

Lincoln City - Lancaster County

PLANNING COMMISSION AGENDA

PLANNING COMMISSION

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PLANNING STAFF

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Jennifer McDonald: Administrative Aide
Alexis Longstreet: Office Specialist

October 19, 2022

NOTICE: The Lincoln/Lancaster County Planning Commission will hold a public hearing on Wednesday, October 19, 2022, 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.

The Planning Commission will be allowing testimony on agenda items by videoconferencing. For those who wish to testify by video, you must register with the Planning Department Office to participate by calling 402-441-7491 or emailing Plan@lincoln.ne.gov by 10:00 a.m. the day of the meeting. You will be asked to provide your name, address, phone number and the agenda item(s) you wish to speak on, and your position on this item. On the day of the hearing, you will receive a link via email, which will be needed to join the hearing to provide your testimony.

AGENDA

WEDNESDAY, OCTOBER 19, 2022

Approval of minutes of the regular meeting held October 5, 2022.

1. CONSENT AGENDA (Public Hearing and Administrative Action)

COMPREHENSIVE PLAN CONFORMANCE:

- 1.1 COMPREHENSIVE PLAN CONFORMANCE 22020, to review as to conformance with the 2050 Lincoln-Lancaster County Comprehensive Plan, a proposed amendment to the Lincoln Center Redevelopment Plan, to add the "300 S. 16th Street Redevelopment Project", to include the construction of approximately 22 residential units, on property generally located at 300 S 16th Street.

Page 1

Staff recommendation: In Conformance with the Comprehensive Plan
Staff Planner: Andrew Thierolf, 402-441-6371, athierolf@lincoln.ne.gov

CHANGE OF ZONE:

- 1.2 CHANGE OF ZONE 08057C, amending the existing PUD (Planned Unit Development), to allow for pole signs, on property generally located south of the intersection of North 48th Street and Leighton Avenue.

Page 17

Staff recommendation: Conditional Approval
Staff Planner: Emma Martin, 402-441-6369, emartin@lincoln.ne.gov

SPECIAL PERMIT:

- 1.3 SPECIAL PERMIT 22033, to allow for a residential health care facility with up to 24 residents, on property generally located at 105 Wedgewood Drive. The Planning Commission action is final, unless appealed to the Lincoln City Council. *****FINAL ACTION*****
Page 29 **Staff recommendation: Conditional Approval**
Staff Planner: George Wesselhoft, 402-441-6366, gwesselhoft@lincoln.ne.gov

2. REQUESTS FOR DEFERRAL

3. ITEMS REMOVED FROM CONSENT AGENDA

4. PUBLIC HEARING AND ADMINISTRATIVE ACTION

CHANGE OF ZONE:

- 4.1 CHANGE OF ZONE 05061E, to amend the Southwest Village (PUD) Planned Unit Development, for approval of modifications to the Zoning and Subdivision Ordinance to allow a flagpole to exceed the maximum height allowed within B-2 Commercial zoning on Lot 1, Block 3, along with an amendment to revise the Southwest Village PUD sign requirements, on property generally located at South 1st Street and West Denton Road.
Page 37 **Staff recommendation: Conditional Approval**
Staff Planner: Benjamin Callahan, 402-441-6360, bcallahan@lincoln.ne.gov

ANNEXATION:

- 4.2 ANNEXATION 22012, to annex approximately 445 acres, more or less, on property generally located between 70th & Pine Lake and 84th & Yankee Hill, Lincoln, Lancaster County, Nebraska.
Page 51 **Staff recommendation: Approval**
Staff Planner: Andrew Thierolf, 402-441-6371, athierolf@lincoln.ne.gov

5. CONTINUED PUBLIC HEARING AND ADMINISTRATIVE ACTION

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

Adjournment

PENDING LIST: *PRELIMINARY PLAT 04011A, for a preliminary plat amendment to show a revised street layout, with associated waiver, on property generally located at Waterford Estates Drive and Linwood Lane.*

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The Planning Commission meeting which is broadcast live at 1:00 p.m. every other Wednesday will be available for viewing on LNK City TV at <https://lnktv.lincoln.ne.gov/CablecastPublicSite/watch/3?channel=1>

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The Planning Commission agenda may be accessed on the Internet at <https://app.lincoln.ne.gov/city/plan/boards/pc/pc.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 Lincoln Commission on Human Rights at 402-441-7624, or the City Ombudsman at 402-441-7511, 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 22020 300 S 16 th Street Redevelopment Project	FINAL ACTION? No	OWNER Knight Rebels LLC
PLANNING COMMISSION HEARING DATE October 19, 2022	RELATED APPLICATIONS None	PROPERTY ADDRESS/LOCATION 300 S 16th Street

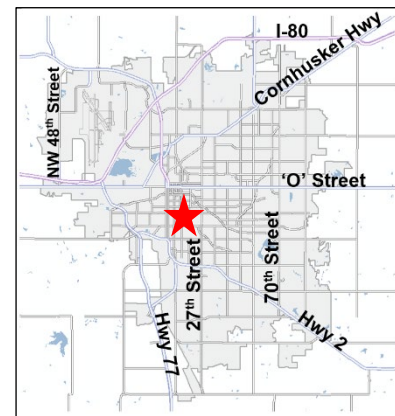
RECOMMENDATION: IN CONFORMANCE WITH THE COMPREHENSIVE PLAN

BRIEF SUMMARY OF REQUEST

Review as to conformance with the 2050 Lincoln-Lancaster County Comprehensive Plan, a proposed amendment to the Lincoln Center Redevelopment Plan to add the 300 South 16th Street Redevelopment Project.

The Project includes renovation of an existing historic apartment building to include approximately 22 residential units.

The Redevelopment Project is on file with the Urban Development Department and the Planning Department. The project documents can also be found online on the Planning Application Tracking System (PATS): [CPC22020](#).



JUSTIFICATION FOR RECOMMENDATION

The Project is consistent with the Comprehensive Plan, Downtown Master Plan, and the Lincoln Center Redevelopment Plan. It will provide for adaptive reuse of an historic structure, utilize existing infrastructure, contribute to Lincoln’s affordable housing stock, and help meet the Comprehensive Plan goal of 5,000 new dwelling units in Greater Downtown by 2050.

APPLICATION/STAFF CONTACT

Hallie Salem
City of Lincoln Urban Development Dept
(402) 441-7866
hsalem@lincoln.ne.gov

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

In addition to the specific elements listed above, this project contributes to the continued strengthening of the downtown core, which is a guiding principle reflected throughout the Comprehensive Plan, Downtown Master Plan, and Lincoln Center Redevelopment Plan.

COMPREHENSIVE PLAN SPECIFICATIONS:

Introduction Section: Growth Framework

Fundamentals of Growth in Lancaster County

The City of Lincoln's present infrastructure investment should be maximized by planning for well-designed and appropriately-placed residential and commercial development in existing areas of the city with available capacity.

Downtown Lincoln is the heart of our community, a unique common ground for all Lincoln and Lancaster County residents. It is also emerging as an attractive place to live, becoming an increasingly vibrant mixed-use neighborhood.

New commercial and industrial development should be located in Lincoln and other incorporated communities. Lincoln has ample land area and infrastructure availability for commercial and industrial development.

The Community in 2050

Twenty-five percent of all new dwelling units in Lincoln will be infill, meaning they will be located within the existing city. This equates to roughly 12,000 infill units over the next 30 years.

Land Use Plan

[Figure GF.b: 2050](#) - This site is shown as Commercial on the 2050 Future Land Use Plan. The Commercial designation includes residential mixed uses.

Goals Section

G1: Safe, Affordable, and Accessible Housing - Lincoln and Lancaster County will support the development of safe, affordable, and accessible quality housing that meets the diverse needs of the community.

G2: Complete Neighborhoods - Lincoln and Lancaster County will support complete neighborhoods within both developing and redeveloping areas of Lincoln.

Housing variety, both in housing type and lot size, provides for interesting neighborhoods and accommodates changing household preferences, but, more importantly, provides affordable housing options. Housing variety should include townhomes, senior living facilities, low/no maintenance condominiums, accessory dwelling units, multi-family development, and even small lot single-family.

Elements Section

E1: Complete Neighborhoods and Housing

One of the essential elements of the community and PlanForward 2050 is housing and neighborhoods. Ensuring safe, adequate, and affordable housing is an important function in maintaining the vitality of neighborhoods and the city as a whole. The key to both developing and existing complete neighborhoods is land use diversity. For existing neighborhoods, the land use diversity is often already in place, but efforts must focus on maintaining this balance and variety. The diversity of architecture, housing types and sizes are central to what makes existing neighborhoods great places to live.

E2: Infill and Redevelopment

Downtown and Greater Downtown

Over 1,600 dwelling units were added in Greater Downtown from 2011 to 2020. The Plan envisions an additional 5,000 dwelling units in Greater Downtown by 2050.

Policies Section

P1: Housing Affordability - Make available a safe residential dwelling for all residents.

Action Steps

2. Distribute and preserve affordable housing throughout the community to be near job opportunities and public transit and to provide housing choices within existing and developing neighborhoods.
5. Promote the preservation, maintenance and renovation of existing housing and neighborhoods throughout the city, with special emphasis on low and moderate income neighborhoods.
6. Preserve the existing affordable housing stock, increase the supply of affordable owner and renter units, and add more variety in housing types.

P2: Existing Neighborhoods - Continue our commitment to strong, diverse, and complete neighborhoods.

Action Steps

3. Encourage well-designed and appropriately placed density, including within existing apartment and group living complexes and in redeveloping commercial or industrial centers, where there is land available for additional buildings or expansions. Provide flexibility to the marketplace in siting future residential development locations. This includes appropriately placed infill in prioritized Nodes and Corridors, neighborhood edges, and underutilized commercial or industrial sites.

P5: Downtown - Continue to make Greater Downtown a major focus for mixed-use reuse, infill and redevelopment.

Action Steps

2. Ensure that new development is compatible with the existing Downtown and is pedestrian-oriented.
3. Maintain the urban environment, including a mix of land uses with a major focus on residential uses, including a variety of types and affordable to diverse income levels.

P8: Infill and Redevelopment - Encourage infill and redevelopment in appropriate locations throughout the community in order to meet the assumption for 25% of all new dwelling units being infill.

Increased infill allows the community to grow our population and tax base while focusing public dollars on maintaining what we already have, rather than spending money constructing and maintaining new facilities. Infill projects should target existing underdeveloped or redeveloping areas in order to remove blighted conditions and more efficiently utilize existing infrastructure.

P37: Historic Preservation - The community's distinctive character and desirable quality of life should be supported by exercising stewardship of historic resources throughout the County.

The community's distinctive character and desirable quality of life for current residents and for future generations should be supported by exercising stewardship of historic resources throughout the County, while maximizing benefits of past investments in public infrastructure and private property. Historic areas and quality new development share underlying aspects of good design— durable materials, thoughtful attention to maintaining or creating a desirable overall setting, accessibility by multiple modes and all people, well-designed and effective signs that communicate without dominating, and sustainable, maintainable landscaping. When successful, urban design and historic preservation make a community more enjoyable for residents, more attractive to visitors, and more competitive in drawing new businesses and retaining existing ones.

Action Steps

4. City and county governmental policies should provide for the protection and enhancement of historic resources.

DOWNTOWN MASTER PLAN SPECIFICATIONS:

- p. 4.1.1 Residential is the strongest market opportunity in Downtown. Downtown housing enhances the region's competitive edge by helping to retain and recruit both young and highly skilled labor. In addition, more residents will make Downtown more vital and support other sectors, including retail and employment.
- p. 4.1.4 Examine existing incentives, such as the City's TIF Policy and Turnback Tax, and develop ways to support a variety of housing types and price points, (affordable, market rate, senior, for sale, high end/ luxury, townhomes, condos) particularly for middle class families.
- p. 4.1.4 Support creation of housing at higher densities in Downtown, and include housing as a key component of mixed use developments.
- p. 4.4.7 Reuse or redevelop vacant or underutilized spaces as opportunities arise.
- p. 4.5.5 Respect historic properties and encourage reuse instead of demolition, wherever possible.
- p. 4.5.5 Provide and promote funding mechanisms for the preservation and rehabilitation of historic structures through available national, state, and local sources.
- p. 4.6.20 Catalyst Project: M Street Greenway: Convert M Street to two-way traffic with a 37-foot linear park on the north side within the existing right-of-way.

LINCOLN CENTER REDEVELOPMENT PLAN SPECIFICATIONS:

- p. III-8 Intensify and strengthen Lincoln's central business district as a focal point for regional development;
- p. III-8 Provide for compact and interrelated development in order to increase the amount and variety of activity in the core while increasing pedestrian convenience and visual interest;
- p. III-8 Encourage rehabilitation/renovation of existing structures throughout the Community Redevelopment Area;
- p. III-9 Encourage the development of mixed use projects that attract and maintain commercial activity and residential developments in the Downtown and Haymarket areas;
- p. III-9 Encourage development that is consistent and complementary to existing land uses, architectural systems, and building materials found Downtown and in the Haymarket;
- p. III-9 Encourage expanded housing opportunities and types to foster 24-hour activity and a lively street;

ANALYSIS

1. This is an amendment to the Lincoln Center Redevelopment Plan to add the 300 South 16th Street Redevelopment Project. The Project involves the renovation of 300 S 16th Street to include up to 22 residential units. At least half the units will be affordable to persons making sixty percent or less of area median income (AMI), and the remainder of the units will be affordable to persons making one hundred percent or less of AMI.
2. The 22 dwelling units include approximately 12 efficiency units, eight one-bedroom units, and two two-bedroom units.
3. The building is currently in poor condition and vacant.

4. The Project proposes to enhance many of the favorable historic façade features of the existing building. Jesse B. Miller designed the building, and Jennings Brothers and Thompson constructed the building in 1916. Though it was built before the current Nebraska State Capitol, the building is in the area the Capitol’s architect, Bertram Goodhue, intended as the “setting” for the Capitol. The building’s Art Deco façade compliments the Capitol’s modern Classical architectural style. The building is not designated as a local landmark but is eligible for designation.
5. The Project was given initial review (without action) at Historic Preservation Commission on September 22. An excerpt from the draft minutes is attached. At the meeting the developer stated that the building will be upgraded for the 21st century without betraying its historic nature.
6. The Project also proposes to enhance the energy efficiency of the building, including a proposal to use an all-electric heating and cooling system.
7. The Project is in the Lincoln Center Redevelopment Area. The overall goals of the Project are energy efficiency, affordability, and historic preservation, as well as strengthening the long-term viability of Downtown, supporting the twenty-four-hour vibrancy of Downtown, creating additional housing opportunities, and improving the pedestrian environment.
8. The Project represents a significant private investment in the Lincoln Center Redevelopment Area and further enhances the connectivity to adjacent redevelopment areas including the Antelope Valley Redevelopment Area and South of Downtown Redevelopment Area, both less than one block away. The Project supports the connection between Central Downtown and the Telegraph District and other redevelopment to the east and supports the need to maintain housing affordability near South of Downtown.
9. The Project is consistent with goals in the Comprehensive Plan, PlanForward 2050. The Comprehensive Plan calls Downtown Lincoln the heart of our community, and the importance of infill redevelopment and historic preservation is discussed throughout. The Comprehensive Plan specifically identifies a goal of 5,000 new dwelling units in Greater Downtown by 2050.
10. The Project is also consistent with the 2018 Downtown Lincoln Master Plan. The Master Plan encourages the reuse or redevelopment of vacant or underutilized spaces as opportunities arise. The Master Plan includes the rehabilitation and upgrades of “underutilized historic buildings” as a short-term goal. The Master Plan supports adaptive reuse of buildings as a more sustainable approach than new construction and as a way to restore historic buildings, sustain their useful life, and support the significance of the past. The Master Plan also supports the creation of housing at higher densities at diverse price points and encourages increasing Downtown residential density to drive improvements to retail and restaurants and to create a more vibrant downtown. The Project is also located along M Street and maintains lawn and trees that could be modified as part of the future M Street Greenway.
11. The public investment is expected to be up to \$300,000 to \$450,000. The source of public funds will be the tax increment generated from the private developments on the Project Site. The public investment will leverage a private investment of approximately \$1.45 million. More details can be found in the Proposed Cost and Financing section of the redevelopment plan amendment.

