

Lincoln City - Lancaster County

PLANNING COMMISSION AGENDA

PLANNING COMMISSION

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PLANNING STAFF

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March 08, 2023

NOTICE: The Lincoln/Lancaster County Planning Commission will hold a public hearing on Wednesday, March 08, 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.

AGENDA

WEDNESDAY, March 08, 2023

Approval of minutes of the regular meeting held February 22, 2023.

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

TEXT AMENDMENT:

- 1.1 TEXT AMENDMENT 23003, to amend Articles 2-Definitions, 6-"R" District, 13-Special Permits and 17-Additional Height and Area Regulations of the Lancaster County Zoning Regulations.

Page 1

Staff recommendation: Approval

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

CHANGE OF ZONE:

- 1.2 CHANGE OF ZONE 06075B, for an amendment to Wilderness Commons PUD (Planned Unit Development) to expand boundary of the PUD and increase number of allowed units dwelling units from 401 to 467, along with a request to increase the height in the R-5 PUD zoning from 55 feet to 65 feet, on property generally located at 40th Street and Wilderness Hills Boulevard.

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Staff recommendation: Conditional Approval

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

- 1.3 CHANGE OF ZONE 23012, from AG (Agricultural District) to B-2 (Planned Neighborhood Business District) as part of Waterford Estates Commercial Park, on property generally located at North 98th Street and O Street.

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Staff recommendation: Approval

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

SPECIAL PERMIT:

- 1.4 SPECIAL PERMIT 23005, to allow for a residential healthcare facility for up to 16 residents, on property generally located at 3737 Calvert Street. 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: Benjamin Callahan, 402-441-6360, bcallahan@lincoln.ne.gov

- 1.5 SPECIAL PERMIT 23007, to allow for the existing accessory square foot total per lot to exceed the allowed maximum within the R-1 zoning district by 582 square feet, on property generally located at 3430 and 3510 South 33rd Street. 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: Benjamin Callahan, 402-441-6360, bcallahan@lincoln.ne.gov

2. REQUESTS FOR DEFERRAL

- 2.1 COMPREHENSIVE PLAN CONFORMANCE 23003, to review as to conformance with the 2050 Lincoln-Lancaster County Comprehensive Plan, a proposed amendment to the Van Dorn Redevelopment Plan to make updates throughout the document, including amending the redevelopment area boundary, generally bounded by Hill Street on the north, 13th Street on the east, Lowell Street on the south, and 7th Street on the west, also including the Pedestrian Crossing and Van Dorn Park Enhancement Project with a project area that includes Van Dorn Park, public right-of-way along 9th, 10th, High, and Van Dorn streets, as well as the parcel located at 2744 S 9th Street, more particularly generally located at 10th & Van Dorn Streets.

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Staff recommendation: In Conformance with the Comprehensive Plan

Staff Planner: Andrew Thierolf, 402-441-6371, athierolf@lincoln.ne.gov

3. ITEMS REMOVED FROM CONSENT AGENDA

4. PUBLIC HEARING AND ADMINISTRATIVE ACTION

TEXT AMENDMENT:

- 4.1 TEXT AMENDMENT 23002, to amend Chapter 27 of the Lincoln Municipal Code, Section 27.82 (impact fees), amending the provisions for imposition of impact fees by allowing transfer of a credit from an old location to a new location within the same project where the old location is rendered non-buildable; and repealing Section 27.82 as hitherto existing.

Page 55

Staff recommendation: Conditional Approval

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

SPECIAL PERMIT:

- 4.2 SPECIAL PERMIT 13048A, amending an existing special permit to allow for a residential healthcare facility for up to 18 people, on property generally located at 740 S. 17th Street. The Planning Commission action is final, unless appealed to the Lincoln City Council. *** **FINAL ACTION** ***
Page 67
Staff recommendation: Approval with Conditions
Staff Planner: Stephanie Rouse, 402-441-6373, srouse@lincoln.ne.gov

COUNTY SPECIAL PERMIT AND RELATED ITEMS:

- 4.3a SPECIAL PERMIT 12015A, to allow for a recreational facility, on property generally located at 2260 West Wittstruck Road. The Planning Commission action is final, unless appealed to the Lancaster County Board. *** **FINAL ACTION** ***
Page 77
Staff recommendation: Conditional Approval
Staff Planner: Tom Cajka, 402-441-5662, tcajka@lincoln.ne.gov
- 4.3b SPECIAL PERMIT 12016A, to allow for a recreational facility, on property generally located at 2260 West Wittstruck Road. The Planning Commission action is final, unless appealed to the Lincoln City Council. *** **FINAL ACTION** ***
Staff recommendation: Conditional Approval
Staff Planner: Tom Cajka, 402-441-5662, tcajka@lincoln.ne.gov

MISCELLANEOUS:

- 4.4 MISCELLANEOUS 23002, to review the proposed determination that the 56th, 70th, and Fletcher Redevelopment Area be declared blighted and substandard as defined in the Nebraska Community Development Law. The study area is approximately 936 acres, generally located between 56th Street on the west, Salt Creek on the north, 84th Street on the east, and Fletcher Avenue on the south, located in sections 33-11-07 and 34-11-07, Lincoln, Lancaster County, Nebraska.
Page 91
Staff recommendation: Finding of Substandard or Blighted Conditions
Staff Planner: Andrew Thierolf, 402-441-6371, athierolf@lincoln.ne.gov

5. CONTINUED PUBLIC HEARING AND ADMINISTRATIVE ACTION

COMPREHENSIVE PLAN CONFORMANCE:

- 5.1 COMPREHENSIVE PLAN CONFORMANCE 23001, to review as to conformance with the 2050 Lincoln Lancaster Comprehensive Plan, a proposed amendment to the N. 27th Street Corridor and Environs Redevelopment Plan to identify the "27th & Starr Redevelopment Project" which will redevelop two properties with a 12-unit apartment building, 3 townhomes and associated parking, on property generally located at the NE corner of N. 27th and Starr Streets.
Page 99
Staff recommendation: In Conformance with Comprehensive Plan
Staff Planner: George Wesselhoft, 402-441-6366, gwesselhoft@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: *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:

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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>

***ACCOMMODATION NOTICE:** The City of Lincoln complies with Title VI of the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973 guidelines. Ensuring the public's access to and participating in public meetings is a priority for the City of Lincoln. In the event you are in need of a reasonable accommodation in order to attend or participate in a public meeting conducted by the City of Lincoln, please contact the Lincoln Commission on Human Rights at 402-441-7624, or the City Ombudsman at 402-441-7511, as soon as possible before the scheduled meeting date in order to make your request.*



LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT

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

APPLICATION NUMBER Text Amendment #23003	FINAL ACTION? No
PLANNING COMMISSION HEARING DATE March 8, 2023	RELATED APPLICATIONS None

RECOMMENDATION: APPROVAL

BRIEF SUMMARY OF REQUEST

The Lancaster County Board of Commissioners requested the Planning Department to amend the Lancaster County Zoning Regulations to add conditions to special permits. The proposed application is to amend the Lancaster County Zoning Regulations to revise Article 2 Definitions for Academies and Private School; Article 6 Residential District to delete Mobile Home Courts as an allowed use; Article 13 Special Permit to add conditions for Campgrounds and to delete Mobile Home Courts, and Article 17 Additional Height and Area Regulations to add non-commercial antennas and satellite dish antennas can have a maximum height of 65 feet of the Lancaster County Zoning Regulations.

JUSTIFICATION FOR RECOMMENDATION

Amending the definition for “academies” and “private Schools” to match the City of Lincoln zoning definitions helps with consistency with the 2 zoning regulations. Having conditions for the special permits will allow for consistency in reviewing each special permit application. This will ensure the applicant knows from the beginning what is required. This change may limit the ability to add conditions at the time of special permit review depending upon how specific the conditions are in the regulations. Mobile Home Courts should be in areas close to commercial and personal services, not in the rural areas of the county. Allowing non-commercial antennas for amateur radio and satellite dish antennas up to 65 feet in height is compatible with other uses that are exempt from the height limit of the district.

APPLICANT

David Cary, Planning Director

STAFF CONTACT

Tom Cajka, County Planner
402-441-5662 or tcajka@lincoln.ne.gov

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The proposed text amendment is compatible with the Comprehensive Plan goals of streamlining the process and striving for predictability.

KEY QUOTES FROM THE 2050 COMPREHENSIVE PLAN

Page 4.25 Policy 12 - Economic Growth: Promote and foster appropriate, balanced, and focused future economic growth that maintains the quality of life of the community.

Action Steps

- 6. Explore additional opportunities for streamlining the zoning and building permitting processes.

Page 4.31 Policy 17- Strive for predictability for neighborhoods and developers.

Action Steps

1. Continue to make updates as needed to zoning and subdivision ordinances, along with design standards, to support economic development, complete neighborhoods, and other PlanForward initiatives.

ANALYSIS

1. The main purpose of this text amendment is to add conditions for special permits for campgrounds in Article 13.014. Other changes basically “clean up” amendments that are revising the definition for Academies and Private Schools. This text amendment also eliminates mobile home courts as a use and proposes that noncommercial antenna towers and satellite dish antennas have a height limit of 65 feet.
2. This application is a follow up to Text Amendment (TX) #21011 and TX #22014 that amended Article 13 Special Permit. TX #21011 and TX #22014 added conditions for most special permits. Five special permits, including campgrounds and mobile home courts in this application, were placed on hold while conditions could be developed for each use. These two special permits required additional time to develop conditions.
3. Mobile home courts are currently allowed by special permit in the R-Residential District only. There is very little R zoning in the rural part of the county. Most of the “R” zoning is in the unincorporated areas of Holland, Princeton, Agnew and Prairie Home. These unincorporated villages have little to no services. Mobile Home Courts should be in areas close to commercial and personal services and emergency services. These types of services are mainly found within cities and villages.

Research of Planning Department records found that there have only been 2 special permits for mobile home courts approved in the county. These were approved in June 1978 and April 1984. One is at SW 14th and W. Saltillo and the other was at Highway 77 and Saltillo. Both locations are now inside Lincoln’s 3-mile zoning jurisdiction and the latter is now part of the south beltway.

4. This text amendment also proposes to amend Article 13-Special Permit by adding conditions for campgrounds. Adding conditions will allow for consistency for each application. The applicant will be aware of the conditions from the beginning, rather than waiting for the Planning Commission or County Board to decide the conditions. The Planning Commission or County Board will still have the option to add conditions if appropriate.
5. Proposed conditions for campground were first discussed with TX#19009 and SP#19051. These two applications were related to a proposed campground at Highway 77 and Davey Rd. Both applications were subsequently withdrawn by the applicant. The proposed conditions for this text amendment were derived from reviewing conditions of TX#19009 and Lincoln zoning code.
6. Proposed amendments to Article 13.014 Campground are:

a. There shall be a minimum of forty (40) campsites in the campground. Each campsite shall contain at least 2,500 square feet.

Requiring a minimum of 40 campsites prevents allowing a property to have a few cabins or recreational vehicle pads. A campground should provide facilities and add to the recreational options in the County. A minimum of 40 also provides enough scale for there to be services for camper and/or RV vehicle. The minimum number of 40 campsites still provides flexibility in the size of campgrounds.

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

A minimum 10-acre parcel allows plenty of space for 40 campsites and accessory buildings and uses.

c. The campground shall be supplied with a water supply and sewage disposal facilities, including washing, toilets, and similar facilities, all of which meet all applicable county codes and regulations.

These services are typical of most campgrounds.

d. A side yard and rear yard of sixty (60) feet and a front yard of fifty (50) feet shall be maintained on the campground.

The proposed setbacks will provide a buffer to adjacent properties. The zoning regulations for the AG District for all uses require a 50' front, 60' side and 100' rear yard setback. A 60' setback on the side and rear lot lines provides a sufficient setback to adjacent properties and provides for a uniform setback. The 50 feet front yard matches the AG and AGR Districts.

e. Public roads and highways providing primary access to the campground shall be paved.

Requiring campgrounds to take access to a paved road will eliminate dust from vehicles impacting adjacent properties. It will also reduce maintenance costs to the public that would be needed with a gravel road.

f. Internal roads shall be provided to each campsite and all internal roads shall have a minimum unobstructed width of fourteen feet for all one-way roads, and twenty feet for all two-way roads.

This provides for adequate width for traffic within the campground.

g. No campground may be occupied by the same person or persons more than thirty-one days in any three hundred sixty-five (365) day period. However, if the campground provides recreation and support facilities including but not limited to a swimming pool, convenience goods shop, and office, then up to thirty-five (35) percent of the campground campsites may be occupied by the same person or persons for not more than a cumulative total of one hundred eighty (180) days in any three hundred and sixty-five (365) day period.

Campgrounds are typically for persons staying less than 30 days. There are situations where a person may need to stay for more than 30 days. This could include a worker that does not live in the area and is on a project that lasts more than 30 days or someone who parks a recreational vehicle and leaves it during the football season. Other situations could include someone building a house and needs a temporary place to live or is visiting a family member for an extended time. The support facilities are required if the campground allows stays over 31 days. The number of campsites for stays up to 180 days is limited to 35% when the support facilities are included. The support facilities provide for a full service campground that will provide needed amenities for campers wanting an extended stay.

h. One dwelling unit, campground site or mobile home occupied by the owner or caretaker year-round is permitted.

Often a campground will have someone live on site year-round. This will allow the owner or caretaker to have a permanent residence at the campground.

i. The sale of alcoholic beverage within the campground shall be prohibited.

Prohibiting the sale of alcohol will help to keep a family friendly campground and will reduce conflicts with neighbors. This condition does not prohibit persons from bringing in their own alcohol on site.

j. All campground operators shall keep accurate records as to the length of time a person stays in the campground, and shall make said records available to the County Attorney, director of Building and Safety, or the Director of the Planning Department upon request.

This will allow county officials to respond to any complaints filed by reviewing the campgrounds records on length of stay.

k. Signs are allowed within the front yard setback.

Allowing signs in the front yard setback will allow greater visibility for travelers. Most users of the campground are not from the area and allowing the sign closer to the street will help in locating the campground.

l. Screening or fencing of the campground may be required.

There may be situations where screening or fencing is needed to offset the impact to adjacent property.

7. A search of applications for campgrounds revealed that there have been 4 applications for campgrounds in the County. All 4 applications were withdrawn for varying reasons including cost, lack of water and strong opposition from nearby property owners.
8. Proposed amendment to Article 2-Definitions is to amend the definition for Article 2.002 Academies and Article 2.017 Private School. The amendment is to remove the references to requirements of the State of Nebraska and to add vocational schools. A private school isn't necessarily required to meet the State of Nebraska requirements for curriculum. This amendment addresses a problem today for a private school that provides instruction similar to a public school, but that is not required by the State to meet the State of Nebraska instructional regulations. This amendment will also match a recent change in definition for academies and private schools in the City zoning regulations.
9. Article 17.003 currently exempts structures such as, chimneys, cooling towers, meteorological towers, grain elevators and ornamental towers from the height regulations. Lancaster County had a recent example of a property owner wanting to install a 65 feet tall antenna for a two-way radio and for a small dish for television. The height limit varies from 35 feet in the AG District to 50 feet in the B and I Districts.

The owner was told he could not have the antenna because it exceeded the height of the district, and it was not listed as one of the uses exempt for the height regulations. This amendment will allow noncommercial antenna towers for amateur radio and satellite dish antennas up to 65 feet in height.

Prepared by

Tom Cajka, Planner

Date: February 28, 2023

Applicant: David Cary, Planning Director
Lincoln-Lancaster County Planning Department
dcary@lincoln.ne.gov

Contact: Tom Cajka, County Planner
Lincoln-Lancaster County Planning Department
402-441-5662
tcajka@lincoln.ne.gov

ARTICLE 2 DEFINITIONS

2.002. A.

Academies shall mean education and instruction facilities including but not limited to dance or music academies, gymnastic or martial arts school. Academies shall not include early childhood care facilities, public schools, ~~or private schools that meet the State of Nebraska requirements for elementary or secondary education, or industrial trade~~ **or vocational** schools. (Approved Resolution No. [R-17-0040](#), May 30, 2017)

2.017. P.

Private School shall mean privately owned education and instruction facilities that ~~meet the State of Nebraska requirements for~~ **provide education and instructions that is generally equivalent to a public elementary or secondary education. Private schools generally provide instruction to the same grade levels as public schools, but may include facilities with fewer grades than a public school.** Private school shall not mean academies, early childhood care facilities, private colleges, or vocational schools. (Resolution No. R-17-0040, May 30, 2017)

ARTICLE 6 "R" RESIDENTIAL DISTRICT

6.005. Permitted Special Uses

A building or premises may be used for the following purposes in the "R" Residential district if a special permit for such use has been obtained in conformance with the requirements of [ARTICLE 13](#).

- a. Expansion of non-conforming use;
- b. Historical preservation;
- c. Academies, Private Schools, or Post-Secondary Education Facilities; (Resolution No. [R-17-0040](#), May 30, 2017)
- d. Reserved; (Resolution No. [R-17-0040](#), May 30, 2017).
- e. ~~Mobile home courts; (Resolution No. [R-17-0040](#), May 30, 2017; Resolution No. 3777, January 18, 1983).~~
- f. Community unit plans;
- g. Health Care Facilities, Residential; (Resolution No. [R-17-0040](#), May 30, 2017).
- h. Wind energy conversion systems over the ~~district~~ height; (Resolution R-08-0090, Approved October 15, 2008; Resolution No. 3744A, October 5, 1982).
- i. Dwellings for Members of Religious Orders; (Resolution No. [R-17-0040](#), May 30, 2017);
- j. Flood Plain Construction; (Resolution No. [R-17-0040](#), May 30, 2017);
- k. Broadcast Towers; (Resolution No. [R-17-0040](#), May 30, 2017);
- l. Personal Wireless Services Facility; (Resolution No. [R-17-0040](#), May 30, 2017)
- m. Early Childhood Care Facilities. (Resolution No. [R-18-0078](#), November 20, 2018)

- n. Small Solar Facility. (Resolution No. [R-20-0037](#), July 14, 2020)
(Resolution No. [R-22-0022](#), March 22, 2022)

ARTICLE 13 SPECIAL PERMIT

13.002. Procedures

- A. An application and copies of the plot plan drawn to an accurate scale and showing all pertinent information shall be filed in writing with the Planning Department. Before the issuance of any special permit of any buildings or uses, the County Board shall refer the proposed application to the Planning Commission. The Planning Commission shall hold a public hearing and shall consider the effect of such proposed building or uses upon the character of the neighborhood, traffic conditions, public utility facilities, the Comprehensive Plan and other matters relating to the public health, safety and general welfare. Any action by the Planning Commission may be appealed to the County Board. An existing use of the type listed in this Chapter lawfully established on the effective date of this resolution shall be deemed to have received a special permit as herein required and shall be provided with such a permit by the Building Inspector upon request and shall not be a nonconforming use; provided, however, that such an existing use shall require a special permit for enlargement, extension or relocation. Applications for Special Permits shall expire as provided in Section 22.019. (Resolution No. [R-17-0040](#), May 30, 2017)
- B. Prior to the start of the procedures provided in subsection (a) above, a text amendment shall be completed upon receipt of an application for a special permit for the following types of special permits:
 - ~~1. Mobile Home Courts;~~
 - ~~2. Campgrounds;~~
 - 1. Salvage Yards;
 - 2. Garden Centers;
 - 3. Off-premises Signs. (Resolution No. [R-22-0022](#), March 22, 2022; Resolution No. [R-23-0001](#), 01/03/2023)

~~13.013. Mobile Home Courts~~

~~Mobile home courts may be allowed by special permit in the R zoning district upon completion of the procedures pursuant to Section 13.002(b). (Resolution No. [R-17-0040](#), May 30, 2017; Resolution No. 3777, January 18, 1983; Resolution No. [R-18-0078](#), November 20, 2018; Resolution No. [R-22-0022](#), March 22, 2022).~~

13.014. Campground

Campground may be allowed by special permit in the AG zoning district under the following conditions; upon completion of the procedures pursuant to Section 13.002(b).

- a. There shall be a minimum of forty (40) campsites in the campground. Each campsite shall contain at least two-thousand five-hundred (2,500) square feet;
- b. The lot area shall be ten (10) acres or larger;
- c. The campground shall be supplied with a water supply and sewage disposal facilities, including washing, toilets, and similar facilities, all of which meet all applicable county codes and regulations;
- d. A side yard and rear yard of sixty (60) feet and a front yard of fifty (50) feet shall be maintained on the campground;
- e. Public roads and highways providing primary access to the campground shall be paved;
- f. Internal roads shall be provided to each campsite and all internal roads shall have a minimum unobstructed width of fourteen feet (14) for all one-way roads and twenty feet (20) for all two-way roads;
- g. No campground may be occupied by the same person or persons more than thirty-one days in any three hundred sixty-five (365) day period. However, if the campground provides recreation and support facilities including, but not limited to, a swimming pool, convenience goods shop, and office, then up to thirty-five (35) percent of the campground campsites may be occupied by the same person or persons for not more than a cumulative total of one hundred eighty (180) days in any three hundred sixty-five (365) day period;
- h. One (1) dwelling unit, campground site, or mobile home occupied by the owner or caretaker year round is permitted;
- i. The sale of alcoholic beverages within the campground shall be prohibited;
- j. All campground operators shall keep accurate records as to the length of time a person stays in the campground, and shall make said records available to the County Attorney, Director of Building and Safety Department, or the Director of the Planning Department upon request;
- k. Signs are allowed within the front yard setback;
- l. Screening or fencing of the campground may be required.

(Resolution No. [R-17-0040](#), May 30, 2017; Resolution No. [R-18-0078](#), November 20, 2018; Resolution No. [R-22-0022](#), March 22, 2022).

