

Lincoln City - Lancaster County

PLANNING COMMISSION AGENDA

PLANNING COMMISSION

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PLANNING STAFF

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Shelli Reid: Administrative Officer
Jennifer McDonald: Administrative Aide
Alexis Longstreet: Office Specialist

January 11, 2023

NOTICE: The Lincoln/Lancaster County Planning Commission will hold a public hearing on Wednesday, January 11, 2023, 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, January 11, 2023

Approval of minutes of the regular meeting held December 21, 2022.

1. CONSENT AGENDA (Public Hearing and Administrative Action)

COMPREHENSIVE PLAN CONFORMANCE:

- 1.1 COMPREHENSIVE PLAN CONFORMANCE 22025, to review as to conformance with the 2050 Lincoln-Lancaster County Comprehensive Plan, adding three projects to the Urban Development CIP (Capital Improvement Program) for the fiscal year 2022/2023. Projects include Pershing, South of Downtown Rental Rehabilitation Program, and Supportive Housing.
Page 1 **Staff recommendation: In Full or General Conformance with Comprehensive Plan**
Staff Planner: Andrew Thierolf, 402-441-6371, athierolf@lincoln.ne.gov

COUNTY SPECIAL PERMIT:

- 1.2 SPECIAL PERMIT 22043, to allow for expanded home occupation to allow for the sale of firearms, on property generally located at 16311 Ashland Road. The Planning Commission action is final, unless appealed to the Lancaster County Board. ***** FINAL ACTION *****
Page 9 **Staff recommendation: Conditional Approval**
Staff Planner: Tom Cajka, 402-441-5662, tcajka@lincoln.ne.gov

- 1.3 SPECIAL PERMIT 22025, to correct Resolution PC-01819. The Planning Commission action is final, unless appealed with the Lancaster County Board. *** **FINAL ACTION** ***

Page 17 **Staff recommendation: Conditional Approval**

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

2. **REQUESTS FOR DEFERRAL**

3. **ITEMS REMOVED FROM CONSENT AGENDA**

4. **PUBLIC HEARING AND ADMINISTRATIVE ACTION**

5. **CONTINUED PUBLIC HEARING AND ADMINISTRATIVE ACTION**

PRE-EXISTING SPECIAL PERMIT:

- 5.1 PRE-EXISTING SPECIAL PERMIT 23J, to amend the Nebraska Wesleyan University pre-existing Special Permit 23I, to change the boundary of the special permit to include new parking lots, on property generally located at the northeast corner of 52nd and Madison Avenue, southwest corner of 51st and Huntington Avenue and between 54th and 56th Street, south of Huntington Avenue. The Planning Commission action is final, unless appealed to the Lincoln City Council. *** **FINAL ACTION** ***

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Staff recommendation: Conditional Approval

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

6. **ACTION ONLY**

CHANGE OF ZONE AND RELATED ITEMS:

- 6.1a CHANGE OF ZONE 22035, from B-1 (Local Business District) to R-1 (Residential District) and B-2 (Planned Neighborhood Business District) and from R-1 (Residential District) to B-2 (Planned Neighborhood Business District), on property generally located at 2201 Old Cheney Road.

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Staff recommendation: Approval

Staff Planner: Ben Callahan, 402-441-6360, bcallahan@lincoln.ne.gov

- 6.1b USE PERMIT 22013, to allow for a Use Permit with an associated change of zone to B-2 (Planned Neighborhood Business District) and allow up to 75,000 square feet of commercial floor area, on property generally located at 2201 Old Cheney Road. The Planning Commission action is final, unless appealed to the Lincoln City Council.

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*** **FINAL ACTION** ***

Staff recommendation: Conditional Approval

Staff Planner: Ben Callahan, 402-441-6360, bcallahan@lincoln.ne.gov

- 6.1c SPECIAL PERMIT 22038, to allow for a CUP (Community Unit Plan) for up to 36 dwelling units, with associated waivers to the maximum block length and setback requirements, on property generally located at 2201 Old Cheney Road. The Planning Commission action is final, unless appealed to the Lincoln City Council.

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*** **FINAL ACTION** ***

Staff recommendation: Conditional Approval

Staff Planner: Ben Callahan, 402-441-6360, bcallahan@lincoln.ne.gov

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

* * * * *

Adjournment

PENDING LIST: *BOARD OF ZONING APPEALS 22006, an appeal of an administrative official's decision, associated with property generally located at 4575 South 1st Street.*

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.

Planning Department Staff Contacts:

David Cary, <i>Director</i>	402-441-6364	dcary@lincoln.ne.gov
Stephen Henrichsen, <i>Development Review Manager</i>	402-441-6374	shenrichsen@lincoln.ne.gov
Paul Barnes, <i>Long Range Planning Manager</i>	402-441-6372	pbarnes@lincoln.ne.gov
Benjamin Callahan, <i>Planner</i>	402-441-6360	bcallahan@lincoln.ne.gov
Collin Christopher, <i>Planner</i>	402-441-6370	cchristopher@lincoln.ne.gov
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Andrew Thierolf, <i>Planner</i>	402-441-6371	athierolf@lincoln.ne.gov
George Wesselhoft, <i>Planner</i>	402-441-6366	gwesselhoft@lincoln.ne.gov
Brian Will, <i>Planner</i>	402-441-6362	bwill@lincoln.ne.gov

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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>

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 22025 <i>Urban Development CIP Amendments</i>	FINAL ACTION? No	OWNER N/A
PLANNING COMMISSION HEARING DATE January 11, 2023	RELATED APPLICATIONS None	PROPERTY ADDRESS/LOCATION Citywide

RECOMMENDATION: IN FULL OR GENERAL CONFORMANCE WITH THE COMPREHENSIVE PLAN

BRIEF SUMMARY OF REQUEST

This is a request to add three Urban Development projects to the 2022/23 - 2027/28 Capital Improvement Program (CIP). The Planning Commission must review each project added to the CIP to determine its level of conformity to the Comprehensive Plan.

The projects to be added are:

- Pershing: Demolish existing building and construct 93 affordable housing units.
- South of Downtown Rental Rehabilitation Program: Lincoln's rental rehab housing improvement program for the South of Downtown Redevelopment Project area.
- Supportive Housing: Providing housing, shelter, and services to specific qualifying populations.

JUSTIFICATION FOR RECOMMENDATION

These CIP amendments are consistent with the Comprehensive Plan as the importance of safe, quality affordable housing is discussed throughout the Plan.

APPLICATION CONTACT

Pat Posey Ribeiro, (402) 441-7860 or pribeiro@lincoln.ne.gov

STAFF CONTACT

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

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The projects in this proposed amendment are in conformance with the Comprehensive Plan because they are specifically listed in or are implied by the text in the Comprehensive 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.

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.

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

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.

DOWNTOWN MASTER PLAN SPECIFICATIONS:

- p. 3.10 An online survey was conducted in 2018 and received 1,700 responses. The top element selected as being most important for improving the overall Downtown experience was: Redevelop underused and vacant sites, such as Pershing Center, Post Office, etc.
- 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. 4.6.3 Catalyst Project: Create a Community Commons - includes multiple options for the Pershing Block site, including mixed private and civic uses.
- p. 4.6.3 Community Commons Description: There has been ongoing interest to construct a 21st Century library in Downtown, specifically on this block. In addition to a new library, additional civic uses could include a community center, new Southeast Community College, new parking structure, and public park space. The private uses could include residential, office, and retail.

ANALYSIS

1. This is a request to add three Urban Development projects to the 2022/23 - 2027/28 Capital Improvement Program (CIP). The Planning Commission must review each project added to the CIP to determine its level of conformity to the Comprehensive Plan.
2. The projects to be added include: Pershing, South of Downtown Rental Rehabilitation Program, and Supportive Housing.
3. Pershing: Demolish the existing Pershing Center building and construct 93 affordable housing units on the site.
 - a. \$2.5 million for FY 2022/23 from a State of Nebraska QCT Affordable Housing Grant.
 - b. This project is in conformance with the Comprehensive Plan because redevelopment of the Pershing block is specifically mentioned as a catalyst project in the Downtown Master Plan, which was adopted into the Comprehensive Plan in 2018. The importance of quality affordable housing is discussed throughout the Comprehensive Plan.
 - c. The redeveloped Pershing block could include a mix of uses in addition to the 93 housing units proposed with this project. The block is a potential location for the Bennett Martin Library replacement, which is a separate project in the Libraries section of the CIP and listed for FY 2025/26.
4. South of Downtown Rental Rehabilitation Program: Lincoln's rental rehab housing improvement program for the South of Downtown Redevelopment Project area.
 - a. \$285,000 for FY 2022/2023 from a developer contribution associated with the Sky Park Redevelopment Project redeveloper agreement.
 - b. This project is in general conformance with the Comprehensive Plan because the importance of quality affordable housing is discussed throughout the Plan.
5. Supportive Housing: The American Rescue Plan authorized use of HOME-ARP funds to provide housing, shelter, and services to specific qualifying populations that include homeless, at-risk of homelessness, fleeing or attempting to flee domestic violence/sexual assault/trafficking, and others that require services or housing assistance to prevent homelessness or at greatest risk of housing instability. Specific usage of funds in Lincoln will be determined when the HUD required Allocation Plan is complete.
 - a. \$5.25 million in FY 2022/23 with a mix of HOME-ARP and State of Nebraska QCT Affordable Housing Grant funds.
 - b. This project is in general conformance with the Comprehensive Plan. Goal 1 states that Lincoln and Lancaster County will support the development of safe, affordable, and accessible quality housing that meets the diverse needs of the community, and that goal is supported throughout the Plan.
6. The City Charter states that capital projects must have a probable life of at least 15 years. Improvements associated with these projects will have a life in excess of 15 years so they are considered a capital project.
7. These projects will require a budget amendment with City Council following Planning Commission review of Comprehensive Plan conformance.
8. These projects would increase the Urban Development Department's FY 2022/23 CIP program from \$12,298,437 to \$20,333,437 (an increase of \$8,035,000). The City's overall CIP program for FY 2022/23 would increase from \$213,398,985 to \$221,433,985.

Prepared by

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

January 3, 2023

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

Contact: Pat Posey Ribeiro
(402) 441-7860 or pribeiro@lincoln.ne.gov

<https://linclanc.sharepoint.com/sites/PlanningDept-DevReview/Shared Documents/DevReview/CPC/22000/CPC22025 Urban Development CIP Amendments.adt.docx>

Project: Pershing								
Description:								
State of Nebraska QCT Affordable Housing Grant to demolish the existing building and replace with 93 affordable housing units.				Budget Outcome:		Vibrant City Economy and Quality of Life		
				Date Anticipated:		2/1/2023		
				Rating:		A		
				Status:		New		
				Comp Plan Conformity:		In Conformance with Plan		
Prior Appropriations:								
6 yr appropriations								
Funding Source	2022/2023	2023/2024	2024/2025	2025/2026	2026/2027	2027/2028	6 yr Total	
State/Federal Aid -Capital	\$2,500,000						\$2,500,000	
6 yr estimated cost by activity								
Activity type	2022/2023	2023/2024	2024/2025	2025/2026	2026/2027	2027/2028		
Capital Improvements	X							
Project: South of Downtown Rental Rehabilitation Program								
Description:								
In the Resolution for the Sky Park Redevelopment Project, Section J. Redeveloper Financial Contribution, Redeveloper agreed to make a financial contribution in the amount of \$285,000 for use in City's rental rehab housing improvement program in the South of Downtown Redevelopment Project Area.				Budget Outcome:		Vibrant Economy and Quality of Life		
				Date Anticipated:		3/1/2023		
				Rating:		A		
				Status:		New		
				Comp Plan Conformity:		Generally Conforms with Plan		
Prior Appropriations:								
6 yr appropriations								
Funding Source	2022/2023	2023/2024	2024/2025	2025/2026	2026/2027	2027/2028	6 yr Total	
Developer Contributions	\$ 285,000						\$ 285,000	
6 yr estimated cost by activity								
Activity type	2022/2023	2023/2024	2024/2025	2025/2026	2026/2027	2027/2028		
Capital Improvements	X							
Project: Supportive Housing								
Description:								
HUD awarded HOME-ARP funds to provide housing, shelter, and services to specific qualifying populations that include homelessness or at greatest risk of housing instability. Eligible uses of HOME ARP funds are being evaluated. When the HUD required Allocation Plan is complete, it will identify specific usage of funds in Lincoln. The State of Nebraska also awarded QCT Affordable Housing-Primary Class funds to complement this project. The project includes \$4,099,370 of HOME-ARP and \$1,150,630 QCT Affordable Housing-Primary Class funds.				Budget Outcome:		Vibrant City Economy and Quality of Life		
				Date Anticipated:		3/1/2023		
				Rating:		A		
				Status:		New		
				Comp Plan Conformity:		Generally Conforms with Plan		
Prior Appropriations:								
6 yr appropriations								
Funding Source	2022/2023	2023/2024	2024/2025	2025/2026	2026/2027	2027/2028	6 yr Total	
State/Federal Aid -Capital	\$5,250,000						\$5,250,000	
6 yr estimated cost by activity								
Activity type	2022/2023	2023/2024	2024/2025	2025/2026	2026/2027	2027/2028		
Capital Improvements	X							



URBAN DEVELOPMENT DEPARTMENT

555 South 10th Street, Suite 205 | Lincoln, NE 68508
402-441-7606 | lincolnne.gov

December 15, 2022

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

Re: Capital Improvement Program (CIP) Budget Amendments

Dear Mr. Cary:

The Urban Development Department respectfully requests a CIP budget amendment for the following projects:

1. Supportive Housing Project. The American Rescue Plan authorized the use of HOME-ARP funds to provide housing, shelter, and services to specific qualifying populations that include homeless, at -risk of homelessness, fleeing or attempting to flee domestic violence/sexual assault/trafficking, and others that require services or housing assistance to prevent homelessness or at greatest risk of housing instability. Eligible uses of HOME ARP funds are being evaluated and include administration and planning, rental housing, tenant based rental assistance, supportive services, acquisition and development of non-congregate shelter, and non-profit operating and capacity building assistance. Within these broader parameters, completion of the HUD-required Allocation Plan will identify specific usage of funds in Lincoln. Amendment amount is \$5,250,000.
2. South of Downtown Rental Rehab Program. In the Resolution for the Sky Park Redevelopment Project, Section J/Redevelopment Financial Contribution, Redeveloper agreement to make a financial contribution in the amount of \$285,000 for use in City's rental rehab housing improvement program in the South of Downtown Redevelopment Project Area. Amendment amount is \$285,000.
3. Pershing Demolition. The State of Nebraska QCT Affordable Housing Grant to demolish the existing building and replace with 93 affordable housing units. Amendment amount is \$2,500,000.

The Urban Development Department would appreciate a timely review of this request and placement of this request on the Planning Commission's agenda on January 11, 2023.

If you have any questions, please contact Pat Posey Ribeiro at 402-441-7860 or pribeiro@lincoln.ne.gov.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Dan Marvin', with a stylized, cursive script.

Dan Marvin, Director

Cc: Andrew Thierolf, Planning Department
Steve Henrichsen, Planning Department

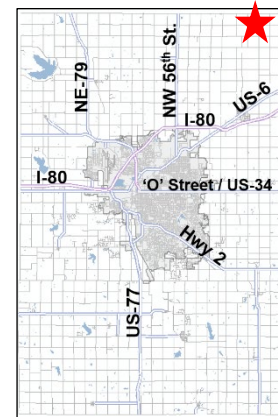
LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT
FROM THE LINCOLN/LANCASTER COUNTY PLANNING DEPARTMENT, 555 S. 10TH STREET, SUITE 213, LINCOLN, NE 68508

APPLICATION NUMBER Special Permit #22043	FINAL ACTION? Yes	DEVELOPER/OWNER Kenneth Winn
PLANNING COMMISSION HEARING DATE June 11, 2022	RELATED APPLICATIONS None	PROPERTY ADDRESS/LOCATION 16311 Ashland Rd.

RECOMMENDATION: CONDITIONAL APPROVAL

BRIEF SUMMARY OF REQUEST

This is a request for Expanded Home Occupation under Article 13.032 of the Lancaster County Zoning Regulations to allow firearm sales and related products from the residence and waivers to reduce the minimum lot size from 10 acres to 4.6 acres and to allow sales of a product not manufactured, processed, treated or assembled on the premise. The area for the home occupation is within the existing house and an accessory building.



JUSTIFICATION FOR RECOMMENDATION

The request meets the conditions of Article 13.032, except for selling an item that is not manufactured, processed, treated or assembled on site and the lot being only 4.6 acres. The selling of firearms will have minimal traffic. There is no new construction and there should be minimal impact to adjacent property owners. The waivers for this particular use at this location are acceptable.

APPLICATION CONTACT

Kenneth Winn 402-440-9577
kenny@heartlandrifle.com

STAFF CONTACT

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

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The Comprehensive Plan encourages accessory home businesses.

WAIVERS

1. Allow products to be sold that are not grown, manufactures, processed, treated or assembled on the premises. (Recommend Approval)
2. Reduce the minimum lot size from 10 acre to 4.6 acres. (Recommend Approval)

KEY QUOTES FROM THE 2050 COMPREHENSIVE PLAN

P. 5.5 Continue to encourage and permit accessory home businesses.

ANALYSIS

1. This is a request for special permit for an Expanded Home Occupation. The use is to allow firearm sales as a home occupation. The office would be in the house and an accessory building would be used for storage and pick up of merchandise.

2. The Lancaster County Zoning Regulations were amended in September 2009 to allow Expanded Home Occupation by special permit. The intent was to allow small family owned businesses to operate out of their homes. The business is to be accessory to the residential use of the property and operated by the family occupying the residence. This condition makes it more likely that the business will be a "good neighbor." The business should not detract from the peace and enjoyment of surrounding properties.
3. The proposed business is for selling firearms and related products. The applicant's letter states that he transfers and sells firearms and related products and accessories.
4. The county special permit conditions related to this expanded home occupation are as follows:

a. On-site sales shall be limited primarily to products grown, manufactured, processed, treated or assembled on the premise.

Most firearms and related products are made off site. It is not a product typically made in a home setting. Due to the nature of the business, a waiver to this condition is needed. Due to minimal traffic and minimal impact on neighbors, the waiver is reasonable for this use at this location.

b. Except for a Family as defined by this Resolution, no more than two (2) persons may participate in the home occupation on the premises.

There will be no persons involved in the operation that do not live on site.

c. The lot area shall be ten (10) acres or larger.

The lot is approximately 4.6 acres. A waiver is needed to reduce the minimum size from 10 acres to 4.6 acres. Due to the small amount of area needed for the business and the minimal number of customers the waiver is reasonable. A different use with more activity and building area should be located on a lot of 10 acres or more in the AG zoning. But this use needs a minimal amount of land and will not generate much vehicle activity.

d. Driveways and parking areas shall be provided with an all-weather (gravel or rock) surface to minimize dust.

No parking areas are required. The applicant's letter states that sales made on site would be minimal. On average there are two customers per week that come to the house. The existing driveway is gravel.

e. No more than 50% of the floor area of the residence may be used for said business when the home occupation is located within the residence.

The County Assessor lists the house at 2,103 sq. ft. Approximately 100 sq. ft. of the house is used for the business.

f. The total floor area for all buildings used for said business shall not be more than 10,000 square feet.

In addition to the 100 sq. ft. of the house, approximately 195 sq. ft. of an outbuilding is used for the business. In total approximately 295 sq. ft. of all buildings is used for the business.

g. Outside area used for work area, storage or other business activity and parking shall not exceed 15,000 square feet.

There is no outside business related activity.

h. All outside business related activity shall be located at least 200 feet from all premise property lines and shall be visually screened from public streets and adjacent property lines.

There is no outside business-related activity.

i. Dust control of nearby unpaved roads to mitigate the impact of traffic approaching and leaving the premise may be required.

Ashland Road is paved.

CONDITIONS OF APPROVAL: See attached.

EXISTING LAND USE & ZONING: AG-Agriculture

Single family residence

SURROUNDING LAND USE & ZONING

North:	Farm ground	Zoning unknown in Saunders County
South:	Farm ground	AG-Agriculture
East:	Farm ground	AG-Agriculture
West:	Farm ground	AG-Agriculture

APPROXIMATE LAND AREA: 4.6 acres, more or less.

LEGAL DESCRIPTION: Lot 12 I.T. in the NW ¼ of Section 2, Township 12 North, Range 8 East; Lancaster County, NE.

Prepared by

Tom Cajka, Planner

Date: December 28, 2022

Applicant: Kenneth Winn
16311 Ashland Rd.
Ashland, NE 68003
402-440-9577
kenny@heartlandrifle.com

Contact: Same as applicant

Owner: Same as applicant

CONDITIONS OF APPROVAL - SPECIAL PERMIT #22043

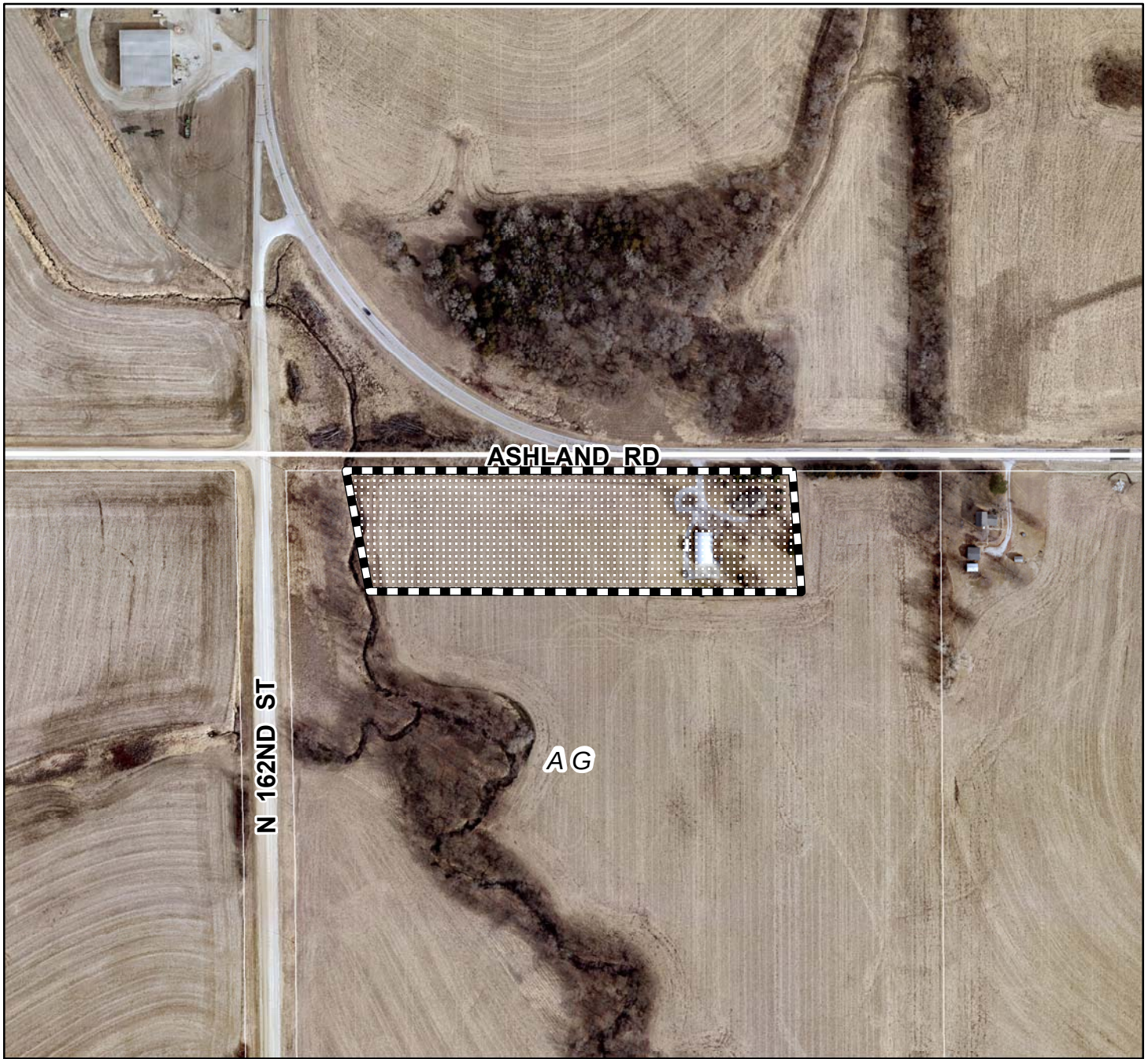
Per Article 13.032 this approval permits Expanded Home Occupation for selling of firearms and related products with a waiver to allow the sale of a product not manufactured, processed, treated or assembled on the premise and reduce the minimum lot size from 10 acres to 4.6 acres. No show room or display area is allowed.

