
Lincoln City - Lancaster County

**PLANNING COMMISSION
AGENDA**

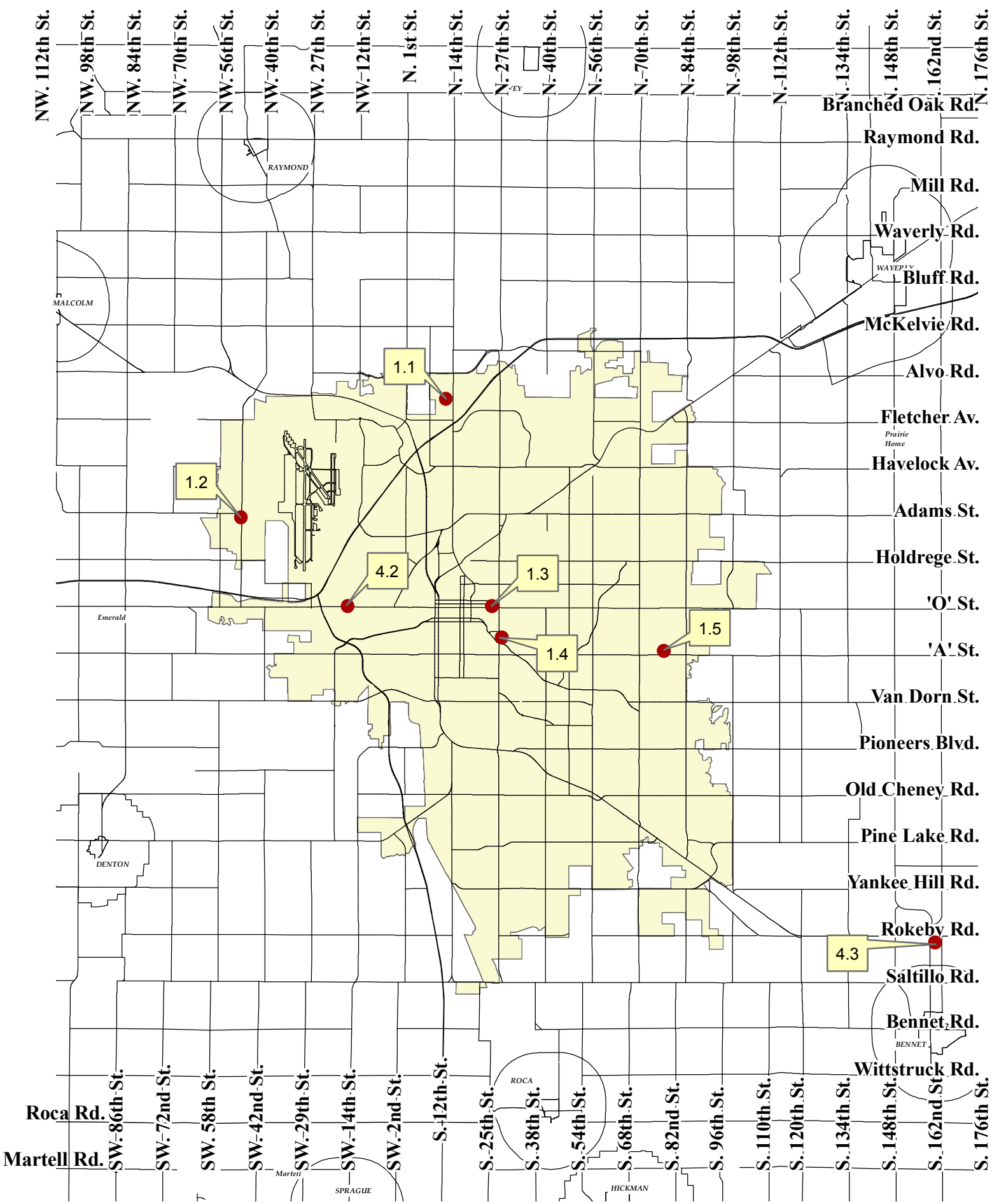
PLANNING COMMISSION

Dennis Scheer: Chair
Tracy Corr: Vice-Chair
Thomas Beckius
Tracy Edgerton
Deane Finnegan
Maja V. Harris
Chris Hove
Cristy Joy
Sandra Washington

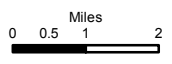
PLANNING STAFF

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

February 14, 2018



Planning Commission - Agenda Item Map
February 14, 2018



NOTICE: The Lincoln/Lancaster County Planning Commission will hold a public hearing on Wednesday, February 14, 2018, at 1:00 p.m. in Hearing Room 112 on the first floor of the County-City Building, 555 S. 10th St., Lincoln, Nebraska. For more information, call the Planning Department, (402) 441-7491.

****PLEASE NOTE:** The Planning Commission action is final action on any item with a notation of “FINAL ACTION”. Any aggrieved person may appeal Final Action of the Planning Commission to the City Council or County Board by filing a Notice of Appeal with the City Clerk or County Clerk within 14 days following the action of the Planning Commission.

The Planning Commission action on all other items is a recommendation to the City Council or County Board.

AGENDA

WEDNESDAY, FEBRUARY 14, 2018

Approval of minutes of the regular meeting held **January 31, 2018**.

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

COMPREHENSIVE PLAN CONFORMANCE AND RELATED ITEMS:

- Page 01**
- 1.1 Comprehensive Plan Conformance No. 18001, to review as to conformance with the 2040 Lincoln Lancaster County Comprehensive Plan, a request to to declare City owned property as surplus, on property generally located at 1233 Garden Valley Road.
Staff recommendation: Conformance to the Comprehensive Plan
Staff Planner: Rachel Jones, 402-441-7603, rjones@lincoln.ne.gov
- Page 07**
- 1.2a Comprehensive Plan Conformance No. 18002, to review as to conformance with the 2040 Lincoln Lancaster County Comprehensive Plan, a request to declare City owned property as surplus, on property generally located at the SE corner of NW 48th Street and West Adams Street.
Staff recommendation: Conformance to the Comprehensive Plan
Staff Planner: Rachel Jones, 402-441-7603, rjones@lincoln.ne.gov
- Page 07**
- 1.2b Change of Zone No. 18002, from I-2 (Industrial Park District) to B-1 (Local Business District), on property generally located at the SE corner of NW 48th Street and West Adams Street.
Staff recommendation: Approval
Staff Planner: Rachel Jones, 402-441-7603, rjones@lincoln.ne.gov

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1.3 Comprehensive Plan Conformance No. 18003, to review as to conformance with the 2040 Lincoln-Lancaster County Comprehensive Plan, a proposed amendment to the Antelope Valley Redevelopment Plan, that adds the "Viet Hao Redevelopment Project". The redevelopment project site is approximately 16,600 square feet and includes the rehabilitation of the 2365 O Street building and the demolition and construction of a new building at 2373 O Street for new retail and office space.

Staff recommendation: Conformance to the Comprehensive Plan

Staff Planner: George Wesselhoft, 402-441-6366, gwesselhoft@lincoln.ne.gov

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1.4 Comprehensive Plan Conformance No. 18004, to review as to conformance with the 2040 Lincoln Lancaster County Comprehensive Plan, a request to declare City owned property as surplus, on property generally located at 820 South 27th Street.

Staff recommendation: Conformance to the Comprehensive Plan

Staff Planner: George Wesselhoft, 402-441-6366, gwesselhoft@lincoln.ne.gov

PERMITS:

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1.5 Special Permit No. 18001, to allow a daycare center for up to 100 children on property generally located at 7700 A Street. **** FINAL ACTION ****

Staff recommendation: Conditional Approval

Staff Planner: George Wesselhoft, 402-441-6366, gwesselhoft@lincoln.ne.gov

2. REQUESTS FOR DEFERRAL:

2.1 _____

2.2 _____

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

3.1 _____

3.2 _____

4. PUBLIC HEARING AND ADMINISTRATIVE ACTION:

TEXT AMENDMENT:

- Page 41
- 4.1 Text Amendment No. 18002, to amend the Lincoln Municipal Code Section 27.72.110 Exceptions to the Height Requirements, in all zoning districts where private schools are allowed, whereby private school buildings may exceed the district height limit of 35 feet; and repealing Section 27.72.110 of the Lincoln Municipal Code as hitherto existing.
Staff recommendation: Approval
Staff Planner: Dessie Redmond, 402-441-6373, dredmond@lincoln.ne.gov

COMPREHENSIVE PLAN CONFORMANCE AND RELATED ITEMS:

- Page 49
- 4.2a Comprehensive Plan Conformance No. 18005, to review as to conformance with the 2040 Lincoln Lancaster County Comprehensive Plan, an amendment to the West O Street Redevelopment Plan, to create the Lincoln Sports Facility Redevelopment Project which includes five underdeveloped parcels of land within the West O Street Redevelopment Area, located at 150 SW. 14th Place. The West O Redevelopment Plan area is generally bounded by West P Street, the first set of railroad tracks south of West O Street, 9th Street and NW/SW 70th Street.
Staff recommendation: Conformance to the Comprehensive Plan
Staff Planner: Dessie Redmond, 402-441-6373, dredmond@lincoln.ne.gov
- Page 65
- 4.2b Change of Zone No. 18001, from H-3 (Highway Commercial District) and I-1 (Industrial District) to H-4 (General Commercial District), on property generally located at 150 SW. 14th Place.
Staff recommendation: Approval
Staff Planner: Dessie Redmond, 402-441-6373, dredmond@lincoln.ne.gov
- Page 65
- 4.2c Special Permit No. 18003, for the development of an indoor sports facility of approximately 78,500 square feet and additional commercial space, more or less, with waivers to parking and reduced setbacks, on property generally located at 150 SW. 14th Place.
Staff recommendation: Conditional Approval
Staff Planner: Dessie Redmond, 402-441-6373, dredmond@lincoln.ne.gov

PLATS:

- 4.3 Preliminary Plat No. 18001, to add two commercial lots, on property generally located at 10200 South 158th Street. **** FINAL ACTION ****
Staff recommendation: Conditional Approval
Staff Planner: Tom Cajka, 402-441-5662, tcajka@lincoln.ne.gov

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

* * * * *

Adjournment:

PENDING LIST: *None*

Planning Department 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
Collin Christopher, <i>Planner</i>	402-441-6372	cchristopher@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
Stacey Groshong Hageman, <i>Planner</i>	402-441-6361	shageman@lincoln.ne.gov
Rachel Jones, <i>Planner</i>	402-441-7603	rjones@lincoln.ne.gov
Dessie Redmond, <i>Planner</i>	402-441-6373	dredmond@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.**

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

ACCOMMODATION NOTICE

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

LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT

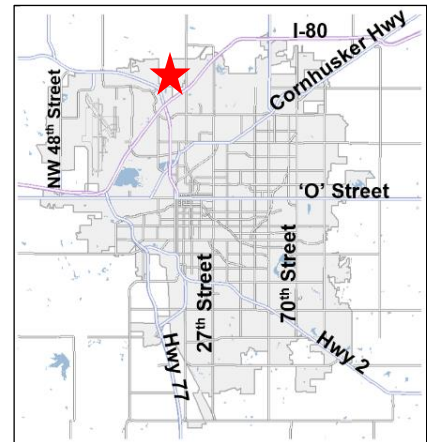
FROM THE LINCOLN/LANCASTER COUNTY PLANNING DEPARTMENT, 555 S. 10TH STREET, SUITE 213, LINCOLN, NE 68508

APPLICATION NUMBER Comprehensive Plan Conformance #18001 - 1233 Garden Valley Road Surplus Declaration	FINAL ACTION? No	DEVELOPER/OWNER City of Lincoln
PLANNING COMMISSION HEARING DATE February 14, 2018	RELATED APPLICATIONS None	PROPERTY ADDRESS 1233 Garden Valley Road

RECOMMENDATION: IN CONFORMANCE WITH THE COMPREHENSIVE PLAN

BRIEF SUMMARY OF REQUEST

The City is requesting the declaration of surplus property for the property at 1233 Garden Valley Road, which was previously acquired for use as a connection to a proposed park. The park is no longer planned to be on the adjacent land. Therefore, the lot is no longer needed and will be sold. This request seeks to find conformance with the Comprehensive Plan to declare the 0.15 acres of this property as surplus.



JUSTIFICATION FOR RECOMMENDATION

The City acquired the property proposed for surplus declaration in conjunction with a planned park. The park will be located elsewhere so the property is no longer needed. There has been no opposition to the sale of the property by any departments or public agencies subject to retaining the existing easements granted with the final plat.

APPLICATION CONTACT

Michelle Backemeyer, (402) 441-8617 or mbackemeyer@lincoln.ne.gov

STAFF CONTACT

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

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

This declaration of surplus property conforms to the Comprehensive Plan.

ANALYSIS

1. This is a request to find in conformance with the Comprehensive Plan the surplus of approximately 0.15 acres at 1233 Garden Valley Road, described as Lot 9, Block 4, Hartland’s Garden Valley Addition. The property to be declared surplus is a buildable single family residential lot.
2. The City acquired this property for use as a future connection to a planned park in the adjacent outlot to the south (Outlot A, Hartland’s Garden Valley 4th Addition). The park is no longer planned to be located in the outlot as the conditions of the site are not feasible for use as a park based on topographical and hydrologic conditions. The park is instead planned to be located in conjunction with the Kooser Elementary School site approximately a quarter of a mile to the north. Therefore, the lot is no longer needed by the Parks and Recreation Department. The outlot will remain in city ownership as a minimum floodway corridor and conservancy area.
3. A pedestrian access on the property is not needed because Parks and Recreation has access to the outlot in other locations for maintenance purposes, and a pedestrian easement is not identified on the preliminary plat or final plat in this area. The existing utility easement shown on the final plat will be retained on the property.
4. This request is to declare a City-owned property that is unused as surplus. The request is consistent with the Comprehensive Plan and will allow the City to sell a property that is no longer needed.

EXISTING LAND USE & ZONING: Undeveloped; R-3 Residential

APPROXIMATE LAND AREA: 0.15 acres, more or less

LEGAL DESCRIPTION: Lot 9, Block 4, Hartland’s Garden Valley Addition, located in the SE quarter of Section 35-11-6, Lincoln, Lancaster County, Nebraska.

Prepared by

Rachel Jones, Planner

Date: February 8, 2018

Applicant/Owner: City of Lincoln
c/o David Landis
555 South 10th Street, Suite 205
Lincoln, NE 68508

Contact: Michelle Backemeyer
City of Lincoln Urban Development Department
555 South 10th Street, Suite 205
Lincoln, NE 68508
(402) 441-8617 or mbackemeyer@lincoln.ne.gov

F:\DevReview\CPC\18000\CPC18001 1233 Garden Valley Road.rkj.docx

CONDITIONS OF APPROVAL - COMPREHENSIVE PLAN CONFORMANCE #18001

BEFORE THE DEED TRANSFER THE FOLLOWING MUST BE COMPLETED:

- 1.1 Include retention of existing easements with deed transfer.



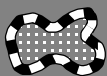


2016 aerial

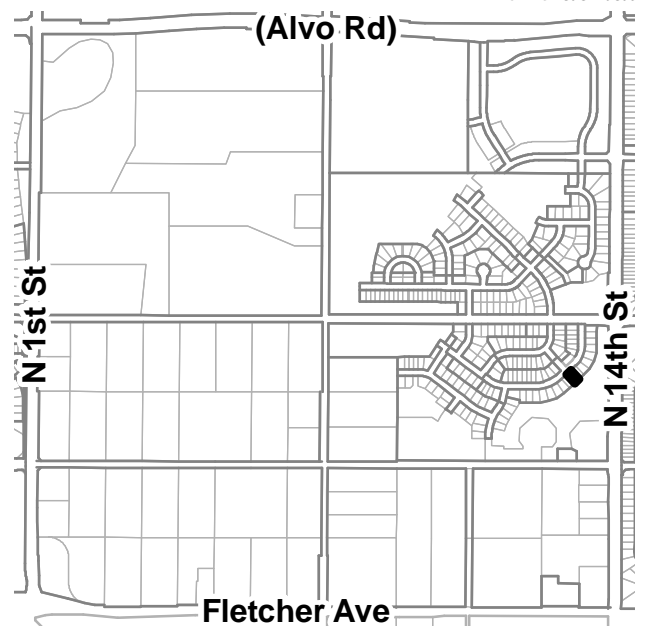
**Comp Plan Conformance #: CPC18001
Petunia La & Garden Valley Rd**

Zoning:

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

One Square Mile:
Sec.35 T11N R06E

	Area of Application
	Zoning Jurisdiction Lines
	Lancaster County Jurisdiction





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

January 17, 2018

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

Dear David:

Enclosed is an application to declare surplus the residential lot located at 1233 Garden Valley Road and legally described as Lot 9, Block 4, Hartland's Garden Valley Addition in NW Lincoln. The City acquired this property for use as a future connection to a proposed adjacent park. The park is no longer planned to be in the vicinity; therefore, the lot is no longer needed by the Parks Department. There has been no opposition to the sale of the property by any other departments or public agencies and easements noted on the plat would be retained.

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 February 14, 2018, agenda.

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

Sincerely,

A handwritten signature in blue ink that reads "Michelle R. Backemeyer".

Michelle R. Backemeyer
Real Estate and Relocation
Assistance Agent

cc: Dave Landis, Director, Urban Development Dept.

attachments

LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT

FROM THE LINCOLN/LANCASTER COUNTY PLANNING DEPARTMENT, 555 S. 10TH STREET, SUITE 213, LINCOLN, NE 68508

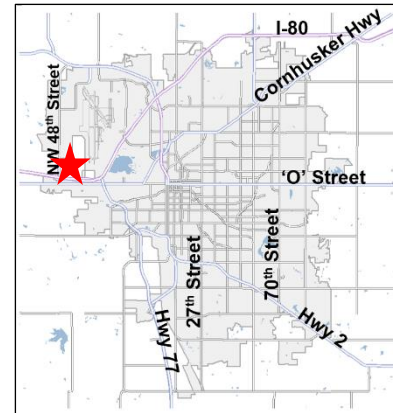
APPLICATION NUMBER Comprehensive Plan Conformance #18002 and Change of Zone #18002	FINAL ACTION? No	DEVELOPER/OWNER City of Lincoln
PLANNING COMMISSION HEARING DATE February 14, 2018	RELATED APPLICATIONS None.	PROPERTY ADDRESS/LOCATION Southeast corner of NW 48 th Street & West Adams Street

**RECOMMENDATION (CPC1002): IN CONFORMANCE WITH THE COMPREHENSIVE PLAN
RECOMMENDATION (CZ18002): APPROVAL**

BRIEF SUMMARY OF REQUEST

The City is requesting the declaration of surplus property for the property southeast of NW 48th and West Adams Street, a property that the City previously acquired from L.E.S. as part of the NW 48th Street widening and improvement project. The property is no longer needed by the City and will be sold, retaining easements for drainage and utilities. This request seeks to find conformance with the Comprehensive Plan to declare 7,371 square feet of this property as surplus.

A related change of zone is requested by the City from I-2 Industrial Park District to B-1 Local Business District.



JUSTIFICATION FOR RECOMMENDATION

The City acquired the property proposed for surplus declaration in conjunction with the NW 48th Street improvement project. Construction activities are completed and the property is no longer needed. There has been no opposition to the sale of the property by any departments or public agencies subject to retaining the necessary easements.

A change of zone to B-1 is consistent with the zoning of the adjacent property and the overall zoning pattern of the area.

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

This declaration of surplus property conforms to the Comprehensive Plan.

APPLICATION CONTACT

Michelle Backemeyer, (402) 441-8617 or mbackemeyer@lincoln.ne.gov

STAFF CONTACT

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

ANALYSIS

1. This is a request to find in conformance with the Comprehensive Plan the surplus of approximately 7,371 square feet of property located at NW 48th and West Adams Streets, and a change of zone from I-2 to B-1.
2. The property, Lot 11 I.T., was purchased by the City from L.E.S. in conjunction with the widening of NW 48th and West Adams Streets. L.E.S. formerly had a substation on the site, which was removed prior to the City’s purchase. A significant portion of Lot 11 was needed for the widening process and has been declared as street right-of-way. Therefore, the property being declared as surplus is described as the remaining portion of Lot 11.
3. There is a storm sewer/drainage structure easement and a utility easement on the property. Vehicular access will need to be taken from the adjoining property, since a new driveway so close to the intersection is not supported by the Access Management Policy. With these limitations, the property may only have value to the adjacent property owner.
4. The property is zoned I-2 Industrial Park District. A change of zone to B-1 is requested by the City to match the zoning of the adjoining property to the south and east. Unlike the surplus declaration, the change of zone boundary includes all of Lot 11 as it would not be desirable to leave the portion declared for right-of-way in a different zoning district. The future land use map designates this property for future industrial uses. However, because the zoning of the adjacent property and the properties across NW 48th Street to the west is B-1, it is most logical to zone the surplus property B-1 as well. Split zoning would create unnecessary complication and the site is too small to be a standalone use in the I-2 district.
5. Permanent utility and storm sewer/drainage easements are in place and will be retained on the property.
6. The request is to declare a strip of City-owned property that is unused as surplus. The request is consistent with the Comprehensive Plan and will allow the City to sell a property that is no longer needed. The change of zone is consistent with the zoning pattern of the area and matches the zoning of the adjacent property, who is the most likely purchaser of the land.

EXISTING LAND USE & ZONING: Undeveloped; I-2 Industrial Park District

APPROXIMATE LAND AREA:

CPC18002: 7,371 square feet (0.17 acres)
CZ18002: 14,589 square feet (0.33 acres)

LEGAL DESCRIPTIONS

CPC18002: See attached.
CZ18002: Lot 11, I.T., located in the NE quarter of Section 18-10-6, Lincoln, Lancaster County, Nebraska.

Prepared by

Rachel Jones, Planner

Date: February 8, 2018

Applicant/Owner: City of Lincoln
c/o David Landis
555 South 10th Street, Suite 205
Lincoln, NE 68508

Contact: Michelle Backemeyer
City of Lincoln Urban Development Department
555 South 10th Street, Suite 205
Lincoln, NE 68508
(402) 441-8617 or mbackemeyer@lincoln.ne.gov

CPC18002 NW 48th & W Adams.rkj.docx

CONDITIONS OF APPROVAL - COMPREHENSIVE PLAN CONFORMANCE #18002

BEFORE THE DEED TRANSFER THE FOLLOWING MUST BE COMPLETED:

- 1.1 Include retention of utility and storm sewer/drainage easements with deed transfer.
- 1.2 Relinquish access to NW 48th Street and West Adams Street.