ARTICLE 17 ADDITIONAL HEIGHT AND AREA REGULATIONS

17.003

Barns, chimneys, cooling towers, meteorological towers, elevator bulkheads, fire towers, grain elevators, and storage structures, monuments, ornamental towers, silos, spires, stacks, stage towers of scenery lofts, tanks, water towers, and WECS over the district height are exempt from the height regulations as contained herein.

Noncommercial antenna towers for amateur radio and satellite dish antennas are permitted to be up to sixty-five (65) feet in height.

SECS and WECS are permitted accessory uses associated with a primary use on the premises in all zoning districts provided they are in conformance with the provisions of Article 17 and any other applicable regulations of this Resolution and have a rated capacity of twenty-five (25) kilowatts (kW) (ac) or less.

- a. SECS and WECS that are part of the main structure shall comply with the applicable district's height, front, side, and rear yard requirements of the main structure.
- b. SECS and WECS that are not part of the main structure shall comply with the height, front, side, and rear yard requirements applicable to accessory buildings as described in Section 17.005 of this Resolution.
- c. Accessory SECS and WECS located on top of a building are exempt from the height regulations as contained herein.

(Resolution No. 3744A, October 5, 1982; Resolution R-08-0090, Approved October 15, 2008; Resolution No. [R-17-0040](#), May 30, 2017; Resolution No. [R-20-0037](#), July 14, 2020; Resolution No. [R-22-0022](#), March 22, 2022).

LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT

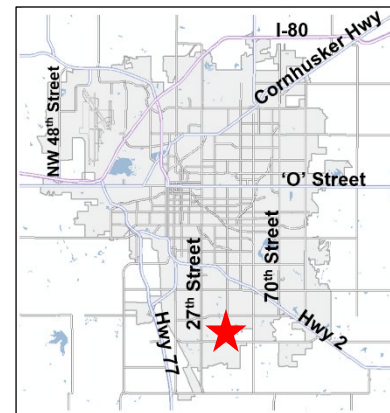
FROM THE LINCOLN/LANCASTER COUNTY PLANNING DEPARTMENT, 555 S. 10TH STREET, SUITE 213, LINCOLN, NE 68508

APPLICATION NUMBER Change of Zone #06075B	FINAL ACTION? No	DEVELOPER/OWNER Assurity Life Insurance Company
PLANNING COMMISSION HEARING DATE March 8, 2023	RELATED APPLICATIONS None	PROPERTY ADDRESS/LOCATION West of S. 40 th Street & Wilderness Hills Blvd.

RECOMMENDATION: CONDITIONAL APPROVAL

BRIEF SUMMARY OF REQUEST

This is a request to amend the existing Wilderness Commons Planned Unit Development (PUD) to increase the PUD area by approximately .77 acres and to increase the allowed number of dwelling units for the R-5 multifamily area from 300 to 367. This will increase the allowed number of dwelling units within the PUD from 401 to 468 total units allowed. This amendment is also requesting a height increase from 55 feet to 65 feet for the multifamily area.



JUSTIFICATION FOR RECOMMENDATION

The Wilderness Commons PUD was approved to allow a mix of multifamily, single family attached and detached units, and commercial space. The proposed amendment to the PUD is allowing the multifamily area to include a small piece of property on the north side of the PUD that currently in the Wilderness Creek PUD and is primarily designated as floodplain. The proposed change to increase the previously approved maximum unit allowance is appropriate as it will remain lower than the density allowed by the Design Standards.

APPLICATION CONTACT

Brian Lang, Olsson Associates
(402) 458-5691 or blang@olsson.com

STAFF CONTACT

Ben Callahan, (402) 441-6160 or bcallahan@lincoln.ne.gov

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The Comprehensive Plan designates this PUD as both future urban residential and commercial. This amendment will still follow goals and aspects of both designations as it will continue have a variety of residential dwelling options, including single family, single family attached, and multifamily units. The PUD will continue to have designated space for future commercial as previously approved.

WAIVERS

1. To increase the maximum height within the R-5 area from 55 feet to 65 feet. (Recommend Approval)

KEY QUOTES FROM THE 2050 COMPREHENSIVE PLAN

Introduction Section: Growth Framework

Figure GF.b: 2050 - This site is shown as both future urban residential and commercial 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.

Natural and environmentally sensitive areas should be preserved within and between neighborhoods. Conservation areas and open lands should be used to define and connect different neighborhoods. The natural topography and features of the land should be preserved by new development to maintain the natural drainageways and minimize land disturbance.

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).

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.

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.

G3: High-Quality Workforce. Lincoln and Lancaster County will strive to remove barriers to economic stability and mobility in the community by supporting a skilled and educated workforce that is able to adapt to economic, technological, and cultural changes. A high-quality workforce benefits the entire community because it attracts quality employers and entrepreneurs, which helps to grow our population and tax base and facilitates quality of life investments across a variety of sectors, and it ensures that Lincoln and Lancaster County are well-positioned to compete in tomorrow's economy.

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.

Policies Section

P3: Developing Neighborhoods - Accommodate and encourage growth that aligns with PlanForward's growth scenario and provides a mix of housing options with convenient access to parks, schools, shopping, jobs, and other community resources.

Action Steps

1. Provide for an adequate supply of land and timely infrastructure improvements that meet the demands of growth.
2. Structure incentives to encourage higher densities to make greater use of the community's infrastructure.
3. Encourage new development to achieve densities greater than five dwelling units per gross acre by zoning at least 20% of residentially zoned land in developing areas to allow greater than five dwelling units per acre by right.
4. Develop new design standards or zoning tools that encourage density, optimize infrastructure costs, and help lower the overall cost of property development.
5. Implement elements of Complete Neighborhoods for Developing Areas.
6. 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.
7. Encourage public and private investment in neighborhood infrastructure and services to support economic diversity that improves the quality of life for all residents.
8. Include housing for a variety of incomes and households throughout the community that is integrated into neighborhoods and provides appropriate transitions, scale, and context.
9. Promote mixed-income neighborhoods.
10. Preserve areas designated for multi-family, and group living housing in approved plans to support a distributed choice in affordable housing.
11. Support addition of higher density development in existing multi-family development.
14. Promote neighborhood and community design that supports healthy and active lifestyles, such as the benefits of street trees.
16. 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.

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

Action Steps

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

P18: Conservation Design - Promote conservation design principles with both new growth and redevelopment projects.

Action Steps

1. Encourage conservation design principles as part of the development process. Developments that incorporate conservation design principles should be eligible for greater densities, height, lot, and area adjustments. Examples of conservation design best practices include:
 - a. Development setbacks beyond the minimum floodplain corridor in order to help preserve riparian habitat.
 - b. Land area within new developments that is designated specifically for trees and/or prairie.
 - c. Sustainable landscape design that includes native and drought-tolerant plantings, limited use of turf

- grass, rain gardens, bioswales, infiltration beds, and constructed wetlands.
 - d. Cluster subdivision design that protects flood-prone areas by grouping new development in less-sensitive areas within a subdivision while maintaining a high overall building density.
 - e. Dedication of a portion or all of a building's roof space as a green roof.
 - f. Minimizing disturbance of the natural topography on a development site.
2. Incorporate conservation design principles into public projects and development projects utilizing public funds (such as TIF) as appropriate.
 3. Incorporate conservation design into new subdivisions with the initial steps of completing an inventory of existing and future land uses, natural resource evaluation, and a build out map. Utilize goals of the Lincoln Climate Plan as a guide for developing conservation design recommendations.
 4. Promote development of conservation design standards of new subdivisions that maximize open space conservation and interconnected network of such open spaces while being sensitive to overall building density.
 5. Develop project approaches which view stormwater as an asset, by working with the natural topography and using wetlands, floodplains, and natural drainage corridors as natural ways to manage flood flows and stormwater runoff.

ANALYSIS

1. This application is for a request to amend the Wilderness Commons Planned Unit Development (PUD) totaling 72.02 acres for a small increase in size by .77 acres on the northern boundary of the PUD. This additional area will be removed from the abutting Wilderness Creek PUD as part of a larger Outlot E designated for green space, detention, and utilities. The small area will then be included and developed with the R-5 multifamily residential within the Wilderness Commons PUD. A full amendment is required to add additional land area into an existing PUD. Much of the .77 acres being added is within existing floodplain and will be located on the northern property line of the multifamily lot and abut South 40th Street on the east. Within this amendment the applicant is also requesting an increase to the allowed number of dwelling units from 401 to 468. The increase is being requested based on the proposed multifamily layout and density.
2. The PUD was previously approved to allow 401 dwelling units which are allotted between single family detached, single family attached, and multifamily dwellings. The LMC does not set a maximum density for Planned Unit Developments, but can be set by City Council, or can follow the Design Standards for Community Unit Plans for appropriate zoning density. The multifamily shown within this PUD has since increased in size and layout, causing the request for an increase of 67 units, totaling 367 units. Following the allowed density within the Design Standards, a maximum of 351 dwelling units would be allowed in the R-3 zoning district and 378 dwelling units within the R-5 zoning. Since there is no limit on the density within a PUD, using straight zoning, the density calculation would allow up to 729 dwelling units, 261 more than the maximum amount the applicant is requesting. This change would only affect the R-5 multifamily area which was previously approved for 351 multifamily dwellings. The increase in the number of units is appropriate as it is still under the maximum allowed within the PUD area following the Design Standards.
3. The applicant has requested waivers to Design Standards and the Lincoln Municipal Code:
 - a. To allow the maximum building height of 65 feet for multi-family uses within the R-5 PUD zoning district.

The applicant is requesting a waiver to the height limit of 55 feet with an increase to 65 feet for the R-5 zoning area. This is the location of the approved multifamily units and appropriate as the complex will be buffered by South 40th Street on the east, future commercial uses on the south, with unbuildable open space area on the west and north side of the complex due to floodplain. The LMC does allow the Planning Director to approve up to a 10-foot increase in height for a PUD, but due to the additional property being added, the waiver is being requested within this full amendment. The height waiver is supported as it will allow the already approved multifamily area greater flexibility with site layout and the surrounding floodplain along the north and west. Recently, height increases up to 65 feet for multifamily uses have been approved within other Planned Unit Developments around the city.
4. The Comprehensive Plan continues to show this area as both future urban residential and commercial uses. This amendment will continue to support both uses and follow the general concept of the previously approved PUD plan. The requested amendments do not affect the single family residential area south of Wilderness Hills Boulevard and will only pertain to the multifamily location.

CONDITIONS OF APPROVAL: See attached.

EXISTING LAND USE & ZONING: Wilderness Commons PUD B-2 PUD

SURROUNDING LAND USE & ZONING

North: Outlot for floodplain	R-5, Wilderness Creek PUD
South: Outlot for floodplain and undeveloped residential	R-3, Wilderness Hills South PUD
East: Multifamily residential	R-5, Wilderness Heights PUD
West: Floodplain, single family residential	R-3, Residential & R-5, Wilderness Creek PUD

APPLICATION HISTORY

April, 2006 Change of Zone from AG to R-3, Residential and Annexation of the east side of South 40th Street.

Dec, 2008 CZ06075 from AG to B-2 PUD was approved by City Council to allow up to 599,860 square feet of commercial and 300 multifamily units.

Dec, 2009 AA09021 to CZ06075 was approved by the Planning Director to update uses shown on lots, expand the allowable square feet in the PUD by 20,000 square feet, and increase the height from 40 feet to 55 feet in the interior of the PUD.

June, 2018 CZ06075A was approved to decrease the PUD boundary by 20 acres with an increase to 401 dwelling units with 83,600 square feet of commercial space. Waivers were approved for reduction in the width of the private roadways and an increase to the allowed height for multifamily from 40 to 55 feet.

APPROXIMATE LAND AREA: 72.8 acres, more or less

LEGAL DESCRIPTION: Outlots A, B, C, & D, Wilderness Commons 1st Addition, and a portion of Outlot A, Wilderness Hills 12th Addition, Lincoln, Lancaster County, Nebraska

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

Date: February 23, 2023

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

Owner: Lincoln Federal Bankcorp, Inc.
P.O. Box 80038
Lincoln, NE 68501

<https://linclanc.sharepoint.com/sites/PlanningDept-DevReview/Shared Documents/DevReview/CZ/06000/CZ06075B Wilderness Commons PUD.bmc.docx>

CONDITIONS OF APPROVAL - CHANGE OF ZONE #06075B

This approval permits an increase of .77 acres to the Wilderness Commons PUD and allows up to 468 maximum dwelling units, with an

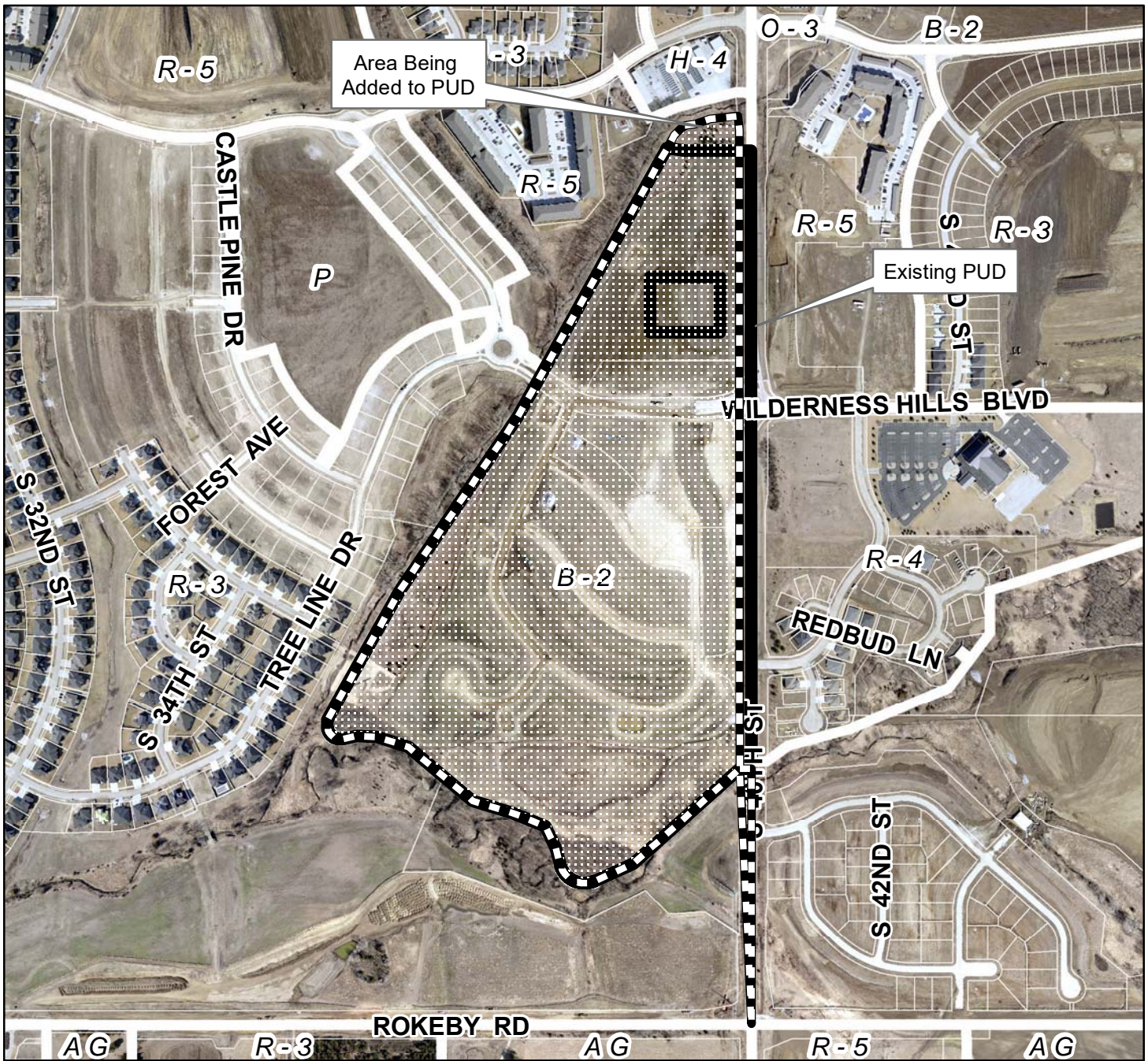
increase in the R-5 multifamily height limit to 65 feet.

Site Specific Conditions:

1. The City Council approves associated request:
2. Before receiving building permits or before a final plat is approved the developer shall cause to be prepared and submitted to the Planning Department a revised and reproducible final plot plan including 2 copies with all required revisions and documents as listed below upon approval of the planned unit development by the City Council.
 - 2.1 Revise Waiver # 6 & #7 so they are not “requesting” but show as approved waivers.
 - 2.2 Revise Legal Description to included “Wilderness Commons 1st Addition”
 - 2.3 Add to the General Notes, “Signs need not be shown on this site plan, but need to be in compliance with chapter 27.69 of the Lincoln Zoning Ordinance, and must be approved by Building & Safety Department prior to installation”.

Standard Conditions:

3. The following conditions are applicable to all requests:
 - 3.1 Before occupying the dwelling units/buildings all development and construction shall substantially comply with the approved plans.
 - 3.2 All privately-owned improvements shall be permanently maintained by the owner or an appropriately established homeowners association approved by the City Attorney.
 - 3.3 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.
 - 3.4 The terms, conditions, and requirements of the ordinance shall run with the land and be binding upon the developer, its successors and assigns.
 - 3.5 The applicant shall sign and return the letter of acceptance to the City Clerk. This step should be completed within 60 days following the approval of the special permit. The City Clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filing fees therefore to be paid in advance by the applicant. Building permits will not be issued unless the letter of acceptance has been filed.
 - 3.6 The site plan as approved with this ordinance voids and supersedes all previously approved site plans, however all ordinances approving previous permits remain in full force and effect unless specifically amended by this ordinance.

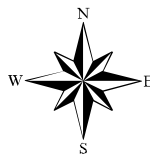


**Change of Zone #: CZ06075B
Wilderness Commons PUD
S 40th St & Wilderness Hills Blvd**

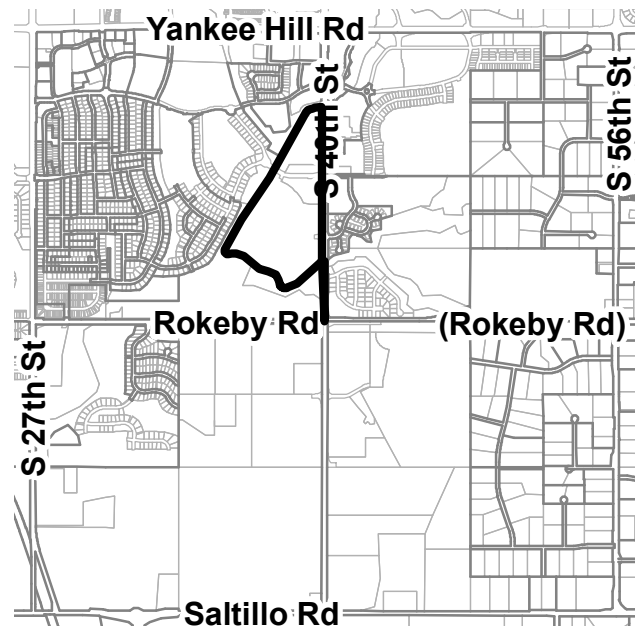
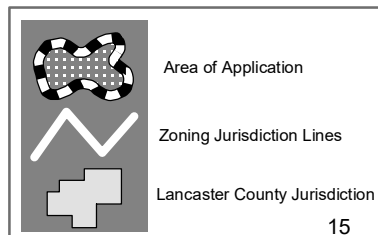
2022 aerial

Zoning:

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



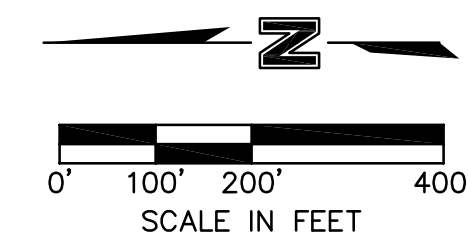
Two Square Miles:
Sec.30 T09N R07E
Sec.29 T09N R07E



