND PACIFIC RAILROAD RIGHT-OF-WAY; THENCE S28°29'03"E, ON A LINE LOCATED 10.00' WEST OF AND PARALLEL WITH THE CENTERLINE OF SAID VACATED RAILROAD RIGHT-OF-WAY, A DISTANCE OF 85.99' TO A POINT OF INTERSECTION WITH THE CENTER LINE OF NORTH 29TH STREET RIGHT-OF-WAY; THENCE S00°15'22"W, ON THE CENTER LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 58.32' TO POINT LOCATED 28' WEST OF AND PERPENDICULAR TO THE CENTER LINE OF THE VACATED CHICAGO, ROCK ISLAND AND PACIFIC RAILROAD RIGHT-OF-WAY; THENCE S28°29'03"E, ON A LINE LOCATED 28.00' WEST OF AND PARALLEL WITH THE CENTERLINE OF SAID VACATED RAILROAD RIGHT-OF-WAY, A DISTANCE OF 210.21' TO A POINT OF INTERSECTION WITH A LINE LOCATED 16.00' NORTH OF AND PERPENDICULAR TO THE SOUTH RIGHT-OF-WAY LINE OF VACATED WASHINGTON STREET; THENCE N89°44'27"W, ON A LINE LOCATED 16.00' NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID VACATED RIGHT-OF-WAY, A DISTANCE OF 76.08' TO A POINT OF INTERSECTION WITH THE EAST RIGHT-OF-WAY LINE OF SOUTH 29TH STREET; THENCE S00°15'26"W, ON THE EAST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 10.02' TO A POINT OF CURVATURE FOR A NON-TANGENT CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A CENTRAL

ANGLE OF $88^{\circ}41'51''$, A RADIUS OF 55.00', AN ARC LENGTH OF 85.14', A CHORD LENGTH OF 76.89', A TANGENT LENGTH OF 53.76', AND A CHORD BEARING OF $N44^{\circ}05'33''W$ TO A POINT OF INTERSECTION WITH THE NORTH RIGHT-OF-WAY LINE OF WASHINGTON STREET, SAID POINT BEING ON THE SOUTH LINE OF LOT 18, BLOCK 2, ZEHRUNG AND AMES ADDITION; THENCE $N89^{\circ}55'27''W$, ON THE NORTH RIGHT-OF-WAY LINE OF WASHINGTON STREET, SAID LINE BEING ON THE SOUTH LINE OF LOTS 17 AND 18, BLOCK 2, ZEHRUNG AND AMES ADDITION, AND ON THE EASTERLY EXTENSION OF SAID LINE, A DISTANCE OF 78.16' TO THE SOUTHWEST CORNER OF SAID LOT 17; THENCE $N00^{\circ}14'38''E$, ON THE WEST LINE OF SAID LOT 17, AND ON A NORTHERLY EXTENSION OF SAID LINE, A DISTANCE OF 141.94' TO A POINT OF INTERSECTION WITH THE NORTH LINE OF THE EAST-WEST ALLEY LOCATED IN BLOCK 2, ZEHRUNG AND AMES ADDITION; THENCE $N89^{\circ}46'02''W$, ON THE NORTH LINE OF SAID EAST-WEST ALLEY, SAID LINE BEING THE SOUTH LINE OF LOTS 3 THROUGH 7, BLOCK 2, ZEHRUNG AND AMES ADDITION, A DISTANCE OF 245.13' TO A POINT OF INTERSECTION WITH THE WEST LINE OF A TRACT OF LAND DESCRIBED IN CORPORATION WARRANTY DEED, FILED LANCASTER COUNTY REGISTER OF DEEDS, INSTRUMENT NUMBER 1997-027331; THENCE $N00^{\circ}07'25''E$, ON THE WEST LINE OF A TRACT OF LAND DESCRIBED IN CORPORATION WARRANTY DEED, FILED LANCASTER COUNTY REGISTER OF DEEDS, INSTRUMENT NUMBER 1997-027331, A DISTANCE OF 130.21' TO THE POINT OF BEGINNING, SAID TRACT CONTAINS A CALCULATED AREA 69,510.94 SQUARE FEET OR 1.57 ACRES, MORE OR LESS.

Wednesday, October 12, 2016

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L. BRUCE WRIGHT
JAMES M. BAUSCH
ROBERT J. ROUTH
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STEPHEN H. NELSEN
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SCOTT D. KELLY
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CLINE WILLIAMS
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September 14, 2016

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VIA HAND DELIVERY

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

Re: Lincoln Children's Zoo Parking Lot Expansion Project
Our File No.: 20275.002

Dear Mr. Cary:

This firm represents the Lincoln Children's Zoo (the "Zoo") which proposes to expand its zoo and consequently, needs to construct an additional parking lot located between "A" Street and Washington Street at the 29th Street right-of-way (the "Project"). While the main expansion for the Zoo will be north of "A" Street, additional parking is needed south of "A" Street for staff, Zoo School, and overflow visitor parking. The Zoo is working together with the City of Lincoln and the Lincoln Parks and Recreation Department in furtherance of the Project. The three parties worked together on preparing the various requests below.

A. The Project

The zoo expansion project involves creating a new entrance, expanded exhibition space, and a new home for the zoo/science school in which the zoo partners with LPS. To accommodate the growth north of "A" Street, the Project will include constructing an additional parking lot south of "A" Street. The Zoo seeks approval of: (a) a text amendment to the LMC § 27.63.170(a)(2) to insert the word "zoo"; (b) in order to utilize the proposed text amendment, the Zoo and the City of Lincoln request a change of zone for those underlying parcels currently in the B-3 commercial district and P public district to the R-6 residential district so that each underlying parcel is either zoned R-6 residential district or R-2 residential district; (c) following the change of zone, the Zoo seeks a special permit under LMC § 27.63.170(a)(2) as amended, to allow the parking use in the R-6 residential district;

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

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

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

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

and (d) the abutting landowners request the City to vacate a portion of the East-West alley between "A" Street and Washington Street and the 29th Street right-of-way between "A" Street and Washington Street. Each request is further discussed below.

B. Text Amendment

LMC § 27.63.170(a)(2), currently allows parking lots by special permit when the parking lot is located no more than 360 feet from property occupied by a "college, university, or church" and the parking lot is used primarily in connection with said "college, university, or church." The Zoo requests to amend LMC § 27.63.170(a)(2) by inserting "zoo, " immediately before the word "college" as it appears in said section, thereby allowing parking lots in a residential zone by special permit when the parking lot is located no more than 360 feet from a zoo and the parking lot is used primarily in connection with said zoo.

C. Change of Zone

In order to utilize the proposed text amendment discussed in Section B above, the Zoo and the City of Lincoln request the zoning map be amended to collectively change the zoning designation of those underlying parcels currently in the B-3 commercial district and the P public district to the R-6 residential district. Accordingly, the underlying parcels will either be in the R-2 residential district or the R-6 residential district. The requested change of zone will ensure that the amended LMC § 27.63.170(a)(2) applies to all the parcels upon which the Project will be located.

D. Special Permit

The Zoo seeks a special permit to construct an additional parking lot to primarily serve the Zoo, as permitted by the proposed amended LMC § 27.63.170(a)(2). The requested special permit and the additional parking lot will allow the Zoo to address its increasing demand for parking caused by the expanded zoo project north of "A" Street.

E. Street and Alley Vacation

The proposed parking lot is located upon a portion of the East-West alley located between "A" Street and Washington Street and upon the 29th Street right-of-way located between "A" Street and Washington Street. Accordingly, Opahc Properties, LLC and the City of Lincoln, as the abutting landowners, request the City to vacate said alley and right-of-way. The Zoo intends to purchase from the City the vacated portion of the East-West.

F. Waivers

The Zoo further requests the following waivers in connection with the Project:

- a. The Zoo requests a waiver of the front yard setback requirements, as there is sufficient distance between the parking stalls and the Washington Street and 29th Street intersection. This waiver will be included within the requested Special Permit; and
- b. The Zoo requests a waiver of Chapter 6 of the Drainage Criteria Manual to eliminate the storm water detention requirements for the parking lot, as the increase in storm water flows will be negligible and the downstream storm sewer system is sized adequately to discharge the runoff from the contributing area. Additionally, the existing infiltration basin located at the corner of Washington Street and 29th Street will be removed and a new infiltration basin will be constructed in accordance with the original design intent as shown on the construction plans titled "ACP-04: Antelope Park, City Project No. 701585" and dated May 2013.
- c. The Zoo requests a waiver to the Parking Lot Design Standards to allow Phase 2 of the parking lot to be surfaced with gravel/aggregate for a period of time not to exceed five years from the date the Zoo receives a parking lot permit for Phase 2.
- d. The Zoo requests a waiver of the requirement to install hard surfacing on the existing alley which abuts the special permit boundaries. Instead, the Project will include the installation of gravel/aggregate on the proposed fourteen-foot access easement on Block 2, Lot 17 of the Special Permit.

G. Requests for Approved Alternative

In regards to the City of Lincoln's storm water quality requirements, the Zoo submits a Request for Approved Alternative for the Project. The required water quality volume is proposed to be installed offsite as a part of the Zoo's expansion project north of "A" Street, and such water quality design and required treatment volume will be in accordance with Chapter 8 of the Drainage Criteria Manual. The Request for Approved Alternative to Chapter 28.03 and the Water Quality Control Form are enclosed with this delivery.

H. Separately Submitted Applications

In addition to the various items discussed above, an application to approve the local landmark designation for the Ager building and an application for a surplus

September 14, 2016

Page 4

property declaration have been previously submitted. Said applications are a part of the overall Project and the Zoo requests that they be considered along with the various requests discussed herein and included in the enclosed application.

I. Enclosures

Enclosed with this delivery are the following items:

- a. Application Request Form which requests: (1) the text amendment to LMC § 27.63.170(a)(2); (2) the change of zone; (3) the parking lot special permit; and (4) the street and alley vacation.
- b. Site Plan as required by the City of Lincoln application. The electronic version will be uploaded to the ProjectDox registry.
- c. Petition to Vacate Public Way and Information Sheet signed by Opahc Properties, LLC, an affiliate of the Lincoln Children's Zoo, as owner of a portion of the abutting parcels.
- d. Petition to Vacate Public Way and Information Sheet to be signed by the City of Lincoln, as owner of a portion of the abutting parcels.
- e. The Request for Approved Alternative to Chapter 28.03 Form and the Water Quality Control Form pursuant to Chapter 8 of the Drainage Criteria Manual.
- f. Application Fee in the total amount of \$1,122.00, as provided in separate checks for the following:
 - i. \$792.00 for the special permit application fee; and
 - ii. \$330.00 for the surfaced parking waiver fee.