2016 aerial

**Comp Plan Conformance #: CPC18002
NW 48th St & W Adams St**

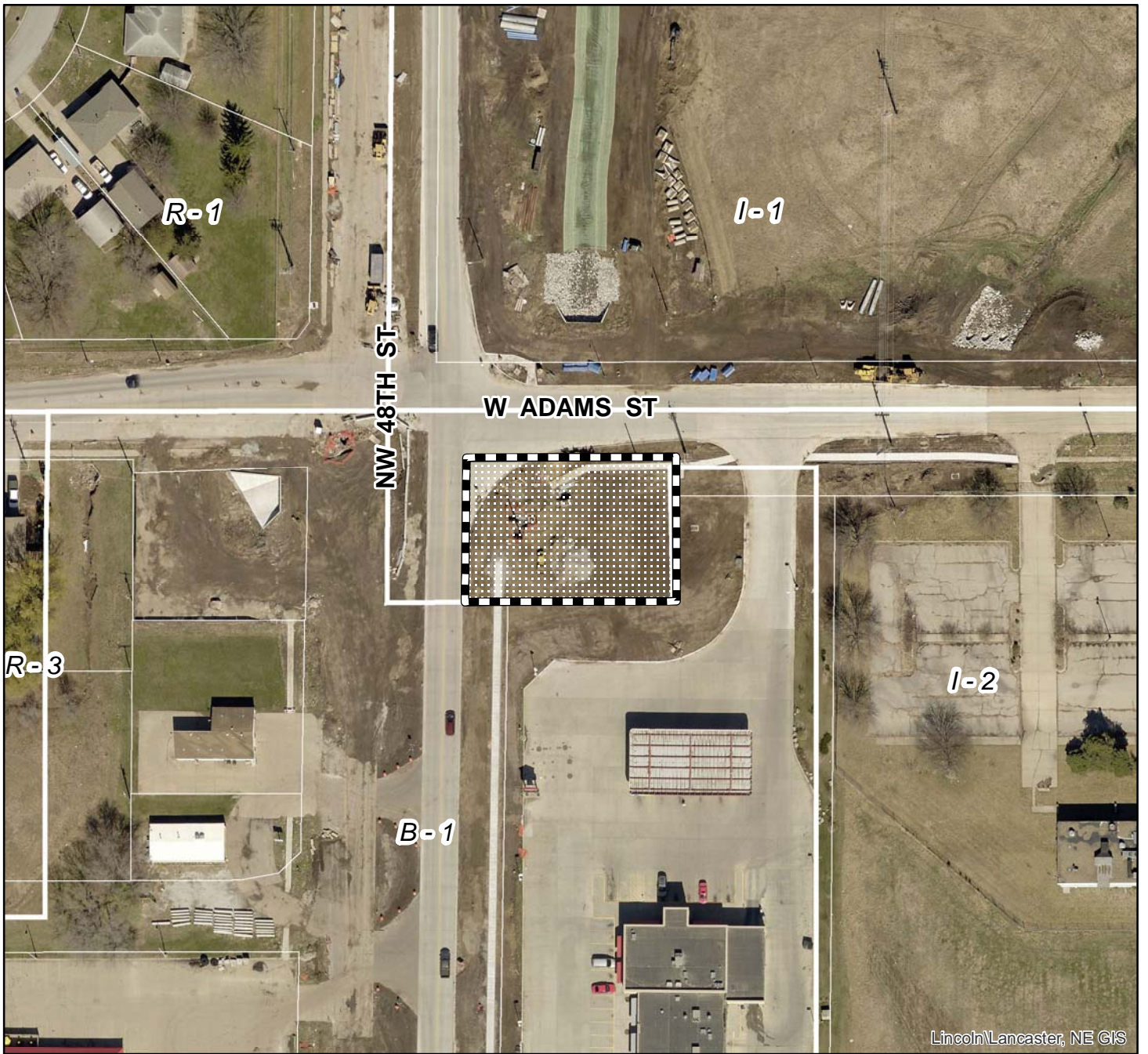
Zoning:

- 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.18 T10N R06E**

	Area of Application
	Zoning Jurisdiction Lines
	Lancaster County Jurisdiction





Lincoln\LANCASTER, NE GIS

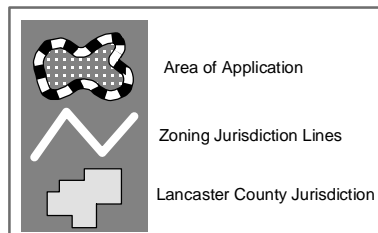
2016 aerial

**Change of Zone #: CZ18002 (I-2 to B-1)
NW 48th St & W Adams 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.18 T10N R06E



Legal Description – CPC18002

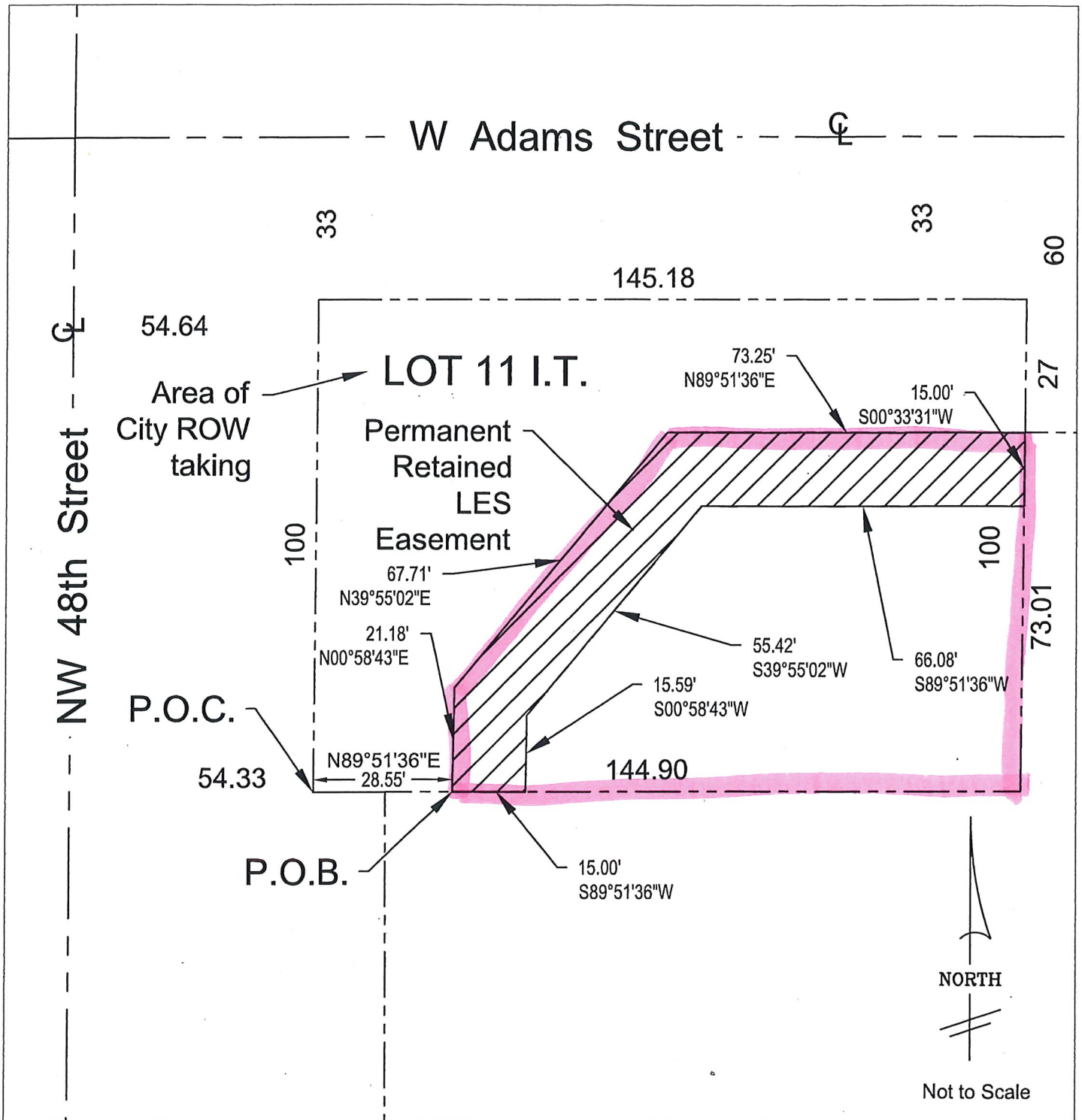
**REMAINDER OF LOT 11 I.T., NORTHEAST QUARTER SECTION 18-10-06
TRACT NO 95
CITY OF LINCOLN**

**REMAINDER
A PORTION OF LOT 11 I.T., NORTHEAST QUARTER SECTION 18-10-06**

A portion of Lot 11, Irregular Tract located in the Northeast Quarter of Section 18, Township 10 North, Range 6 East of the 6th P.M., Lancaster County, Nebraska, more particularly described as follows:

Commencing from the southwest corner of said Lot 11, Irregular Tract, said point being 54.33 feet east of the west line of said Northeast Quarter, said point being on the east right-of-way line of NW 48th Street; thence on an assumed bearing of North 89° 51' 36" East, along the south line of said Lot 11, Irregular Tract, a distance of 28.55 feet to the Point of Beginning; thence North 00° 58' 43" East, a distance of 21.18 feet a point; thence North 39° 55' 02" East, a distance of 67.71 feet to a point; thence North 89° 51' 36" East, a distance of 73.25 feet to a point on the east line of said Lot 11, Irregular Tract; thence South 00° 33' 31" West, along the east line of said Lot 11, Irregular Tract, a distance of 73.01 feet to the southeast corner of said Lot 11, Irregular Tract; thence South 89° 51' 36" West, along the south line of said Lot 11, Irregular Tract, a distance of 116.35 feet to the point of beginning, containing a calculated area of 7,371 square feet, (0.17 acres) more or less.

Utility Easement
 Exhibit "A"
 Page 1 of 2



Lot 11 I.T., in the NE 1/4, Section 18, Township 10 North, Range 6 East of the 6th P.M., Lincoln, Lancaster County, Nebraska.



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

January 17, 2018

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

Dear David:

Enclosed is an application to declare surplus the remaining portion of an Irregular Tract lot located at the SE corner of NW 48th & West Adams Streets and legally described as Lot 11, I.T., NE1/4 of Section 18-10-6. The City acquired this property from LES in conjunction with the City's widening and improvement project affecting LES's property. Once construction activities were completed, Public Works decided the property could be declared surplus and sold. There has been no opposition to the sale of the property by any other departments or public agencies other than a 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 February 14, 2018, agenda.

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

Sincerely,

A handwritten signature in blue ink that reads "Michelle R. Backemeyer".

Michelle R. Backemeyer
Real Estate and Relocation
Assistance Agent

cc: Dave Landis, Director, Urban Development Dept.

attachments

LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT

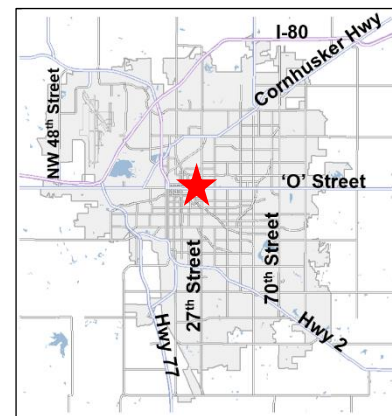
FROM THE LINCOLN/LANCASTER COUNTY PLANNING DEPARTMENT, 555 S. 10TH STREET, SUITE 213, LINCOLN, NE 68508

APPLICATION NUMBER Comprehensive Plan Conformance 18003 Viet Hao Redevelopment Project	FINAL ACTION? No	DEVELOPER/OWNER Hung Viet Nguyen & Thu Hoang Nguyen
PLANNING COMMISSION HEARING DATE February 14, 2018	RELATED APPLICATIONS None	PROPERTY ADDRESS/LOCATION 2353 O Street, 2365 O Street, 2373 O Street

RECOMMENDATION: IN CONFORMANCE WITH THE COMPREHENSIVE PLAN

BRIEF SUMMARY OF REQUEST

This is an amendment to the Antelope Valley Redevelopment Plan that identifies the Viet Hao Redevelopment Project. The project is located on the south side of O Street between South 23rd and 25th Streets. The project site is approximately 16,600 square feet and includes two vacant and dilapidated buildings along with a small parking lot adjacent to the west. The project will include a new retail store and office space and will include building demolition and new construction as well as remodeling of existing building space.



JUSTIFICATION FOR RECOMMENDATION

The Project will assist in the elimination of blight and substandard conditions and will improve the area. The new building associated with the project will have a detailed brick facade in context with the surrounding buildings. The building and uses therein will fit within the context of the O Street entry corridor near the Downtown.

APPLICATION CONTACT
Ernie Castillo, (402)441-7855 or
ecastillo@lincoln.ne.gov

STAFF CONTACT
George Wesselhoft, (402) 441-6366 or
gwesselhoft@lincoln.ne.gov

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The Project is consistent with goals in the Comprehensive Plan; specifically, encouraging redeveloping existing commercial areas in order to remove blighted conditions and support and implementation of the Antelope Valley Redevelopment Plan.

COMPREHENSIVE PLAN SPECIFICATIONS:

p. 1.9 The area is shown as Commercial on the Future Land Use map.

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

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

P. 5.5. Commercial and Industrial Development Strategies: It is the policy that Commercial and Industrial Centers in Lancaster County be located: In existing underdeveloped or redeveloping commercial and industrial areas in order to remove blighted conditions and to more efficiently utilize existing infrastructure.

P. 6.3 Support development and implementation of the Downtown Master Plan, South Haymarket Neighborhood Plan and the Antelope Valley Redevelopment Plan.

ANTELOPE VALLEY REDEVELOPMENT PLAN SPECIFICATIONS:

P. 54 The Future Land Use Map identifies O Street east of the Antelope Creek channel to 27th Street as Mixed-Use.

P. 58 The Mixed-Use designation along "O" Street is intended to provide an attractive entry corridor to and from downtown as well as a central neighborhood amenity within the Antelope Valley Area. Due to the amount of traffic within the corridor, auto oriented land uses are predominant and will likely continue.

P. 58 Public streetscape improvements can upgrade the appearance of the area and should be matched by higher design standards for private improvements, including building materials, locations and landscaping. Emphasis should be given to maintain an attractive "edge" to the corridor of building and/or landscaping.

P. 66 A. General Principles: 1. More Choices - Provide people more choices in housing, shopping, neighborhoods, employment, recreation, entertainment and transportation.

P. 66 A General Principles: 9. Economic Development - Create economic development patterns that support the existing business community and promote new business development opportunities.

P. 68 C. Urban Design Principles: 2. Pride of Place - Building entrances should be given emphasis or "pride of place", placed on the street to enhance street level activity.

P. 68 C. Urban Design Principles: 6. Character of Place - Buildings should be designed to be compatible, in form and proportion, with the neighboring buildings and should include a variety of forms, materials and colors, yet these elements should be composed to maintain a complementary appearance.

P 68 C. Urban Design Principles: 7. Quality of Place - Buildings should include a richness of architectural detail to help define their scale and extend to the sidewalk in front of the property for pedestrian access and visual rhythm and interest.

P 68 C. Urban Design Principles: 12. Mix of Uses - Include a variety of uses in places that receive the most foot and car traffic to strengthen the most interesting and vital parts of town.

ANALYSIS

1. This is an amendment to the Antelope Valley Redevelopment Plan that identifies the Viet Hao Redevelopment Project. The project is located on the south side of O Street between South 23rd and 25th Streets. The project site is approximately 16,600 square feet and includes two vacant and dilapidated buildings along with a small parking lot adjacent to the west. The project will include a new retail store, specifically a new grocery store specializing in foods from Southeast Asia, and office space. The zoning is B-3 commercial.
2. The Project will include both rehabilitation and demolition and new construction components on the east half of the property. Specifically, the south part of the building project will be remodeled, the northeast part along O Street demolished and rebuilt, and the west part remodeled. All three building components will be connected. The west half of the property will consist of parking (See attached Antelope Valley Redevelopment Plan).
3. The project area is not in a flood plain; however, there is a large underground tunnel under the north half of one of the buildings. A geotechnical report concluded that the site is not suitable for typical footings and foundations due to this tunnel structure that was built on top of the underground channel for Antelope Creek.
4. Upon completion of the Project, the assessed value of the property will increase by an estimated \$1,033,800. This will result in an estimated \$128,200 in Tax Increment Financing (TIF) over 15 years for public improvements. The public investment of the approximately \$128,200 will leverage the private investment of approximately \$1,538,460 resulting in more than \$12.00 of private investment for every City TIF dollar spent. The Project area public improvements may include energy and facade enhancements, site preparation, demolition and landscaping.
5. The Project is consistent with the goals of the Antelope Valley Redevelopment Plan. Specifically, providing people with more choices in shopping, creating economic development patterns that promote new business development opportunities and having buildings designed to be compatible, in form and proportion with the neighboring buildings. The new building associated with the project will have a detailed brick facade in context with the surrounding buildings. This project will continue the revitalization of the area, begun with the Health 360 project immediately to the west.
6. The Project is consistent with goals in the Comprehensive Plan; specifically, encouraging redeveloping existing commercial areas in order to remove blighted conditions and support and implementation of the Antelope Valley Redevelopment Plan. The Project will assist in the elimination of blight and substandard conditions and will improve the area.

EXISTING ZONING: B-3 Commercial

EXISTING LAND USES: Vacant buildings

SURROUNDING LAND USE AND ZONING:

North:	Commercial; B-4 Lincoln Center Business District
South:	Commercial; B-3 Commercial
East:	Commercial; B-3 Commercial
West:	Commercial; B-4 Commercial

APPROXIMATE LAND AREA: 16,600 square feet

LEGAL DESCRIPTION: Lot 95, Lot A M&L Subdivision, and the East 50' Lot 8, Block 3 Youngs East Lincoln located in the NE 1/4 of Section 25-10-6, Lincoln, Lancaster County, Nebraska

Prepared by

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

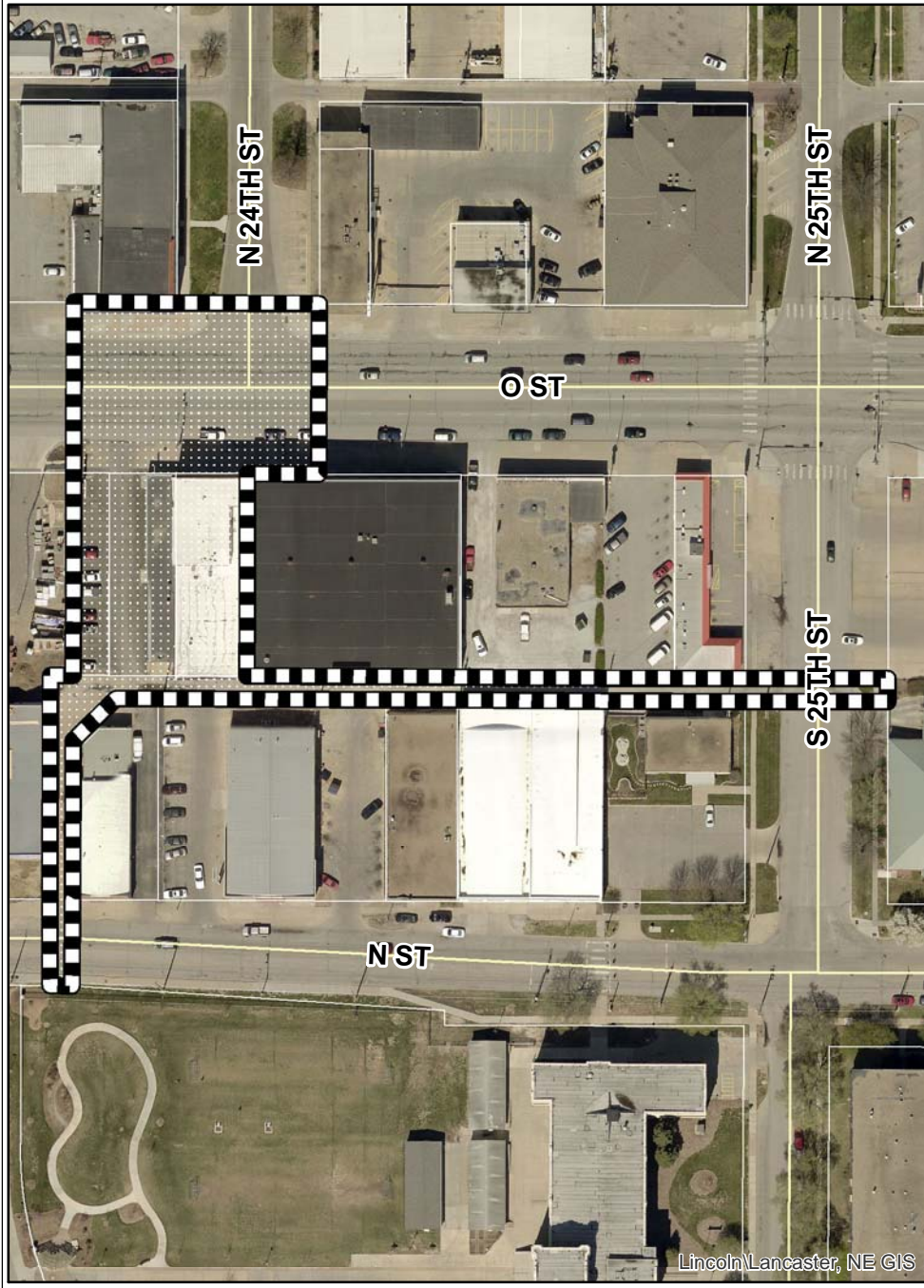
Date: February 1, 2018

Applicant: David Landis
555 S. 10th Street, Suite 205
Lincoln, NE 68508
(402) 441-7126 or dlandis@lincoln.ne.gov

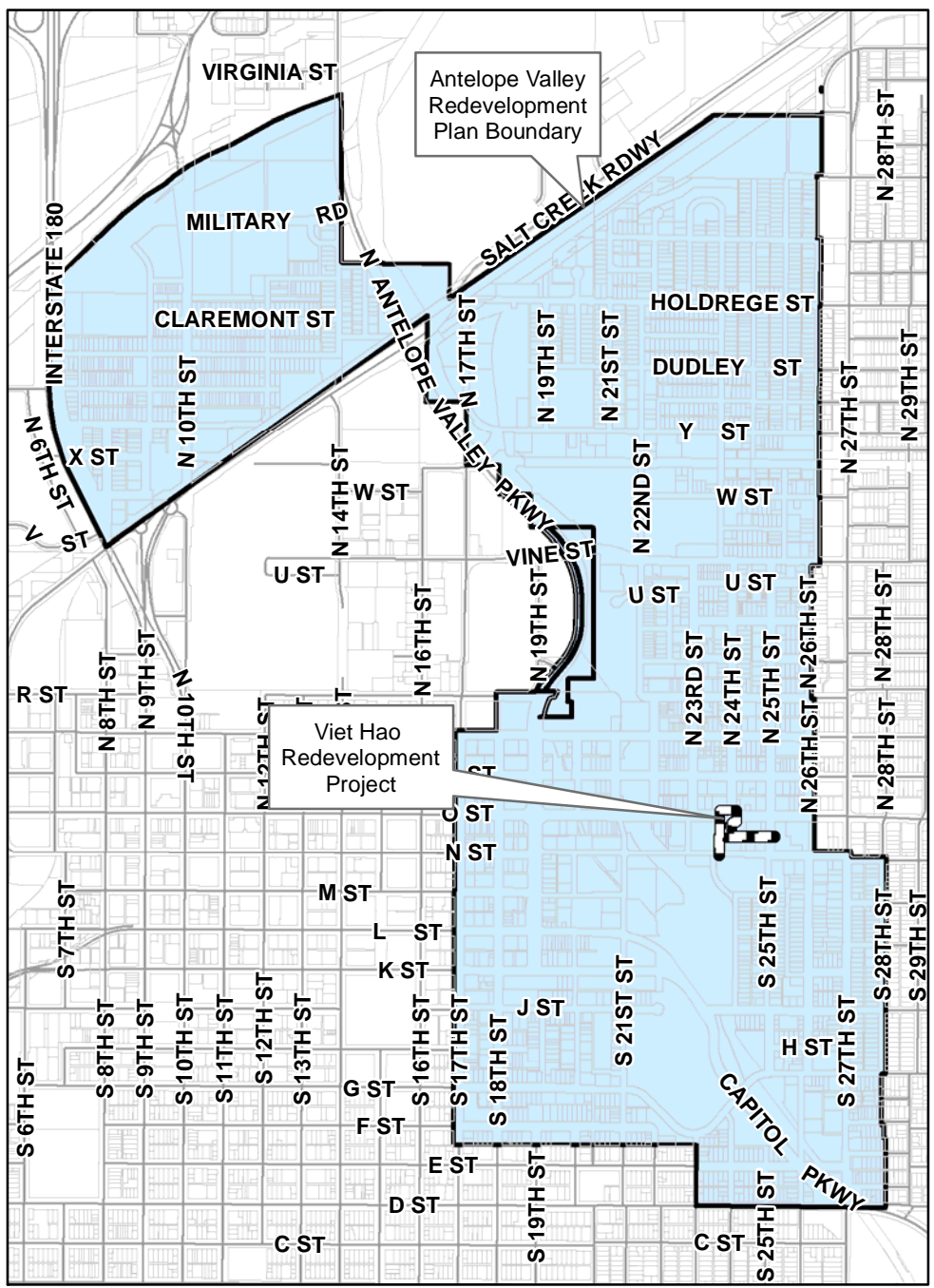
Contact: Ernie Castillo
555 South 10th Street, Suite 205
Lincoln, NE 68508
(402) 441-7855 or ecastillo@lincoln.ne.gov

Owner: Hung Viet Nguyen & Thu Hoang Nguyen
2420 O Street
Lincoln, NE 68510
(402) 770-1719

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2016 aerial



Comprehensive Plan Conformance #18003
Antelope Valley Redevelopment Plan Amendment
Viet Hao Redevelopment Project

m:\plan\arcview\CPCRedevlopmentAreaDrawings.mxd (CPC18003)

January 17, 2018

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

Dear David:

Please find attached one copy of the Viet Hao project amendment to the Antelope Valley Redevelopment Plan.