COVER SHEET

PLANNED UNIT DEVELOPMENT

AMENDMENT TO PUD CHANGE OF ZONE #CZ06075



GENERAL SITE NOTES

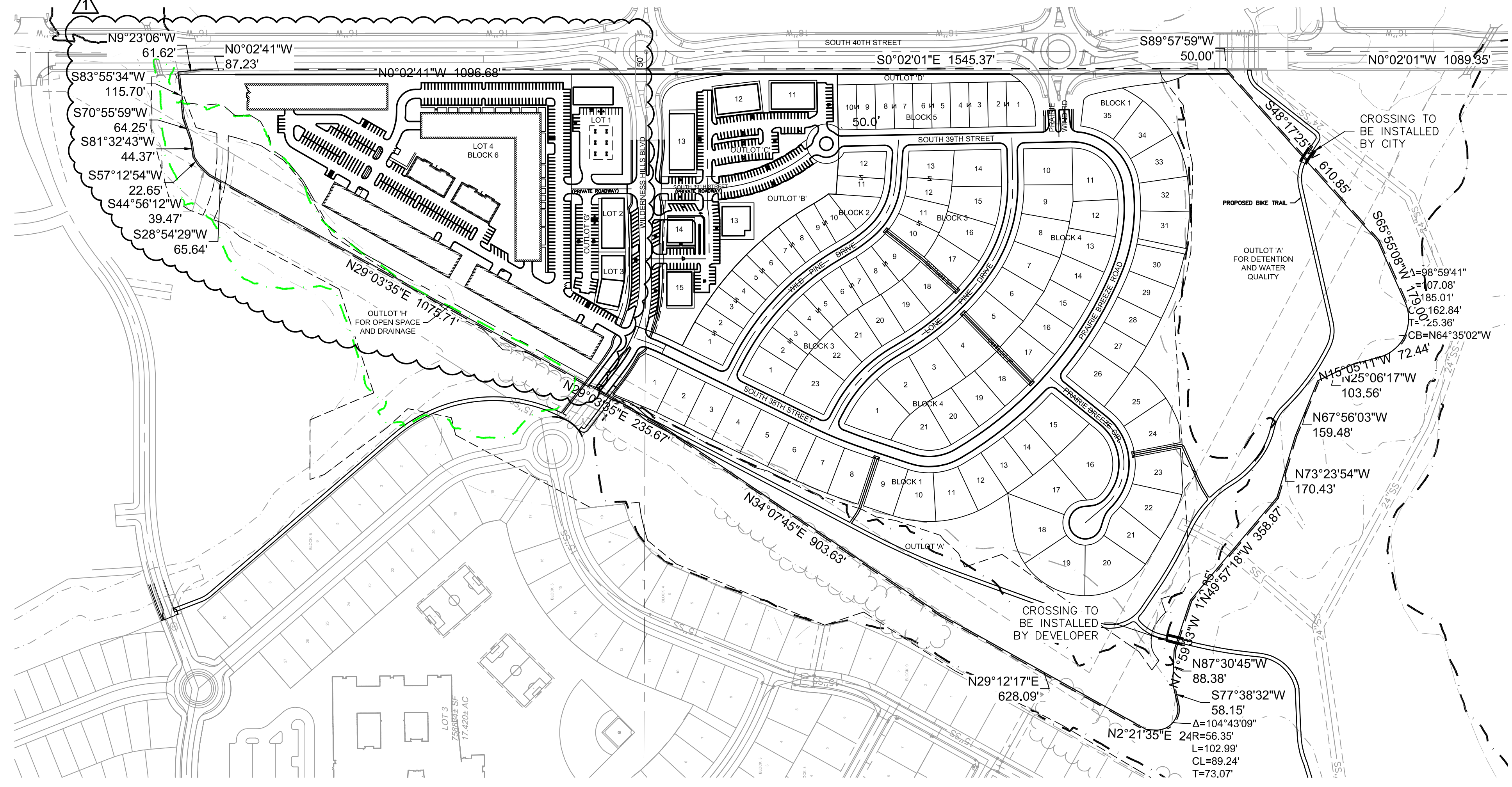
1. ALL SANITARY SEWERS & WATER MAINS TO BE PUBLIC.
2. ALL DIMENSIONS ALONG CURVES ARE CHORD DISTANCES.
3. ALL PAVING RADI TO BE 20' UNLESS OTHERWISE NOTED.
4. ALL INTERSECTION ANGLES SHALL BE 90° ±10° UNLESS OTHERWISE NOTED.
5. DIRECT VEHICULAR ACCESS TO SOUTH 40TH STREET IS RELINQUISHED EXCEPT AS SHOWN.
6. ALL ELEVATIONS ARE BASED ON NAVD 1988.
7. SIDEWALKS TO BE BUILT ALONG BOTH SIDES OF PUBLIC & PRIVATE STREETS.
8. ALL SIDEWALKS SHALL BE 4' WIDE MINIMUM AND ALL SIDEWALK EASEMENTS SHALL BE 10' WIDE. (UNLESS OTHERWISE NOTED)
9. AN ASSOCIATION SHALL BE ESTABLISHED TO MAINTAIN ALL OPEN SPACES.
10. LOT DIMENSIONS ARE APPROXIMATE AND MAY VARY AT THE TIME OF FINAL PLAT.
11. ALL STREET DIMENSIONS ARE TO BACK OF CURB.
12. EXACT LOCATIONS OF WATER, SEWER, DRAINAGE AND PAVING WILL BE SUBMITTED WITH INDIVIDUAL SITE PLANS AT TIME OF BUILDING PERMIT IN ACCORDANCE WITH CITY OF LINCOLN DESIGN STANDARDS.
13. DETAILS OF ALL SIGNS, INCLUDING TYPE, HEIGHT AND SIZE, WILL BE SUBMITTED SEPARATELY FOR REVIEW WITH THE BUILDING PERMIT AND NEED NOT BE SHOWN ON THE PLAN, AND SHALL BE IN ACCORDANCE WITH LINCOLN MUNICIPAL CODE TITLE 27.
14. BUILDING LAYOUTS SHOWN ARE CONCEPTUAL AND MAY VARY AT TIME OF BUILDING. BUILDINGS LOCATED IN THE B-2 AND R-5 OF THE OVERLYING ZONING AREA INDICATED ARE ALLOWED ANYWHERE ON A LOT OUTSIDE OF THE SHOWN SETBACKS, BUT NOT OUTSIDE THE PROPERTY LINES.
15. SETBACKS ARE PER THE ZONING DISTRICT OF THE OVERLYING ZONING AREA INDICATED.
 - 15.1. AS SHOWN ON THE SITE PLAN.
 - 15.2. INTERNAL SETBACKS FOR THE AREA DESIGNATED AS B-2 AND R-5 ARE 0' EXCEPT AS SHOWN.
 - 15.3. THE SETBACK ON THE WEST PROPERTY LINE FOR THE AREA DESIGNATED AS R-5 IS 50' WIDE FROM THE WESTERN BOUNDARY LINE OF THE P.U.D.
16. DEVELOPMENT TO COMPLY WITH THE DESIGN STANDARDS FOR PEDESTRIAN CIRCULATION IN COMMERCIAL AND INDUSTRIAL AREAS AS APPLICABLE AT THE TIME OF BUILDING PERMITS.
17. TOTAL USAGE

DENSITY
R-3 = 50.46 ACRES x 6.96 UNITS PER ACRE = 351 UNITS
R-5 = 12.66 ACRES x 29.04 UNITS PER ACRE = 367 UNITS
UNITS
67 PROPOSED SINGLE FAMILY LOTS
34 PROPOSED ATTACHED SINGLE FAMILY LOTS
366 PROPOSED MULTI-FAMILY UNITS
TOTAL = 467 UNITS
18. AVAILABLE FLOOR AREA IN THE B-2 AREA IS 83,600 SF.
19. LIGHT TRESPASS OVER INTERNAL LOT LINES IS PERMITTED.
20. DEVELOPER AGREES TO DONATE ANY TEMPORARY OR PERMANENT EASEMENTS FOR CONSTRUCTION OF TRAIL AND ASSOCIATED IMPROVEMENTS AT THE TIME THE PROJECT IS DESIGNED AND CONSTRUCTED.
21. A TRAIL PLATFORM OF AT LEAST 15 FEET IN WIDTH, INCLUDING MEETING ADA REQUIREMENTS, NEEDS TO BE SHOWN ON THE GRADING PLAN AND TO THE SATISFACTION OF THE PARKS AND RECREATION DEPARTMENT.
22. ALL NECESSARY CLMOR (CONDITIONAL LETTER OF MAP REVISION), LOMR (LETTER OF MAP REVISION), LOMA (LETTER OF MAP AMENDMENT) WILL BE OBTAINED FOR MODIFICATIONS TO FLOODPLAIN.
23. PERPENDICULAR PUBLIC PARKING IS PERMITTED IN THE WILDERNESS HILLS BLVD. RIGHT-OF-WAY BETWEEN 38TH AND 39TH STREETS PROVIDED:
 1. COMMERCIAL BUILDINGS BETWEEN 38TH AND 39TH STREETS ARE ORIENTED TO FACE AND HAVE PRIMARY ENTRANCES TO THE ROW WITH PRIVATE PARKING TO THE REAR.
 2. ONSITE PARKING IS PRIVATELY MAINTAINED.
24. ALL PAVEMENT FOR PARKING AREAS DIRECTLY ON WILDERNESS HILLS BOULEVARD IS THE FULL RESPONSIBILITY OF THE ADJACENT LOT OWNERS.
25. MEDIAN AND TRAFFIC CIRCLE MAINTENANCE IS THE RESPONSIBILITY OF THE HOA.
26. DEVELOPMENT SHALL BE RESTRICTED WITHIN THE CONSERVATION EASEMENT (AS DEFINED BY THE APPROVED CONSERVATION EASEMENT) PER THE TERMS & CONDITIONS OF THE CONSERVATION EASEMENT.
27. ALL SITE IMPROVEMENTS SHALL CONFORM TO THE CONDITIONS OF THE CONSERVATION EASEMENT. LIMITS OF THE CONSERVATION EASEMENT DISPLAYED ARE INTENDED TO BE AN ACCURATE REPRESENTATION OF THE LATEST APPROVED VERSION OF FILED WITH THE LANCASTER COUNTY REGISTER OF DEEDS.
28. BUILDABLE LOTS THAT ARE USED AS SEDIMENT BASINS SHALL BE CERTIFIED THAT SEDIMENT HAS BEEN REMOVED AND BACKFILL HAS BEEN COMPACTED AND TESTED FOR BUILDING CONSTRUCTION TO THE ACCEPTANCE OF A PROFESSIONAL ENGINEER.
29. A FLOODPLAIN DEVELOPMENT PERMIT IS REQUIRED PRIOR TO ANY GRADING IN THE FLOODPLAIN.
30. A CLMOR (CONDITIONAL LETTER OF MAP REVISION) MUST BE OBTAINED FOR WILDERNESS HILLS BLVD CROSSING AND MODIFICATION TO THE FLOODPLAIN. NO WORK OF THIS CROSSING NOR GRADING SHALL OCCUR IN THE AFFECTED PROPOSED FLOODPLAIN UNTIL THE CLMOR IS OBTAINED.
31. AFTER GRADING, AND PRIOR TO FINAL PLAT, A LETTER OF MAP REVISION FROM FEMA NEEDS TO BE OBTAINED AND SUBMITTED TO THE CITY REFLECTING FINAL GRADES AND THE NEW FLOODPLAIN. LOTS WITH ANY PORTION CURRENTLY LOCATED WITHIN THE FLOODPLAIN MAY NOT BE FINAL PLATTED UNTIL A LOMR HAS BEEN APPROVED.
32. A 404 PERMIT MUST BE OBTAINED FROM THE CORPS OF ENGINEERS TO IMPACT WETLANDS OR WATERS OF THE US.
33. PRIOR TO A BUILDING PERMIT FOR MULTI-FAMILY UNITS, THE CONNECTION OF WILDERNESS HILLS BLVD. TO S. 40TH STREET MUST BE COMPLETED OR APPROVED FOR CONSTRUCTION BY PUBLIC WORKS AND UTILITIES. LOTS FOR SINGLE FAMILY DETACHED OR ATTACHED MAY BE FINAL PLATTED WITHOUT THE CONNECTION OF WILDERNESS HILLS BLVD. OR PRAIRIE WIND ROAD TO S. 40TH STREET.

WAIVERS

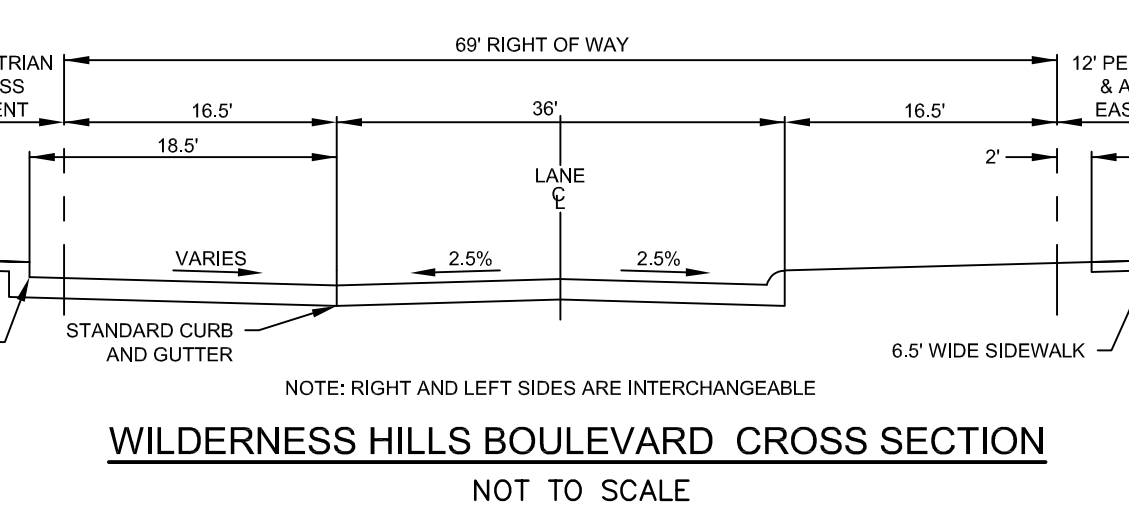
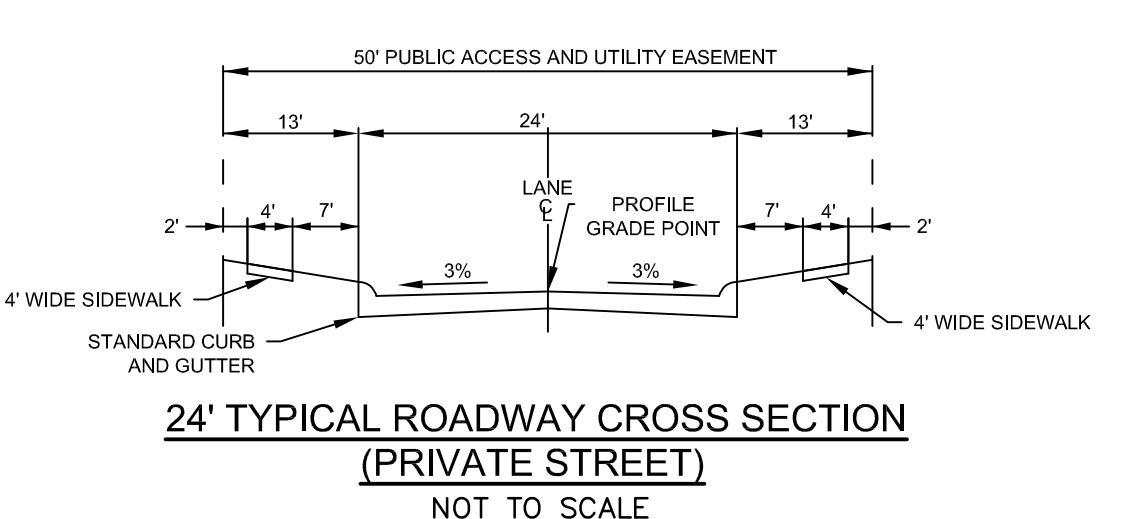
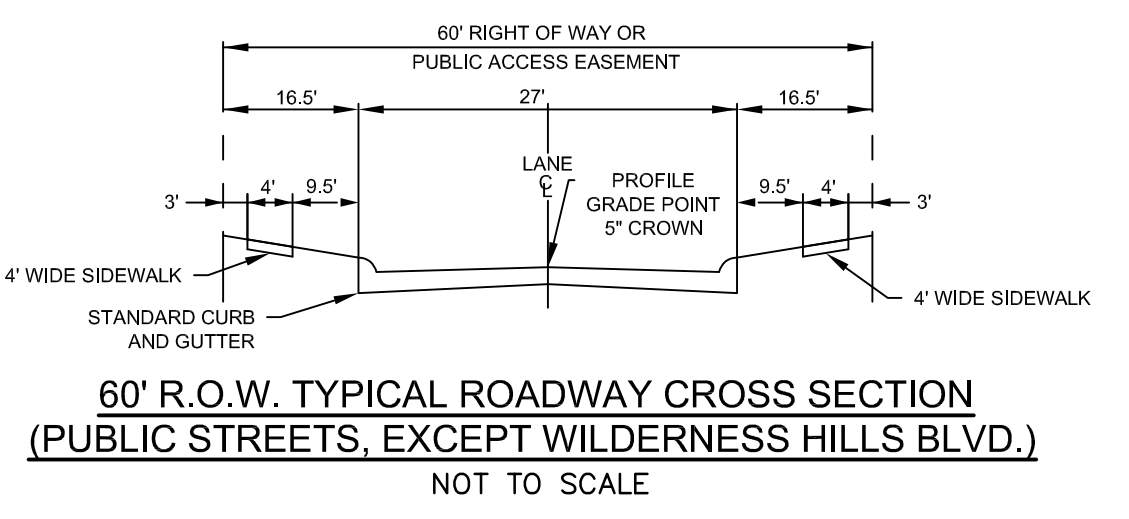
1. A WAIVER TO REDUCE MINIMUM PRIVATE ROADWAY WIDTH FROM 27' TO 24' AS MEASURED TO THE BACK OF CURBS FOR S. 39TH STREET NORTH OF WILDERNESS HILLS BOULEVARD.
2. A WAIVER TO REDUCE MINIMUM PUBLIC ROADWAY WIDTH FROM 33' TO 27' AS MEASURED TO THE BACK OF CURBS AND ALLOW PARKING FOR S. 39TH STREET SOUTH OF WILDERNESS HILLS BOULEVARD.
3. A WAIVER TO 33' PUBLIC ROADWAY WIDTH AS SHOWN, ALLOW PARKING, AND ROADWAY WIDTH TAPER THROUGH INTERSECTIONS FOR WILDERNESS HILLS BOULEVARD.
4. ALLOW DOUBLE FRONTAGE LOTS.
5. A WAIVER TO THE REQUIRED CENTERLINE TANGENT LENGTH FROM A HORIZONTAL CURVE TO AN INTERSECTED STREET FOR S. 39TH STREET AT PRAIRIE WIND ROAD.
6. THE DEVELOPER IS REQUESTING ADJUSTING THE HEIGHT FROM 40 FEET TO 55 FEET FOR THE B-2 OVERLAY AREA.
7. THE DEVELOPER IS REQUESTING ADJUSTING THE HEIGHT FROM 55 FEET TO 65 FEET FOR THE R-5 OVERLAY AREA.

OUTLOT USAGE TABLE	
OUTLOT	USAGE
A	OPEN SPACE, DRAINAGE, DETENTION, AND RECREATION AREA
B	OPEN SPACE, DRIVES, AND PARKING
C	OPEN SPACE, DRIVES, AND PARKING
D	OPEN SPACE
E	PEDESTRIAN ACCESS
F	PEDESTRIAN ACCESS
G	DRIVES AND PARKING
H	CONSERVATION EASEMENT



OWNER & DEVELOPER
 B & J PARTNERSHIP LTD
 340 VICTORY LANE
 LINCOLN, NE, 68528

ENGINEER & PREPARER
 OLSSON ASSOCIATES
 601 7TH STREET
 LINCOLN, NE, 68508
 PHONE: 402-474-6311



BUILDING DESIGN CRITERIA

1. THE FOLLOWING BUILDING DESIGN CRITERIA SHALL BE CERTIFIED BY A REGISTERED ARCHITECT IN WRITING THAT THE BUILDING DESIGN COMPLES WITH THE DESIGN CRITERIA CONTAINED HEREIN AT THE TIME OF BUILDING PERMIT. EXCEPTIONS WILL REQUIRE APPROVAL FROM THE PLANNING DIRECTOR AT THE TIME OF BUILDING PERMIT.
2. ALL BUILDINGS WITHIN THE B-2 DESIGNATED AREAS SHALL BE SUBJECT TO THESE DESIGN CRITERIA.
3. ALL BUILDING FOOTPRINTS (SINGLE OR MULTI-STORY) SHALL HAVE A MINIMUM OF 35% OF THE EXTERIOR FACADE AREA OF THE BUILDING SHALL BE BRICK, STONE, OR CULTURED STONE.
4. EXPOSED CONCRETE UNIT MASONRY, WHETHER GRAY, INTEGRALLY COLORED, OR BURNISHED, SHALL NOT BE USED, EXCEPT SPLIT-FACE CONCRETE MASONRY OR CONCRETE MASONRY WITH A BRICK MASONRY OR STONE VENEER MAY BE USED IF COMPATIBLE WITH THE OVERALL EXTERIOR COLOR PALETTE.
5. SYNTHETIC STUCCO AND EXTERIOR INSULATION AND FINISH SYSTEMS OR STUCCO WALL SYSTEMS MAY BE USED BUT SHALL NOT BE THE MAIN EXTERIOR FIELD MATERIAL AND SHALL ONLY BE USED AS AN ACCENT. COLORS FOR EIFS OR STUCCO SHALL BE COMPATIBLE WITH THE BRICK AND STONE COLORS.
6. ACCENTS OF ARCHITECTURAL PRE-CAST MAY BE USED PROVIDED THAT THE STYLE AND COLOR ARE COMPATIBLE WITH THE DESIGN PALETTE AND COMPLEMENTARY TO THE BRICK AND STONE COLOR RANGE. EXPOSED STRUCTURAL PRE-CAST CONCRETE SHALL NOT BE USED, BUT STRUCTURAL PRE-CAST CONCRETE MAY BE USED WITH A BRICK MASONRY VENEER COMPATIBLE WITH THE OVERALL EXTERIOR COLOR PALETTE.
7. EXPOSED CAST-IN-PLACE CONCRETE SHALL NOT BE USED, UNLESS ON A LOWER LEVEL EXPOSED AREA AND NOT ON THE PRIMARY FACADE FACING AN IMMEDIATELY ADJACENT STREET. CAST-IN-PLACE CONCRETE WITH A BRICK MASONRY VENEER COMPATIBLE WITH THE OVERALL EXTERIOR COLOR PALETTE MAY BE USED.
8. WINDOWS AND STOREFRONT SYSTEMS SHALL BE CONSTRUCTED OF EXTRUDED ALUMINUM. ALUMINUM STOREFRONT FRAMES SHALL BE THERMALLY BROKEN. FINISH FOR THE WINDOW SYSTEM SHALL BE COMPATIBLE WITH THE OVERALL EXTERIOR COLOR PALETTE.
9. GLAZING SHALL BE INSULATING GLASS WITH LOW-E COATING. GLASS SHALL BE SELECTED TO PROVIDE PROPER THERMAL PERFORMANCE TO MEET BUILDING CODE REQUIREMENTS. COLOR SHALL BE "CLEAR" AND/OR GRAY.
10. GLAZED IN METAL INSULATED WALL PANELS OR INSULATED METAL WALL PANELS THAT ARE INTEGRAL TO THE ALUMINUM WINDOW FRAMING SYSTEM SHALL BE PERMITTED. THE FINISH AND COLOR OF THE INSULATED WALL PANELS SHALL BE COMPATIBLE WITH THE OVERALL EXTERIOR COLOR PALETTE FOR THE ALUMINUM WINDOW SYSTEMS.
11. METAL FLASHING, GUTTERS AND DOWNSPOUTS SHALL BE PRE-FINISHED AND SHALL BE COMPATIBLE WITH THE OVERALL EXTERIOR COLOR PALETTE AND SHALL CLOSELY MATCH THE COLOR OF THE ALUMINUM WINDOW SYSTEM COLOR.
12. ROOFS FOR ONE STORY BUILDINGS SHALL BE SLOPED OR COMBINATION OF SLOPED AND "FLAT". ROOFS FOR BUILDINGS OF MORE THAN ONE STORY SHALL BE SLOPED AND FLAT OR FLAT. ROOFS WITH SLOPES SHALL HAVE A MAXIMUM SLOPE OF 6:12. ROOF ELEMENTS MAKING UP NOT MORE THAN 25% OF THE TOTAL ROOF AREA MAY BE OF ANY PITCH.
13. ALL ROOF-MOUNTED EQUIPMENT SHALL BE ADEQUATELY AND COMPLETELY SCREENED FROM ANY PROPERTY ADJACENT TO PUBLIC RIGHT OF WAYS AND/OR PEDESTRIAN VIEWS BY MEANS OF EXTERIOR BUILDING WALLS OR SCREEN WALLS. ALL ROOF TOP SCREENING SHALL BE INTEGRALLY DESIGNED INTO THE BUILDING BY USE OF ROOF PARAPETS AND WALLS.
14. FOLLOWING ITEMS SHALL BE EITHER LOCATED OUT OF DIRECT PUBLIC VIEW OR ADEQUATELY SCREENED BY A SCREEN WALL.
 - GAS METERS AND ANY ASSOCIATED PIPING
 - ELECTRIC METERS AND ANY ASSOCIATED CIRCUITS
 - TRANSFORMERS
 - TRASH COMPACTORS
 - ANY GROUND-INSTALLED EQUIPMENT
 - TRASH DUMPSTERS, SERVICE AREAS AND RECYCLING BINS AND GREASE INTERCEPTORS.