EXISTING ZONING: B-4 Lincoln Center Business District

EXISTING LAND USES: Vacant Residential

SURROUNDING LAND USE AND ZONING:

North: M Street, Commercial	B-4 Lincoln Center Business District
South: Commercial	B-4
East: Commercial	B-4
West: 16 th Street, State Parking Garage	Public

APPROXIMATE LAND AREA: 2.25 acres

Prepared by

Andrew Thierolf, AICP
(402) 441-6371 or athierolf@lincoln.ne.gov

October 11, 2022

Applicant: Urban Development Department, City of Lincoln
555 S. 10th Street, Suite 205
Lincoln, NE 68508

Contact: Hallie Salem
(402) 441-7866 hsalem@lincoln.ne.gov

<https://linclanc.sharepoint.com/sites/PlanningDept-DevReview/Shared Documents/DevReview/CPC/22000/CPC22020 300 S 16th Street Redevelopment Project.adt.docx>

DRAFT MEETING MINUTES (EXCERPT)

NAME OF GROUP: HISTORIC PRESERVATION COMMISSION

DATE, TIME AND PLACE OF MEETING: Thursday, September 22, 2022, 1:30 p.m., County-City Building, City Council Chambers, 555 S. 10th Street, Lincoln, NE.

MEMBERS IN ATTENDANCE: Melissa Dirr Gengler, Jim Johnson, Greg McCown, Jim McKee and Dan Worth; (Nancy Hove-Graul and Greg Newport absent).

300 S. 16TH STREET REDEVELOPMENT

Barnes stated this is a redevelopment project using Tax Increment Financing (TIF) or public assistance. This property is not designated as a landmark, but is eligible.

Seth Flowerday stated they have decided to take on this project. The current condition of the property is very dilapidated. The plan is to update the HVAC, plumbing and electrical. They don't plan on moving any walls around. They plan on replacing the concrete. It is cracked and heaving in a lot of places. They will fix some exterior brick and tuck point. They will paint the entire building a brick color. On the inside, they will be replacing cabinets, repairing the plaster and drywall.

Luke Flowerday stated that each unit has a 15 amp fuse. They plan to install 100 amp service panels for each apartment. The plan is to go all electric for heating and cooling. They will incorporate as much electrical as possible. The boiler will be replaced. They are trying to bring the efficiency of this building into the 21st century.

Seth Flowerday stated they wanted to focus on the energy efficiency and the historic nature of this building. It has had a rough life. We need to maintain a budget and make sure we don't betray the historic nature.

Luke Flowerday stated they plan to restore it from a thorough historic perspective.

Gengler inquired if the building is occupied. Seth Flowerday replied no, as far as we know.

Seth Flowerday stated that the heating and cooling units will be on the roof. Many windows will be replaced.

McKee asked if there is an attic. Seth Flowerday answered that there seems to be. McKee noted the original roof line was interesting. Seth Flowerday saw that the roof line was changed at some point. McKee was curious about the attic. Luke Flowerday can't see any access from the inside. He believes it is just inaccessible space.

Gengler inquired if the number of units will be maintained. Luke Flowerday replied that they won't be changed. Seth Flowerday added they want to take it back to the way it was. Gengler would encourage looking for a photo of the back of the porches. Luke Flowerday stated that a lot of it is in terrible condition. They are going to get the contractors involved and see what needs to be done. Anything structural will be done. They want to make sure they have a functioning fire escape. Gengler sees a couple of balconies circled on the plan. Seth Flowerday noted those are the balconies out front. They will re-skin and make sure they are up to code. He acknowledged that this building has a terrible reputation. They want to give it a cosmetic lift.

McKee believes a different front door will really change the look of the building.

Gengler asked about parking requirements. Seth Flowerday responded they have zero parking spots. This is zoned B-4 so there is no parking requirement. They would love to reach out to an adjacent bank and see about

purchasing their parking. Gengler asked if parking won't be a requirement. Seth Flowerday stated not that they are aware of. They plan on putting bike racks in the front courtyard.

McCown questioned if they applicant plans on edge to edge concrete in the front yard. Seth Flowerday stated they plan to replace the walkway about five feet wide and keep the edges, perhaps plant some bushes or landscaping. McCown wondered about the material behind the peeling paint. Luke Flowerday doesn't know what it is. It appears to be fiber board. Seth Flowerday added that the first step would be to have their guy go around the building and investigate what all needs to be repaired or replaced.

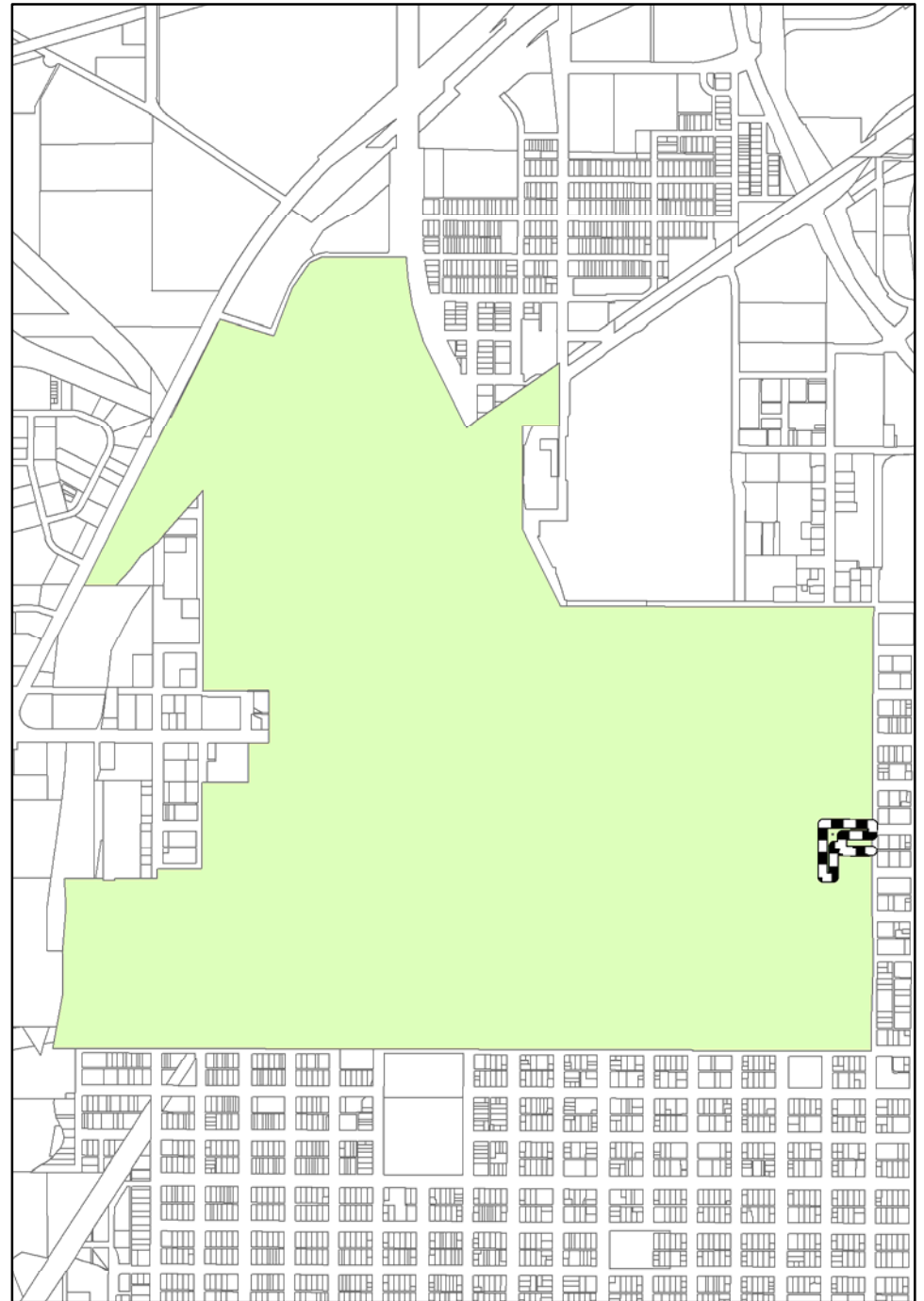
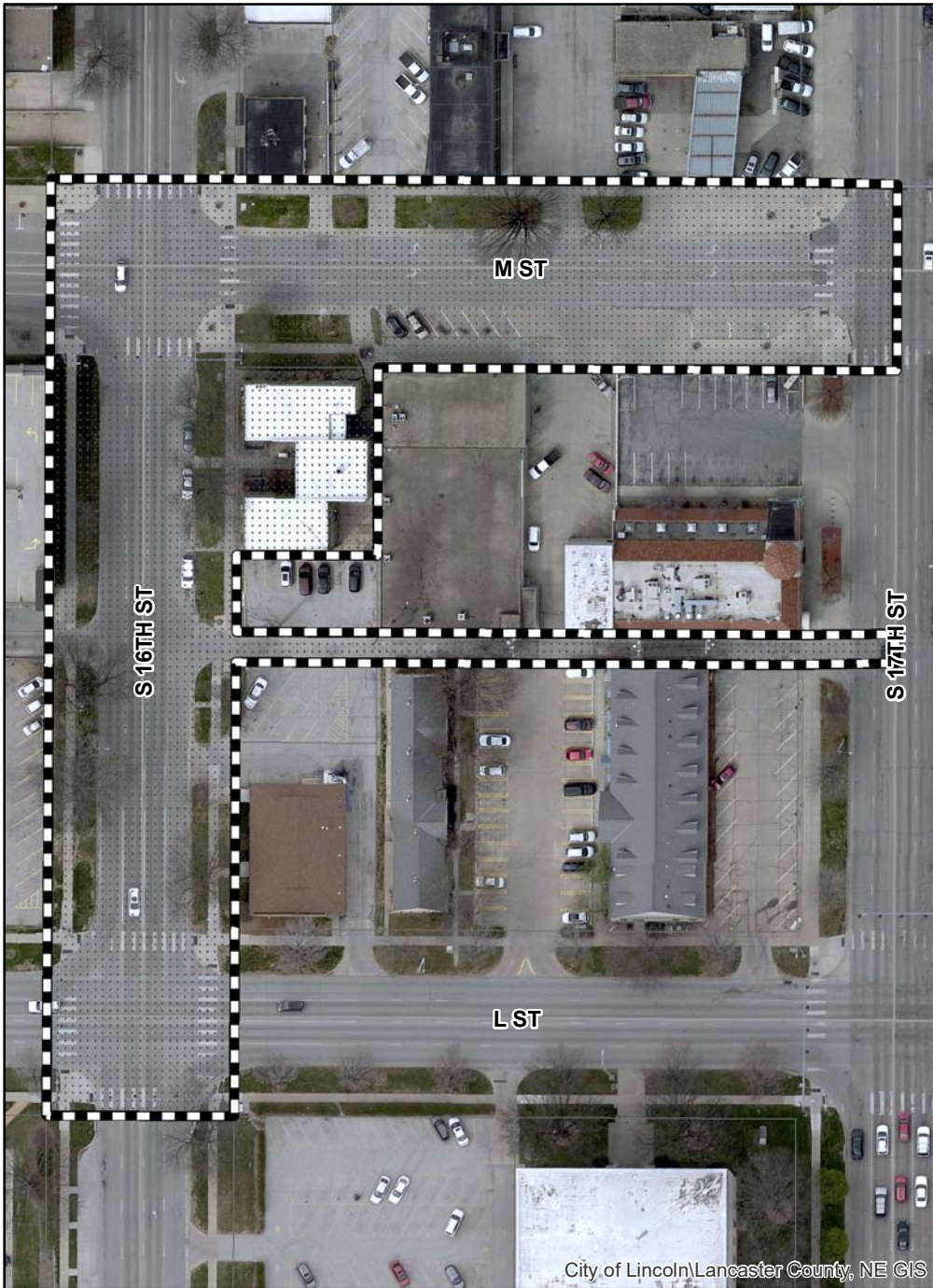
McCown asked if they are planning on redesigning the front rails. Luke Flowerday noted that budget is always a concern. He would like to do a cable railing. They are open to suggestions. McCown understands there is no design to bring it back to original. Luke Flowerday can't see any door openings. Perhaps this was accessed through the window. He doesn't want to cut doorways that would trigger fire codes. They plan to work with the existing brick columns and reconstitute the deck structures the way they are.

Gengler believes the applicant is doing a good job on taking on a challenging building.

Hallie Salem stated they will be getting some more detailed schematics as part of a redevelopment agreement moving forward. She believes there will be more detail in the future coming back. They would like to hear any comments or suggestions.

McCown stated since Hageman found a photograph of the original complex, he would suggest paying attention to that. That should be the guideline. Use that as a demarcation. Windows are important. He would recommend to try and go back to the front door that was originally there. Regarding the color scheme, he was encouraged to hear the applicant is planning on more of a brick color. The original appeared to be dark red with white trim. Eyebrow on the exterior would be great. It was attached to the parapet previously.

McKee will look for any historic photographs of the building. McCown agreed. He believes it is always best to refer back to the historic.



Comprehensive Plan Conformance #22020
Lincoln Center Redevelopment Area
300 S 16th Street Redevelopment Project



300 SOUTH 16TH STREET REDEVELOPMENT PROJECT AMENDMENT TO THE LINCOLN CENTER REDEVELOPMENT PLAN

Project Description and Goals

The 300 South 16th Street Redevelopment Project (the “Project”) Amendment to the Lincoln Center Redevelopment Plan (“Plan Amendment”) contemplates the redevelopment of the building located at 300 South 16th Street. The Project includes the renovation and rejuvenation of the existing vacant apartment building at 300 South 16th Street (the “Building”), more particularly described as Lincoln Original, Block 93, Lot 5, N 100’ W1/2 & N 100’ Lot 6, City of Lincoln, Lancaster County, Nebraska (the “Project Site”). The Project Area (“Project Area”) shown below will include the Project Site and adjacent rights of way.

The Project consists of the construction of up to twenty-two residential units, including approximately twelve efficiency units, eight one-bedroom units and two two-bedroom units. The Project proposes to restore or enhance many of the favorable historic façade features of the building. Jesse B. Miller designed the Building. Jennings Brothers and Thompson constructed the Building in 1916. Though it was built before the current Nebraska State Capitol (the “Capitol”), the Building is in the area the Capitol’s architect, Bertram Goodhue, intended as the “setting” for the Capitol. The Building’s Art Deco facade compliments the Capitol’s modern Classical architectural style.