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

Sincerely,


Thomas C. Huston
For the Firm

Enclosures

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT
for October 26, 2016 PLANNING COMMISSION MEETING

PROJECT #: Street and Alley Vacation No. 16005

PROPOSAL: Vacate a portion of South 29th Street right-of-way between the south right-of-way line of A Street and the north right-of-way line of Washington Street, a portion of the East-West Alley located in Block 2, Zehrung and Ames Addition, and a portion of Washington Street right-of-way.

LOCATION: Between A Street and Washington Street

LAND AREA: Approximately 11,624 square feet

CONCLUSION: Vacation of the public rights-of-way will not negatively impact the transportation system and will further accommodate the Lincoln Children's Zoo parking lot expansion plans on the south side of A Street. Subject to the conditions of approval, this request is in conformance with the Comprehensive Plan. Utility easements will be required for the water and wastewater mains and for existing LES facilities located within the area of the right of way to be vacated.

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

GENERAL INFORMATION:

LEGAL DESCRIPTION: See Attached

SURROUNDING LAND USE AND ZONING:

North:	B-3 Commercial/P Public	Parking Lot/Bike Trail
South:	R-2 Residential	Single Family Homes
East:	R-2 Residential/P Public	Bike Trail
West:	R-2 Residential	Single Family Homes

ASSOCIATED APPLICATIONS:

Change of Zone No. 16028 from B-3 Commercial to R-6 Residential
Comprehensive Plan Conformance No. 16005 for surplus property
Text Amendment No. 16010 to allow zoo parking in residential zoning within 360' of the Zoo
Special Permit No. 16047 for Zoo expansion parking
Waiver No. 16007 to waive parking lot surfacing

COMPREHENSIVE PLAN SPECIFICATIONS:

P. 1.2 - Preservation and enhancement of the many quality of life assets within the community continues. For a "good quality of life", a community has more than jobs, shelter, utilities and roads - there are numerous services, education, historic, natural and cultural resources that are fundamental to enriching lives. As the population continues to become more diverse, the richness and variety of Lincoln and Lancaster County's cultural assets will enrich the quality of life for all those living here.

P 7.11 - Strategy for existing neighborhoods: maintain existing pattern of streets for connectivity.

P 9.12 - The Lincoln Children's Zoo is one of only five zoos in the nation dedicated to educating our youth. The Zoo's design is tailored specifically for children. The zoo is located on city-owned land near South 27th Street and A Street, but is managed by a nonprofit organization. The zoo plans to expand its facilities and attractions to the west along A Street and also has plans for additional parking south of A Street.

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

P. 10.15 - South 29th Street is not shown on the Functional Street and Road Classification plan. Local streets and alleys are not included in the functional classification.

UTILITIES:

Utilities and easements currently located in the existing right-of-way will need to be addressed. Utility easements will be required for the water and waste water mains located within the area of the vacated right of way. Also, LES will need retention of all easements due to existing facilities.

TRAFFIC ANALYSIS:

The right of way of South 29th Street to be vacated is not an improved street and therefore traffic flow in the area will not be negatively affected by the vacation. The alley traffic would still be accommodated through access easement proposed as part of Special Permit No. 16047 for the Zoo parking expansion that would extend from the new alley right of way terminus to the Washington Street right of way.

ANALYSIS:

1. This is a request to vacate the South 29th Street right-of-way between the south right of way line of A Street and the north right-of-way line of Washington Street and adjoining alley right of way adjacent Lots 1,2, 17 and 18 of Block 2, Zehrung and Ames Addition. The area to be vacated includes 11,624 square feet.
2. South 29th Street is classified as a local street in the 2040 Comprehensive Plan.

3. Adjoining property owners include the City of Lincoln and Opahc Properties LLC for the Lincoln Children's Zoo.
4. The 2040 Comprehensive Plan promotes an efficient transportation system that allows people to move from place to place in as direct a route as possible in order to reduce the amount of time spent on travel, the distance that must be traveled, and the amount of time spent in congested traffic. The Comprehensive Plan states that the street network in existing neighborhoods should be maintained to provide connectivity. This vacation will not negatively affect connectivity as the South 29th Street right of way is not an improved street and the alley traffic will still be accommodate through access easement to Washington Street.
5. Chapter 26.23.130 of the Lincoln Municipal Code (LMC) provides standards regarding block length. Block length is determined by measuring the perimeter of the block and dividing by two. In this case, block length will not be affected because the South 29th Street right of way to be vacated is not currently a through street.
6. The 2040 Comprehensive Plan (p 9.12) supports the expansion of the Lincoln Children's Zoo and specifically notes the Zoo plans to expand its facilities and attractions to the west along A Street and also plans for additional parking south of A Street.
7. Pedestrian circulation through the neighborhood would not be negatively affected as the subject South 29th Street right of way is not an improved street and no sidewalks or trails would be removed as part of the vacation. As part of the Special Permit No. 16047 for the Zoo parking a 4' sidewalk would connect from Washington Street to the Rock Island Trail.
8. The right of way vacation would allow for the proposed expansion of the Lincoln Children's Zoo parking on the south side of A Street. The approval of this right of way vacation would be a condition of the approval of the Special Permit No. 16047 for said parking.
9. The area to be vacated currently includes a small part of the existing Zoo overflow parking on the South side of A Street along with part of the area where the bike trail is located.
10. The Zoo is only proposing to purchase the east-west alley portion between A and Washington Streets while the remaining vacated right of way area would just be leased from the City.
11. Lincoln Municipal Code Chapter 14.20 requires the City to establish the proper price to be paid for the right-of-way, as well as any amounts necessary to guarantee required reconstruction within the right-of-way. These values must be

established and deposited with the City Clerk prior to scheduling the vacation request with the City Council. In this case, Urban Development-Real Estate indicates no additional value will be placed on the vacation, which the sale and lease aspects of the vacated right of way would be established through separate agreement approval by City Council.

BEFORE DEED TRANSFER THE FOLLOWING MUST BE COMPLETED:

- 2.1 Submit a utility plan that addresses existing utilities and easements to the satisfaction of a) Public Works and Utilities -Water, b) Public Works and Utilities - Wastewater, and c) LES for electric facilities.
- 2.2 Include retention of utility easements by City with deed transfer.

Prepared by

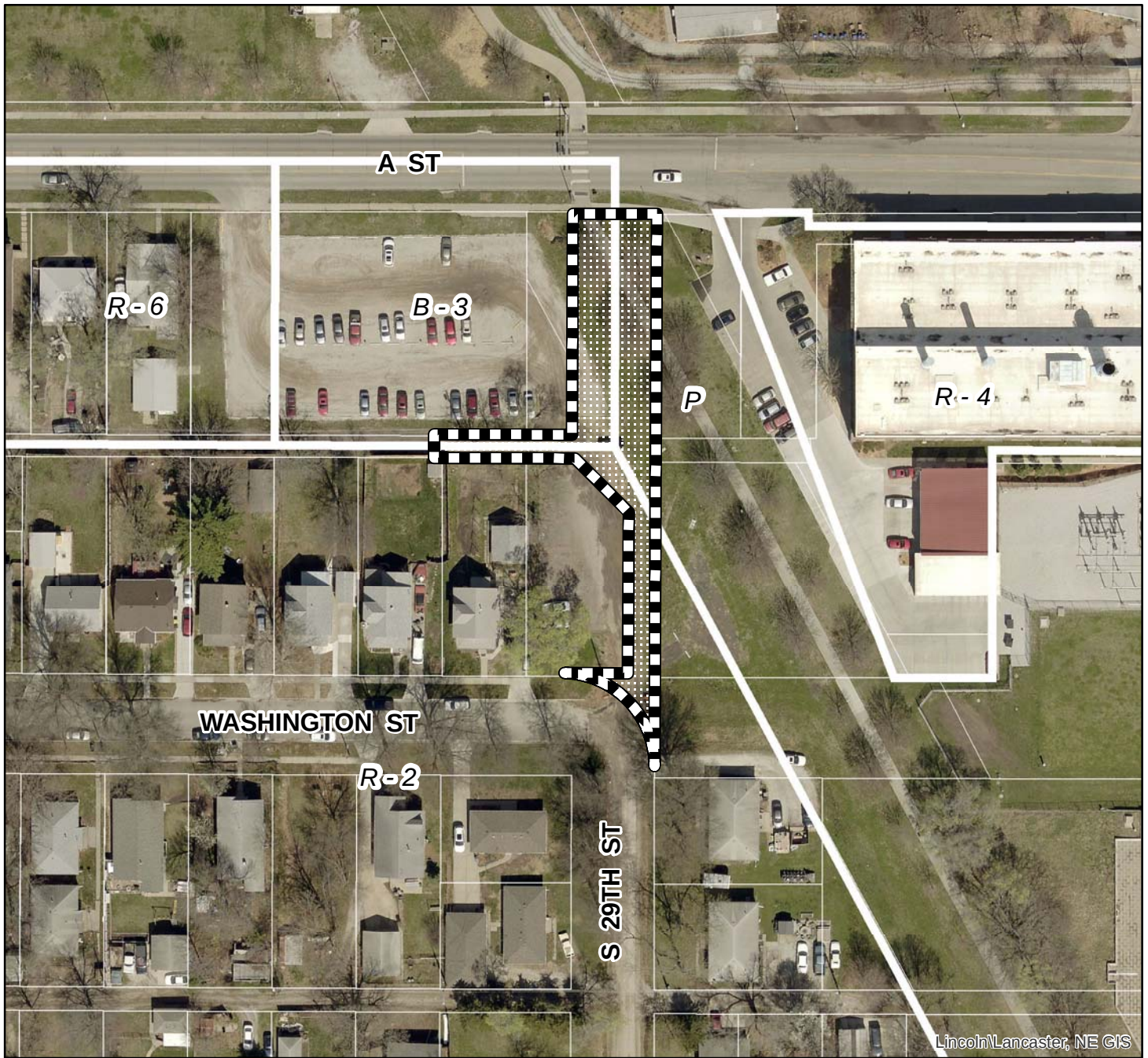
George Wesselhoft, Planner
(402-441-6366, gwesselhoft@lincoln.ne.gov)

October 13, 2016

OWNER: City of Lincoln
555 S. 10th Street
Lincoln, NE 68508

**APPLICANT/
CONTACT:** City of Lincoln
Nicole Fleck-Tooze
2740 A Street
Lincoln, NE 68502

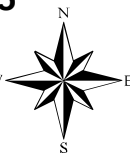
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Lincoln/Lancaster, NE GIS