Please forward the amendment to the Planning Commission for their earliest consideration and review for Comprehensive Plan conformance. I understand that it should be on the February 14, 2018, Planning Commission agenda.

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

Sincerely,



Ernie Castillo
Planner II

Cc: Dallas McGee
Dave Landis

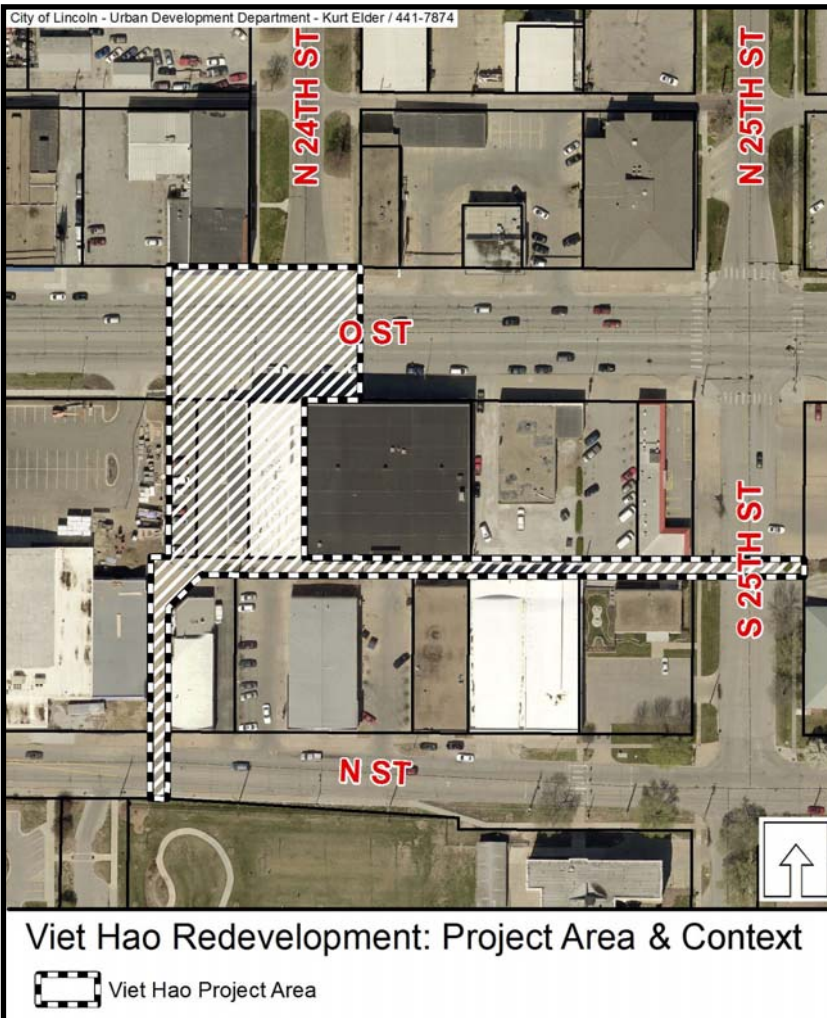
ing new residential, commercial, and retail opportunities to the southeast portion of downtown. The current dilapidated and blighted area will become a vibrant, mixed-use district while maintaining the historic character of the area. Streetscape improvements will tie the overall area together and create a walkable neighborhood linked to Phase 1 of the Telegraph District. The entire District will change from a blighted area with vacant buildings to a desirable, walkable neighborhood close to traditional downtown, bike trails and Union Plaza Park. One or more bike share stations may be implemented in the Telegraph District, which will add transportation and recreational opportunities to the District and the community at large.

The proposed improvements will retain and create new jobs, increase business activity and expand the tax base without adverse effect on either public or private entities. The use of Tax In-

crement Financing will temporarily delay the realization of the expanded real property taxes generated in the area, but there will be significant personal property tax and other revenue generated for the immediate benefit of the community, including: impact fees, excise taxes, fees, licenses, sales taxes, and other taxes that occur and are paid in the course of normal operation of a business. Phase 2 projects will facilitate the redevelopment of underutilized buildings without the incurrance of significant public cost beyond the use of tax increment financing.

Phase 2 projects should have a positive impact on private sector businesses in and beyond the redevelopment area project boundaries. The improvements are not anticipated to impose a burden or have a negative impact on other local area employers, but should increase the need for services and products from existing businesses.

Text of previous project — not part of this amendment



U. Viet Hao Redevelopment Project

1. Project Description

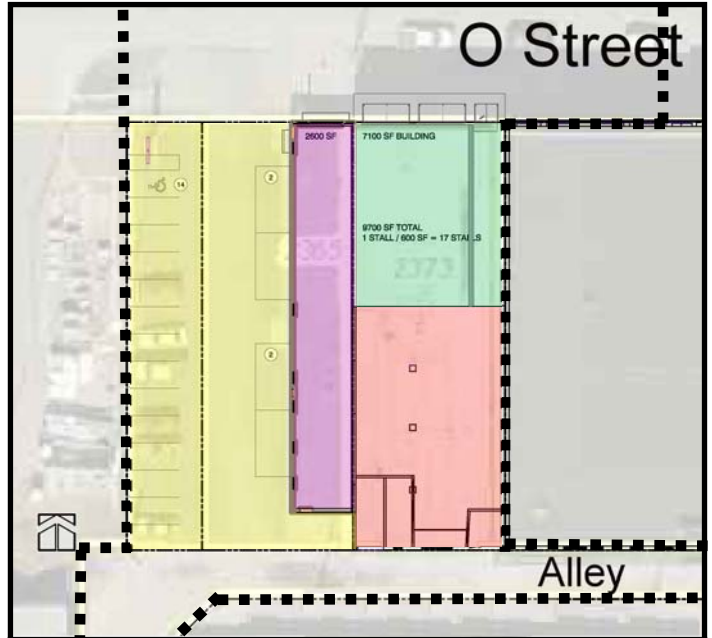
The Viet Hao Project is located at 2353 O Street (parking lot), 2365 O Street and 2373 O Street. The project consists of the rehabilitation of the 2365 O Street building and the demolition and construction of a new building at 2373 O Street. The project includes a new retail store and office space. It is located at mid-block between 23rd and 24th Street (south side), with O Street on the north and N Street on the south. See *Project Area & Context*, left.

The project site is approximately 16,600 square feet and is currently comprised of two vacant and dilapidated buildings. Included in the project site is a small parking lot adjacent to the west. Surrounding land uses include retail to the north, south, east and a health clinic to the west. (See *Existing Land Use*, next page).

The site is zoned B-3. As illustrated in *Existing Zoning* on the following page, other districts adjacent to the site include B-4 to the west, and P Public Use to the south and southwest encompassing Elliot School and the Antelope Valley waterway.

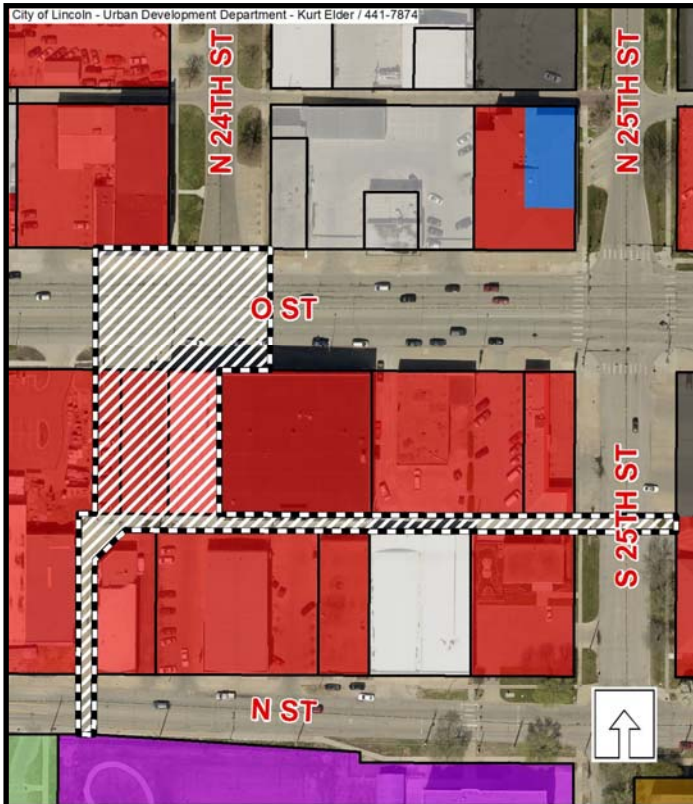
The Viet Hao Market project will be a grocery store specializing in foods from Southeast Asia. This new market will replace the existing business located at 2420 O Street and will double the total area of the existing market. The north half of this building is a two-story structure with structural problems and will be demolished. A geotechnical report concluded that the site is not suitable for typical footings and foundations due to a tunnel structure that was built on top of the underground channel for Antelope Creek. The tunnel is approximately 15 feet wide and the existing building was constructed on top of the tunnel. The structurally sound south half of the building will be remodeled and incorporated into the new building. The 2365 O Street building will also be remodeled to tie the redevelopment together.

The building at 2373 O Street has 16,800 square feet and when finished will have 7,100 square feet. The 2365 O Street building has 4,200 square feet and when remodeled will have 2,600 square feet. Façade and window treatments will be incorporated on the front of the building facing O Street. See *Proposed Preliminary Site Plan* (right, above) and a *Preliminary View of the North Façade* on the following page.



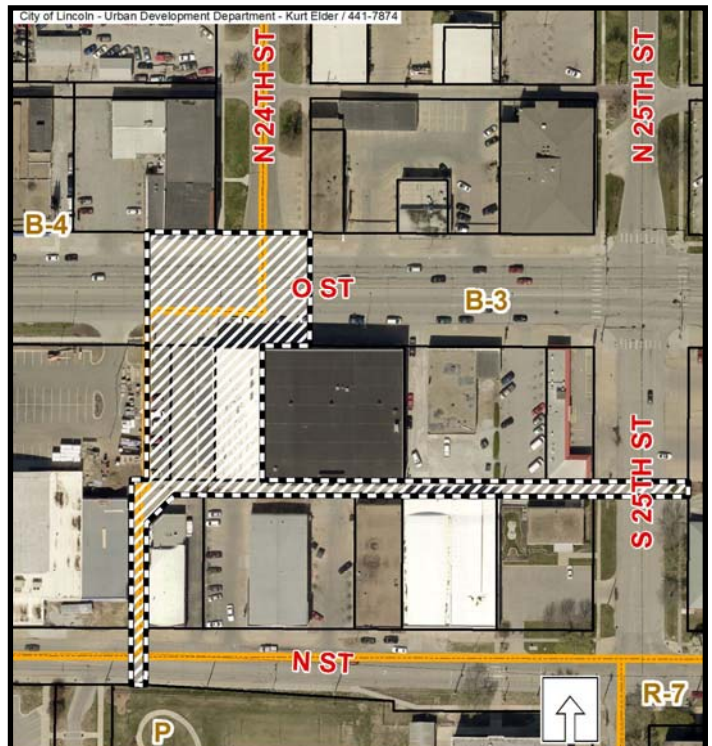
**Viet Hao Redevelopment:
Proposed Preliminary Site Plan**

- Project Area Boundary
- South part 2373 O Street, to be remodeled & connected
- North part of 2373 O Street, to be demolished, rebuilt, & connected
- 2365 O Street, to be remodeled & connected
- Parking & Remainder of Building Site



Viet Hao Redevelopment: Current Land Use

- Viet Hao Project Area
- Apartment
- Commercial
- Light Industrial
- Educational Institutions
- Public & Semi-Public
- Park Land
- Parking Lot



Viet Hao Redevelopment: Existing Zoning

- Viet Hao Project Area
- Zoning



Viet Hao Redevelopment: Preliminary View of the North (O Street) Façade

The project area boundaries are defined in the *Project Area Context & Boundaries* map. Project area public improvements may include energy and façade enhancements, site preparation, demolition and landscaping. The project area is not in a flood plain; however, there is a large underground tunnel under the building.

2. Statutory Elements

Property Acquisition, Demolition, and Disposal: No public acquisition of private property, relocation of families or businesses, or the sale of property is necessary to accomplish this Project. The north half of the 2373 O Street existing building will be demolished and reconstructed and the south half of the building will undergo an extensive internal demolition and remodeling. The 2365 O Street building will undergo extensive internal renovation.

- *Population Density:* The proposed development at the Project site contains no residential units and no residential units are envisioned. The Project consists of renovated retail redevelopment, which will not affect population density in the Project area.
- *Land Coverage:* Land coverage and building density will not be altered with construction of the Project. *Future Land Use* is shown on the following page.
- *Traffic Flow, Street Layouts, and Street Grades:* The City’s Public Works and Utilities Department has indicated that the Project is not likely to result in a significant increase in traffic. Access points will be reduced and no turn lanes are required.
- *Parking:* An existing, 15 stall at grade surface parking lot is part of the project.

- *Zoning, Building Code, and Ordinances:* Current zoning is B-3 with no re-zoning required. Applicable building codes and design standards will be met.

3. Financing and Cost Benefit Analysis

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

- *Tax Revenues:* Upon completion of the Project, the assessed value of the property will increase by an estimated \$1,033,800.00. This will result in an estimated \$128,200.00 in Tax Increment Financing (TIF) over 15 years for public improvements. The public investment of the approximately \$128,200.00 will leverage the private investment of approximately \$1,538,460.00 resulting in more than \$12.00 of private investment for every City TIF dollar spent.
- *Public Infrastructure and Community Public Service Needs Impacts:* It is not anticipated that the Project will have an adverse impact on existing public infrastructure or City services.
- *Employment Within & Outside the Redevelopment Project Area:* The Project will not have any adverse impact on employment within or outside the redevelopment project area.
- *Other Impacts:* The Viet Hao Project will assist in the elimination of Blight and Substandard conditions at this project site and will improve the area. This project continues the revitalization of the area, begun with the Health 360 project immediately to the west of this project. The project will also benefit the community through increased tax revenue.

LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT

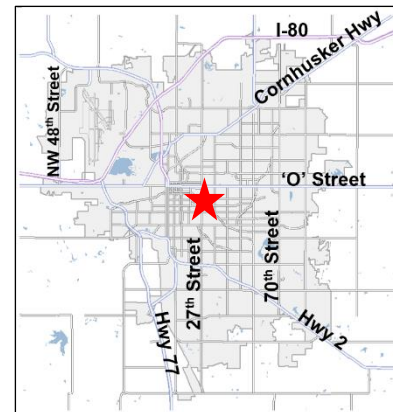
FROM THE LINCOLN/LANCASTER COUNTY PLANNING DEPARTMENT, 555 S. 10TH STREET, SUITE 213, LINCOLN, NE 68508

APPLICATION NUMBER Comprehensive Plan Conformance #18004 820 S. 27 th Street	FINAL ACTION? No	DEVELOPER/OWNER City of Lincoln
PLANNING COMMISSION HEARING DATE February 14, 2018	RELATED APPLICATIONS None	PROPERTY ADDRESS/LOCATION 820 S. 27 th Street/Near Southeast corner of Randolph Street and S. 27 th Street

RECOMMENDATION: IN CONFORMANCE WITH THE COMPREHENSIVE PLAN

BRIEF SUMMARY OF REQUEST

The City is requesting the declaration of surplus property for 2,744 square feet of property located just south of Randolph Street on the East side of S. 27th Street. The City’s Parking Division maintains the property and has decided it could be declared surplus and sold. Previously the City acquired the property as excess land in conjunction with the widening of South 27th Street. This request seeks to find conformance with the Comprehensive Plan to declare the property as surplus.



JUSTIFICATION FOR RECOMMENDATION

The City acquired this property as excess land to be used as replacement parking for on street parking that had been removed because of the South 27th Street project. The City has no plans to use this property and therefore it is appropriate to surplus. There has been no opposition to the sale of the property by any departments or public agencies.

APPLICATION CONTACT

Michelle Backemeyer, (402) 441-8617 or mbackemeyer@lincoln.ne.gov

STAFF CONTACT

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

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

This declaration of surplus property conforms to the Comprehensive Plan.

ANALYSIS

1. This is a request to find in conformance with the Comprehensive Plan the surplus of approximately 2,744 square feet of property located near the Southeast corner of Randolph Street and South 27th Street. The property was acquired in conjunction with the widening of South 27th Street, and the excess land was used to replace on street parking that had been removed because of the project. The City's Parking Division currently maintains the lot, collects no revenue and has decided it could be declared surplus and sold.
2. The City has no plans to use this property and as such can be designated as surplus. However, the intent is that the City will still retain the property until such time that it can be combined as part of a larger redevelopment.
3. The property is zoned B-3 Commercial District, which is the same as the adjacent parcels to the north and south along South 27th Street. The Future Land Use is commercial as well. However, given the small size of the parcel it is not likely viable as a standalone commercial site and should be combined as part of a larger redevelopment.
4. No utilities have identified easements which need to be retained as part of the property surplus designation other than Lincoln Electric System will need to retain an easement for existing facilities.
5. This request is to declare a small, 2,744 square foot property being used as parking as surplus. The request is consistent with the Comprehensive Plan and will allow the City to sell a property that is no longer needed.

EXISTING LAND USE & ZONING: B-3 Commercial

APPROXIMATE LAND AREA: 2,744 square feet

LEGAL DESCRIPTION: Lot 8, Replat of Elm Place

Prepared by

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

Date: February 1, 2018

Applicant/Owner: City of Lincoln
555 South 10th Street, Suite 205
Lincoln, NE 68508

Contact: Michelle Backemeyer
City of Lincoln Urban Development Department
555 South 10th Street, Suite 205
Lincoln, NE 68508
(402) 441-8617 or mbackemeyer@lincoln.ne.gov

CPC18004 820 S. 27th.gjw.docx

CONDITIONS OF APPROVAL - COMPREHENSIVE PLAN CONFORMANCE #18004

BEFORE THE DEED TRANSFER THE FOLLOWING MUST BE COMPLETED:

- 2.1 Retain easement as requested by LES for existing facilities.



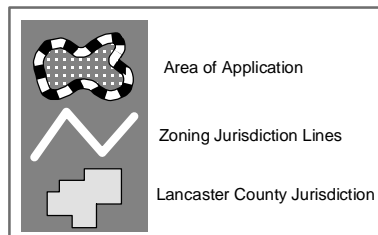
2016 aerial

**Comp Plan Conformance #: CPC18004
S 27th St & Randolph 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.30 T10N R07E**



January 17, 2018

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

Dear David:

Enclosed is an application to declare surplus a lot located at the SE corner of 27th and Randolph Streets also referred to as 820 S. 27th Street and legally described as Lot 8, Replat of Elm Place. The City acquired this property in conjunction with the widening of South 27th Street, and the excess land was used to replace on street parking that had been removed because of the project. The City's Parking Division maintains the lot, collects no revenue and has decided it could be declared surplus and sold. There has been no opposition to the sale of the property by any other departments or public agencies other than a 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 February 14, 2018, 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 COMMISSION STAFF REPORT

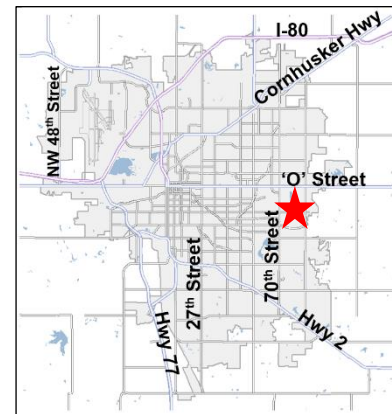
FROM THE LINCOLN/LANCASTER COUNTY PLANNING DEPARTMENT, 555 S. 10TH STREET, SUITE 213, LINCOLN, NE 68508

APPLICATION NUMBER Special Permit #18001 Dimensions Education Programs-East Site	FINAL ACTION? Yes	DEVELOPER/OWNER Dimensions Educational Research Foundation
PLANNING COMMISSION HEARING DATE February 14, 2018	RELATED APPLICATIONS None	PROPERTY ADDRESS/LOCATION 7700 A Street

RECOMMENDATION: CONDITIONAL APPROVAL

BRIEF SUMMARY OF REQUEST

This is a request for a special permit for a new early childhood care facility that will be located on the north side of A Street between Sycamore Drive and Seacrest Field and that will occupy 6,930 square feet of an existing single-story building. The property also includes an existing office use. The facility will have a maximum occupancy of 100 children and 18 proposed employees on the largest shift. Existing access off A Street and existing parking will be utilized. An outdoor playground will be installed on the northeast side of the facility.



JUSTIFICATION FOR RECOMMENDATION

The proposal for an early childhood care facility with up to 100 children is appropriate for this location as A Street is a minor arterial and facilities with thirty-one or more children are required to be located on an arterial street. Also, the location is adjacent residential neighborhoods. The child care facility is compatible with the adjoining office use and nearby residential uses.

APPLICATION CONTACT
Rick Reeble, (402) 474-8504 or
rickr@dimensionsfoundation.org

STAFF CONTACT
George Wesselhoft, (402) 441-6366 or
gwesselhoft@lincoln.ne.gov

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The proposal, subject to conditions of approval is compatible with the Comprehensive Plan which encourages child care centers to be located within neighborhoods and near schools and parks when possible.

KEY QUOTES FROM THE 2040 COMPREHENSIVE PLAN

P. 1.9 - The 2040 Lincoln Area Future Land Use Plan identifies the property as commercial.

P. 8.2 - Education...Child care centers should be located within neighborhoods and near schools and parks when possible.

ANALYSIS

1. LINCOLN MUNICIPAL CODE (LMC) 27.63.070 provides that early childhood care facilities with sixteen or more children may be allowed upon approval of a special permit. The applicant proposal is for a new early childhood care facility that will be located on the north side of A Street between Sycamore Drive and Seacrest Field in an existing building space. The proposed number of employees will be 18 while the maximum number of children will be 100. The facility will utilize existing parking and access will be via existing driveway entrance off A Street.

2. The Special Permit criteria pursuant to 27.63.070 include the following:

(a) The application shall be accompanied by the following information:

(1) The number of children and number of staff members on the largest shift.

The planned maximum occupancy for the facility is to provide for 100 children. There is proposed 18 employees on the largest shift.

(2) A physical description of the facility and a site plan drawn to scale that includes, but is not limited to, the location and arrangement of parking spaces, the traffic circulation pattern, loading and unloading areas, fencing, play area, and entrances/exits to such facility.

A site plan was provided that shows the existing parking areas to the north and south of the building along with the existing entrance drive off A Street. An existing drive on the east side of the building connects to the north parking lot. Parking, fencing, and play area design per requirements will be verified at time of building permit application.

(b) Prior to occupancy, such facilities shall comply with all applicable state and local early childhood care and building requirements.

The facility will meet applicable early childhood care and building requirements prior to occupancy.

(c) Facilities with twenty-one to thirty children shall be located on collector or arterial streets. Facilities with thirty-one or more children shall be located on an arterial street. The location of such facilities on such streets shall comply with the design standards for early childhood care facilities.

The facility is located on A Street, a minor arterial street. The facility shall comply with the design standards for early childhood care facilities prior to occupancy.

(d) The site plan and play area for such facilities shall comply with the design standards for early childhood care facilities.

The site plan and play area will comply with the design standards for early childhood care facilities. The proposed outdoor playground area will be located near the northeast corner of the building. The playground will be set back approximately 110 feet from the nearest adjacent residential property to the east. A 6 foot high opaque fence or wall will be required to fence in the playground area.

(e) The parking and loading/unloading area for such facilities shall comply with the provisions of Chapter 27.67 of the Lincoln Municipal Code. In residential districts, such parking and loading/unloading area shall comply with the design standards for early childhood care facilities.

The required parking for an early childhood care facility is one space/employee on the largest shift, plus off-street loading/unloading area for one automobile per ten care receivers. The 18 proposed employees on the largest shift will require 18 parking spaces. The 100 children will require 10 parking spaces. 28 parking spaces in total will therefore be required for the daycare. The remaining building that will not be occupied by the daycare is 8,600 square feet which will require 29 parking spaces at 1 space per 300 square feet for office use. Total parking

therefore required for the site is 57 spaces. Total actual parking is 64 spaces.