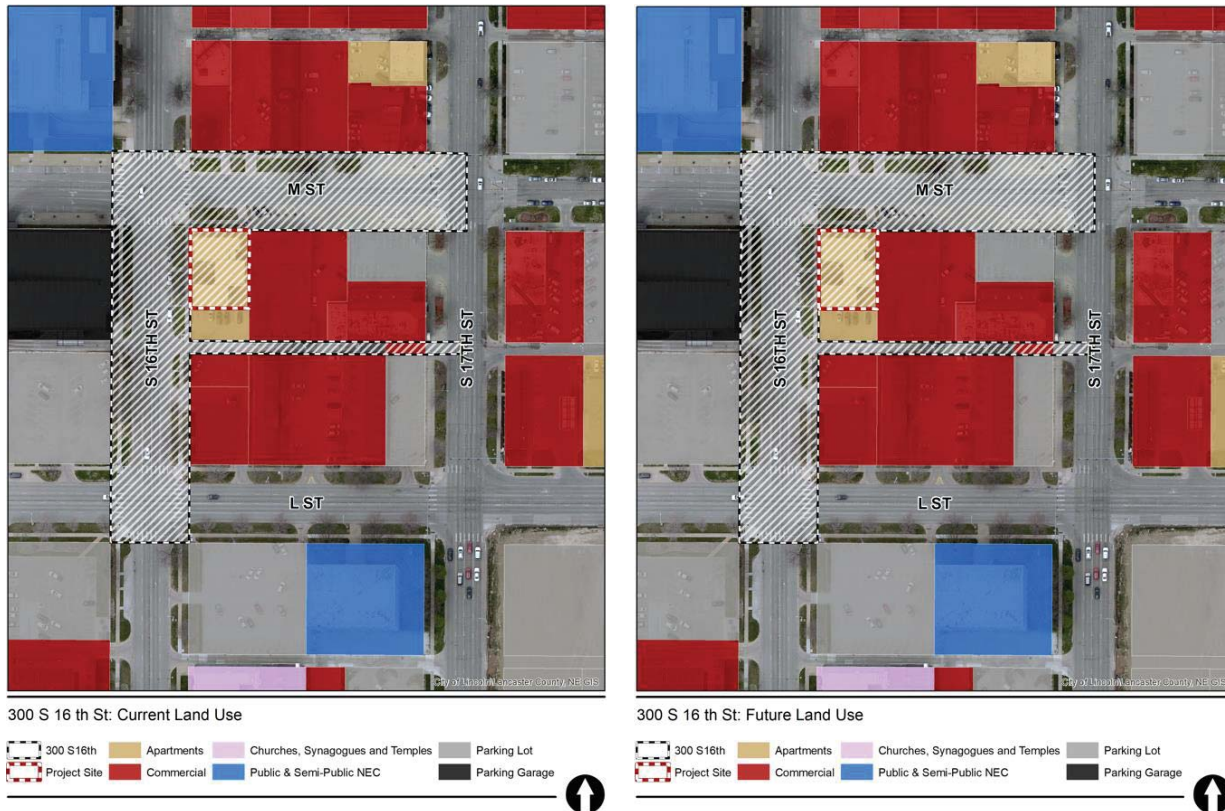


300 S 16 th St: Project Area

 300 S 16th
 Project Site



The project also proposes to enhance the energy efficiency of the building, including a proposal to use an all-electric heating and cooling system. Another goal of the project is to maintain the affordability of housing in the area by proposing that at least half the units will be affordable to persons making sixty percent or less of area median income (“AMI”), and the remainder of the units will be affordable to persons making one hundred percent or less of AMI.



The Building is in the heart of the City’s Downtown (“Downtown”) and is proximate to the Capitol and is near the University of Nebraska – Lincoln’s city campus and the O Street Entryway Corridor. The Project will provide prime residential opportunities for the area.

The Project fits well with surrounding land uses, which are largely a mix of commercial, residential, and public uses. The land use will not change between the current and future land uses. See the Current Land Use map and Future Land Use map above.

The Project Site is in the B-4 Lincoln Center Business zoning district (the “B-4 District”). The B-4 District allows for multiple-family dwellings. The B-4 District seeks to ensure Downtown remains the dominant multi-use center and key focal point of business, social and cultural activity in the City. The map below shows the Project Area’s current zoning. Land zoned “P” or Public is adjacent to the Project Area and land zoned “O-1” Office is south of the Project Site.

The Project is consistent with *PlanForward, Lincoln-Lancaster County 2050 Comprehensive Plan* (“PlanForward”). One of PlanForward’s overarching goals is to promote Downtown as a vibrant mixed-use neighborhood. PlanForward envisions adding 5,000 dwelling units Downtown by 2050. PlanForward also supports infill development and the reuse and rehabilitation of historic buildings.

The Project also is consistent with the *2018 Lincoln Downtown Master Plan* (the “Master Plan”). The Master Plan also encourages the reuse or redevelopment of vacant or underutilized spaces as opportunities arise. The Master Plan includes the rehabilitation and upgrades of “underutilized historic buildings” as a short-term goal. The Master Plan supports adaptive reuse of buildings as a more sustainable approach than new construction and as a way to restore historic buildings, sustain their useful life and support the significance of the past. The Master Plan also supports the creation of housing at higher densities at diverse price points and encourages increasing Downtown residential density to drive improvements to retail and restaurants and to create a more vibrant Downtown. The project is also located along M Street and maintains lawn and trees that could be modified as part of the future M Street Greenway.

The Project is in the Lincoln Center Redevelopment Area (the “Redevelopment Area”). The overall goals of the Project are energy efficiency, affordability and historic preservation, as well as to strengthening the long-term viability of Downtown, support the twenty-four-hour vibrancy of Downtown, creating additional housing opportunities and improving the pedestrian environment. The Project represents a significant private investment in the Lincoln Center Redevelopment Area and further enhances the connectivity to adjacent redevelopment areas including the Antelope Valley Redevelopment Area and South of Downtown Redevelopment Area, both less than one block away. The Project supports the connection between Central Downtown and the Telegraph District and other redevelopment to the east and supports the need to maintain housing affordability near South of Downtown.

Publicly funded redevelopment activities may include the following: site acquisition, façade/historic building enhancements, energy efficiency enhancements, and other public improvements, enhancements, and expenses as permitted under the Community Development Law (the “Act”) (Nebraska Revised Statutes sections 18-2101 to 18-2155) and in the Lincoln Center Redevelopment Plan.

Statutory Elements

Property Acquisition, Demolition, and Disposal: The City does not intend to acquire property, nor would the City use eminent domain if the City did acquire property for the Project. Redeveloper currently owns and controls the Project Site. The Building is vacant and there are no tenants on site needing relocation.

Population Density: As the building is currently vacant, the Project anticipates increasing the population density in the Redevelopment Area, consistent with PlanForward and the Master Plan.

Land Coverage: The Project will not change land coverage on the Project Site, as it will make use of the existing building. The Project will comply with the applicable land-coverage ratios and zoning requirements of the City.

Traffic Flow, Street Layouts, and Street Grades: The Project is not likely to impact traffic flow as the Project does not change the use or increase the density of the Building. The Project does not include vacating any streets or alleys. The Project can accommodate any potential changes from one-way to two-way traffic.

Parking: The B-4 District does not have any parking requirements. The existing configuration of on-street parking around the site will support future uses.

Zoning, Building Code, and Ordinances: The Project is a permitted use in the B-4 District. The Project should not require other subdivision or rezoning of the Project Site. Redeveloper will work with the City to ensure that applicable building code requirements and ordinances are satisfied.

Proposed Cost and Financing

The estimated total cost to implement the Project is approximately \$1.7 to \$1.9 million. To support these expenses, the Project seeks up to \$300,000 to \$450,000 in public financing. The Redeveloper will finalize the Project costs as construction expenses are determined. The source of the public funds for these improvements will be the tax increment generated from the private development on the Project Site.

The City of Lincoln designated portions of the Redevelopment Area, including the Project Area, extremely blighted and substandard. This designation allows the division of taxes for up to 20 years for tax increment financing (“TIF”) purposes. The City intends to use 20-year TIF to the extent feasible to facilitate the Project, and this Plan Amendment authorizes the City to do so in accordance with the Community Redevelopment Law.

The Project seeks to satisfy the goals established by the City for the use of TIF in extremely blighted areas, in meeting both housing affordability and energy efficiency goals. The Project will create twenty-two affordable and market rate housing units by rejuvenating an underutilized historic building. Redeveloper intends to develop these units as extra energy efficient, all-electric units.

Cost Benefit Analysis

As required by the Act, Redeveloper has analyzed the costs and benefits of the proposed Project including:

Tax Revenues

The Project Site has an assessed value of \$663,600 for 2022. Upon completion of the Project, Redeveloper anticipates the assessed value of the Project Site will increase by approximately \$1,236,400 with a final value of \$1,900,000. This would generate approximately \$494,000 in available funds over 20 years for principal and interest payments.

The City will forgo approximately 15.95 percent of the annual \$25,000 in property tax collections, or approximately \$3,988 per year, for up to 20 years to support the Project. The tax increment gained from the Project Area would not be available for use as City general tax revenues over that time because Redeveloper will use those funds for bond or loan repayment. After the 20-year period or when the Redeveloper retires the debt, the increase in annual taxes paid will be split among the taxing jurisdictions according to the tax levy.

Tax Increment Finance Analysis		
Description		Amount
Base Value	= <i>Current Assessed Value</i>	\$663,600
New Assessed Value	= <i>Untrended Valuation</i>	\$1,900,000
Increment Value	= <i>New Assessed Value - Base</i>	\$1,236,400
Annual TIF Generated	= <i>Increment x 0.02</i>	\$24,728
Bond Note Issue	= <i>Annual TIF x 20 years @ 5%</i>	\$308,166

Public Infrastructure and Community Public Service Needs Impacts

Redeveloper does not anticipate that the Project will adversely impact City infrastructure or services, but instead will generate additional revenue providing support for those services in the future.

Employment within the Project Area

The Project will generate minimal additional employment within the Project Area boundaries with the need for management and maintenance of common areas within the building. Further, the Project will create expanded housing opportunities for employees working within or around Downtown.

Employment in the City outside the Project Area

There are approximately 146,580 persons employed in 8,721 total establishments in Lancaster County according to the United States Census Bureau’s County Business Patterns 2020 data. The median household income for the City was \$60,063 according to the 2016 – 2020 American Community Survey 5-Year estimates. While the impact of the Project on city-wide employment would be minimal, housing would support commercial employment, as well as provide potential employees outside the Project Area.

Impact on Student Populations of School Districts

This project may minimally impact the student population of Lincoln Public Schools, in that it may help maintain the attendance numbers of those schools nearest the Project. Additionally, Lincoln Public Schools will have the benefit of property taxes paid after the TIF period.

Other Impacts

Though utilizing TIF will defer the majority of the incremental ad valorem real property taxes generated by the Project for up to twenty years, there will be potential additional revenue generated by the Project from sales taxes generated by the residential tenants of the Project, as well as income taxes paid by those tenants who might work in the

Downtown. Upon completion of the twenty-year TIF period, the Project will benefit the community through higher property tax revenue.

Finding of Need for TIF:

Section 18-2116 of the Act requires the City Council to make the following findings before authorizing the use of TIF:

- the Project and plan as proposed would not be economically feasible without the use of TIF; and,
- the Project as proposed would not occur in the Redevelopment Area without the use of TIF.

Redeveloper believes that the private and public improvements proposed in this plan amendment would not occur “but for” the utilization of TIF in the Redevelopment Area. The Building and Project Site are in a state of deep decay. The renovation costs are prohibitive; it would not be economically feasible for Redeveloper to construct the Project improvements without TIF. The existing site conditions constitute a barrier to development that Redeveloper cannot adequately remedy without the use of TIF.

Project Schedule and Implementation

Following the approval of the Plan Amendment, the following steps will occur in the implementation of the project:

- The City will negotiate a redevelopment agreement with Redeveloper and submit said redevelopment agreement to City Council for approval.
- Following agreement approval, the City may issue and sell Community Improvement Financing bonds or notes to fund the public improvements related to the project.
- The City will review construction drawings of public and private improvements for conformance with the Redevelopment Agreement.
- Redeveloper will competitively bid TIF-funded public improvements according to City standards, as needed and with assistance from the City’s Purchasing Department.
- Redeveloper will construct the private and public improvements and enhancements.
- City will reimburse Redeveloper for eligible public improvements and enhancements, as described in the Redevelopment Agreement, after it receives required documentation from Redeveloper and the City receives the increment.

September 21, 2022

Andrew Thierolf, AICP
Lincoln Lancaster County Planning Department
City / County Building
555 S 10th Street
Lincoln, NE 68508

Dear Andrew:

Please find the 300 South 16th Street Redevelopment Project Amendment to the Lincoln Redevelopment Plan attached.

Once submitted through Project Dox, please forward the proposed amendment to the Planning Commission for their consideration of its consistency with the Comprehensive Plan at the October 19, 2022 public hearing. We request that the amendment also be scheduled at City Council for introduction on November 21, 2022 and public hearing on December 5, 2022.

If you have any questions about the plan amendment or schedule, please contact me at 402.441.7866 or hsalem@lincoln.ne.gov.

Best Regards,



Hallie Salem
Redevelopment Manager

LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT

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

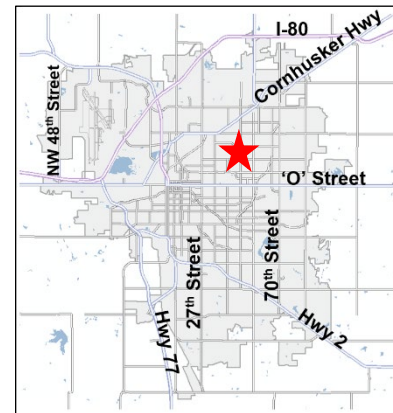
APPLICATION NUMBER Change of Zone #08057C	FINAL ACTION? No	DEVELOPER/OWNER Universal Surety Company
PLANNING COMMISSION HEARING DATE October 19, 2022	RELATED APPLICATIONS None	PROPERTY ADDRESS/LOCATION 2136 N. 48 th Street

RECOMMENDATION: CONDITIONAL APPROVAL

BRIEF SUMMARY OF REQUEST

This is a request to amend the University Place Planned Unit Development (PUD) to allow pole signs at 2136 N. 48th Street, Lincoln, NE.

The amendment is being requested by the applicant in order to update the existing pole sign located on their property. The Planning Department proposes to extend the reach of the amendment and allow pole signs within the PUD on properties south of Leighton Avenue, so long as they conform to B-3 zoning standards.



JUSTIFICATION FOR RECOMMENDATION

Pole signs have existed within the PUD since at least 1982. The proposal would allow the longstanding use to continue and give businesses with pole signs the ability to update their signage.

APPLICATION CONTACT

Jeremy Langford, (952)-944-1304 or jlangford@fourteenfoods.com

STAFF CONTACT

Emma Martin, (402) 441-6369 or emartin@lincoln.ne.gov

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The Comprehensive Plan supports a mix of uses and infill commercial development that is compatible with existing neighborhoods and supports the retention and expansion of existing businesses.

KEY QUOTES FROM THE 2050 COMPREHENSIVE PLAN

P12: Economic Growth - Promote and foster appropriate, balanced, and focused future economic growth that maintains the quality of life of the community.

Action Steps

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

P17: Predictability - Strive for predictability for neighborhoods and developers.

Action Steps

1. Continue to make updates as needed to zoning and subdivision ordinances, along with design standards, to support economic development, complete neighborhoods, and other PlanForward initiatives.
2. Support timely and efficient implementation of the growth tiers framework through the Capitol Improvement Program and other coordinated infrastructure enhancements.

ANALYSIS

1. This is a request to amend the University Place Planned Unit Development (PUD) to allow for the continued use of an existing pole sign at 2136 N. 48th Street, which is occupied by a Dairy Queen. This amendment will also permit pole signs south of Leighton Avenue within the PUD, so long as they meet B-3 zoning requirements.
2. The Dairy Queen at 2136 N. 48th Street was opened in 1982, and the pole sign was erected at the same time.
3. The University Place PUD, which includes the Dairy Queen, was approved in 2009 with the provision that pole signs were prohibited thus making the existing pole signs nonconforming but allowed to remain.
4. In January of 2022, Dairy Queen and Love Signs, Inc. discovered that while attempting to update their signage they were required to comply with University Place PUD standards. To update the signage, the PUD would need to be amended given the provisions added to the PUD in 2009 prohibiting pole signs.
5. Staff determined that several surrounding businesses in the immediate area also use pole signs and expanded the proposed amendment to include all the area of the PUD south of Leighton Avenue. The character of the area south of Leighton Avenue lends itself to this amendment with pad site buildings set back from the street. This contrasts with the traditional development pattern in the heart of the University Place commercial area where the buildings are set up close to the street.
6. This amendment does not allow additional pole signs, rather it allows existing pole signs to be updated and redone which has the potential to improve the appearance of old signage. Updating and maintaining the older commercial districts in the city is consistent with the Zoning Ordinance and Comprehensive Plan.

EXISTING LAND USE & ZONING: Commercial; B-3 PUD (Planned Unit Development)

SURROUNDING LAND USE & ZONING

North: Commercial; B-3
South: Public; P
East: Residential; R-2 and R-5
West: Public; P

APPLICATION HISTORY

Jan. 2020 Change of Zone #08057A was approved by the City Council to allow for an existing motorized vehicle sales use to continue at 2928 N. 48th Street, with conditions and waivers for such use added in conjunction with existing use.