Site Specific Conditions:

1. Before beginning operations the permittee shall cause to be prepared and submitted to the Planning Department a revised and reproducible final plot plan including 3 copies with all required revisions and documents as listed below:
 - 1.1 Label the plan at the bottom of the sheet as Special Permit #22043, 16311 Ashland Road.
 - 1.2 Add the legal description.
 - 1.3 Add a note that no showroom or display area is allowed.
 - 1.4 Add a note that an outdoor firing range for customers is prohibited.
 - 1.5 Change CO. Rd. 168 to N. 162nd St.
 - 1.6 Identify the square feet within the outbuilding used for the business.

Standard Conditions:

2. The following conditions are applicable to all requests:
 - 2.1 Before starting the operation all development and construction shall substantially comply with the approved plans.
 - 2.2 The physical location of all setbacks and yards, buildings, parking and circulation elements, and similar matters be in substantial compliance with the location of said items as shown on the approved site plan.
 - 2.3 The terms, conditions, and requirements of this resolution shall run with the land and be binding upon the Permittee, its successors and assigns.
 - 2.4 The applicant shall sign and return the letter of acceptance to the County Clerk. This step should be completed within 60 days following the approval of the special permit. The Permittee shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds. Building permits will not be issued unless the letter of acceptance has been filed.

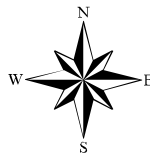


2022 aerial

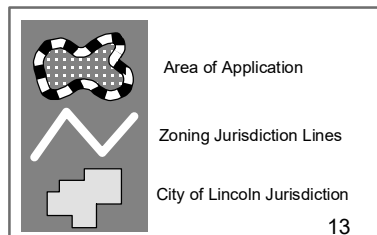
Special Permit #: SP22043
N 162nd St & Ashland Rd

Zoning:

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



One Square Mile:
Sec.02 T12N R08E



Co Rd. 168

SPECIAL PERMIT FOR EXPANDED HOME OCCUPATION SITE PLAN:

Who: WINN, KENNETH R & SARA R w / Heartland Precision Rifle, LLC

What: utilization of structures & ground to facilitate business operations

Where: 16311 Ashland Road - Property I.D.# 25-02-100-007-000

Why: to facilitate sales, shipping and pick-up of FFL controlled items, law enforcement & military sales, resource procurement for civilian clientele and non-profit organizations

Heartland Precision Rifle, LLC is a veteran owned business in good standing in the state of Nebraska; state ID #013392026

4.7 total acres

16311 Ashland Road

Customer
Roundabout

Outbuilding
Receive, Ship
& Pick-UP

Home Office

N ↑



Date: November 30th, 2022

Topic: Special Use Permit; Expanded Home Occupation & 10 Acre Minimum Waiver Request

To: Lancaster County Planning Department

Submitted By: Kenneth R. Winn; owner @ Property I.D.# 25-02-100-007-000

Greetings Department Members,

Please accept this letter as the formal submitted request by WINN, KENNETH R & SARA R, property owners of 16311 Ashland Road, Ashland, NE; Property I.D. # 25-02-100-007-00, to have our property granted an Expanded Home Occupation Special Use Permit, as well as a waiver of approval for not meeting the 10 Acre Minimum land requirement.

Property owner, Kenneth R. Winn, is the sole-owner of Heartland Precision Rifle, LLC, state ID #013392026, which instructs clients in rifle fundamentals, resource and technology utilization, ballistics, environmental effects, as well as sales of rifle resources to law enforcement, civilian clientele and non-profit outdoor banquet organizations; i.e. Pheasants Forever, Ducks Unlimited, Rocky Mountain Elk Foundation, etc. Through Heartland Precision Rifle's (HPR) training market, which is conducted on-site in Niobrara, NE, many clients have requested services and resources that require a Federal Firearms License (FFL) to procure and transfer. The ability to utilize the property's home office and outbuilding, expected to utilize less than 20% of all floor area, as part of HPR's day to day operations allows for business minded cost savings, provides efficient carrier delivery & pick up services, and allows property owner Kenneth R. Winn, who suffers from combat related PTSD and maintains a 90% Veteran's Administration disability rating, the ability to work from the sanctuary of his home.

Common daily scope of operations under an Expanded Home Occupation permit would see HPR performing the following tasks and workload:

- Receive & place orders via email or phone * majority of business
- Process electronic payments for client, agency, corporate, & non-profit accounts
- Receive & ship resources and FFL related items via carrier services
- Store inventoried resources and apparel to be sold on-line, shipped to clients & accounts
- Facilitate client order pickup * No Show Floor or Display Cases

It is acknowledged that in order to qualify for an Expanded Home Occupation Special Use Permit, the property in question must meet a ten (10) total acre minimum. As the property has 4.7 total acres, I am formally requesting a waiver for the granting of a Special Use Permit despite not meeting the ten (10) acre minimum.

Please give consideration to this request for the granting of an Expanded Home Occupation Special Use Permit and waiver for ten-acre minimum, to Property I.D.# 25-02-100-007-000. If granted it would allow myself, a disabled combat veteran, the ability to utilize my property and on-site resources to better operate HPR's services and market reach. Additionally, please know that the Bureau of Alcohol, Tobacco & Firearms (ATF) has recently stated during a recent in-home inspection that they will provide HPR with an FFL once an Expanded Home Occupation Special Permit is approved by the Lancaster County Planning Department. Thank you kindly for your time and consideration on this matter.

Best Regards- Kenneth R. Winn

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 #22025

FINAL ACTION?
Yes

DEVELOPER/OWNER
Aaron and Heidi Wubbels

PLANNING COMMISSION HEARING DATE
August 24, 2022

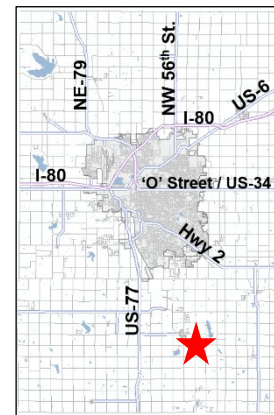
RELATED APPLICATIONS
None

PROPERTY ADDRESS/LOCATION
7600 Panama Rd.

RECOMMENDATION: CONDITIONAL APPROVAL

BRIEF SUMMARY OF REQUEST

This is a request for a special permit for Expanded Home Occupation per Article 13.032 of the Lancaster County Zoning Regulations to develop an Event Venue with waivers to exceed the allowed square feet for the outside area and to allow more than two employed persons. The Event Venue proposes to have a 7,000 sq. ft. post and beam barn for weddings and other events. An outside area for ceremonies is also proposed as well as parking. The proposal is to permit events with up to 400 people on Fridays, Saturdays and Sundays.



JUSTIFICATION FOR RECOMMENDATION

This special permit for Expanded Home Occupation to allow large gatherings, such as wedding receptions, should have minimal impact on adjacent properties given the site plan and proposed conditions. The parcel is on a paved road. The nearest house is approximately 600 feet away from the outdoor area. The waiver to exceed the allowed outside area is acceptable based on the amount of area needed for parking for large events. The waiver to allow more than two persons is acceptable since persons working related to a wedding reception or other large gathering would not work 40 hours on site.

APPLICATION CONTACT

Heidi Wubbels
402-610-3121 or
heidi@nebraskarealty.com

STAFF CONTACT

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

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The proposed use meets the goal of the Comprehensive Plan to encourage home businesses while having minimal impact on the surrounding area by limiting events to Fridays, Saturdays and Sundays. The County Engineer had no objections to increase traffic on the paved county road.

WAIVERS

1. Waive the requirement that outside areas used for the business not exceed 15,000 square feet. (Recommend Approval)
2. To allow more than two employed persons who are not members of the family residing on the premises. (Recommend Approval)

KEY QUOTES FROM THE 2050 COMPREHENSIVE PLAN

Policies Section

P16: Rural Economy. Support agriculture as the primary driver of the rural economy, but recognize that some compatible land uses are also appropriate for these areas.

Action Steps:

1. Support appropriate use of accessory home businesses and locate businesses within the commercial areas of incorporated towns when they expand beyond the definition of home occupation.
2. Home occupations should be limited to uses incidental to a property's residential and/or agricultural use and have minimal impact on neighborhood properties.

ANALYSIS

1. This request is for a special permit for Expanded Home Occupation to allow the rental of the proposed barn and outside area for large gatherings such as wedding receptions, graduation parties and reunions. The main use would be weddings. The applicant has requested for up to 400 persons per event. Events would be held on Fridays, Saturdays, and Sundays throughout the year.
2. The site is approximately 30 acres with the house and other accessory structures. The owners live on site. The proposed building will be a new 7,000 sq. ft. post and beam barn. There will also be an outside ceremony area.
3. The site plan shows the barn, an outdoor area for the wedding ceremony and parking areas. The barn is located 300 feet from the east lot line and 304 feet from the south lot line along Panama Rd. The parking and ceremony area is located 200 feet from the east lot line. The closest neighbor is to the east. The parking area has a capacity for 201 vehicles per the site plan. Based on a maximum capacity of 400 persons, 200 stalls would be required.
4. The nearest house is approximately 600 feet to the east from the ceremony area. There are 6 other houses within approximately one-half mile from the proposed barn.
5. Panama Rd. is a paved county section line road. The site is approximately one-half mile east of S. 68th St. S. 68th St. is the main road through Hickman. The Lancaster County Engineer did not have concerns with increased traffic on the paved road. The parking areas shown on the provided plans shall only be accessed through the approved access permits; direct access from parking areas to the existing county road is not allowed.
6. The Lancaster County Zoning Regulations were amended in September 2009 to add Expanded Home Occupation by special permit. The intent was to allow small family-owned businesses to operate out of their home. The business is to be accessory to the residential use of the property and operated by the family occupying the residence. This condition makes it more likely that the business will be a "good neighbor." The business should not detract from the peace and enjoyment of surrounding properties.
7. Currently the applicant runs a horse boarding business, Cornerstone Stables. The County zoning regulations allows two primary buildings. The house is one primary building, and the stable is the second. The new building for the event venue would be a third main building. To have the event venue, Cornerstone Stables will need to cease operations.
8. The special permit conditions for Expanded Home Occupation are as follows:
 - A. On-site sales shall be limited primarily to products grown, manufactured, processed, treated or assembled on the premise;
This would be a service provided by the residents. There are no sales of goods on site. The service being provided is the use of land and one building.
 - B. Except for a Family as defined by this Resolution, no more than two (2) persons participate in the home occupation on the premises. For purposes of Section [13.032](#), participation shall exclude deliveries;
The above regulation means that no more than 2 persons, other than family, could be on site participating in the occupation at one time. This means, for example, only one bartender and one caterer could be on site at one time or one musician and one person helping to set up. Most weddings or large

gatherings need more than 2 persons on site at one time. The applicant stated that normally outside persons participating in the business could consist of a parking attendant, bartender, photographer, catering staff, disc jockey and florist, and clergy. The intent of the 2 persons participating in the business was to allow 2 full time people working 40 hours per week. Since persons working related to a wedding reception or other large gathering would not work 40 hours on site, the waiver is appropriate.

- C. The lot area shall be ten (10) acres or larger;

The site is approximately 30 acres

- D. Driveways and parking areas shall be provided with an all-weather (gravel or rock) surface to minimize dust and mud;

The site plan does not indicate the surface type of the parking areas. A condition of approval will require all weather surfacing.

- E. No more than 50% of the floor area of the residence may be used for said business when the home occupation is located within the residence;

None of the residence floor area is proposed to be used.

- F. The total floor area for all buildings used for said business shall not be more than 10,000 square feet;

The floor area for the new barn is 7,000 sq. ft.

- G. Outside area used for work area, storage or other business activity (of vehicles, equipment, or materials used in the business) and parking shall not exceed 15,000 square feet;

Outside area consist of parking areas and the ceremony area. The parking area is approximately 68,800 sq. ft. The ceremony area is approximately 7,000 sq. ft. The total of all outside area is approximately 75,800 sq. ft. The applicant is requesting a waiver to allow more than 15,000 sq ft. The waiver is acceptable based on the amount of area needed for parking for large events.

- H. All outside business related activity shall be located at least 200 feet from all premise property lines and shall be visually screened from public streets and adjacent property lines. Said visual screening shall be approved as part of the special permit;

All outside areas are located 200 feet from property lines. There is no existing screening, and none is shown on the site plan. Screening is required.

- I. Dust control of nearby unpaved roads to mitigate the impact of traffic approaching and leaving the premise may be required;

Panama Rd. is paved. The applicant will be responsible for controlling off-site dust emissions from the gravel parking lots in accordance with Lincoln-Lancaster County Air Pollution Regulations and Standards Article 2 Section 32.

- J. Building permits will be obtained as required for all new construction and remodeling of existing buildings under this permit;

Building permits are required for the new barn and any other structures.

- K. Only one vehicle/truck over 2.5 tons (gross weight) is permitted on the site. No more than four (4) business vehicles shall be parked or stored outside on the site at any one time;

No auto or truck storage is requests. Only parking for guests

- L. There is no sign other than one non-animated, non-illuminated, non-reflecting nameplate not more than twenty (20) square feet in area, which name plate designates the home occupation carried on within;

No sign is shown on the site plan.

- M. A site plan for this special permit shall be approved and followed. The Planning Commission/County Board may establish additional conditions such as hours of business operation, maximum daily non-resident trips to

and from the business, as deemed appropriate for compatibility, health, safety and welfare relative to this use and activity.

A site plan was provided (see attached).

9. Other similar venues include:

Prairie Creek Inn located at 2400 S. 148th St was approved for a Bed and Breakfast and Expanded Home Occupation by County Special Permit 08021A in March 2014. As accessory to the Bed and Breakfast wedding ceremonies and receptions were allowed. Events are limited to no more than 300 persons, except that up to 4 events per calendar year of up to 500 persons may be allowed with an approved Amusement license granted by the Lancaster County Board.

Hillside Events Center located at 12400 West Denton Rd was approved for Expanded Home Occupation for an Event Venue including wedding receptions, in July 2016. Events were originally limited to 250 persons for 2 days per month from March 1st through November 30th. The special permit was amended in May 2020 to allow events for 10 days per month on Fridays, Saturdays and Sundays throughout the year. Events are still limited to 250 persons.

The Shed was approved in March 2021 for Expanded Home Occupation for a wedding event venue. It was approved for events to have up to 400 persons on Fridays and Saturdays.

10. The proposed venue is similar to the other 3 event facilities. Hillside originally was limited to only 2 events per month, but now is allowed events 10 days per month. The Shed is limited to 8 days per month for events. The proposed 8 events per month and 400 persons is similar to other event facilities and is acceptable.

CONDITIONS OF APPROVAL: See attached.

EXISTING LAND USE & ZONING: AG- Agriculture Single family dwelling, agriculture, and event venue.

SURROUNDING LAND USE & ZONING

North:	AG- Agriculture	Farm ground
South:	AG- Agriculture	Farm ground
East:	AG- Agriculture	Farm ground
West:	AG- Agriculture	Two houses and farm ground

APPROXIMATE LAND AREA: 30 acres, more or less

LEGAL DESCRIPTION: Lot 37 in the SE1/4 of Section 3-7-7, Lancaster County, NE.

Prepared by

Tom Cajka, Planner

Date: August 15, 2022

Applicant: Aaron and Heidi Wubbels
7600 Panama Rd.
Hickman, NE 68372
402-610-3121
heidi@nebraskarealty.com

Contact/Owner: Same as applicant

F:\DevReview\SP\21000\SP21005 The Shed.tjc.docx

CONDITIONS OF APPROVAL - SPECIAL PERMIT #22025

Per Article 13.032 this approval permits Expanded Home Occupation for the site in conformance with the attached site plan to be used for rental of the accessory building and associated outdoor area for gatherings such as wedding receptions, reunions and other such gatherings and the following waivers and conditions.

Waivers

1. Waive the requirement that outside areas used for the business not exceed 15,000 square feet to allow the additional area for parking. The outside area shall not exceed 80,000 square feet.?
2. To allow up to twelve (12) persons, who are not members of the family residing on the premises, to participate on the site to provide catering and other services for events on Fridays, Saturdays and Sundays for a total of 8 events per month.

Conditions:

1. Events for up to 400 persons are allowed on Fridays, Saturdays and Sundays for a total of 8 events per month throughout the year. Events are not allowed on all other days.
2. Any outside music is not allowed to use speakers or other forms of amplification, except during a wedding ceremony.
3. Any portion of an event held outdoors must conclude by 10:00 p.m. All events shall conclude by 12:00 a.m.
4. Fireworks are not allowed except on July 3rd and 4th.
5. Owners shall provide a landscape plan that shows a 60% screen from the ground to 10 feet above the ground along the south and east property line adjacent to all parking areas.
6. Any individual or entity dispensing alcohol on site must be licensed under the Nebraska Liquor Control Act.
7. Prior to occupancy the Lincoln Building and Safety Department must approve the final certificate of occupancy for all new construction and/or remodeling of existing buildings under this special permit.
8. Any outdoor lighting for the event venue or related outdoor area shall be cutoff, as defined in Section 3.100 of the City of Lincoln Design Standards and shall meet the light trespass requirements defined in Section 9 of the City of Lincoln Design Standards.
9. The applicant will be responsible for controlling off-site dust emissions from the gravel parking lots in accordance with Lincoln-Lancaster County Air Pollution Regulations and Standards Article 2 Section 32.
10. Prior to starting operation the boarding of horses as a business must cease.
11. Apply for a commercial driveway access permit with Lancaster County Engineering office.

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:

- 1.1.1 Designate handicap stalls and note that they are concrete surface.
- 1.1.2 Add "Special Permit #22025" as the title
- 1.1.3 Delete the note, "Building may be located anywhere within buildable area of lot."
- 1.1.4 Add a note, Site plan is conceptual and may change without requiring an administrative amendment provided all outside area related to the home occupation is a minimum of 200 feet from lot lines.
- 1.1.5 Add overall dimensions of the parking area. And note the overall square feet of the parking area.

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

- 2.1.1 Verification from the Register of Deeds that the letter of acceptance as required by the approval of the special permit has been recorded.

Standard Conditions:

3. The following conditions are applicable to all requests:

- 3.1 Before occupying buildings or starting the operation all development and construction shall substantially comply with the approved plans.
- 3.2 All privately-owned improvements, including landscaping shall be permanently maintained by the Permittee.
- 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 Before occupying this event venue, the City/County Health Department is to approve the water and waste water systems.
- 3.5 The terms, conditions, and requirements of this resolution shall run with the land and be binding upon the Permittee, its successors and assigns.
- 3.6 The applicant shall sign and return the letter of acceptance to the County Clerk. This step should be completed within 60 days following the approval of the special permit. The Permittee shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds. Building permits will not be issued unless the letter of acceptance has been filed.



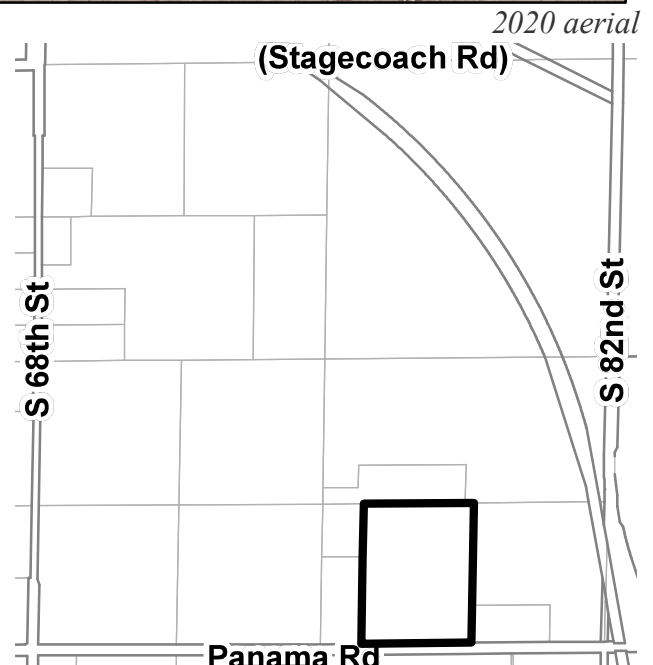
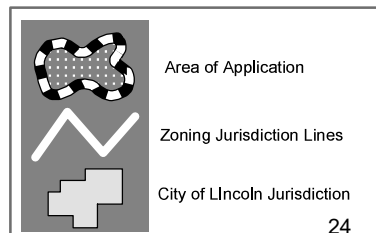
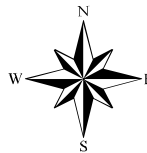
City of Lincoln/Lancaster County, NE GIS

Special Permit #: SP22025
S 68th St & Panama Rd

Zoning:

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

One Square Mile:
Sec.03 T07N R07E



2020 aerial

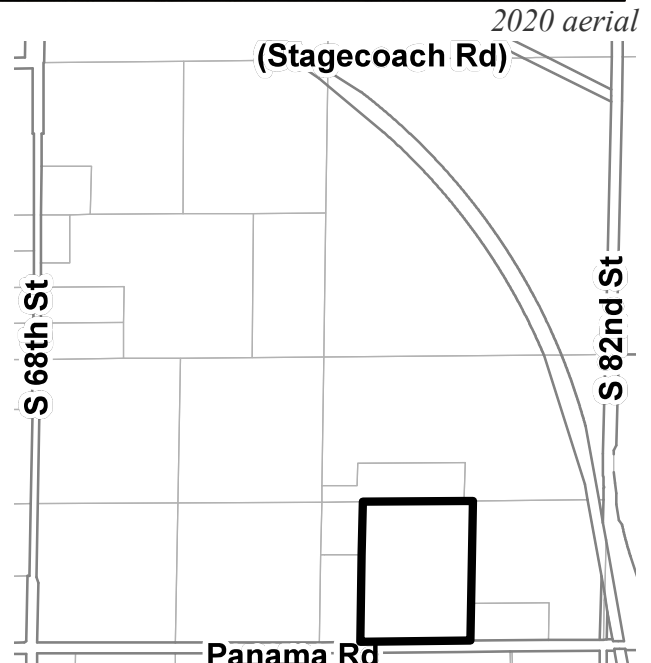
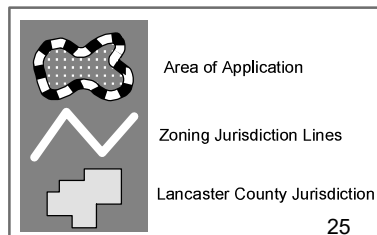
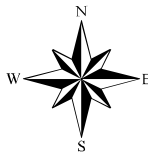