- 3. The proposed daycare center will utilize the east part of the existing building with the west part consisting of office use. Access will be via an existing driveway off A Street and as such there will be no traffic impact to nearby residential areas.
- 4. The proposal with conditions is consistent with the Comprehensive Plan which encourages locating child care facilities within existing neighborhoods and close to schools and parks. The proposed location is on an arterial street near existing residential neighborhoods, a high school and a park. The proposed daycare location will be set back approximately 110 feet from the nearest residential property line with an open space drainage way as a buffer. Therefore, the proposed facility will not be detrimental to nearby residential neighborhoods.

CONDITIONS OF APPROVAL: See attached.

EXISTING LAND USE & EXISTING ZONING: Office & O-2 Suburban Office District

SURROUNDING LAND USE & ZONING

North: Single Family Residential	R-1 Residential District
South: Church, Park	R-1 Residential District/P Public District
East: Single Family Residential	R-1 Residential District
West: High School Athletic Fields	P Public District

APPLICATION HISTORY

- October, 1967 Special Permit #398 was approved for a community unit plan.
- July, 1968 Special Permit #425 was approved for a club.
- April, 1972 Special Permit #591 was approved to construct an addition with a parking lot.

APPROXIMATE LAND AREA: 3.34 acres

LEGAL DESCRIPTION: Lot 30, Block 14 Wedgewood Manor First Addition

Prepared by

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

Date: February 1, 2018

Applicant/ Owner:	Dimensions Educational Research Foundation 7700 A Street Lincoln, NE 68510 (402) 467-6112 rickr@dimensionsfoundation.org	Contact:	Rick Reeble 7700 A Street Lincoln, NE 68510 (402) 474-8504 rickr@dimensionsfoundation.org
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CONDITIONS OF APPROVAL - SPECIAL PERMIT #18001

Per Section 27.63.070 this approval permits an early childhood care facility with up to 100 children.

Site Specific Conditions:

1. Before receiving building permits the permittee shall cause to be prepared and submitted to the Planning Department a revised and reproducible final plot plan including 3 copies with all required revisions and documents as listed below:
 - 1.1 Add "Total Required Parking" note under Daycare Occupancy Parameters and delete the first "28" text before (28 Parking Stalls Req.) note.
 - 1.2 Show full site plan boundary with flood plain and flood way identified.
 - 1.3 Show 6 foot high opaque fence or wall to fence in the playground area.
 - 1.4 Identify the loading/unloading parking spaces for the daycare.
2. Before receiving building permits provide the following documents to the Planning Department:
 - 2.1 Verification from the Register of Deeds that the letter of acceptance as required by the approval of the special permit has been recorded.

Standard Conditions:

3. The following conditions are applicable to all requests:
 - 3.1 Before occupying the building, all development and construction shall substantially comply with the approved plans.
 - 3.2 The physical location of all setbacks and yards, buildings, parking and circulation elements, and similar matters be in substantial compliance with the location of said items as shown on the approved site plan.
 - 3.3 The terms, conditions, and requirements of this resolution shall run with the land and be binding upon the Permittee, its successors and assigns.
 - 3.4 The applicant shall sign and return the letter of acceptance to the City Clerk. This step should be completed within 60 days following the approval of the special permit. The City Clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the applicant. Building permits will not be issued unless the letter of acceptance has been filed.
 - 3.5 The site plan as approved with this resolution voids and supersedes all previously approved site plans, however all prior resolutions approving this permit remain in full force and effect as specifically amended by this resolution.



Lincoln Lancaster, NE GIS

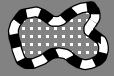


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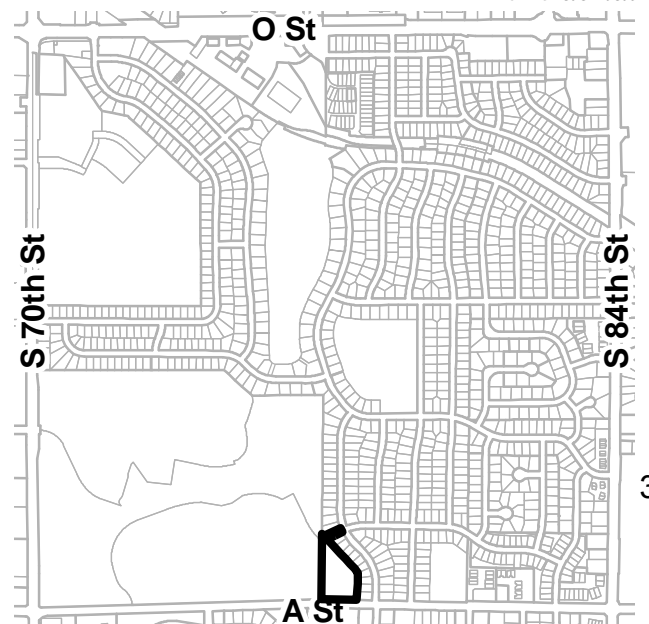
Special Permit #: SP18001
S 77th St & A St

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.27 T10N R07E

	Area of Application
	Zoning Jurisdiction Lines
	Lancaster County Jurisdiction





January 11, 2018

Planning Commission
555 South 10th St, Room 213
Lincoln, NE 68508

Subject: Requested Special Permit for Daycare, 7700 'A' St, Lincoln, NE 68510

Dear Planning Commission Members,

Dimensions Educational Research Foundation is requesting consideration and acceptance of the requested Special Permit for the property located at 7700 'A' St for allowance of an Early Childhood Care Facility to occupy the 6930s.f. single story portion on the east end of the building. "No Waivers are requested". The building has frontage on an Arterial Street, 'A' St., with access from 'A' St., with amenities required for such facilities as illustrated on the enclosed site plan. Including safe and sufficient drop-off parking, and outdoor Nature Explore Classroom.

Dimensions Education Programs planned maximum occupancy for the facility is to provide for 100 children, and a maximum of 18 employees, on the largest shift, pending final Building and Fire Code Approval.

Dimensions Educational Research Foundation feels this location will provide quality child care for the Wedgewood and Trendwood Neighborhoods, with easy and direct access under safe conditions. The property is adjacent to Seacrest Field to the west, and the residential area of Wedgewood to the north & east.

The previous owner of the property originally built the 6930s.f. single story portion of the building the Preschool intends to occupy in 1978. The occupancy of the west side of the building is office space for Dimensions Educational Research Foundation. The use of a Child Care Facility should not create a negative impact on the neighborhood compared to the current use of this and nearby buildings.

We appreciate your consideration of this proposal.

Respectfully,

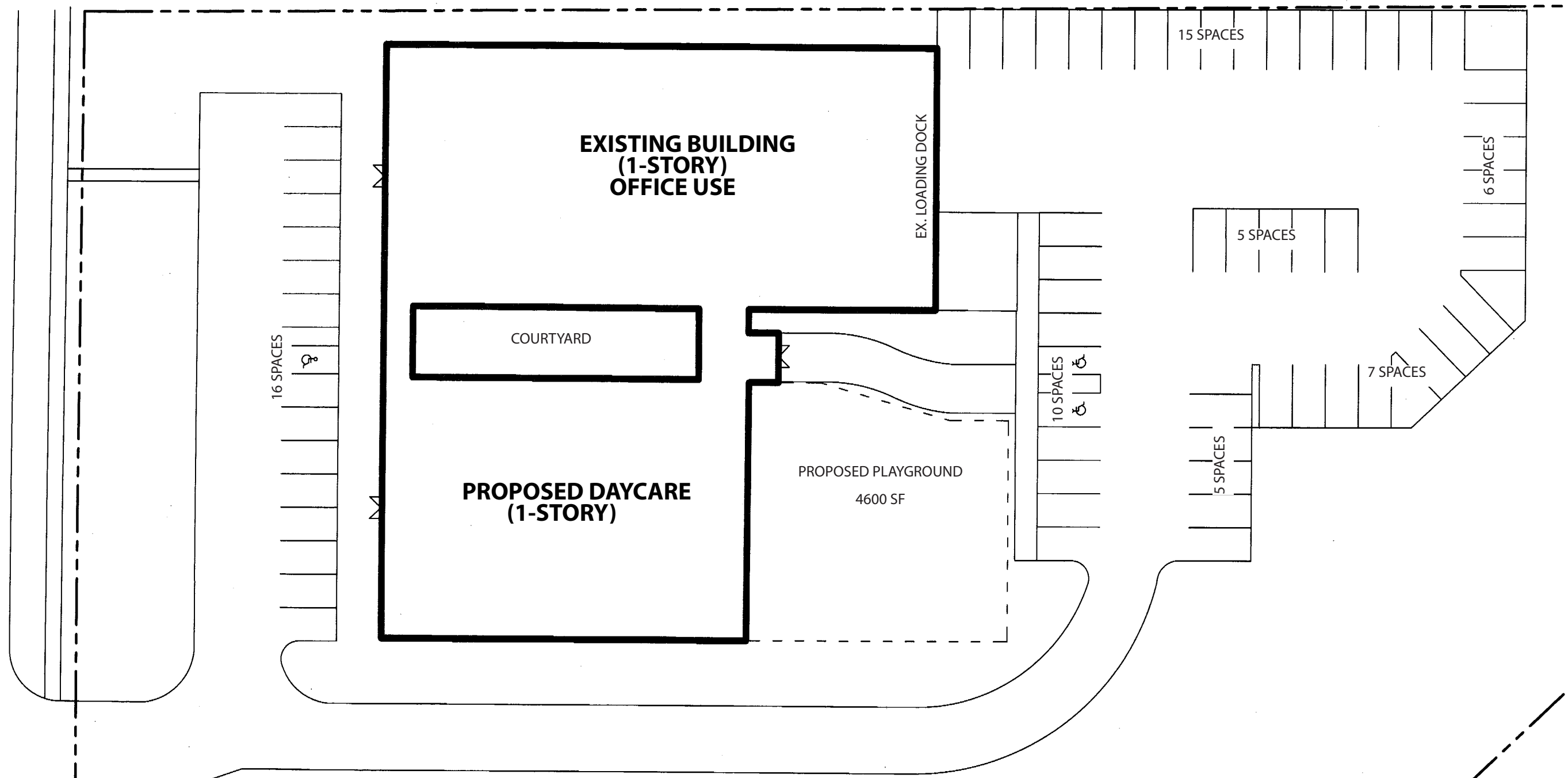
Dimensions Educational Research Foundation

A handwritten signature in black ink, appearing to read "Rick Reeble", is written over the printed name.

Rick Reeble

7700 'A' St
Lincoln, NE 68510
(402) 467-6112

A STREET



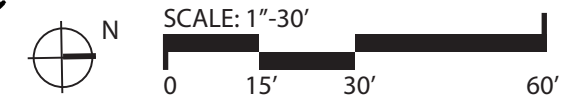
**DIMENSIONS EDUCATIONAL
RESEARCH FOUNDATION**
7700 A STREET LINCOLN, NE 68510

LEGAL DESCRIPTION:
WEDGEWOOD
MANOR, FIRST
ADDITION, BLOCK 14,
LOT 30

DAYCARE OCCUPANCY PARAMETERS:
 EMPLOYEES ON LARGEST SHIFT: 18 (18 PARKING STALLS REQ.)
 LICENSED CHILDCARE CAPACITY: 100 (10 PARKING STALLS REQ.)
 28 (28 PARKING STALLS REQ.)

PARKING MATRIX:
 DAYCARE: 28 STALLS REQUIRED
 REMAINING BUILDING (FLOOR AREA: 8600 SF) 29 STALLS REQUIRED (1:300)
 TOTAL PARKING STALL REQUIREMENTS: 57 STALLS
 TOTAL PARKING STALLS ACTUAL: 64 STALLS

SITE PLAN
1"=30'



LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT

FROM THE LINCOLN/LANCASTER COUNTY PLANNING DEPARTMENT, 555 S. 10TH STREET, SUITE 213, LINCOLN, NE 68508

APPLICATION NUMBER Text Amendment #18002	FINAL ACTION? No
PLANNING COMMISSION HEARING DATE February 14, 2018	RELATED APPLICATIONS None

RECOMMENDATION: APPROVAL

BRIEF SUMMARY OF REQUEST

A text amendment is proposed to amend the Lincoln Municipal Code Section 27.72.110 Exceptions to the Height Requirements, in all zoning districts where private schools are allowed, private school buildings may exceed the district height limit of 35 feet as follows:

1. Exceed the district height by up to 10 feet where that part of the building exceeding the district height is at least 50 feet from any boundary of the premises;
2. Exceed the district height by up to 25 feet where that part of the building exceeding the district height is at least 100 feet from any boundary of the premises

JUSTIFICATION FOR RECOMMENDATION

This text amendment will allow for a greater building height specifically for private school buildings. Private schools are permitted as a Conditional Use in all residential, all office and most business and highway commercial districts. In Lincoln, private schools are typically kindergarten through 12th grade parochial schools and may want to build gyms, auditoriums or theaters in residential areas that may exceed the 35' height. This text amendment does not propose to change regulations but only to allow for a greater height for buildings already permitted in a determined district.

APPLICATION CONTACT

Tim Gergen, (402) 477-9291 or
tim.gergen@clarkenersen.com

STAFF CONTACT

Dessie Redmond, (402) 441-6373 or
dredmond@lincoln.ne.gov

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The 2040 Comprehensive Plan encourages greater utilization of existing facilities in the urban area in addition to cooperative planning and site development between the City and private educational institutions. This request is compatible with the Comprehensive Plan because it allows for a reasonable increase in height with an increase in setback only for private school buildings permitted in zoning districts where private schools are allowed.

KEY QUOTES FROM THE 2040 COMPREHENSIVE PLAN

P. 8.1 - Overall Guiding Principles

- Promote a functional balance between community facilities and growth.
- Encourage adequate facilities and services which provide diverse educational, cultural, environmental, and social opportunities.
- Encourage cooperative planning and site development between the City and public and private educational institutions.

P 8.9 - Education

- Promote the development, design, and use of public and private facilities to assure cooperative planning and maximum utilization, when appropriate. Schools are vital to the preservation of existing neighborhoods and every effort should be made to enhance and retain 'neighborhood schools.'
- Support the necessary expansion of education facilities while remaining sensitive to surrounding neighborhoods.

ANALYSIS

1. This request is for a text amendment to the Lincoln Municipal Code Section 27.72.110 Exceptions to the Height Requirements to allow for private school buildings to exceed the district height limit of 35 feet.
2. Currently, 27.72.110 allows exceptions to the 35' height limit for Wind Energy Conversion Systems, Necessary Mechanical Appurtenances, Chimneys, Antenna Towers, Grain Elevators, and steeples, ornamental spires and towers for Places of Assembly. Also, for scenery lofts, stage towers and amateur radio towers but not for private school buildings.

For example, a scenery loft is permitted to be higher so a stage crew can quickly and safely hoist components such as curtains, lights or stage scenery but the auditorium building itself, which is next to the stage, is not permitted to exceed 35'.

3. Proposed modification to the text are as follows:

27.72.110 Exceptions to the Height Requirements

(e) Private Schools, Heights of. In all zoning districts where private schools are allowed, private school buildings may exceed the district high limit as follows:

- (1) Exceed the district height by up to 10 feet where that part of the building exceeding the district height is at least 50 feet from any boundary of the premises;
- (2) Exceed the district height by up to 25 feet where that part of the building exceeding the district height is at least 100 feet from any boundary of the premises;

4. There are currently 27 private and parochial elementary schools in Lincoln, serving almost 7,000 students. In addition there are four private and parochial high schools including: Lincoln Christian, Lincoln Lutheran, Parkview Christian, and Pius X.

Since the provisions of 27.72.110 pertaining to the proposed Heights of Private Schools text amendment require the portion of the building that exceeds the district height to have a substantial setback off the exterior premises boundary, there should be no negative impacts to surrounding properties.

5. This request is compatible with the Compressive Plan because it allows for a reasonable increase in height with an increased setback for private school buildings permitted in zoning districts where private schools are allowed.
6. There are other examples of greater height of building permitted with an increased setback in our zoning code including Section 27.72.040 Height of Lot Regulations in Highway Commercial Zoning Districts: In all H zoning districts, if the height of the building is over 45' but not more than 35', that portion of the building in excess of 45' shall be required to have one additional foot of setback to any required side and/or rear yard abutting an R-1 through R-4 residential zoning district for each one foot of building height in excess of 45'.

Prepared by:

Dessie E. Redmond, Planner
(402) 441-6373

Date: February 6, 2018

Applicant/Contact: The Clark Enersen Partners
1010 Lincoln Mall, Suite 200
Lincoln, NE 68508
(402) 447-9291 or tim.gergen@clarkenersen.com

F:\DevReview\TX\18000\TX18002 Private School Height Text Amendment.dr.docx

ORDINANCE NO. _____

1 AN ORDINANCE amending Section 27.72.110 of the Lincoln Municipal Code relating
2 to Exceptions to the Height Requirements by including an exception for Private Schools; and
3 repealing Section 27.72.110 of the Lincoln Municipal Code as hitherto existing.

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

5 Section 1. That Section 27.72.110 of the Lincoln Municipal Code be amended to read as
6 follows:

7 **27.72.110 Exceptions to the Height Requirements.**

8 (a) **Wind Energy Conversion Systems Over the District Height.** Wind energy conversion
9 systems over the district height are a permitted use in the AG and AGR zoning district,
10 provided they meet the following conditions:

11 (1) The distance from all lot lines to any tower support base of the WECS shall be
12 equal to the height of the tower plus the radius of the rotor. The City Council may
13 grant a reduction in the specific setback table distance when it finds that such
14 reduction shall not adversely affect surrounding property and is consistent with
15 the intent of this title to promote the public health, safety, and general welfare.

16 (2) The distance from any tower support base of a WECS to any tower support base
17 of another WECS under other ownership shall be a minimum of five rotor
18 distances figured by the size of the largest rotor. The City Council may grant a
19 reduction in this requirement if it finds that such reduction does not adversely
20 affect the operation of either WECS.

- 1 (3) The WECS operation shall not cause interference to the radio and television
2 reception on adjoining property.
- 3 (4) In the AGR district, in order restrict climbing access in or to the WECS tower, a
4 fence six feet high with a locking portal shall be placed around the WECS tower
5 base, or the tower climbing apparatus shall be limited to no lower than twelve feet
6 from the ground, or the WECS tower may be mounted on a roof top.
- 7 (5) The WECS, if interconnected to a utility system, shall meet the requirements for
8 interconnection and operation as set forth in the electric utility's then current
9 service regulations applicable to WECS.
- 10 (b) **Necessary Mechanical Appurtenances.** All necessary mechanical appurtenances
11 located on top of a building are exempt from the height regulations contained in this title
12 as follows:
- 13 (1) No such appurtenances may exceed twenty feet in height above the maximum
14 permitted in the district in which they are located;
- 15 (2) All of said appurtenances must be set back a minimum of fifteen feet from all
16 faces of a building when said faces are adjacent to a street.
- 17 (c) **Chimneys, Antenna Towers, and Grain Elevators.** Chimneys, cooling towers, elev-
18 ator bulkheads, grain elevators, fire towers, stage towers or scenery lofts, amateur radio
19 antenna installations not exceeding sixty-five feet in height (which includes a tower not
20 exceeding fifty feet in height), noncommercial radio towers not exceeding fifty feet in
21 height, wind energy conversion systems over the height of the district authorized by
22 conditional use or special permit, or water towers are exempt from the height regulations
23 as contained herein.

1 (d) **Buildings, Places of Religious Assembly, Height of.** In all zoning districts where places
2 of religious assembly are allowed, the main place of religious assembly building
3 including place of religious assembly steeples, towers, and ornamental spires, used for
4 the conduct of worship or religious services, may exceed the district height limit by the
5 addition of one foot for each foot that such building is set back from all required yards.

6 (e) **Private Schools, Height of.**

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7 In all zoning districts where private schools are allowed, private school buildings may
8 exceed the district height limit as follows:

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9 (1) Exceed the district height by up to 10 feet where that part of the building
10 exceeding the district height is at least 50 feet from any boundary line of the
11 premises:

12 (2) Exceed the district height by up to 25 feet where that part of the building
13 exceeding the district height is at least 100 feet from any boundary line of the
14 premises:

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15 **NOTE:** Additional provisions regarding waivers of height restrictions may be found under
16 Chapter 27.63 for the following uses:

- 17 (1) Amateur radio antennas exceeding 65 feet; see §27.63.670
- 18 (2) Wind Energy Conversion Systems over the district height; see §27.63.420
- 19 (3) Place of religious assembly steeples, towers, and ornamental spires; see
20 §27.63.220
- 21 (4) Permitted Use Exceeding the Maximum Height Permitted in the District; see
22 §27.63.250
- 23 (5) Expansion of Nonconforming and Nonstandard Uses; see §27.63.280

1 (6) Community Unit Plans; see §27.63.320

2 Section 2. That Section 27.72.110 of the Lincoln Municipal Code as hitherto existing be
3 and the same is hereby repealed.

4 Section 3. This ordinance shall be published, within fifteen days after the passage hereof,
5 in one issue of a daily or weekly newspaper of general circulation in the City, or posted on the
6 official bulletin board of the City, located on the wall across from the City Clerk's office at 555
7 S. 10th Street, in lieu and in place of the foregoing newspaper publication with notice of passage
8 and such posting to be given by publication one time in the official newspaper by the City Clerk.
9 This ordinance shall take effect and be in force from and after its passage and publication or after
10 its posting and notice of such posting given by publication as herein and in the City Charter
11 provided.

Introduced by:

Approved as to Form & Legality:

City Attorney

<p>Approved this ___ day of _____, 2018:</p> <p>_____</p> <p>Mayor</p>
--

LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT

FROM THE LINCOLN/LANCASTER COUNTY PLANNING DEPARTMENT, 555 S. 10TH STREET, SUITE 213, LINCOLN, NE 68508

APPLICATION NUMBER Comprehensive Plan Conformance #18005	FINAL ACTION? No	DEVELOPER/OWNER Sam Manzitto Jr./Hampton, LLC
PLANNING COMMISSION HEARING DATE February 14, 2018	RELATED APPLICATIONS SP18003 & CZ18001	PROPERTY ADDRESS 150 SW 14 th Place

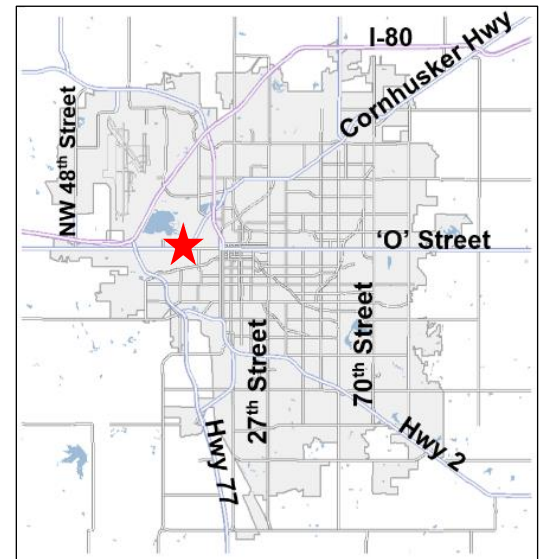
RECOMMENDATION: IN CONFORMANCE WITH THE COMPREHENSIVE PLAN

BRIEF SUMMARY OF REQUEST

This is an amendment to the West O Street Redevelopment Plan that involves a Comprehensive Plan Compliance for the redevelopment of five underdeveloped parcels of land located in the West O Street Redevelopment Area. The proposal involves two phases. Phase One will consist of the construction of an approximately 78,500 square foot indoor sports complex including eight basketball courts, 12 volleyball courts and a 5,000 square foot training center, as well as construction of a surface parking lot and associated improvements. Phase Two will consist of an approximately 19,000 to 21,000 square foot commercial buildings, a surface parking lot and associated improvements.

There are two associated requests:

1. For a Special Permit in the H-4 zone for a Planned Service Commercial development (SP18003).
2. A change of zone from H-3 Highway Commercial District and I-1 Industrial District to H-4 General Commercial District and AG Agriculture (CZ18001).