- Mar. 2014 Administrative Amendment #14007 to Change of Zone #08057A was approved by the Planning Director to not provide additional parking stalls associated with expansion of the MoJava restaurant.
- Jun. 2011 Change of Zone #08057A was approved by the City Council to allow the sale of alcohol for consumption on the premises as a conditional use, with a waiver to required parking for such use added in conjunction with an existing use.
- Jan. 2009 The University Place PUD was approved under Change of Zone #08057 adjusting allowed land uses, parking regulations, and sign regulations.

APPROXIMATE LAND AREA (AREA OF AMENDMENT): 4.76 acres

LEGAL DESCRIPTION: Lots 4-6, Block 130, and Lots 3-10, Block 117 located in the SE 1/4 of Section 17-10-7, Lincoln, Lancaster County, Nebraska, generally located south of the intersection of North 48th Street and Leighton Avenue.

Prepared by

Emma Martin, Planner

Date: Oct. 4, 2022

Applicant/Contact: Jeremy Langford
Fourteen Foods
6442 City West Parkway, Suite 400
Eden Prairie, MN 55344
(952)-944-1304 or jlangford@fourteenfoods.com

Owner: Universal Surety Company
ATTN: Carol Clark PO Box 80468
Lincoln, NE 68501

<https://linclanc.sharepoint.com/sites/PlanningDept-DevReview/Shared Documents/DevReview/CZ/08000/CZ08057C University Place.edm.docx>

CONDITIONS OF APPROVAL - CZ#08057C

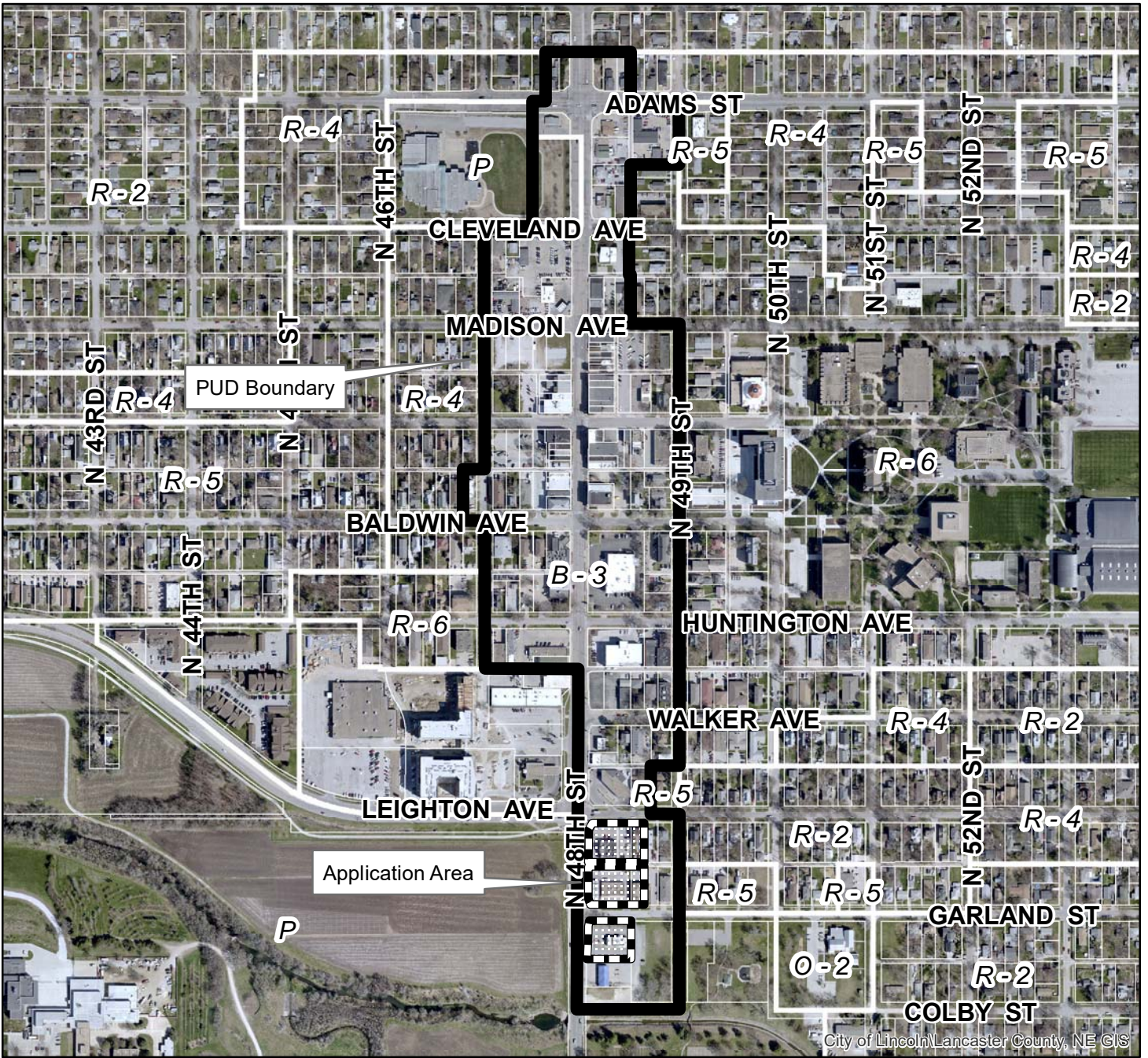
This approval authorizes an amendment to the University Place Planned Unit Development Plan to allow pole signs in that area south of Leighton Avenue.

Site Specific

1. The permittee shall cause to be prepared and submitted to the Planning Department two copies of a revised and reproducible final Development Plan with all required revisions and documents.
 - a. Revise Note #4(a) of the development plan to state: 'Pole signs are prohibited, except for the area south of Leighton Avenue where pole signs are allowed provided they meet the requirements of the B-3 zoning district.'

Standard:

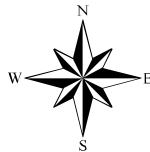
2. The following conditions are applicable to all requests:
 - 2.1 Before sign permits all development and construction shall substantially comply with the approved plans.
 - 2.2 All privately-owned improvements, including landscaping and recreational facilities, shall be permanently maintained by the Permittee or an appropriately established owners association approved by the City.
 - 2.3 The physical location of all setbacks and yards, buildings, parking and circulation elements, and similar matters be in substantial compliance with the location of said items as shown on the approved site plan.
 - 2.4 The terms, conditions, and requirements of this resolution shall run with the land and be binding upon the Permittee, its successors and assigns.
 - 2.5 The applicant shall sign and return the letter of acceptance to the City Clerk. This step should be completed within 60 days following the approval of the special permit. The City Clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the applicant. Building permits will not be issued unless the letter of acceptance has been filed.
 - 2.6 The site plan as approved with this resolution voids and supersedes all previously approved site plans, however all prior resolutions approving this permit remain in full force and effect as specifically amended by this resolution.



City of Lincoln/Lancaster County, NE GIS

2020 aerial

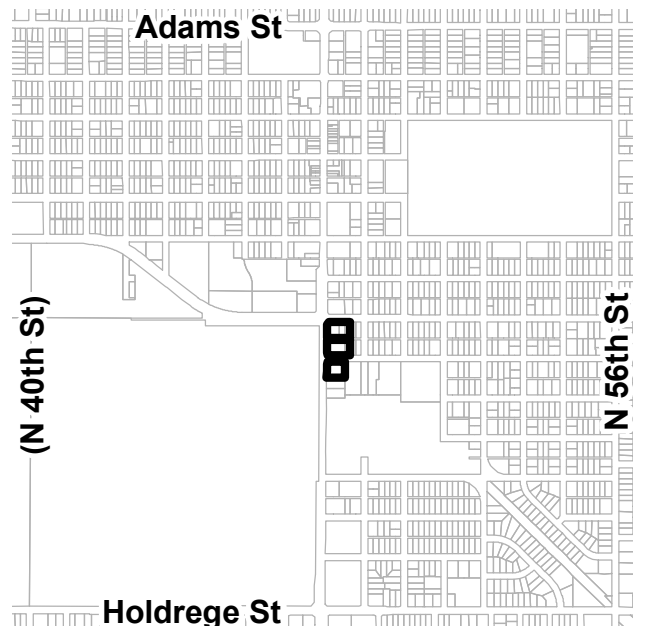
Change of Zone #: CZ08057C
University Place PUD
N 48th St & Garland St



One Square Mile:
 Sec.17 T10N R07E

Zoning:

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



University Place Planned Unit Development Plan

CZ#08057A

General Notes

All new construction or changes in use within the boundaries of the PUD shall adhere to B-3 zoning except where modified by the PUD as follows:

1. Land Uses:

- (a) Dwellings are permitted on the first floor except within 50' of the right of way of N. 48th Street.
- (b) Alcohol for sale for consumption on the premises is permitted as a conditional use provided:
 - i. It meets all the requirements of LMC 27.63.680, except for parking. With regard to parking, the parking requirements of the PUD apply, and the inclusion of the sale of alcohol for consumption on the premises in conjunction with an existing use is not considered a change in use.
 - ii. The hours for the sale of alcohol shall not commence prior to 8:00 a.m. and shall end no later than 11:00 p.m.
 - iii. The hours of outdoor operation (beer garden, etc) shall not commence prior to 8:00 a.m. and shall end no later than 10:00 p.m.
- (c) Motorized vehicle sales and/or repair facilities are permitted as a conditional use on 2928 N. 48th Street within 100 feet of the adjacent residential use and district provided:
 - i. The streetscape along N. 48th Street is improved by (i) establishing a front yard from the face of the house to the property line, (ii) removing all pavement and gravel from the front yard and installing a landscape screen to the parking area south of the house that meets the design standards for parking lot screening; and (iii) installing parking barriers along the parking area south of the house to keep cars properly parked in the future.
 - ii. The driveway onto N. 48th Street from the north side of the house is removed to improve traffic safety.

- iii. A 6 feet high opaque fence is installed along the southern 20-22 feet of the site on the east property line to improve screening for neighbors to the east.
- iv. The permitted dwelling units in the house are reduced from six to one.
- v. The use complies with the approved Site Plan.
- vi. Any demolition and new buildings involving this use on the property shall be in full conformance with Title 27 except as otherwise modified by the PUD. Notwithstanding the above, existing buildings involving this use may be repaired, restored or reconstructed according to the approved Site Plan.

2. **Parking:**

- (a) Parking requirement may be met within 600' of the property line.
- (b) Due to the availability of on-street parking and City-owned off-street parking lots, an overall ratio reduction of 50% shall apply to all nonresidential uses within the PUD, including all nonresidential uses with special parking requirements listed under 27.67.040. Additional minor amendments in the ratio may be approved administratively by the Planning Director, based on changes in land use and parking within and near to the PUD.
- (c) Residential uses with special parking requirements listed under 27.67.040 shall adhere to the parking requirements of the ordinance. The 50% ratio reduction does not apply.
- (d) Residential parking requirement is 1 space per dwelling unit if part of a mixed-use development on a single premises. The 50% ratio reduction does not apply.
- (e) Residential uses not part of a mixed-use development shall have a parking requirement of 1.75 spaces per dwelling unit. The 50% ratio reduction does not apply.
- (f) If the ratio reduction for a use still results in inadequate parking, an additional option is a joint parking agreement. Joint parking is currently permitted in the B-3 district by 27.67.040(dd). The PUD makes the following modifications to the joint parking

ordinance:

- i. A premises which does not have nonconcurrent parking demand which is determined to have a parking surplus based on the PUD parking requirements may enter into a joint parking agreement with their additional stalls.
 - ii. In addition to churches and chapels, university land may also be used for joint parking agreements.
 - iii. The parties involved in a joint parking agreement are not required to reserve adequate land to supply parking in the event the nonconcurrent parking demand changes due to a change in use.
- (g) March 19, 2014 AA#14007 MoJava, 2649 North 48th Street An adjustment to the parking requirement for an approximate 700 square foot expansion into adjacent retail space was approved. The restaurant expansion required four additional parking spaces based upon the floor area, but credit for one parking space for the prior commercial use of the area of expansion was allowed, resulting in three additional required spaces. This amendment adjusted the required parking spaces from three to 0.

3. Height and Area Regulations:

- (a) B-3 height and area regulations shall apply unless and until the PUD is amended.

4. Signs:

- (a) Pole signs are prohibited. Pole signs are permitted south of Leighton Avenue so long as they meet the requirements of B-3 zoning.
- (b) Off-premises signs are prohibited.

- (c) Permitted ground signs not to exceed 10' in height or 50 square feet in total area.

- (d) Signs need not be shown on this site plan, but need to be in compliance with Chapter 27.69 of the Lincoln Zoning Ordinance (except as modified by this PUD), and must be approved by Building and Safety Department prior to installation.



MANUFACTURERS OF IDEAS
Commercial Signs - Sign Service - Billboards
Electronic Signs - LED Lighting - Awnings - Vehicle ID
www.lovesignco.com

August 25, 2022

RE: App being amended: CZ08057

Dear Members of the Commission:

We hereby submit this application to request approval of a modification to the Planned Unit Development for Fourteen Foods, DBA Dairy Queen. The modification will adjust the PUD to allow for pole signs to be permitted with requirement of meeting the B-3 zoning code. With approval, we would request changes to the existing pole sign located at 2136 N. 48th Street to reflect Dairy Queen's new logo to be compliant with brand standards.

Please feel free to contact Brittany Love - Wesch, if you have questions regarding this application.

Thank you,

A handwritten signature in black ink that reads "Brittany Love-Wesch". The signature is fluid and cursive, written in a professional style.

Brittany Love-Wesch
Love Signs, Inc.
p: 402-325-0293 | 402-371-4674

NORFOLK
1805 South 13th Street
P.O. Box 807
Norfolk, NE 68701
402-371-4674

LINCOLN
3500 Cleveland #2
Lincoln, NE 68504
402-325-0293
27

GRAND ISLAND
3030 West Old Hwy 30
P.O. Box 5791
Grand Island, NE 68802
308-381-5525

LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT

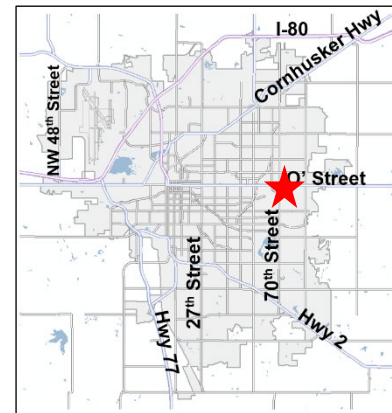
FROM THE LINCOLN/LANCASTER COUNTY PLANNING DEPARTMENT, 555 S. 10TH STREET, SUITE 213, LINCOLN, NE 68508

APPLICATION NUMBER Special Permit #22033	FINAL ACTION? Yes	DEVELOPER/OWNER St. Monica's Home
PLANNING COMMISSION HEARING DATE October 19, 2022	RELATED APPLICATIONS None	PROPERTY ADDRESS/LOCATION 105 Wedgewood Drive

RECOMMENDATION: CONDITIONAL APPROVAL

BRIEF SUMMARY OF REQUEST

This is a request for a Residential Healthcare Facility serving up to 24 residents as part of a local women's recovery center. The intent is to repurpose the use of their existing building which is on the west side of Wedgewood Drive just south of O Street. The building has primarily been used for office space. In May 2020, a building permit allowed a temporary residential use on the 2nd floor due to Covid quarantine precautions. The property is zoned O-2 Suburban Office District.



JUSTIFICATION FOR RECOMMENDATION

Residential healthcare facilities are allowed by special permit in the O-2 zoning district. The proposal for a Residential Healthcare Facility serving up to 24 persons is appropriate for this location. This is because the location is next to a larger commercial zoning area in the vicinity of 70th and O Street intersection. Also, there is another Residential Health Care Facility (Lincoln Country House) to the west.

APPLICATION CONTACT

Natalya Young, (402) 441-3768 or nyoung@stmonicas.com

STAFF CONTACT

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

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The special permit for a Residential Healthcare Facility is in conformance with the 2050 Comprehensive Plan. The proposal is adjacent a larger commercial area and another nearby residential healthcare use.

KEY QUOTES FROM THE 2050 COMPREHENSIVE PLAN

Introduction Section: Growth Framework

[Figure GF.b: 2050](#) - This site is shown as future commercial on the 2050 Future Land Use Plan.