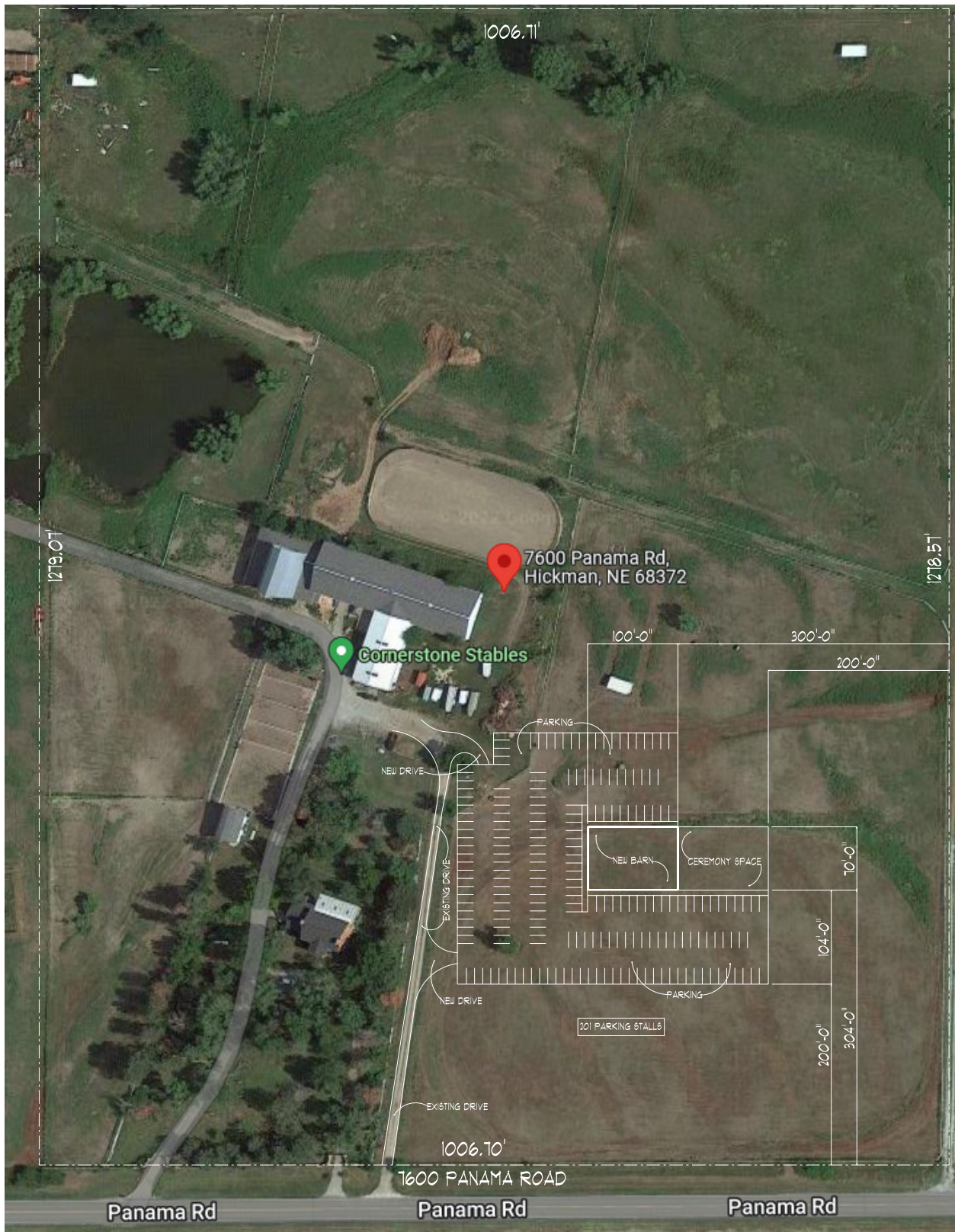
Special Permit #: SP22025
S 68th St & Panama Rd

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

One Square Mile:
Sec.03 T07N R07E





LEGAL:
S3, T1, R1, 6TH PRINCIPAL
MERIDAN, LOT 31 SE

AG ZONING
FRONT 50'
SIDES 60'
REAR 100'

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



PLOT PLAN SCALE:
1" = 100'-0"

new VENTURES
RESIDENTIAL DESIGN
The Trade Center
6031 South 58th Street, Suite C
Lincoln, NE 68516
Phone: (402) 420-0088
Fax: (402) 420-0089
www.newventures.com

NV20922
AARON AND HEIDI
WUBBELS PLOT PLAN

Cornerstone Barn

Aaron and Heidi Wubbels-owner/operators

Thank you for your consideration of our permit application. The purpose of our application is to construct an approximate 70x100' post and beam barn for weddings and events on our current 30 acre property located at 7600 Panama Rd. The barn would be constructed on the east portion of our property.

Our initial goal would be to host events for up to 400 people on the weekends (weekends: Friday, Saturday and Sunday) starting allowance with 8 events a month and hopefully increasing as business grows.

Parking will be gravel surface and adequate. Handicap stalls will be concrete.

Requested waivers:

1. Waive the requirement that outside areas used for the business not exceed 15,000 square feet to allow the additional area for parking.
2. To allow up to twelve (12) persons, who are not members of the family residing on the premises, to participate on the site to provide catering and other services for events.

Thank you again for your time and consideration.

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
Pre-Existing Special Permit #23J

FINAL ACTION?
Yes

DEVELOPER/OWNER
Nebraska Wesleyan University

PLANNING COMMISSION HEARING DATE
Jan. 11, 2023

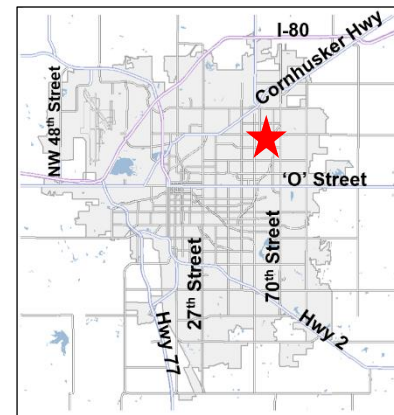
RELATED APPLICATIONS
FPPL22116, FPPL22117, FPPL22118

PROPERTY ADDRESS/LOCATION
Generally 5410 Huntington Avenue,
Lincoln, NE 68504

RECOMMENDATION: CONDITIONAL APPROVAL

BRIEF SUMMARY OF REQUEST

This is a request to expand the area of the special permit to accommodate additional off-street parking for Nebraska Wesleyan University (NWU). The university is zoned R-2 and R-6 and is allowed by a special permit under Section 27.63.075 for "Academies, Private Schools, Community Colleges, Colleges or Other Post Secondary Education Facilities. The parking lots will be generally located 5204 Madison Avenue, 2427 N 56th Street, 5457 Huntington Avenue, 5451 Huntington Avenue, 5445 Huntington Avenue, 5435 Huntington Avenue, 5419 Huntington Avenue, 5033 Huntington Avenue, and 5043 Huntington Avenue.



JUSTIFICATION FOR RECOMMENDATION

The planned additional parking will help relieve the pressure for on-street parking and should serve to benefit the neighborhood. The parking lots do unfortunately result in the demolition of several existing buildings. Each parking lot will have to meet the screening requirements for parking lots next to residential uses.

APPLICATION CONTACT

Dan Rosenthal, (402) 484-7342 or
dan@regaeng.com

STAFF CONTACT

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

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The proposed expansion for parking is in conformance with the Future Land Use Plan in the 2050 Comprehensive Plan and the North 48th Street/University Place Plan. The Future Land Use Plan shows the subject properties as Public and Semi-Public uses. Parking lots for students, staff, faculty, and visitors to the University will provide such a use. The North 48th Street/University Place Plan notes that "An urban university campus adds to these parking problems. NWU, like many colleges, does not meet its parking demand on campus... Universities have difficulty buying the land necessary for surface parking... but have equal difficulty raising funds to build very expensive parking structures. As a result, a good deal of parking demand is met by the neighborhood's already crowded streets" (p. 61). The University Place Plan acknowledges the need for off-street parking near residential areas to reduce over-crowding on-street parking for residents and customers in the surrounding business district.

KEY QUOTES FROM THE 2050 COMPREHENSIVE PLAN

Introduction Section: Growth Framework

Figure GF.b: 2050 - This site is shown as future P - Public and Semi-Public on the 2050 Future Land Use Plan.

Land Use Plan - Public and Semi-Public: Areas of public or semi-public land use and/or structures that serve the general public.

Nebraska Wesleyan Campus is shown as an integral part of the 2004 N 48th Street/University Place Plan, which states:

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

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

ANALYSIS

1. This application is to expand the boundary of the special permit for Nebraska Wesleyan University (NWU). The area of expansion is owned by NWU.
2. The expanded area includes 5033 and 5435 Huntington Avenue and 2427 N 56th Street, and the proposed parking lots will be located at 5204 Madison Avenue, 2427 N 56th Street, 5457 Huntington Avenue, 5451 Huntington Avenue, 5445 Huntington Avenue, 5435 Huntington Avenue, 5419 Huntington Avenue, 5033 Huntington Avenue, and 5043 Huntington Avenue. The applicant's letter states that the existing buildings will be removed to accommodate additional parking
3. The proposed parking areas contain approximately 114 total parking stalls.
4. The parking lots will provide off-street parking for students and help relieve the pressure for on-street parking in the area. Several parking lot expansions and demolitions have been approved in the past to accommodate parking for Nebraska Wesleyan.
5. The Future Land Use Plan in the 2050 Comprehensive Plan identifies one half-block south of Huntington Avenue and 2427 N 56th Street and one half-block north of Madison Avenue as Public and Semi-Public. The subject properties are within this future public and semi-public area and are already owned by Nebraska Wesleyan University. With the demolition of the existing homes at 5435 and 2427 Huntington Avenue, the homeowner at 5427 Huntington Avenue will be surrounded on both sides by parking lots. Removing the existing apartment complex at 5033 Huntington Avenue will leave the owner of 5025 with a parking lot to their east, and a potential parking lot to their west (5019 Huntington Avenue is owned by NWU). The homeowners to the south of each of these properties will have parking lots behind their homes, across the alley. The demolition of the existing structure at 5204 Madison Avenue will leave the residents of 2816 N 52nd Street with a parking lot directly to their south and directly to their west. Across the street, the residents of 5132 Madison Avenue (which is owned by NWU) will have a parking lot to the west.

CONDITIONS OF APPROVAL: See attached.

EXISTING LAND USE & ZONING:	R-2 Residential	Single-family dwelling
	R-6 Residential	Multi-family dwellings

SURROUNDING LAND USE & ZONING

North:	R-6 Residential	Multi-family dwellings
South:	R-2 and R-6 Residential	Single- and Multi-family dwellings
East:	R-6 Residential	Multi-family dwellings
West:	R-2 and R-6 Residential	Single- and Multi-family dwellings

APPLICATION HISTORY

April 13, 1994	PESP #23A for additional off-street parking and for a new health and fitness center was approved by the Planning Commission.
Sept. 8, 1997	PESP #23B to expand an existing parking lot at N. 53 rd St. and Huntington Ave. was approved by the City Council.
Sept. 10, 1997	PESP #23C to expand the boundary of the campus at N 53 rd Street and Huntington Avenue was approved by the Planning Commission.
August 1998	PESP #23D to expand the boundary of the campus at the northwest corner to include two houses to provide room and board for up to ten students was approved by the Planning Commission.
May 6, 2002	PESP #23E to allow the addition of student housing to accommodate 350 students was approved by the City Council.
August 31, 2005	PESP #23F to expand the boundary of the special permit to accommodate additional off-street parking was approved by the Planning Commission.
February 8, 2012	PESP #23G to expand the boundary of the special permit to accommodate additional off-street parking was approved by the Planning Commission
June 13, 2016	PESP #23H to expand the area of the special permit to add a new science building was approved by the Planning Commission.
Feb. 19, 2020	PESP #23I to expand the boundary of the special permit to accommodate additional off-street parking was approved by the Planning Commission.

APPROXIMATE LAND AREA: The area of the existing special permit is approximately 51.38 acres. The area of expansion will increase the acreage to approximately 51.79 acres (the three added properties are approximately 0.41 acres).

LEGAL DESCRIPTION: See attached

Prepared by

Emma Martin, Planner

Date: December 20, 2022

Applicant: REGA Engineering Group, Inc.
601 Old Cheney Road, Suite A
Lincoln, NE 68512
dan@regaeng.com

Contact: REGA Engineering Group, Inc.
601 Old Cheney Road, Suite A
Lincoln, NE 68512
dan@regaeng.com

Owner: Nebraska Wesleyan University
5000 Saint Paul Avenue
Lincoln, NE 68504
402-465-2114

<https://linclanc.sharepoint.com/sites/PlanningDept-DevReview/Shared Documents/DevReview/SP/PESP23J Nebraska Wesleyan University.edm.docx>

CONDITIONS OF APPROVAL - SPECIAL PERMIT #23J

Per Section 27.63.075 this approval permits the expansion of Nebraska Wesleyan University pre-existing special permit to accommodate three additional parking lots.

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 Identify the boundary of the special permit
 - 1.2 Revise the legal description to the satisfaction of the Register of Deeds and Planning Department.

Standard Conditions:

2. The following conditions are applicable to all requests:
 - 2.1 Before starting the operation 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 homeowners 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.

LEGAL DESCRIPTION FOR PRE-EXISTING SPECIAL PERMIT #23‘J’

Lots 10-12, Block 52, University Place

The south 92’ of Lots 7 and 8, and all of Lots 9, 10, 11, and 12, Block 53, University Place

Lots 9-14, Block 55, University Place

Lots 7 and 8, Block 77, University Place

Lots 4-6, Block 85, University Place

All of Lots 1, 2, and 6 and Lot 5 except the east 12’, Block 97, University Place

Lots 1-5, Block 99, University Place

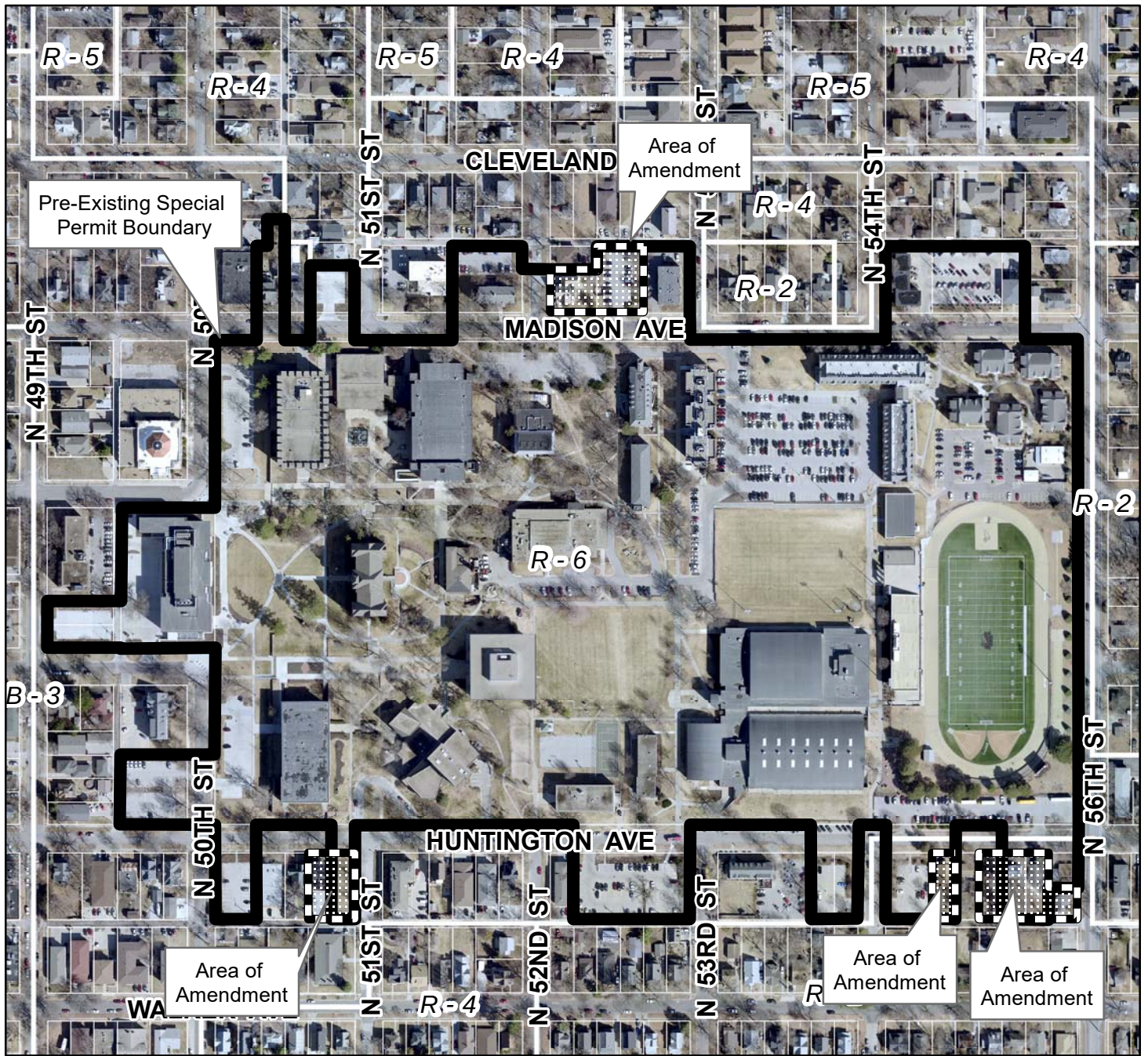
Lots 1 and 2, Block 100, University Place

Lots 1-8, Block 101, University Place

Lot 1, Nebraska Wesleyan University Addition (4950 Baldwin)

Lot 22 I.T. and Lot 24 I.T., located in the Northeast Quarter of Section 17, Township 10 North, Range 7 East of the 6th P.M., Lancaster County, Nebraska

An Irregular Tract between 50th and 56th Street and Madison Avenue and Huntington Avenue; all located in University Place Addition; located in the Northeast Quarter of Section 17, Township 10 North, Range 7 East of the 6th P.M., Lancaster County, Nebraska



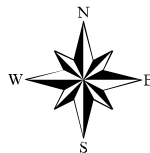
2022 aerial

Special Permit #: PESP23J
Nebraska Wesleyan University
N 56th St & Huntington Av

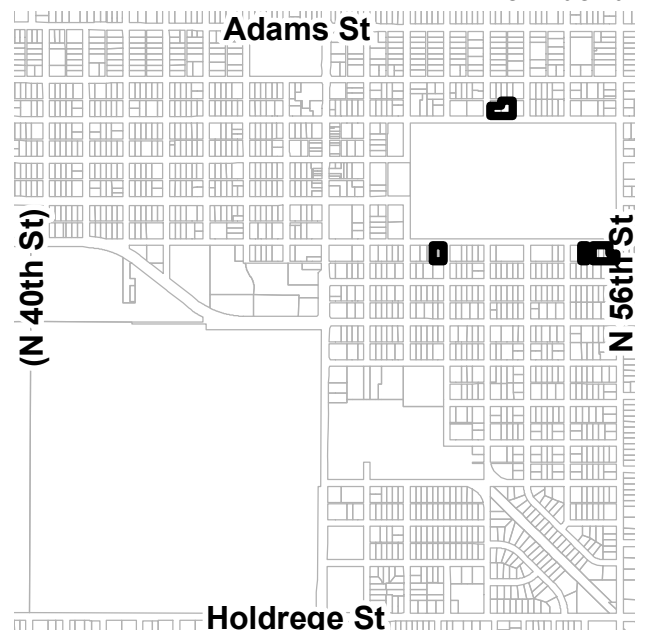
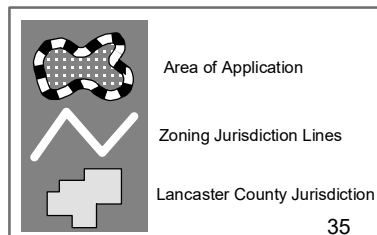
Zoning:

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

PDF: F:\Boards\PC\Internet\out\



One Square Mile:
 Sec.17 T10N R07E



LEGAL DESCRIPTION

Parcel 17-17-218-001-000 (5410 Huntington Ave)
Irregular tract between 50th and 56th Streets and Madison and Huntington Avenues, Section 17, Township 10 N, Range 7 E, of the 6th PM.

Parcel 17-17-235-001-000 (4950 Baldwin Ave)
Lot 1, Nebraska Wesleyan University Addition

Parcel 17-17-220-010-000 (2517 North 50th St) (Area "T")
Lots 1 through 12, Block 53, University Place Addition

Parcels 17-17-211-007-000, 17-17-211-011-000 and 17-17-211-010-000 (5204 & 5240 Madison Ave) (Area "E")
Lots 1 through 12, Block 53, University Place Addition

Parcel 17-17-223-05-000 (5007 Huntington Ave) (Area "J")
Lots 5 and 6 except the east 12 feet, Block Ninety 9, University Place

Parcels 17-17-227-004-000, 17-17-227-003-000 & 17-17-227-002-000 (5445, 5451 & 5457 Huntington Ave) (Area "K")
North 75 feet of Lot 1 and all of Lots 2 and 3, Block 101, University Place

Parcel 17-17-227-017-000 (No site address) (Area "I")
Lots 7 and 8, Block 101, University Place

Parcels 17-17-226-002-000 and 17-17-226-001-000 (5335 & 5343 Huntington Ave) (Area "N")
Lots 1 and 2, Block 100, University Place

Parcel 17-17-225-012-000 (5219 Huntington Ave) (Area "Q")
Lots 1 through 14, Block 99, University Place Addition

Parcels 17-17-213-009-000, 17-17-213-018-000 and 17-17-211-014-000 (5400 to 5448 Madison Ave) (Area "S")
Lots 9 through 14, Block 55, University Place Addition

Parcel 17-17-210-012-000 (5132 Madison Ave) (Area "T")
Lots 10, 11 and 12, Block 52, University Place

Parcel 17-17-209-006-000 (5034 Madison Ave) (Area "V")
Lot 24 I.T., NE Quarter of Section 17, Township 10 N, Range 7 E, 6th PM.