2016 aerial

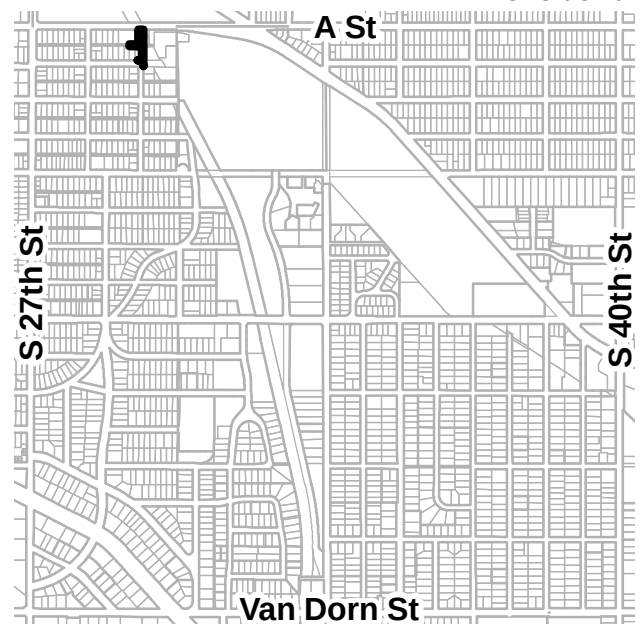
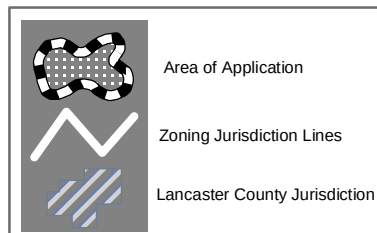
Street and Alley Vacation #: SAV16005
Lincoln Children's Zoo
S 29th Street - Washington to A Street



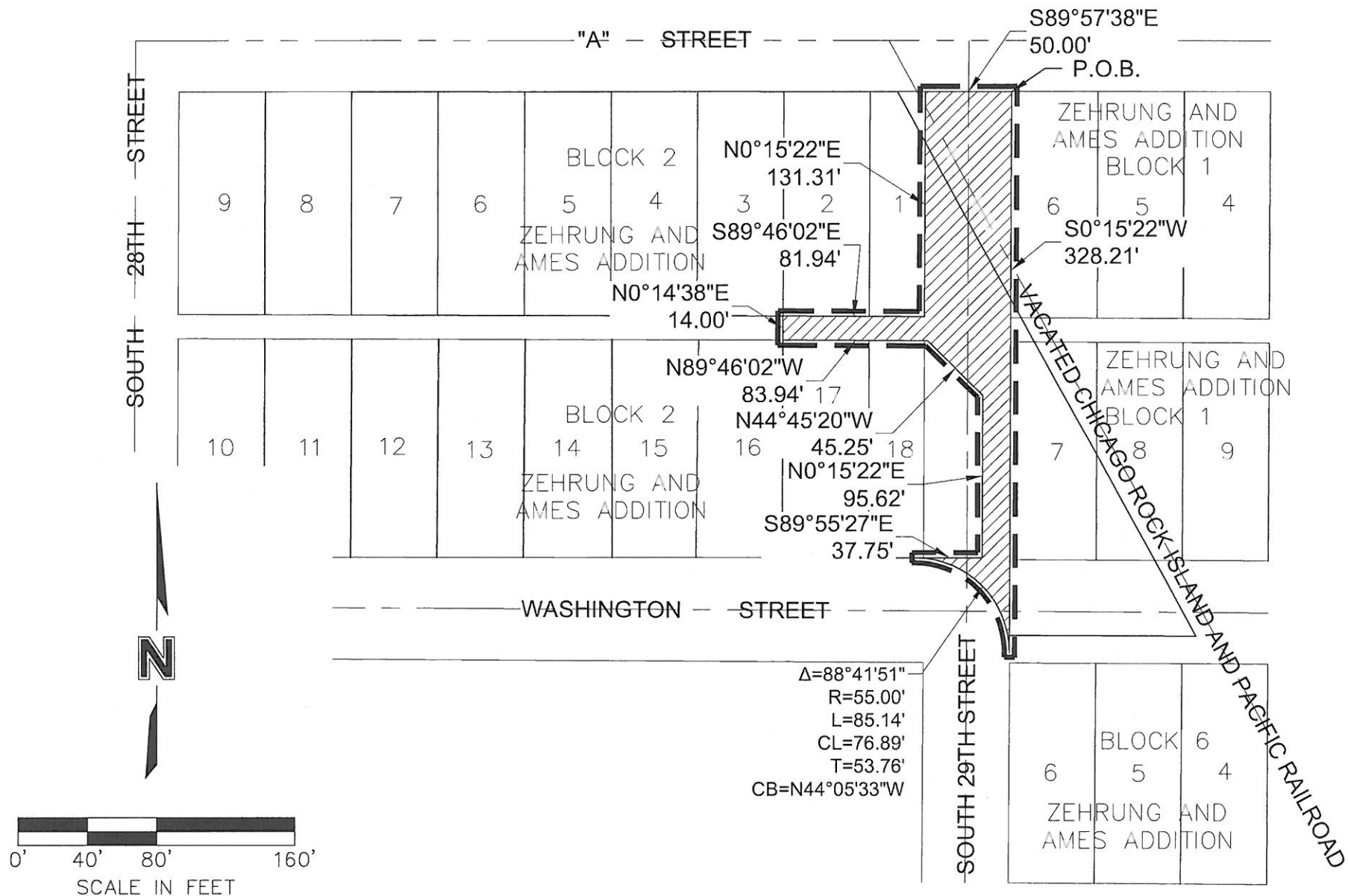
Zoning:

- 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.31 T10N R07E



DWG: F:\2016\0501-1000\016-0630\40-Design\Survey\016-0630 ROW Vacation.dwg
 DATE: Oct 05, 2016 11:42am
 USER: mjohnson



PROJECT NO: 016-0630
 DRAWN BY: MRJ
 DATE: SEPT. 30TH, 2016

RIGHT-OF-WAY VACATION EXHIBIT

MOLSSON
 ASSOCIATES

601 P Street, Suite 200
 P.O. Box 84608
 Lincoln, NE 68508
 TEL 402.474.6311
 FAX 402.474.5160

EXHIBIT

B

LEGAL DESCRIPTION RIGHT-OF-WAY VACATION

A TRACT OF LAND COMPOSED OF A PORTION OF SOUTH 29TH STREET RIGHT-OF-WAY, A PORTION OF THE EAST-WEST ALLEY LOCATED IN BLOCK 2, ZEHRUNG AND AMES ADDITION, AND A PORTION OF WASHINGTON STREET RIGHT-OF-WAY, ALL LOCATED IN THE NORTHWEST QUARTER OF SECTION 31, TOWNSHIP 10 NORTH, RANGE 7 EAST OF THE 6TH P.M., CITY OF LINCOLN, LANCASTER COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 6, BLOCK 1, ZEHRUNG AND AMES ADDITION, SAID POINT BEING ON THE SOUTH RIGHT-OF-WAY LINE OF "A" STREET, AND ON THE EAST RIGHT-OF-WAY LINE OF SOUTH 29TH STREET, SAID POINT BEING **THE TRUE POINT OF BEGINNING**; THENCE SOUTHERLY ON THE WEST LINE OF SAID LOT 6, AND ON THE WEST LINE OF LOT 7, BLOCK 1, ZEHRUNG AND AMES ADDITION, AND THE SOUTHERLY EXTENSION OF SAID LINE, SAID LINE BEING THE EAST LINE OF SAID RIGHT-OF-WAY, ON AN ASSUMED BEARING OF S00°15'22"W, A DISTANCE OF 328.21' TO A POINT OF CURVATURE FOR A NON-TANGENT CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 88°41'51", A RADIUS OF 55.00', AN ARC LENGTH OF 85.14', A CHORD LENGTH OF 76.89', A TANGENT LENGTH OF 53.76', AND A CHORD BEARING OF N44°05'33"W TO A POINT OF INTERSECTION WITH THE NORTH RIGHT-OF-WAY LINE OF WASHINGTON STREET, SAID POINT BEING ON THE SOUTH LINE OF LOT 18, BLOCK 2, ZEHRUNG AND AMES ADDITION; THENCE S89°55'27"E, ON THE NORTH LINE OF SAID RIGHT-OF-WAY, SAID LINE BEING THE SOUTH LINE OF SAID LOT 18, AND ON A EASTERLY EXTENSION OF SAID LINE, A DISTANCE OF 37.75' TO A POINT OF INTERSECTION WITH A LINE LOCATED 34.00' EAST OF THE EAST LINE OF LOT 18, BLOCK 2, ZEHRUNG AND AMES ADDITION, SAID POINT BEING THE SOUTHEAST CORNER OF A TRACT OF LAND DESCRIBED IN VACATION ORDINANCE #19944; THENCE N00°15'22"E, ON A LINE LOCATED 34.00' EAST OF AND PARALLEL WITH THE EAST LINE OF SAID LOT 18, SAID LINE BEING THE EAST LINE OF A TRACT OF LAND DESCRIBED IN VACATION ORDINANCE #19944, A DISTANCE OF 95.62' TO A POINT; THENCE N44°45'20"W, ON A NORTHEAST LINE OF SAID TRACT OF LAND DESCRIBED IN VACATION ORDINANCE #19944, A DISTANCE OF 45.25' TO A POINT; THENCE N89°46'02"W, ON A NORTH LINE OF SAID TRACT OF LAND DESCRIBED IN VACATION ORDINANCE #19944, AND ON THE NORTH LINE OF LOTS 18, AND 17, BLOCK 2, ZEHRUNG AND AMES ADDITION, SAID LINE BEING THE SOUTH LINE OF THE EAST-WEST ALLEY LOCATED IN BLOCK 2, ZEHRUNG AND AMES ADDITION, A DISTANCE OF 83.94' TO THE NORTHWEST CORNER OF SAID LOT 17; THENCE N00°14'38"E, ON THE NORTHERLY EXTENSION OF THE WEST LINE OF SAID LOT 17, A DISTANCE OF 14.00' TO A POINT OF INTERSECTION WITH THE NORTH LINE OF SAID EAST-WEST ALLEY; THENCE S89°46'02"E, ON THE NORTH LINE OF SAID ALLEY, SAID LINE BEING THE SOUTH LINE OF LOTS 2 AND 1, BLOCK 2, ZEHRUNG AND AMES ADDITION, A DISTANCE OF 81.94' TO THE SOUTHEAST CORNER OF SAID LOT 1, SAID POINT BEING ON THE WEST RIGHT-OF-WAY LINE OF SOUTH 29TH STREET; THENCE N00°15'22"E, ON THE EAST LINE OF SAID LOT 1, SAID LINE BEING THE WEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 131.31' TO THE NORTHEAST CORNER OF SAID LOT 1, SAID POINT BEING ON THE SOUTH RIGHT-OF-WAY LINE OF "A" STREET; THENCE S89°57'38"E, ON THE SOUTH LINE OF SAID RIGHT-OF-WAY, SAID LINE BEING 30.00' SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 50.01' TO THE POINT OF BEGINNING, SAID TRACT CONTAINS A CALCULATED AREA 11,624.59 SQUARE FEET OR 0.27 ACRES, MORE OR LESS.