LEGAL DESCRIPTION P.U.D.

A TRACT OF LAND COMPOSED OF OUTLOTS 'A', 'B', 'C', 'D', AND A PORTION OF OUTLOT 'A' WILDERNESS HILLS 12TH ADDITION, LOCATED IN THE EAST HALF OF SECTION 30, TOWNSHIP 9 NORTH, RANGE 7 EAST OF THE 6TH P.M., LANCASTER COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 30, TOWNSHIP 9 NORTH, RANGE 7 EAST OF THE 6TH P.M., THENCE NORTHERLY, ON THE EAST LINE OF SAID SOUTHEAST QUARTER ON AN ASSUMED BEARING OF N0°02'01"W, A DISTANCE OF 1,089.35 TO A POINT; THENCE S89°57'59"W, A DISTANCE OF 50.00' TO THE POINT, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE S48°17'25"W, ON A SOUTH LINE OF SAID OUTLOT 'D', A DISTANCE OF 610.89 TO A POINT; THENCE S65°50'09"W, ON A SOUTH LINE OF SAID OUTLOT 'D', A DISTANCE OF 175.00' TO A POINT OF CURVATURE FOR A CURVE IN A CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 96°59'41", A RADIUS OF 107.06', AN ARC LENGTH OF 185.01', ON A SOUTH LINE OF SAID OUTLOT 'D', A CHORD LENGTH OF 162.84', A TANGENT LENGTH OF 125.36', AND A CHORD BEARING OF N64°35'02"W, TO A POINT; THENCE N15°05'11"W, ON A WEST LINE OF SAID OUTLOT 'D', A DISTANCE OF 72.44' TO A POINT; THENCE N25°06'17"W, ON A WEST LINE OF SAID OUTLOT 'D', A DISTANCE OF 103.56' TO A POINT; THENCE N67°56'03"W, ON A SOUTH LINE OF SAID OUTLOT 'D', A DISTANCE OF 159.48' TO A POINT; THENCE N73°23'54"W, ON A SOUTH LINE OF SAID OUTLOT 'D', A DISTANCE OF 170.43' TO A POINT; THENCE N49°57'18"W, ON A SOUTH LINE OF SAID OUTLOT 'D', A DISTANCE OF 358.87' TO A POINT; THENCE N71°59'33"W, ON A SOUTH LINE OF SAID OUTLOT 'D', A DISTANCE OF 139.88' TO A POINT; THENCE N67°30'45"W, ON A SOUTH LINE OF SAID OUTLOT 'D', A DISTANCE OF 88.38' TO A POINT; THENCE S77°38'32"W, ON A SOUTH LINE OF SAID OUTLOT 'D', A DISTANCE OF 58.15' TO A POINT OF CURVATURE FOR A NON-TANGENT CURVE IN A CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 104°43'09", A RADIUS OF 66.35', AN ARC LENGTH OF 102.99', ON A SOUTHWEST LINE OF SAID OUTLOT 'D', A CHORD LENGTH OF 89.24', A TANGENT LENGTH OF 73.07', AND A CHORD BEARING OF N49°59'53"W TO A POINT; THENCE N02°21'35"E, ON A WEST LINE OF SAID OUTLOT 'D', A DISTANCE OF 24.00' TO A POINT; THENCE N29°12'17"E, ON A WEST LINE OF SAID OUTLOT 'D', A DISTANCE OF 628.09' TO A POINT; THENCE N34°07'45"E, ON A WEST LINE OF SAID OUTLOT 'D', A DISTANCE OF 903.63' TO A POINT; THENCE N29°03'35"E, ON A WEST LINE OF SAID OUTLOTS 'D' AND 'A', A DISTANCE OF 1,311.38' TO A POINT; THENCE N25°06'17"E, A DISTANCE OF 65.64' TO A POINT; THENCE N44°56'12"E, A DISTANCE OF 39.47' TO A POINT; THENCE N67°12'54"E, A DISTANCE OF 22.65' TO A POINT; THENCE N81°32'43"E, A DISTANCE OF 44.37' TO A POINT; THENCE N70°55'59"E, A DISTANCE OF 64.25' TO A POINT; THENCE N03°36'01"E, A DISTANCE OF 119.00' TO A POINT; THENCE S65°50'09"E, A DISTANCE OF 60.38' TO A POINT, SAID POINT ALSO BEING 50.00' WEST OF THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 30, TOWNSHIP 9 NORTH, RANGE 7 EAST OF THE 6TH P.M.; THENCE S00°02'41"E, ON A LINE BEING 30.00' WEST OF AND PARALLEL WITH THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 30, A DISTANCE OF 1,155.00' TO A POINT; THENCE S00°02'01"E, ON A LINE BEING 50.00' WEST OF AND PARALLEL WITH THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 30, A DISTANCE OF 1,545.37' TO THE POINT OF BEGINNING, SAID TRACT CONTAINS A CALCULATED AREA 3,174,567.52 SQUARE FEET OR 72.88 ACRES, MORE OR LESS.

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 20211210 - 705289PUD_Phase2
 705289PUD_ALT-Default-3D
 Rokeby Rd. from 40th St. to Snopdragon Preliminary Model-Default-3D
 C:\P\LAT_02202981

Engineering - Nebraska COA #CA-0638
 601 P Street, Suite 200
 P.O. Box 84608
 Lincoln, NE 68508
 TEL: 402.474.6311
 www.olsson.com

COVER SHEET

REVISIONS

REV. NO.	DATE	DESCRIPTION
1	01/26/23	AMENDMENT TO PUD BOUNDARY REVISION

WILDERNESS COMMONS
PLANNED UNIT DEVELOPMENT

2018

LINCOLN, NEBRASKA

SHEET
 1 of 9

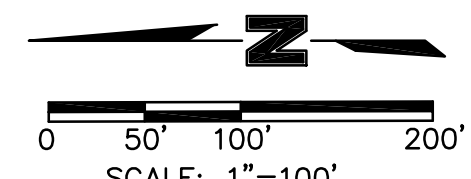
COMMERCIAL AREA - B-2 ZONING

LOT/BLOCK	ZONING (USE)	BUILDING AREA (SQ. FT.)	PARKING (PER SQ. FT.)	PARKING (REQUIRED)	PARKING (PROVIDED)
LOT 13/ BLOCK 2	(B-2) COMMERCIAL	11,100	1/300	37	37
LOT 14/ BLOCK 2	(B-2) COMMERCIAL	4,000	1/100	40	40
LOT 15/ BLOCK 2	(B-2) COMMERCIAL	6,300	1/300	21	21
LOT 11/ BLOCK 5	(B-2) COMMERCIAL	16,000	1/300	54	54
LOT 12/ BLOCK 5	(B-2) COMMERCIAL	16,000	1/300	54	54
LOT 13/ BLOCK 5	(B-2) COMMERCIAL	6,000	1/100	60	60
LOT 1/ BLOCK 6*	(B-2) COMMERCIAL	5,100	1/300	17	17
LOT 2/ BLOCK 6*	(B-2) COMMERCIAL	8,000	1/300	27	27
LOT 3/ BLOCK 6*	(B-2) COMMERCIAL	8,000	1/300	27	27
TOTAL LOTS 13-15 BLOCK 2, LOTS 11-13 BLOCK 5, LOTS 1-3 BLOCK 6		80,500	-	337	337

* AN ALTERNATE USE OF 100 MULTI-FAMILY DWELLING UNITS IS ALLOWABLE UNDER THIS P.U.D.

SITE PLAN
PLANNED UNIT DEVELOPMENT
AMENDMENT TO PUD CHANGE OF ZONE #CZ06075

- LEGEND**
- LIMITS OF PROPOSED CUP
 - PROPERTY LINE
 - UTILITY AND ACCESS EASEMENT
 - BUILDING SETBACK
 - SECTION LINE
 - RIGHT OF WAY LINE
 - SS PROPOSED SANITARY SEWER
 - W PROPOSED WATER MAIN
 - SS EXISTING SANITARY SEWER
 - SS EXISTING STORM SEWER
 - W EXISTING WATER MAIN



LOT 4 BLOCK 6:
RESIDENTIAL MULTI-FAMILY
UNITS = 366
SURFACE PARKING PROVIDED = 344
TANDEM PARKING PROVIDED = 42
RATIO = 1.68 STALLS/ 1 UNIT

OUTLOTS B, C, AND G ARE COMMON ACCESS FOR SHARED PARKING.

CURVE TABLE

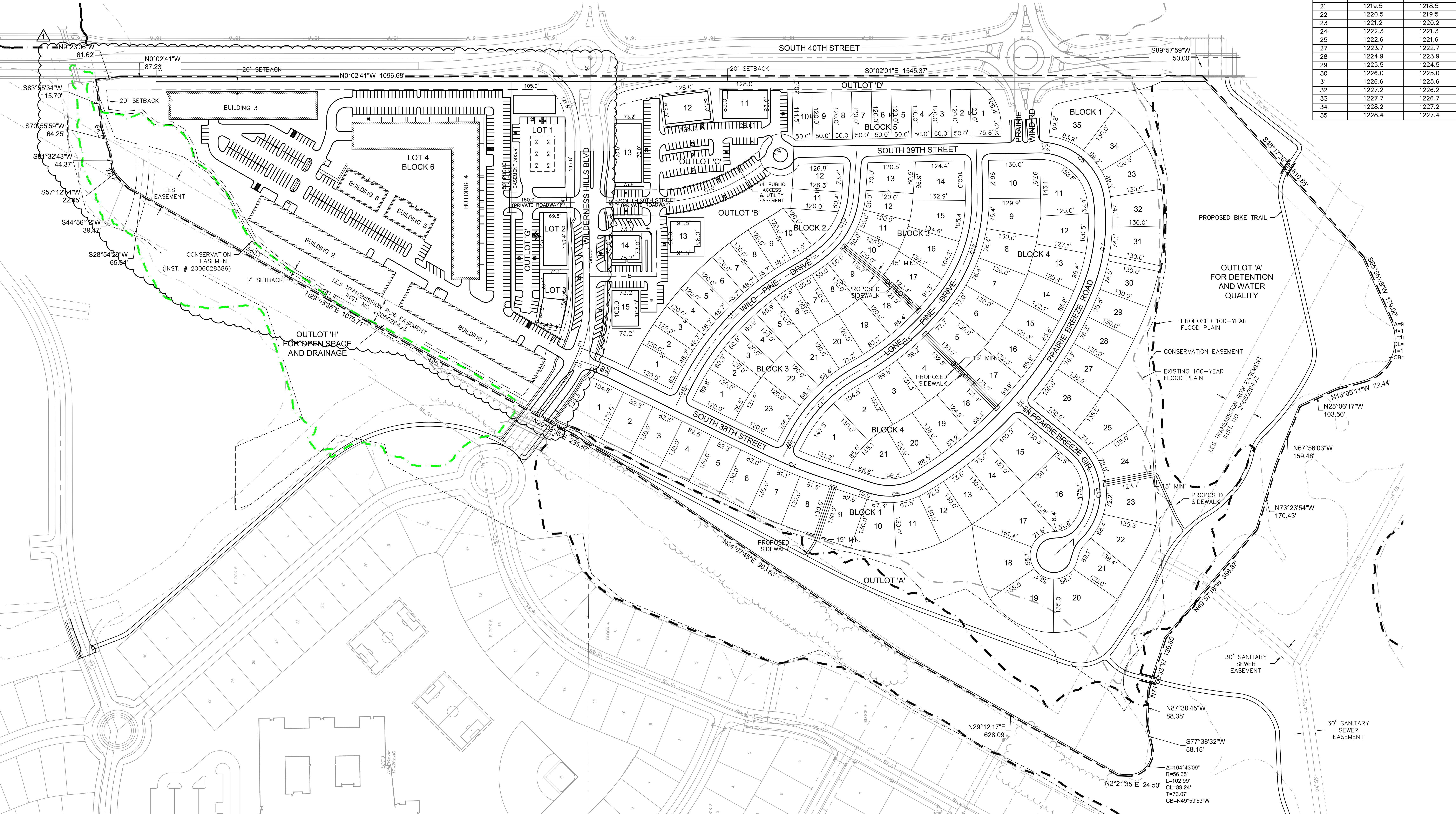
CURVE ID	RADIUS (FT)	DELTA	LENGTH (FT)	CHORD BEARING	CHORD LENGTH (FT)
C1	450.00	037°19'58"	293.21	N71°22'42"E	288.05
C2	450.00	000°49'56"	6.54	N16°31'49"E	6.54
C3	450.00	009°57'20"	78.19	N21°05'31"E	78.09
C4	1200.00	007°47'41"	163.25	N22°10'20"E	163.13
C5	150.00	048°52'07"	127.94	N06°09'34"W	124.10
C6	1025.00	036°24'19"	651.28	N48°47'47"W	640.38
C7	450.00	030°25'43"	238.99	N82°12'48"W	236.19
C8	150.00	083°39'32"	219.02	S40°44'34"W	200.07
C9	150.00	036°54'54"	96.64	S19°32'37"E	94.98
C10	450.00	037°49'24"	297.06	S19°05'23"E	291.70
C11	700.00	033°43'01"	411.93	S45°58'09"E	406.01
C12	420.00	011°49'10"	86.64	S35°01'13"E	86.49
C13	200.00	045°09'22"	157.62	S63°30'29"E	153.58
C14	400.00	033°43'01"	235.39	N45°58'09"W	232.01
C15	720.00	024°00'19"	301.66	N41°06'48"W	299.46
C16	400.00	038°01'25"	265.45	N72°07'40"W	260.61
C17	150.00	100°58'17"	264.34	S89°25'25"W	231.44

FINISH FLOOR/100 YR. FLOOD ELEVATIONS

LOT NO.	LOWEST FLOOR ELEVATIONS	100 YEAR FLOOD ELEVATION
1	1232.0	1230.8
2	1236.0	1234.91
3	1238.5	1237.5

FINISH FLOOR/100 YR. FLOOD ELEVATIONS

LOT NO.	LOWEST FLOOR ELEVATIONS	100 YEAR FLOOD ELEVATION
1	1229.1	1228.1
2	1227.7	1226.7
3	1226.7	1225.7
4	1225.9	1224.9
5	1225.4	1224.4
6	1224.8	1223.8
7	1224.3	1223.3
8	1223.7	1222.7
9	1223.0	1222.0
10	1222.4	1221.4
11	1221.2	1220.2
12	1219.8	1218.8
13	1219.1	1218.1
14	1219.1	1218.1
15	1219.3	1218.3
16	1219.3	1218.3
17	1219.3	1218.3
18	1219.3	1218.3
19	1219.3	1218.3
20	1218.9	1217.9
21	1219.5	1218.5
22	1220.5	1219.5
23	1221.2	1220.2
24	1222.3	1221.3
25	1222.6	1221.6
26	1223.7	1222.7
27	1224.9	1223.9
28	1225.5	1224.5
29	1226.0	1225.0
30	1226.6	1225.6
31	1227.2	1226.2
32	1227.7	1226.7
33	1227.7	1226.7
34	1228.2	1227.2
35	1228.4	1227.4



Engineering - Nebraska COA #CA-0638
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REVISIONS

REV. NO.	DATE	REVISION DESCRIPTION
1	01/26/23	AMENDMENT AT PUD BOUNDARY RETURN

2018

SITE PLAN

WILDERNESS COMMONS
PLANNED UNIT DEVELOPMENT

DRAWN BY:
CHECKED BY:
APPROVED BY:
DATE:

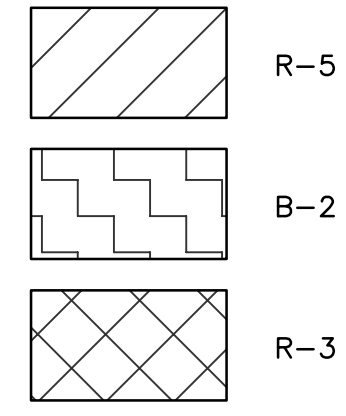
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PROJECT NO.:
DRAWING NO.:
DATE:

SHEET

2 of 9

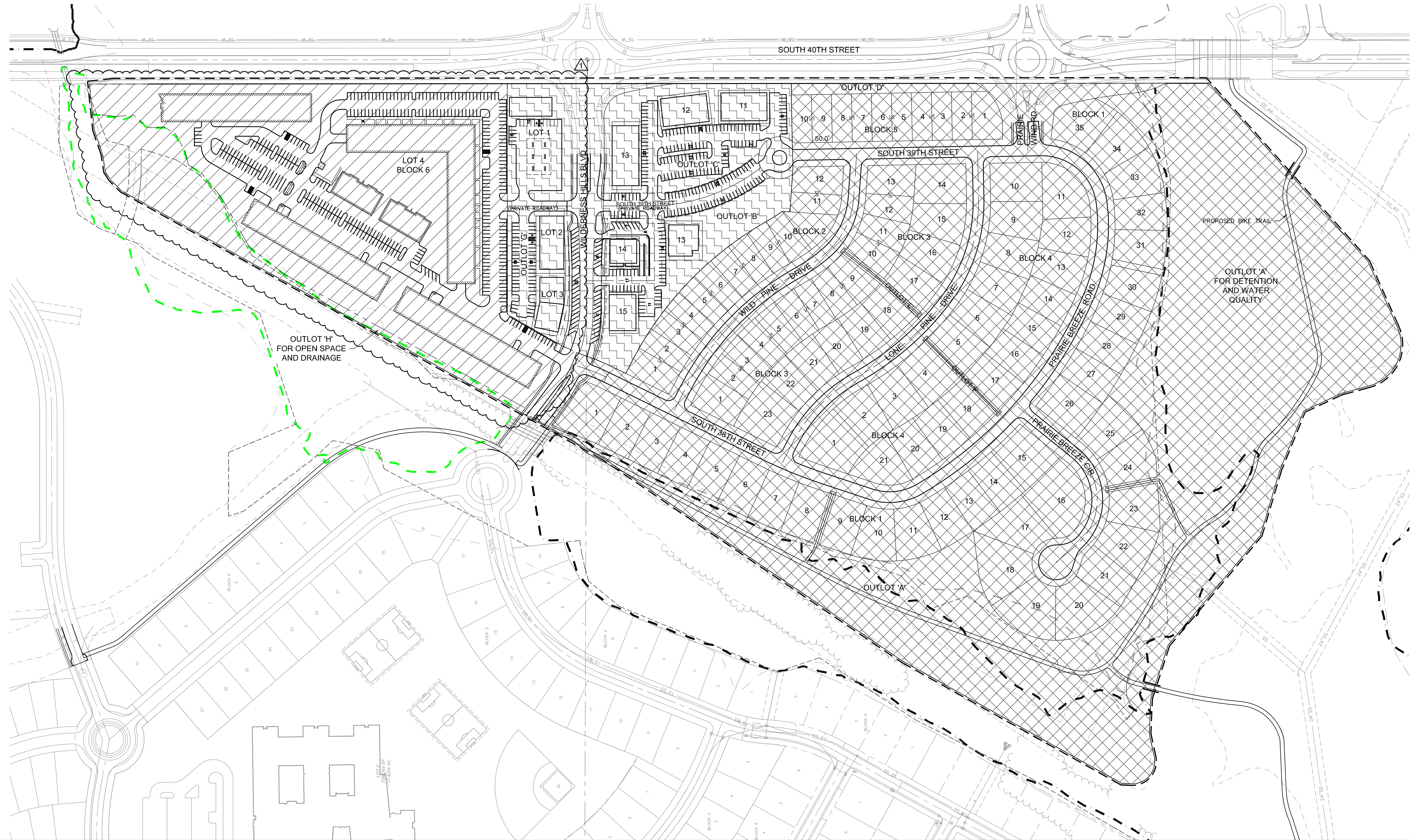
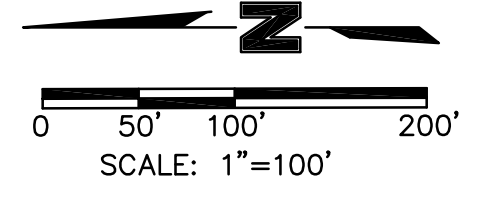
DEVELOPMENT PLAN
PLANNED UNIT DEVELOPMENT
AMENDMENT TO PUD CHANGE OF ZONE #CZ06075

**ZONING DESIGNATION
 AREAS LEGEND**



ZONING DESIGNATION AREA NOTES

1. THE R-3, R-5, AND B-2 ZONING DESIGNATION AREAS FOLLOW THE LMC TITLE 27 REGULATIONS FOR THE R-3, R-5, AND B-2 ZONING DISTRICTS RESPECTIVELY UNLESS OTHERWISE NOTED ON THE PUD.
2. ADJUSTMENTS IN THE LOCATION OF THE ZONING DESIGNATION BOUNDARIES MAY BE APPROVED BY ADMINISTRATIVE AMENDMENT.