JUSTIFICATION FOR RECOMMENDATION

The proposed goal of the project is to strengthen and support the business community in the West O Street Redevelopment area through development of an indoor sports facility and the commercial buildings. The facility will be a destination business and will attract families and customers to commercial neighbors. The project will assist in the efforts to remove and mitigate blight and substandard conditions. Additionally, it will put an under-utilized parcel of real estate to a productive use as an infill redevelopment project using existing infrastructure with no additional infrastructure costs to the city. This project helps mitigate any adverse impact and protect the rare saline wetlands located adjacent to the site.

APPLICATION CONTACT

Sam Manzitto, Jr. (402) 483-2302 or samjr@manzitto.com

STAFF CONTACT

Dessie E. Redmond, Planner (402) 441-6373 or dredmond@lincoln.ne.gov

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

This project is consistent with the 2040 Comprehensive Plan. Chapter 5 Business & Economy indicates that commercial

centers should be developed in locations where they will enhance entryway corridors and in existing underdeveloped commercial areas in order to removed blighted conditions and more efficiently utilize existing infrastructure.

COMPREHENSIVE PLAN SPECIFICATIONS:

P. 5.5 - In existing underdeveloped or redeveloping commercial and industrial areas in order to remove blighted conditions and to more efficiently utilize existing infrastructure.

P. 5.6 - So that they enhance entryways or public way corridors, when developing adjacent to these corridors.

P. 9.11 - It is anticipated that fitness and wellness facilities will continue to be developed and managed by private organizations in the future.

P. 9.12 - Private organizations sponsor programs in swimming, athletics, arts and crafts, camping, and various club activities, and provide facilities for more casual recreational activities. Some examples of private sector recreation facilities include bowling alleys, sport courts, soccer complexes, gyms, and athletic clubs and fitness facilities.

P. 12.3 - This site is shown as future Commercial and Industrial on the 2040 Lincoln Area Future Land Use Plan.

P. 12.4 - Industrial designations are for areas where railroads, manufacturing, trucking and transportation facilities are the dominant land use, with some commercial activities.

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

WEST O STREET REDEVELOPMENT PLAN SPECIFICATIONS:

P. 17 - West O Street is an entryway into Lincoln and acts as a front door, introducing visitors and residents to Lincoln. Given the existing zoning and land uses in the Redevelopment Area, primary uses are likely to continue to be commercial and industrial.

P. 17 - Areas that require redevelopment, including areas with obsolete land uses or unresolvable land use conflicts, should be developed in ways that strengthen existing commercial, industrial and residential investments.

P. 17 - Improve street landscaping, where possible, along parking lots or in conjunction with new developments.

ANALYSIS

1. This is an amendment to the West O Street Redevelopment Plan that involves a Comprehensive Plan Compliance for the redevelopment of five underdeveloped parcels of land located in the West O Street Redevelopment Area.
2. This request is to facilitate the development of the Lincoln Sports Facility to provide indoor recreation and competitive sport opportunities for Lincoln youth.
3. The site can be easily serviced by roads and utilities. One Lot fronting W. O Street will continue to take access off W. O Street and the new facility will take access off SW. 14th Place as a private roadway.
4. A change of zone on this site is proposed to be rezoned from H-3 Highway Commercial District and I-1 Industrial District to H-4 General Commercial District and AG Agriculture (CZ18001). H-4 zoning permits for a Planned Service Commercial development with a Special Permit for an enclosed commercial recreational facility.
5. A Special Permit (SP18003) in the H-4 zone for a Planned Service Commercial development for an enclosed commercial recreational facility is requested with waivers to parking and setbacks requirements.

6. The Urban Design Committee (UDC) will review the Amendment to the West O Street Redevelopment Plan for the Lincoln Sports Facility Redevelopment Project. The UDC provides advisory services to the Planning Commission and City Council on the design of public projects. The Committee's intent is to make sure that new public facilities are exemplary - that they provide functional and aesthetically pleasing facilities for the public, and model good design for the private sector.
7. This project does include public financing through Tax Increment Financing (TIF). The Urban Development Department details this in the attached report.
8. This redevelopment project will add landscaping and street trees along W. O Street which will enhance this entryway into Lincoln.

CONDITIONS OF APPROVAL: none

EXISTING LAND USE & ZONING: Vacant and Commercial & H-3 and I-1 districts

SURROUNDING LAND USE

North: W. O Street
 South: Burlington Northern Railroad
 East: Auto sales
 West: Vacant

SURROUNDING ZONING

H-3 Highway Commercial
 I-1 Industrial
 H-3 Highway Commercial
 H-3 Highway Commercial

APPLICATION HISTORY: none

APPROXIMATE LAND AREA: 8.14 acres

LEGAL DESCRIPTION: Lots 2-7, Block 1, Earl Carter Addition, located in Section 28-10-6 and a portion of W. O Street to the north of the subject property, Lincoln, Lancaster County, Nebraska.

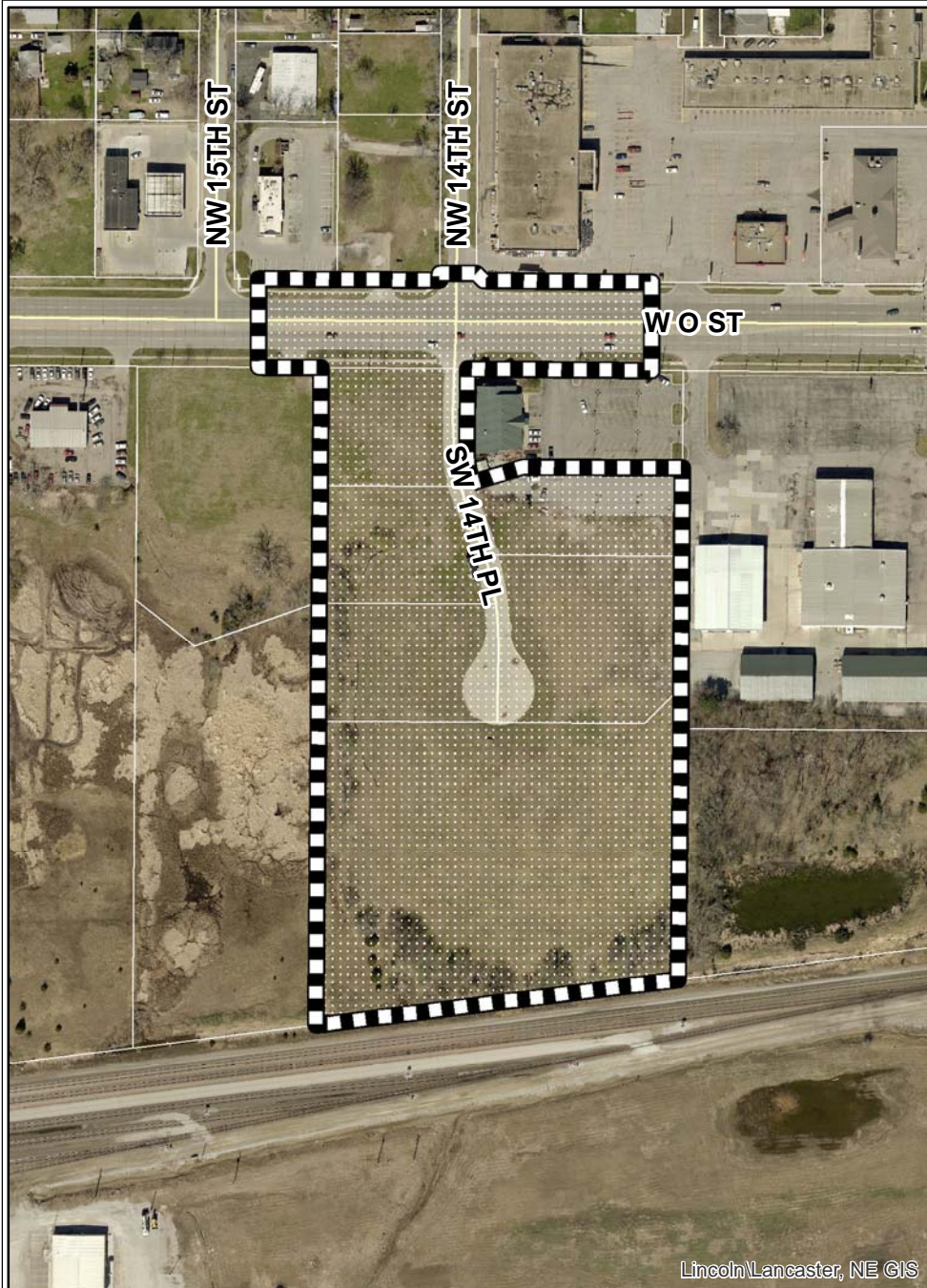
Prepared by:

Dessie E. Redmond, Planner
 (402) 441-6373

Date: February 6, 2018

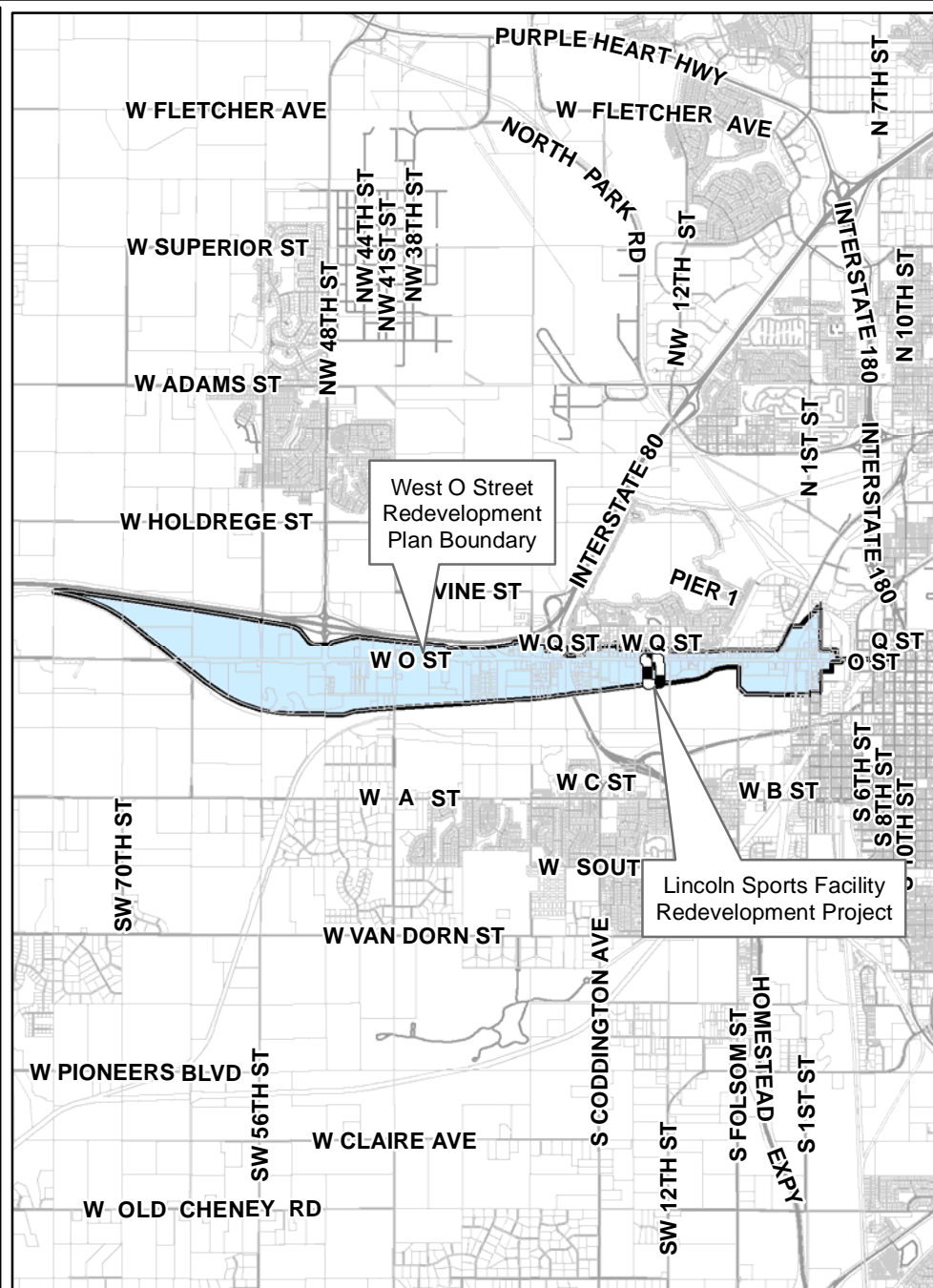
Applicant/Contact: Lincoln Sports Facility, LLC
 Sam Manzitto, Jr.
 3341 Pioneers Boulevard, Suite 1
 Lincoln, NE 68506

F:\DevReview\CPC\18000\CPC18005 Lincoln Sports Complex.dr.docx



Lincoln Lancaster, NE GIS

2016 aerial



Comprehensive Plan Conformance #18005

West O Street Redevelopment Plan Amendment
Lincoln Sports Facility Redevelopment Project

m:\plan\arcview\CPCRevelopmentAreaDrawings.mxd (CPC18005)

AMENDMENT TO THE WEST O STREET REDEVELOPMENT PLAN

Lincoln Sports Facility Redevelopment Project

1. Project Description

The Lincoln Sports Facility Redevelopment Project (the “Project”) involves the redevelopment of five underdeveloped parcels of land located in the West O Street Redevelopment Area. The parcels comprising the proposed project site are generally located at 120 SW 14th Plaza, 121 SW 14th Plaza, 140 SW 14th Plaza, 141 SW 14th Plaza and 150 SW 14th Plaza, and are legally described as Lots 2 through 6, Block 1, Earl Carter Addition to the City of Lincoln, Lancaster County, Nebraska (the “Project Site”). The Project Site is depicted on the map, below.



Lincoln Sports Facility Redevelopment: Project Area

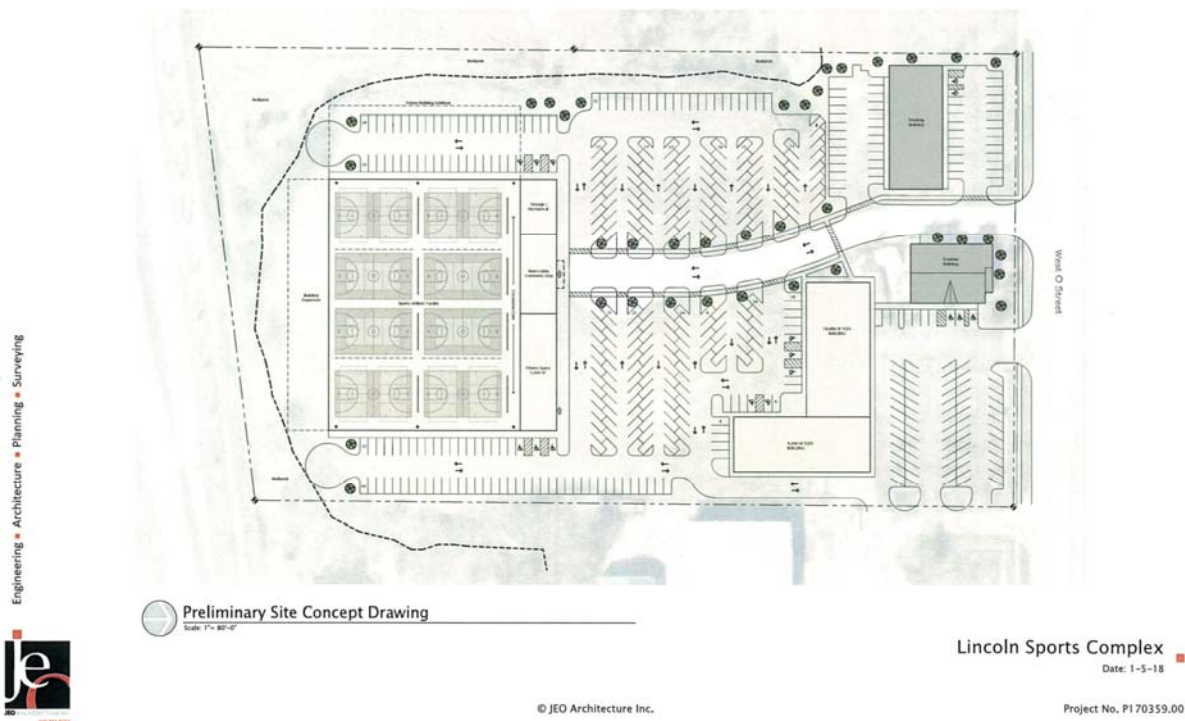
 Lincoln Sports Facility

City of Lincoln - Urban Development Department - Kurt Elder / 441-7874



The proposed Project involves at least two phases. Phase One will consist of the construction of an approximately 78,500 square foot indoor sports complex, including 8 basketball courts, 12 volleyball courts, and an approximately 5,000 square foot training center, as well as construction of a surface parking lot and associated improvements on that portion of the Project Site legally described as follows: Lots 4 through 6, Block 1 Earl Carter Addition to the City of Lincoln, Lancaster County, Nebraska (the “Phase One Project Site”).

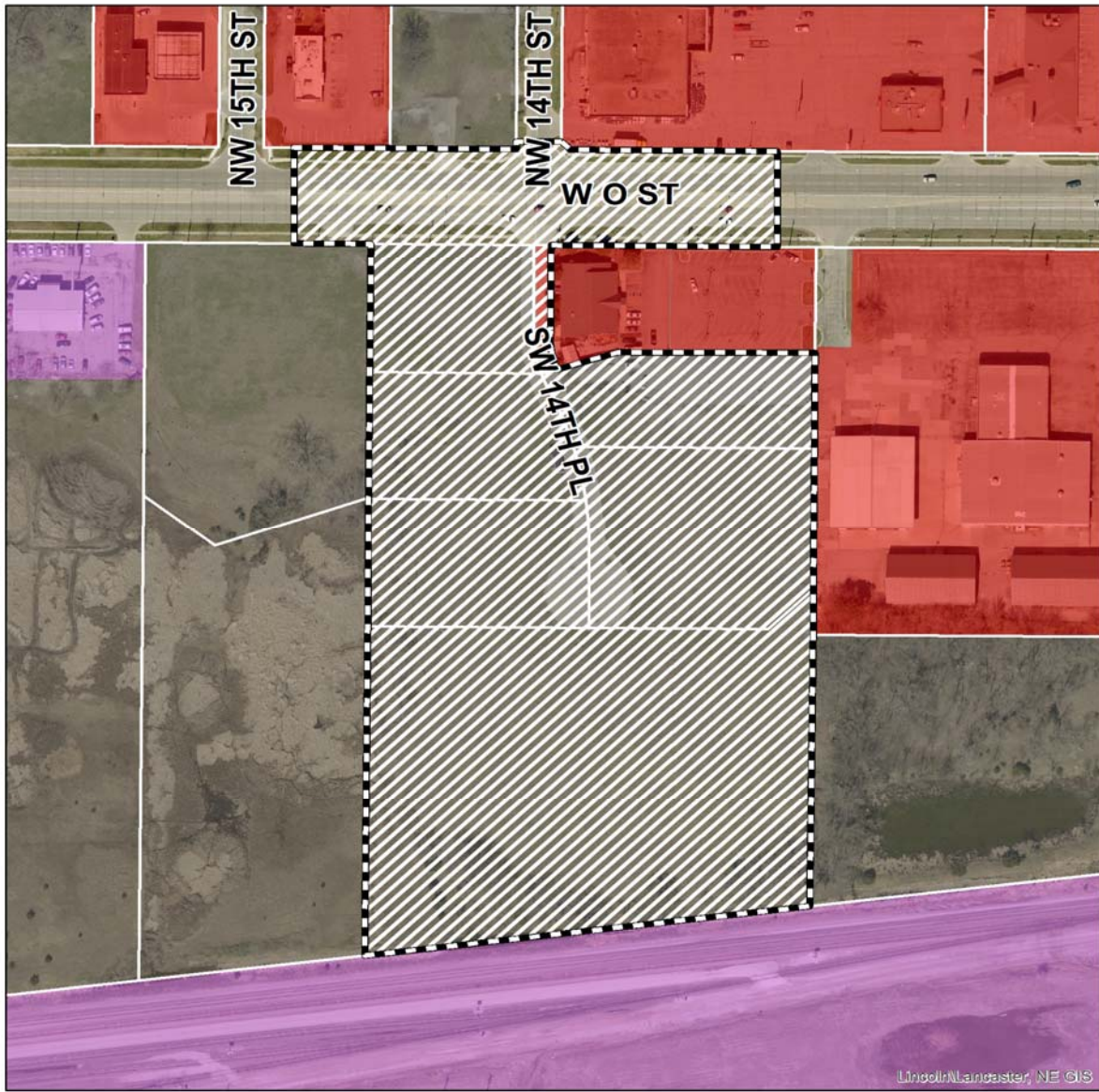
It is anticipated that Phase Two will consist of construction of an approximately 19,000 to 21,000 square foot commercial building, a surface parking lot, and associated improvements, on that portion of the Project Site legally described as follows: Lot 2 and Lot 3, Block 1, Earl Carter Addition to the City of Lincoln, Lancaster County, Nebraska (the “Phase Two Project Site”). The improvements which comprise Phase Two may be completed in two separate phases, with each commercial building described above constituting one phase, provided that the Phase Two Project Site is replatted to accommodate this approach. See the proposed Site Plan for the Project, below.






The goal of the Project is to strengthen and support the business community in the West O Street Redevelopment Area through development of an indoor sports complex and the commercial building on the Project Site. The Project is a destination business and will attract families and customers to commercial neighbors. The Project will assist in the efforts to remove and mitigate blight and substandard conditions on the Project Site. This Project will put an under-utilized parcel of real estate to a productive use as an infill redevelopment project using existing infrastructure with no additional cost to the city. This project further helps mitigate any adverse impact and protect the rare saline wetlands located to the west of the project site. The Project further enhances the West O Street Redevelopment Area through the development of a mix of commercial uses that are supportive of

existing commercial investments in the West O Street Redevelopment Area, in accordance with the purposes set forth in the West O Street Redevelopment Plan.

The Project Site is currently vacant. Surrounding land uses primarily include commercial uses along West O Street and light industrial uses to the south, with a fairly significant amount of undeveloped, vacant land to the west of the Project Site. Single family detached residential uses exist north of the West O Street corridor. The proximity of West O Street to the north of the Project Site underscores the need for redevelopment of the Project Site to enhance the West O Street Redevelopment Area as an entryway to the City of Lincoln. See the current land use map, below.