FRIDAY, SEPTEMBER 30, 2016

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VACATE.DOC

DWC: F:\2016\0501-1000\016-0630\40-DESIGN\SURVEY\SRV\EXHIBITS\Legal Drawings\016-0630_ROW_Vacation.dwg
DATE: Oct 05, 2016 1:37pm
USER: mjohnson
XREFS:

PROJECT NO: 016-0630	RIGHT-OF-WAY VACATION LEGAL DESCRIPTION		601 P Street, Suite 200 P.O. Box 84608 Lincoln, NE 68508 TEL 402.474.6311 FAX 402.474.5160	EXHIBIT
DRAWN BY: MRJ				A
DATE: SEPT. 30TH, 2016				

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for October 26, 2016 PLANNING COMMISSION MEETING

PROJECT #: Change of Zone #16022--Landmark Designation of the Chet Ager Building (former Antelope Park Zoo Aviary Building)

PROPOSAL: Designation of the property on Antelope Park Triangle east of 27th and B Streets as a Landmark (from P-Public Use to P-Public Use with Landmark Overlay).

LOCATION: East of 27th and B Streets

LAND AREA: Approximately 32,000 square feet or .75 acres, more or less.

EXISTING ZONING: P- Public Use

WAIVER/MODIFICATION REQUEST:
None.

CONCLUSION: The landmark designation protects a public building which is highly visible from 27th Street and located within the Lincoln Children's Zoo's proposed expansion area. This request complies with the Zoning Ordinance and is consistent with the Comprehensive Plan.

RECOMMENDATION FOR CHANGE OF ZONE 16022HP:	Approval of Landmark designation
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GENERAL INFORMATION:

LEGAL DESCRIPTION: A western portion of an Irregular Tract in the SW 1/4 of Section 30-10-7, 6th Principal Meridian, Lincoln, Lancaster County, Nebraska.

EXISTING LAND USE: Indoor playground (Parks & Rec. Dept.)

SURROUNDING LAND USE AND ZONING:

North:	Public Use/Zoo Parking/Parks Gardens & Fountain	P
West:	Residential	R-2
South:	Public Use/Park/Parks & Rec. Dept. Office	P
East:	Public Use/Park/Zoo	P

HISTORY:

1936-1938 Built by City, designed by Davis & Wilson
1938 Opening of Zoo Aviary Building
1965 Lincoln Children's Zoo Opens, building incorporated with original use
1990s Converted to Chet Ager Play Center

UTILITIES: Served by all Lincoln utilities

PUBLIC SERVICE: All Lincoln services, Lincoln Public School district

ALTERATIVE USES: Landmark designation does not by itself change the permitted uses in the P-Public Use District.

COMPREHENSIVE PLAN SPECIFICATIONS:

Pg 1.9 - The Future Land Use Map of the Comprehensive Plan designates this area as Green Space.

Pg 4.6, 4.9- "Placemaking" chapter encourages identification and protection of broad range of historic resources, and "Consideration of designation of such [significant, publicly owned historic] resources under the preservation ordinance to demonstrate leadership and standardize review of proposed changes."

ASSOCIATED APPLICATION: None.

ANALYSIS:

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

1. The Ager Building was a year-round zoo facility of the Depression era, operating from 1938 to the 1970s. The interior has been altered to provide an indoor playground but the Ager Building exterior retains a high degree of integrity.
2. With the aid of relief workers from the Works Progress Administration (WPA), the building was constructed with limestone quarried from Roca and dead Lincoln trees milled by the Parks Dept. Ager Building originally contained animal cages along its perimeter walls with a central aviary and aquarium.
3. Davis & Wilson, architects of the Ager Building, designed numerous other important public and private buildings in Lincoln, including Lincoln Telephone Warehouse, University of Nebraska stadium and Morrill Hall, Park, Randolph, and Sheridan Elementary Schools, Westminster Presbyterian Church, and many fine residences.

4. The landmark designation is recommended based on association with community recreation facilities and the Works Progress Administration (WPA) work relief program.
5. The proposed preservation guidelines for the Ager Building are based on typical guidelines for Lincoln Landmarks.
6. Landmark designation of the Ager Building was recommended by the Parks & Recreation Advisory Committee in considering the plans to expand the adjacent Lincoln Children's Zoo, which include the Zoo's reuse of the building.
7. The Historic Preservation Commission held a public hearing on this application September 15, 2016. The Commission recommended approval 6-0. (Excerpt from Meeting Record is attached.)

Prepared by:

Stacey Groshong Hageman, 441-6361, slhageman@lincoln.ne.gov
Planner
October 13, 2016

APPLICANT: Lincoln Parks & Recreation Department
2740 A Street
Lincoln, NE 68502

OWNER: City of Lincoln
c/o Lincoln Parks & Recreation Dept.
2740 A Street
Lincoln, NE 68502

CONTACT: Lynn Johnson
Lincoln Parks & Recreation Department
2740 A Street
Lincoln, NE 68502
(402)441-8265
ljohnson@lincoln.ne.gov

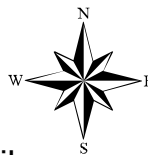


Change of Zone #: CZ16022
Ager Building - Historic Landmark Designation
S 27th St & A St

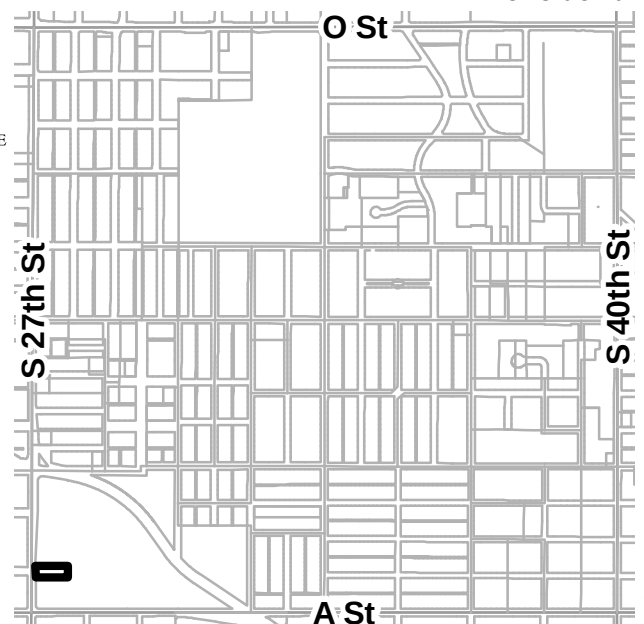
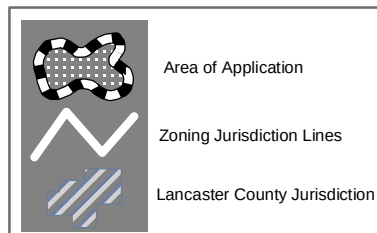
2016 aerial

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.30 T10N R07E





Memo

To: David Cary – Planning Director

From: Lynn Johnson

Date: July 28, 2016

RE: Application for Local Landmark for Ager Building and Associated Premises

Cc: Denise Pearce – Mayor's Office

Nicole Fleck-Tooze – Parks and Recreation

Ed Zimmer – City of Lincoln

The Lincoln Parks and Recreation Department requests an application for designation of the Ager building and associated premises west of the building as a local Landmark under Section 27.57 of the Lincoln Municipal code. On July 14, 2016, the Parks and Recreation Advisory Board adopted a revised future land use plan for the Antelope Park Triangle and related conditions of approval that include transferring the use of the Ager building from Lincoln Parks and Recreation to the Lincoln Children's Zoo. The Board's conditions include a provision that the building be designated as a local historic landmark, and that adaptive reuse of the building should respect this designation.

Information provided by Ed Zimmer indicates that the Ager Building was constructed in 1936 with federal WPA funding as a municipal zoo building, with limestone quarried from Roca. It was designed by the architects Davis & Wilson. Ed indicates the building is the largest municipal structure in our community from the New Deal work relief programs. He has noted "in National Register terms, I would say that the Ager Building derives its primary significance from association with the WPA and work relief responses to the Depression, but also is significant in architectural terms for the Davis & Wilson design, materials, and ornament."

It is requested that this application be scheduled for review by the Historic Preservation Commission at their meeting on August 18 and by the Planning Commission at their meeting on September 14 so as to be moving forward for City Council approval as quickly as possible thereafter, together with some other items related to the expansion of the Children's Zoo.

If you have any questions about this application, please feel free to contact me at 441-8265 or ljohnson@lincoln.ne.gov, or Nicole Fleck-Tooze at 441-8263 or ntooze@lincoln.ne.gov.



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

1. NAME

Historic:

(and/or) Common:

NeHBS Site:

Antelope Park Zoo Aviary Building

Ager Building

LC13:E07-602

2. LOCATION

Address:

1300 S 27th St, Lincoln, NE 68502

3. CLASSIFICATION

Proposed Designation

☐ Landmark District

☒ Landmark

Category

☐ District

☒ Building(s)

☐ Structure

☐ Site

☐ Object

Present Use

☐ Agriculture

☐ Commercial

☐ Educational

☒ Entertainment

☐ Government

☐ Industrial

☐ Military

☐ Museum

☒ Park

☐ Private Residence

☐ Religious

☐ Scientific

☐ Transportation

☐ Other (vacant)

4. OWNER OF PROPERTY

Name:

Address:

Antelope Park

2740 A St, Lincoln, NE 68502

5. GEOGRAPHICAL DATA

Legal Description:

**A western portion of an Irregular Tract in the SW ¼ of
Section 30-10-7, 6th Principal Meridian, Lincoln,
Lancaster County, Nebraska**

Property ID Number:

17-30-320-005-000

Number of Acres or Square Feet:

0.75 acres (more or less)

6. REPRESENTATION IN EXISTING SURVEYS

Title: **None**

Date:

☐ State ☐ County ☐ Local

Depository for Survey Records:

City:

State:

Is the proposed Landmark or Landmark District listed in the National Register?