Parcel 17-17-223-001-000 (5043 Huntington Ave) (Area "W")
Lot 1, Block 97, University Place

Parcel 17-17-217-002-000 (2512 North 49th St)
Lot 8, Block 77, University Place

Parcel 17-17-217-003-000 (2502 North 49th St)
Lot 7, Block 77, University Place

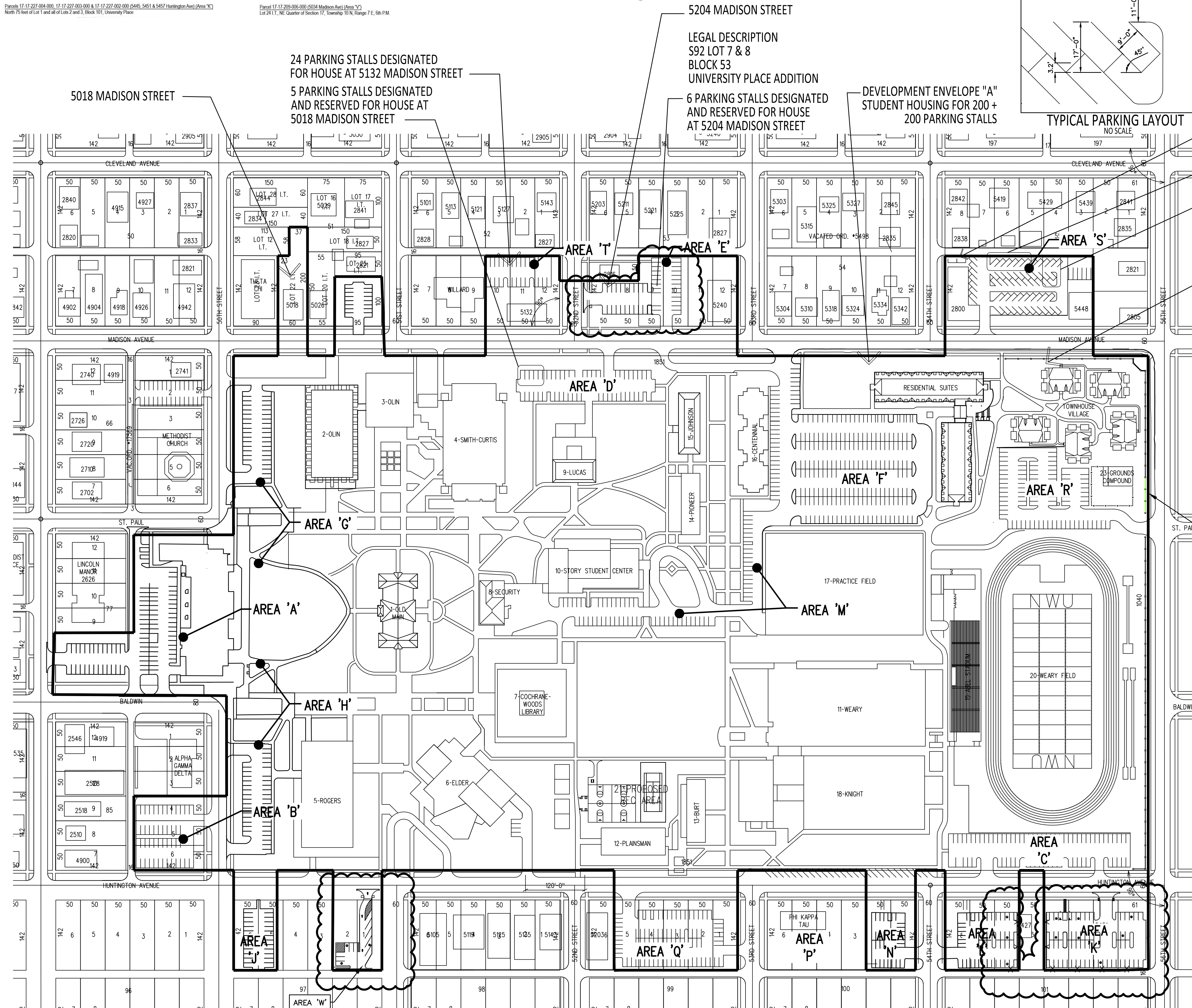
Parcel 17-17-227-000-000 (5435 Huntington Ave) (Area "K")
Lot 1, Block 301, University Place

Parcel 17-17-223-002-000 (5033 Huntington Ave) (Area "W")
Lot 2, Block 97, University Place

Parcel 17-17-227-007-000 (5419 Huntington Ave) (Area "L")
Lot 8, Block 301, University Place

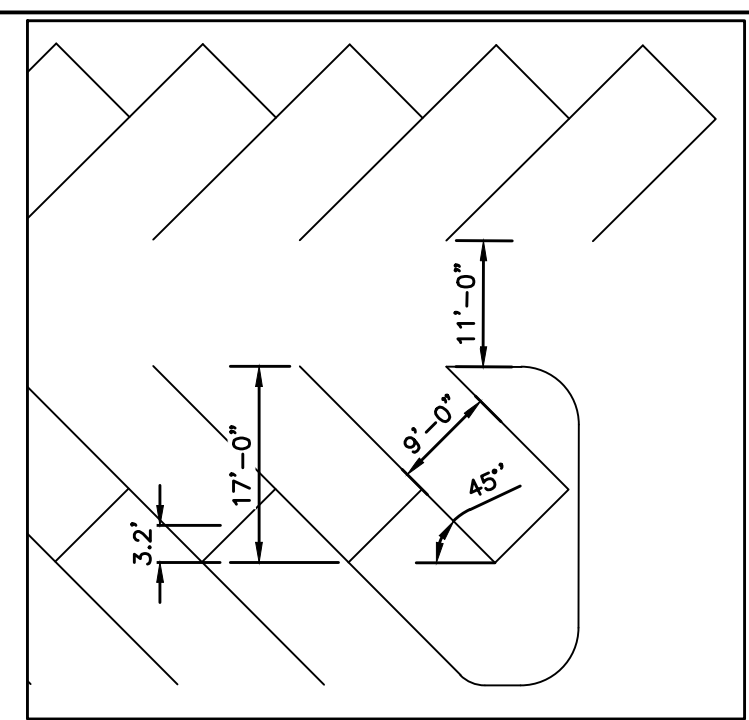
Parcel 17-17-227-005-000 (5435 Huntington Ave) (Area "K")
Lot 8, Block 301, University Place

Parcel 17-17-227-000-000 (5437 N. 56th St) (Area "K")
Lot 1, Block 301, University Place



NORTH
SCALE 1" = 100'

100 0 100 200 300 Feet



TYPICAL PARKING LAYOUT

2' PUBLIC ACCESS EASEMENT

6 PARKING STALLS DESIGNATED AND RESERVED FOR STUDENT HOUSING PARKING AT 2800 MADISON AVE

TYPICAL PARKING LAYOUT

DEVELOPMENT ENVELOPE "B" STUDENT HOUSING FOR 152 + 87 PARKING STALLS

BUILDING INDEX:

1. OLD MAIN
2. OLIN HALL OF SCIENCE
3. OLIN LECTURE HALLS AND PLANETARIUM
4. SMITH-CURTIS CLASSROOM AND ADMINISTRATION BUILDING
5. VANCE D. RODGERS CENTER FOR FINE ARTS
6. ELDER MEMORIAL SPEECH AND THEATER CENTER
7. COCHRANE-WOODS LIBRARY
8. HEATING PLANT
9. RACHEL ANN LUCAS HALL
10. ROY G. STORY STUDENT CENTER
11. MARION M. & ARIAN O. WEARY HEALTH AND FITNESS CENTER
12. PLANSMAN HALL
13. BURT HALL
14. PIONEER HALL
15. JOHNSON HALL
16. CENTENNIAL HALL
17. NICKERSON FIELD
18. GEORGE A. KNIGHT FIELD HOUSE
19. ABEL STADIUM
20. WOODY GREENO TRACK AND FIELD FACILITY
21. OUTDOOR SPORTS RECREATION AREA
22. COLLEGE HOME
23. GROUNDS COMPOUND
24. SCIENCE BUILDING (PROPOSED)
25. WHITE HALL SUITES
26. HEIM HALL SUITES
27. TOWNHOUSE VILLAGE
28. WRESTLING FACILITY

SPECIAL PERMIT BOUNDARY

OFF STREET PARKING SUMMARY:

A	AREA A - 62 STALLS	EXISTING
B	AREA B - 48 STALLS	EXISTING
C	AREA C - 83 STALLS	EXISTING
D	AREA D - 45 STALLS	EXISTING
E	AREA E - 41 STALLS	EXISTING AND NEW
F	AREA F - 230 STALLS	PHASE ONE COMPLETED 1993
G	AREA G - 36 STALLS	EXISTING
H	AREA H - 39 STALLS	EXISTING
I	AREA I - 26 STALLS	EXISTING
J	AREA J - 60 STALLS	FUTURE LAND ACQUISITION
K	AREA K - 41 STALLS	EXISTING AND NEW
L	AREA L - 14 STALLS	EXISTING - TEMPORARY
M	AREA M - 25 STALLS	EXISTING
N	AREA N - 72 STALLS	EXISTING
O	AREA O - 80 STALLS	EXISTING
P	AREA P - 63 STALLS	EXISTING
Q	AREA Q - 24 STALLS	EXISTING
R	AREA R - 26 STALLS	EXISTING
S	AREA S - 16 STALLS	PROPOSED
T	AREA T - 10 STALLS	PROPOSED
U	AREA U - 10 STALLS	PROPOSED
V	AREA V - 10 STALLS	PROPOSED
W	AREA W - 10 STALLS	PROPOSED
X	AREA X - 10 STALLS	PROPOSED
Y	AREA Y - 10 STALLS	PROPOSED
Z	AREA Z - 10 STALLS	PROPOSED

STREET PARKING SUMMARY:

MADISON AVENUE	PARALLEL PRKG. - 50 SPACES	EXISTING
50TH STREET	PARALLEL PRKG. - 14 SPACES	PROPOSED
HUNTINGTON AVENUE	PARALLEL PRKG. - 23 SPACES	EXISTING
HUNTINGTON AVENUE	ANGLED PRKG. - 28 STALLS	EXISTING
SUBTTL.		115 SPACES

PROPOSED PARKING SUMMARY:

198 STALLS	TOTAL OFF STREET PARKING
115 SPACES	STREET PARKING
GRAND TOTAL	1311 SPACES

PROJECT

221020

REGA
ENGINEERING
GROUP, INC.

601 OLD CHENEY RD., SUITE A
LINCOLN, NEBRASKA 68512
(402) 484.7342

- ENGINEERING
- PLANNING
- LANDSCAPE ARCHITECTURE
- LAND SURVEYING
- IRRIGATION

ISSUED FOR DATE

CITY LINCOLN 11/23/22

AMENDMENT TO SPECIAL PERMIT #231
NEBRASKA WESLEYAN UNIVERSITY
5000 ST. PAUL AVE.
LINCOLN, NEBRASKA

SHEET NO.

1 of 1

REGA

ENGINEERING
GROUP, INC.

November 21, 2022

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



RE: Nebraska Wesleyan University – Special Permit No. 23
REGA Project Number 221020

Dear David,

On behalf of Nebraska Wesleyan University, we are submitting an application to amend the Special Use Permit No. 23 generally located at 50th Street and Madison Ave.

Application is to change the boundaries of the Special Use Permit, remove existing buildings and construct additional parking. We are currently in the process of replatting the lots to accommodate the parking lots.

Please contact us if you have any questions or concerns.

Sincerely,



Dan Rosenthal, PE

LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT

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

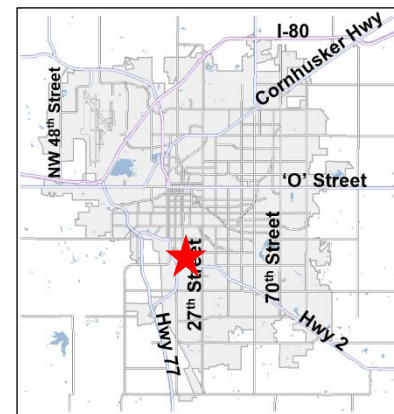
APPLICATION NUMBER Change of Zone #22035	FINAL ACTION? No	DEVELOPER/OWNER Southhills, LLC
PLANNING COMMISSION HEARING DATE December 21, 2022	RELATED APPLICATIONS Use Permit #22013 Special Permit #22038	PROPERTY ADDRESS/LOCATION Generally located at the southeast corner of Old Cheney Road and Norman Road.

RECOMMENDATION: APPROVAL

BRIEF SUMMARY OF REQUEST

This is a request for a change of zone from both R-1, Residential and B-1, Commercial, to B-2, Planned Neighborhood Business District, and from B-1, Commercial to R-1, Residential. This request is associated with applications for Use Permit #22013 for the Knolls Plaza and Special Permit #22038 for the Knolls Community Unit Plan (CUP). The change of zone area totals approximately 7.21 acres, with 6.39 acres associated with the Use Permit for Knolls Plaza, and .82 acres associated with the Knolls CUP. The current zoning for this area today is a remnant of the previous Knolls Country Club golf course and restaurant consisting of R-1 and B-1 zoning.

The change of zone from both B-1 and R-1 to B-2, Commercial will allow for an associated 6.4 acre Use Permit for the Knolls Plaza along Old Cheney Road. The proposed Use Permit will allow for up to 75,000 square feet of floor area with restrictions on more intensive uses. The remaining portion of the request from B-1 to R-1 will support the associated Special Permit request for the Knolls CUP proposing up to 36 single family detached dwellings.



JUSTIFICATION FOR RECOMMENDATION

This change of zone request is appropriate as it will allow for the proper zoning for both the associated Knolls Plaza Use Permit and Knolls CUP and consistent with the surrounding area and property along a major arterial roadway. Once operated as the Knolls Country Club, the property has sat vacant for a number of years with a majority of the subject area zoned R-1, Residential. A Traffic Impact Study has been submitted for review of the future access locations for the site.

APPLICATION CONTACT

Brad Marshall, (402) 458-5672 or
bmarshall@olsson.com

STAFF CONTACT

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

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

This request is compatible with the Comprehensive Plan as the area is shown to continue as both future urban residential and commercial uses. The Comprehensive Plan defines Commercial as areas of retail, office, service and residential mixed uses that can vary in intensity and use. Urban Residential is defined as areas with varying residential densities ranging from more than fifteen dwelling units per acres to less than one dwelling unit per acre. Undeveloped areas shown as Urban Residential may also include neighborhood-scale commercial and other compatible uses that will be added to the Comprehensive Plan Land Use map after approval of development plans.

KEY QUOTES FROM THE 2050 COMPREHENSIVE PLAN

Introduction Section: Growth Framework

Figure GF.b: 2050 - This site is shown as future Commercial and Urban Residential on the 2050 Future Land Use Plan.

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. This can be accomplished by redeveloping underutilized commercial centers into areas that include a mix of uses, and encouraging higher-density residential redevelopment in appropriate locations, including missing middle housing. New infrastructure investments to serve growth areas can be maximized by encouraging a higher density of both residential and commercial uses in these areas.

The Community in 2050

The following assumptions provide the framework for growth in the 2050 plan.

Lancaster County is projected to add approximately 53,000 households by 2050, with 48,000 of those new households in Lincoln (roughly 1,600 new households per year).

25 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.

The population age 65 and above is projected to increase from 45,600 (14.2 percent of total) in 2020 to 74,900 (17 percent of total) in 2050.

Benefits of Well-Planned Growth

Continued investment within the city ensures that our existing neighborhoods and commercial areas remain vibrant and desirable locations. More "rooftops" near existing commercial areas help to support continued commercial investment.

Elements Section

E1: Complete Neighborhoods and Housing

A complete neighborhood is more than housing - great neighborhoods combine all the elements of parks, education, commercial areas, environmental resources, and housing together in one place.

A complete neighborhood is one where residents have safe and convenient access to goods and services needed for daily life activities.

Existing Neighborhoods

The diversity of architecture, housing types and sizes are central to what make existing neighborhoods great places to live. New construction should continue the architectural variety, but in a manner that is sensitive to the existing neighborhoods. Infill and redevelopment is supported and must respect the street pattern, block sizes, and development standards of the area, such as parking at the rear and porches, windows, and doors on the front street side. The City's primary strategy for residential infill and redevelopment outside of the Greater Downtown is to encourage the redevelopment and reuse of sites and buildings in commercial areas in order to create new mixed use centers that are compatible and complementary to adjacent neighborhoods. Modest opportunities for redevelopment may also be appropriate along "neighborhood edges." Neighborhood edges include arterial streets and transition zones between lower density residential and commercial areas.

E2: Infill and Redevelopment

Infill and Redevelopment Approach

PlanForward identifies the potential for 12,000 new dwelling units to be located within the existing built-out

portion of the City, roughly 25 percent of the projected 48,000 new dwelling units to be built citywide by 2050.

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.

Neighborhood Centers

Neighborhood Centers typically range in size from 50,000 to 250,000 square feet of commercial space. They provide services and retail goods oriented to the neighborhood level, with significant pedestrian orientation and access. Residential mixed use is encouraged.

Neighborhood centers are a key element of the Complete Neighborhoods concept discussed in the associated Goal and Element.

These centers typically serve the neighborhood level. Neighborhood Centers should be located approximately ½ mile apart, depending upon their size, scale, function and the population of the surrounding area. Future Neighborhood Centers are typically not sited on the Future Land Use map in advance but are identified as development plans are approved.

Commercial Infill

Figure E3.f: Commercial Infill Design Strategies

1. Encourage additional vehicular access to an arterial street.
2. Encourage a Floor Area Ratio that exceeds to existing/previous commercial uses on the site.
3. Face existing residential uses with new residential uses rather than the backs of commercial buildings unless existing residential faces the opposite direction such as along an alley.
4. Discourage commercial driveways that interrupt the blockface of a residential street, especially when residences face the street.
5. Encourage shared driveways and interconnected parking lots where possible.
6. Orient buildings to the street, especially corners.
7. Maintain or adaptively reuse existing structures (especially historical structures) where possible.
8. Encourage a vertical mix of residential and commercial use types.
9. Encourage shared parking between land uses with different peak demand periods.
10. Maintain or enhance on-street parking resources, especially in established/historic commercial districts

Policies Section

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.

Action Steps

1. Encourage redevelopment of aging and underutilized commercial centers, along with other large sites in existing areas such as former schools and residential acreages, to add a variety of housing types that are

affordable to diverse income levels. A mix of residential and commercial uses is desirable in locations with good visibility and access, such as most existing commercial centers, but in some cases redevelopment sites are more suited for exclusively residential uses.

2. Encourage redeveloped commercial centers to incorporate a variety of medium and high-density housing affordable to diverse income levels that could serve as a transitional use to less intensive residential development and benefit from walkable access to the commercial area and transit.
4. Provide a mechanism for adjustments in older zoning districts to lot area, height, setbacks, and parking standards, similar to the provisions already available for newer districts.
5. Strive for predictability for neighborhoods and developers for residential development and redevelopment.
6. Encourage efforts to find new uses for abandoned, under-utilized or “brownfield” sites that are contaminated, through redevelopment and environmental mitigation.
7. Environmentally sensitive areas (i.e. floodplains, wetlands, native prairie) may not be appropriate for redevelopment. When redevelopment does occur, environmentally sensitive areas need to be considered and incorporated holistically as part of a redevelopment project.

P14: Commercial Infill - Develop infill commercial areas to be compatible with the character of the area.

Action Steps

1. Implement commercial infill redevelopment principles as discussed in the Business & Economy element.
2. Maintain and encourage businesses that conveniently serve nearby residents, while ensuring compatibility with adjacent neighborhoods.
3. Avoid encroachment into existing neighborhoods during expansion of existing commercial and industrial uses, and take steps to ensure expansions are in scale with the adjacent neighborhood, use appropriate screening, fulfill a demonstrated need, and do not hinder health and safety.
4. Prioritize retaining areas for continued residential development in older sections of the community by maintaining existing housing and supporting infill housing. Prior to approving the removal of housing to provide additional parking for existing centers, alternatives such as reduced parking requirements, shared parking, additional on-street parking, and/or the removal of other commercial structures should be explored. Maintain and encourage ethnically diverse commercial establishments that are beneficial to existing neighborhoods.

ANALYSIS

1. This request for a change of zone to both B-2, Planned Neighborhood Business District and R-1, Residential is appropriate with associated and proposed Use Permit #22013 and Special Permit #22038. This change will allow for the Knolls Plaza Use Permit following limited B-2, Commercial uses within the northern portion of the subject site along Old Cheney Road totaling 6.4 acres. The second request is for a remaining .8 acres from B-1, Commercial to R-1, Residential which will be part of a larger 13.25 acre proposed Knolls CUP allowing up to 36 single family dwellings. The CUP proposes additional setbacks as a buffer between the new residential development and existing neighborhood.
2. Historically when operated as the Knolls County Club a large portion of the golf course was zoned R-1, Residential that is still existing today. The area of B-1, Commercial was the location of the Knolls County Club and Restaurant that has since been demolished. A portion of the golf course has been redeveloped on the west side of Norman Road with the construction of the Knolls Assisted Living in 2019.
3. The requested zoning is compatible with the surrounding neighborhood as R-1, Residential exists to the north across Old Cheney Road, to the south, and to the east of this subject site. To the west is the Knolls Assisted Living and zoned R-2, Residential. The proposed B-2, Commercial zoning to allow the Knolls Plaza Use Permit would locate the nonresidential uses along Old Cheney Road, a major arterial roadway, while the Knolls CUP would locate the residential uses to the south of the Knolls Plaza and abut similar and existing residential uses.
4. With the change of zone request, the north area abutting Old Cheney Road will be changing from R-1 to B-2, including an existing R-1 lot on the northeast corner that was previously used for the Knolls Country Club maintenance building which will be removed with future development. This northeast portion of the site will then change to B-2 and abut the rear property line of two existing R-1 single family homes at 5707 and 5727 The Knolls. Although both lots currently neighbor R-1 zoning today, the change to B-2 will be minimized as the associated Use Permit will include measures to reduce adverse impacts by providing a 50-foot setback buffer and limiting the Use Permit to less intensive B-2 uses in nature. Currently the maintenance building sits approximately 5 feet from the

neighboring properties rear property line.

5. The change of zone is consistent with the Comprehensive Plan and future land use map as the site designates this area for urban density residential and commercial. The future land use map shows these designations as a relative boundary on the map and are not exact locations like zoning. In addition, an amendment to the Comprehensive Plan is not required when 5-acres or less is being designated for commercial. Although the area requested as B-2 totals 6.4 acres, approximately 1.7 acres of the site will be dedicated as an outlot for the detention pond, increased setback buffer and green space, making the commercial area smaller than 5 acres. Generally, smaller commercial areas less than 5 acres are not required to be identified specifically on the Future Land Use map. The Comprehensive Plan highlights goals for infill development as the change of zone would allow for proposed commercial and additional residential dwelling units within an existing neighborhood.

CONDITIONS OF APPROVAL: See attached.

EXISTING LAND USE & ZONING: Vacant, Previous Knolls Golf County Club B-1, Commercial & R-1, Residential

SURROUNDING LAND USE & ZONING

North: Old Cheney Road & Single Family Residential	R-1, Residential
South: Single Family Residential	R-1, Residential
East: Single Family Residential	R-1, Residential
West: Knolls Assisted Living	R-2, Residential

APPROXIMATE LAND AREA: 7.21 acres, more or less

LEGAL DESCRIPTION: See attached.