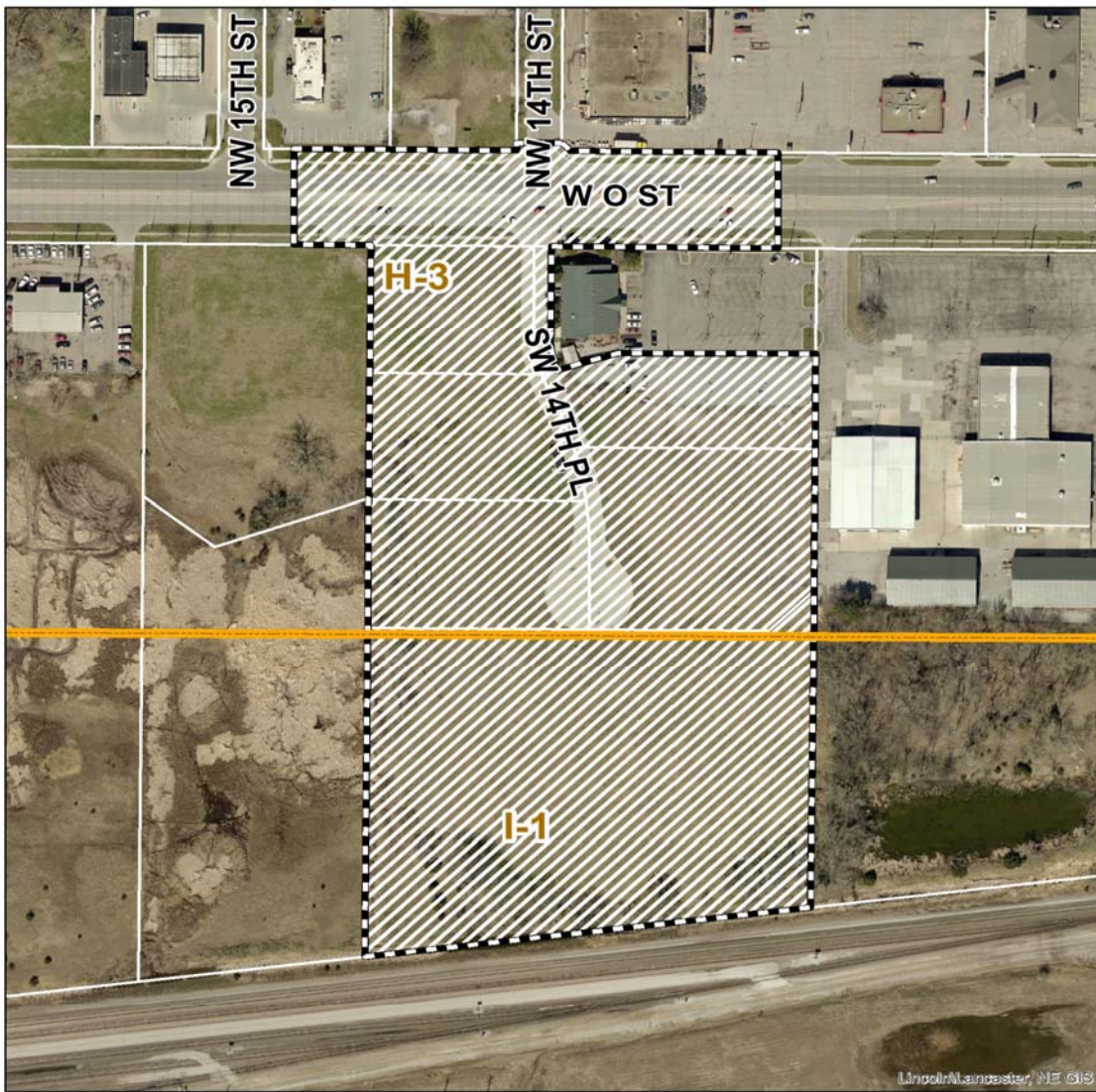


Lincoln Sports Facility Redevelopment: Current Landuse

-  Lincoln Sports Facility
-  Commercial
-  Industrial
-  Public / Semi-Public
-  Vacant / Undeveloped Land



The Project Site is currently zoned H-3 Highway Commercial District, with the exception of that portion of the Project Site legally described as Lot 4, Earl Carter Addition to the City of Lincoln, Lancaster County, Nebraska, which is currently zoned I-1 Industrial District. The entirety of the Project Site shall be rezoned to H-4 with a Planned Service Commercial Special Permit. The H-4 Highway Commercial District is intended to provide for low-density commercial uses that require high visibility and/or access from major highways. The land surrounding the Project Site, particularly along West O Street, is zoned H-3 Highway Commercial District which shall be compatible with the Planned Service Commercial Special Permit. Nearby zoning includes the I-1 Industrial District to the south of the Project Site, and the R-2 Residential District north of the West O Street corridor. Existing zoning is shown below.



Lincoln Sports Facility Redevelopment: Current Zoning

 Lincoln Sports Facility  Zoning



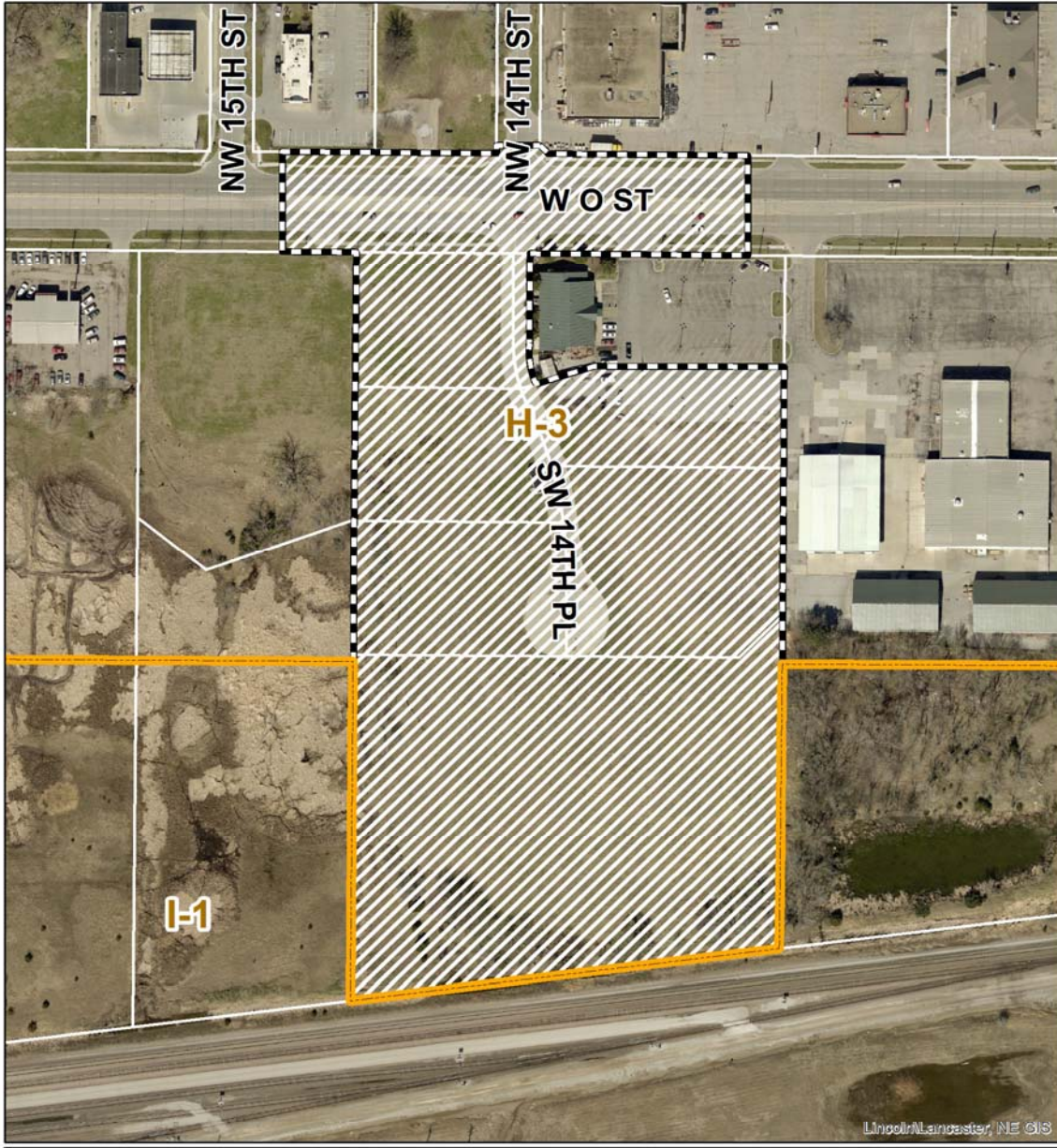
The Project is consistent with the West O Street Redevelopment Plan and is intended to support private sector commercial development in the West O Street Redevelopment Area. The intent of the West O Street Redevelopment Plan is to eliminate conditions of functional and economic obsolescence in the West O Street Redevelopment Area by incentivizing commercial and industrial redevelopment that strengthens existing investments in the West O Street Redevelopment Area. The Project will strengthen and support the existing business community in the West O Street Redevelopment Area and, in particular, will incorporate site design features that accommodate shared parking and ease of movement within the Project Site, in accordance with the Guiding Principles of the West O Street Redevelopment Plan.

The Project is also consistent with the LPlan 2040, the Lincoln-Lancaster County 2040 Comprehensive Plan. Chapter 5 (Business & Economy) of the LPlan 2040 indicates that commercial centers should be developed in locations where they will enhance entryway corridors and in existing underdeveloped commercial areas in order to remove blighted condition and more efficiently utilize existing infrastructure. Redevelopment of the Project Site for commercial use is also consistent with the 2040 Lincoln Area Future Land Use Plan. Future land use and zoning are shown on the maps below.



Lincoln Sports Facility Redevelopment: Future Landuse





Lincoln Sports Facility Redevelopment: Future Zoning

 Lincoln Sports Facility
  Zoning



City of Lincoln - Urban Development Department - Kurt Elder / 441-7874

The Project, including both Phase One and Phase Two, represents a significant private investment in the West O Street Redevelopment Area. Publicly funded redevelopment activities may include: site acquisition, site preparation and grading, street and sidewalk improvements, parking, landscaping, and other public improvements in the West O Street Redevelopment Area.

2. Statutory Elements

- **Property Acquisition, Demolition, and Disposal:** The proposed redeveloper currently controls the Project Site, which is vacant. No relocation of families or businesses will occur as a result of the Project.
- **Population Density:** The Project consists of the construction of an approximately 78,500 square foot indoor sports complex and an approximately 19,000 to 21,000 square foot commercial building for retail uses. The Project does not include construction of any residential units. As a result, the Project is not expected to affect the population density in the West O Street Redevelopment Area.
- **Land Coverage:** Since the Project Site is currently vacant, land coverage is expected to increase on the Project Site. Phase One of the Project will consist of construction of an approximately 78,500 square foot indoor sports complex on the Phase One Project Site, which is roughly 6.1 acres. It is anticipated that Phase Two of the Project will consist of construction of an approximately 19,000 to 21,000 square foot commercial building on the Phase Two Project Site, which contains approximately 2.1 acres. The Project will comply with the applicable land-coverage ratios and zoning requirements of the City of Lincoln.
- **Traffic Flow, Street Layouts, and Street Grades:** The Project is anticipated to result in an increase in traffic on account of families and customers accessing the sports complex and commercial buildings constructed as part of the Project. However, the Site Plan reflects direct access to West O Street via 14th Plaza, and as a result the Project is not expected to create traffic congestion. The Project Site is in close proximity to the West Bypass for ease of access. The Project does not include vacating any streets or alleys.
- **Parking:** The Project includes construction of surface parking lots with a total of roughly 336 parking stalls on the Project Site, which shall serve both the indoor sports complex building and the commercial building constructed as a part of the Project. The surface parking lots shall meet the parking requirements of the Lincoln zoning codes.
- **Zoning, Building Code, and Ordinances:** That portion of the Project Site described as Lot 4, Earl Carter Addition to the City of Lincoln, Lancaster County, Nebraska, is currently zoned I-1 Industrial District. The remainder of the Project Site is currently zoned H-3 Highway Commercial District. The Project will seek a change of zone to the “H-4” General Commercial District with a Planned Service Commercial Special Permit for the entirety of the Project Site. No subdivision will be required as part of the Project unless the proposed redeveloper undertakes Phase Two of the Project in two separate phases, in which case the Phase Two Project Site will be replatted to accommodate that approach. All applicable building code requirements and ordinances will be satisfied.

3. Proposed Cost and Financing

The estimated cost to implement the total Project including, Phase One and Phase Two, is approximately \$11,780,000, which includes approximately \$1,383,330 in public financing. The Project cost will be finalized as construction costs are finalized. The source of the public funds for these improvements will be the tax increment generated from the private developments on the Project Site. However, funding sources and uses will be negotiated and identified in the redevelopment agreement for the Project, subject to approval by the Mayor and the City Council.

Tax Increment Financing Analysis

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

A. Phase One

- **Public Tax Revenues:**

Lincoln Sports Facility Redevelopment Project – Phase One		Amount
(a) Base Value		\$425,600
(b) Estimated New Assessed Value		\$4,862,382
(c) Increment Value	= (b) – (a)	\$4,436,782
(d) Annual TIF Generated (Estimated)	= (c) x 2.025103%	\$89,849
Funds Available	= (d) x 14 years @ 5.5%	\$869,330

Upon completion of Phase One, the assessed value of the Phase One Project Site will increase by an estimated \$4,436,782 as a result of the private investment for Phase One. This will result in an increase in estimated annual property tax collections during the 15 year TIF period of approximately \$89,849. The public investment of approximately \$869,300 in TIF funds will leverage approximately \$8,000,000 in private sector financing.

The Urban Development Department believes that the private and public improvements proposed for Phase One would not occur “but for” the utilization of tax increment financing in the West O Street Redevelopment Area. It would not be economically feasible for the redeveloper to construct the Phase One improvements as designed without tax increment financing because existing site conditions constitute a barrier to development that cannot be adequately remedied without the use of tax increment financing.

Public investment may assist with the costs of site acquisition, site preparation and grading, street and sidewalk improvements, parking, landscaping, and other public improvements and enhancements permitted under the Community Development Law in the West O Street Redevelopment Area.

- **Public Infrastructure and Community Public Service Needs Impacts:**

It is not anticipated that Phase One of the Project will have an adverse impact on existing public infrastructure. Rather, it is anticipated that Phase One of the Project will have a positive impact on City services by generating additional revenue using existing infrastructure to provide support for those services. Phase One of the Project will also encourage additional private investment in the West O Street Redevelopment Area through the removal of blight and substandard conditions.

- ***Employment within the Redevelopment Project Area:***

It is not anticipated that Phase One of the Project will have an adverse impact on employers and employees of firms locating or expanding within the boundaries of the area of the Project. Phase One of the Project is anticipated to create in the range of 30 to 40 full and part-time jobs, thereby strengthening the business community within the West O Street Redevelopment Area.

- ***Employment in the City outside the Redevelopment Project Area:***

The jobs created by construction of Phase One on the Phase One Project Site are not expected to adversely affect employment in the City outside the area of the Project. Instead, Phase One of the Project will support existing commercial investment in the West O Street Redevelopment Area, and enhance the West O Street Redevelopment Area as an entryway corridor to the City of Lincoln. Phase One of the Project should attract further commercial development in the West O Street Redevelopment Area, which will create additional jobs both in the West O Street Redevelopment Area and the City as a whole. In particular, Phase One will lead to additional commercial investment in Phase Two of the Project. Further, Phase One of the Project should increase the need for services and products from existing businesses in and around the West O Street Redevelopment Area.

- ***Other Impacts:***

Implementation of Phase One of the Project will assist in the removal and mitigation of the blighted and substandard conditions from the Phase One Project Site, and will attract employers to the West O Street Redevelopment Area and the City of Lincoln. Phase One of the Project is consistent with the policy of LPlan 2040 and with the West O Street Redevelopment Plan.

Phase One of the Project should have positive impact on private sector businesses in the West O Street Redevelopment Area and in the City, and will enhance the West O Street Redevelopment Area as an entryway corridor to the City of Lincoln in accordance with the goals of the West O Street Redevelopment Plan.

While the use of tax increment financing will defer receipt of a majority of the incremental ad valorem real property taxes generated by Phase One for up to 15 years, there will be additional revenue generated by Phase One from, for example, personal property taxes on equipment installed at the sports complex and sales taxes paid by customers of the sports complex. Following the 15 year TIF period, Phase One will benefit the community through increased property tax revenue.

B. Phase Two

- **Public Tax Revenues:**

Lincoln Sports Facility Redevelopment Project – Phase Two		Amount
(a) Base Value		\$188,500
(b) Estimated New Assessed Value		\$2,811,288
(c) Increment Value	= (b) – (a)	\$2,622,788
(d) Annual TIF Generated (Estimated)	= (c) x 2.025103%	\$53,114
Funds Available	= (d) x 14 years @ 5.5%	\$514,000

Upon completion of Phase Two, the assessed value of the Phase Two Project Site will increase by an estimated \$2,600,000 as a result of the private investment for Phase One. This will result in an increase in estimated annual property tax collections during the 15 year TIF period of approximately \$53,100. The public investment of approximately \$514,000 in TIF funds will leverage \$2,400,000 in private sector financing.

The Urban Development Department believes that the private and public improvements proposed for Phase Two would not occur “but for” the utilization of tax increment financing in the West O Street Redevelopment Area. It would not be economically feasible for the redeveloper to construct the Phase Two improvements without tax increment financing because existing site conditions constitute a barrier to development that cannot be adequately remedied without the use of tax increment financing.

Public investment may assist with the costs of site acquisition, site preparation and grading, street and sidewalk improvements, parking, landscaping, and other public improvements and enhancements permitted under the Community Development Law in the West O Street Redevelopment Area.

- **Public Infrastructure and Community Public Service Needs Impacts:**

It is not anticipated that Phase Two of the Project will have an adverse impact on existing public infrastructure. Instead, it is anticipated that Phase Two of the Project will have a positive impact on City services by generating additional revenue providing support for those services. Phase Two of the Project will also encourage additional private investment in the West O Street Redevelopment Area through the removal of blight and substandard conditions.

- **Employment within the Redevelopment Project Area:**

It is not anticipated that Phase Two of the Project will have an adverse impact on employers and employees of firms locating or expanding within the boundaries of the area of the Project. Phase Two of the Project is anticipated to create in the range of 40 to 50 full and part-time jobs, thereby strengthening the business community within the West O Street Redevelopment Area.

- **Employment in the City outside the Redevelopment Project Area:**

The jobs created by construction of Phase Two on the Phase Two Project Site are not expected to adversely affect employment in the City outside the area of the Project. Instead, Phase Two of the Project will support existing commercial investment in the West O Street Redevelopment Area, and enhance the West O Street Redevelopment Area as an entryway corridor to the City of Lincoln. Phase Two of the Project should attract further commercial development in the West O Street Redevelopment Area, which will create additional jobs both in the West O Street Redevelopment Area and the City as a whole. Phase Two of the Project should increase the need for services and products from existing businesses in and around the West O Street Redevelopment Area.

- ***Other Impacts:***

Implementation of Phase Two of the Project will assist in the removal and mitigation of the blighted and substandard conditions from the Phase Two Project Site, and will attract employers to the West O Street Redevelopment Area and the City of Lincoln. Phase Two of the Project is consistent with the policy of LPlan 2040 and with the West O Street Redevelopment Plan. It is anticipated that Phase Two of the Project will complement Phase One by incorporating site design features that accommodate shared parking and ease of movement within the Project Site, in accordance with the West O Street Redevelopment Plan.

Phase Two of the Project should have positive impact on private sector businesses in the West O Street Redevelopment Area and in the City, and will enhance the West O Street Redevelopment Area as an entryway corridor to the City of Lincoln in accordance with the goals of the West O Street Redevelopment Plan. Phase Two of the Project will also incorporate uses that are supportive of the improvements constructed as part of Phase One of the Project.

While the use of tax increment financing will defer receipt of a majority of the incremental ad valorem real property taxes generated by Phase Two for up to 15 years, there will be additional revenue generated by Phase Two from, for example, personal property taxes on equipment installed in the buildings and sales taxes paid by customers purchasing good and services at the buildings. Following the 15 year TIF period, Phase Two will benefit the community through increased property tax revenue.

LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT

FROM THE LINCOLN/LANCASTER COUNTY PLANNING DEPARTMENT, 555 S. 10TH STREET, SUITE 213, LINCOLN, NE 68508

APPLICATION NUMBER Special Permit #18003 Change of Zone #18001	FINAL ACTION? No	DEVELOPER/OWNER Sam Manzitto Jr./Hampton, LLC
PLANNING COMMISSION HEARING DATE February 14, 2018	RELATED APPLICATIONS CPC18005	PROPERTY ADDRESS 150 SW 14 th Place

**RECOMMENDATIONS: SPECIAL PERMIT #18003
CHANGE OF ZONE #18001**

**CONDITIONAL APPROVAL
APPROVAL**

BRIEF SUMMARY OF REQUEST

This is a combined request for a Special Permit for a Planned Service Commercial development and for a change of zone from H-3 Highway Commercial District and I-1 Industrial District to H-4 General Commercial District to permit construction of commercial buildings and an enclosed commercial recreational facility. Also, the request is to facilitate the development of the Lincoln Sports Facility to provide indoor recreation and competitive sport opportunities for Lincoln youth. Phase One of the project will consist of approximately 78,500 square feet of indoor sports complex, including eight basketball courses, 12 volleyball courses, and a 5,000 square foot training center along with a surface parking lot and associated improvements. Phase Two will consist of approximately 19,000 to 21,000 square feet of commercial/retail building space that will provide additional service oriented retail stores to support the sport facility, an additional surface parking lot and associated improvements. This request includes waivers to parking requirements and setbacks.

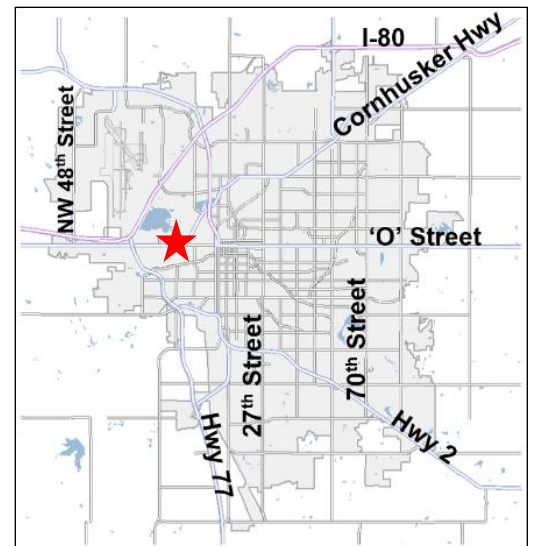
There is an associated application for an amendment to the West O Street Redevelopment Plan with a Comprehensive Plan Compliance assessment (CPC18005).

JUSTIFICATION FOR RECOMMENDATION

The proposed recreation facility should not significantly impact the surrounding neighbors due to the existing character of the area. Minimal grading will be allowed within the Salt Creek Storage Area, which therefore limits options for future expansion as a portion of the subject property is within the Salt Creek Storage Area.

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

This project is consistent with the 2040 Comprehensive Plan. Chapter 5 Business & Economy indicates that commercial centers should be developed in locations where they will enhance entryway corridors and in existing underdeveloped commercial areas in order to removed blighted conditions and more efficiently utilize existing infrastructure.



APPLICATION CONTACT

Sam Manzitto, Jr. (402) 483-2302 or samjr@manzitto.com

STAFF CONTACT

Dessie E. Redmond, Planner (402) 441-6373 or dredmond@lincoln.ne.gov

WAIVERS

1. Waiver #1 Parking Requirements. The required parking stalls shall be based on 1 stall per 300 square feet of buildings; regardless of use. (Recommend Approval)
2. Waiver #2 Interior Setbacks. Internal building setbacks shall not apply. (Recommend Approval)
3. Waiver #3 Private roadway ending in a cul-de-sac. (Recommend Approval)

KEY QUOTES FROM THE 2040 COMPREHENSIVE PLAN

P. 5.5 - In existing underdeveloped or redeveloping commercial and industrial areas in order to remove blighted conditions and to more efficiently utilize existing infrastructure.

P. 5.6 - So that they enhance entryways or public way corridors, when developing adjacent to these corridors.

5.16 - Encourage efforts to find new uses for abandoned, under-utilized or “brownfield” sites that are contaminated, through redevelopment and environmental mitigation.

P. 12.3 - This site is shown as future Commercial and Industrial on the 2040 Lincoln Area Future Land Use Plan.

P. 12.4 - Industrial designations are for areas where railroads, manufacturing, trucking and transportation facilities are the dominant land use, with some commercial activities.

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

ANALYSIS

1. This is a combined request for a Special Permit for a Planned Service Commercial development and for a change of zone from H-3 Highway Commercial District and I-1 Industrial District to H-4 General Commercial District for an enclosed commercial recreational facility for the development of the Lincoln Sports Facility to provide indoor recreation and competitive sport opportunities for Lincoln youth.
2. The request also includes a change of zone from H-3 Highway Commercial District and I-1 Industrial District to Agriculture on Outlot A in the West Hobleman 1st Addition. This change of zone is to preserve the existing floodplain and wetlands located on this property.
3. An amendment to the West O Street Redevelopment Plan that involves a Comprehensive Plan Compliance (CPC18005) for the redevelopment of five underdeveloped parcels of land located in the West O Street Redevelopment Area
4. The site can be easily service by roads and utilities. Lots fronting W. O Street will continue to take access off W. O Street and the new facility will take access off SW. 14th Place as a private drive.
5. The applicant is requesting three waivers to parking requirements, internal setbacks and a private roadway ending in a cul-de-sac. Staff recommends approval of the three waivers. The parking waiver is appropriate because the site plan shows sufficient parking spaces for this type of use with required parking stalls based on 1 stall per 300 square feet of building; regardless of use. The internal setback waiver is appropriate because the subject property is seen as one premise, and the private roadway ending in a cul-de-sac is recommended for approval because the end of the roadway terminates at the proposed main building.
6. The Lincoln-Lancaster County Health Department (LLCHD) notes that a rail line is located less than 300 feet from the proposed youth sports facility. Due to the close proximity of the rail line, prior to the issuance of a building permit, the applicant shall develop an emergency response plan to the satisfaction of the LLCHD, both written and drawn, including a house-in-place scenario and an off-site evacuation.