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DEVELOPMENT PLAN
 WILDERNESS COMMONS
 PLANNED UNIT DEVELOPMENT

LINCOLN, NEBRASKA
 SHEET
 3 of 9

REV. NO.	DATE	REVISIONS DESCRIPTION
1	01/24/23	AMENDMENT AT PUD BOUNDARY RETURN

REVISIONS
 2018

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 Lincoln, NE 68508
 TEL 402.474.6311 www.olsson.com



January 31, 2023

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

RE: Wilderness Commons PUD
Application for Amendment to Wilderness Commons PUD
Olsson Project No. 017-3371

Dear Mr. Cary:

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

1. City of Lincoln Application, including:
2. PUD Site Plan
3. Application fee in the amount of \$1,192.29

The following will be uploaded to ProjectDox when the project has been set up.

1. Cover Sheet
2. Site Plan
3. Development Plan

On behalf of the Owner/Developer, Lincoln Federal Bancorp, we are requesting an amendment to the Wilderness Commons PUD which will update the boundary to increase the acreage of Lot 4, Block 6, requesting a waiver to increase height from 55 feet to 65 feet in the R-5 overlay zone, and updating the unit count from 300 total units to 367, based on density for the R-5 zoning district of 29.04 units per acre at 12.66 acres.

Lincoln Federal Bancorp Inc. is the current owner of the following real estate described as Wilderness Commons 1st Addition, Outlot A and described as parcels 1630428001000 ("Existing Parcel"). The Existing Parcel is currently zoned B-2.

If you require further information or have any questions, please do not hesitate to contact me at blang@olsson.com or (402) 458-5691.

Sincerely,

Brian Lang

cc Lincoln Federal Bancorp Inc. – Leo Schumacher

LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT

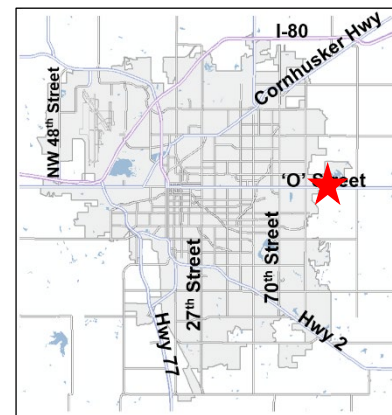
FROM THE LINCOLN/LANCASTER COUNTY PLANNING DEPARTMENT, 555 S. 10TH STREET, SUITE 213, LINCOLN, NE 68508

APPLICATION NUMBER Change of Zone #23012	FINAL ACTION? No	DEVELOPER/OWNER John Schleich/Waterford Estates LLC
PLANNING COMMISSION HEARING DATE March 8, 2023	RELATED APPLICATIONS None	PROPERTY ADDRESS/LOCATION North 98 th Street and O Street

RECOMMENDATION: APPROVAL

BRIEF SUMMARY OF REQUEST

This is a request for a Change of Zone from AG Agricultural to B-2 Planned Neighborhood Business District over approximately 6.02 acres located at the northwest corner of N. 98th Street and O Street. This Change of Zone is being proposed to allow for commercial development as part of Waterford Estates Commercial Park. The Change of Zone area includes a portion of the City owned Fire Station #16 property north of the developer property in order to have that entirely zoned B-2. There will be no direct access to O Street or N. 98th Street. Public access will instead be via Boathouse Road with public access easement to the developer’s property.



JUSTIFICATION FOR RECOMMENDATION

The proposal is consistent with the planning for Waterford Estates which including Use Permit 18004 intended for commercial use along with the public use for the City’s fire station. The property is already in the City limits with urban services available.

APPLICATION CONTACT
Mark Palmer, (402) 730-5338 or
mpalmer@olsson.com

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

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The proposal is compatible with the Comprehensive Plan which identifies the property for commercial use with greenspace for the floodplain.

KEY QUOTES FROM THE 2050 COMPREHENSIVE PLAN

Introduction Section: Growth Framework

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

Land Use Plan -

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

Green Space. Public or privately-owned areas predominantly used for recreation, such as parks, golf courses, soccer or ball fields, and trails. Many green space areas also serve functions such as buffers between incompatible uses and as stormwater management areas. In some cases, privately-owned Green Space such as golf courses may also be appropriate for future Urban Residential development.

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.

Natural and environmentally sensitive areas should be preserved within and between neighborhoods. Conservation areas and open lands should be used to define and connect different neighborhoods. The natural topography and features of the land should be preserved by new development to maintain the natural drainageways and minimize land disturbance.

Elements Section

E3: Business, Economy, and Workforce

Commercial and Industrial Development

Commercial and Industrial Centers in Lancaster County should be located:

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

Commercial Centers

Community Centers

Community Centers may vary in size from approximately 250,000 to 600,000 square feet of commercial space. They are intended to be smaller in scale and intensity of uses than Regional Centers and serve a more targeted market and

geographic area. Community Centers tend to be dominated by retail and service activities, although they can also serve as campuses for corporate office facilities and should include a mix of residential uses.

Community Centers can have a community-wide appeal but primarily serve a geographic subarea within Lincoln and surrounding areas within the County. They should be located approximately 1 to 1 ½ miles apart, depending upon their size, scale, function, and area population. Community Centers are typically sited in advance of development and shown as “Commercial” on the Future Land Use map.

Policies Section

P3: Developing Neighborhoods -

Developing neighborhoods should have a variety of housing types and sizes, plus commercial and employment opportunities.

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

Action Steps

2. Locate all new commercial and industrial development within Lincoln or within the smaller incorporated communities in Lancaster County. Certain commercial uses that are compatible with agriculture and the rural environment, such as commercial wind and solar energy facilities, are allowed in rural areas of the county.

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

P61: Industrial Zoning and Pipelines

There are several major pipelines that travel through Lancaster County and parts of our community. Our community will continue to grow into where these high-pressure pipelines are currently located and additional pipelines will be required to support the growth of our community and the nation. Most of these new pipelines are proposed and developed by private companies. These pipelines transport large quantities of hazardous materials that can have serious public health and safety impacts to adjacent properties in the event of pipeline failure or damage. Therefore, uses with vulnerable populations including residential structures, childcare centers, retirement facilities, schools, or hospitals should not be located near pipelines. Uses that are acceptable near pipelines include residential garages, commercial and industrial uses, parking lots, open spaces or roads.

Action Steps

1. Land uses with vulnerable populations should not be located within pipeline planning areas. For large high-pressure pipelines, pipeline planning areas are established based upon pipeline metrics or the United States Department of Transportation’s Emergency Response Guidebook. Most high-pressure pipelines have a planning area of approximately 150-250 feet from either side of the pipeline.

ANALYSIS

1. This is a request for a change of zone from AG Agricultural to B-2 Planned Neighborhood Business District over approximately 6.02 acres of land. The change of zone area includes the property at the northwest corner of N. 98th Street and O Street and also that part of the City’s fire station property to the north which is not presently zoned B-2.
2. The change of zone is requested to allow for commercial development on the privately owned parcel at the northwest corner of N. 98th Street and O Street. The City property is being included for consistency with zoning and the B-2 Use Permit, though the public use of the fire station is exempt from zoning. Access for the new development will be through a public access easement across the fire station lot from Boathouse Road. There will be no direct access to O Street or N. 98th Street for the commercial use.

3. The change of zone area comprises part of the total 7.58 acres of the Waterford Estates Commercial Park Use Permit (UP18004). This corner was previously planned for commercial uses in 2006 when the area was annexed under the Waterford Estates Conditional Annexation and Zoning Agreement.
4. Use Permit 18004 was approved by the Planning Commission in June, 2018. The approval authorized up to 61,000 total square feet of floor area on five lots for public and commercial uses, subject to change of zone. The public use though is exempt from zoning. The Use Permit does not become fully effective for the commercial use until City Council approves the change of zone for B-2 Commercial for commercial uses.
5. An Administrative Amendment (AA23007) to UP18004 was submitted in relation to this Change of Zone on February 8, 2023. The Administrative Amendment is to change the total number of lots from 5 to 2, combining into one lot. Also, this amendment allows for a minor increase in the total square footage permitted from 61,000 to 65,500 square feet. A related Final Plat (FPPL23018) was also submitted consistent with this amendment.
6. A high pressure gas pipeline is located along the southern edge of the use permit area. The Lincoln-Lancaster County Health Department calculated a hazard area of approximately 154 feet on each side for this pipeline. Certain uses such as residential structures, child care facilities, retirement facilities, schools and hospitals are not permitted to be located within this Pipeline Planning Area (PPA). In this case, commercial use as proposed is acceptable, and the site plan submitted with AA23007 only identifies parking within the PPA.
7. The future land use map in the 2050 Comprehensive Plan designates this property for commercial with greenspace for the floodplain. Only a minor part of the new commercial development site is affected by floodplain. Therefore, the proposed change of zone is consistent with the Comprehensive Plan.

EXISTING LAND USE & ZONING: Vacant, City Fire Station; AG

SURROUNDING LAND USE & ZONING

North:	Vacant	B-2
South:	Hillcrest Golf Course	AG
East:	Vacant	AG, B-2
West:	Open Space	AG

APPROXIMATE LAND AREA: 6.02 Acres

LEGAL DESCRIPTION:

Outlot A, Waterford Estates 21st Addition and all that portion of Lot 1, Waterford Estates 21st Addition which is not presently zoned B-2, located in the SE 1/4 of Section 23-10-7, Lincoln, Lancaster County, Nebraska

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

Date: February 23, 2023

Owner: Waterford Estates LLC c/o John Schleich
 7211 S. 27th Street
 Lincoln, NE 68512

Applicant: John Schleich
 7211 S. 27th Street
 Lincoln, NE 68512
 (402) 430-7264
JFs@ciproperties.com

Contact: Mark Palmer, Olsson
601 P Street
Suite 200
Lincoln, NE 68508
(402) 730-5338
mpalmer@olsson.com

CZ23012 APPLICATION HISTORY:

October, 2007	The Final Plat for Waterford Estates Addition was approved by the Planning Director.
November, 2010	The Final Plat for Waterford Estates 3 rd Addition was approved by the Planning Director.
October, 2012	The Final Plat for Waterford Estates 8 th Addition was approved by the Planning Director.
January, 2013	UP08003 to develop 250,000 square feet of commercial floor area was withdrawn.
January, 2013	CZ08075 to rezone 10.45 acres from AG to B-2 was withdrawn.
April, 2013	The Final Plat for Waterford Estates 9 th Addition was approved by the Planning Director.
June, 2018	UP18004 was approved by the Planning Commission fo up to 61,000 total square feet of floor area on five lots for public and commercial uses.
September, 2018	The Final Plat for Waterford Estates 21 st Addition was approved.

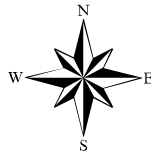
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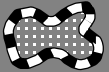


**Change of Zone #: CZ23012 (AG to B-2)
N 98th St & O St**

Zoning:

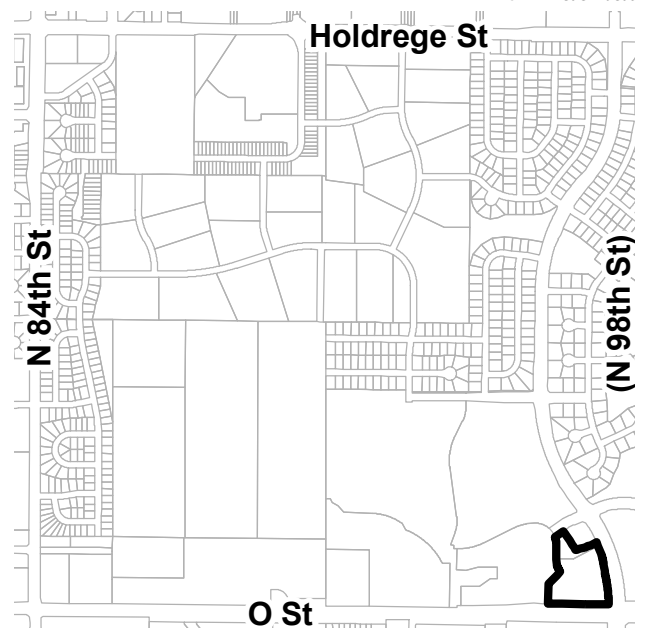
- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- O-1 Office District
- O-2 Suburban Office District
- O-3 Office Park District
- R-T Residential Transition District
- B-1 Local Business District
- B-2 Planned Neighborhood Business District
- B-3 Commercial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



**One Square Mile:
Sec.23 T10N R07E**

	Area of Application
	Zoning Jurisdiction Lines
	Lancaster County Jurisdiction
26	

2022 aerial





January 30, 2023

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

Re: Waterford Estates Commercial Park
Application for Change of Zone
Olsson Project No. 023-00369

Dear Mr. Cary,

Waterford Estates, LLC ("Developer") is the owner of Outlot A, Waterford Estates 21st Addition, Lincoln, Lancaster County, Nebraska. The Developer is requesting a Change of zone from AG to B-2 Commercial on approximately 5.02 acres of Outlot A, located at the northwest corner of North 98th Street and "O" Street.

This property is included with Use Permit UP18004 that includes a Fire Station lot for the City of Lincoln. The property is currently zoned AG as the B-2 zoning was not needed at the time of the Fire Station Lot development. An Administrative Amendment for the Use Permit will be submitted to the Planning Department to gain site plan approval.

This corner was planned for commercial uses in 2006 when the area was annexed under the Waterford Estates Conditional Annexation and Zoning Annexation Agreement.

Enclosed please find the following:

1. City of Lincoln Application, including:
2. Application fees in the amount of \$1,056.00
3. Change of Zone Legal description and Exhibit

If you require further information or have any questions, please do not hesitate to contact me at mpalmer@olssonassociates.com or (402) 458-5632.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Mark C Palmer', is written over a light blue horizontal line.

Mark C Palmer, P.E.

Enclosures.

LEGAL DESCRIPTIONS

Parcel 1:

A TRACT OF LAND COMPOSED OF LOT OUTLOT A, WATERFORD ESTATES 21ST ADDITION, LOCATED IN THE SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 10 NORTH, RANGE 7 EAST OF THE 6TH P.M., LANCASTER COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF OUTLOT A, WATERFORD ESTATES 21ST ADDITION, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE N89°24'34"W, ON A SOUTH LINE OF SAID OUTLOT A, A DISTANCE OF 552.77' TO A POINT; THENCE N00°35'26"E, ON A WEST LINE OF SAID OUTLOT A, A DISTANCE OF 180.14' TO A POINT; THENCE N44°20'49"E, ON A NORTHWEST LINE OF SAID OUTLOT 'A', A DISTANCE OF 155.57' TO A POINT OF CURVATURE FOR A NON-TANGENT CURVE IN A CLOCKWISE DIRECTION, HAVING A CENTRAL ANGLE OF 37°57'29", A RADIUS OF 183.00', AN ARC LENGTH OF 121.24' ON A WEST LINE OF SAID OUTLOT 'A', A CHORD LENGTH OF 119.03', A TANGENT LENGTH OF 62.94', AND A CHORD BEARING OF N18°23'19"W TO A POINT; THENCE N00°35'26"E, ON A WEST LINE OF SAID OUTLOT A, A DISTANCE OF 8.50' TO A POINT; THENCE S89°24'34"E, ON A NORTH LINE OF SAID OUTLOT 'A', A DISTANCE OF 161.24' TO A POINT; THENCE N61°58'59"E, ON A NORTH LINE OF SAID OUTLOT 'A', A DISTANCE OF 249.99' TO A POINT OF CURVATURE FOR A NON-TANGENT CURVE IN A CLOCKWISE DIRECTION, HAVING A CENTRAL ANGLE OF 03°40'45", A RADIUS OF 1,434.00', AN ARC LENGTH OF 92.08' ON AN EAST LINE OF SAID OUTLOT 'A', A CHORD LENGTH OF 92.06', A TANGENT LENGTH OF 46.06', AND A CHORD BEARING OF S21°09'05"E TO A POINT OF COMPOUND CURVATURE FOR A CURVE IN A CLOCKWISE

DIRECTION, HAVING A CENTRAL ANGLE OF $16^{\circ}04'15''$, A RADIUS OF 327.00', AN ARC LENGTH OF 91.72' ON AN EAST LINE OF SAID OUTLOT 'A', A CHORD LENGTH OF 91.42', A TANGENT LENGTH OF 46.16', AND A CHORD BEARING OF $S11^{\circ}16'35''E$ TO A POINT OF REVERSE CURVATURE FOR A CURVE IN A COUNTER-CLOCKWISE DIRECTION, HAVING A CENTRAL ANGLE OF $10^{\circ}10'03''$, A RADIUS OF 318.00', AN ARC LENGTH OF 56.43' ON AN EAST LINE OF SAID OUTLOT 'A', A CHORD LENGTH OF 56.36', A TANGENT LENGTH OF 28.29', AND A CHORD BEARING OF $S08^{\circ}19'29''E$ TO A POINT OF REVERSE CURVATURE FOR A CURVE IN A CLOCKWISE DIRECTION, HAVING A CENTRAL ANGLE OF $12^{\circ}21'56''$, A RADIUS OF 1,418.00', AN ARC LENGTH OF 306.03' ON AN EAST LINE OF SAID OUTLOT 'A', A CHORD LENGTH OF 305.44', A TANGENT LENGTH OF 153.61', AND A CHORD BEARING OF $S07^{\circ}13'32''E$ TO THE POINT OF BEGINNING, SAID TRACT CONTAINS A CALCULATED AREA OF 218,650.51 SQUARE FEET OR 5.02 ACRES, MORE OR LESS.

Parcel 2:

THAT PART OF LOT 1, WATERFORD ESTATES 21ST ADDITION WHICH IS NOT PRESENTLY ZONED B-2, LOCATED IN THE SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 10 NORTH, RANGE 7 EAST OF THE 6TH P.M., LANCASTER COUNTY, NEBRASKA

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 #23005	FINAL ACTION? Yes	DEVELOPER/OWNER Gille Properties, LLC.
PLANNING COMMISSION HEARING DATE March 8, 2023	RELATED APPLICATIONS None	PROPERTY ADDRESS/LOCATION 3737 Calvert Street

RECOMMENDATION: CONDITIONAL APPROVAL

BRIEF SUMMARY OF REQUEST

This is a request for a Residential Healthcare Facility serving up to 16 persons for assisted living. The use would occupy an existing single family residential dwelling located at 3737 Calvert Street. The existing garage and proposed expansion for a parking area behind the garage will be utilized for the required resident and employee parking on site.



JUSTIFICATION FOR RECOMMENDATION

Residential healthcare facilities are allowed by special permit in the R-2 zoning district. The current Zoning Ordinance limits residential healthcare facilities to one person per 2,000 square feet of lot area in R-2. The property is approximately 53,359 square feet, which would allow a higher number of residents than what the applicant is requesting with a maximum of 16 residents.

APPLICATION CONTACT

Chris Gille, (402) 216-8320 or chris.gille@gmail.com

STAFF CONTACT

Ben Callahan, (402) 441-6160 or bcallahan@lincoln.ne.gov

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The special permit for a Residential Healthcare Facility is in conformance with the 2050 Comprehensive Plan. The property is shown to continue as future urban residential. The Comprehensive Plan includes goals for providing safe and decent affordable and special needs housing, along with continued development of a variety of new housing options, including senior living.

KEY QUOTES FROM THE 2050 COMPREHENSIVE PLAN

Introduction Section: Growth Framework

Figure GF.b: 2050 - This site is designated for future Residential - Urban Density land uses on the 2050 Future Land Use Plan.

11.13- Residential uses in areas with varying densities ranging from more than fifteen dwelling units per acre to less than one dwelling per acre. All types of housing are appropriate here, from detached single family, duplex and missing middle, to higher density multi-family.

Goals Section

G2: Complete Neighborhoods

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

During the planning period, there will continue to be a need to accommodate group living which generally includes, but is not limited to: senior housing, assisted living facilities, group homes, domestic shelters, and children's homes.

Policies Section

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

Action Step 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.