Prepared by

Ben Callahan, Planner

Date: December 8, 2022

Applicant: Brad Marshall
601 P Street, Ste 200
Lincoln, NE 68508
(402) 458-5672
Bmarshall@olsson.com

Contact: Brian Lang
601 P Street, Ste 200
Lincoln, NE 68508
(402) 458-5691
blang@olsson.com

Owner: Southhills, LLC
1717 Trelawney Drive
(402) 432-5822
Transitioneast9@gmail.com

<https://linclanc.sharepoint.com/sites/PlanningDept-DevReview/Shared Documents/DevReview/CZ/22000/CZ22035 Knolls.bmc.docx>

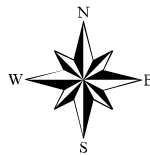


2022 aerial

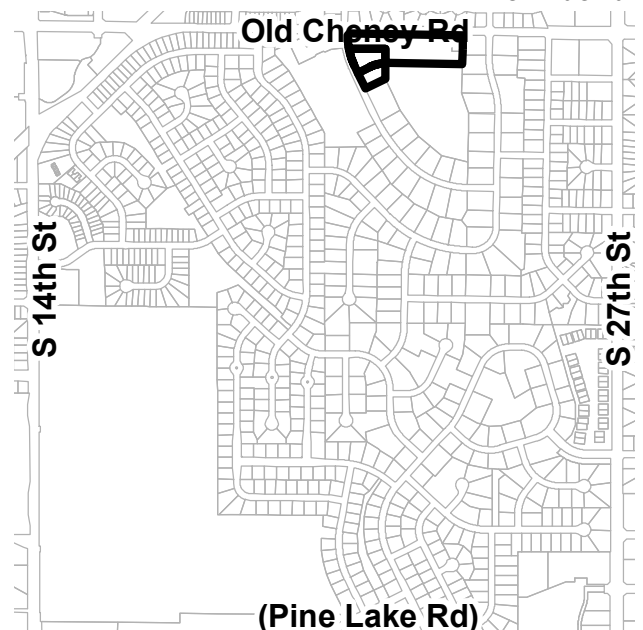
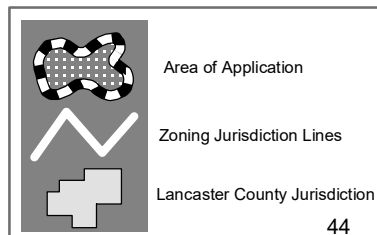
Change of Zone #: CZ22035 Norman Rd & Old Cheney Rd

Zoning:

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



One Square Mile:
Sec.13 T09N R06E



LEGAL DESCRIPTION
B-1 TO B-2

A TRACT OF LAND COMPOSED OF A PORTION OF LOT 1, THE KNOLLS COUNTRY CLUB ADDITION, LOCATED IN THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 09 NORTH, RANGE 06 EAST OF THE 6TH P.M., CITY OF LINCOLN, LANCASTER COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 2, THE KNOLLS COUNTRY CLUB ADDITION, SAID POINT BEING ON THE SOUTH RIGHT OF WAY LINE OF OLD CHENEY ROAD, THENCE, SOUTH, ON THE EAST LINE OF SAID LOT 2, AND AN EAST LINE OF SAID LOT 1, ON AN ASSUMED BEARING OF $S00^{\circ}47'05''W$, A DISTANCE OF 260.84' TO A POINT; THENCE $N89^{\circ}15'02''W$, DISTANCE OF 666.26' TO A POINT OF CURVATURE FOR A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A CENTRAL ANGLE OF $04^{\circ}24'55''$, A RADIUS OF 395.00', AN ARC LENGTH OF 30.44', A CHORD LENGTH OF 30.43', A TANGENT LENGTH OF 15.23', AND A CHORD BEARING OF $S88^{\circ}32'30''W$, TO THE TRUE POINT OF BEGINNING; THENCE, CONTINUING, COUNTER CLOCKWISE ON SAID CURVE HAVING A CENTRAL ANGLE OF $22^{\circ}14'55''$, A RADIUS OF 395.00', AN ARC LENGTH OF 153.38', A CHORD LENGTH OF 152.42', A TANGENT LENGTH OF 77.67', AND A CHORD BEARING OF $S75^{\circ}12'35''W$ TO A POINT; THENCE $S64^{\circ}05'08''W$, A DISTANCE OF 113.15' TO A POINT; THENCE $N25^{\circ}20'12''W$, ON A WEST LINE OF SAID LOT 1, SAID LINE BEING AN EAST RIGHT OF WAY LINE OF NORMAN ROAD, A DISTANCE OF 68.41' TO A POINT OF CURVATURE FOR A NON-TANGENT CURVE IN A CLOCKWISE DIRECTION, HAVING A CENTRAL ANGLE OF $14^{\circ}17'50''$, A RADIUS OF 664.63', AN ARC LENGTH OF 165.85', ON A WEST LINE OF SAID LOT 1, SAID LINE BEING AN EAST LINE OF SAID RIGHT OF WAY, A CHORD LENGTH OF 165.42', A TANGENT LENGTH OF 83.36', AND A CHORD BEARING OF $N18^{\circ}10'27''W$ TO A POINT; THENCE $S89^{\circ}15'02''E$, A DISTANCE OF 331.70' TO A POINT; THENCE $S00^{\circ}44'58''W$, A DISTANCE OF 126.31' TO THE POINT OF BEGINNING, SAID TRACT CONTAINS A CALCULATED AREA OF 50,658.24 SQUARE FEET OR 1.16 ACRES, MORE OR LESS.

November 1, 2022

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LEGAL DESCRIPTION
B-1 TO R-1

A TRACT OF LAND COMPOSED OF A PORTION OF LOT 1, THE KNOLLS COUNTRY CLUB ADDITION, LOCATED IN THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 09 NORTH, RANGE 06 EAST OF THE 6TH P.M., CITY OF LINCOLN, LANCASTER COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 2, THE KNOLLS COUNTRY CLUB ADDITION, SAID POINT BEING ON THE SOUTH RIGHT OF WAY LINE OF OLD CHENEY ROAD, THENCE, SOUTH, ON THE EAST LINE OF SAID LOT 2, AND AN EAST LINE OF SAID LOT 1, ON AN ASSUMED BEARING OF $S00^{\circ}47'05''W$, A DISTANCE OF 260.84' TO A POINT; THENCE $N89^{\circ}15'02''W$, DISTANCE OF 666.26' TO A POINT OF CURVATURE FOR A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A CENTRAL ANGLE OF $04^{\circ}24'55''$, A RADIUS OF 395.00', AN ARC LENGTH OF 30.44', A CHORD LENGTH OF 30.43', A TANGENT LENGTH OF 15.23', AND A CHORD BEARING OF $S88^{\circ}32'30''W$, TO THE TRUE POINT OF BEGINNING; THENCE $S00^{\circ}44'58''W$, A DISTANCE OF 143.26' TO THE NORTH EAST CORNER OF LOT 46, CHEZ AMI KNOLLS FIRST ADDITION, SAID CORNER BEING A WEST CORNER OF SAID LOT 1; THENCE $S64^{\circ}39'48''W$, ON A SOUTHEAST LINE OF SAID LOT 1, SAID LINE BEING A NORTH WEST LINE OF SAID LOT 46, A DISTANCE OF 200.00' TO A NORTHWEST CORNER OF SAID LOT 46, SAID CORNER BEING A SOUTHWEST CORNER OF SAID LOT 1; THENCE $N25^{\circ}20'12''W$, ON A SOUTHWEST LINE OF SAID LOT 1, SAID LINE BEING A NORTH EAST LINE OF NORMAN ROAD RIGHT OF WAY, A DISTANCE OF 155.42' TO A POINT; THENCE $N64^{\circ}05'08''E$, A DISTANCE OF 113.15' TO A POINT OF CURVATURE FOR A CURVE IN A CLOCKWISE DIRECTION, HAVING A CENTRAL ANGLE OF $22^{\circ}14'55''$, A RADIUS OF 395.00', AN ARC LENGTH OF 153.38', A CHORD LENGTH OF 152.42', A TANGENT LENGTH OF 77.67', AND A CHORD BEARING OF $N75^{\circ}12'35''E$ TO THE POINT OF BEGINNING, SAID TRACT CONTAINS A CALCULATED AREA OF 35,723.82 SQUARE FEET OR 0.82 ACRES, MORE OR LESS.

November 1, 2022

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LEGAL DESCRIPTION

R-1 TO B-2

A TRACT OF LAND COMPOSED OF LOT 2, AND A PORTION OF LOT 1, THE KNOLLS COUNTRY CLUB ADDITION, LOCATED IN THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 09 NORTH, RANGE 06 EAST OF THE 6TH P.M., CITY OF LINCOLN, LANCASTER COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 2, SAID POINT BEING ON THE SOUTH RIGHT OF WAY LINE OF OLD CHENEY ROAD, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE, SOUTH, ON THE EAST LINE OF SAID LOT 2, AND AN EAST LINE OF SAID LOT 1, ON AN ASSUMED BEARING OF S00°47'05"W, A DISTANCE OF 260.84' TO A POINT; THENCE N89°15'02"W, DISTANCE OF 666.26' TO A POINT OF CURVATURE FOR A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A CENTRAL ANGLE OF 04°24'55", A RADIUS OF 395.00', AN ARC LENGTH OF 30.44', A CHORD LENGTH OF 30.43', A TANGENT LENGTH OF 15.23', AND A CHORD BEARING OF S88°32'30"W TO A POINT; THENCE N00°44'58"E, A DISTANCE OF 126.31' TO A POINT; THENCE N89°15'02"W, A DISTANCE OF 331.70' TO A POINT OF CURVATURE FOR A NON-TANGENT CURVE IN A CLOCKWISE DIRECTION, HAVING A CENTRAL ANGLE OF 10°29'16", A RADIUS OF 664.63', AN ARC LENGTH OF 121.66', ON A WEST LINE OF SAID LOT 1, SAID LINE BEING AN EAST LINE OF NORMAN ROAD RIGHT OF WAY, A CHORD LENGTH OF 121.49', A TANGENT LENGTH OF 61.00', AND A CHORD BEARING OF N05°46'54"W TO A POINT; THENCE N45°25'45"E, ON A NORTHWEST LINE OF SAID LOT 1, A DISTANCE OF 21.09' TO A POINT; THENCE S89°15'02"E, ON A NORTH LINE OF SAID LOT 1 AND THE NORTH LINE OF SAID LOT 2, SAID LINE BEING THE SOUTH RIGHT OF WAY LINE OF SAID OLD CHENEY ROAD, A DISTANCE OF 1,027.51' TO THE POINT OF BEGINNING, SAID TRACT CONTAINS A CALCULATED AREA OF 227,915.11 SQUARE FEET OR 5.23 ACRES, MORE OR LESS

Tuesday, November 1, 2022

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November 3, 2022

Mr. David Cary
Planning Director
Planning Department
555 South 10th St., Suite 213
Lincoln, NE 68508

Re: Knolls Plaza
Change of Zone and Use Permit
Olsson Project No. 020-0895

Dear Mr. Cary,

On behalf of Southhills, LLC ("Southhills"), the owner of the real property legally described as Lots 1 & 2 The Knolls Country Club Addition and Lots 45-56 Chez Ami Knolls First Addition, all located in the Northeast quarter of Section 13, Township 9 North, Range 6 East of the 6th P.M., Lancaster County, Nebraska ("the Property") is proposing a Use Permit and change of zone for a B-2 Neighborhood Commercial Center on the Property containing 6.40 acres. The Use Permit proposes up to 75,000 sq. ft. of allowable floor area for commercial uses.

The Property proposes two driveways for access, one from Norman Road and another from Old Cheney Road between Norman Road and The Knolls (Street). The proposed access from Old Cheney exceeds the spacing requirements per Access Management Policy for access points on Old Cheney Road, classified as a minor arterial street. A traffic study is being submitted with the application documents to support the new access location. The new access will help reduce the overall traffic impact to the intersection of Norman Road and Old Cheney and provide a primary point of entrance and exit of the commercial center.

Southhills is proposing to restrict several permitted and conditional uses in the proposed B-2 zone as part of the application. The restricted uses will eliminate several intensive traffic generating uses to reduce traffic impacts and potential undesirable uses to the existing residences adjacent to the project. The following uses are proposed to be restricted, including apartment hotels, multiple family dwellings, hotels and motels, motorized vehicle fuel sales facility, motorized vehicle repair/service, fast food or drive-thru eating facilities, kennels, motorized vehicle wash facilities and veterinary facilities. The commercial uses provide an opportunity to enhance and provide local supportive services to the surrounding neighborhood.

A 50-foot buffer will be provided to all existing and proposed R-1 residential properties. The buffer areas will include a detention area, berming, landscaping and walkways. Sidewalks will increase pedestrian circulation and provide connections to the proposed The Knolls Community Unit Plan ("CUP") and Old Cheney Road sidewalks that lead to other walkable areas and trails. The berming and landscape screening will help reduce impacts from the proposed commercial area buildings, parking, lighting, and sounds.

Detention and water quality will be located within the boundary of the Use Permit and will also be shared with The Knolls Community Unit Plan. A drainage and water quality study is being submitted with the application documents to provide the details of the proposed drainage between the two applications.

The applicant will hold a neighborhood informational meeting the week of November 21st, where neighbors will be invited to attend and find out more information about the proposed Use Permit and ask questions.

The development team has met with City Staff in a preapplication meeting discuss the proposed applications and will continue to work with Staff as the plans are reviewed.

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

1. City of Lincoln Application, including:
 - a. Use Permit
 - b. Change of Zone from B-1 to B-2 and R-1 to B-2.
2. Use Permit Site Plan
3. Application fees in the amount of \$3,244.80

Plans and other supporting documents will be submitted to ProjectDox upon notification from the Planning Staff. We appreciate your consideration of the above request and look forward to working with the City staff on this proposed Use Permit and change of zone. If you require further information or have any questions, please do not hesitate to contact me at bmarshall@olsson.com or (402) 458-5672.

Sincerely,



Brad J Marshall, P.E.

Enclosures.



November 3, 2022

Mr. David Cary
Planning Director
Planning Department
555 South 10th St., Suite 213
Lincoln, NE 68508

Re: The Knolls
Change of Zone and Use Permit
Olsson Project No. 020-0895

Dear Mr. Cary,

On behalf of Southhills, LLC ("Southhills"), the owner of the real property legally described as Lots 1 & 2 The Knolls Country Club Addition and Lots 45-56 Chez Ami Knolls First Addition, all located in the Northeast quarter of Section 13, Township 9 North, Range 6 East of the 6th P.M., Lancaster County, Nebraska ("the Property") is proposing a R-1 Community Unit Plan ("CUP") and change of zone. The property contains approximately 13.25 acres.

The application for the Community Unit Plan proposes a plan to create a community of single family detached dwellings that will be marketed as luxury "villa" lots. The villa style homes will be a community of similar-style homes that will offer high-end housing and lower maintenance lifestyles. The expected values of the homes will be consistent or higher than many of the surrounding property valuations.

The allowable density of the R-1 zone would allow up to 51 dwellings; however, the CUP proposes a total of 36 dwellings that have been carefully sized to balance the proposed vision of the new villa community and surrounding larger residential lots. Many of the adjacent lots to existing homes have been designed to provide buffers for grading and additional depth to exceed the minimum setbacks.

Several communities in Lincoln that offer larger and more luxurious lots also share adjacent alternative housing styles while maintaining comfortable and convenient living. Firethorn, the Ridge and Wilderness Ridge are all communities that have areas of high-end single family lots and share communities of attached single family (duplex) and villa communities. The communities include Eagle View and the Fairways at Firethorn, Lone Tree Townhouses at The Ridge, Wilderness Ridge Townhomes at Wilderness Ridge. In comparison to this application, Eagle View at Firethorn was developed around established and large homes very similar to the existing Knolls residences surrounding this Property.

The proposed layout has several common areas (outlots) to provide additional buffering space, which will include berming and landscaping. The purpose of these areas is to provide additional space and screening around proposed and existing lots to streets to reduce impacts of vehicles and sounds.

The applicant will hold a neighborhood informational meeting the week of November 21st, where neighbors will be invited to attend and find out more information about the proposed community and ask questions.

The CUP is being requested, in lieu of a Preliminary Plat, to include the following waivers that will provide some additional flexibility around the existing residences and accommodate the layout that is challenged with a property that is uniquely shaped for new residential lots:

1. Table 27.72.020(a) to reduce Front Yard setback from 30 feet to 20 feet for all lots.

Justification: The dwelling footprints may move closer to the streets and therefore move the footprint 10 feet further away from the rear property line and away from existing residential properties.

2. Table 27.72.020(a) to reduce Side Yard setback from 10 feet to 7.5 feet for all lots except 13, 14, 24, and 25 that are adjacent to existing residential properties.

Justification: The dwelling footprints for a villa lot is intended to cover more of the lot for living areas and less maintenance areas outside. The closer footprint will allow the homes to be closer to provide larger footprints and still allow a minimum of 15 feet between dwelling walls.

3. Table 26.23.140(c) to allow side lot lines not to be at right angles to the street.

Justification: In several areas near or around cul-de-sacs, the lot lines are not at right angles, but due to the size of the cul-de-sacs and curves, provides a better lot layout. Side loaded garages are being planned for each dwelling and the lot lines have been adjusted for the size of proposed dwellings and driveway locations.

4. Table 26.23.125 to waive a pedestrian way when the block exceeds 1,000 feet in length at the end of Spring Court and Summertime Court.

Justification Summertime Court: The City may desire a pedestrian connection between lots 7 and 9 of Chez Ami Knolls because the City owns a 10 feet wide strip between lots 7 and 9. The proposed grades at the rear of lots 14 and 24 are 7 feet below the existing grades of lots 7 and 9. The drop in grade from the front of lot 7 and 9 to the rear is around 15 feet according to City GIS, for a total of 22 feet of vertical change. The overall change of grade would equate to a slope of 8% - 9%, which would exceed ADA slopes for ramps with handrails. Lastly, in order to install a sidewalk between lots 7 and 9, several large trees and landscaping would need to be removed. In all, the applicant would be sensitive to the impacts of the adjacent property owners and ask that this waiver be granted.

Justification Spring Court: there is a slope of approximately 8 feet on the east side of Lot 25. Due to the grades and the proposed berming to the north of lot 25 to provide screening between the residential and commercial, the pedestrian connection has been moved between lots 33 and 34 that will be shared with storm sewer and allow a flatter grade through the buffer area.

The development team has met with City Staff in a preapplication meeting discuss the proposed applications and will continue to work with Staff as the plans are reviewed.

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

1. City of Lincoln Application, including:
 - a. Community Unit Plan
 - b. Change of Zone from B-1 to R-1
2. Use Community Unit Plan – Site Plan
3. Application fee in the amount of \$3,401.25 (Change of Zone paid with Use Permit Application)

Plans and other supporting documents will be submitted to ProjectDox upon notification from the Planning Staff. We appreciate your consideration of the above request and look forward to working with the City staff on this proposed Use Permit and change of zone. If you require further information or have any questions, please do not hesitate to contact me at bmarshall@olsson.com or (402) 458-5672.

Sincerely,



Brad J Marshall, P.E.

Enclosures.

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
Use Permit #22013

FINAL ACTION?
Yes

DEVELOPER/OWNER
Southhills, LLC

PLANNING COMMISSION HEARING DATE
December 21, 2022

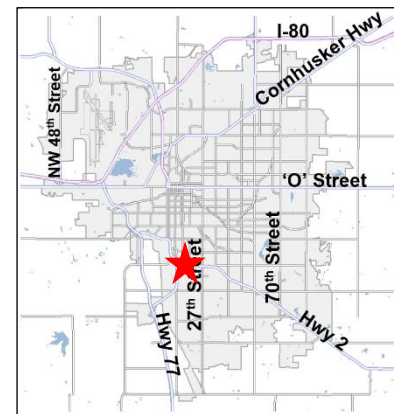
RELATED APPLICATIONS
Change of Zone #22035
Special Permit #22038

PROPERTY ADDRESS/LOCATION
Generally located at the southeast corner of Old Cheney Road and Norman Road.

RECOMMENDATION: CONDITIONAL APPROVAL

BRIEF SUMMARY OF REQUEST

This is a request for a Use Permit with the associated Change of Zone #22035 from B-1, Commercial and R-1, Residential to B-2, Planned Neighborhood Business District. The proposed Use Permit for Knolls Plaza totaling 6.4 acres would allow up to 75,000 square feet of limited B-2, commercial uses along Old Cheney Road. Currently the subject site is vacant as it was the location of the prior Knolls Country Club. The associated change of zone is required as the property has a mix of underlying commercial and residential zoning that served the golf course when in operation.



JUSTIFICATION FOR RECOMMENDATION

The proposed Use Permit is appropriate within this location as it will provide limited and less intensive B-2 uses based on the close proximity to existing and proposed residential. These commercial uses will be located along an existing arterial roadway and allow for the redevelopment and infill within a vacant site. The site plan is requesting two access points into the site with a provided buffer to help separate the commercial area from the proposed Knolls CUP to the south. The applicant has submitted a Traffic Impact Study and no waivers are being requested with the application.

APPLICATION CONTACT

Brad Marshall, (402) 458-5672 or
bmarshall@olsson.com

STAFF CONTACT

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

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

This request is compatible with the Comprehensive Plan as the area is shown to continue as both future urban residential and commercial uses. The Comprehensive Plan defines Commercial as areas of retail, office, service and residential mixed uses that can vary in intensity and use. Urban Residential is defined as areas with varying residential densities ranging from more than fifteen dwelling units per acres to less than one dwelling unit per acre. Undeveloped areas shown as Urban Residential may also include neighborhood-scale commercial and other compatible uses that will be added to the map after approval of development plans.

KEY QUOTES FROM THE 2050 COMPREHENSIVE PLAN

Introduction Section: Growth Framework

Figure GF.b: 2050 - This site is shown as future Commercial and Urban Residential on the 2050 Future Land Use Plan.

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. This can be accomplished by redeveloping underutilized commercial centers into areas that include a mix of uses, and encouraging higher-density residential redevelopment in appropriate locations, including missing middle housing. New infrastructure investments to serve growth areas can be maximized by encouraging a higher density of both residential and commercial uses in these areas.

Goals Section

G2: Complete Neighborhoods. Lincoln and Lancaster County will support complete neighborhoods within both developing and redeveloping areas of Lincoln. A complete neighborhood is one where residents are able to get the goods and services to meet daily needs within 15 minutes of their residence including a variety of housing options, grocery stores and other commercial services, quality public schools, public open spaces and recreational facilities, affordable active transportation options, and civic amenities. Housing variety should include townhomes, senior living facilities, low/no maintenance condominiums, accessory dwelling units, multi-family development, and even small lot single-family.

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 Infill

Figure E3.f: Commercial Infill Design Strategies

1. Encourage additional vehicular access to an arterial street.
2. Encourage a Floor Area Ratio that exceeds to existing/previous commercial uses on the site.
3. Face existing residential uses with new residential uses rather than the backs of commercial buildings unless existing residential faces the opposite direction such as along an alley.
4. Discourage commercial driveways that interrupt the blockface of a residential street, especially when residences face the street.
5. Encourage shared driveways and interconnected parking lots where possible.
6. Orient buildings to the street, especially corners.
7. Maintain or adaptively reuse existing structures (especially historical structures) where possible.
8. Encourage a vertical mix of residential and commercial use types.
9. Encourage shared parking between land uses with different peak demand periods.
10. Maintain or enhance on-street parking resources, especially in established/historic commercial districts

Policies Section

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.

Action Steps

1. Encourage redevelopment of aging and underutilized commercial centers, along with other large sites in existing areas such as former schools and residential acreages, to add a variety of housing types that are affordable to diverse income levels. A mix of residential and commercial uses is desirable in locations with good visibility and access, such as most existing commercial centers, but in some cases redevelopment sites are more suited for exclusively residential uses.
2. Encourage redeveloped commercial centers to incorporate a variety of medium and high-density housing affordable to diverse income levels that could serve as a transitional use to less intensive residential development and benefit from walkable access to the commercial area and transit.
4. Provide a mechanism for adjustments in older zoning districts to lot area, height, setbacks, and parking standards, similar to the provisions already available for newer districts.
5. Strive for predictability for neighborhoods and developers for residential development and redevelopment.
6. Encourage efforts to find new uses for abandoned, under-utilized or “brownfield” sites that are contaminated, through redevelopment and environmental mitigation.
7. Environmentally sensitive areas (i.e. floodplains, wetlands, native prairie) may not be appropriate for redevelopment. When redevelopment does occur, environmentally sensitive areas need to be considered and incorporated holistically as part of a redevelopment project.

P14: Commercial Infill - Develop infill commercial areas to be compatible with the character of the area.

Action Steps

1. Implement commercial infill redevelopment principles as discussed in the Business & Economy element.
2. Maintain and encourage businesses that conveniently serve nearby residents, while ensuring compatibility with adjacent neighborhoods.
3. Avoid encroachment into existing neighborhoods during expansion of existing commercial and industrial uses, and take steps to ensure expansions are in scale with the adjacent neighborhood, use appropriate screening, fulfill a demonstrated need, and do not hinder health and safety.
4. Prioritize retaining areas for continued residential development in older sections of the community by maintaining existing housing and supporting infill housing. Prior to approving the removal of housing to provide additional parking for existing centers, alternatives such as reduced parking requirements, shared parking, additional on-street parking, and/or the removal of other commercial structures should be explored. Maintain and encourage ethnically diverse commercial establishments that are beneficial to existing neighborhoods.