☐ Yes, Date Listed:

☒ No

7. DESCRIPTION AND HISTORY

Condition

☐ Excellent

☐ Deteriorated

☐ Unaltered

☒ Original Site

☒ Good

☐ Ruins

☒ Altered

☐ Moved, Date:

☐ Fair

☐ Unexposed

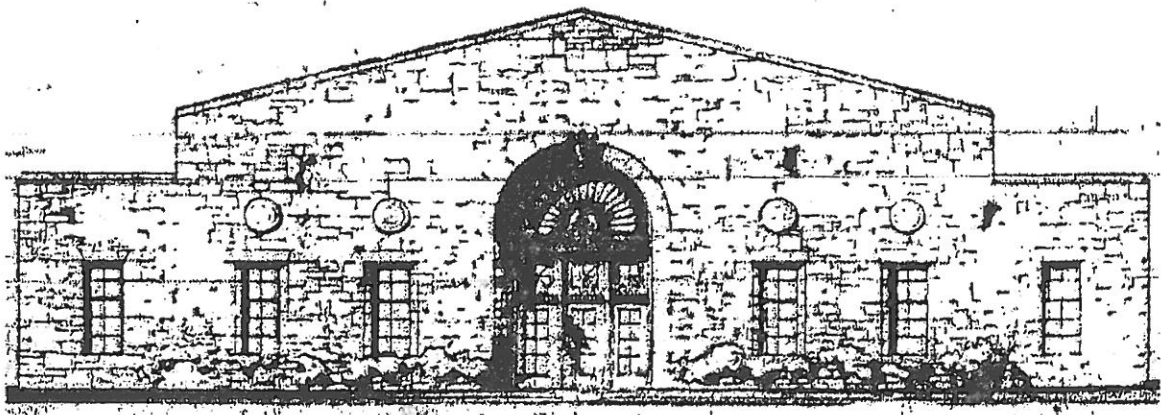
7. DESCRIPTION AND HISTORY, CONT.

DESCRIPTION:

The Zoo Aviary Building, commonly known as the Ager Building, is a single-story, rectangular building in Antelope Park. The limestone structure, designed by Lincoln architects Davis and Wilson, was constructed in 1936-38 as a project of the federal Works Progress Administration (WPA) to provide Lincoln with a municipal zoo.

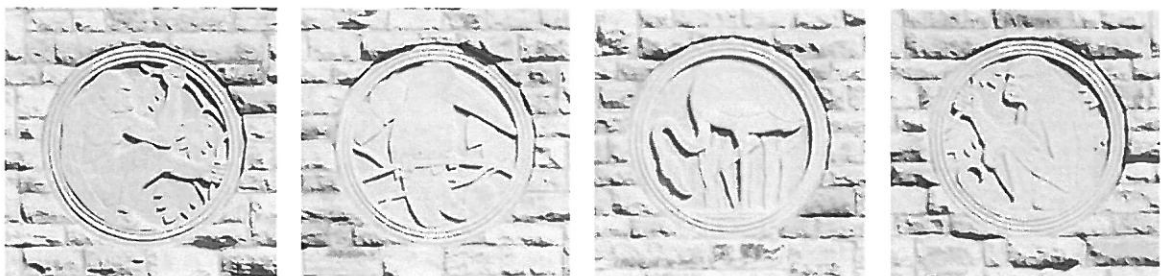
The building is 86' by 102' and oriented toward South 27th Street. From the Near South Neighborhood, the view east along B Street is a special one that beautifully frames the building at its terminus.

The building exterior retains a high degree of integrity. Most of the shaded white, gray, and yellow-tinted stone was quarried by city crews in Roca, south of Lincoln. As a further economic measure, all the lumber, except for an occasional piece, was milled from dead trees removed from city parks on the Parks Department's portable sawmill.¹



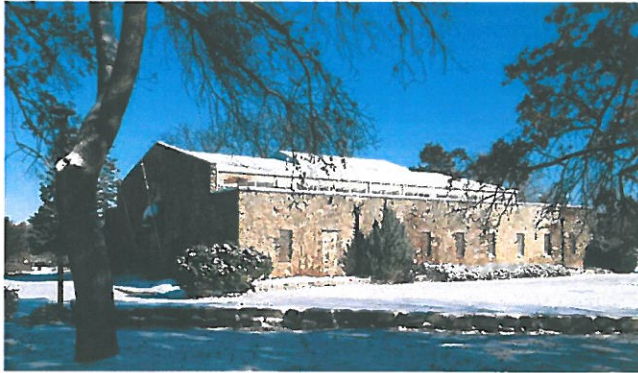
Front Elevation

The front façade is adorned with four animal-themed medallions flanking a central entrance. Similar medallions can be found on the 1928 Kimball Brothers Building at the southeast corner of 17th and P Streets—another Davis and Wilson design.



¹ "State Bureau's Records Show 46,910 Nebraskans Placed In Jobs Last Year," *Lincoln Star*, January 30, 1938.

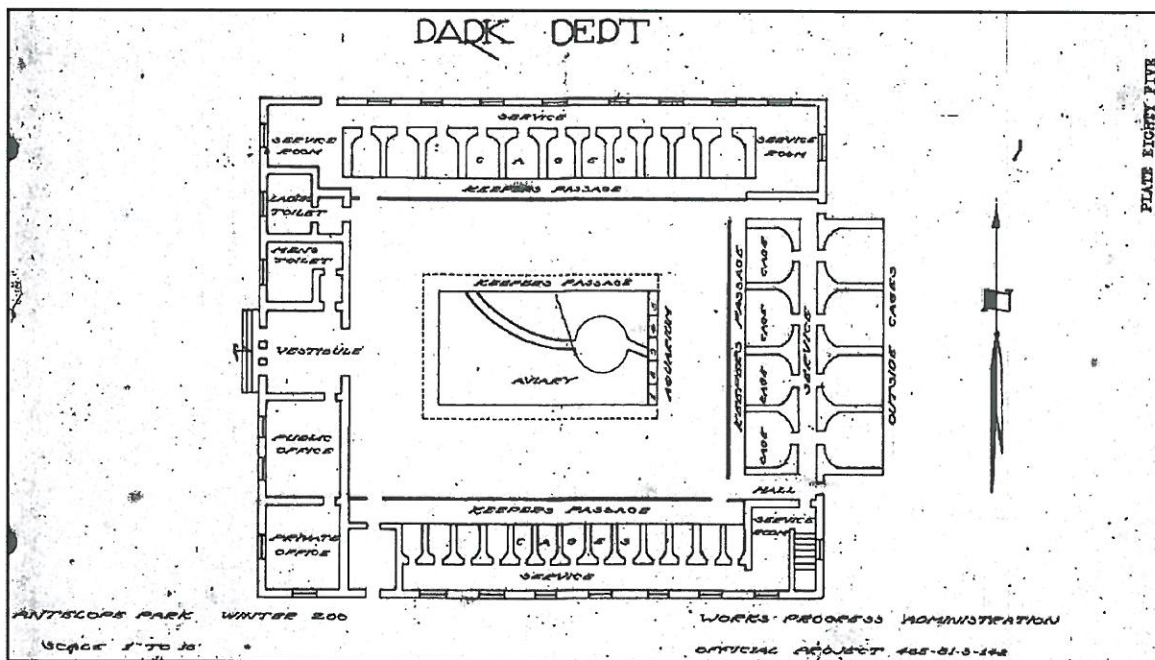
A skylight not only provides ample light—along with a clerestory wrapping the north, east, and south sides—but also delineates a space that once housed the aviary and aquarium, originally built over a pool and rock garden.² The floor plan shows this central aviary with a number of small animal cages lining the north and south walls and four larger cages projecting to the east. Provided in two stories on the west side of the building were public restrooms and offices for the parks superintendent.³



View From Southwest, November 2014



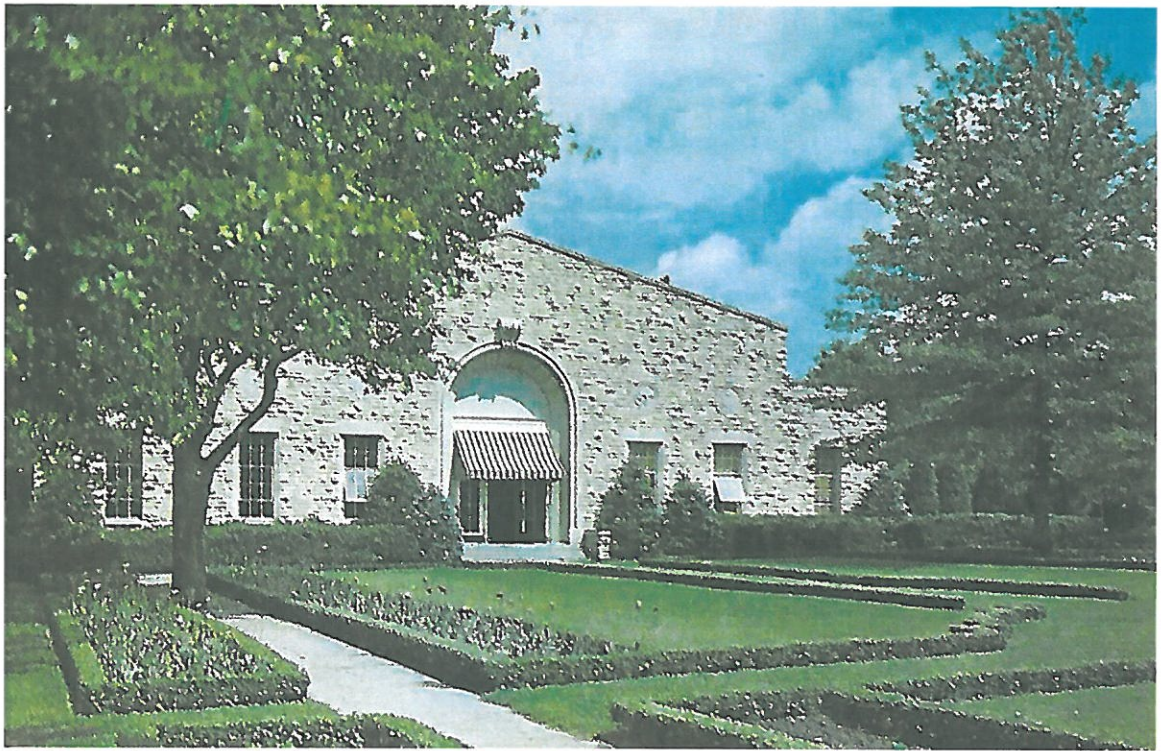
Skylight, August 2016



Original Floor Plan

² Federal Writers' Project of the Works Progress Administration for the State of Nebraska, "Nebraska: A Guide to the Cornhusker State (WPA Guide)," (Nebraskiana Publications, 1939), 200.

³ "Vast Improvements In Past Year Make Lincoln Parks Even More Beautiful," *Lincoln Star*, January 29, 1939.



1950s Postcard View

The generous setback along 27th Street was originally landscaped with a geometric pattern of hedges designed by Ernst Herminhaus.⁴ Herminhaus was responsible for many other notable landscapes in Lincoln including Pioneers Park, the Capitol grounds, and Woodshire neighborhood.

Davis and Wilson were contracted in 1936 for \$900, a significant sum in an annual Parks Dept. budget of about \$100,000, to prepare plans for the Zoo Building in order to complete the WPA application for labor to build the structure.⁵ The final cost of construction was approximately \$65,000.⁶

HISTORY:

In the 1930s, two major factors were responsible for an increased need for public recreation in Lincoln. The first was Lincoln's population growth. Throughout the 1920s, several nearby communities were annexed into Lincoln, increasing the City's population by 25,000 residents. By 1930, Lincoln was ranked as the 110th largest city in the United States with 80,000 people.⁷ A second factor, which further increased the importance of public recreation, was the Depression. Attendance at existing commercial attractions declined as people fell on economic hardships, and therefore the demand for public facilities grew.