[Land Use Plan](#) - Commercial. 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.

Policies Section

P17: Predictability - Strive for predictability for neighborhoods and developers.

ANALYSIS

1. According to Section 27.02.090 of the Zoning Ordinance, the definition of a Residential Healthcare Facility is “a building or structure that is to be used in a residential nature, licensed or approved by the state or an appropriate agency, if required. Residential health care facility could include but would not be limited to the following types of facilities: Assisted Living, Nursing Care, Memory Care, Convalescent Home, Hospice Home, Group home for 16 or more people and Intermediate Care, and may include independent living units.”
2. The request is to operate a Residential Health Care Facility with up to 24 residents and 2 staff at 105 Wedgewood Drive, located just south of O Street. The property is zoned O-2 Suburban Office District. The request is on behalf of St Monica’s Home, a local women’s recovery center. The facility would serve the increased need in residential accommodations for clients. While they have four staff total for this program, only two staff are present at any one time. This facility’s program will be primarily residential with all of the interpersonal work with staff (i.e. group therapy, intakes, etc.) conducted at their property across the street at 120 Wedgewood Drive.
3. The building has primarily been in office use. In May of 2020, a Temporary Permit was issued by the Building and Safety Department to allow a temporary residential use on the 2nd floor due to pressing Covid quarantine precautions. All required building upgrades related to the change of occupancy with this proposal will be completed with the building permit application to allow for the Residential Healthcare Facility.
4. The special permit ratio provisions for calculating the total number of client or employee residents only apply to the agricultural and residential zoning districts. There is not a maximum number of clients or employee residents under O-2 zoning. The proposal will still need to meet building codes for occupancy at time of building permit.
5. The existing building appears to meet the setbacks for the O-2 zoning district. Section 27.63.530 of the Lincoln Municipal Code states, “Parking shall be in conformance with Chapter 27.67 unless modified under the condition of the special permit, provided that no parking shall be permitted in the required front or side yards.” Parking for residential healthcare facilities is required at one space for every four residents and two spaces for every three employees on the largest shift. The applicant anticipates a maximum of two employees on the largest shift. This would result in a parking requirement of eight stalls. Thirteen parking spaces not including the parking in the side yard will be provided. The existing parking in the side yard is shown to be removed to meet the requirements.

CONDITIONS OF APPROVAL: See attached.

EXISTING LAND USE & ZONING: Office, Residential; O-2

SURROUNDING LAND USE & ZONING:

East: Commercial, St. Monica’s Home (120 Wedgewood Dr.)	B-1
South: Apartments, Clinic	R-1, B-2
North: Commercial	B-1
West: Residential Health Care Facility, Clinic	R-3, B-2

APPROXIMATE LAND AREA: 0.48 acres

LEGAL DESCRIPTION: Lot 1, Block 6, Wedgewood Manor, Lincoln, Lancaster County, Nebraska.

Prepared by

George Wesselhoft, Planner

Date: October 6, 2022

Owner: St. Monica's Home
120 Wedgewood Drive
Lincoln, NE 68510
(402) 441-3768
nyoung@stmonicas.com

Applicant Michelle McCullough
PO Box 6066
Lincoln, NE 68506
(402) 450-5506
mmccullough@moment-arch.com

Contact: Natalya Young
St. Monica's Home
120 Wedgewood Drive
Lincoln, NE 68510
(402) 441-3768
nyoung@stmonicas.com

<https://linclanc.sharepoint.com/sites/PlanningDept-DevReview/Shared Documents/DevReview/SP/22000/SP22033 St Monica's Home.gjw.docx>

CONDITIONS OF APPROVAL - SPECIAL PERMIT #22033

Per Section 27.63.530 this approval permits a Residential Healthcare Facility with up to 24 residents and 2 staff members.

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 2 copies with all required revisions and documents as listed below:
 - 1.1 Delete 20' front yard setback and show a 30' front yard setback.
 - 1.2 Adjust parking stalls so they are in the correct orientation for one way drive.
 - 1.3 Indicate the maximum number of staff on the largest shift.
2. Before receiving building permits provide the following documents to the Planning Department:
 - 2.1 Verification from the Building and Safety Department that the property and structures meet the Barrier Free Standards for Elderly or Retirement Housing and Domiciliary Care Facilities.

Standard Conditions:

3. The following conditions are applicable to all requests:
 - 3.1 Before occupying the dwelling units / buildings or starting the operation all development and construction shall substantially comply with the approved plans.
 - 3.2 All privately-owned improvements, including landscaping and recreational facilities, shall be permanently maintained by the Permittee or an appropriately established homeowners association approved by the City.
 - 3.3 The physical location of all setbacks and yards, buildings, parking and circulation elements, and similar matters be in substantial compliance with the location of said items as shown on the approved site plan.
 - 3.4 The terms, conditions, and requirements of this resolution shall run with the land and be binding upon the Permittee, its successors and assigns.
 - 3.5 The applicant shall sign and return the letter of acceptance to the City Clerk. This step should be completed within 60 days following the approval of the special permit. The City Clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the applicant. Building permits will not be issued unless the letter of acceptance has been filed.



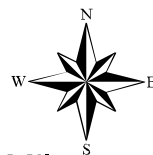
City of Lincoln Lancaster County, NE GIS

2020 aerial

Special Permit #: SP22033
S 70th St & O St

Zoning:

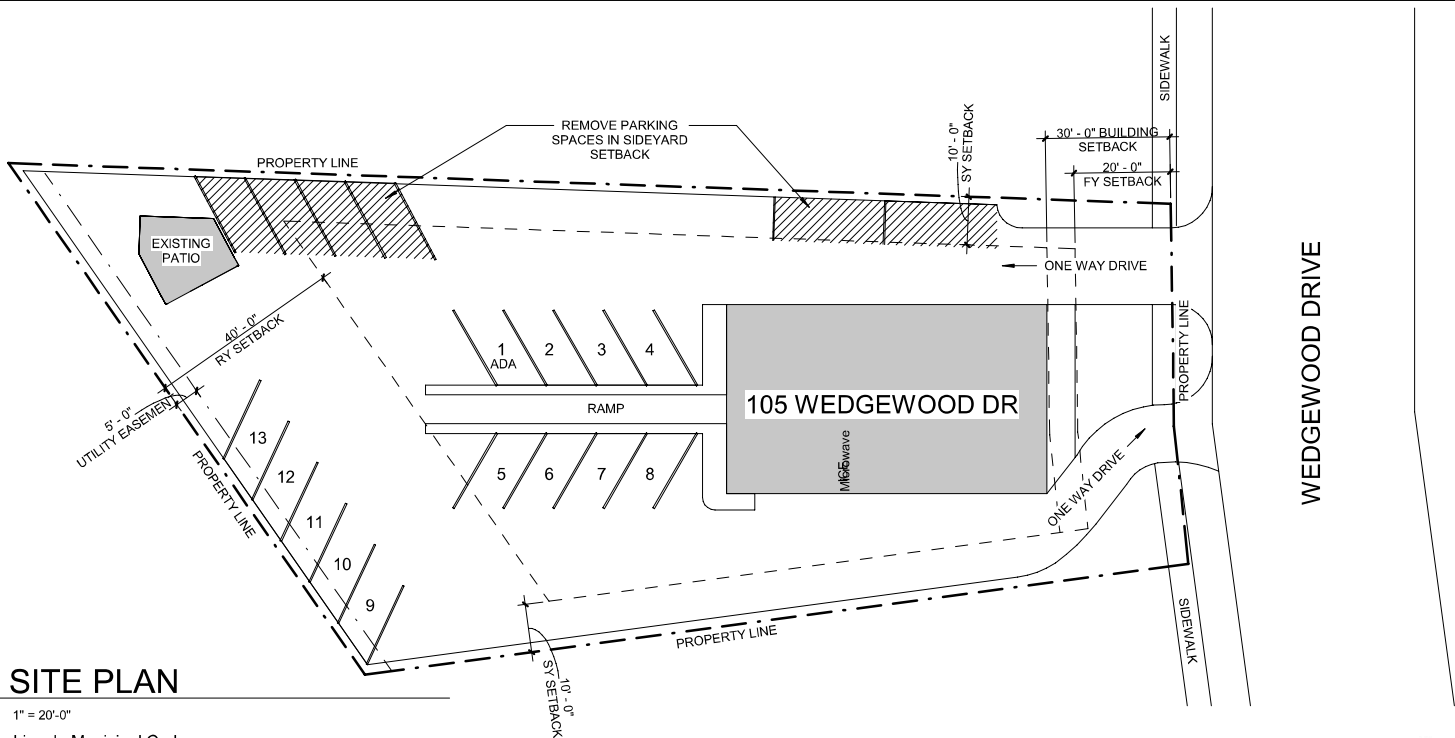
- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- O-1 Office District
- O-2 Suburban Office District
- O-3 Office Park District
- R-T Residential Transition District
- B-1 Local Business District
- B-2 Planned Neighborhood Business District
- B-3 Commercial 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.27 T10N R07E

	Area of Application
	Zoning Jurisdiction Lines
	Lancaster County Jurisdiction





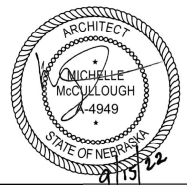
SITE PLAN

1" = 20'-0"

Lincoln Municipal Code
 27.67.040 Parking Requirements; Special Conditions
 w. Residential Healthcare

24 Residents / 4 Spaces = 6 Spaces
 2 Staff = 2 Spaces

Total Req'd Parking = 8 Spaces
Provided Parking = 13 Spaces (not incl. Side Yard)



MOMENT ARCHITECTURE

PO Box 6066
 Lincoln, Nebraska 68506
 Phone 402.450.5506

St Monica's Home
 105 Wedgewood Dr, Lincoln, NE 68510

SITE PLAN - SPECIAL PERMIT

Project number 200110.12
 Date 09/15/2022

A-001

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

September 15, 2022

RE: Special Permit Application – 105 Wedgewood Dr

On behalf of St Monica's Home, a local women's recovery center, we would like to request the issuance of a Special Permit for the use of their property at 105 Wedgewood Dr, Lincoln, NE 68510. St. Monica's is looking to repurpose the use of this existing building to serve an increased need in residential accommodations for their clients. The building has primarily been used as office space, with the exception of a Temporary Permit issued in May 2020 allowing temporary residential use on the 2nd floor due to pressing Covid quarantine precautions.

This property is zoned as O-2 Suburban Office District which allows for Residential Healthcare Facilities by Special Permit, per Lincoln Municipal Code 26.06.080. All required building upgrades related to this change in occupancy will be completed with a following building permit application. Additionally, the existing parking lot will be revised to meet the quantity and setback requirements of the Residential Healthcare use (re: enclosed Site Plan).

No waivers are requested.

Thank you for your consideration.

Sincerely,



Michelle McCullough
Moment Architecture
PO Box 6066
Lincoln, NE 68506
402.450.5506
mmccullough@moment-arch.com

Enclosures:

Application Request Form
Special Permit Fee
Site Plan

LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT

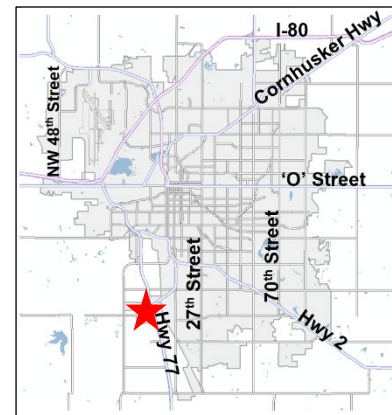
FROM THE LINCOLN/LANCASTER COUNTY PLANNING DEPARTMENT, 555 S. 10TH STREET, SUITE 213, LINCOLN, NE 68508

APPLICATION NUMBER Change of Zone #05061E	FINAL ACTION? No	DEVELOPER/OWNER Whitehead Oil Company
PLANNING COMMISSION HEARING DATE October 19, 2022	RELATED APPLICATIONS None	PROPERTY ADDRESS/LOCATION 200 W Amaranth Lane / Northeast corner of W Amaranth Lane and W Denton Road.

RECOMMENDATION: CONDITIONAL APPROVAL

BRIEF SUMMARY OF REQUEST

This is a request for an amendment to the Southwest Village Planned Unit Development (PUD). The application includes both a requested amendment for a height waiver within the PUD along with an amendment to the approved PUD text related to sign requirements. The amendment would allow a flagpole to exceed the underlying B-2, Commercial zoning height requirement and extend up to maximum of 150 feet on Lot 1, Block 3 within the PUD. The additional text amendment to Part 1a(h) Signage will remove specific lettering style and free-standing sign base material requirements and follow the Lincoln Municipal Code Chapter 27.69.



JUSTIFICATION FOR RECOMMENDATION

The proposed of amendments are consistent with the intent of the existing PUD. The request to allow a flagpole to exceed the B-2 zoning district height is appropriate based on the properties commercial use and location along US Highway 77 and West Denton Road. The proposed height of the flagpole is 150 feet. However, the recommendation is to limit the height to 130' which matches the previously approved maximum height for a flagpole in the city. This will help maintain compatibility with the future surrounding residential development and help maintain an overall sense of scale among uses in the area.

APPLICATION CONTACT

Nolan Graham, (402) 617-6700 or nolan@nebraskasign.com

STAFF CONTACT

Ben Callahan, (402) 441-6360 or bcallahan@lincoln.ne.gov

The proposed text amendments will help update the PUD text from prior site plan amendments and eliminate two specific signage requirements, allowing the properties to follow the current B-2 sign requirements within the LMC.

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The requested height waiver and associated sign text amendments are in conformance with the Comprehensive Plan as the existing Southwest Village PUD continues to develop with a mix of commercial and multifamily uses and is shown for future commercial and industrial within the 2050 Comprehensive Plan. The PUD sits in close proximity to US Highway 77 which is designated as a primary entryway corridor through functionality and visual aesthetics to define visitors' impression of the community.

WAIVERS

1. Waivers to Chapter 27.72 to allow maximum height for a flagpole at 150 feet in the B-2 PUD zoning. (Recommend Conditional Approval)

KEY QUOTES FROM THE 2050 COMPREHENSIVE PLAN

Introduction Section: Growth Framework

Figure GF.b: 2050 - This site is shown as future commercial on the 2050 Future Land Use Plan.

Goals Section

G4: Economic Opportunity. Lincoln and Lancaster County will have high-quality jobs in an economic environment that supports business creation, innovation, and expansion. Quality-of-life attributes, such as diverse and accessible housing, good shopping, restaurants and entertainment, quality schools and healthcare, a sense of safety, and amenities such as parks and trails are important to ensuring that skilled individuals want to remain or relocate to our community.

Elements Section

E3: Business, Economy, and Workforce

Commercial and Industrial Development

Commercial and Industrial Centers in Lancaster County should be located:

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

Commercial Centers

Figure E3.d: Commercial Center Design Strategies

1. Encourage a mix of office, retail, service, and residential uses. The center may include mixed-use buildings with residential or office above a first-floor retail or service use.
2. Discourage auto-oriented strip commercial development. Commercial Centers should not be developed in a linear strip along a roadway or be completely auto-oriented. Design new Commercial Centers in a manner that facilitates future development and intensification of land uses on the site.
3. Develop Commercial Centers as compact clusters or mixed-use nodes with appropriate site design features to accommodate shared parking in the rear of buildings and ease of pedestrian movement to minimize impacts on adjacent areas, and to encourage a unique character.
4. Locate the most intensive commercial uses, such as restaurants, car washes, grocery stores, gas stations/ convenience stores and drive through facilities nearer to the major street or roadway and furthest from the residential area (unless contained within a mixed use center). Lighting, dumpsters, loading docks and other service areas should be screened from residences.
5. Design buildings and land uses at the edge of the center to be an appropriate transition to lower density residential uses. Examples of appropriate edge land uses include apartments, mixed use residential buildings, offices, assisted living facilities, or child care centers. Transitional elements such as greater setbacks and enhanced screening should be required for buildings that are out of character with the adjacent residential district, such as buildings that exceed the maximum allowed height of the adjacent district.