The electrical breaker switch of the sports facility's heating, ventilation and air conditioning (HVAC) system shall be clearly marked and readily accessible at all times to the sports facility's staff or the applicant shall equip the building with not more than two emergency shut-off switches so the HVAC system can be immediately shut down in the case of a hazardous chemical spill on the rail line to the satisfaction of the LLCHD. The shut-off switch shall be located so that it is easily accessible at all times to the sports facility's staff. The sports facility's staff shall be trained on how to locate and operate the electrical breaker switch or the emergency shut-off switch.

CONDITIONS OF APPROVAL: See attached.

EXISTING LAND USE & ZONING: Vacant and Commercial & H-3 and I-1 districts

SURROUNDING LAND USE

North: W. O Street
South: Burlington Northern Railroad
East: Auto sales
West: Vacant

SURROUNDING ZONING

H-3 Highway Commercial
I-1 Industrial
H-3 Highway Commercial
H-3 Highway Commercial

APPLICATION HISTORY: none

APPROXIMATE LAND AREA FOR THE SPECIAL PERMIT: 9.85 acres

APPROXIMATE LAND AREA FOR THE CHANGE OF ZONE: 11.35 acres

LEGAL DESCRIPTION FOR THE SPECIAL PERMIT: Lots 1-7, Block 1, Earl Carter Addition, located in Section 28-10-6, Lincoln, Lancaster County, Nebraska.

LEGAL DESCRIPTION FOR THE CHANGE OF ZONE: From H-3 (Highway Commercial District) to H-4 (General Commercial District), on property legally described as all of Lots 1-3, 5-7 Block 1, and from H-3 to H-4 on part of Lot 4, Block 1, and from I-1 (Industrial District) to H-4 on a part of Lot 4, Block 1, Earl Carter Addition, located in Section 28-10-6 and from H-3 and I-1 to Agriculture (AG) on property legally described as a part of Outlot A, and from I-1 to AG on a part of Outlot A, West Hobelman 1st Addition, located in Section 28-10-6, Lincoln, Lancaster County, Nebraska.

Prepared by:

Dessie E. Redmond, Planner
(402) 441-6373

Date: February 6, 2018

Applicant/Contact: Lincoln Sports Facility, LLC
Sam Manzitto, Jr.
3341 Pioneers Boulevard, Suite 1
Lincoln, NE 68506

CONDITIONS OF APPROVAL - SPECIAL PERMIT #18003

Per Section 27.63.470 this approval permits Planned Service Commercial for approximately 9.85 acres including waivers to parking, setback, and cul-de-sac requirements for private roadways. The required parking shall be one stall per 300 square feet of floor area regardless of use.

Site Specific Conditions:

1. The City Council approves associated request:
 - 1.1 Change of Zone #18001 from H-3 Highway Commercial District and I-1 Industrial District to H-4 General Commercial District
 - 1.2 Comprehensive Plan Compliance #18005
2. Before receiving building permits the permittee shall cause to be prepared and submitted to the Planning Department a revised and reproducible final plot plan including 3 copies with all required revisions and documents as listed below:
 - 2.1 Resubmit the Lincoln Sports Complex Drainage and Grading Concept Plan with revised Site Improvement Notes to include the following:
 - 2.1.1 Detention is being requested to be waived, due to being adjacent to major creek
 - 2.1.2 Final design including grading, drainage, wetland impacts, floodplain requirements, stormwater quality requirements shall be submitted to minimize impacts to wetlands and the floodplain prior to the Final Approved Plans prior to building permit
 - 2.2 Submit building elevations and a landscape plan for approval by the Director of Planning after review by the Urban Design Committee prior to building permit. Street trees must be provided along W. O Street per city spacing standards.
 - 2.3 Required revisions to the site plan:
 - 2.3.1 Designate the area of the existing Utility easement to be released where proposed buildings overlap easement.
 - 2.3.2 Add a note with total parking stall count.
 - 2.3.3 Label private roadway.
 - 2.3.4 Remove parking stall layout for Lot 1 or show compliance with parking lot standards.
 - 2.3.5 Label 15' Utility easement along north property line of Lot 6.
 - 2.3.6 Provide parking access easement along north property line of Lot 6 and 2.
 - 2.3.7 Add a note that any beer garden on Lot 1 will fall entirely within Lot 1.
 - 2.3.8 Show H-4 setback on site plan along exterior property lines.
 - 2.3.9 Label all existing Utility easements.
 - 2.3.10 Add a note that cul-da-sac for private streets is waived.
 - 2.3.11 Add to the General Notes, "Signs need not be shown on this site plan, and need to be in compliance with chapter 27.69 of the Lincoln Zoning Ordinance, and must be approved by Building & Safety Department prior to installation."
3. Before receiving building permits provide the following documents to the Planning Department:
 - 3.1 Verification from the Register of Deeds that the letter of acceptance as required by the approval of the special permit has been recorded.
 - 3.2 Submit an application for release of easement if any of the existing easements fall under the proposed buildings.
 - 3.3 Verification of Lincoln Electric System (L.E.S) easements.

- 3.4 Verification that an avigation and noise easement to the Lincoln Airport Authority on all or that part of the land located within the Airport Environs Noise District has been received by the Lincoln Airport Authority.
- 3.5 Due to the proximity of the rail line, prior to the issuance of a building permit, the applicant shall develop an emergency response plan to the satisfaction of the Lincoln-Lancaster County Health Department (LLCHD), both written and drawn, including a house-in-place scenario and an off-site evacuation.
- 3.6 The electrical breaker switch of the sports facility's heating, ventilation and air conditioning (HVAC) system shall be clearly marked and readily accessible at all times to the sports facility's staff or the applicant shall equip the building with not more than two emergency shut-off switches so the HVAC system can be immediately shut down in the case of a hazardous chemical spill on the rail line to the satisfaction of the LLCHD. The shut-off switch shall be located so that it is easily accessible at all times to the sports facility's staff. The sports facility's staff shall be trained on how to locate and operate the electrical breaker switch or the emergency shut-off switch.
- 3.7 Proof that the site plan and all related documents have been sent to Nebraska Game and Parks for review.

Standard Conditions:

4. The following conditions are applicable to all requests:
 - 4.1. Before occupying buildings or starting the operation all development and construction shall substantially comply with the approved plans.
 - 4.2. The physical location of all setbacks and yards, buildings, parking and circulation elements, and similar matters be in substantial compliance with the location of said items as shown on the approved site plan unless otherwise granted by a waiver with this Special Permit.
 - 4.3. The terms, conditions, and requirements of this resolution shall run with the land and be binding upon the Permittee, its successors and assigns.
 - 4.4. The applicant shall sign and return the letter of acceptance to the City Clerk. This step should be completed within 60 days following the approval of the special permit. The City Clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the applicant. Building permits will not be issued unless the letter of acceptance has been filed.



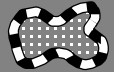


2016 aerial

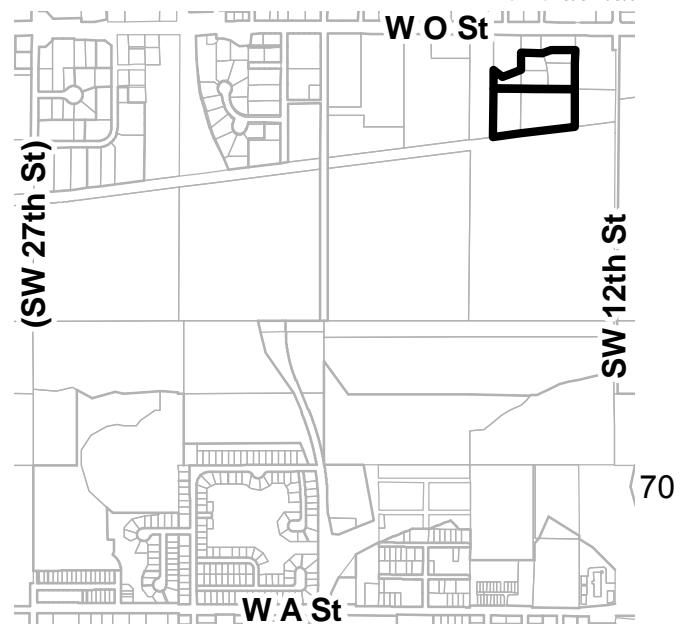
Change of Zone #: CZ18001
Lincoln Sports Facility
SW 14th Pl & W O St

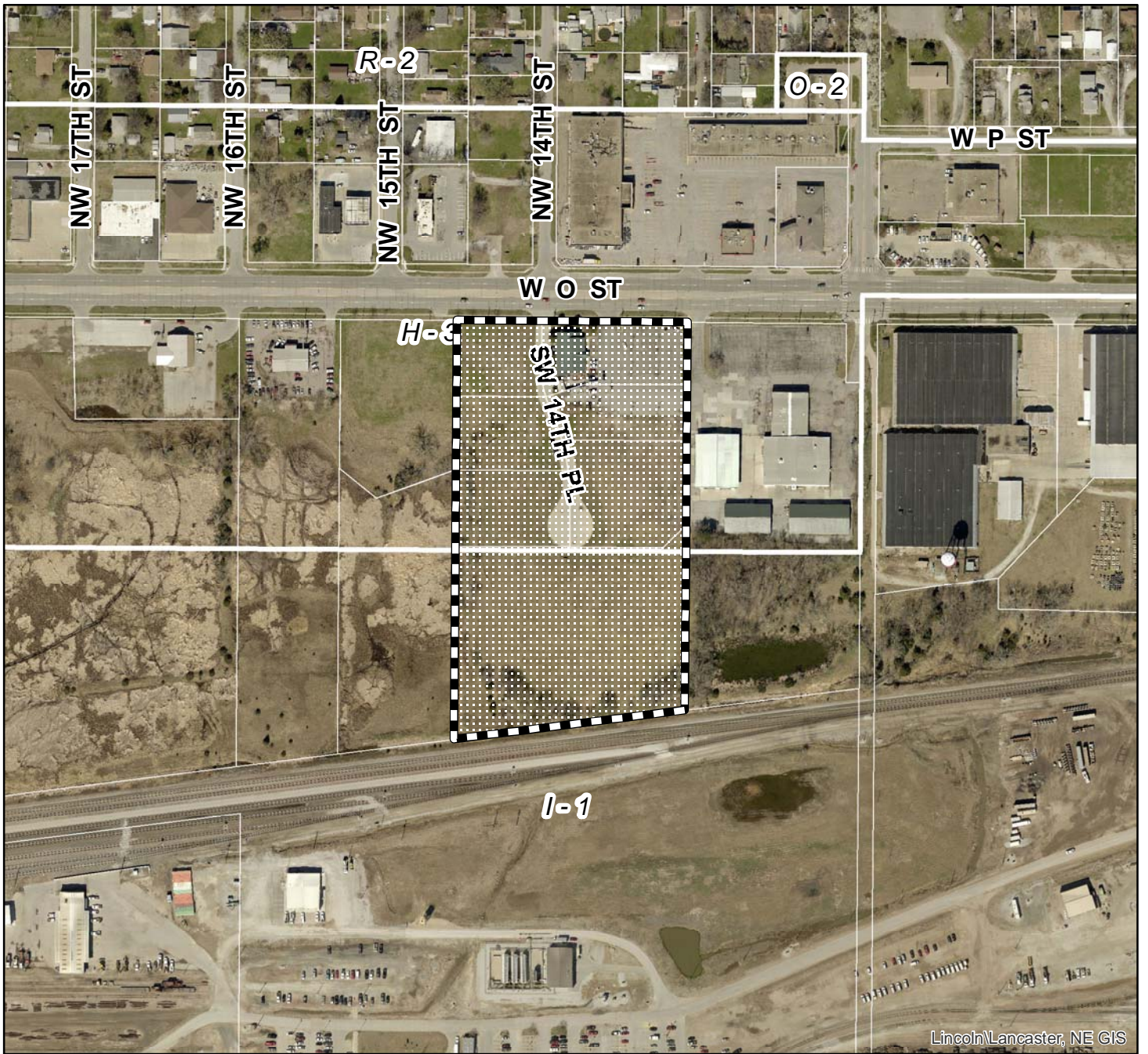
Zoning:

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

One Square Mile:
 Sec.28 T10N R06E

	Area of Application
	Zoning Jurisdiction Lines
	Lancaster County Jurisdiction





2016 aerial

Special Permit #: SP18003
Lincoln Sports Facility
SW 14th Pl & W O St

Zoning:

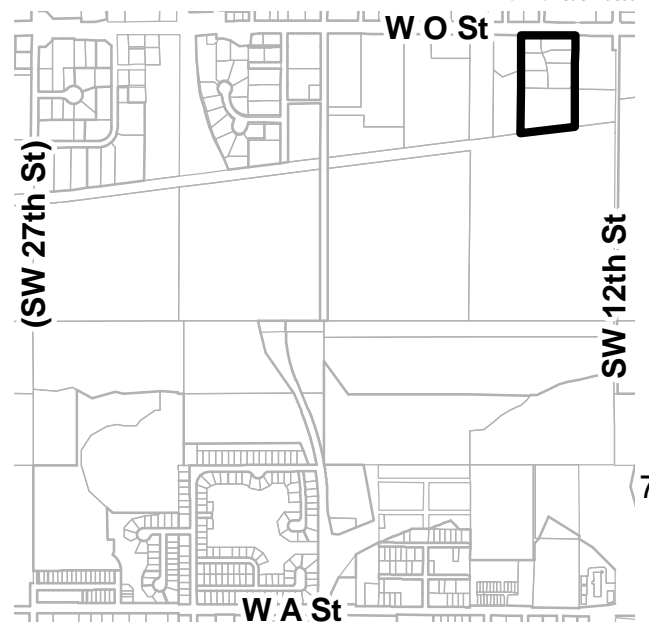
- R-1 to R-8 Residential District
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- B-4 Lincoln Center Business District
- B-5 Planned Regional Business District
- H-1 Interstate Commercial District
- H-2 Highway Business District
- H-3 Highway Commercial District
- H-4 General Commercial District
- I-1 Industrial District
- I-2 Industrial Park District
- I-3 Employment Center District
- P Public Use District

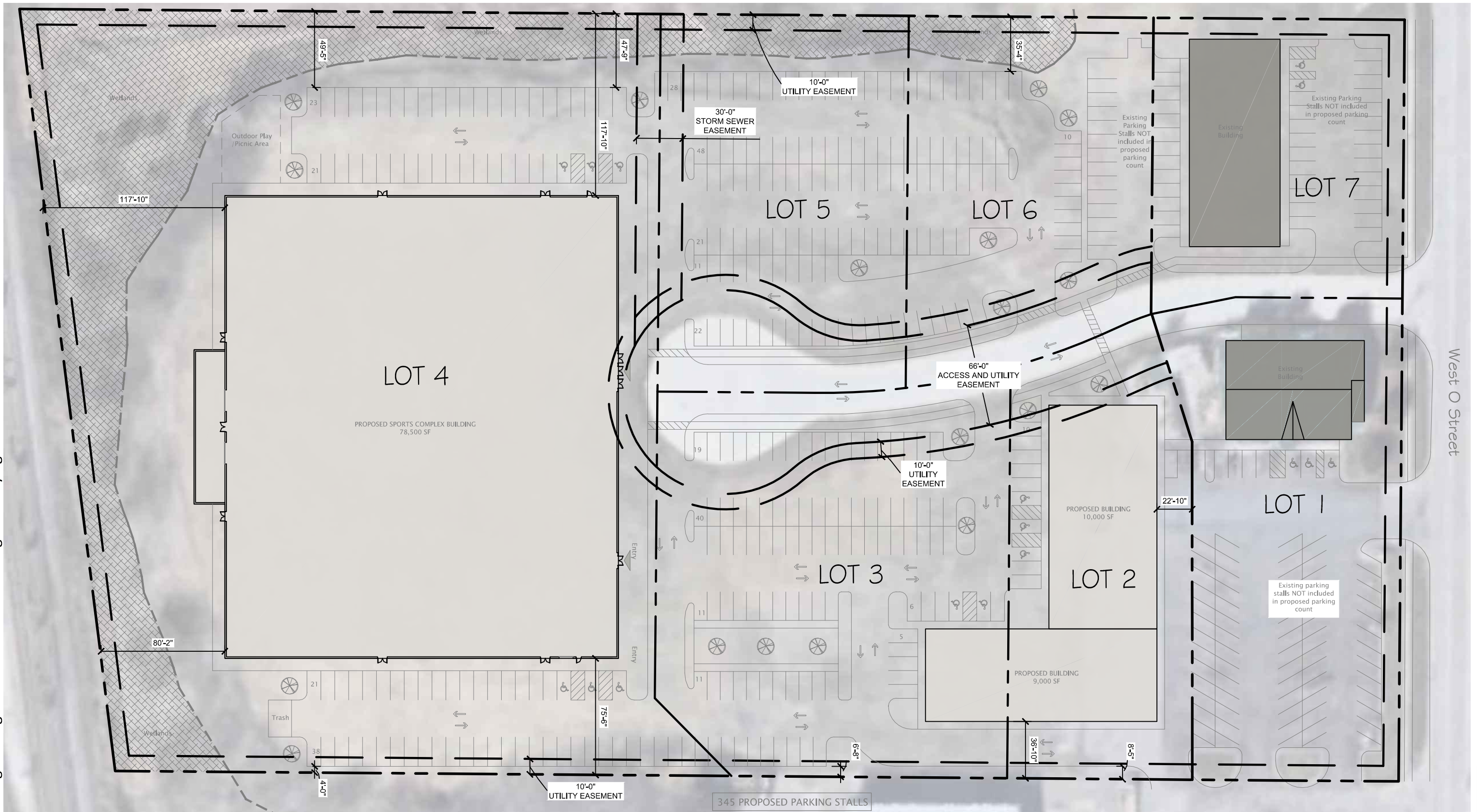
One Square Mile:
 Sec.28 T10N R06E

Area of Application

Zoning Jurisdiction Lines

Lancaster County Jurisdiction





Preliminary Site Concept Drawing

Scale: 1" = 60'-0"

NOTES:

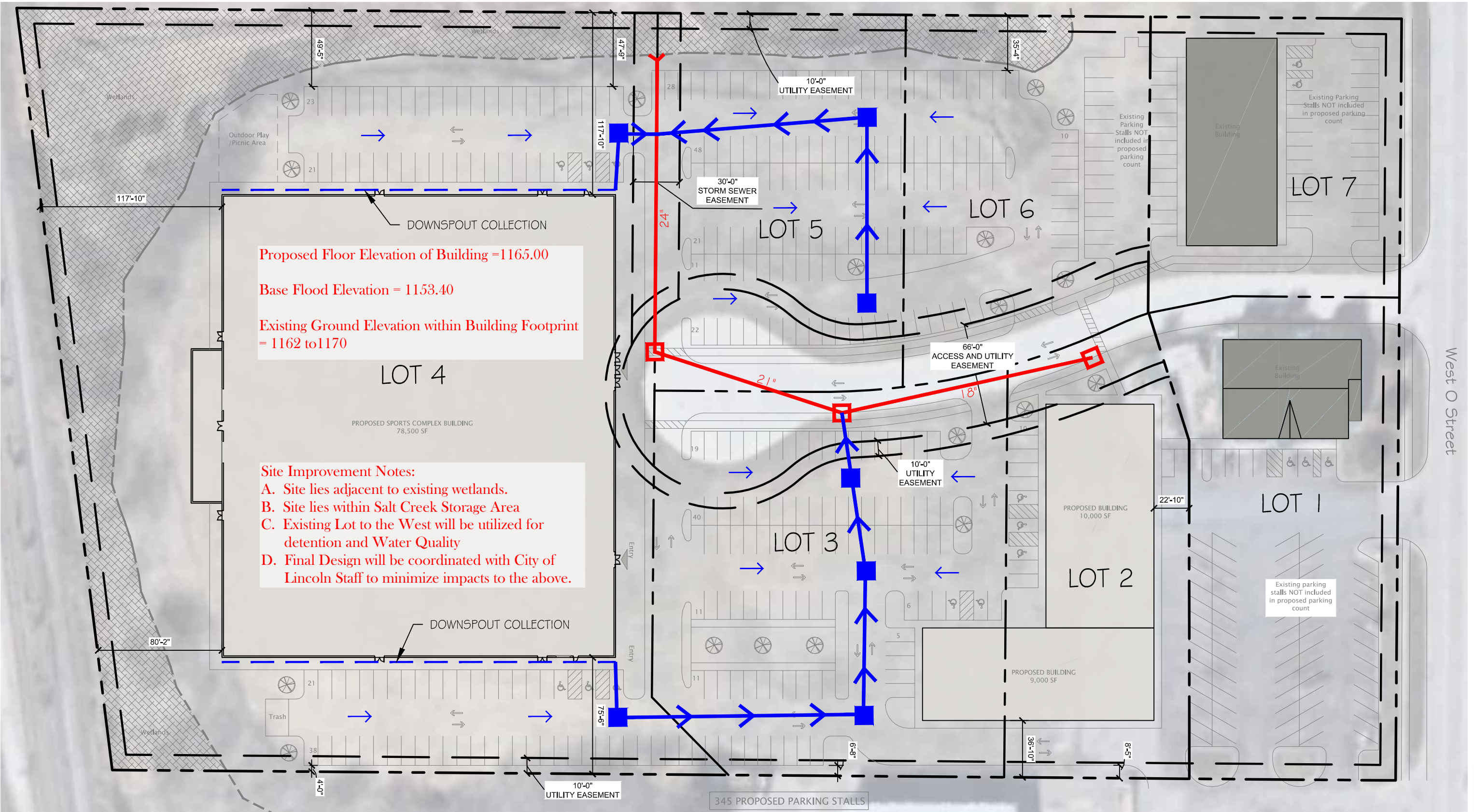
1. ALL PARKING WITHIN LOTS 2-6 SHALL BE SHARED BY ALL BUILDINGS AND USES WITHIN LOTS 2-6.
2. INTERNAL BUILDING SETBACKS SHALL NOT APPLY.
3. REQUIRED PARKING STALLS SHALL BE BASED ON 1 STALL PER 300 SF OF BUILDING; REGARDLESS OF USE.
4. PROPOSED BUILDINGS OTHER THAN THE SPORTS COMPLEX SHALL BE WITHIN LOTS 2 AND 3.

© JEO Architecture Inc.

Lincoln Sports Complex

Date: 01-25-18










Proposed Floor Elevation of Building = 1165.00
 Base Flood Elevation = 1153.40
 Existing Ground Elevation within Building Footprint = 1162 to 1170

Site Improvement Notes:
 A. Site lies adjacent to existing wetlands.
 B. Site lies within Salt Creek Storage Area
 C. Existing Lot to the West will be utilized for detention and Water Quality
 D. Final Design will be coordinated with City of Lincoln Staff to minimize impacts to the above.

 Preliminary Site Concept Drawing - Proposed Grading and Drainage
 Scale: 1" = 60'-0"

LEGEND

	PROPOSED INLET
	PROPOSED PIPE
	EXISTING INLET
	EXISTING RCP
	SURFACE DRAINAGE

Lincoln Sports Complex

Date: 01-26-18



L. BRUCE WRIGHT
 JAMES M. BAUSCH
 ROBERT J. ROUTH
 DAVID R. BUNTAIN
 STEPHEN H. NELSEN
 DANIEL R. STOGSDILL
 SCOTT D. KELLY
 TERRY R. WITTLER
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 PAMELA EPP OLSEN
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January 17, 2018

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 TAMARA L. KELLEY

DONALD E. BURT
 STEPHEN E. GEHRING
 DAVID O. COLVER
 KIMBRA L. KILLIN

[†]ATTORNEYS ADMITTED IN COLORADO ONLY

VIA HAND DELIVERY

David Cary
 Planning Director
 City of Lincoln
 555 South 10th Street, Suite 213
 Lincoln, NE 68508

Re: Change of Zone Application for the Lincoln Sports Facility Project at
 150 Southwest 14th Plaza, Lincoln, Nebraska
 Our File No.: 23534.001

Dear Mr. Cary:

I represent Lincoln Sports Facility, LLC in connection with its proposed development of a new indoor sports complex located at West "O" Street and Southwest 14th Plaza. Lincoln Sports Facility, LLC proposes to construct an approximately 78,500 square foot structure to provide indoor court and competitive space for 8 basketball courts or 12 volleyball courts to be used at noncurrent times. In addition, the project would entail the construction of an approximately 19,000 to 21,000 square foot retail building to provide additional retail supportive services on West "O" Street.