During the Great Depression, the federal government recognized this increased need for recreation and established work relief programs to employ thousands of people on recreation projects and give

⁴ Richard K Sutton, "Ernst H Herminhaus, Landscape Architect," *Nebraska History* 66, 1985, 372-391.

⁵ "Pass Ordinance Sale of Bonds," *Lincoln Star*, July 6, 1936.

⁶ "Many New Members for Antelope Zoo," *The Evening Journal*, October 4, 1938.

⁷ "Lincoln Advances Twenty Places to Rank as 110th Largest City in Country," *Lincoln Star*, September 17, 1930.

local agencies the opportunity to expand their existing recreation facilities. One such program, the Works Progress Administration (WPA), created during the administration of Franklin D. Roosevelt, aided greatly in the zoo's development in Antelope Park.

The Antelope Park Zoo, prior to the addition of the Zoo Aviary Building, was like many pre-Depression zoos across the nation with a small collection of animals set in the middle of a wide-open park. The availability of relief labor through New Deal programs like the WPA transformed the zoo landscape. During the Depression, when nearly every zoo in the United States took advantage of New Deal programs, the Antelope Park Zoo Aviary Building was one of only a handful of new zoo buildings that was constructed.⁸



Exterior View, 1938

This zoo project could have only been accomplished through the WPA, for the availability of money was scarce, but the availability of laborers was enormous. Park administrators had to be very frugal and creative with their resources. Examples of this frugality include recycling materials. Most of the limestone was quarried by city crews in Roca, south of Lincoln. WPA employed men to take rock from the quarry and haul it to Antelope Park. Additionally, 30 men were employed as stone cutters, and 15 others for various trades and labor.⁹

⁸ Jesse C. Donahue and Erik K. Trump, *American Zoos During the Depression: A New Deal for Animals*, (North Carolina: McFarland & Company, Inc., 2010), 3.

⁹ "\$30,000 Zoo-Aviary Which Is To Be Constructed In Antelope Park," *Lincoln Star*, March 22, 1936.

As a further economic measure, the Lincoln Parks and Recreation Department purchased a \$200 portable saw mill in 1936 in response to the overwhelming number (6,000) of fallen trees killed by the drought. More than 30,000 feet of lumber was salvaged from the fallen trees and 105 workers engaged in the activities of the saw mill were employed through the WPA. Nearly all of the lumber used in the Zoo Building, was milled from dead trees removed from city parks.¹⁰

Construction of the building began in 1936 (as noted on the plaque) and was completed in the summer of 1938 when the building is ready for occupancy.¹¹ But the zoo did not officially open until fall. To create an "indoor zoo featuring exotic fowl, monkeys, bears and other animals to delight young and old alike,"¹² that time was spent acquiring animals, moving them into their new homes, and allowing time to accustom the animals to their surroundings before "throwing the doors open to the public."¹³



Once construction projects were complete, it was typical for the New Deal program to linger for continuous improvement, sometimes including artwork like ornamentation and murals.¹⁴ In Lincoln, a 23-year old African American art student, Roswell W. Coger, was commissioned to create oil paintings of zoo animals to hang above their cages. Coger was also responsible for painting a mural in the building that depicted animals set against a Nebraska background.¹⁵

The Lincoln Zoological Society was formed with the purpose of assisting the City of Lincoln in "maintaining suitable zoological parks, gardens, collections, and exhibits for the [promotion] of zoology and kindred subjects, and for the instruction and recreation of the people, particularly the children of Lincoln."

The new zoo was met with record attendance—hailed as the finest west of Chicago and St. Louis.¹⁶ In the years before its opening, when animals were penned in a small greenhouse next door, the zoo only drew an estimated 25,000 winter visitors.¹⁷ The Zoo Building, by the end of the first winter, already saw about 100,000 people from Lincoln and the surrounding area through its gates.¹⁸ On one Sunday in November, there were reports of as many as 20 people entering the gate every minute.¹⁹

From its earliest day, the Lincoln Zoological Society was not only tasked with maintaining the zoo and its exhibits, but focused on the aspect of recreation for its visitors, "particularly the children of

¹⁰ "State Bureau's Records Show 46,910 Nebraskans Placed In Jobs Last Year," *Lincoln Star*, January 30, 1938.

¹¹ "New Antelope Zoo Opens in October," *Lincoln Star*, August 16, 1938.

¹² Gustav Kopta, "Know Your Lincoln," 1959.

¹³ "Many New Members for Antelope Zoo," *The Evening Journal*, October 4, 1938.

¹⁴ Jesse C. Donahue and Erik K. Trump, *American Zoos During the Depression: A New Deal for Animals*, (North Carolina: McFarland & Company, Inc., 2010), 16.

¹⁵ "Paintings Being Made of Animals In Antelope Zoo," *Lincoln Star*, September 15, 1938.

¹⁶ "Zoological Society Is Formed Here," *Lincoln Star*, February 21, 1939.

¹⁷ "Thousands Enjoy The Facilities Of Lincoln's Park System Each Year," *Lincoln Star*, August 28, 1938.

¹⁸ "Zoological Society Is Formed Here," *Lincoln Star*, February 21, 1939.

¹⁹ "Hundreds Visit New Zoo, Aviary Sunday," *Lincoln Star*, November 21, 1938.

Lincoln.”²⁰ Although there was always this focus toward children, the Lincoln Children’s Zoo opened in Antelope Park in 1965 integrating the Zoo Building and maintaining its use as an animal shelter and aviary. By 1985 the animals that were housed here had been relocated or sold, leaving the building vacant.²¹ In the 1990s the building was converted into an indoor playground.

Today the building is still used for this purpose as the Chet Ager Play Center, named for Chester E. Ager, Parks Superintendent from 1933 until his unexpected death in 1940.²² His tenure during the years of the economic depression made a lasting impression on the City of Lincoln and “perhaps the zoological building in Antelope park is the best remembered of these things that today stand as a memorial to those that knew him.”²³

Although many utility buildings, shelters, and other similar buildings were built with the assistance of WPA, the Zoo Building stands out among Lincoln park structures. Its size, design, and purpose set it apart and give it special historic significance. Only one other WPA building in the parks can compare to the Zoo Building in scale, the Pioneers Golf Course Clubhouse, but it is smaller and does not have the central location, visibility, or long heritage of family use.

“...As one walks into the building, he sees a large caged pond centered in the building. The air is filled with all sorts of screeching and chattering noises as the animals seem to communicate among themselves... In the pond, which is fed by a 10-foot waterfall, are turtles, ducks and other birds that live around water. In one corner there is a dead tree to give the birds a place to perch. Two vines twist their way to the ceiling. On the north, south and east sides are the cages that house the majority of the animals. Each cage has an opening to the outside, allowing the animals to get fresh air in the warmer months.”²⁴



1940s Postcard View of Interior

²⁰ “Zoological Society Is Formed Here,” *Lincoln Star*, February 21, 1939.

²¹ Alfieri Sinclair & Hille Architects, *Antelope Park Triangle Master Plan*, ca. 1985.

²² “Chet Ager, City Park Boss, Dead: Victim of Heart Attack,” *Nebraska State Journal*, October 10, 1940.

²³ “Parks Offer Cure For Wartime Jitters,” *Lincoln Star*, May 21, 1944.

²⁴ “Lincoln’s Antelope Park Zoo Houses Mischievous Chimps,” *The Daily Nebraskan*, July 6, 1960.

8. SIGNIFICANCE

<u>Period</u>	<u>Areas of Significance (check and justify)</u>	
☐ Prehistoric	☐ Archeology (Prehistoric)	☐ Landscape Architecture
☐ 1400-1499	☐ Archeology (Historic)	☐ Law
☐ 1500-1599	☐ Agriculture	☐ Literature
☐ 1600-1699	☒ Architecture	☐ Military
☐ 1700-1799	☐ Art	☐ Music
☐ 1800-1899	☐ Commerce	☐ Philosophy
☒ 1900-	☐ Communications	☒ Politics/Government
	☐ Community Planning	☐ Religion
	☐ Conservation	☐ Science
	☐ Economics	☐ Sculpture
	☒ Education	☒ Social/Humanitarian
	☐ Engineering	☐ Theater
	☐ Exploration/Settlement	☐ Transportation
	☐ Industry	☐ Other (specify)
	☐ Invention	

Specific dates: **1936-1938**

Builder/Architect: **Davis & Wilson**

Statement of Significance:

The Chet Ager Building is Lincoln's largest and most prominent building erected with WPA assistance during the New Deal. It was designed by the Lincoln architects Davis & Wilson and retains a high degree of exterior integrity, as well as a roof structure with skylights and monitors.

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

- ☒ Associated with events, person, or persons who have made a significant contribution to the history, heritage, or culture of the City of Lincoln, the County of Lancaster, the State of Nebraska, or the United States;
- ☐ Represents a distinctive architectural style or innovation, or is the work of a craftsman whose individual work is significant in the development of the City of Lincoln, the County of Lancaster, the State of Nebraska, or the United States; or
- ☐ Represents archeological values in that it yields or may be likely to yield information pertaining to pre-history or history.

10. MAJOR BIBLIOGRAPHICAL REFERENCES

"\$30,000 Zoo-Aviary Which Is To Be Constructed In Antelope Park," *Lincoln Star*, March 22, 1936.

Alfieri Sinclair & Hille Architects, *Antelope Park Triangle Master Plan*, ca. 1985.

"Chet Ager, City Park Boss, Dead: Victim of Heart Attack," *Nebraska State Journal*, October 10, 1940.

Federal Writers' Project of the Works Progress Administration for the State of Nebraska, "Nebraska: A Guide to the Cornhusker State (WPA Guide)," (Nebraskiana Publications, 1939), 200.

Gustav Kopta, "Know Your Lincoln," 1959.

"Hundreds Visit New Zoo, Aviary Sunday," *Lincoln Star*, November 21, 1938.

Jesse C. Donahue and Erik K. Trump, *American Zoos During the Depression: A New Deal for Animals*, (North Carolina: McFarland & Company, Inc., 2010), 1-16.

"Lincoln Advances Twenty Places to Rank as 110th Largest City in Country," *Lincoln Star*, September 17, 1930.

"Lincoln's Antelope Park Zoo Houses Mischievous Chimps," *The Daily Nebraskan*, July 6, 1960.

"Many New Members for Antelope Zoo," *The Evening Journal*, October 4, 1938.

"New Antelope Zoo Opens in October," *Lincoln Star*, August 16, 1938.

"Paintings Being Made of Animals In Antelope Zoo," *Lincoln Star*, September 15, 1938.

"Parks Offer Cure For Wartime Jitters," *Lincoln Star*, May 21, 1944.