6. Develop smaller stores next to larger anchor stores in centers to encourage small businesses and to provide a variety of goods and services for customers utilizing the centers.
7. Encourage multiple street connections to adjacent residential neighborhoods to allow convenient access for neighboring residences and pedestrians without the use of arterial streets, but exercise care in designing the street network to minimize undesirable traffic impacts.
8. Encourage commercial development at ¼ or ½ mile between major intersections in order to create centers that are centrally-located within each square mile to facilitate easier pedestrian access and also allow for vehicular access points that meet the city's Access Management Policy.
9. Discourage "four corner commercial development" - with commercial uses at all four corners of an intersection - in order to promote walkability and ease of movement within each commercial center.
10. Design streets, and public spaces, buildings, and parking areas to enhance pedestrian activity and support multiple modes of transportation, including transit.
11. Provide public amenities such as recreational facilities, plazas, squares and other types of green spaces and meeting areas open to public.
12. Provide for a variety of housing opportunities, including higher-density housing, within and adjacent to the Commercial Center.
13. Elevate building design for centers.

Policy Section

P17: Predictability - Strive for predictability for neighborhoods and developers.

Action Steps

1. Continue to make updates as needed to zoning and subdivision ordinances, along with design standards, to support economic development, complete neighborhoods, and other PlanForward initiatives.
2. Support timely and efficient implementation of the growth tiers framework through the Capitol Improvement Program and other coordinated infrastructure enhancements.

ANALYSIS

1. The Southwest Village PUD was approved by City Council in 2006 for a mix of uses including office, retail, multifamily, commercial, and industrial development. The last amendment approved by City Council in 2021 allowed for a proposed casino, hotel, restaurant, parking garage and surface parking associated with the Lincoln Race Course. Land uses north of W. Denton Road were previously revised and approved to decrease the overall commercial and industrial uses and increase in the allowed residential dwelling units. The entire Southwest Village PUD has three different development areas, I-3, B-2 and B-2 Casino. These individual areas currently follow the zoning regulations associated with the I-3, B-2 zoning districts except where specified in the associated Development Plan.
2. This combined amendment to the PUD includes both a waiver requested for an increased height allowance for a flagpole, along with a modification to the text regarding the sign requirements within the PUD. The first request within the amendment would allow a flagpole up to 150 feet on Lot 1, Block 3 within the PUD for the U-Stop gas station at the northeast corner of West Amaranth Lane and West Denton Road. Currently the maximum height at this location follows the underlying B-2 zoning district allowing a height up to 55 feet. The flagpole proposed on the site would be 95 feet taller than the zoning district allows.
3. The following waiver to the Zoning Ordinance is requested:
 - a. **Waiver to Section 27.72.030 to allow a flagpole up to 150 feet on Lot 1, Block 3 within the PUD.**

Generally, flagpole height extensions are allowed by the Lincoln Municipal Code Chapter 27.63.250 which can allow a permitted use to exceed the maximum height of the zoning district by Special Permit. This location is within the existing Southwest Village PUD so it can be adjusted by an amendment to the PUD rather than a separate special permit on the property. This is a common request within the City as numerous special permits have been approved to allow flag poles in excess of the district height.

With respect to the surrounding multifamily residential uses and urban residential uses along the PUD boundary, the overall height of the flagpole limited to 130 feet in height would be more compatible in a neighborhood commercial center with nearby residential uses. The Zoning Ordinance and Comprehensive Plan seek to maintain

gradual transitions among differing land uses while maintaining a sense of scale in the process. Avoiding abrupt changes in bulk and height are significant factors.

Personal wireless facilities (cell towers) are similar example of tall structures which seek to locate inside the city. They are allowed by special permit and with the permit the maximum height of the zoning district can be adjusted. There is only general guidance with respect to compatibility related to maximum height, but in approximate terms the Planning Department seeks to limit cell towers to: under 60' in height in, or immediately adjacent to residential areas; up to 80' in office or smaller commercial districts located near residential; up to 120' in suburban neighborhood commercial or regional shopping centers; and up to 150' in the heavy commercial and industrial areas.

A height limit of 130' also more consistent with previously approved flagpoles and reduces the impact on the future surrounding residential uses. Increases in flagpole height have historically been allowed, but the specific site location and potential impact on the area is considered during the review.

In this case, the elevation of the proposed facility sits near the top of a rise and is one of the higher points in the area. It sits well above Highway 77 and is afforded excellent visibility in all directions. No justification has been provided regarding why this facility needs to be taller than those approved previously. Given the elevation of the site, the proximity of future residential uses and the goal of gentle transitions to help maintain scale among uses, a height limit of 130 feet is appropriate.

Previously approved flagpole height allowances are shown below:

2021 - Special Permit #21052 to permit a 130' flagpole at Arbor Road along Interstate 80 in H-4 zoning.

2018 - Use Permit #132D to permit a 100' flagpole at Hwy 2 and Pine Lake Road in B-2 zoning.

2016 - Special Permit #16013 to permit a 100' flagpole at NW 56th Street and Interstate 80 in H-4 zoning.

2010 - Special Permit #10027 to permit an 80' flagpole at N. 27th Street and Wildcat Drive in H-3 zoning.

2003 - Special Permit #2018 to permit a 100' flagpole at N. 84th Street and Hwy 6 in I-1 zoning.

2002 - Special Permit #1987 to permit a 100' flagpole at N 1st Street and W. O Street in I-1 zoning.

4. The site is not located within the Airport Hazard Area and will not require a height permit. The proposed height was reviewed by the Lincoln Airport Authority with no objection to the request. Flags flown on the pole are restricted and cannot include any advertising or company logos. Flags are regulated by the LMC and restrict advertising on them as they are limited to flags associated with any government or subdivision, any education, charitable, religious, or political organization.
5. The amendment also includes revisions to the existing PUD text regarding current signage requirements. Specifically, Part 1a(h) Signage for requirements 2-4 that regulate the style of wall signs, materials for mounted signs, and freestanding signs in the I-3 PUD zoning. Requirement 2 is being eliminated as it states provisions that all wall signs shall be individual "can letters" within the PUD. This text is appropriate to remove as the PUD does not give a definition for "can letters" making it difficult to review sign permits and regulate wall signs in conformance with the underlying requirement. This amendment will then allow future wall signage to follow the standard sign requirements within LMC 27.69.

Requirement number 3 is being removed and will refer to LMC 27.69 for mounted sign requirements as it states conflicting language regarding the materials to be used on the base of mounted signs. In an effort to clarify and limit conflicting language, this amendment proposes that signage within the PUD will follow the existing LMC for B-2 zoning. Requirement number 4 will have one modification to remove freestanding sign requirements within the I-3 PUD area as they currently match the LMC 27.69 sign requirements. The elimination of this text will allow freestanding signs within I-3 to continue to follow the general LMC sign code.

6. The proposed waiver and text amendments do not change the boundary of the PUD, permitted uses or number of units allowed. The amendments only pertain to the request for increased height waiver for the proposed flagpole on Lot 1, Block 3, and updates to the general sign regulations to clarify conflicting text.

CONDITIONS OF APPROVAL: See attached.

EXISTING LAND USE & ZONING: Southwest Village B-2 PUD

SURROUNDING LAND USE & ZONING

North: Agriculture and LES substation; AG
South: Single-Family Detached and Vacant; AG
East: Vacant, Hwy 77; AG
West: Single-Family Detached and Agriculture; R-3, AGR and AG

APPLICATION HISTORY See Attached

APPROXIMATE LAND AREA: 273 acres

LEGAL DESCRIPTION: See Attached

Prepared by

Ben Callahan, Planner

Date: October 6, 2022

Applicant &

Contact: Nolan Graham / Nebraska Sign
1140 N. 21st Street
Lincoln, NE 68503
(402) 614-6700
nolan@nebraskasign.com

Owner: Whitehead Oil Company
2537 Randolph Street
Lincoln, NE 68510

<https://linclanc.sharepoint.com/sites/PlanningDept-DevReview/Shared Documents/DevReview/CZ/05000/CZ06061E SW Village PUD.bmc.docx>

APPLICATION HISTORY - CHANGE OF ZONE 05061E

- Jun. 2006 CZ05061 was approved by City Council for a PUD overlay and for a change of zone from AG and AGR to B-2 Planned Neighborhood Business to allow approximately 160 dwelling units and approximately 1,300,000 square feet of office, retail, commercial and industrial floor area. AN05014 Annexation of 463.8 areas was approved by City Council.
- Sept. 2012 CZ05061A was approved by City Council to amend the PUD to show a horse race course, simulcast facility, barns, and accessory buildings and to allow all B-2 zoning district conditional and special permitted uses as permitted uses; to show a new AG area be eliminating the R-5 area and moving the I-3 area, and to waive the requirement for all of 1st Street to be paved.
- Mar. 2015 CZ05061B was approved by City Council to amend the Development Plan, which adjusted regulations regarding the location and height of signs.
- Feb. 2019 CZ05061C was approved by City Council to approve a Phase 2 for construction of a horse racing track and allow excavation as a permitted conditional use.
- Apr. 2021 CZ05061D was approved by City Council to approve to allow a casino, hotel, and related uses with the Lincoln Race Course. Revisions were made to the areas within the PUD to allow dwellings units and waivers for increased heights and signs.

CONDITIONS OF APPROVAL - CHANGE OF ZONE #05061E

This approval permits an amendment to the Southwest Village Planned Unit Development with a waiver to LMC 27.72.030 to allow the maximum height of a flagpole up to 130 feet on Lot 1, Block 3 within the PUD, and amendments to the PUD general sign requirements.

Site Specific Conditions:

1. Before receiving building permits or before a final plat is approved the developer shall cause to be prepared and submitted to the Planning Department a revised and reproducible final plot plan including 2 copies with all required revisions and documents upon approval of the planned unit development by the City Council.
 - a. Revise the PUD site plan Note #32 to indicate the maximum allowed height of the flagpole is 130'.

Standard Conditions:

2. The following conditions are applicable to all requests:
 - 2.1 Before occupying the buildings all development and construction shall substantially comply with the approved plans.
 - 2.2 All privately-owned improvements shall be permanently maintained by the owner or an appropriately established homeowners association approved by the City Attorney.
 - 2.3 The physical location of all setbacks and yards, buildings, parking and circulation elements, and similar matters must be in substantial compliance with the location of said items as shown on the approved site plan.
 - 2.4 The terms, conditions, and requirements of the ordinance shall run with the land and be binding upon the developer, its successors and assigns.
 - 2.5 The applicant shall sign and return the letter of acceptance to the City Clerk. This step should be completed within 60 days following the approval of the special permit. The City Clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filing fees therefore to be paid in advance by the applicant. Building permits will not be issued unless the letter of acceptance has been filed.
 - 2.6 The site plan as approved with this ordinance voids and supersedes all previously approved site plans, however all ordinances approving previous permits remain in full force and effect unless specifically amended by this ordinance.



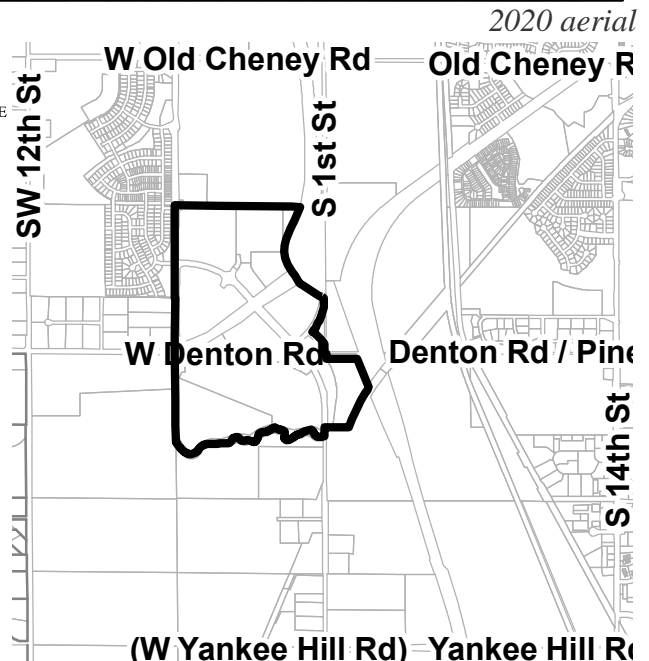
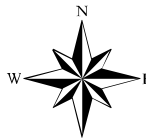
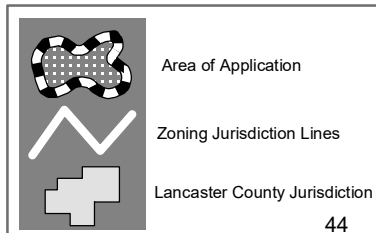
Change of Zone #: CZ05061E
Southwest Village PUD
W Amaranth La & W Denton Rd

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

Three Square Miles:



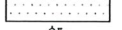

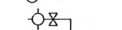
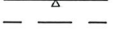


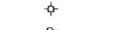
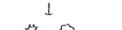
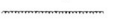


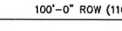
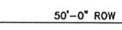

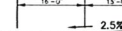

Sec.15 T09N R06E
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 Sec.23 T09N R06E

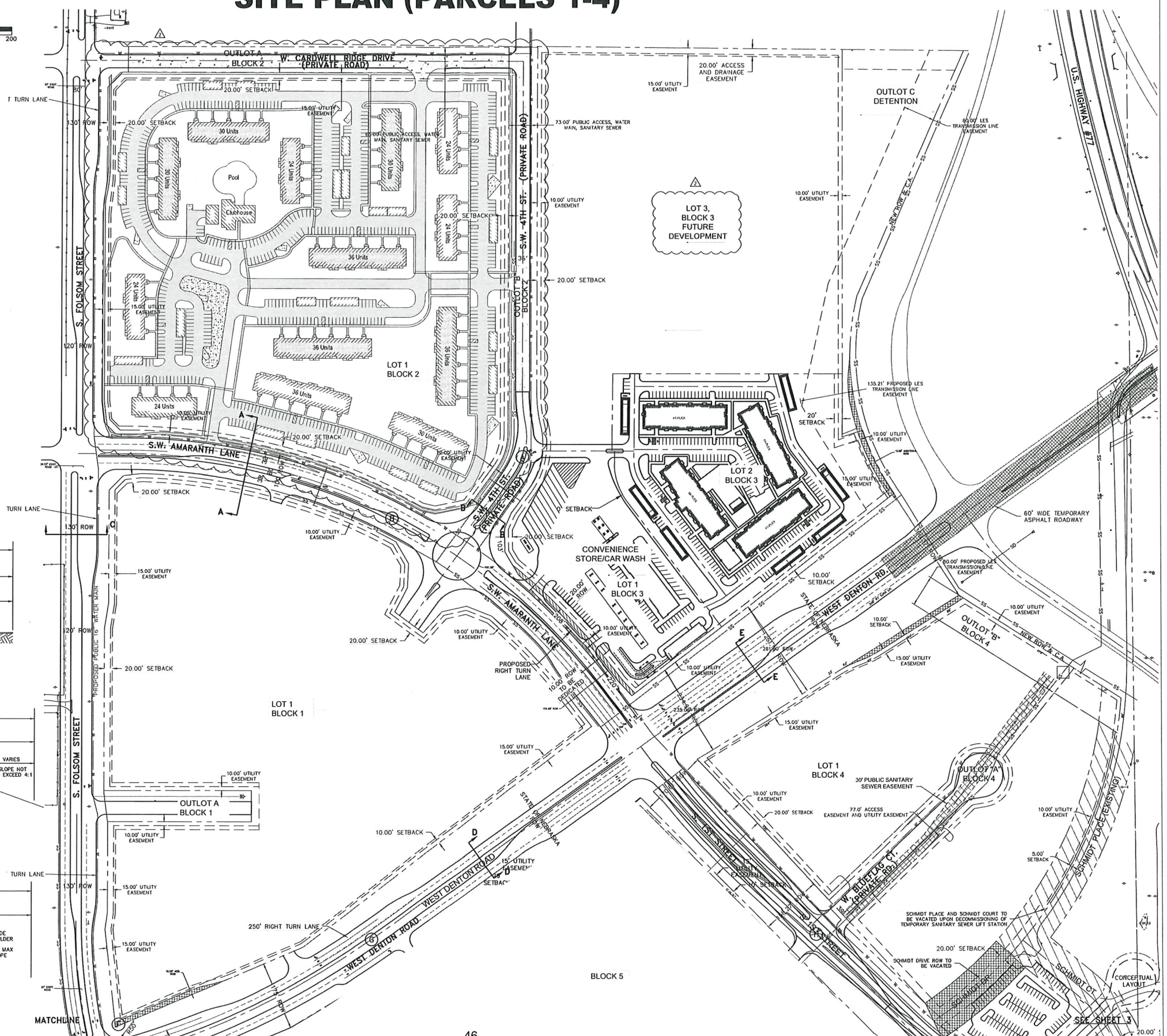
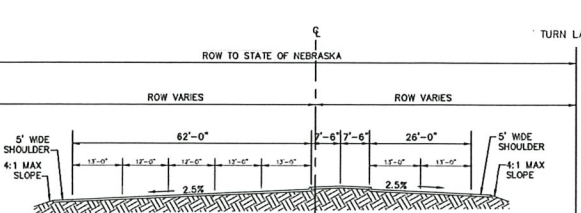
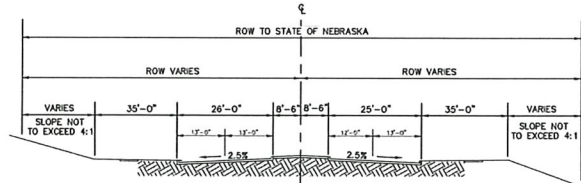
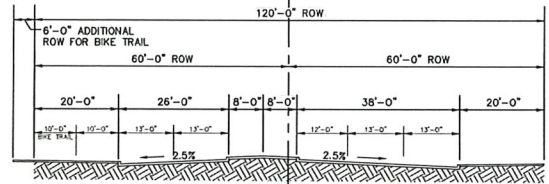
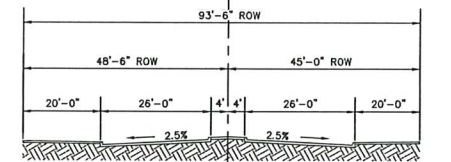
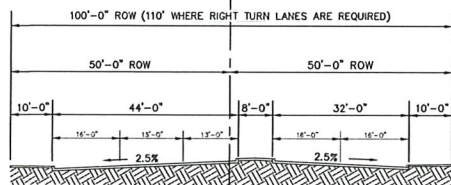
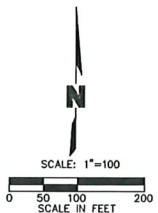