ANALYSIS

1. The proposed Use Permit #22013 will allow for the redevelopment of the currently vacant and previous location of the Knolls County Club along Old Cheney Road. Shown on the site plan, the Knolls Plaza would allow up to 75,000 square feet of commercial space between three separate buildings. The buildings vary in size, including 15,000 SF, 20,000 SF or 10,000 SF if a restaurant, and 40,000 SF. The Lincoln Municipal Code states that the B-2, Planned Neighborhood Business District is intended to provide neighborhood retail uses. It must also have an associated Use Permit that can be utilized to limit more intensive uses that may not be appropriate for surrounding residential neighborhoods. With the associated Change of Zone #22035 to B-2, the Use Permit is proposing to prohibit more intensive and auto-oriented uses in respect to the existing and surrounding R-1 and R-2, Residential. This would include prohibiting , multiple family dwellings, hotels and motels, motorized vehicle fuel sales and repair/services, drive-thru restaurants, kennels, motorized vehicle wash facilities and veterinary facilities.
2. This Use Permit totals approximately 6.4 acres within a larger 19.65 acres of vacant property along Old Cheney Road. Currently an application for a Special Permit #22038 for the Knolls Community Unit Plan (CUP) is proposed within a 13.25-acre area south of this Use Permit boundary. The Knolls Plaza site plan provides additional separation measures including a 50-foot-wide buffer along the east and south boundaries. This will provide additional spacing between the Use Permit boundary and the proposed Knolls CUP and include required drainage and detention, landscaping, and a pedestrian sidewalk connection.
3. The commercial site will be separated in to three lots with one building per lot and provide associated parking. The Lincoln Municipal Code requires 1 parking space per 300 square feet of building area with B-2. The site proposes 260 parking spaces to meet the required 250 parking spaces for 75,000 square feet of commercial area. The land use table does specify that Lot 2 can develop as either 20,000 square feet of commercial uses or 10,000 square feet under a restaurant use. Currently the LMC requires 1 per 300 square feet for restaurant uses within B-2, so the parking requirement would still be met with either use.
4. With the proposed zoning change to B-2, Commercial and the Use Permit limiting more intensive uses, the site will be more compatible with the surrounding residential area as it is located along a major arterial roadway with additional buffering provided between the residential uses. Similar and existing B-2, Commercial areas with use permits exist along Old Cheney to the east on 27th Street and to the west at 14th Street. Since this site is an infill development, much of the surrounding area is currently developed and has been existing for numerous years including R-1, Residential to the north across Old Cheney Road. To the west across Norman Road is the Knolls Assisted Living Center constructed in 2019 and zoned R-2, Residential. South of this site is the 13.25 acre vacant and proposed Knolls CUP site and additional R-1, Residential dwellings continuing south. Currently there is existing R-1, Residential to the east, including two properties at 5707 and 5727 The Knolls that will abut the Use Permit boundary along the residence rear yard property line, which today is occupied by a maintenance building previously used by the Knolls County Club. With the proposed site plan, the Use Permit will be providing a 50-foot setback buffer to help limit any adverse impacts upon the existing residential neighborhood. The proposed limited uses will also contribute to mitigating and prohibiting more intense uses within B-2 with respect to the surrounding single family residential.
5. There are no waivers being requested within the Use Permit and all development will be meeting the B-2 zoning standards, along with requirements for storm water detention on the site. A traffic impact analysis study was submitted for review by Lincoln Transportation and Utilities Traffic Division. The site is proposing two access points, one from Old Cheney Road and one from the existing Norman Drive. If access is desired into the Knolls Plaza site from Old Cheney Road, a right turn lane will be required along with a median on Old Cheney Road. Alternatively, if this access point is not desired, a right turn lane will be required for the intersection at Norman Road and all vehicular access will be relinquished from Old Cheney Road into the commercial lots.
6. The requested Use Permit with associated Change of Zone to B-2, Commercial is consistent with the Comprehensive Plan and future land use map as the site designates this area for urban density residential and commercial. The future land use map shows these designations as relative boundaries on the map and are not exact locations like zoning. The commercial designation area shown today is where the previous Knolls Country Club and restaurant were located and that have since been demolished. This request would bring the limited commercial uses along a major arterial roadway and serve the surrounding residential with less intensive retail uses.

CONDITIONS OF APPROVAL: See attached.

EXISTING LAND USE & ZONING: Vacant, Previous Knolls Golf Course

B-1, Commercial & R-1, Residential

SURROUNDING LAND USE & ZONING

North: Old Cheney Road & Single Family Residential
South: Single Family Residential
East: Single Family Residential
West: Knolls Assisted Living

R-1, Residential
R-1, Residential
R-1, Residential
R-2, Residential

APPROXIMATE LAND AREA: 6.4 acres

LEGAL DESCRIPTION: See attached.

Prepared by

Ben Callahan, Planner

Date: December 8, 2022

Applicant: Brad Marshall
601 P Street, Ste 200
Lincoln, NE 68508
(402) 458-5672
Bmarshall@olsson.com

Contact: Brian Lang
601 P Street, Ste 200
Lincoln, NE 68508
(402) 458-5691
blang@olsson.com

Owner: Southhills, LLC
1717 Trelawney Drive
(402) 432-5822
Transitioneast9@gmail.com

<https://linclanc.sharepoint.com/sites/PlanningDept-DevReview/Shared Documents/DevReview/UP/22000/UP22013 Knolls Plaza.bmc.docx>

CONDITIONS OF APPROVAL - USE PERMIT #22013

This approval permits 75,000 square feet of commercial space following the B-2, Planned Neighborhood Business District with the following uses prohibited:

- a. Multiple Family Dwellings
- b. Hotels and Motels
- c. Motorized Vehicle Fuel Sales
- d. Motorized Vehicle Repair/Services
- e. Motorized Vehicle Wash Facilities
- f. Restaurants with drive-thru facilities
- g. Kennels
- h. Veterinary Facilities

Site Specific Conditions:

1. The City Council approves associated request:
 - 1.1 Change of Zone #22035
2. 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 upon approval before a final plat is approved:
 - 2.1 Provide a common access easement on Lot 1 as well as access to Lot 2 and 3.
 - 2.2 Provide a wastewater water easement shown running north and south through Outlot A.
 - 2.3 Show both Sanitary Sewer and Water in their own easements at 30' in width.
 - 2.4 Show the driveway entrance from Norman Road is at a 90 degree angle.
 - 2.5 Include additional area south along Norman Road in drainage report.
 - 2.6 Include all buildings in the Knolls Plaza in the minimum opening table as the outlet is directed through the lot.
 - 2.7 Update drainage plan to show a perforate stack instead of a perforate plat.
 - 2.8 Revise the Traffic Impact Study to the satisfaction of Lincoln Transportation and Utilities Traffic Division.
 - 2.9 Add a note stating: "A right turn lane must be provided if a driveway to the commercial lots is desired for the Knolls Plaza from Old Cheney Road and will need to be constructed at the time of the final plat. A median will be required to be added in Old Cheney Road at this location to the satisfaction of Lincoln Transportation & Utilities Traffic Division. Alternatively, if a driveway entrance is not desired, a right turn lane will be required to be constructed at Norman Road at the time of the final plat."
 - 2.10 Revise Note 16 to state: The following permitted and conditional uses are prohibited in the B-2 area: multiple family dwellings, hotels and motels, motorized vehicle fuel sales, motorized vehicle repair/service, motorized vehicle wash facilities, restaurants with drive-thru facilities, kennels, and veterinary facilities.
3. Final plat(s) is/are approved by the City.

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

standards, or the required improvements have been amended by the city; and as a result, the use permit as originally approved does not comply with the amended rules and regulations.

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

Permittee agrees:

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

to complete the installation of sidewalks shown on the final plat within four (4) years following the approval of the final plat.

to construct the sidewalk in the pedestrian way easements and to agree that no building permit shall be issued for construction on adjacent Lots, until such time as the sidewalk in the pedestrian way easement is constructed.

to complete the public water distribution system to serve this plat within two (2) years following the approval of the final plat.

to complete the public wastewater collection system to serve this plat within two (2) years following the approval of the final plat.

to complete the enclosed public drainage facilities shown on the approved drainage study to serve this plat within two (2) years following the approval of the final plat.

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

to complete the planting of the street trees along streets shown on this plat within six (6) years following the approval of the final plat.

to complete the installation of street trees along Old Cheney Road as shown on the final plat within two (2) years following the approval of this final plat.

to complete the planting of the landscape screen within this plat within two (2) years following the approval of the final plat.

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

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

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

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

to complete the public and private improvements shown on the Use Permit.

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

to maintain the outlots and private improvements in a condition as near as practical to the original construction on a permanent and continuous basis.

to maintain the plants in the medians and islands on a permanent and continuous basis.

to maintain the sidewalks in the pedestrian way easements and all of its elements in a condition as near as practical to the original or as constructed condition in order to provide the user with a safe and convenient facility on a permanent and continuous basis.

to maintain and supervise the private facilities which have common use or benefit in a condition as near as practical to the original construction on a permanent and continuous basis, and to recognize that there may be additional maintenance issues or costs associated with providing for the proper functioning of storm water detention/retention facilities as they were designed and constructed within the development and that these are the responsibility of the land owner.

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

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

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

to protect the trees that are indicated to remain during construction and development

to relinquish the right of direct vehicular access to Old Cheney Road in the event driveway access is not desired at the time of final plat.

Standard Conditions:

4. The following conditions are applicable to all requests:

- 4.1 Before occupying the dwelling units / buildings all development and construction is to substantially comply with the approved plans.
- 4.2 All privately-owned improvements, including landscaping and recreational facilities, are to be permanently maintained by the Permittee or an appropriately established property association approved by the City.
- 4.3 The physical location of all setbacks and yards, buildings, parking and circulation elements, and similar matters must be in substantial compliance with the location of said items as shown on the approved site plan.
- 4.4 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
- 4.5 The applicant shall sign and return the letter of acceptance to the City Clerk. This step should be completed within 60 days following the approval of the special permit. The City Clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filing fees therefore to be paid in advance by the applicant. Building permits will not be issued unless the letter of acceptance has been filed.
- 4.6 The site plan as approved with this resolution voids and supersedes all previously approved site plans, however all resolutions/ordinances approving previous permits remain in force unless specifically amended by this resolution.

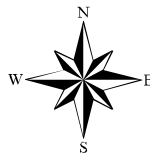


2022 aerial

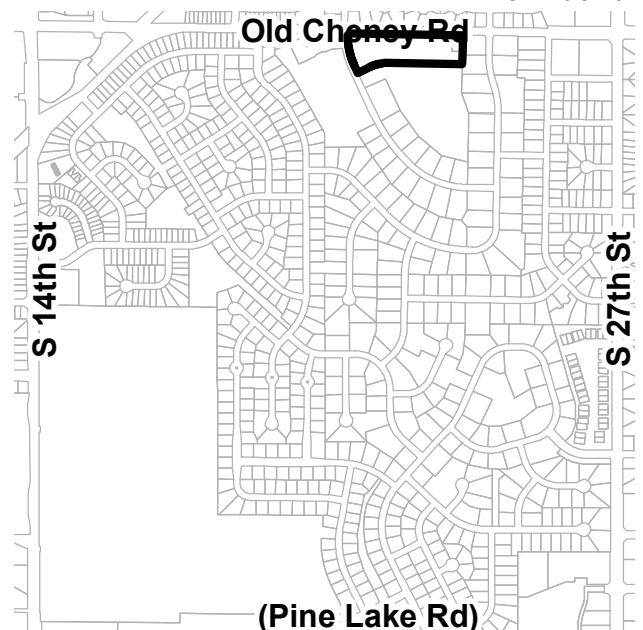
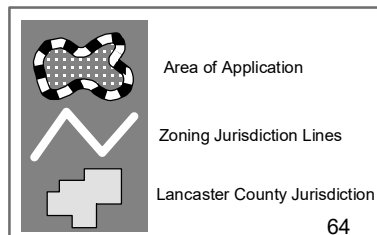
Use Permit #: UP22013
Knolls Plaza
Norman Rd & Old Cheney Rd

Zoning:

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



One Square Mile:
Sec.13 T09N R06E



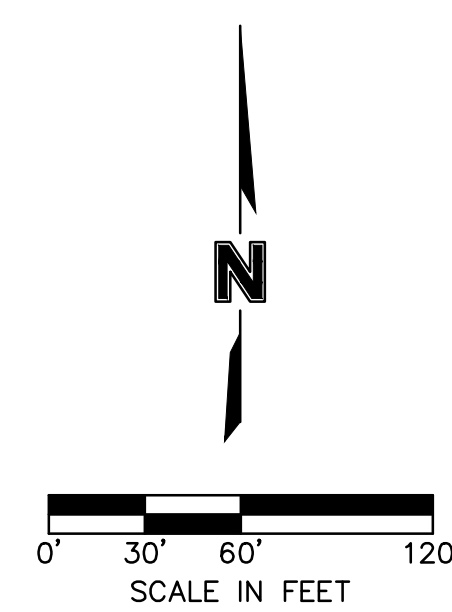


SOUTHHILLS LLC
1717 TRELAWNEY DR
LINCOLN, NE 68512
(402) 423-5822

OLSSON
601 P STREET, SUITE 200
LINCOLN, NE. 68508
PHONE: (402) 474-6311

BLOCK	LOT	USE	UNITS	REQUIRED PARKING STALLS	PROPOSED PARKING STALLS
1	1	COMMERCIAL	15,000 SF	50	54
1	2	COMMERCIAL	20,000 SF	67	112*
		OR RESTAURANT	10,000 SF	100	
1	3	COMMERCIAL	40,000 SF	134	94*

*LOT 2 & 3 SHALL UTILIZE CROSS PARKING AGREEMENT

USE PERMIT
SITE PLAN

PROPERTY LINE
UTILITY AND ACCESS EASEMENT
PROPOSED SANITARY SEWER
PROPOSED WATER MAIN
EXISTING SANITARY SEWER
EXISTING STORM SEWER
EXISTING WATER MAIN
PROPOSED SIDEWALK
BUILDING SETBACK
RELOCATE EXISTING UTILITY
LIMITS OF UP
R.O.W. DEDICATION

1. ALL DRIVES SHALL BE MINIMUM 24' FEET WIDE UNLESS OTHERWISE NOTED.
2. ADJUSTMENTS IN THE FLOOR AREA OF EACH BUILDING MAY BE MADE AT TIME OF BUILDING PERMIT.
3. THE EXISTING ZONING IS R-1 AND B-1. THE PROPOSED ZONING IS B-2.
4. SIGNS, LANDSCAPING, AND SCREENING ARE NOT REQUIRED TO BE SHOWN ON THE PLANS, ALL SIGNS, LANDSCAPING, AND SCREENING SHALL COMPLY WITH THE B-2 ZONING DISTRICT AND CITY OF LINCOLN DESIGN STANDARDS, AND THEY SHALL BE SHOWN AT THE TIME OF SIGN AND BUILDING PERMITS, RESPECTIVELY.
5. LOT DIMENSIONS SHOWN ARE APPROXIMATE AND MAY VARY ON FUTURE FINAL PLATS.
6. ALL DIMENSIONS ALONG CURVES ARE CHORD DISTANCES.
7. WATER MAIN AND SANITARY SEWER MAINS TO BE 8 INCH PIPE SIZE, UNLESS OTHERWISE SHOWN. WATER & SEWER MAINS TO BE BUILT TO CITY OF LINCOLN SPECIFICATIONS.
8. ALL WATER MAINS AND SANITARY SEWER MAINS TO BE PUBLIC.
9. ALL ELEVATIONS ARE BASED ON NAVD 1988 DATUM.
10. EAVES, OVERHANGS, WINDOW SWINGS, DOOR SWINGS, AIR CONDITIONER UNITS ETC. MAY ENCR OACH OVER THE SETBACK LINES. ENCROACHMENTS ARE NOT ALLOWED OVER PROPERTY LINES AND MUST CONFORM TO BUILDING AND LIFE SAFETY CODES.
11. ALL LAYOUTS SHOWN WITHIN THE USE PERMIT ARE CONCEPTUAL. SPECIFIC DETAILED PLANS WILL BE SUBMITTED WITH INDIVIDUAL SITE PLANS AS THE ARE DEVELOPED AT TIME OF BUILDING PERMIT APPLICATION, IN ACCORDANCE WITH CITY OF LINCOLN DESIGN STANDARDS.
12. PARKING SPOT IS CONCEPTUAL AND TO BE PROVIDED IN COMPLIANCE WITH THE ZONING ORDINANCE.
13. SETBACKS FOR PARKING AND BUILDINGS AS PER THE ZONING ORDINANCE UNLESS OTHERWISE NOTED.
14. PERIMETER BOUNDARY OF THE USE PERMIT SHALL BE USED FOR OUTDOOR LIGHTING TRESSAND CLARE REQUIREMENTS FOR THE ENTIRE DEVELOPMENT, ALLOWING EXTERIOR BUILDING AND PARKING LOT LIGHTING TO TRESPASS ONTO INTERNAL PROPERTY LINES WITHIN THE PERIMETER BOUNDARY.
15. THE FOLLOWING USES WILL BE RESTRICTED IN THE B-2 AS PERMITTED USES: APARTMENTS, MULTIPLE FAMILY DWELLINGS, HOTELS AND MOTELS, MOTORIZED VEHICLE FUEL SALES FACILITY, MOTORIZED VEHICLE REPAIR/SERVICE, AND FAST FOOD OR DRIVE-THRU EATING FACILITIES. THE FOLLOWING USES WILL BE RESTRICTED IN THE B-2 AS CONDITIONAL USES: KENNELS, MOTORIZED VEHICLE WASH FACILITIES AND VETERINARY FACILITIES.
16. THE MAXIMUM FLOOR AREA FOR THE USE PERMIT IS 75,000 SQ FT OF FLOOR AREA. THE FLOOR AREA SHOWN ON THE SITE PLAN ARE PROVIDED FOR REFERENCE ONLY AND MAY BE ADJUSTED AT THE TIME OF BUILDING PERMIT PROVIDED THE TOTAL OF THE USE PERMIT DOES NOT EXCEED 75,000 SQ FT OF COMMERCIAL USES. ADJUSTMENTS TO THE FLOOR AREA DO NOT REQUIRE ADMINISTRATIVE AMENDMENTS TO THE USE PERMIT.
17. INTERNAL SETBACK WITHIN THE LIMITS OF THIS USE PERMIT ARE ADJUSTED TO '0'. ONLY SETBACK THAT ARE SHOWN ON THE SITE PLAN SHALL BE REQUIRED.
18. COMMON ACCESS AND CROSS PARKING WILL BE ALLOWED OVER ALL PARKING AISLES AND STALLS IN LOTS 2 AND 3.

A TRACT OF LAND COMPOSED OF LOT 2, AND A PORTION OF LOT 1, THE KNOLLS COUNTRY CLUB ADDITION, LOCATED IN THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 09 NORTH, RANGE 06 EAST OF THE 6TH P.M., CITY OF LINCOLN, LANCASTER COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 2, SAID POINT BEING ON THE SOUTH RIGHT OF WAY LINE OF OLD CHENEY ROAD, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE, SOUTH, ON THE EAST LINE OF SAID LOT 2, AND AN EAST LINE OF SAID LOT 1, ON AN ASSUMED BEARING OF S60°07'05"W, A DISTANCE OF 66.75' TO A POINT; THENCE, ON THE EAST LINE OF SAID LOT 2, TO A POINT OF CURVATURE FOR A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A CENTRAL ANGLE OF 26°39'50", A RADIUS OF 395.00', AN ARC LENGTH OF 183.82', A CHORD LENGTH OF 182.17', A TANGENT LENGTH OF 93.61', AND A CHORD BEARING OF 57°23'03"W TO A POINT; THENCE S64°05'08"W, A DISTANCE OF 113.15' TO A POINT; THENCE, ON THE WEST LINE OF SAID LOT 1, TO A POINT OF CURVATURE OF NORMAN ROAD; THENCE N25°20'12"W, ON A WEST LINE OF SAID LOT 1, SAID LINE BEING AN EAST RIGHT OF WAY LINE OF SAID NORMAN ROAD, A DISTANCE OF 68.41' TO A POINT OF CURVATURE FOR A NON-TANGENT CURVE IN A CLOCKWISE DIRECTION, HAVING A CENTRAL ANGLE OF 24°47'06", A RADIUS OF 684.63', AN ARC LENGTH OF 25.54', AND A CHORD BEARING OF N25°25'49"W TO A POINT; THENCE, ON THE WEST LINE OF SAID NORMAN ROAD, A CHORD LENGTH OF 285.27', TANGENT LENGTH OF 146.04', AND A CHORD BEARING OF N12°55'49"W TO A POINT; THENCE N45°25'45"E, ON A NORTHWEST LINE OF SAID LOT 1, A DISTANCE OF 21.09' TO A POINT; THENCE S89°15'02"E, ON A NORTH LINE OF SAID LOT 1 AND A NORTH LINE OF SAID LOT 2, SAID LINE BEING THE SOUTH RIGHT OF WAY LINE OF SAID OLD CHENEY ROAD, A DISTANCE OF 110.00' TO THE POINT OF BEGINNING.

CALCULATED AREA OF 278.573-36 SQUARE FEET OR 6.40 ACRES, MORE OR LESS.

601 P Street, Suite 200
P.O. Box 84608
Lincoln, NE 68508

TEL 402.474.6311 www.olsson.com

REVISIONS

022

OLN, NE

SITE PLAN

KNOLLS PLAZA
USE PERMIT

drawn by: _____ ALL
checked by: _____ BAL
approved by: _____ BAL
QA/QC by: _____ MRG
project no.: _____ 022-02783
drawing no.: _____
date: _____ 10/20/2022

SHEET
of 3

LEGAL DESCRIPTION
USE PERMIT

A TRACT OF LAND COMPOSED OF LOT 2, AND A PORTION OF LOT 1, THE KNOLLS COUNTRY CLUB ADDITION, LOCATED IN THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 09 NORTH, RANGE 06 EAST OF THE 6TH P.M., CITY OF LINCOLN, LANCASTER COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 2, SAID POINT BEING ON THE SOUTH RIGHT OF WAY LINE OF OLD CHENEY ROAD, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE, SOUTH, ON THE EAST LINE OF SAID LOT 2, AND AN EAST LINE OF SAID LOT 1, ON AN ASSUMED BEARING OF S00°47'05"W, A DISTANCE OF 260.84' TO A POINT; THENCE N89°15'02"W, DISTANCE OF 666.26' TO A POINT OF CURVATURE FOR A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A CENTRAL ANGLE OF 26°39'50", A RADIUS OF 395.00', AN ARC LENGTH OF 183.82', A CHORD LENGTH OF 182.17', A TANGENT LENGTH OF 93.61', AND A CHORD BEARING OF S77°25'03"W TO A POINT; THENCE S64°05'08"W, A DISTANCE OF 113.15' TO A POINT ON A WEST LINE OF SAID LOT 1, SAID LINE BEING AN EAST RIGHT OF WAY LINE OF NORMAN ROAD; THENCE N25°20'12"W, ON A WEST LINE OF SAID LOT 1, SAID LINE BEING AN EAST RIGHT OF WAY LINE OF SAID NORMAN ROAD, A DISTANCE OF 68.41' TO A POINT OF CURVATURE FOR A NON-TANGENT CURVE IN A CLOCKWISE DIRECTION, HAVING A CENTRAL ANGLE OF 24°47'06", A RADIUS OF 664.63', AN ARC LENGTH OF 287.51' ON A WEST LINE OF SAID LOT 1, SAID LINE BEING AN EAST RIGHT OF WAY LINE OF SAID NORMAN ROAD, A CHORD LENGTH OF 285.27', A TANGENT LENGTH OF 146.04', AND A CHORD BEARING OF N12°55'49"W TO A POINT; THENCE N45°25'45"E, ON A NORTHWEST LINE OF SAID LOT 1, A DISTANCE OF 21.09' TO A POINT; THENCE S89°15'02"E, ON A NORTH LINE OF SAID LOT 1 AND A NORTH LINE OF SAID LOT 2, SAID LINE BEING THE SOUTH RIGHT OF WAY LINE OF SAID OLD CHENEY ROAD, A DISTANCE OF 1,027.51' TO THE POINT OF BEGINNING, SAID TRACT CONTAINS A CALCULATED AREA OF 278,573.36 SQUARE FEET OR 6.40 ACRES, MORE OR LESS.