"Pass Ordinance Sale of Bonds," *Lincoln Star*, July 6, 1936.

Richard K Sutton, "Ernst H Herminghaus, Landscape Architect," *Nebraska History* 66, 1985, 372-391.

"State Bureau's Records Show 46,910 Nebraskans Placed In Jobs Last Year," *Lincoln Star*, January 30, 1938.

"Thousands Enjoy The Facilities Of Lincoln's Park System Each Year," *Lincoln Star*, August 28, 1938.

"Vast Improvements In Past Year Make Lincoln Parks Even More Beautiful," *Lincoln Star*, January 29, 1939.

"Zoological Society Is Formed Here," *Lincoln Star*, February 21, 1939.

11. FORM PREPARED BY:

Name/Title: **Stacey Groshong Hageman**

Organization: **Lincoln/Lancaster County Planning Dept.**

Street & Number: **555 S 10th St, Ste 213**

City or Town: **Lincoln**

Date Submitted: **09 Sept 2016**

Telephone: **(402) 441-6361**

State: **Nebraska**

Signature:

Stacey Groshong Hageman

Property Owner:

City of Lincoln

FOR HISTORIC PRESERVATION COMMISSION USE ONLY

DATE LANDMARK/LANDMARK DISTRICT DESIGNATED:

LANDMARK/LANDMARK DISTRICT NUMBER:

Approved:

City Council _____
(date)

PRESERVATION GUIDELINES FOR
Ager Building
1300 S. 27th Street, Lincoln, NE

1. Architectural Review of Landmark:

- A. Photographs: On file in Planning Department.
- B. Important architectural features:
 - Exterior:** 1- to 2-story, limestone walls, gable roofs with clerestory, windows with multiple panes;
 - Interior:** Center skylight.
- C. Important landscape features: open space on west creating view from 27th Street
- D. Architectural style and date: None, 1936, designed by Davis & Wilson of Lincoln
- E. Additions and modifications: Conversion to indoor playground.

2. Notice of Work Needing Certificate:

- A. A Certificate for Certain Work can be granted by the Preservation Commission or, in certain instances, by the Director of Planning. The application for the Certificate can be obtained from and should be filed with the Building and Safety Department. The following work to be conducted on the Landmark requires the procurement of a Certificate for Certain Work:
 - 1. Exterior work requiring a Building Permit as defined in the Lincoln Building Code. Before conducting exterior work, check with the City Building and Safety Department to determine whether a Building Permit is necessary;
 - 2. Demolition of a structure or portion of a structure as defined in the Lincoln Building Code;
 - 3. Work involving:
 - a. Any construction west of the Ager Building and any reduction of the front yard;
 - b. Addition of fencing and walls visible from the west;
 - c. Replacement of exterior material and trim;
 - d. Cleaning and maintenance of exterior masonry;
 - e. Addition or replacement of doors, storm doors, door frames, windows, storm windows, and screens;
 - f. Addition of awnings;
 - g. Placement of mechanical systems, such as but not limited to, window air conditioners, solar collectors, etc.;
 - h. Addition or replacement of signs;
 - i. Moving structures on or off the site;
 - j. Installation of electrical, utility, and communications services;
 - k. Placement of high intensity overhead lighting, antennae, and utility poles;
 - l. Interior modifications to the skylight.
- B. The following work to be conducted on the Landmark does not require the procurement of a Certificate for Certain Work:

1. Changes involving routine maintenance and repair for the general cleaning and upkeep of the building but which include no direct physical change in design or material;
 2. Changes involving color and landscaping, except as previously noted;
 3. Interior changes involving no exterior alteration.
- C. The penalty upon conviction for conducting work which requires a Certificate for Certain Work without procuring the Certificate or for doing work contrary to an issued Certificate is a fine not to exceed \$100.00. Each and every day that such violation continues after notification may constitute a separate offense. The City of Lincoln may also pursue the remedies of injunction, mandamus, or other appropriate action to correct a violation.

3. Standards for Owner and Preservation Commission:

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

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

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

4. Transfer of Property:

These standards apply to the Landmark property, whoever is the owner. In the event that the City of Lincoln (the owner at the time of designation) contemplates transfer of the property to a subsequent owner, the City shall make a good faith effort to consult with the Nebraska State Historic Preservation Office prior to the transfer on measures to further safeguard the Landmark property.

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

1. Every reasonable effort shall be made to provide a compatible use for a property which requires minimal alteration of the building, structure, or site and its environment, or to use a property for its originally intended purpose.
2. The distinguishing original qualities or character of a building, structure, or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
[Note: As design and built, the landscape area to the west of the Ager Building provided unobstructed views from 27th Street. The building is and should remain unobstructed from 27th Street by structures or

major landscape features.]

3. All buildings, structures, and sites shall be recognized as products of their own time. Alterations that have no historical basis and which seek to create an earlier appearance shall be discouraged.
4. Changes which may have taken place in the course of time are evidence of the history and development of a building, structure, or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.
5. Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, or site shall be treated with sensitivity.
6. Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be physical, based on accurate duplications of features, substantiated by historic, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.
7. The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building material shall not be undertaken.
8. Every reasonable effort shall be made to protect and preserve archeological resources affected by, or adjacent to any project.
9. Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material, and such design is compatible with the size, scale, color, material, and character of the property, neighborhood or environment.
[Note: Any additions to Ager Building shall be confined to areas that do not intrude upon the west façade of the building.]
10. Wherever possible, new additions or alterations to structures shall be done in such a manner that if such additions or alterations were to be removed in the future the essential form and integrity of the structure would be unimpaired.

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

THE ENVIRONMENT

Recommended

Retaining distinctive features such as the size, scale, mass, color, and materials of buildings, including roofs, porches, and stairways that give a neighborhood its distinguishing character.

Not Recommended

Introducing new construction into neighborhoods that is incompatible with the character of the district because of size, scale, color, and materials.

Recommended

Retaining landscape features such as parks, gardens, street lights, signs, benches, walkways, streets, alleys and building set-backs that have traditionally linked buildings to their environment. [Note: The open space west of Ager Building is an essential landscape feature.]

Using new plant materials, fencing, walkways, street lights, signs and benches that are compatible with the character of the neighborhood in size, scale, material and color.

Not Recommended

Destroying the relationship of buildings and their environment by widening existing streets, changing paving material, or by introducing inappropriately located new streets and parking lots that are incompatible with the character of the neighborhood.

Introducing signs, street lighting, benches, new plant materials, fencing, walkways and paving materials that are out of scale or inappropriate to the neighborhood.

BUILDING SITE

Recommended

Identifying plants, trees, fencing, walkways, outbuildings, and other elements that might be an important part of the property's history and development.

Retaining plants, trees, fencing, walkways, street lights, signs, and benches that reflect the property's history and development.

Basing decisions for new site work on actual knowledge of the past appearance of the property found in photographs, drawings, newspapers, and tax records. If changes are made, they should be carefully evaluated in light of the past appearance of the site.

Providing proper site and roof drainage to assure that water does not splash against building or foundation walls, nor drain toward the building.

Not recommended

Making changes to the appearance of the site by removing old plants, trees, fencing, walkways, outbuildings, and other elements before evaluating their importance in the property's history and development.

Leaving plant materials and trees in close proximity to the building that may be causing deterioration of the historic fabric.

BUILDING: STRUCTURAL SYSTEMS

Recommended

Recognizing the special problems inherent in the structural systems of historic buildings, especially where there are visible signs of cracking, deflection, or failure.

Undertaking stabilization and repair of weakened structural members and systems.

Replacing historically important structural members only when necessary. Supplementing existing structural systems when damaged or inadequate.

Not Recommended

Disturbing existing foundations with new excavations that undermine the structural stability of the building.

Leaving known structural problems untreated that will cause continuing deterioration and will shorten the life of the structure.

BUILDING: EXTERIOR FEATURES

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

Recommended*

Retaining original masonry and mortar, whenever possible, without the application of any surface treatment.

Repointing only those mortar joints where there is evidence of moisture problems or when sufficient mortar is missing to allow water to stand in the mortar joint.

Duplicating old mortar in composition, color and texture.

Duplicating old mortar in joint size, method of application, and joint profile.

Not Recommended

Applying waterproof or water repellent coatings or surface consolidation treatments unless required to solve a specific technical problem that has been studied and identified. Coatings are frequently unnecessary, expensive, and can accelerate deterioration of the masonry.

Repointing mortar joints that do not need repointing. Using electric saws and hammers to remove mortar can seriously damage the adjacent brick.

Repointing with mortar of high Portland cement content can often create a bond that is stronger than the building material. This can cause deterioration as a result of the differing coefficient of expansion and the differing porosity of the material and the mortar.

Repointing with mortar joints of a differing size or joint profile, texture or color.

Recommended*

Repairing stucco with a stucco mixture that duplicates the original as closely as possible in appearance and texture.

Cleaning masonry only when necessary to halt deterioration or to remove graffiti and stains and always with the gentlest method possible, such as low pressure water and soft natural bristle brushes.

Repairing or replacing, where necessary, deteriorated material with new material that duplicates the old as closely as possible.

Replacing missing significant architectural features, such as cornices, brackets, railings, and shutters.

Retaining the original or early color and texture of masonry surfaces, including early signage wherever possible. Brick or stone surfaces may have been painted or whitewashed for practical and aesthetic reasons.

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

Not Recommended

Sandblasting, including dry and wet grit and other abrasives, brick or stone surfaces; this method of cleaning erodes the surface of the material and accelerates deterioration. Using chemical cleaning products that would have an adverse chemical reaction with the masonry materials, i.e., acid on limestone or marble.

Applying new material which is inappropriate or was unavailable when the building was constructed, such as artificial brick siding, artificial cast stone or brick veneer.

Removing architectural features such as cornices, brackets, railings, shutters, window architraves and doorway pediments.

Removing paint from masonry surfaces indiscriminately. This may subject the building to damage and change its appearance.

Wood: Clapboard, weatherboard, shingles and other wooden siding

Recommended

Retaining and preserving significant architectural features, whenever possible.

Repairing or replacing, where necessary, deteriorated material that duplicates in size, shape and texture the old as closely as possible.

Not Recommended

Removing architectural features such as siding, cornices, brackets, window architraves, and doorway pediments. These are, in most cases, an essential part of a building's character and appearance that illustrates the continuity of growth and change.

Resurfacing frame buildings with new material that is inappropriate or was unavailable when the building was constructed such as artificial stone, brick veneer, asbestos or asphalt shingles, and plastic or aluminum siding. Such material can also contribute to the deterioration of the structure from moisture and insects.

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

Recommended

Retaining original material, whenever possible.

Cleaning when necessary with the appropriate method. Metals should be cleaned by methods that do not abrade the surface.

Not Recommended

Removing architectural features that are an essential part of a building's character and appearance, illustrating the continuity of growth and change.