SOUTHWEST VILLAGE ADMINISTRATIVE AMENDMENT TO THE P.U.D. SITE PLAN (PARCELS 1-4)

NOTE: SITE PLAN IS CONCEPTUAL AT THIS TIME AND MINOR CHANGES TO THE LAYOUT DO NOT REQUIRE AN AMENDMENT.

LEGEND

-  BUILDABLE AREA OF EACH LOT
-  RIGHT OF WAY TO BE DEDICATED
-  EXISTING RIGHT OF WAY TO BE VACATED
-  PROPOSED WATER MAIN
-  PROPOSED SANITARY SEWER
-  SANITARY SEWER MANHOLE
-  FIRE HYDRANT
-  WATER VALVE
-  RIGHT OF WAY
-  PROPERTY BOUNDARY
-  BUILDING SETBACK
-  UTILITY EASEMENT
-  PAVEMENT CENTERLINE
-  LIGHT POLE
-  UTILITY POLE/OVERHEAD TRANSMISSION POLE
-  GUY WIRE
-  TREE
-  TREE MASS



E & A CONSULTING GROUP, INC.
Engineering • Planning • Environmental & Field Services



E & A CONSULTING GROUP, INC.
Engineering Answers

781 O Street, Suite 400
Lincoln, NE 68508
Phone: 402.461.1718
www.eacg.com

SOUTHWEST VILLAGE ADMINISTRATIVE AMENDMENT TO P.U.D.
LINCOLN, NEBRASKA

SITE PLAN (PARCELS 1-4) (NORTH OF W. DENTON RD.)

Rev. No.	Description	Date	By	Checked	Scale
1	Initial	03/22/22	JDB	AS	AS SHOWN
2	Revised	03/22/22	JDB	AS	AS SHOWN

46

shall be prepared for the Planning Commission.

(5) Section 26.11.110, Responsibilities for Improvements in Collector and Major Streets, is hereby modified so that the subdivider shall not have any responsibilities for Major Streets, except for the payment of Impact Fees or any alternative sums as provided in the Southwest Village Annexation Agreement.

(6) The property may be subdivided into lots of record, including horizontal air rights subdivision, provided the lots comply with the City Design Standards.

(e) Development Plan Standards.

(1) Pursuant to Section 26.23.125, Pedestrian Ways, block lengths may exceed 1000' in areas where the Southwest Village PUD is attempting to avoid crossing or connecting through the minimum flood corridor, conservation easement area, or Highway 77 as shown in the Southwest Village PUD and will not require a pedestrian way easement.

(2) Pursuant to Section 26.23.130, Block Sizes, block lengths may exceed 1320' in areas where the Southwest Village PUD is attempting to avoid crossing the minimum flood corridor, conservation easement area, or Highway 77 as shown in the Southwest Village PUD.

(3) Pursuant to Section 26.23.140, Lot, Southwest Village PUD's side lines of lots will be set to provide the best buildable area based on street patterns, conservation easement areas, Highway 77 and amenities on the site.

(f) Sewer Design Standards.

(1) Sanitary Design Sewer Design Standards, Section 2, Sanitary Sewer Policies Section shall be modified to allow a temporary force main and pump that is designed and operated pursuant to the City's temporary force main and pump policies.

(g) Parking.

(1) Parking within the PUD shall be regulated in conformance with Chapter 27.67.

(i) All parking within the B-2 Area shall be regulated in conformance with the B-2 Planned Neighborhood Business District.

(ii) All parking within the I-3 Area shall be regulated in conformance with the I-3 Employment Center District.

(iii) All parking within the B-2 Casino Area shall be regulated in conformance with the B-2 Planned Neighborhood Business District.

(2) Parking spaces are permitted in any required rear yard; provided that there shall be a six (6) feet minimum landscape buffer between the lot line and the parking spaces.

(3) Notwithstanding any contrary provision stated in the L.M.C., all required B-2 Area and I-3 Area parking spaces shall be provided either (i) on the same lot as the use for which they are required, (ii) off-premise in the cross-parking easement area or (iii) shared parking pursuant to Chapter 27.67.

(4) Required parking for a Casino Complex use shall be 1:1 per gaming station.

(5) Required parking for the Horse Racing Track, grandstands, betting area, and all related facilities shall be 1 parking space per 50 square feet of seating area.

(h) Signage.

(1) Off-premise signs (billboards) are prohibited within all areas of the PUD, except

that freestanding signs which serve to advertise conducted business within the PUD but are off the premise on which the freestanding sign is located are permitted within the PUD. This provision does not allow any additional signs beyond the number allowed in the B-2, I-3 and B-2 Casino Areas.

(2) ~~All wall signs shall be individual can letters. Color of letters is up to the Building Owner or Tenant.~~

(3) ~~All freestanding and center identification signs will have the appearance of a solid base. The width of such base shall be at least one-third (1/3) of the maximum width of the sign. The base shall be of a non-porous material such as metal, brick or stone.~~

(4) Signage within the PUD shall be regulated in conformance with Chapter 27.69 relating to the B-2 Planned Neighborhood Business District, except that freestanding signs shall be governed by the following table:

AREA	SIGN TYPE	NUMBER OF PERMITTED SIGNS	INSIDE THE FRONT YARD	OUTSIDE THE FRONT YARD
B-2	FREESTANDING	1 per main building (The casino, casino parking structure, simulcast building, grandstand and stables may each be considered a main building for signage purposes.)*	50 sq. ft. 12 ft. tall	100 sq. ft. 18 ft. tall
I-3	FREESTANDING	1 per business per frontage	50 sq. ft. 12 ft. tall	100 sq. ft. 18 ft. tall
	AND			
AG	CENTER	1 along West Denton Road or Southwest 1st Street frontage	50 sq. ft. 12 ft. tall	150 sq. ft. 35 ft. tall
B-2	CENTER	1 along West Denton Road frontage, 1 along Folsom Street frontage north of Amaranth Lane, and 1 along Highway 77 frontage	50 sq. ft. 12 ft. tall	150 sq. ft. 35 ft. tall
I-3	CENTER	1 along West Denton Road or Southwest 1 st Street frontage	50 sq. ft. 12 ft. tall	150 sq. ft. 35 t. tall

LEGAL DESCRIPTION - CHANGE OF ZONE 05061E

Property legally described as:

Outlots C and E, Southwest Village Addition, Outlot A, Southwest Village 1st Addition, Outlots A and B, and Lots 1 and 2, Southwest Village 5th Addition, and a portion of West Amaranth Lane, all located in the SE 1/4 of Section 15-9-6; together with Lot 21 Southeast, I.T., Outlot C, Southwest Village 4th Addition, a portion of Schmidt Place right-of-way and South 1st Street right-of-way, all located in the SE 1/4 of Section 15-9-6; Outlot B, Southwest Village 3rd Addition, Outlots A, B, and D, and Lot 1, Southwest Village 4th Addition, all located in both the SE 1/4 of Section 15-9-6 and NE 1/4 of Section 22-9-6; a portion of Lot 26, I.T., and portion of South 1st Street right-of-way located in the NE 1/4 of Section 22-9-6; and a portion of Schmidt Court right-of-way, all located in the NW 1/4 of Section 23-9-6, Lincoln, Lancaster County, Nebraska, generally located at South 1st Street and West Denton Road.



NEBRASKA SIGN

September 20, 2022

Planning Department, City of Lincoln
County-City Building
555 S. 10th Street
Lincoln, NE, 68508

RE: Southwest Village PUD

To whom it may concern,

Enclosed please find following for the above-mentioned project:

1. Application
2. Application Fee of \$1,005.00
3. Revised Site Plan, 1 sheet

On behalf of the owner/developer, Whitehead Oil Co., we are seeking an amendment to the pre-existing use permit CZ05061D for the Southwest Village PUD, Lot 1 Block 3 (Northeast corner of intersection at W. Denton Rd. and W. Amaranth Ln.). This amendment is to add a note to the Southwest Village PUD allowing for placement of a flag pole exceeding the current zoning district allowed height for flag poles to increase to a maximum of 150 feet on Lot 1, Block 3 of the aforementioned PUD.

Please let me know if you have any questions or if there is any additional information I can add

Sincerely,

Nolan Graham
Project Manager, Nebraska Sign Co.

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
Annexation #22012

FINAL ACTION?
No

PLANNING COMMISSION HEARING DATE
October 19, 2022

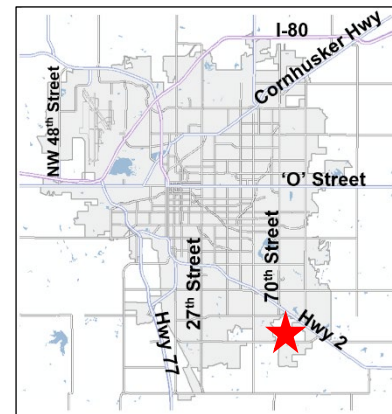
RELATED APPLICATIONS
None

PROPERTY LOCATION
70th & Pine Lake - 84th & Yankee Hill

RECOMMENDATION: APPROVAL

BRIEF SUMMARY OF REQUEST

This is a City-initiated request to annex approximately 445 acres that are surrounded by the City of Lincoln corporate limits on all sides. The area is mostly developed as acreages and includes approximately 77 dwelling units.



JUSTIFICATION FOR RECOMMENDATION

This staff report discusses multiple benefits and aspects of annexation including equity for existing City of Lincoln taxpayers, enhanced emergency response for annexed areas, and the ability for annexed areas to request city utilities.

APPLICATION/STAFF CONTACT

Andrew Thierolf, Planning Department
(402) 441-6371, athierolf@lincoln.ne.gov

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

All land that is engulfed by the City should be annexed per the Annexation Policy in the Comprehensive Plan.

KEY QUOTES FROM THE 2050 COMPREHENSIVE PLAN

Introduction Section: Growth Framework

[Figure GF.b: 2050](#) - This site is shown as future Urban Residential and Low Density Residential on the 2050 Future Land Use Plan.

[Figure GF.c](#) - This site is shown in Growth Tier 1, Priorities A and B on the 2050 Priority Growth Area Map.

Annexation

The City of Lincoln requires that properties receiving municipal services be located within city limits. City annexation should occur before any property is provided with water, sanitary sewer, or other potential City services. In most cases this also means that annexation must occur prior to a property receiving an urban zoning designation.

Information regarding annexation procedures can be found in the Annexation policy.

Annexation is a necessary and vitally important part of the future growth and health of Lincoln. The City of Lincoln has been successful with urban development occurring within its city limits. The City routinely annexes land at the request of a developer or landowner as part of the regular development process. This allows properties to be supplied with City services when they are needed, and the City benefits from the property taxes, utilities, and other fees that City residents pay.

Some properties along the City's edge may not be interested in further development and thus will not request annexation. It makes sense for the City to initiate annexation of adjacent properties that are already developed and require a minimal public investment to serve.

Reasons for City-initiated annexation include:

- Equity for taxpayers. Properties on the urban edge already benefit from many City services, such as streets, parks, trails, libraries, and snow removal on adjacent streets, without paying City taxes and fees. Annexation balances the provision of appropriate and reliable services with the "fair share" payment for those services.
- Clarity of service areas for maintenance and emergency response.
- Allow for continued growth of Lincoln in an efficient and orderly fashion.

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

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

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

These annexation guidelines in this section are specific to the City of Lincoln. Each town in Lancaster County has its own procedures for annexation.

Policies Section

P80: Annexation - Annexation should be utilized to provide municipal services in a fair and efficient manner.

The City of Lincoln requires that properties receiving municipal services be located within city limits. City annexation should occur before any property is provided with water, sanitary sewer, or other potential City services. In most cases this also means that annexation must occur prior to a property receiving an urban zoning designation. The City routinely annexes land at the request of a developer or landowner as part of the regular development process. This allows properties to be supplied with City services when they are needed, and the City benefits from the property taxes, utilities, and other fees that City residents pay. Some properties along the City's edge may not be interested in further development and thus will not request annexation. In some cases it is necessary for the City to initiate annexation of adjacent properties that are already developed and require a minimal public investment to serve.

Action Steps

1. Regularly evaluate for potential annexation all property along the city's edge for which basic infrastructure is generally available or planned for in the near term. The City should annex land in Tier 1 Priorities A and B that is contiguous to city limits and generally urban in character. All land that is engulfed by the City should be annexed.
2. Provide advance notice to properties that may be subject to city-initiated annexation.
3. Properties within the Tier 1 Priority A growth area should be annexed upon approval of final plat.
4. Coordinate the provision of services for areas considered for annexation with the Capital Improvement Program.

UTILITIES & SERVICES

- A. Sanitary Sewer: Sewer is directly adjacent to this area on all sides, and there is a sewer main that runs through this area south of the railroad tracks. Extension of local mains to serve individual properties can be requested by property owners and would primarily be paid for through assessment districts. In 2018 Lincoln Transportation and Utilities (LTU) completed a study to determine where local sewer lines would be installed for this area if requested by the residents.
- B. Water: Water is directly adjacent on all sides. Extension of local mains to serve individual properties can be requested by property owners and would primarily be paid for through assessment districts.
- C. Roads: This annexation would add approximately 3.2 miles of paved local roads into City jurisdiction. The roads to be annexed are in generally good condition.
- D. Parks and Trails: The annexation includes land owned by the City and identified as the future Jonathan Gapp Park.
- E. Fire Protection: The site is currently served by Southeast Rural Fire and Rescue. It would be served by Lincoln Fire and Rescue (LFR) upon annexation. The nearest LFR station is directly adjacent to the annexation area at 66th & Pine Lake. Hydrants are available along the perimeter of the annexation area.