Appendix E: 2050 Demographic Projections

While those age 20 to 24 remain the largest Lancaster County population segment out to 2050, aging represents a central element of future population change. Growth occurs across all age groups, but the projections show the highest percentage gains happen as "baby boomers" born from 1946 to 1964 age into older age categories. Specific examples of aging include:

- Those age 65 and older doubling from 31,000 in 2010 to 61,000 in 2030 and rising to 75,000 by 2050
- Those age 75 and older exceeding children under age 5 by 2025, likely for the first time in history
- Households headed by a person age 85 or older, of which 70% currently live alone and often with a disability or special needs, tripling from 3,500 in 2010 to nearly 11,500 in 2050

ANALYSIS

1. This is a request for a special permit for a Residential Healthcare Facility per Lincoln Municipal Code Section 27.63.530. The use is allowed by special permit in the R-2 zoning district.
2. According to Section 27.02.090 of the Zoning Ordinance, the definition of a Residential Healthcare Facility is "a building or structure that is to be used in a residential nature, licensed or approved by the state or an appropriate agency, if required. Residential health care facility could include but would not be limited to the following types of facilities: Assisted Living, Nursing Care, Memory Care, Convalescent Home, Hospice Home, Group home for 16 or more people and Intermediate Care, and may include independent living units."
3. The request is to operate an assisted living facility from an existing single-family home within a residential neighborhood. The total number of persons occupying the building will allow up to no more than 16 residents in addition to employees. The applicant has stated the maximum employees on site at any one time will be 4. The special permit includes a ratio for calculating the total number of client or employee residents. The R-2 district allows one person per 2,000 square feet of lot area. This lot is larger than a standard R-2, Residential lot at 53,359 square feet, and would allow up to 26 individuals following the density allowance within the LMC. The applicant is requesting a maximum of 16 resident, which is lower than what could be allowed by the LMC standards. If approved, the applicant will start with only 12 residents on site, adding an additional capacity for 4 addition residents in the future after expansion and total of 16 residents.
4. The applicant stated the facility intends to provide residential care, specializing in memory care, in a smaller home-like environment while also receiving more personal and customized 24/7 care with daily activities and needs such as meal preparation, bathing, housekeeping, laundry, and medication management. Residential healthcare facilities shall be licensed to comply with all state requirements. The applicant will apply to obtain an

Assisted Living Facility license through the Nebraska Department of Health and Human Services (DHHS).

- 5. The existing buildings on the property appear to meet the setbacks for the R-2 zoning district. Section 27.63.530 of the Lincoln Municipal Code states, "Parking shall be in conformance with Chapter 27.67 unless modified under the condition of the special permit, provided that no parking shall be permitted in the required front or side yards." Parking for residential healthcare facilities is required at one space for every four residents and two spaces for every three employees on the largest shift. The applicant anticipates a maximum of three employee on the largest shift. This would result in a parking requirement of seven stalls. The property has an existing two car garage eligible for parking and the applicant has proposed to expand the driveway on the west side of the property that will allow additional parking behind the garage and meet the required seven parking spaces.
- 6. The proposed special permit is in conformance with goals in the Comprehensive Plan to provide a variation of housing options within existing neighborhoods, including residential healthcare facilities and senior housing options. The existing single family home will continue to be used for the facility which will keep compatibility with the character of the surrounding neighborhood homes and setbacks.

CONDITIONS OF APPROVAL: See attached.

EXISTING LAND USE & ZONING: Single family dwelling, R-2, Residential

SURROUNDING LAND USE & ZONING

North:	Single family dwellings	R-4, Residential
South:	Single family dwellings	R-2, Residential
East:	Single family dwellings	R-2, Residential
West:	Single family dwellings	R-2, Residential

APPROXIMATE LAND AREA: 1.22 acres, more or less

LEGAL DESCRIPTION: I.T. Lots 185 & 186 Southeast

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

Date: February 23, 2023

Applicant/
Owner

Chris Gille
3101 N. 177th Street
Omaha, NE 68116
(402) 216-8320
Chris.gille@gmail.com

<https://linclanc.sharepoint.com/sites/PlanningDept-DevReview/Shared Documents/DevReview/SP/23000/SP23005 Harbor Senior Care.bmc .docx>

CONDITIONS OF APPROVAL - SPECIAL PERMIT #23005

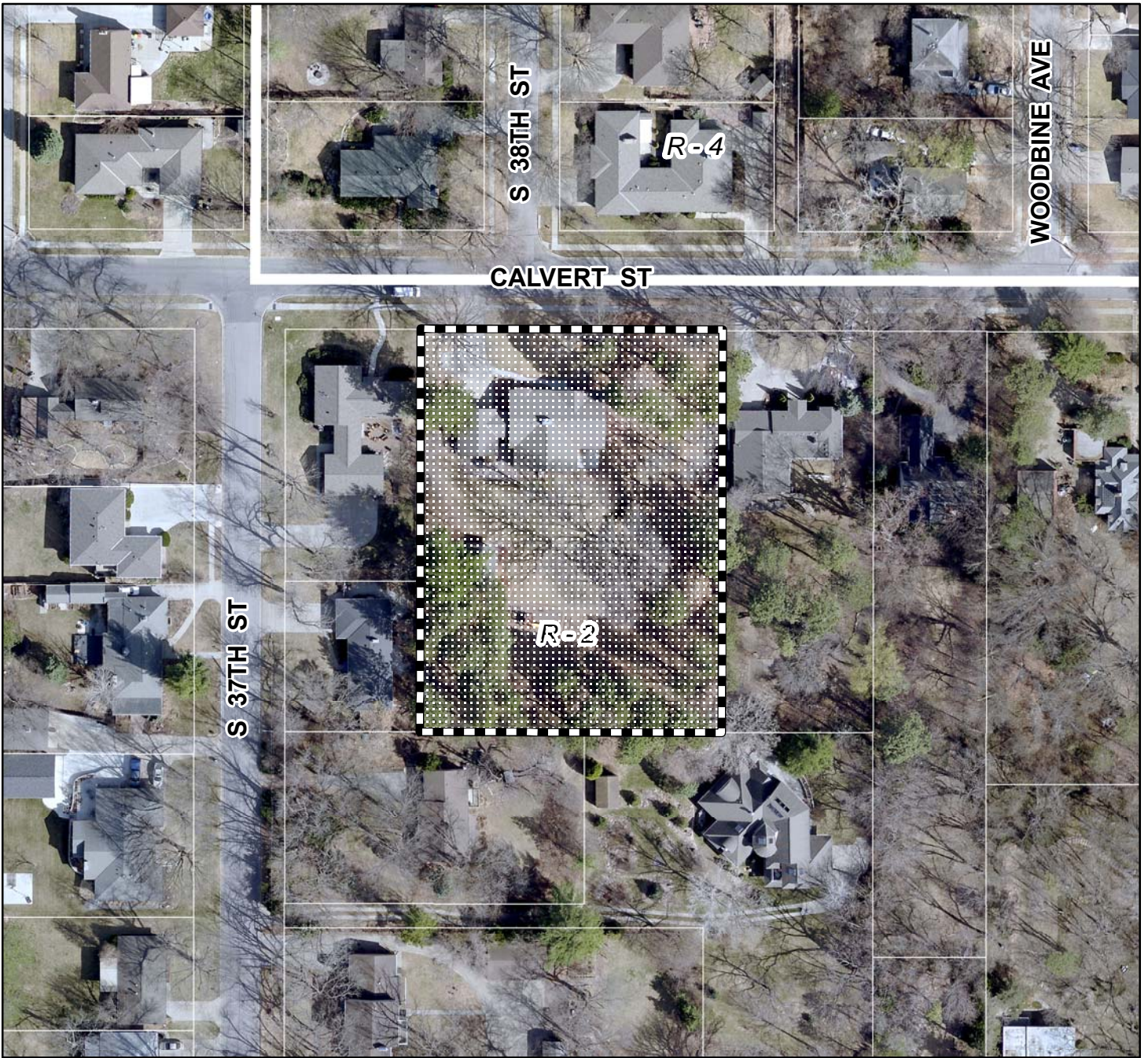
Per Section 27.63.530 this approval permits a Residential Healthcare Facility with up to 16 residents.

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 Update Parking Requirement Table to 4 employees as stated in letter.
 - 1.2 Revise plan to update "Front Yard Setback" as it is stated as a Rear Yard Setback.
 - 1.3 Correct North arrow on plan sheet.
 - 1.4 Update Parking Requirement Table figures as only 7 parking stalls would be required with 4 stalls for 16 residents and 3 stalls for 4 employees.
 - 1.5 Update future addition with dimensions.
 - 1.6 Add a note to the plan that "Future additions shown on the plan are conceptual and need not be shown in detail on the site plan as long as the addition conforms to all setbacks."
 - 1.7 Update rear yard setback from 25 feet to required 30 feet for other uses in R-2, Residential.
 - 1.8 Remove "Neighborhood" and "Class" from project information.

Standard Conditions:

2. The following conditions are applicable to all requests:
 - 2.1 Before occupying 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.

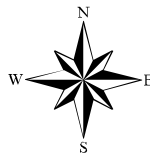


2022 aerial

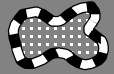


Special Permit #: SP23005
S 37th St & Calvert St

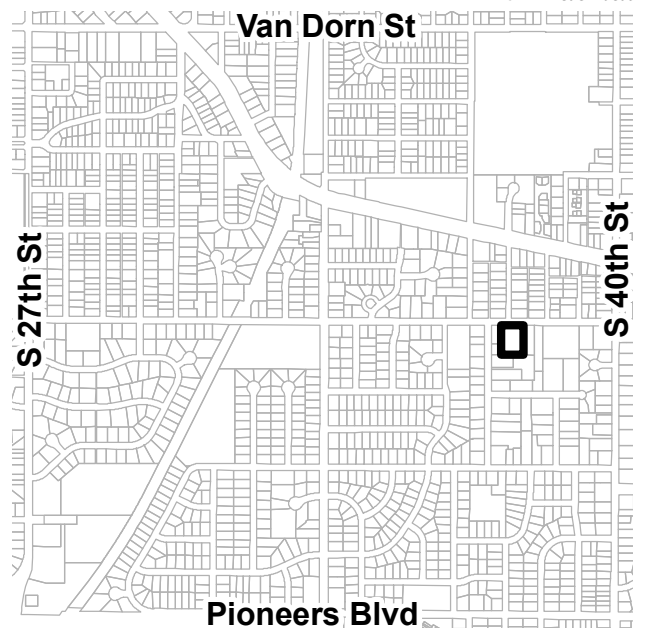
Zoning:

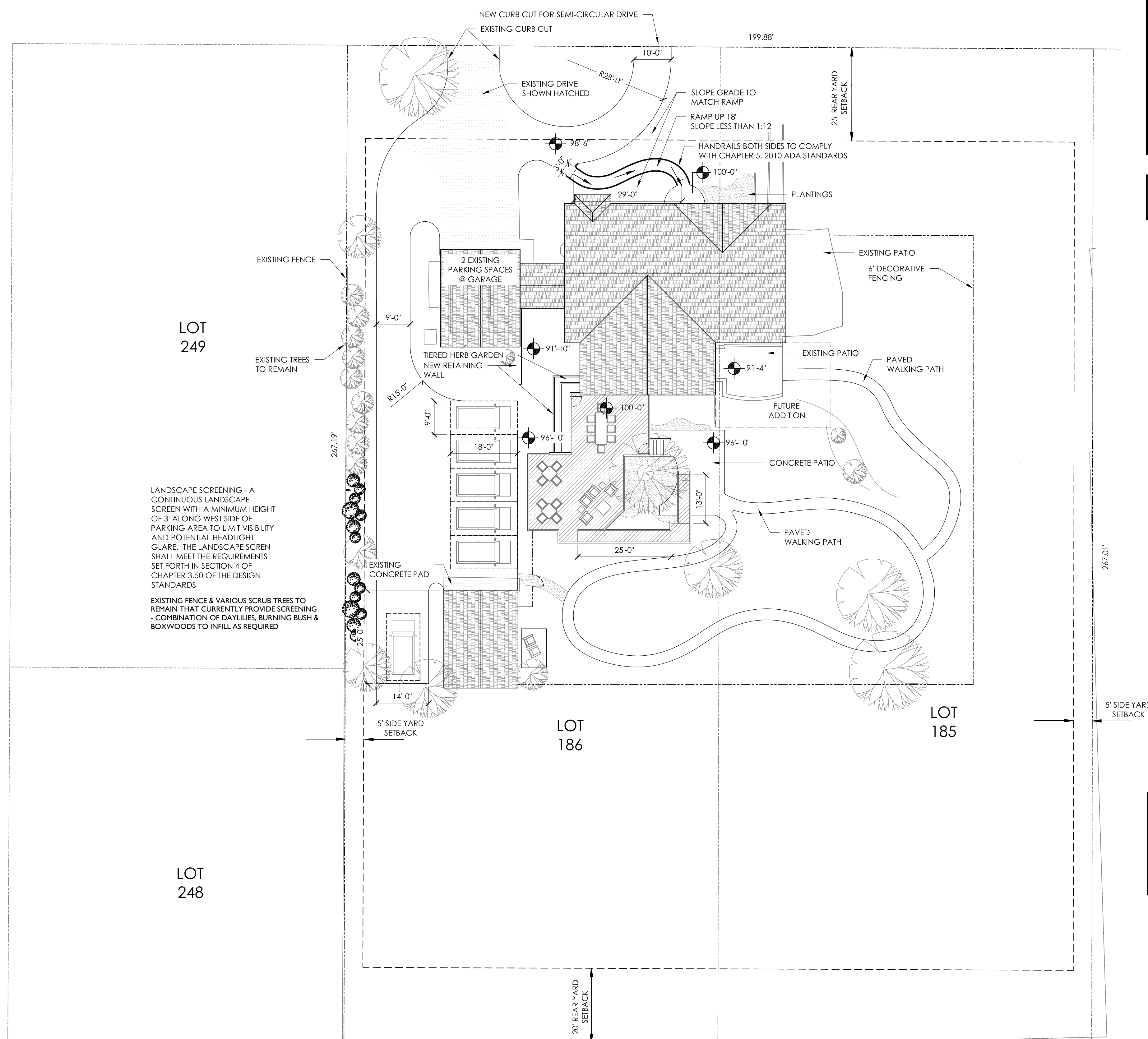
- R-1 to R-8 Residential District
- AG Agricultural District
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- I-2 Industrial Park District
- I-3 Employment Center District
- P Public Use District



One Square Mile:
 Sec.06 T09N R07E

	Area of Application
	Zoning Jurisdiction Lines
	Lancaster County Jurisdiction
35	





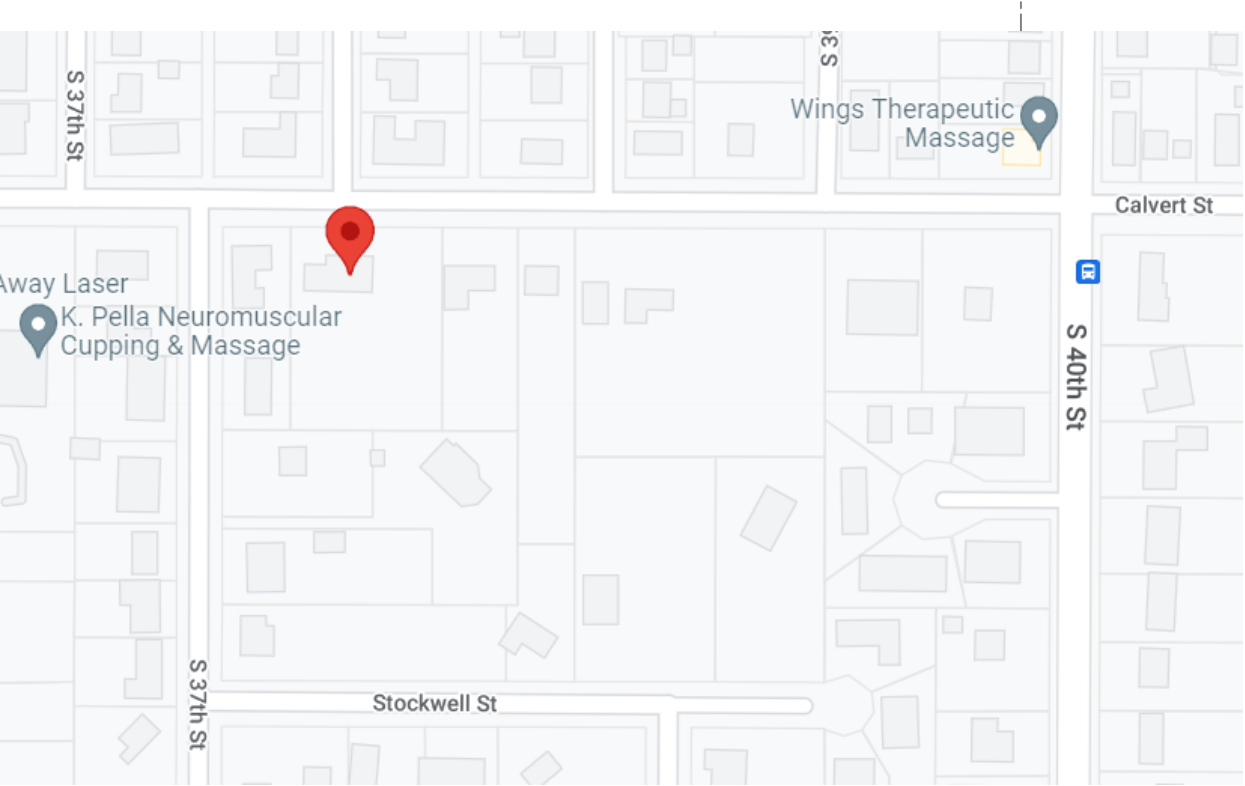
LANDSCAPE SCREENING - A CONTINUOUS LANDSCAPE SCREEN WITH A MINIMUM HEIGHT OF 3' ALONG WEST SIDE OF PARKING AREA TO LIMIT VISIBILITY AND POTENTIAL HEADLIGHT GLARE. THE LANDSCAPE SCREEN SHALL MEET THE REQUIREMENTS SET FORTH IN SECTION 4 OF CHAPTER 3.50 OF THE DESIGN STANDARDS

EXISTING FENCE & VARIOUS SCRUB TREES TO REMAIN THAT CURRENTLY PROVIDE SCREENING - COMBINATION OF DAYLILIES, BURNING BUSH & BOXWOODS TO INFILL AS REQUIRED

PARKING REQUIREMENT TABLE		
	PEOPLE	PARKING SPACES REQ'D
NUMBER OF EMPLOYEES	3	2
NUMBER OF RESIDENTS/CLIENTS	16	6
# OF PARKING SPOTS REQUIRED		8
EXISTING PARKING SPOTS		2
ADDITIONAL SPOTS REQUIRED		6

NOTE: SIGNS ARE NOT SHOWN ON THIS SITE PLAN, BUT WILL BE PROVIDED TO COMPLY WITH WITH CHAPTER 27.69 OF THE LINCOLN ZONING ORDINANCE, AND MUST BE APPROVED BY BUILDING AND SAFETY DEPARTMENT PRIOR TO INSTALLATION.

PROJECT ADDRESS
 3737 CALVERT STREET
 LINCOLN, NEBRASKA
 PROPERTY ID: 16-06-406-041-000
 LEGAL DESCRIPTION: S6, T9, R7, 6th PRINCIPAL MERIDIAN, IRREGULAR TRACT LOTS 185 & 186 SE
 NEIGHBORHOOD: CALVERT PLACE
 CLASS: RESIDENTIAL IMPROVED
 ZONING: R2-RESIDENTIAL DISTRICT





January 30, 2023

Dear City of Lincoln,

I would like to request a Special Use Permit for the property at 3737 Calvert Street, Lincoln, NE 68506 for the designated use as a "Residential Healthcare Facility." The purpose of this request is to allow for us to use the home as a Residential Assisted Living Care Home.

In January of 2022, the City Planning Commission of Lincoln approved our request for a Special Use Permit at 8421 Pinedale Court for this same use. After going through the appropriate process with the City of Lincoln and then receiving our license as an assisted living facility from the State of Nebraska, we opened our first Residential Assisted Living Home in August of this year. Our home quickly reached the maximum approved capacity and we have received very positive feedback from residents, their families and many healthcare practitioners in the community. Due to the success, we are seeking to open another home at our property at 3737 Calvert Street.

Residential Assisted Living Care Homes are a vastly growing concept in senior care, with over 30,000 homes currently licensed and operating across the U.S. Until recently the options for elderly that require some level of care was to either remain at home and pay for expensive home health care while also maintaining the home or move into a typically large institutional setting. Residential Care Homes provide the better of both worlds allowing for the comfort of a smaller real-home environment while also receiving more personal and customized 24/7 care with their daily activities and needs (meal preparation, bathing, toileting, housekeeping, laundry, medication management, etc.)

Plans for our home at 3737 Calvert include an immediate capacity of 12 senior residents living in the home with a proposed expansion up to 16 residents. The home has over 4,800 finished square feet and the property is 53,359 square feet with R-2 zoning district allowing for 1 resident per 2,000 square feet of lot.

Also, the most employees/caretakers in the home during any one time will be 4. We will have 8 parking spots available in order to meet the parking requirement for the specific use as a Residential Healthcare Facility.

I look forward to discussing this request with the Planning Commission members and hope to continue to grow our unique and needed service in the Lincoln community.