Tuesday, November 1, 2022

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November 3, 2022

Mr. David Cary
Planning Director
Planning Department
555 South 10th St., Suite 213
Lincoln, NE 68508

Re: Knolls Plaza
Change of Zone and Use Permit
Olsson Project No. 020-0895

Dear Mr. Cary,

On behalf of Southhills, LLC ("Southhills"), the owner of the real property legally described as Lots 1 & 2 The Knolls Country Club Addition and Lots 45-56 Chez Ami Knolls First Addition, all located in the Northeast quarter of Section 13, Township 9 North, Range 6 East of the 6th P.M., Lancaster County, Nebraska ("the Property") is proposing a Use Permit and change of zone for a B-2 Neighborhood Commercial Center on the Property containing 6.40 acres. The Use Permit proposes up to 75,000 sq. ft. of allowable floor area for commercial uses.

The Property proposes two driveways for access, one from Norman Road and another from Old Cheney Road between Norman Road and The Knolls (Street). The proposed access from Old Cheney exceeds the spacing requirements per Access Management Policy for access points on Old Cheney Road, classified as a minor arterial street. A traffic study is being submitted with the application documents to support the new access location. The new access will help reduce the overall traffic impact to the intersection of Norman Road and Old Cheney and provide a primary point of entrance and exit of the commercial center.

Southhills is proposing to restrict several permitted and conditional uses in the proposed B-2 zone as part of the application. The restricted uses will eliminate several intensive traffic generating uses to reduce traffic impacts and potential undesirable uses to the existing residences adjacent to the project. The following uses are proposed to be restricted, including apartment hotels, multiple family dwellings, hotels and motels, motorized vehicle fuel sales facility, motorized vehicle repair/service, fast food or drive-thru eating facilities, kennels, motorized vehicle wash facilities and veterinary facilities. The commercial uses provide an opportunity to enhance and provide local supportive services to the surrounding neighborhood.

A 50-foot buffer will be provided to all existing and proposed R-1 residential properties. The buffer areas will include a detention area, berming, landscaping and walkways. Sidewalks will increase pedestrian circulation and provide connections to the proposed The Knolls Community Unit Plan ("CUP") and Old Cheney Road sidewalks that lead to other walkable areas and trails. The berming and landscape screening will help reduce impacts from the proposed commercial area buildings, parking, lighting, and sounds.

Detention and water quality will be located within the boundary of the Use Permit and will also be shared with The Knolls Community Unit Plan. A drainage and water quality study is being submitted with the application documents to provide the details of the proposed drainage between the two applications.

The applicant will hold a neighborhood informational meeting the week of November 21st, where neighbors will be invited to attend and find out more information about the proposed Use Permit and ask questions.

The development team has met with City Staff in a preapplication meeting discuss the proposed applications and will continue to work with Staff as the plans are reviewed.

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

1. City of Lincoln Application, including:
 - a. Use Permit
 - b. Change of Zone from B-1 to B-2 and R-1 to B-2.
2. Use Permit Site Plan
3. Application fees in the amount of \$3,244.80

Plans and other supporting documents will be submitted to ProjectDox upon notification from the Planning Staff. We appreciate your consideration of the above request and look forward to working with the City staff on this proposed Use Permit and change of zone. If you require further information or have any questions, please do not hesitate to contact me at bmarshall@olsson.com or (402) 458-5672.

Sincerely,



Brad J Marshall, P.E.

Enclosures.

LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT

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

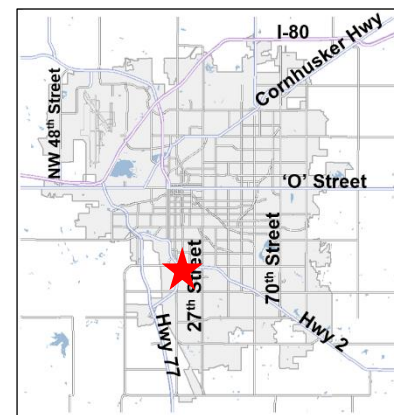
APPLICATION NUMBER Special Permit #22038	FINAL ACTION? Yes	DEVELOPER/OWNER Southhills, LLC
PLANNING COMMISSION HEARING DATE December 21, 2022	RELATED APPLICATIONS Use Permit #22013 Change of Zone #22035	PROPERTY ADDRESS/LOCATION Generally located at the southeast corner of Old Cheney Road and Norman Road.

RECOMMENDATION: CONDITIONAL APPROVAL

BRIEF SUMMARY OF REQUEST

This is a request for a special permit for the Knolls Community Unit Plan (CUP). The CUP is approximately 13.25 acres and would allow up to 36 dwelling units following the R-1, Residential zoning district. This request is associated with the application for Change of Zone #22035 as a small portion of existing B-1, Commercial zoning is proposed as R-1, Residential to match the CUP.

This CUP will be within a 19.5-acre area that currently sits as vacant land today and was once a part of the Knolls Country Club. An associated 6.39 acre Use Permit #22013 is also being proposed to the north of this CUP boundary along Old Cheney Road under a requested B-2, Commercial zoning. While this request for the CUP may be approved by the Planning Commission, the associated requests for the Change of Zone requires City Council approval. As a result, approval is conditional upon the City Council's action on the associated requests.



JUSTIFICATION FOR RECOMMENDATION

The proposed Community Unit Plan (CUP) is appropriate for residential infill within this neighborhood and compatible with the surrounding residential uses that exist today. The proposal conforms with the future land use designation and density for R-1, Residential. The site plan includes additional waiver requests that will provide a greater distance from new dwelling units to the existing and surrounding neighborhood, along with reduced side yard setbacks within the CUP

APPLICATION CONTACT

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STAFF CONTACT

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COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The Comprehensive Plan designates this location as Future Urban Residential. This designation is intended to provide more than 15 dwelling units per acre and appropriate for multiple types of housing including single family dwellings to higher density multi-family. The Comprehensive Plan also details goals for achieving additional residential dwellings as infill within the existing city limits.

WAIVERS

1. Allow lot lines to be radial and perpendicular to street right-of-way. (Recommend Approval)
2. Reduce the front yard setback from 30 feet to 20 feet. (Recommend Approval)
3. Reduce the side yard setback from 10 feet to 7.5 feet, except for Lots 13-14 and 24-25.
(Recommend Approval)
4. Allow for the pedestrian way block length to exceed 1,000 feet. (Recommend Approval)

KEY QUOTES FROM THE 2050 COMPREHENSIVE PLAN

Introduction Section: Growth Framework

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

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. This can be accomplished by redeveloping underutilized commercial centers into areas that include a mix of uses, and encouraging higher-density residential redevelopment in appropriate locations, including missing middle housing. New infrastructure investments to serve growth areas can be maximized by encouraging a higher density of both residential and commercial uses in these areas.

The Community in 2050

The following assumptions provide the framework for growth in the 2050 plan.

Lancaster County is projected to add approximately 53,000 households by 2050, with 48,000 of those new households in Lincoln (roughly 1,600 new households per year).

25 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.

New growth areas will have an average gross residential density of 4.0 du/acre.

The population age 65 and above is projected to increase from 45,600 (14.2 percent of total) in 2020 to 74,900 (17 percent of total) in 2050.

Benefits of Well-Planned Growth

Continued investment within the city ensures that our existing neighborhoods and commercial areas remain vibrant and desirable locations. More "rooftops" near existing commercial areas help to support continued commercial investment.

Elements Section

E1: Complete Neighborhoods and Housing

A complete neighborhood is more than housing - great neighborhoods combine all the elements of parks, education, commercial areas, environmental resources, and housing together in one place.

A complete neighborhood is one where residents have safe and convenient access to goods and services needed for daily life activities.

Figure E1.b: Strategies for Design, Sustainability and Complete Neighborhoods in Existing Areas

1. Encourage a mix of compatible land uses to develop more complete neighborhoods:
 - a. Similar uses on the same block face: residential faces residential.
 - b. Similar housing densities developed near each other: single-family and "missing middle" residential (3-12 units) scattered throughout with higher density residential (more than 12 units) near the neighborhood edge or clustered near commercial centers.
 - c. Non-residential uses, including parking lots, should be screened from residential areas.
 - d. Locate mixed-use centers so as residents can safely access essential goods and services (i.e. not located across arterial streets) and no more than a 15-minute walk from all

- residences.
 - e. Support existing Commercial Centers and encourage inclusion of essential goods and services.
 - f. Infill and redevelopment projects should meet or exceed Neighborhood or Commercial Design Standards.
2. Require sidewalks on both sides of all streets or in alternative locations as allowed through design standards or review process.
 3. Strive for residences to be located within 1 mile to an existing or planned multi-use trail.
 4. Strive for residences to be located within 1/2 mile to an existing or planned neighborhood park.
 5. Integrate transit stops into developing neighborhoods and within a ½ mile distance from residences.
 6. Develop shorter block lengths to provide multiple connections across residential and commercial areas.
 7. Encourage locations within neighborhoods to grow local food.
 8. Infill development should balance expanding housing options and neighborhood character by complementing the character of the existing neighborhood and providing appropriate transitions, scale and context. Encourage pedestrian orientation with parking at rear of residential and neighborhood commercial uses.
 9. Allow non-standard lots to be buildable.
 10. Retain and encourage a mix of housing in order to provide a mix of housing types at a variety of price points.
 11. Encourage historic preservation and the rehabilitation and maintenance of buildings.
 12. Support retention of public and semi-public uses (elementary schools, churches) as centers of neighborhoods.
 13. Maintain existing pattern of streets for connectivity.
 14. Maintain arterial streets that are compatible with the existing neighborhood character with two through lanes and a center turn lane where applicable.
 15. Utilize streets for commercial and residential parking.
 16. Encourage shared parking whenever possible: permit minor incursions of accessory parking for public/ semi-public uses into neighborhoods if properly screened.
 17. Maintain alley access and encourage shared driveways to parking areas in order to reduce interruptions to pedestrian traffic, to preserve on-street parking capacity, and to reduce automobile conflict points.
 18. Support the preservation and restoration of natural resources, and limit stream or drainageway crossings.
 19. Encourage additional density of a variety of housing types and price points on open and available land areas.
 20. Encourage middle housing in Neighborhood Edges.

Existing Neighborhoods

The diversity of architecture, housing types and sizes are central to what make existing neighborhoods great places to live. New construction should continue the architectural variety, but in a manner that is sensitive to the existing neighborhoods.

Infill and redevelopment is supported and must respect the street pattern, block sizes, and development standards of the area, such as parking at the rear and porches, windows, and doors on the front street side.

The City's primary strategy for residential infill and redevelopment outside of the Greater Downtown is to encourage the redevelopment and reuse of sites and buildings in commercial areas in order to create new mixed use centers that are compatible and complementary to adjacent neighborhoods.

Modest opportunities for redevelopment may also be appropriate along "neighborhood edges." Neighborhood edges include arterial streets and transition zones between lower density residential and commercial areas.

E2: Infill and Redevelopment

Infill and Redevelopment Approach

PlanForward identifies the potential for 12,000 new dwelling units to be located within the existing built-out portion of the City, roughly 25 percent of the projected 48,000 new dwelling units to be built citywide by 2050.

Location Criteria

Mixed Use Redevelopment Nodes and Corridors should be located based on the following criteria:

- In areas where there is a predominance of commercial or industrial zoning and/or development, focusing on non-residential areas.
- In proximity to planned or existing neighborhoods and community services, to facilitate access to existing community services or to address a deficiency by providing services such as grocery stores, childcare centers, and restaurants.
- Where there is existing or potential for good access to transit, to enhance the public transit system by making it accessible to residents and to facilitate the development of neighborhood multimodal hubs where residents can drive, bike, or walk to a transit stop, go to work, and then shop for their daily needs before they return home.
- On at least one arterial street to help provide for traffic and utility capacity and access to transit.
- Outside of areas with existing or potential industrial use to avoid conflicts with health and safety.
- In areas that minimize floodplain and other environmental impacts. Areas within the floodplain that already have buildings and fill are appropriate for redevelopment; projects that receive public assistance should meet a higher standard to preserve flood storage. This criterion encourages redevelopment while protecting sensitive environmental areas. Preservation or restoration of natural resources within or adjacent to mixed use redevelopment areas should be encouraged.

Existing Neighborhoods

Infill of housing in existing neighborhoods should respect the existing pattern of development. Infill redevelopment should include housing for a variety of incomes and households and should complement the character of the existing neighborhood by including appropriate transitions, scale, and context.

Policies Section

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

Action Steps

1. Promote the preservation, maintenance, and renovation of existing housing and supporting neighborhood uses throughout the City, with special emphasis on low and moderate income neighborhoods.
2. Maintain and enhance infrastructure and services, commensurate with needs, in existing neighborhoods.
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.
4. Recognize that broad economic diversity within existing neighborhoods encourages reinvestment and improves quality of life for all residents while acknowledging the need for affordable housing.
5. Preserve, protect and promote the character and unique features of urban neighborhoods, including their historical and architectural elements.
6. Promote the continued use of residential dwellings and all types of buildings, to maintain the character of neighborhoods and to preserve portions of our past. Building code requirements for the rehabilitation of existing buildings should protect the safety of building occupants, while recognizing the need for flexibility that comes with rehabilitating existing buildings.
7. Implement the housing and neighborhood strategies as embodied in the Affordable Housing Coordinated Action Plan, City of Lincoln Consolidated, Annual Action Plans, and subsequent housing and neighborhood plans. These plans provide the core for affordable housing and neighborhood preservation actions for public and private agencies.

8. Retain and encourage a mix of housing in existing and new neighborhoods in order to provide a mix of housing types at a variety of price points.
9. Implement elements of Complete Neighborhoods for existing neighborhoods.
10. Develop and utilize a measurement tool to evaluate neighborhoods in terms of how well they achieve PlanForward's goals for design, sustainability, and Complete Neighborhoods goals.
11. Encourage public and private investment in neighborhood infrastructure and services to support economic diversity that improves the quality of life for all residents.
12. Balance expanding housing options and neighborhood character. Infill development should include housing for a variety of incomes and households and should complement the character of the existing neighborhood by including appropriate transitions, scale, and context.
13. Preserve areas designated for multi-family and group living housing in approved plans to support a distributed choice in affordable housing.
15. Develop and propose zoning text amendments that will allow platted, nonconforming lots to be buildable.
17. Promote neighborhood and community design that supports healthy and active lifestyles.
20. Examine current residential zoning districts and propose modifications to encourage 'missing middle' units (single-family attached, cottage courts, townhomes, live-work, and a variety of three- and four-plex configurations), including affordable units, to people with a range of incomes. Neighborhood edges in particular present an opportunity for missing middle housing.
21. Encourage a variety of housing types including townhomes, senior living facilities, low/no maintenance condominiums, accessory dwelling units, multi-family development, and small lot single-family units.

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.

Action Steps

1. Encourage redevelopment of aging and underutilized commercial centers, along with other large sites in existing areas such as former schools and residential acreages, to add a variety of housing types that are affordable to diverse income levels. A mix of residential and commercial uses is desirable in locations with good visibility and access, such as most existing commercial centers, but in some cases redevelopment sites are more suited for exclusively residential uses.
2. Encourage redeveloped commercial centers to incorporate a variety of medium and high-density housing affordable to diverse income levels that could serve as a transitional use to less intensive residential development and benefit from walkable access to the commercial area and transit.
4. Provide a mechanism for adjustments in older zoning districts to lot area, height, setbacks, and parking standards, similar to the provisions already available for newer districts.
5. Strive for predictability for neighborhoods and developers for residential development and redevelopment.
6. Encourage efforts to find new uses for abandoned, under-utilized or "brownfield" sites that are contaminated, through redevelopment and environmental mitigation.
7. Environmentally sensitive areas (i.e. floodplains, wetlands, native prairie) may not be appropriate for redevelopment. When redevelopment does occur, environmentally sensitive areas need to be considered and incorporated holistically as part of a redevelopment project.

ANALYSIS

1. This is a request for a Special Permit for a Community Unit Plan (CUP) totaling 13.25 acres to allow up to 36 dwelling units. The proposed site is presented as an infill project using vacant land that was once served as the Knolls Country Club, including a golf course, clubhouse and restaurant on both R-1 and B-1 zoning. After the closure of the golf course, the restaurant and club house were removed, and the land has sat vacant. Currently 12.43 acres of the proposed 13.25-acre CUP site is zoned R-1, Residential. The associated Change of Zone #22035 includes a small .82-acre area changing from B-1, Commercial to R-1, Residential to allow all of the CUP area to follow R-1 zoning. This site was first proposed for park in 1955 as part of the CUP. It was later approved for a golf course in 1963 and the to a private country club in 1967. With the closure of the Knolls Country Club, the property is being not only proposed for redevelopment, but for a residential density lower than what is allowed by right under the existing R-1 zoning.
2. For the R-1 zoning district the Design Standards allow a maximum of 3.87 dwelling units per acre within a CUP. For

this site a maximum of 51 units would be allowed following this standard. The applicant is proposing a reduced density with a maximum of 36 single family detached dwelling units on separate lots shown on the site plan. All roads within the CUP are shown as public streets with one access point from Norman Road into the neighborhood. The CUP will abut existing R-1, Residential dwelling lots along the south and east sides. To the west across Norman Road is the recently constructed Knolls Assisted Living zoned R-2. The CUP would abut the proposed Knolls Plaza along the north boundary line which is associated under Use Permit #22013. This proposed Use Permit would allow 75,000 square feet of commercial and office space following limited allowed uses within B-2 zoning. Along the north boundary, a 50-foot buffer between the CUP and Use Permit is being proposed to serve as a landscaping buffer and storm water detention. The detention being required for this CUP is being proposed within this buffer and will be located on the adjacent Knolls Plaza Use Permit property.

3. Beyond the 36 residential lots, five outlots are included within the plan that will serve as open space, along with required drainage and utility easements. Outlots A, B, D & E will provide both open space and serve as additional buffer space in specific areas around the CUP boundary. These outlots will increase the setback from Norman Road along with increased distance and landscaping at the end of all three cul-de-sacs. The 36 single family lots will follow the R-1 zoning height and lot requirements with the exception of two requested waivers which will reduce the front yard setback, along with a reduced side yard setback for lots abutting the existing neighborhood to the east and south. These waivers are being proposed with the intent of increasing the distance between the new residential dwellings and surrounding neighborhood. Since over 12 acres of the site is already zoned R-1, a CUP is not required as the development could follow the general R-1 zoning standards without a CUP approval, which would not allow the requested waivers reducing the setbacks to the abutting neighborhood and would allow a greater density than the 36 total dwelling units proposed.

4. The applicant has requested five waivers to the Lincoln Municipal Code:

- a. Subdivision Ordinance, Table 36.23.140(c) to allow lot lines to be radial and perpendicular to street right-of-way.

This request is appropriate due to the nature of the site layout related to the three proposed cul-de-sacs causing the adjacent lot lines to not be at a right angle. The associated lots will still be required to meet the stated setback and lot requirements within the CUP.

- b. Zoning Ordinance, Table 27.72.020(a) to reduce the front yard setback from 30 feet to 20 feet.

This request for a reduced front yard setback will be beneficial by allowing future dwellings within the CUP to be located closer to the street and farther from the existing and abutting residential lots to the south and east by reducing the front yard setback to 20 feet and ultimately providing an additional 10 feet of separation within the rear yard.

- c. Zoning Ordinance, Table 27.72.020(a) to reduce the side yard setback from 10 feet to 7.5 feet, except for Lots 13-14 and 24-25.

This request is appropriate as the intended layout for the CUP include larger villa style homes that will cover more lot area and reduce the amount of uncovered side yard area. The request will only pertain to lots with side yards not abutting the CUP perimeter boundary, as it does not include Lots 13-14 and 24-25 which abutting the existing neighborhood along the eastern edge of the CUP.

- d. Subdivision Ordinance, to waive the requirement for a pedestrian way when the block length exceeds 1,000 feet in length.

This waiver is being requested as it is not feasible to connect a pedestrian walkway to the existing 10' east-west pedestrian easement that exists within The Knolls due to a steep grade change of approximately 16 feet from The Knolls street to the CUP boundary. The existing pedestrian connection was planned and approved between 5901 and 5921 The Knolls but was never constructed as it led to the private golf course. The easement was approved in 1955, with the golf course opening in 1963 and later changing to a private course in 1967, reducing the need for a public walkway to the golf course property line. Today the grade change along with the current vegetation within The Knolls pedestrian easement would create issues with connecting a new pedestrian way that was accessible.

5. This request is in conformance with the Comprehensive Plan as the site is designated as Future Urban Residential. This proposed number of dwelling units within the CUP and lot layout is significantly less intensive than that of the

future land use designation which supports up to 15 dwelling units per acre of both single and multifamily uses. As this is an infill development location, the site will also be compatible with the surrounding area as it will consist of only low density, single family dwelling lots, surrounded by an existing single family dwelling neighborhood along a majority of the CUP boundary.

CONDITIONS OF APPROVAL: See attached.

EXISTING LAND USE & ZONING: Previous Knolls Golf Course B-1, Commercial & R-1, Residential

SURROUNDING LAND USE & ZONING

North: Old Cheney Road & Single Family Residential	R-1, Residential
South: Single Family Residential	R-1, Residential
East: Single Family Residential	R-1, Residential
West: Knolls Assisted Living	R-2, Residential

APPROXIMATE LAND AREA: 13.25 acres, more or less

LEGAL DESCRIPTION: See attached.

Prepared by

Ben Callahan, Planner

Date: December 8, 2022

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<https://linclanc.sharepoint.com/sites/PlanningDept-DevReview/Shared Documents/DevReview/SP/22000/SP22038 The Knolls CUP.bmc.docx>

CONDITIONS OF APPROVAL - SPECIAL PERMIT #22038

Per Section 27.63.320 this approval permits a Community Unit Plan for up to 36 dwelling units and voids Special Permit 524 for a parking lot for the Knolls Country Club with the following waivers:

1. Allow lot lines to be radial and perpendicular to street right-of-way.
2. Reduce the front yard setback from 30 feet to 20 feet.
3. Reduce the side yard setback from 10 feet to 7.5 feet, except for Lots 13-14 and 24-25.
4. Allow for the pedestrian way block length to exceed 1,000 feet.

Site Specific Conditions:

1. The City Council approves associated request:
 - 1.1 Change of Zone #22035
2. Before a final plat is approved the permittee shall cause to be prepared and submitted to the Planning Department a revised and reproducible final plot plan including 2 copies with all required revisions and documents as listed below:
 - 2.1 Provide the radius for each cul-de-sac shown on the plan.
 - 2.2 Update Outlot C notes to include "Pedestrian Walkway" as a use.
 - 2.3 Provide all dimensions for both Outlot A and B.
 - 2.4 Change name of "Spring Court" due to "Spring" being used in multiple existing street names.
 - 2.5 Update Community Unit Plant Notes numbering as #7 is missing.
 - 2.6 Address comments with associated drainage report for Use Permit #22035 as approval for this application is dependent on resolving the required corrections.
3. Before receiving building permits or before a final plat is approved provide the following documents to the Planning Department:
 - 3.1 Verification from the Register of Deeds that the letter of acceptance as required by the approval of the special permit has been recorded.