ANALYSIS

1. This request is to annex approximately 445 acres that are surrounded by the City of Lincoln corporate limits on all sides. The applicant is the City of Lincoln; the property owners did not initiate this annexation. The area is mostly developed as residential acreages and includes approximately 77 dwelling units.
2. Per the annexation policy in the 2050 Lincoln-Lancaster Comprehensive Plan, all land that is engulfed by the City should be annexed. This has been the City's policy since at least the 1994 Comprehensive Plan.
3. The Planning Department originally proposed this area for annexation in 2008 as it qualified for annexation at that time as well, but the annexation did not move forward. Since then, there have been several changes in the area that make annexation even more appropriate:
 - a. In 2008, the proposed annexation area was adjacent to the city on three sides. The area became completely surrounded by city limits in 2020, and the city limits now extend nearly two miles south of the proposed area.

- b. Significant urban infrastructure upgrades directly benefitting this area have been installed including the new joint Fire/Police Station, the improved Pine Lake and Yankee Hill Roads, and the construction of Moore Middle School/Copple YMCA.
 - c. Surrounding urban development with associated utilities means fire hydrants and associated City water lines are located on multiple sides and could be accessed if the area were within City limits and served by Lincoln Fire and Rescue.
4. Benefits of City-initiated annexation include:
- a. Improved medical emergency response services. Lincoln Fire and Rescue provides award winning medical response service to residents within City limits. With the new joint Police-Fire Station at 66th & Pine Lake, medical response will be greatly improved for this annexation area. Eighty percent of all LFR calls are for medical reasons.
 - b. Clarity of service areas for maintenance and emergency response. This area is currently served by Southeast Rural Fire (volunteer) and the Lancaster County Sheriff. The surrounding areas are within City Limits and served by Lincoln Fire and Rescue and the Lincoln Police Department. Upon annexation this area would be added to the LFR and LPD service areas and improved continuity of service will be gained.
 - c. Allow for continued growth of Lincoln in an efficient and orderly fashion. Gaps in city limits and infrastructure can increase the cost of development in surrounding areas.
 - d. Equity for all City taxpayers. Unannexed properties on the urban edge benefit from many City services including use of city streets for daily needs, parks, trails, libraries, and snow removal on adjacent streets. Annexation brings all users of city services into the “fair share” payment for those benefits.
5. This area has always been near Lincoln and shown within Lincoln’s growth area for decades. Most of the homes in this area were constructed in the 1970’s and 1980’s. Even in 1970 this area was just over a mile outside city limits. Lincoln engulfing this area, and ultimately annexing it, was expected.
6. Annexation would not significantly change the character of the area. Existing roads would remain, and residents can keep their well and septic systems if they choose to do so. Upgrading streets to an urban standard or installing local water and sewer mains to serve individual properties can be requested by property owners and would primarily be paid for through assessment districts. Any assessment district would need to be approved by City Council as a separate action from this annexation.
7. The existing zoning is AGR Agriculture Residential. This annexation would not change the zoning on the site.
8. There would be several impacts on annexed properties as they switch from rural to City jurisdiction. Property taxes would increase approximately \$300 per every \$100,000 in assessed valuation based on preliminary estimates from the Assessor’s Office. The property tax increase would go into effect for the 2023 tax year, to be paid in 2024. Property owners would be subject to other taxes and fees, such as wheel tax, well permit fees, and pet licensing fees (if applicable). In addition, there are miscellaneous City ordinances that property owners would now be subject to, including restrictions on fireworks, discharging firearms, animals, and open burning. These are citywide ordinances that help protect the health and safety of Lincoln residents.
9. A majority of parcels in this area (71 parcels) are within Lincoln Public Schools (LPS). Nine parcels are in the Waverly School District, and eight parcels are in the Norris School District. Both the Waverly and Norris School Districts are aware of this pending annexation. Upon annexation all parcels would join LPS. Annexed property owners are required to continue paying the levy on outstanding bonds that were approved while they were within the Waverly or Norris school districts. Property owners paying for bonds in other districts do not have to pay for past LPS bonds; however, they will have to pay for any LPS bonds approved after annexation. Residents with children attending Waverly or Norris Public Schools can request to have their children remain in that school.
10. The current assessed property value of this area is approximately \$31,356,000. Estimated annual property tax revenue for the City, based on the existing levy, would be approximately \$98,120.

11. The southern portion of this area (south of the railroad tracks) is in Rural Water District 1 (RWD). There are three rural water customers in this area. Customers can remain on rural water following City annexation. Per the City’s agreement with the RWD the City would owe RWD approximately \$47,000 upon annexation. In addition, a potential payment of approximately \$23,000 would be due to the RWD if the three RWD customers terminate their RWD service. The \$23,000 payment is reduced each year the customers remain with the RWD, and after ten years the payment is zero. Acreage owners typically remain on rural water following annexation.
12. There are currently six parcels in the area designated as Greenbelt for tax purposes. The Greenbelt program is regulated by the State and provides reduced valuations for properties in agricultural use near cities. Property owners cannot keep their Greenbelt designation once the property is annexed unless a conservation easement is obtained.
13. The City of Lincoln’s ability to annex property comes from State authorization. Per Nebraska Revised Statute 15-104, the City Council may “at any time” annex “any contiguous or adjacent lands, lots, tracts, streets, or highways”.
14. The Comprehensive Plan provides guidance for annexing acreage areas.

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

The Planning Department has met its commitment to provide advanced notice of this likely annexation to property owners and has conducted a process to ensure questions get answered. The general timeline for the process undertaken is below:

- October 2021: Letter sent to property owners letting them know they will be proposed for annexation into the City in 2022.
- August 2022: Second notification letter sent to property owners.
- August 30, 2022: Neighborhood Open House at Moore Middle School that included representatives from multiple city departments. Approximately 50 residents attended the meeting.
- October 19, 2022: Planning Commission Hearing
- November/December 2022: City Council Briefing and Hearing
- Annexation effective for 2023 tax year, to be paid in 2024

A [project website](#) was also established to provide an overview of the annexation process and impact on residents.

EXISTING LAND USE & ZONING: Residential, Agriculture/Open Space, Communication Towers
 AGR Agriculture Residential

SURROUNDING LAND USE & ZONING

North: Pine Lake Rd, Residential, Commercial	AGR Ag Residential, R-3 Residential, B-2 Neighborhood Business
South: Yankee Hill Rd, Residential	R-3
East: 84 th Street, Residential, Commercial	AGR, R-3, H-4 General Commercial, B-5 Regional Business
West: Residential	R-3, B-2

APPROXIMATE LAND AREA: 445 acres

PROPOSED CITY COUNCIL DISTRICT ASSIGNMENT: District 2

LEGAL DESCRIPTION: See attached

Prepared by

Andrew Thierolf, Planner

October 11, 2022

Applicant/ Andrew Thierolf
Contact: Lincoln-Lancaster County Planning Department
 (402) 441-6371, athierolf@lincoln.ne.gov

<https://linclanc.sharepoint.com/sites/PlanningDept-DevReview/Shared Documents/DevReview/AN/22000/AN22012 70th & Pine Lake.adt.docx>

LEGAL DESCRIPTION

Clarendon Hills

Lots 2-5, Block 1

Lot 1 W 336', Lot 1 E 336' Block 2

Lot 1, Remaining portion of Lots 2-4, Lots 6-10, Block 3

Lots 1-10, Block 4

Clarendon Hills First Addition

Lot 1 & N17' E125.11' of Lot 2, Lot 2 EX N17' E125.11', Lots 3-5, Block 1

Lots 1-5, Lot 6 EX W 10', Lots 7-11, Block 2

Lots 1-4, Lot 5 (ex described as beg at SW corner lot 5, thence N328.51' to NW corner Lot 5, thence ELY to point 50' from & perpendicular to W line Sec 22, thence S302.14'), Lots 6-7, Block 3

Lot 1 E PT (beg at point 159' ELY from NW corner Lot 1, thence sly to point being 310' NWLY from SE corner, thence SELY 310' to SE corner, thence N759.8' to NE corner, thence WLY 191' to POB), Lot 1 1, W PT & SE50' Lot 2, Lot 2 EX SE50', Lots 3-5, Lot 8 EX N .13 AC & W for Rd (EX described in INST #1989-14958), Block 4

Stauffer Addition

Lots 1-2

Amber Hill Estates

Lot 1, Block 1

Lot 1, Block 2

Lots 1-5, Lot 6 EX E & N PT for RD described in INST #92-48877 & EX NE 4,217 SF for RD (as descr INST #04-36133), Block 3

Amber Hill Estates First Addition

Lots 1-4, Block 1

Lots 1-2, Block 2

Amber Hill Estates Second Addition

Lot 2

Warner Addition

Lot 1 less tr descr in INST# 2016-35228-2, Lot 2 less tr descr in INST# 2016-19949

Lot 92 SW EX .58 acres in SW corner lying inside Lincoln City Limits, 15-9-7

Lot 65, Lot 48, Lot 47, Lot 114, Lot 115, Lot 76, NE 21-9-7

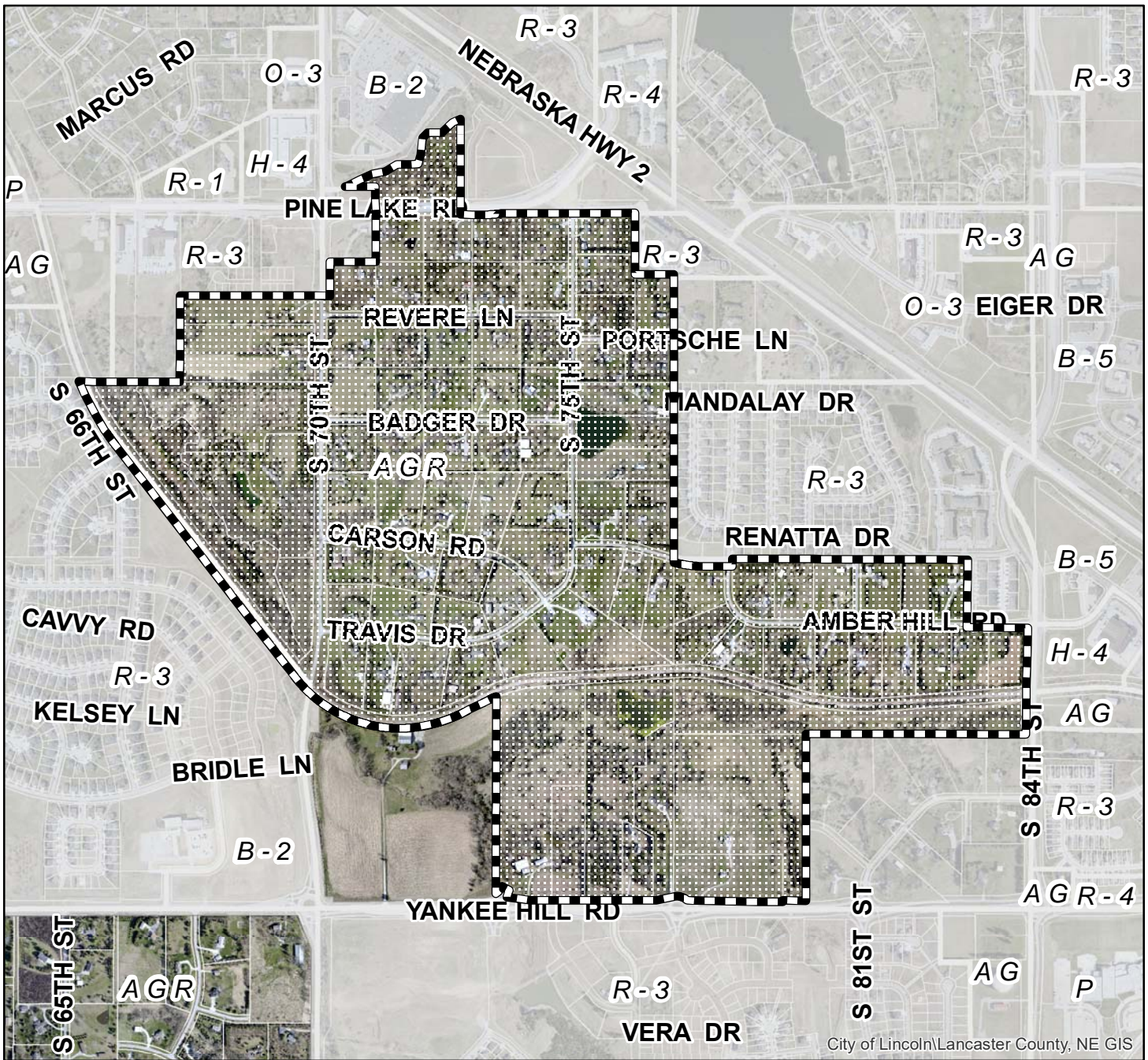
Lot 78 SE, 21-9-7

Lot 64 SW & Lot 60 SE ex part for road (96-26350) 22-9-7

Lot 75, Lot 63, Lot 65, Lot 73, SW 22-9-7

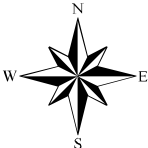
And adjacent railroad and streets rights-of-way.

Page 7 - Annexation #22012, 70th & Pine Lake - 84th & Yankee Hill



City of Lincoln/Lancaster County, NE GIS

Annexation #: AN22012
S 70th St & Pine Lake Rd to
S 84th St & Yankee Hill Rd



Three Square Miles:

- Sec.15 T09N R07E
- Sec.22 T09N R07E
- Sec.21 T09N R07E

Zoning:

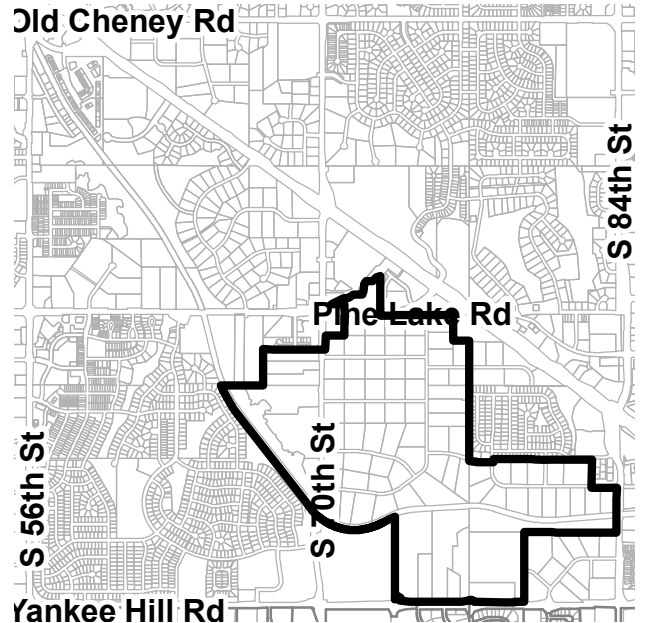
- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- O-1 Office District
- O-2 Suburban Office District
- O-3 Office Park District
- R-T Residential Transition District
- B-1 Local Business District
- B-2 Planned Neighborhood Business District
- B-3 Commercial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

Area of Application

Zoning Jurisdiction Lines

Existing City Limits 58

2020 aerial



MEMORANDUM

TO: Planning Commission
FROM: Andrew Thierolf, Planning Department
SUBJECT: AN22012, 70th & Pine Lake – 84th & Yankee Hill
DATE: September 15, 2022
CC: file

This City-initiated application is a request to annex roughly 445 acres, including 77 dwelling units, near 70th & Pine Lake. The area is completely surrounded by City Limits. Per Policy 80 of the Lincoln-Lancaster Comprehensive Plan, all land that is engulfed by the City should be annexed.

Reasons for City-initiated annexation include:

- Equity for taxpayers. Properties on the urban edge already benefit from many City services, such as streets, parks, trails, libraries, and snow removal on adjacent streets, without paying City taxes and fees. Annexation balances the provision of appropriate and reliable services with the “fair share” payment for those services.
- Clarity of service areas for maintenance and emergency response.
- Allow for continued growth of Lincoln in an efficient and orderly fashion.

For property owners in annexed areas there are some additional costs (such as the city tax levy and the wheel tax) but also benefits. In addition to continued access to surrounding City amenities, the most significant benefits for annexed properties are improved emergency response and the ability to request assessment districts to provide city utilities if desired.

**Proposed
Annexation
Area**

This area
included in
pending annexation
AN21010
Market Pointe