Best regards,

Chris Gille
CEO, The Harbor Senior Care, LLC

3101 N. 177th Street Omaha, NE 68116
info@theharborseniorcare.com

LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT

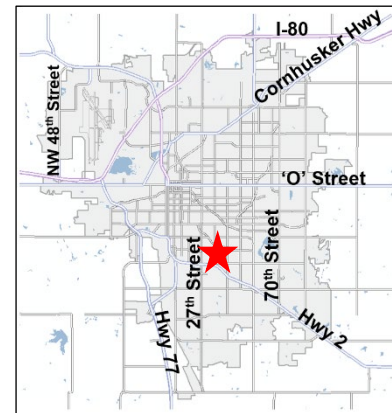
FROM THE LINCOLN/LANCASTER COUNTY PLANNING DEPARTMENT, 555 S. 10TH STREET, SUITE 213, LINCOLN, NE 68508

APPLICATION NUMBER Special Permit #23007	FINAL ACTION? Yes	DEVELOPER/OWNER Steven Green
PLANNING COMMISSION HEARING DATE March 8, 2023	RELATED APPLICATIONS None	PROPERTY ADDRESS/LOCATION 3510 & 3430 South 33 rd Street

RECOMMENDATION: CONDITIONAL APPROVAL

BRIEF SUMMARY OF REQUEST

This is a request for a special permit to allow for a nonstandard use as the total amount of accessory space exceeds the 2,000 square foot allowed maximum within the R-1, Residential zoning district. The owner is requesting the special permit as they own both properties at 3430 and 3510 South 33rd Street, which will be consolidated into one larger lot with one single family dwelling on the lot. The house at 3430 S 33rd Street will be demolished. The new consolidated lot will have one existing detached accessory structure and an attached garage on the single family home, causing the new lot to exceed the allowed maximum for accessory space with 2,582 square feet.



JUSTIFICATION FOR RECOMMENDATION

Due to the condition of the home at 3430 South 33rd Street, the owner has applied for a demolition permit and for a final plat to consolidate the two lots into one larger, single family lot. Since the home at 3510 and accessory building at 3430 were both permitted when constructed, the consolidation into one lot will cause the total accessory space to exceed today's maximum of 2,000 square foot by 582 square feet. This permit will allow the existing accessory space to remain and does not propose any expansion to the total.

APPLICATION CONTACT

Steven Green, (402) 405-9761 or green.electrosports@gmail.com

STAFF CONTACT

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

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The Comprehensive Plan encourages maintaining appropriate density and a variety of housing types. This proposal permits the continued use of permitted accessory space within an established neighborhood.

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.

[Land Use Plan](#) -Urban Residential. Residential uses in areas with varying densities ranging from more than fifteen dwelling units per acre to less than one dwelling per acre. All types of housing are appropriate here, from detached single family, duplex and missing middle, to higher density multi-family. 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.

Elements Section

E1: Complete Neighborhoods and Housing

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.

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

Action Steps

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.

ANALYSIS

1. This is an application for a special permit to allow the accessory space on a R-1, Residential lot to exceed the 2,000 square foot maximum allowed by 582 feet. The applicant owns both properties at 3430 and 3510 South 33rd Street and will be consolidating the two lots into one after the demolition of the home 3430 due to the poor structural condition. Once consolidated, the new lot will have one existing single family home currently at 3510 S. 33rd Street with an attached one car garage and one existing accessory building. Before a final plat can be approved consolidating the two lots into one, a special permit would need to be approved allowing the accessory space size to exceed the maximum allowed.
2. A nonstandard use is defined by LMC §27.02.150 as a lot or use that existed prior to the effective date of the zoning ordinance or due to a change in the zoning ordinance or district boundaries and no longer complies with the minimum requirements for the district in which it is located. The Lincoln Municipal Code allows for properties zoned R-1 to have a maximum of 2,000 square feet of accessory space, when the lot is over 20,000 square feet in size. This includes detached and attached garage space. Once the new lot is created, the property will have one attached garage totaling 308 square feet and one detached accessory building totaling 2,274 square feet that was constructed in 1999 before the current LMC accessory building size requirements. Since the detached garage at 3430 was permitted in 1999, the structure would be considered legal nonconforming by today's standards as it is exceeding the 2,000 square foot maximum on the current lot today.
3. The accessory building regulations do permit accessory space beyond 2,000 square feet up to 3,000 square feet as an "Expanded Maximum." However, in order to have additional space there are several conditions including the total accessory space can't exceed the floor area of the house, excluding the basement. The house at 3510 S 33rd Street has less than 2,000 square feet of floor area, so the Expanded Maximum is not an option.
4. The request does not include any waivers to the R-1 required setbacks as the current home and detached accessory meet current setback requirements. The Building and Safety Department has noted that accessory space cannot be conditioned, or the structure is required to meet the setbacks of the main use. In this situation, the accessory building would not be allowed to be conditioned as it was permitted and constructed meeting the setbacks for an accessory structure in R-1.
5. LMC §27.63.280 provides the following criteria shall be given specific consideration:

(a) Effects on adjacent property, traffic, city utility service needs;

There will be no significant impact. The approval would allow for the accessory space to remain as is today but be on one new lot with the single family home. The request does not include any expansion or relocation of the accessory space that would further encroach on the neighboring properties.

(b) Density of land use zoning for the subject property and adjacent property;

There will be no significant impact as the property will continue as a single family residential use. No additional or expansion of buildings or accessory space are proposed with this application as this will allow the consolidation of two existing lots owned by the same individual.

(c) The degree of hardship upon the applicant which would be caused by failure to grant.

This special permit would allow for the continued use of accessory space on the properties that has existed for many years but would now be located on one larger lot. Both the single family home with the attached one car garage and detached accessory building were permitted and built legally before current LMC accessory building size standards were adopted. If the special permit were not approved, the property owner could not proceed with the new final plat consolidating the lots or the demolition of the home at 3430 S. 33rd Street.

- 6. The special permit is warranted because: 1) the continued use of existing accessory space within an older, existing neighborhood; 2) the structures were permitted and meet all R-1 setbacks; 3) the approval of the special permit is allowing the continuation of the space as it will not permit expansions to the accessory space or adverse impacts to the surrounding neighbors.

CONDITIONS OF APPROVAL: See attached.

EXISTING LAND USE & ZONING: Single family dwelling & R-1, Residential

SURROUNDING LAND USE & ZONING

North:	Single Family Dwellings	R-1, Residential
South:	Single Family Dwellings	R-1, Residential
East:	Single Family Dwellings	R-1, Residential
West:	Single Family Dwellings	R-2, Residential

APPROXIMATE LAND AREA: .62 acres, more or less

LEGAL DESCRIPTION: Lot 313 & 377 Northeast, Lincoln, Lancaster County, Nebraska

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

Date: February 23, 2023

Applicant/
Owner: Steven Green
3510 S. 33rd Street
Lincoln, NE 68506
(402) 405-9761
Green.electrosports@gmail.com

<https://linclanc.sharepoint.com/sites/PlanningDept-DevReview/Shared Documents/DevReview/SP/23000/SP23007 Green Garage Nonconforming.bmc.docx>

CONDITIONS OF APPROVAL - SPECIAL PERMIT #23007

Per Section 27.63.280 this approval permits the expansion of a nonconforming use to allow 2,582 square feet of existing accessory space, which exceeds the maximum floor area for one lot zoned R-1 Residential.

Site Specific Conditions:

1. Before receiving building permits or 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:
 - 1.1 Update title of site plan to “Special Permit #23007”

Standard Conditions:

2. The following conditions are applicable to all requests:
 - 2.1 Before occupying the buildings all development and construction shall substantially comply with the approved plans.
 - 2.2 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 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.

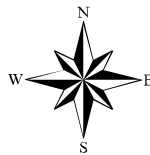


2022 aerial




Special Permit #: SP23007
S 33rd St & Calvert St

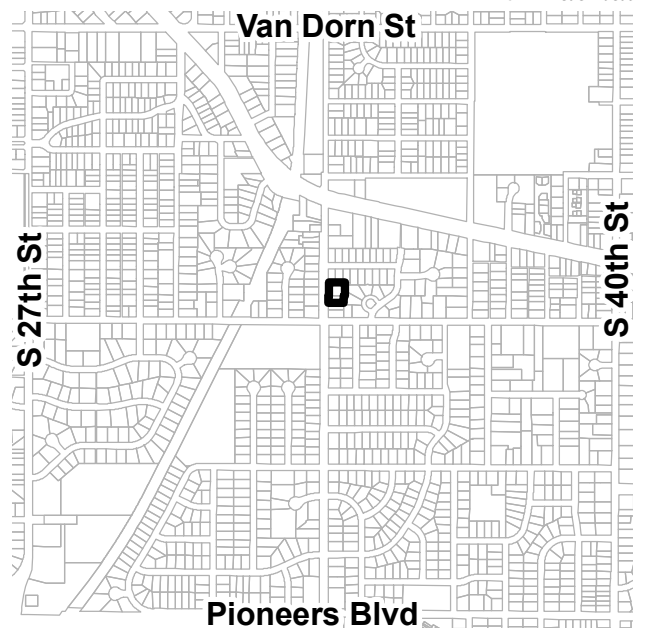
Zoning:

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



One Square Mile:
 Sec.06 T09N R07E

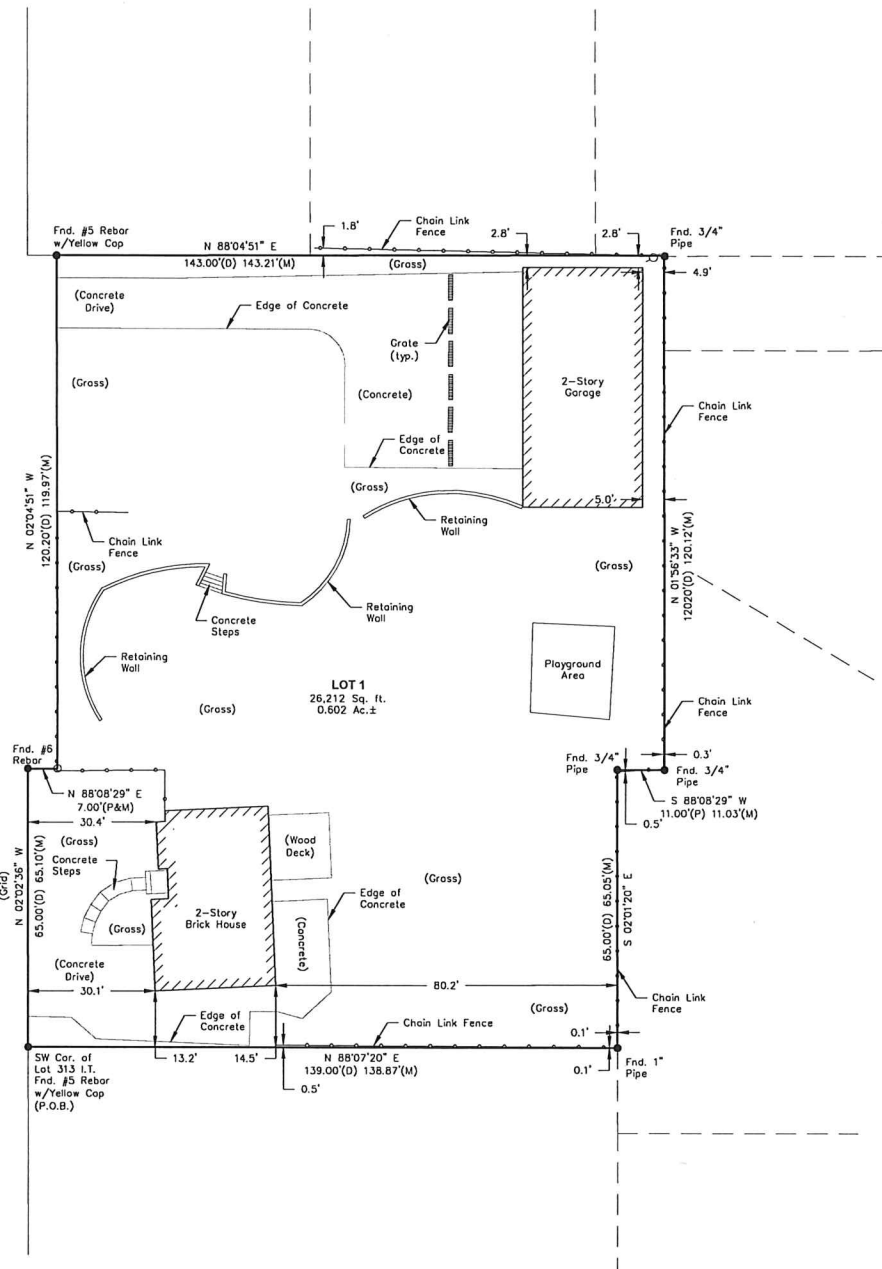
	Area of Application
	Zoning Jurisdiction Lines
	Lancaster County Jurisdiction
43	



DUPLICATE SITE PLAN

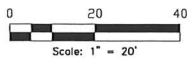


SOUTH 33RD STREET



Legend

- ◆ = Section Corner
- = Cor. Found (As noted.)
- ⊙ = Cor. Set #5 Rebar w/Red Plastic Cap Husker 440
- × = Temp. Point (Not set.)
- (M) = Meas. Dist.
- (P) = Plot Dist.
- (D) = Deed Dist.
- (R) = Record Dist.
- (C) = Comp. Dist.
- P.O.B. = Point of Beginning
- P.O.R. = Point of Reference
- = Chain Link Fence



Mr. Steven E. Green
3510 S 33rd Street
Lincoln, NE 68506
(402) 405-9761
Green.electrosports@gmail.com

December 17, 2022

Dear Planning Board members:

Purpose:

This Special Permit Application is for a nonconforming structure, specifically, an oversized garage. This application is being submitted in conjunction with an application to demolish the house on said lot and an application to consolidate said lot with the adjacent property.

Background:

I purchased the residence at 3430 S 33rd Street, Lincoln, NE 68506 in 1998 (hereinafter referred to as "old house"). I built a dream garage on the property in 1999 to store and work on my various automotive hobby projects. The garage was permitted and constructed in accordance with the ordinances in place at the time. During the construction of the garage, I came to understand how poor of a condition the old house was in. In 2013 I decided it was time for the old house to undergo major renovation. I didn't want to sell the property because I loved my garage/hobby shop.

At that time, my next-door neighbor's house at 3510 S 33rd Street, Lincoln, NE 68506 (hereinafter referred to as "new house") came up for sale, and I decided to purchase it instead of renovating the old house. Since moving into the new house, the old house has deteriorated to the point of being unlivable and unsafe.

Current:

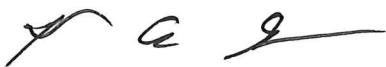
I am making preparations to demolish the old house and consolidate the two lots such that I will end up with one house and one garage on the consolidated lot.

Request:

Once the new plat is approved and filed, and one lot is created, the property will exceed the maximum size allowed for accessory structures in R-1 zoning. I am requesting this special permit to allow both garages (detached and attached) to remain and exceed the 2,000 SF maximum allowance for a total of 2,582 SF Feet.

Thank you for your consideration.

Sincerely,



Steven E. Green

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 23003
Van Dorn Amended Redevelopment Plan

FINAL ACTION?
No

DEVELOPER/OWNER
City of Lincoln

PLANNING COMMISSION HEARING DATE
March 8, 2023

RELATED APPLICATIONS
None

LOCATION
9th & Van Dorn Streets

RECOMMENDATION: IN CONFORMANCE WITH THE COMPREHENSIVE PLAN

BRIEF SUMMARY OF REQUEST

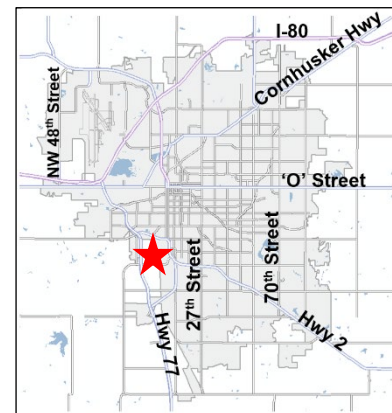
Review as to conformance with the 2050 Lincoln-Lancaster County Comprehensive Plan, the Van Dorn Amendment Redevelopment Plan. The Plan includes approximately 102 acres and includes Van Dorn Park, adjacent street rights-of-way, and several neighboring privately-owned properties. The Plan is an update to the Van Dorn Redevelopment Plan, originally approved in 2008.

Included within the Plan is the Pedestrian Crossing and Van Dorn Park Redevelopment Project. The Project includes the construction of a pedestrian crossing across 10th Street or other location in the Project Area to enhance access to Van Dorn Park.

The Redevelopment Plan is on file with the Urban Development Department and the Planning Department. The project documents can also be found online on the Planning Application Tracking System (PATS): [CPC23003](#).

JUSTIFICATION FOR RECOMMENDATION

The Redevelopment Plan and Pedestrian Crossing and Van Dorn Park Redevelopment Project are consistent with the Comprehensive Plan.



APPLICATION CONTACT

Hallie Salem, (402) 441-7866 or
hsalem@lincoln.ne.gov

STAFF CONTACT

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

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The Redevelopment Plan utilizes policy statements from the Comprehensive Plan as guiding principles for redevelopment in the area. The Pedestrian Crossing and Van Dorn Park Redevelopment Project is consistent with the Comprehensive Plan because it improves access to a community park (which is an essential element of a “complete” neighborhood), enhances pedestrian and bicycle infrastructure, and supports healthy and active lifestyles for Lincoln residents.

COMPREHENSIVE PLAN SPECIFICATIONS:

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.

G6: Healthy, Active, and Connected People - Lincoln and Lancaster County will be a healthy community that continuously creates and improves both its physical and social environments where every person is free to make choices amid a variety of healthy, available, accessible, and affordable options.

Inequities in access to recreation and open spaces contribute to health disparities... While over 98 percent of Lincoln residents are within one mile of accessing a trail, there are still inequities in the trail network. For example, there are instances where there are no connections into the trail system as a whole, leaving it inaccessible for residents who have concerns about on-street biking for commuting or for those who would like to ride recreationally through the community. Connecting these gaps should be prioritized over the planning horizon to create a more equitable trail network.

G15: Transportation - Lincoln and Lancaster County will strive to achieve a safe, efficient, and sustainable transportation system that enhances the quality of life, livability, and economic vitality of the community.

A balanced transportation system that supports the community's needs and equitable outcomes must include maintenance of the aging infrastructure, efficiencies to allow people to move from place to place without congestion, and availability of a wide variety of safe mobility options such as walking, biking, transit, and driving.

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.

E5: Parks, Recreation, and Open Space

Parks and open space enhance the quality of life of the community's residents and are central to the community's economic development strategy—the community's ability to attract and retain viable businesses, industries, and employees is directly linked to quality of life issues, including indoor and outdoor recreational opportunities.

Policies Section

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

Action Steps

2. Maintain and enhance infrastructure and services, commensurate with needs, in existing neighborhoods.

9. Implement elements of Complete Neighborhoods for existing neighborhoods.

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.
3. Develop new design standards for redevelopment projects, particularly TIF projects, that encourage density, a variety of housing types, optimize infrastructure costs, and help lower the overall cost of property development. Design standards provide assurance that projects will enhance and add enduring quality to the surrounding neighborhood and avoid conflicting visions among developers, neighbors, and city officials.

P28: Community Parks - Continue to provide Community Parks facilities as the City grows.

Action Steps

1. Locate Community Parks on a collector or arterial street to accommodate automobile access and parking; park sites should also be readily accessible by pedestrians and bicyclists from a commuter/recreation trail.
9. Create pedestrian connections between surrounding residential development and neighborhood-related park features such as playgrounds and park shelters.

ANALYSIS

1. This is a request to review as to conformance with the 2050 Lincoln-Lancaster County Comprehensive Plan (PlanForward 2050), the Van Dorn Amended Redevelopment Plan. The redevelopment area boundary is attached and includes approximately 102 acres.
2. This plan is an update and replacement of the [Van Dorn Redevelopment Plan](#) originally adopted in 2008. The overall content of the amended Plan is similar to the 2008 Plan, but the amended Plan includes a revised area, narrative of improvements to the project area since 2008, references to the 2050 Comprehensive Plan, and updates to redevelopment activities including a new redevelopment project.
3. Redevelopment activities are guided by the Nebraska Community Development Law (§ 18-2101, et. seq.) which requires that the governing body must first declare the project area substandard and blighted in order to prepare a redevelopment plan. A majority of the Redevelopment Area (93 acres) was determined as blighted and substandard with the Van Dorn Blight and Substandard Study in 2007 ([MISC06017](#)). The remaining portion of the redevelopment area (9 acres) was determined as blighted and substandard with the Van Dorn Redevelopment Area 2 Blight and Substandard Study in 2022 ([MISC22013](#)). The 2022 blight and substandard area includes right-of-way for 9th/10th, Van Dorn, High, and Calvert Streets, along with several properties east of 10th Street. This area was added to the Van Dorn Amended Redevelopment Plan boundary.

A portion of the Redevelopment Area north of Van Dorn was designated as extremely blighted in 2019 ([MISC19004](#)). This allows for the use of 20-year TIF for projects when at least 50 percent of parcels within the Project Area are designated as extremely blighted.

4. The designation of blight and substandard for the redevelopment area, along with creation of this Redevelopment Plan, makes projects within the redevelopment area potentially eligible for Tax Increment Financing (TIF) that can be applied to public improvements.
5. The Van Dorn Amended Redevelopment Plan uses PlanForward 2050 as a guide for potential redevelopment activities in the area. The Redevelopment Plan mentions a wide variety of potential redevelopment activities, many of which could occur in conjunction with future redevelopment projects. The complete list can be found on pages 25-27 of the Redevelopment Plan.

The list of activities includes:

- a. Street and sidewalk construction and repair.
 - b. Construction and upgrades of water mains to support improved water service to the redevelopment area.
 - c. Trail connections and signalized crossings.
 - d. Improvements to Van Dorn Park including playground equipment upgrades, landscape improvements, and removing an aged asphalt parking lot.
 - e. Placemaking and safety improvements around Van Dorn Park and the connections to adjacent neighborhoods.
 - f. Commercial redevelopment of 2750 S 10th Street.
 - g. Further stabilization, development, and protection of Robbers Cave.
 - h. Acquisition of substandard commercial/industrial properties to create new opportunities for redevelopment.
6. The Redevelopment Plan includes one new project, the Pedestrian Crossing and Van Dorn Park Enhancement Project. The Project includes the construction of a pedestrian crossing across 10th Street or other location within the Project Area. The exact configuration and style of the crossing has not yet been finalized.