4. Final plat(s) is/are approved by the City.

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

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

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

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

to complete the installation of sidewalks within four (4) years following the approval of the final plat.

to construct the sidewalk in the pedestrian way easements at the same time as the adjacent street is paved and to agree that no building permit shall be issued for the abutting lots until such time as the sidewalk in the pedestrian way easement is constructed.

to complete the public water distribution system to serve this plat within two (2) years following the approval of the final plat.

to complete the public wastewater collection system to serve this plat within two (2) years following the approval of the final plat.

to complete the enclosed public drainage facilities shown on the approved drainage study to serve this plat within two (2) years following the approval of the final plat.

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

to complete the installation of public street lights along streets within this plat within two (2) years following the approval of the final plat.

to complete the planting of the street trees within this plat within six (6) years following the approval of the final plat.

to complete the planting of the landscape screen within this plat within two (2) years following the approval of the final plat.

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

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

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

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

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

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

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

to maintain the outlots on a permanent and continuous basis.

to maintain the private improvements in good order and condition and state of repair including the routine and reasonable preventive maintenance of the private improvements on a permanent and continuous basis.

to maintain the plants in the medians and islands, including replacement and replanting as reasonably necessary, on a permanent and continuous basis.

to maintain the sidewalks in the pedestrian way easements in good order and condition, including repair and replacement as reasonably necessary, on a permanent and continuous basis.

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

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

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

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

to protect the trees that are indicated to remain during construction and development

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

Standard Conditions:

5. The following conditions are applicable to all requests:
 - 5.1 Before occupying the dwelling units / buildings or starting the operation all development and construction shall substantially comply with the approved plans.
 - 5.2 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.
 - 5.3 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.
 - 5.4 The terms, conditions, and requirements of this resolution shall run with the land and be binding upon the Permittee, its successors and assigns.

- 5.5 The applicant shall sign and return the letter of acceptance to the City Clerk. This step should be completed within 60 days following the approval of the 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.

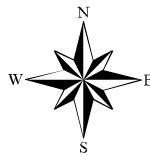


2022 aerial

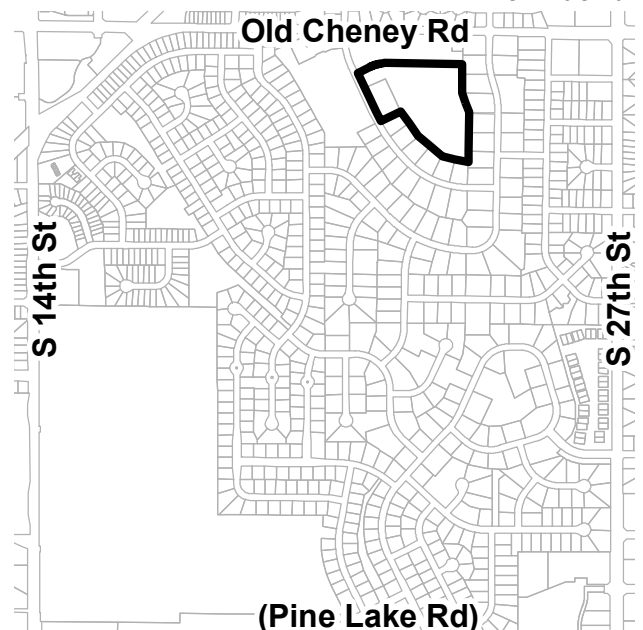
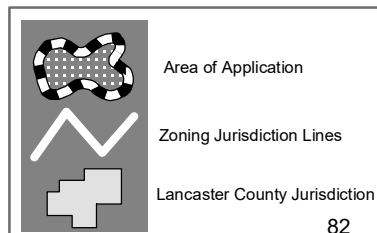
Special Permit #: SP22038
The Knolls CUP
Norman Rd & Old Cheney Rd

Zoning:

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



One Square Mile:
Sec.13 T09N R06E





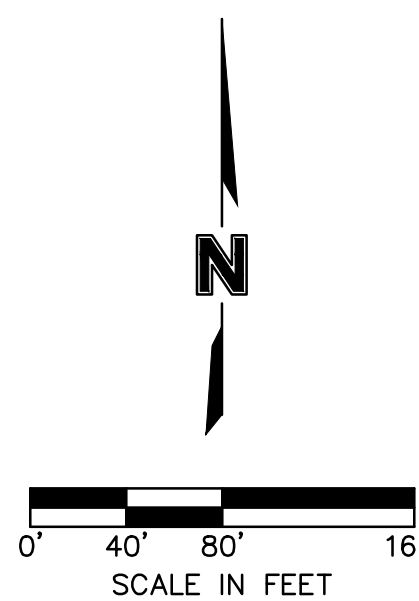
SOUTHHILLS LLC
1717 TRELAWNEY DR
LINCOLN, NE 68512
PHONE: 402-432-5822

OLSSON, INC
601 'P' STREET
LINCOLN, NE 68508
PHONE: 402-474-6311

OLSSON, INC
601 'P' STREET
LINCOLN, NE 68508
PHONE: 402-474-6311

THE KNOLLS

COMMUNITY UNIT PLAN COVER



* BASED ON A R-1 RESIDENTIAL DISTRICT GENERAL DENSITY OF 3.87 DWELLING UNITS PER ACRE.

A TRACT OF LAND COMPOSED OF LOTS 45 AND 46, CHEZ AMI KNOLLS FIRST ADDITION AND A PORTION OF LOT 1, THE KNOLLS COUNTRY CLUB ADDITION, ALL LOCATED IN THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 09 NORTH, RANGE 06 EAST OF THE 6TH P.M., CITY OF LINCOLN, LANCASTER COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 2, THE KOLLS COUNTRY CLUB ADDITION, SAID POINT BEING ON THE SOUTH LINE OF SAID LOT 2, A DISTANCE OF 10.00 FEET SOUTH, ON THE EAST LINE OF SAID LOT 2, AND AN EAST LINE OF SAID LOT 1, ON AN ASSUMED BEARING OF S00°47'05"E, A DISTANCE OF 260.84' TO THE TRUE POINT OF BEGINNING; THENCE, CONTINUING, S00°47'05"E ON AN EAST LINE OF SAID LOT 2, A DISTANCE OF 260.84' TO THE POINT OF BEGINNING; S19°32'22"E ON AN EAST LINE OF SAID LOT 1, A DISTANCE OF 186.79' TO A POINT; THENCE S00°46'22"W, ON AN EAST LINE OF SAID LOT 1, A DISTANCE OF 349.70' TO A POINT; THENCE S00°50'56"W, ON AN EAST LINE OF SAID LOT 1, A DISTANCE OF 100.92' TO A POINT; THENCE N76°36'33"W, ON A SOUTH LINE OF SAID LOT 1, A DISTANCE OF 134.92' TO A POINT; THENCE N76°43'44"W, ON A SOUTH LINE OF SAID LOT 1, A DISTANCE OF 121.14' TO A POINT; THENCE S50°36'33"W, ON A SOUTHWEST LINE OF SAID LOT 1, A DISTANCE OF 149.95' TO A POINT; THENCE N50°00'08"W, ON A SOUTHWEST LINE OF SAID LOT 1, A DISTANCE OF 134.37' TO A POINT; THENCE N34°54'17"W, ON A SOUTHWEST LINE OF SAID LOT 1, A DISTANCE OF 134.92' TO A POINT; THENCE N34°57'54"W, ON A SOUTHWEST LINE OF SAID LOT 1, A DISTANCE OF 134.57' TO A NORTHEAST CORNER OF LOT 42, CHEZ AMI KOLLS FIRST ADDITION, SAID POINT BEING A NORTHEAST CORNER OF LOT 42, CHEZ AMI KOLLS FIRST ADDITION; THENCE S64°05'08"W, ON A SOUTHEAST LINE OF SAID LOT 45, A DISTANCE OF 200.06' TO A POINT OF CURVATURE FOR A NON-TANGENT CURVE IN A CLOCKWISE DIRECTION, HAVING A CENTRAL ANGLE OF 03°39'44", A RADIUS OF 1,637.02', AN ARC LENGTH OF 113.15', A TANGENT LENGTH OF 145.45' TO A POINT BEING A NORTHEAST RIGHT OF WAY LINE OF LOT 45, ROAD, A CHORD LENGTH OF 104.62', A TANGENT LENGTH OF 52.33', AND A CHORD BEARING OF N26°48'57"W TO A POINT; THENCE N25°20'12"W, ON A SOUTHWEST LINE OF SAID LOT 45, A DISTANCE OF 113.15' TO A POINT OF CURVATURE FOR A CURVE IN A CLOCKWISE DIRECTION, HAVING A CENTRAL ANGLE OF 26°39'50", A DISTANCE OF 395.00', AN ARC LENGTH OF 183.82', A CHORD LENGTH OF 182.17', A TANGENT LENGTH OF 93.61', AND A CHORD BEARING OF N77°25'03"E, TO A POINT; THENCE S89°02'43", A DISTANCE OF 666.26' TO THE POINT OF BEGINNING; BEARING S89°02'43" W, A DISTANCE OF 577,154.13 SQUARE FEET OR 13.25 ACRES, MORE OR LESS,

RIGHT-OF-WAY
SECTION LINE
TREE MASS
STORM SEWER
COMMUNICATION UNDERGROUND
POWER OVERHEAD
POWER UNDERGROUND
WATER MAIN
SANITARY SEWER
IRON FENCE
WIRE FENCE
POWER POLE/GUY WIRE

Diagram illustrating the proposed lot line, proposed back of curb, proposed road centerline, and proposed right of way.

Legend:

- COMMUNITY UNIT PLAN BOUNDARY
- PROPOSED LOT LINE
- PROPOSED BACK OF CURB
- PROPOSED ROAD CENTERLINE
- PROPOSED RIGHT OF WAY

1. LOT LINES BEING RADIAL AND PERPENDICULAR TO STREET RIGHT-OF-WAY.
2. REDUCE FRONT YARD SETBACK FROM 30' TO 20'
3. REDUCE SIDE YARD SETBACK FROM 10' TO 7.5', EXCEPT FOR LOTS 13-14, 24-25.
4. A WAIVER FOR PEDESTRIAN WAY BLOCK LENGTH OF 1,000

1. SANITARY SEWER AND WATER LINES TO BE 8" AND 6" PIPE DIAMETER RESPECTIVELY AND TO BE CONSTRUCTED TO OTHER CITY OF LINCOLN SPECIFICATIONS, UNLESS OTHERWISE SHOWN.
2. ALL SANITARY SEWERS AND WATER MAINS TO BE PUBLIC.
3. ALL DIMENSIONS ALONG CURVES ARE CHORD DISTANCES.
4. ALL PAVING RADII TO BE 20' UNLESS OTHERWISE NOTES.
5. LOT, OUTLOT AND BLOCK DIMENSIONS SHOWN ARE APPROXIMATE AND MAY VARY.
6. ALL STREET DIMENSIONS ARE TO BACK OF CURB.
7. ALL ELEVATIONS ARE ON NAVD 1988.
8. THE YARD SETBACKS REGULATE STRUCTURAL WALLS ONLY AND DO NOT RESTRICT OVERHANGS, PATIOS, DOOR SWINGS, WINDOW SWINGS, ETC. FROM ENROACHING INTO THE SETBACKS.
9. DETAILS OF ALL SIGNS, INCLUDING TYPE, HEIGHT, SIZE AND LOCATION WILL BE SUBMITTED SEPARATELY FOR REVIEW WITH THE BUILDING PERMIT AND NEED NOT BE SHOWN ON THE COMMUNITY UNIT PLAN PLANS.
10. ALL STREETS WITHIN THIS COMMUNITY UNIT PLAN ARE PUBLIC LOCAL STREETS UNLESS DESIGNATED OTHERWISE ON THE PLAN.
11. PEDESTRIAN SIDEWALK CONNECTIONS ARE REQUIRED TO BE 5 FEET WIDE WHEN EXCEEDING 190 FEET IN LENGTH. THIS WIDTH WILL BE REQUIRED AT THE TIME OF FINAL PLAT.
12. THE STREET AND LOT LAYOUT WITHIN THE COMMUNITY UNIT PLAN IS CONSIDERED FINAL WITH THE FINAL LAYOUT TO BE DETERMINED AT THE TIME OF FINAL PLAT PROVIDED IT IS IN GENERAL COMPLIANCE WITH THE APPROVED SITE PLAN.

1. THIS COMMUNITY UNIT PLAN CONTAINS 13.25 ACRES.
2. THE EXISTING ZONING IS R-1 AND B-1. THE PROPOSED ZONING IS R-1.
3. ALL REGULATIONS OF THE UNDERLYING ZONING DISTRICT SHALL APPLY EXCEPT AS PROVIDED HEREIN AND/OR SPECIFICALLY MODIFIED BY THE CITY COUNCIL.
4. EXACT LOCATION OF ALL EASEMENTS SHALL BE SHOWN AT THE TIME OF FINAL PLATS.
5. OUTLOTS A-E IS THE RESPONSIBILITY OF THE DEVELOPERS AND/OR FUTURE HOMEOWNER'S ASSOCIATION TO MAINTAIN.
6. OUTLOT DESIGNATION AND USES ARE AS FOLLOWS:

a. OUTLOT A	GREEN SPACE
b. OUTLOT B	GREEN SPACE
c. OUTLOT C	GREEN SPACE, DRAINAGE AND UTILITY EASEMENT
d. OUTLOT D	GREEN SPACE, COMMON ACCESS EASEMENT
e. OUTLOT E	GREEN SPACE, COMMON ACCESS EASEMENT
7. DETENTION AND WATER QUALITY REQUIREMENTS ARE SHOWN ON THE ADJACENT PROPERTY USE PERMIT FOR KNOLLS PLAZA.

COVER

THE KNOLLS
COMMUNITY UNIT PLAN

CLINICAL

REVISIONS DESCRIPTION

REVISIONS

601 P Street, Suite 200
P.O. Box 84608
Lincoln, NE 68508
TEL 402.474.6311 www.olsson.com

Aerial – City of Lincoln

C_PBASE-UP_02202783

USER: alabenz
C_PBASE-CUP_02202783

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DWG:

LEGAL DESCRIPTION
CUP

A TRACT OF LAND COMPOSED OF LOTS 45 AND 46, CHEZ AMI KNOLLS FIRST ADDITION AND A PORTION OF LOT 1, THE KNOLLS COUNTRY CLUB ADDITION, ALL LOCATED IN THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 09 NORTH, RANGE 06 EAST OF THE 6TH P.M., CITY OF LINCOLN, LANCASTER COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 2, THE KNOLLS COUNTRY CLUB ADDITION, SAID POINT BEING ON THE SOUTH RIGHT OF WAY LINE OF OLD CHENEY ROAD; THENCE, SOUTH, ON THE EAST LINE OF SAID LOT 2, AND AN EAST LINE OF SAID LOT 1, ON AN ASSUMED BEARING OF S00°47'05"W, A DISTANCE OF 260.84' TO THE TRUE POINT OF BEGINNING; THENCE, CONTINUING, S00°47'05"W ON AN EAST LINE OF SAID LOT 1, A DISTANCE OF 263.29' TO A POINT; THENCE S19°37'23"E, ON A NORTHEAST LINE OF SAID LOT 1, A DISTANCE OF 186.79' TO A POINT; THENCE S00°46'22"W, ON AN EAST LINE OF SAID LOT 1, A DISTANCE OF 349.70' TO A POINT; THENCE S00°50'56"W, ON AN EAST LINE OF SAID LOT 1, A DISTANCE OF 100.92' TO A POINT; THENCE N76°36'33"W, ON A SOUTH LINE OF SAID LOT 1, A DISTANCE OF 119.80' TO A POINT; THENCE N76°43'44"W, ON A SOUTH LINE OF SAID LOT 1, A DISTANCE OF 121.14' TO A POINT; THENCE N50°36'33"W, ON A SOUTHWEST LINE OF SAID LOT 1, A DISTANCE OF 149.95' TO A POINT; THENCE N50°00'08"W, ON A SOUTHWEST LINE OF SAID LOT 1, A DISTANCE OF 135.37' TO A POINT; THENCE N34°52'54"W, ON A SOUTHWEST LINE OF SAID LOT 1, A DISTANCE OF 134.92' TO A POINT; THENCE N34°57'54"W, ON A SOUTHWEST LINE OF SAID LOT 1, A DISTANCE OF 134.57' TO A NORTHEAST CORNER OF LOT 44, CHEZ AMI KNOLLS FIRST ADDITION, SAID POINT BEING A SOUTHEAST CORNER OF LOT 45, CHEZ AMI KNOLLS FIRST ADDITION; THENCE S64°05'08"W, ON A SOUTHEAST LINE OF SAID LOT 45, A DISTANCE OF 200.06' TO A POINT OF CURVATURE FOR A NON-TANGENT CURVE IN A CLOCKWISE DIRECTION, HAVING A CENTRAL ANGLE OF 03°39'44", A RADIUS OF 1,637.02', AN ARC LENGTH OF 104.63' ON A SOUTHWEST LINE OF SAID LOT 45, SAID LINE BEING A NORTHEAST RIGHT OF WAY LINE OF NORMAN ROAD, A CHORD LENGTH OF 104.62', A TANGENT LENGTH OF 52.33', AND A CHORD BEARING OF N26°48'57"W TO A POINT; THENCE N25°20'12"W, ON A SOUTHWEST LINE OF SAID LOT 45, A SOUTHWEST LINE OF LOT 46, CHEZ AMI FIRST ADDITION, AND A SOUTHWEST LINE OF SAID LOT 1, SAID LINE BEING A NORTHEAST LINE OF SAID NORMAN ROAD RIGHT OF WAY, A DISTANCE OF 381.43' TO A POINT; THENCE N64°05'08"E, A DISTANCE OF 113.15' TO A POINT OF CURVATURE FOR A CURVE IN A CLOCKWISE DIRECTION, HAVING A CENTRAL ANGLE OF 26°39'50", A RADIUS OF 395.00', AN ARC LENGTH OF 183.82', A CHORD LENGTH OF 182.17', A TANGENT LENGTH OF 93.61', AND A CHORD BEARING OF N77°25'03"E, TO A POINT; THENCE S89°15'02"E, A DISTANCE OF 666.26' TO THE POINT OF BEGINNING, SAID TRACT CONTAINS A CALCULATED AREA OF 577,094.13 SQUARE FEET OR 13.25 ACRES, MORE OR LESS.

November 1, 2022



November 3, 2022

Mr. David Cary
Planning Director
Planning Department
555 South 10th St., Suite 213
Lincoln, NE 68508

Re: The Knolls
Change of Zone and Use Permit
Olsson Project No. 020-0895

Dear Mr. Cary,

On behalf of Southhills, LLC ("Southhills"), the owner of the real property legally described as Lots 1 & 2 The Knolls Country Club Addition and Lots 45-56 Chez Ami Knolls First Addition, all located in the Northeast quarter of Section 13, Township 9 North, Range 6 East of the 6th P.M., Lancaster County, Nebraska ("the Property") is proposing a R-1 Community Unit Plan ("CUP") and change of zone. The property contains approximately 13.25 acres.

The application for the Community Unit Plan proposes a plan to create a community of single family detached dwellings that will be marketed as luxury "villa" lots. The villa style homes will be a community of similar-style homes that will offer high-end housing and lower maintenance lifestyles. The expected values of the homes will be consistent or higher than many of the surrounding property valuations.

The allowable density of the R-1 zone would allow up to 51 dwellings; however, the CUP proposes a total of 36 dwellings that have been carefully sized to balance the proposed vision of the new villa community and surrounding larger residential lots. Many of the adjacent lots to existing homes have been designed to provide buffers for grading and additional depth to exceed the minimum setbacks.

Several communities in Lincoln that offer larger and more luxurious lots also share adjacent alternative housing styles while maintaining comfortable and convenient living. Firethorn, the Ridge and Wilderness Ridge are all communities that have areas of high-end single family lots and share communities of attached single family (duplex) and villa communities. The communities include Eagle View and the Fairways at Firethorn, Lone Tree Townhouses at The Ridge, Wilderness Ridge Townhomes at Wilderness Ridge. In comparison to this application, Eagle View at Firethorn was developed around established and large homes very similar to the existing Knolls residences surrounding this Property.

The proposed layout has several common areas (outlots) to provide additional buffering space, which will include berming and landscaping. The purpose of these areas is to provide additional space and screening around proposed and existing lots to streets to reduce impacts of vehicles and sounds.

The applicant will hold a neighborhood informational meeting the week of November 21st, where neighbors will be invited to attend and find out more information about the proposed community and ask questions.

The CUP is being requested, in lieu of a Preliminary Plat, to include the following waivers that will provide some additional flexibility around the existing residences and accommodate the layout that is challenged with a property that is uniquely shaped for new residential lots:

1. Table 27.72.020(a) to reduce Front Yard setback from 30 feet to 20 feet for all lots.

Justification: The dwelling footprints may move closer to the streets and therefore move the footprint 10 feet further away from the rear property line and away from existing residential properties.

2. Table 27.72.020(a) to reduce Side Yard setback from 10 feet to 7.5 feet for all lots except 13, 14, 24, and 25 that are adjacent to existing residential properties.

Justification: The dwelling footprints for a villa lot is intended to cover more of the lot for living areas and less maintenance areas outside. The closer footprint will allow the homes to be closer to provide larger footprints and still allow a minimum of 15 feet between dwelling walls.

3. Table 26.23.140(c) to allow side lot lines not to be at right angles to the street.

Justification: In several areas near or around cul-de-sacs, the lot lines are not at right angles, but due to the size of the cul-de-sacs and curves, provides a better lot layout. Side loaded garages are being planned for each dwelling and the lot lines have been adjusted for the size of proposed dwellings and driveway locations.

4. Table 26.23.125 to waive a pedestrian way when the block exceeds 1,000 feet in length at the end of Spring Court and Summertime Court.

Justification Summertime Court: The City may desire a pedestrian connection between lots 7 and 9 of Chez Ami Knolls because the City owns a 10 feet wide strip between lots 7 and 9. The proposed grades at the rear of lots 14 and 24 are 7 feet below the existing grades of lots 7 and 9. The drop in grade from the front of lot 7 and 9 to the rear is around 15 feet according to City GIS, for a total of 22 feet of vertical change. The overall change of grade would equate to a slope of 8% - 9%, which would exceed ADA slopes for ramps with handrails. Lastly, in order to install a sidewalk between lots 7 and 9, several large trees and landscaping would need to be removed. In all, the applicant would be sensitive to the impacts of the adjacent property owners and ask that this waiver be granted.

Justification Spring Court: there is a slope of approximately 8 feet on the east side of Lot 25. Due to the grades and the proposed berming to the north of lot 25 to provide screening between the residential and commercial, the pedestrian connection has been moved between lots 33 and 34 that will be shared with storm sewer and allow a flatter grade through the buffer area.

The development team has met with City Staff in a preapplication meeting discuss the proposed applications and will continue to work with Staff as the plans are reviewed.

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

1. City of Lincoln Application, including:
 - a. Community Unit Plan
 - b. Change of Zone from B-1 to R-1
2. Use Community Unit Plan – Site Plan
3. Application fee in the amount of \$3,401.25 (Change of Zone paid with Use Permit Application)

Plans and other supporting documents will be submitted to ProjectDox upon notification from the Planning Staff. We appreciate your consideration of the above request and look forward to working with the City staff on this proposed Use Permit and change of zone. If you require further information or have any questions, please do not hesitate to contact me at bmarshall@olsson.com or (402) 458-5672.

Sincerely,



Brad J Marshall, P.E.

Enclosures.