Exposing metals which were intended to be protected from the environment. Do not use cleaning methods which alter the color, texture, and tone of the metal.

Roofs and Roofing

Recommended

Preserving the original roof shape.

Retaining the original roofing material, whenever possible.

Providing adequate roof drainage and insuring that the roofing materials provide a weather-tight covering for the structure.

Replacing deteriorated roof coverings with new material that matches the old in composition, size, shape, color, and texture.

Preserving or replacing, where necessary, all architectural features that give the roof its essential character, such as dormer windows, cupolas, cornices, brackets, chimneys, cresting, and weather vanes.

Not Recommended

Changing the essential character of the roof by adding inappropriate features such as dormer windows, vents, or skylights.

Applying new roofing material that is inappropriate to the style and period of the building and neighborhood.

Replacing deteriorated roof coverings with new materials that differ to such an extent from the old in composition, size, shape, color, and texture that the appearance of the building is altered.

Stripping the roof of architectural features important to its character.

Windows and Doors

Recommended

Retaining and repairing existing window and door openings including window sash, glass, lintels, sills, architraves, shutters, doors, pediments, hoods, steps, and all hardware.

Not Recommended

Introducing new window and door openings into the principal elevations, or enlarging or reducing window or door openings to fit new stock window sash or new stock door sizes.

Recommended

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

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

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

Not Recommended

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

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

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

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

Entrances, Porches, and Steps

Recommended

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

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

Not Recommended

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

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

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

Exterior Finishes

Recommended

Discovering the historic paint colors and finishes of the structure and repainting with those colors to illustrate the distinctive character of the property.

Not Recommended

Removing paint and finishes down to the bare surface; strong paint strippers whether chemical or mechanical can permanently damage the surface. Also, stripping obliterates evidence of the historical paint finishes.

Not Recommended

Repainting with colors that cannot be documented through research and investigation to be appropriate to the building and neighborhood.

NEW CONSTRUCTION

Recommended

Keeping new additions and adjacent new construction to a minimum, making them compatible in scale, building materials, and texture. [*Note: Additions of new construction west of the Ager Building shall not be undertaken.*]

Designing new work to be compatible in materials, size, scale, color, and texture with the earlier building and the neighborhood.

Using contemporary designs compatible with the character and mood of the building or the neighborhood.

Protecting architectural details and features that contribute to the character of the building. Placing television antennas and mechanical equipment, such as air conditioners, in an inconspicuous location.

Not Recommended

Designing new work which is incompatible with the earlier building and the neighborhood in materials, size, scale, and texture.

Imitating an earlier style or period of architecture in new additions, except in rare cases where a contemporary design would detract from the architectural unity of an ensemble or group. Especially avoid imitating an earlier style of architecture in new additions that have a completely contemporary function such as a drive-in bank or garage.

Adding new height to the building that changes the scale and character of the building. Additions in height should not be visible when viewing the principal facades.

Adding new floors or removing existing floors that destroy important architectural details, features and spaces of the building. Placing television antennas and mechanical equipment, such as air conditioners where they can be seen from the street.

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

Recommended

Installing necessary mechanical systems in areas and spaces that will require the least possible alteration to the structural integrity and physical appearance of the building.

Not Recommended

Causing unnecessary damage to the plan, materials, and appearance of the building when installing mechanical system.

Recommended

Utilizing early mechanical systems, including plumbing and early lighting fixtures, where possible.

Installing the vertical runs of ducts, pipes, and cables in closets, service rooms, and wall cavities.

Insuring adequate ventilation of attics, crawlspaces, and cellars to prevent moisture problems.

Installing thermal insulation in attics and in unheated cellars and crawlspaces to conserve energy.

Not Recommended

Attaching exterior electrical and telephone cables to the principal elevations of the building.

Installing the vertical runs of ducts, pipes, and cables in places where they will be a visual intrusion.

Concealing or "making invisible" mechanical equipment in historic walls or ceilings. Frequently this concealment requires the removal of historic fabric.

Installing "dropped" acoustical ceilings to hide mechanical equipment. This destroys the proportions and character of the rooms.

Installing foam, glass fiber, or cellulose insulation into wall cavities of either wooden or masonry construction. This has been found to cause moisture problems when there is no adequate moisture barrier.

MEETING RECORD EXCERPT
RE: Ager Building Landmark Designation
Meeting of 09/15/2016

NAME OF GROUP: HISTORIC PRESERVATION COMMISSION

DATE, TIME AND PLACE OF MEETING: Thursday, September 15, 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

APPLICATION BY LYNN JOHNSON (PARKS & REC. DEPARTMENT) FOR DESIGNATION OF THE CHET AGER BUILDING ON ANTELOPE PARK TRIANGLE AS A LINCOLN LANDMARK. **September 15, 2016**

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

Hageman stated this location is at the end of B Street, east of 27th Street and south of the current zoo parking. The building was built during the Great Depression era under the New Deal program and served as a winter shelter for animals. The WPA employed people to construct the building, to quarry the limestone, and to run sawmills. The design is by Davis and Wilson of Lincoln. It has a prominent facade facing 27th Street and is setback generously with landscaping. It is symmetrical and has four circular, animal-themed medallions carved into the limestone. There is a skylight to allow light in. The whole center portion was built as an aviary with a corridor around it. There were smaller cages on the north and south and both interior and exterior cages on the east. After the building was constructed, there was quite a bit of time between the completion and when the zoo opened. Much of that time was spent acquiring the animals and getting donations. Today, the building is used as an indoor playground.

The current zoo expansion proposes a parking lot at the south corner of the Antelope Park "triangle." They would need access off of 27th Street, with a driveway passing in front of Ager Building, where there would be a small roundabout featuring the granite circle of the old Thompson Fountain at its center. The fountain was originally located at 11th and J Streets around 1904 and was moved to Antelope Park a decade later. In 1965, it was part of the zoo as Monkey Island. Zimmer noted the long connection of the fountain to this site.

Nicole Fleck-Tooze of Parks & Rec provided images to offer a sense of how the Zoo expansion connects with the Ager Building.

Jim Berg, BVH Architects, stated the only major change to the Ager Building site plan is the roundabout drive on the west side. The access drive will connect to 27th Street on the north and head to the new parking area to the south. For the most part, Ager will

remain as-is on all sides but the east side (rear). On that side, a connection will be made back to the zoo, so there will be some renovation there. The intent is to restore some original elements as seen in early images, while being careful not to alter the roof and profile.

Zimmer said the zoo will lease the building from the City and use it for children's and other zoo functions. Berg said it has come back around since this will be a primary year-round facility, as it was in the past.

Nick Cusick, Zoo Volunteer, noted the additional trees shown in the plan. The zoo will work with Parks Department to find the right solution for the trees and for maintaining the facade. Berg said they are also sensitive to the look of the landscape and keeping the Thompson Fountain circle to a low profile.

McKee asked if functionally, the fountain ring will be a planter. Berg said yes. Fleck-Tooze noted the drive will be less visible from the street view than it is in the aerial depiction. Parks & Rec would maintain that area, along with the gardens to the north.

Johnson asked if there will be another entrance from A Street, noting that there could be too much traffic around the fountain otherwise. Berg said the primary access is on A Street where the current access to the Parks & Rec building is. Cusick added that it would be the primary access and they will work with City traffic engineers to keep people from driving around aimlessly from one lot to the other.

McKee asked if there would be signage or explanation of the Thompson Fountain.

Lynn Johnson, Director of Parks and Recreation Department, stated there will be. McKee said it loses its identity without the sign. Zimmer added that there are good postcard images of the original locations. The sign could be located inside the building since it would be unwise to place in the roundabout.

Gengler complimented the write-up on this project. The discussion about the future potential design review includes the retention of the open green space in front of the building. The nomination also talks about the significance of the interior space. It seems that they may not have been identified for retention. She asked for more information about the design of the roundabout and the retention of the lawn and interior space.

Zimmer said it is seldom that interior spaces are designated in the Landmark process. It will remain a Parks Building but will be used by the zoo. The Commission essentially reviews visible exterior features. Little of the original interior remains in this case but characteristics like the light and brightness are very desirable.

McKee asked if there will be any attempts to bring back the Herminghaus landscape design. Gengler agreed that was along the lines of her questioning.

Zimmer noted the early pictures do not show this treatment, but later postcards show some variation of low, geometric hedges. He said they did not write the Herminghaus design into the guidelines as it does not exist and probably could not be replicated or maintained, but he emphasized to Parks Dept. that the lawn west of the building was an essential part of the public viewing of the building and its design should support, not interfere, with that experience. Lynn Johnson of Parks agreed that the proposed north-south drive would need to be treated as a landscape feature, not as mere driveway, and offered the idea of using the granite ring of Thompson Fountain as the key enhancement. The plan should look deliberate since it cannot be hidden.

Munn asked for clarification if the period of significance is 1936-1938 and if the gardens were later than that. Zimmer said the nomination focuses on the significance of the WPA as it relates to this building, which is the most important WPA building in Lincoln. Sunken Garden was a City work-relief project of 1930 that preceded the New Deal, and the clubhouse at the Pioneers Park golf course was a WPA effort, but is not nearly as visible to the public.

Hewitt stated that after reading the materials, he wondered how designating this building as a Landmark would move the entire Zoo project forward. Lynn Johnson said that the City wants to make sure there is guidance in the ongoing care and maintenance of the building. Hewitt said this is not a stepping stone for the project, as a whole, but it is nice to have the protection. Johnson agreed. They spent almost 18 months with the Zoo Advisory Board and they were very concerned about the long-term care of this building. Zimmer added it is not a matter of fearing what the zoo will do; they want the Landmark designation for the same reasons, since it is so visible. This is one of the many steps in the process of the zoo expansion. The Landmark indicates this is a long-term piece of the project. The Comprehensive Plan also encourages this. The Muni Building is a close parallel.

Munn stated for full disclosure that he is an employee of BVH Architects, which is working on the Zoo expansion, and so he will not vote. This is the designation of the building alone. The site, overall, is more of an update on what it may become so they are not necessarily tied together. Zimmer said that is true except for the area from the facade of the building to the 27th St. sidewalk, which is included. The legal description includes an entire huge irregular tract. We described this area roughly by metes and bounds all the way up to the right-of-way.

Cusick said they understand the significance of the building and want to be sensitive to the architecture. The roundabout drive is more critical when it comes to traffic engineering. If this body is adamantly opposed to the idea, then they are back to a single access point off of A Street. The front lawn is more critical in their schedule because it will dictate how they treat the lot and traffic flow.

Action:

Motion for approval made by Gengler, seconded by Johnson and carried 5-0: Bavitz, Gengler, Hewitt, Johnson, and McKee voting 'yes'; Munn abstaining; Francis absent.

F:\Boards\HPC\MINUTES\2016\HPC091516 Exerpt for Ager Building.wpd