1. **Project/Request.** Lincoln Sports Facility, LLC has site control of the following described real estate:

Lots 2, 3, 4, 5 and 6, Block 1, Earl Carter Addition, Lincoln,
 Lancaster County, Nebraska.

The property is generally zoned for the H-3 Highway district while Lot 4 is zoned for the I-1 Industrial district. Lincoln Sports Facility, LLC proposes: (a) to change the zone of the entirety of the property, comprised of 8.14 acres, to the H-4 General Commercial District; and (b) a Special Permit in the H-4 zone as allowed by LMC § 27.63.470 for a "Planned Service Commercial" facility. The Site Plan for the

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

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

215 MATHEWS STREET
 SUITE 300
 FORT COLLINS, CO 80524
 (970) 221-2637

216 SOUTH INTEROCEAN AVENUE
 HOLYOKE, CO 80734
 (970) 854-2264

Special Permit will be uploaded to Project Dox by the project architect, Corey Brodersen of JEO Consulting Group, Inc.

2. **Reason.** The purpose behind the Change of Zone and Special Permit requests is to facilitate the development of the Lincoln Sports Facility to provide indoor recreational and competitive sport opportunities for Lincoln youth. Lincoln is experiencing a shortage of indoor court space for youth basketball and youth volleyball. This facility is greatly needed to provide a private venue for practice, competition and tournament opportunities for youth sports in Lincoln. In addition, the retail building will provide additional service oriented retail stores to support the Lincoln Sports Facility and bring additional retail traffic to the West "O" Street area of the City of Lincoln.

3. **Associated Application/Request.** Concurrent with the Change of Zone/Special Permit request, Lincoln Sports Facility, LLC, in working with the Urban Development Department of the City of Lincoln, submitted an Amendment to the West "O" Redevelopment Plan to amend such Redevelopment Plan to incorporate the Lincoln Sports Facility Redevelopment Project.

4. **Waivers.**

A. **Parking.** As reflected by the Site Plan prepared by JEO Consulting Group, Inc. which will be uploaded to Project Dox, the Special Permit contains 345 parking stalls which we deem to be excess of the number of parking stalls required under the Lincoln Municipal Zoning Ordinance, which requires:

- LMC § 27.67.040(j)(1): 4 spaces per court; or
- LMC § 27.67.020: Matrix: 1 stall per 300 square feet = 262 stalls for the Phase One recreational building and 70 stalls for the Phase Two retail building for a total of 332 stalls.

To the extent that the Planning Department interprets this requirement differently, the applicant requests a waiver of the parking requirements in excess of 345 spaces to be provided with this development.

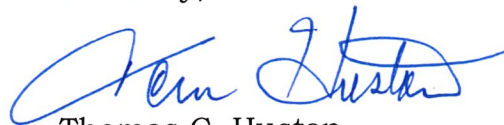
B. **Sidyard Setback.** Further, the Site Plan reflects compliance with the required yard restrictions contained in the H-4 zoning district with the sole exception of the location of the parking lot in the 20 foot required sidyard. The reason for the requested waiver is that the building was moved to the east to avoid any contact with the wetlands area on the western boundary line.

David Cary
January 17, 2018
Page 3

5. **Fees.** In accordance with the fee schedule of the City of Lincoln, you will be receiving a check made payable to the City of Lincoln which includes: (a) \$988.00 for the Change of Zone application; and (b) \$988.00 for the Special Permit Request, for a total of \$1,976.00.

To complete the application, we submit the formal application form and the check for the application fees. If there are any questions, please do not hesitate to contact me.

Sincerely,



Thomas C. Huston
For the Firm

cc: Sam Manzitto (via email)
Corey Brodersen (via email)

4850-5121-5194, v. 1

LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT

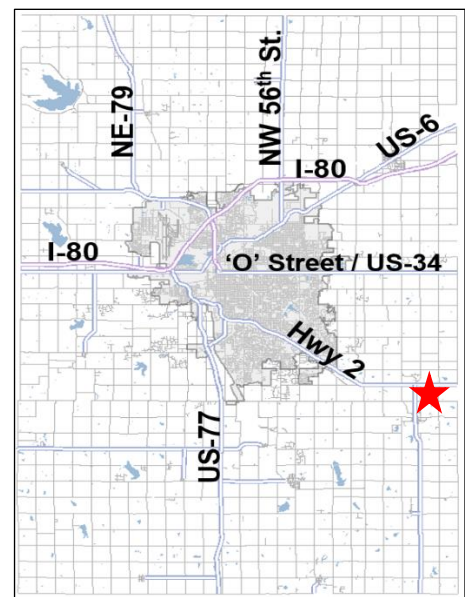
FROM THE LINCOLN/LANCASTER COUNTY PLANNING DEPARTMENT, 555 S. 10TH STREET, SUITE 213, LINCOLN, NE 68508

APPLICATION NUMBER Preliminary Plat #18001	FINAL ACTION? Yes	DEVELOPER/OWNER Doug Derscheid
PLANNING COMMISSION HEARING DATE February 14, 2018	RELATED APPLICATIONS None	PROPERTY ADDRESS/LOCATION Highway 2 and Highway 43

RECOMMENDATION: CONDITIONAL APPROVAL

BRIEF SUMMARY OF REQUEST

This is a request for a preliminary plat to develop three commercial lots. One lot is for an existing convenience store and the other two lots are for future development. Each lot will be served with rural water and have individual waste system.



JUSTIFICATION FOR RECOMMENDATION

The proposed preliminary plat as modified by the proposed conditions is in conformance with the 2040 Lincoln-Lancaster County Comprehensive Plan. The area is shown for commercial development in the comprehensive plan.

APPLICATION CONTACT

Doug Derscheid
Ddd1322y@gmail.com

STAFF CONTACT

Tom Cajka, (402) 441-5662or
tcajka@lincoln.ne.gov

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The 2040 Lincoln-Lancaster County Comprehensive Plan identifies this area as commercial.

WAIVERS

- | | |
|-----------------|--------------------|
| 1. Block Length | Recommend Denial. |
| 2. Sidewalks | Recommend Approval |

KEY QUOTES FROM THE 2040 COMPREHENSIVE PLAN

p. 5.5 - Uses near the interchange of Highway 2 and Highway 43 (the Bennet exit) should be limited to commercial immediately surrounding the interchange that generally supports the agricultural community and those traveling through the area.

P. 12.3 - this site is shown as future commercial on the 2040 Lincoln Area Future Land Use Plan.

P. 12.4 - Commercial includes areas of retail, office, service and residential mixed uses. Commercial uses may vary widely in their intensity of use and impact.

ANALYSIS

1. This proposal is for a preliminary plat for three commercial lots. Each lot will be served with rural water and individual wastewater systems.
2. The area was recently rezoned from "AG"-Agricultural and "I"-Industrial to "B"-Business.
3. The development shows a new street that will provide access to the east for future development. Outlot A is for an existing lagoon for Lot 1.
4. The applicant is requesting a waiver to block length. Per County Subdivision Regulations block length shall not exceed 1,320 feet. Lot 1, Block 2 (shown as Lot 3) would meet the block length if a north-south street was built on the east lot line or on the adjacent property. Instead of requiring the street to be built with a future development the most equitable solution is a north-south street from Derscheid Drive to Luann Lane, split between the two properties. With this preliminary plat one-half of the street would be on Lot 1, Block 2. However, as an alternative if Lot 1, Block 2 were to subdivide into smaller lots a north-south street from Derschied Drive to Luann Lane should be provided. A north-south street should be part of this development to shorten the block length and not be a requirement for the lot to the east when it develops.
5. The applicant is requesting a waiver to sidewalks. The subdivision ordinance required sidewalks on both sides of all streets only when necessary by reason of pedestrian traffic generated on adjacent land, the size of the subdivision, lot areas within the subdivision, or uses within the subdivision and only when the areas or zoned "R" Residential, "B" Business, and "I" Industrial. This area is zoned "B" Business. The developer intends to market the area for uses such as mini storage, warehouse, contractor services, and vehicle repair. This location is approximately 1-1/2 miles north of Bennet and there are only two houses within a ¼ mile of the site. The proposed uses would generate little pedestrian traffic, thus the waiver is appropriate.
6. The design of streets and roads within a subdivision shall conform to State standards as defined in Section 4.14 of the Lancaster County Land Subdivision Regulations. Revise the design of Derscheid Drive to the satisfaction of the County Engineer.
7. The site plan utilizes an existing driveway for the location of Derschied Drive. The Nebraska Department of Transportation (NDOT) has reviewed the conversion of a driveway to a street and does not object. The NDOT does reserve the right to require a turn lane in Highway 43 if warranted in the future.

CONDITIONS OF APPROVAL: See attached.

EXISTING LAND USE & ZONING: "B" Business District Retail store and undeveloped

SURROUNDING LAND USE & ZONING

North:	AG Agricultural	Farm ground and Highway 2.
South:	AG Agricultural	Farm ground and one house
East:	AG Agricultural	Farm ground
West:	AG Agricultural	Farm ground

APPLICATION HISTORY

October 3, 2017: This property was rezoned from AG-Agricultural and I-Industrial to B-Business.

APPROXIMATE LAND AREA:

17.78 acres

LEGAL DESCRIPTION:

Lot 16 Irregular Tract located in the NE ¼ of Section 34, Township 9 North, Range 8 East, Lancaster County, NE

Prepared by

Tom Cajka, Planner

Date: February 1, 2018

Applicant: Doug Derscheid
9529 Thonwood Circle
Lincoln, NE 68512

Contact: Tim Gergen
The Clark Enersen Partners
1010 Lincoln Mall, Suite 200
Lincoln, NE 68508
402-477-6542
Tim.gergen@clarkenersen.com

Owner: Casey's Retail Company
Attn: Amy Costello
One SE Convenience Blvd.
Ankeny, Iowa 50021
Amy.costello@caseys.com

F:\DevReview\PP\PP18001 Bennet Corner.tjc.docx

CONDITIONS OF APPROVAL - PRELIMINARY PLAT #18001

Approval of the following waiver:

- A. sidewalks

Site Specific Conditions:

1. The subdivider shall complete the following instructions and submits the documents and plans and 3 copies to the Planning Department office: (NOTE: These documents and plans are required by ordinance or design standards.)
 - 1.1 Revise the preliminary plat to show:
 - 1.1.1 Show how Lots 2 and 3 will be served by water.
 - 1.1.2 Change Lot 3 to Lot 1, Block 2. And add Block 1 for Lots 1 and 2.
 - 1.1.3 Amend Note #1 to change “All lots to have their own individual septic system” to “Lot 1 will be served by a sewage lagoon and Lots 2 and 3 will have their own individual septic system ...”
 - 1.1.4 Identify the right-of-way for Derscheid Drive.
 - 1.1.5 Add a boundary survey that complies with Section 7.01(O) of the Lancaster County subdivision regulations.
 - 1.1.6 Add a note that if Lot 1, Block 2 is further subdivided or used by more than one business the preliminary plat will be revised to provide a street connection from Derscheid Drive to Luann Lane.
 - 1.1.7 The following corrections are required per the County Engineer:
 - A. Need to show and label a 60’ diameter temporary turn-around cul-de-sac at the end of Derscheid Drive. Note: On the grading & drainage plan revise contour lines to delineate drainage around temporary turn-around.
 - B. Please provide a drainage plan including pre-construction and post-construction conditions and the effects on adjacent properties.
 - C. On sheet 3, show profile and horizontal alignment of temporary dead-end streets extending 300’ beyond the limits of the subdivision.
 - D. On the drawing, also label South 158th Street as (Nebraska Highway 43).
 - E. On the drawing, locate and identify adjacent section line and list recorded road right-of-way widths.
 - F. List recorded document instrument number for the 25’ Water Main Easement shown along the north portion of the plat.
 - G. Need to list proposed street centerline dimensioning and bearings to mathematically check street centerline closure.
Note: Also, show dimensioning of intersecting centerline with subdivision boundaries and proposed street right-of-way width.

- H. General Note 12 and the typical rural street cross-section detail indicates street surfacing to meet Lancaster County Engineers design standards for gravel roads, although the existing surfacing at Derscheid Drive is noted as concrete. Roadway surface material should be uniform within the proposed street right-of-way. Revise General Note 12 and cross-section detail accordingly.
- I. Add a General Note that reads, "Access to adjacent lots outside subdivision boundary shall not be permitted from the end of temporary dead-end streets".
- J. Add a General Note that reads, "Grading shall extend around all temporary turn-around cul-de-sacs and the developer shall notify all purchasers that ditches may not be filled in.
- K. Add a General Note that clarifies lagoon use on Outlot 'A'".
- L. Revise the alignment of Derscheid Drive east of Highway 43 to the satisfaction of the County Engineer.

3. Final Plats will be approved by the Planning Director after:

- 3.1 The public streets, water system, land preparation and grading, sediment and erosions control measures, temporary turnaround and barricades, and street name signs have been completed.



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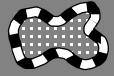


2016 aerial

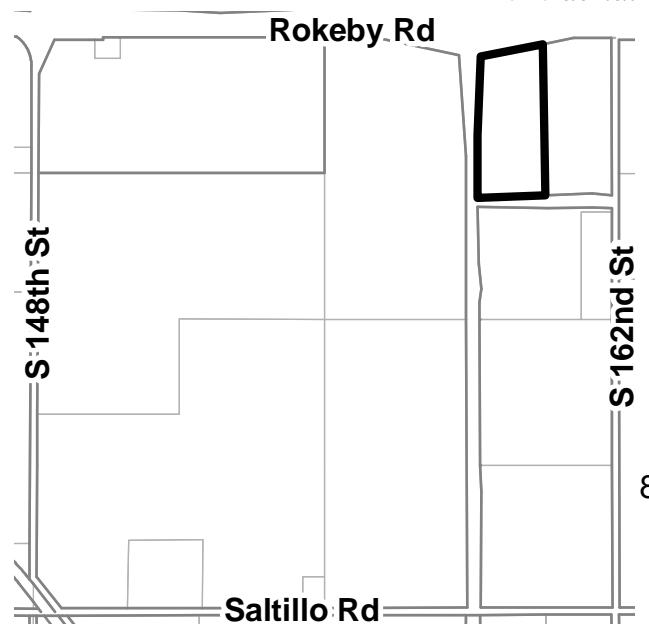
Preliminary Plat #: PP18001
Bennet Corner
S 158th St & Highway 2

Zoning:

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

One Square Mile:
 Sec.34 T09N R08E

	Area of Application
	Zoning Jurisdiction Lines
	City of Lincoln Jurisdiction



GENERAL NOTES

1. ALL LOTS TO HAVE THEIR OWN INDIVIDUAL SEPTIC SYSTEM TO BE LOCATED ON THE INDIVIDUAL LOTS OR OUTLOT AND APPROVED TO NDEQ STANDARDS. ALL LOTS WILL BE CONNECTED TO LANCASTER COUNTY RURAL WATER.
2. ALL DIMENSIONS ALONG CURVES ARE CHORD DISTANCES.
3. INTERIOR INTERSECTION RADII TO BE 30' UNLESS OTHERWISE NOTED. RADII AT LUANN LANE. SHALL BE 50'.
4. ALL INTERSECTION ANGLES SHALL BE $90^\circ \pm 10^\circ$ UNLESS OTHERWISE NOTED.
5. THE CURRENT ZONING IS B-BUSINESS.
6. ALL ELEVATIONS ARE BASED ON NAVD 1988.
7. LOT DIMENSIONS ARE APPROXIMATE AND MAY VARY AT THE TIME OF FINAL PLAT.
8. INDIVIDUAL LOTS ARE RESPONSIBLE FOR WATER AND SEWER SERVICES.
9. ALL CULVERTS SHALL HAVE A FLARED-END SECTION ON THE INLET END. GRADING SHALL BE CONSTRUCTED TO ALLOW FOR PROPER DRAINAGE THROUGH CULVERTS.
10. PERMANENT EASEMENTS SHALL BE SHOWN ON FINAL PLATS FOR CULVERTS THAT EXTEND PAST THE RIGHT-OF-WAY.
11. DEVELOPER SHALL INSTALL STREET SIGNS AS REQUIRED BY LANCASTER COUNTY STANDARDS.
12. THE DEVELOPER SHALL CONSTRUCT AND SURFACE ALL STREETS TO MEET LANCASTER COUNTY ENGINEERS DESIGN STANDARDS FOR GRAVEL ROADS.
13. THE DEVELOPER IS REQUIRED TO PROVIDE ALL TESTING RELATED TO IMPROVEMENT INSTALLATION IN COMPLIANCE WITH LANCASTER COUNTY DESIGN STANDARDS AND LANCASTER COUNTY ENGINEERING DEPARTMENT SHALL BE NOTIFIED PRIOR TO IMPROVEMENT INSTALLATION FOR INSPECTION AND SHALL RECEIVE REPORTS OF ALL TESTING RESULTS.
14. DIRECT VEHICULAR ACCESS ALONG SOUTH 158TH STREET IS HEREBY RELINQUISHED EXCEPT AS SHOWN.
15. DIRECT VEHICULAR ACCESS ALONG HIGHWAY 2 IS HEREBY RELINQUISHED.

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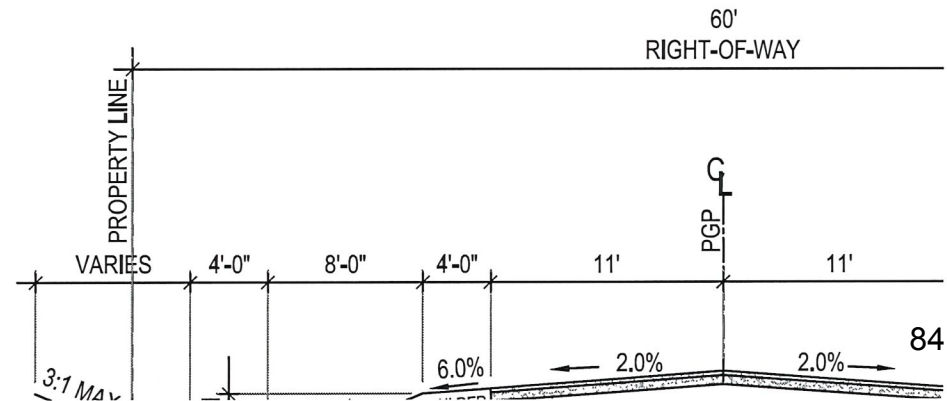
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FOR THE STATE OF
NEBRASKA OF THE FORGOING
TRULY AND
AND BELIEF.

NOVEMBER, 2017.



Tom J. Cajka

From: Kohel, Keith <Keith.Kohel@nebraska.gov>
Sent: Monday, February 05, 2018 8:41 AM
To: Tom J. Cajka
Subject: RE: e mail
Attachments: bennet.pdf; District Stipulations for future turn lanes.docx

Tom

After discussing this commercial access with Tom Goodbarn District 1 Engineer for the proposed expansion of this site is OK. South of Hwy 2 interchange on Hwy 43 East side near Milepost 17. NDOT at this time reserves future use criteria expansion. (Please see attachment)

Keith Kohel
Nebraska Dept, of Transportation
District Permit Officer
302 Superior St.
Lincoln, Ne 68521
402-471-0850 ext 1132
keith.kohel@nebraska.gov

From: Tom J. Cajka [<mailto:tcajka@lincoln.ne.gov>]
Sent: Thursday, February 01, 2018 3:58 PM
To: Kohel, Keith <Keith.Kohel@nebraska.gov>
Subject: RE: e mail

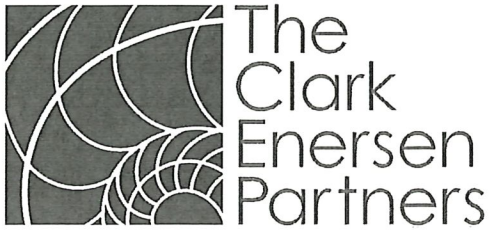
Tom Cajka, Planner II
County Planner
Lincoln-Lancaster County Planning
402-441-5662

From: Kohel, Keith [<mailto:Keith.Kohel@nebraska.gov>]
Sent: Thursday, February 01, 2018 3:57 PM
To: Tom J. Cajka <tcajka@lincoln.ne.gov>
Subject: e mail

Keith Kohel
Nebraska Dept, of Transportation
District Permit Officer
302 Superior St.
Lincoln, Ne 68521
402-471-0850 ext 1132
keith.kohel@nebraska.gov

District Stipulations

Turn lanes are not warranted with the initial construction and will not be required at this time. However in the event that the site traffic problems do occur then turn lanes will be constructed by the developer/owner. The NDOT Traffic Engineering Division will determine if and when turn lanes would be required. If the developer/owner is unwilling or unable to construct the turn lanes, the drive will be closed until an engineered solution can be agreed upon. The District Engineer will have the final decision on the engineering solution. Any cost of the improvements required shall be the responsibility of the developer/owner.



January 17, 2018

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

RE: Bennet Corner, Preliminary Plat

Dear Mr. Cary:

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

1. Application for County Preliminary Plat
2. Application fee \$1,483 (\$988 + \$495)
3. Site Plan
4. Grading/Drainage Plan
5. Street Profile

On behalf of the Developer, Doug Derscheid, 9529 Thornwood Circle, Lincoln NE 68512, we are requesting a Preliminary Plat in the County to the property located at the southeast corner of the intersection of S. 158th Street and Nebraska Hwy #2. The property is north of the village of Bennet.

This application is to add 2 commercial lots to the county while retaining the existing Casey's convenience store use on a separate lot. The current property was recently rezoned to B Business District. As a condition of the zoning agreement we are applying for a preliminary plat to show the conceptual lot layout and a proposed public roadway to provide access for the preliminary platted lots and future access to the property to the east. The proposed lots will be larger than 3 acres and will be served by individual septic system and Lancaster County Rural Water system.

Please let me know if you have any questions or need additional information.

Sincerely,

Tim Gergen

Architecture + Landscape Architecture + Engineering + Interiors

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

www.clarkenersen.com
Lincoln, NE | Kansas City, MO | Fairway, KS

Tom J. Cajka

From: Tim Gergen <tim.gergen@clarkenersen.com>
Sent: Wednesday, January 31, 2018 5:24 PM
To: Tom J. Cajka
Cc: Mark A. Hunzeker; ddd 1322y; Todd Lorenz
Subject: RE: Bennet Corner

Tom-

The developer of the Bennet Corner Preliminary Plat would like to request a waiver to Section 4.06 of the County Subdivision regulations to remove the requirement to build sidewalks on both sides of the street.

The developer intends to market the development for light industrial users such as (but not limited to):

- Assembly
- Light manufacturing
- Warehouse
- Mini-warehouse
- Contractor services
- Outdoor storage
- Garden center
- Vehicle service/repair

Based on the envisioned users of the development and the surrounding existing agricultural use we do not feel that sidewalks are warranted in the development. There will not be pedestrian traffic generated from adjacent land and the subdivision will serve highway oriented commercial users who will drive to the site or will not rely on walk-in traffic. The commercial lots will be large lots discouraging pedestrian traffic from one business to the next.

Let me know if you have any questions or need additional information on our sidewalk waiver request.

Thanks

Tim

Tim Gergen, PE

Civil Engineering
Principal

The Clark Enersen Partners

1010 Lincoln Mall, Suite 200
Lincoln, NE 68508-2883
402.477.9291 Office
402.477.6542 Fax

tim.gergen@clarkenersen.com
www.clarkenersen.com

From: Tom J. Cajka [mailto:tcajka@lincoln.ne.gov]
Sent: Wednesday, January 31, 2018 10:49 AM
To: Tim Gergen <tim.gergen@clarkenersen.com>
Subject: Bennet Corner

Per Section 4.06 and 5.02 of the County Subdivision regulations sidewalks are required for subdivisions zoned B-Business unless you can provide justification as to why they should not be required. You will need to submit something in writing