Van Dorn Park has limited access for pedestrians from the residential neighborhoods to the north and east of the park it is intended to serve. A pedestrian crossing will provide access to the park and continuity between trails and other public locations in and near the Redevelopment Area.

Additional publicly funded redevelopment activities may include the following: construction of public infrastructure, streetscape enhancements, park enhancements, and other public improvements, enhancements, and expenses as permitted under the Act and in the Amended Redevelopment Act.

7. The total construction costs for the proposed Pedestrian Crossing and Van Dorn Park Enhancement Project are estimated to be \$150,000 in public financing. The source of public funds will be the tax increment generated from natural property value increases and possible private redevelopments on the Project Site. The Project Site is designated as extremely blighted, which allows for the division of taxes for up to 20 years for TIF purposes.

EXISTING LAND USE & ZONING:

The Redevelopment Plan area includes Van Dorn Park and a variety of commercial and residential uses and zoning districts.

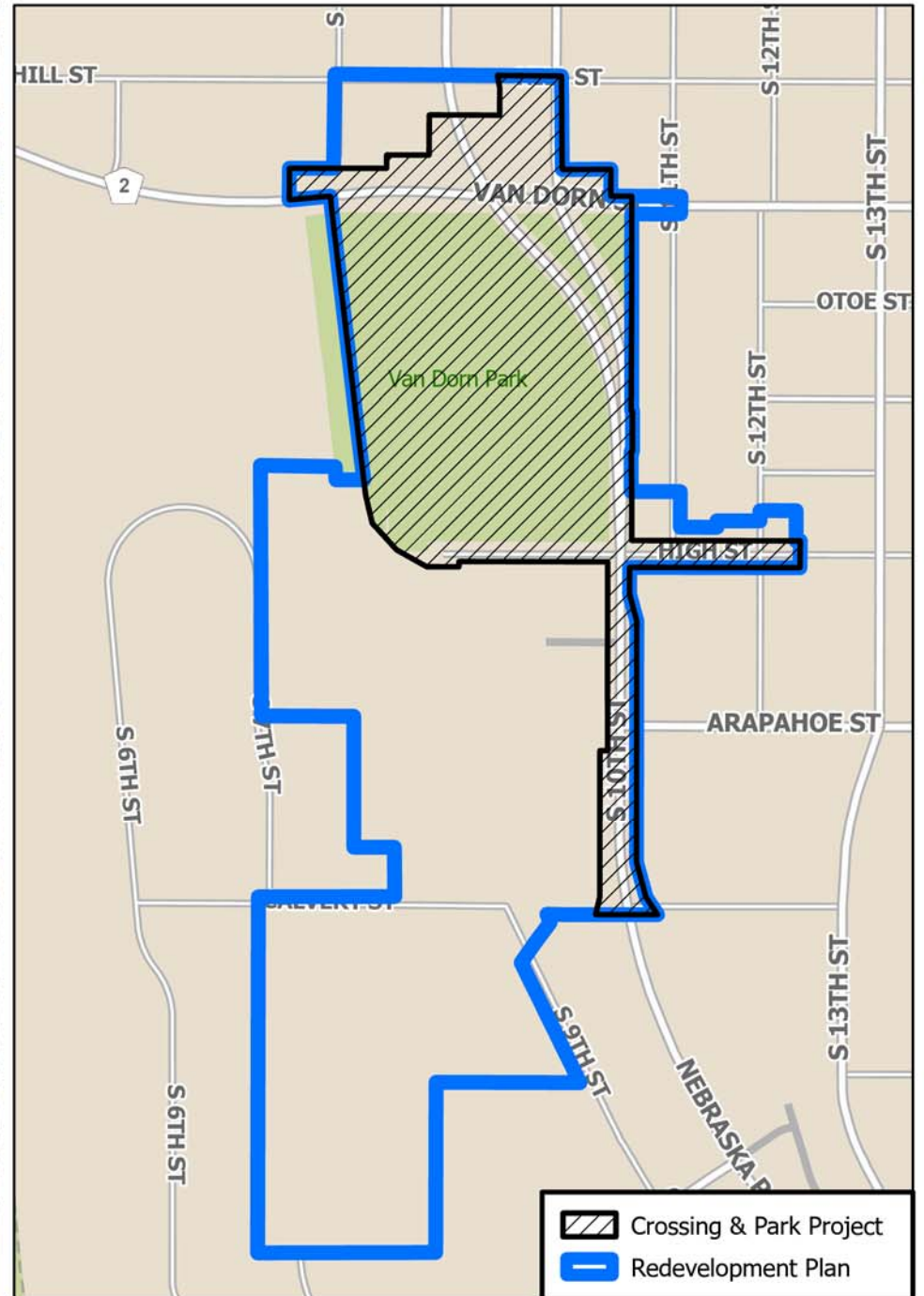
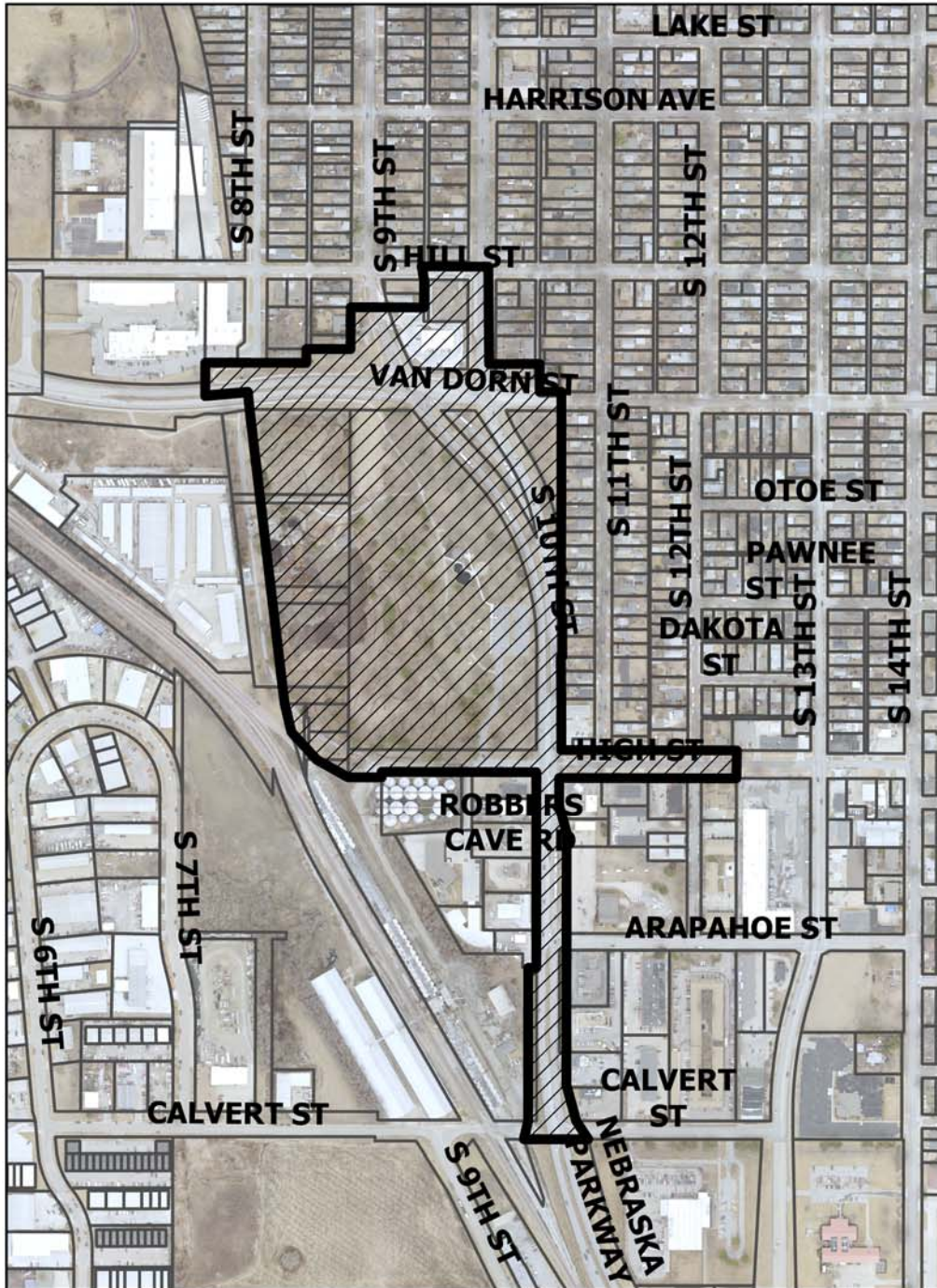
APPROXIMATE LAND AREA: 102 acres

Prepared by Andrew Thierolf, AICP
February 27, 2023

Applicant: Dan Marvin, Urban Development
555 S. 10th Street
Lincoln, NE 68508
(402) 441-7126
dmarvin@lincoln.ne.gov

Contact: Hallie Salem
555 S. 10th Street
Lincoln, NE 68508
(402) 441-7866
hsalem@lincoln.ne.gov

<https://linclanc.sharepoint.com/sites/PlanningDept-DevReview/Shared Documents/DevReview/CPC/23000/CPC23003 Van Dorn Amended Redevelopment Plan.adt.docx>



	Crossing & Park Project
	Redevelopment Plan

2022 aerial

Comprehensive Plan Conformance #: CPC23003
Van Dorn Amended Redevelopment Plan
including Pedestrian Crossing and Van Dorn Park Enhancement Project



February 8, 2023

Andrew Thierolf, Planning Department
City of Lincoln-Lancaster County Planning Department
555 S. 10th
Lincoln, NE 68508

Dear Andrew:

Enclosed is a copy of the Van Dorn Amended Redevelopment Plan. This amends the Van Dorn Redevelopment Plan in its entirety and includes a new project to construct a pedestrian crossing in the Amended Redevelopment Area.

Please forward this plan amendment to the Planning Commission for their earliest consideration for Comprehensive Plan compliance.

If you have questions or need additional information, please contact me at 402-441-7857.

Sincerely,

A handwritten signature in cursive script that reads "Jennifer Hiatt".

Jennifer Hiatt

Cc: David Cary, Planning Director
Dan Marvin, Director, Urban Development Department
Hallie Salem, Urban Development 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 Text Amendment #23002	FINAL ACTION? No
PLANNING COMMISSION HEARING DATE March 8, 2023	RELATED APPLICATIONS None

RECOMMENDATION: CONDITIONAL APPROVAL

BRIEF SUMMARY OF REQUEST

The proposed text amendment was submitted by Phillip Euhler to amend Lincoln Municipal Code (LMC) 27.82.050 (c) Impact Fees. The proposed amendment is to allow for the transfer of impact fee credits to another lot within the same project where the old location use has been eliminated and functions as a non-buildable lot.

JUSTIFICATION FOR RECOMMENDATION

The proposed text amendment is to allow for credit transfer from one lot to another lot which is not currently provided for in the Impact Fee ordinance. This proposed change would allow flexibility for redevelopments where lots are being re-platted.

APPLICATION CONTACT

Nancy Loftis
402-476-1111 or
nlloftis@aol.com

STAFF CONTACT

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

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The proposed text would align with the Comprehensive Plan by supporting infill redevelopment which may include new housing in the existing areas of the City.

KEY QUOTES FROM THE 2050 COMPREHENSIVE PLAN

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.

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.

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

Action Steps

6. Explore additional opportunities for streamlining the zoning and building permitting processes.

ANALYSIS

1. This text amendment is to amend LMC 27.82 Impact Fees to allow for the transfer of impact fee credit from one location to another location within the same project. The proposed text is as follows:
27.72.050 Imposition of Impact Fees.
c. Calculation of Impact Fees from Impact Fee Schedules.
(8)In the case of a relocation of a use, an impact fee shall be assessed to the relocated use at its new location. Credits from the old location shall not be transferable to the new location, except that if the old location use has changed to a non-buildable lot in part or in full, as part of a community redevelopment project, the Impact Fee Administrator may transfer a credit from the old location to a lot within the same project. Future redevelopment of the old location from which the use was removed will receive a credit against the impact fee assessed equal to the impact fee that would have been assessed against the relocated use, if that credit has not been transferred.
2. The applicant is Phil Euler who is the developer of the Prairie Hill Place Community Unit Plan (CUP) generally located at High Street and S. 46th Street. The applicant is requesting this text amendment to address a specific case. The request pertains to the house that previously was at 3230 S. 46th Street that is being moved to 3340 Trolley Lane (Lot 4, Block 2, Prairie Hill Place Addition). The former location of the house is now platted right of way in part for Peanut Hill Road in the CUP. The credits for the impact fees cannot be transferred under the current impact fee ordinance. Since the current ordinance does not explicitly address this situation, that is why this text amendment is proposed.
3. The applicant submitted the Impact Fee application for 3340 Trolley Lane on December 1, 2022. The impact fee assessment was completed on December 5, 2022. The applicant contacted Lincoln Transportation and Utilities (LTU) on December 12, 2022 requesting a copy of the impact fee assessment. The Impact Fee Administrator explained the options, including that there is an appeal process.
4. The proposed text change will specifically allow for the Impact Fee Administrator to transfer a credit from the old location to a lot within the same development when the existing lot is being changed to a non-buildable lot in part or in full as part of the project. In this case the lot is being eliminated and replaced with a street. Currently there is no provision to allow for this, and the Impact Fee Administrator does not have such discretion.
5. As noted above, the applicant under 27.82.110 could have appealed the decision to not allow the transfer under the Impact Fees section if they thought there were unusual circumstances that the application of the fee would be unfair or unjust. However, he declined to submit an appeal as he felt the Impact Fee Administrator should have the discretion to allow the transfer and instead opted to submit the amendment to the ordinance.
6. It is not unusual in large development to have one or two existing houses on the farm land prior to urbanization. In many cases the developer retains a house and plats one new lot around the existing house. No impact fee is charged in this circumstance due to the existing house. In other cases the house is demolished or moved outside of the development. This is the first known circumstance where the house was eliminated by a new street and the developer wanted to retain the house.
7. Lincoln Transportation and Utilities (LTU) recognizes the potential for benefits to infill development that the current proposal represents. LTU has concerns with the proposal in its current form related to equitable management of impact fee collections across all development throughout the City. LTU will propose revisions to address its concerns prior to the March 8, 2023 Planning Commission meeting.
8. The proposed text amendment aligns with the Comprehensive Plan by supporting infill redevelopment which may include housing in the existing areas of the City.

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

Date: February 23, 2023

Applicant: Phillip Euler
5520 Grouse Pl

Lincoln, NE 68516
402-440-1306
peuler49@gmail.com

Contact: Nancy Loftis
5533 S. 27th Street, Suite 203
Lincoln, NE 68512
402-476-1111
nloftis@aol.com

<https://linclanc.sharepoint.com/sites/PlanningDept-DevReview/Shared Documents/DevReview/TX/23000/TX23002 impact fees.gjw.docx>

To: Lincoln Planning Commission

January 20, 2023

Subject: Proposed Change to Ordinance 27.82.050 c on Impact Fee Administration

I requested that any impact fee credits for the house that previously was at 3230 S 46th Street (Portion of Lot 5 & 6, Union Addition to College View) be transferred along with the house to 3340 Trolley Lane (Lot 4, Block 2, Prairie Hill Place Addition.) I argue that since the new city street required removal of the house and the house was saved and is physically moved to a new lot in the CUP at 3340 Trolley Lane, then the credits should move along with the house.

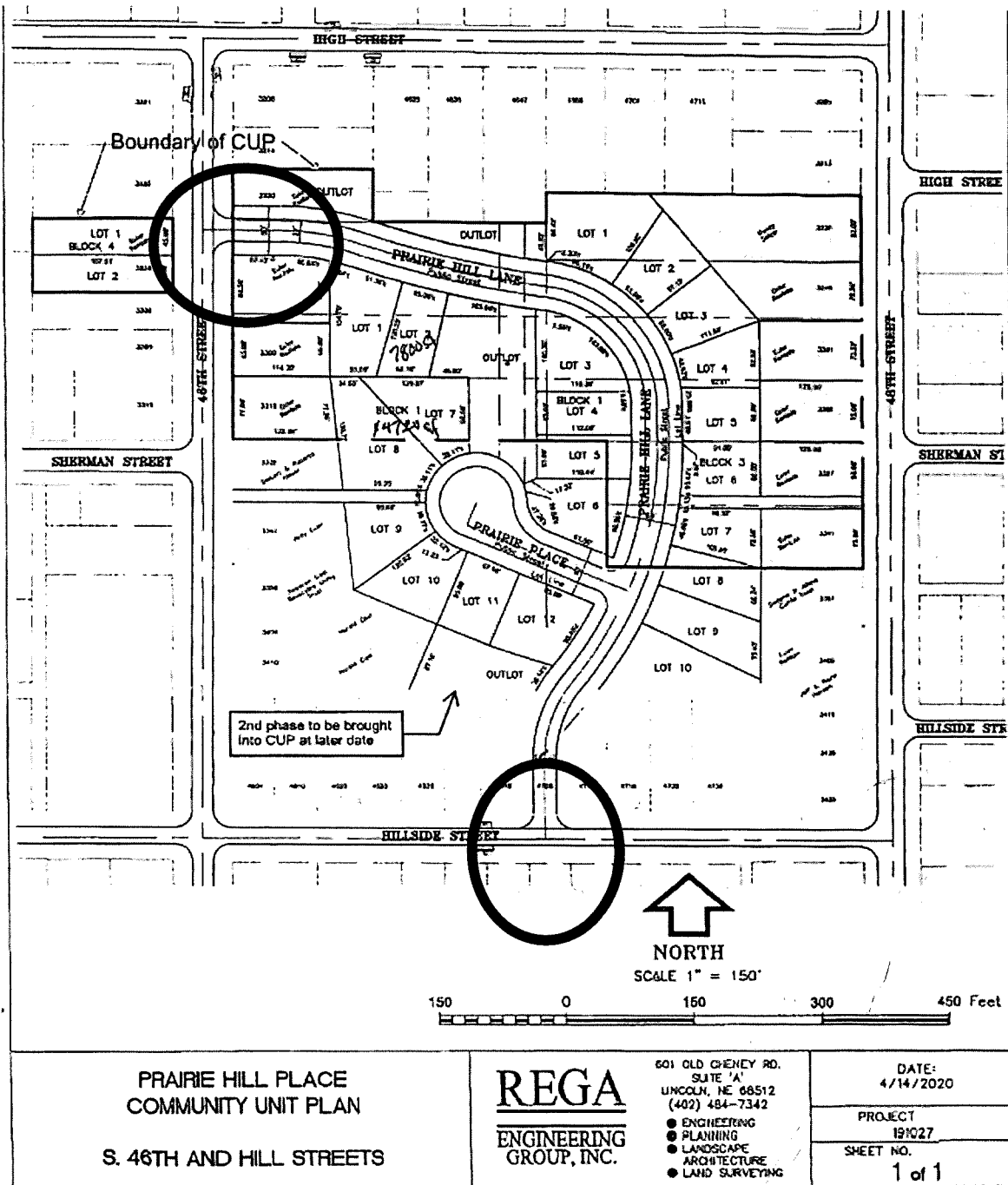
The Impact Fee ordinance does allow for credits to remain with a lot if a house is removed. Typically, an existing house is demolished and a new house is built on the same lot. The new house can use the credits of the previous house on the same lot to reduce the impact fee for construction. In this case, the lot was re-platted into a street with a remnant out-lot. So, there is no longer any lot at 3230 S 46th Street to retain the credit.

City staff Michaela Sweeney and Steve Henrichsen have discussed this further with the City Attorney's Office as this situation is not explicitly covered in the impact fee ordinance. Therefore, this request is being made for a global change to the Ordinance as follows:

27.82.050 c. proposed amendment (**in bold**) to paragraph (8)

7. In the case of a demolition or termination of an existing use or structure, the impact fee for future redevelopment of that site shall be based upon the net increase in the impact fee for the new or proposed land use as compared to the previous use. Credit for the prior use shall not be transferable to another location, except that if the old location was acquired by the City for use for an Impact Fee Facility and will not be redeveloped, the City will receive a credit against future impact fees equal to the impact fee that would have been assessed against the relocated use which may be transferred by the City to a community redevelopment project in another location within the same benefit area.
8. In the case of a relocation of a use, an impact fee shall be assessed to the relocated use at its new location. Credits from the old location shall not be transferable to the new location, **except that if the old location use has changed to a non-buildable lot in part or in full, as part of a community redevelopment project, the Impact Fee Administrator may transfer a credit from the old location to a lot within the same project.** Future redevelopment of the old location from which the use was removed may receive a credit against the impact fee assessed equal to the impact fee that would have been assessed against the relocated use, if that credit has not been transferred.

Paragraph (7) was used for the redevelopment of "The 48th and "O" Street Redevelopment Plan" in 2004 to allow for the fair reuse of Impact Fees to commercial buildings. We argue the same treatment should apply to residential developments like **Prairie Hill Place, CUP**. The relocation of 3230 S 46 (upper Circle on map below) and potential future PHP Additions for this area includes another home at 4700 Hillside that would be removed to allow for the extension of the Trolley Lane to Hillside. See the circled areas at the bottom on the map below.



We believe this amendment is in the better interest of the development of in-fill projects in Lincoln both for core city and suburban outlying areas. This can also change the economies for developers with the potential of relocating existing structures for rehabilitation for reuse vs. demolishing and building new thus taking pressure away from the Lincoln land fill and conserving natural resources.

Please approve this amendment.

ORDINANCE NO. _____

1 AN ORDINANCE amending Lincoln Municipal Code Section 27.82.050 Imposition of
2 Impact Fees to allow the transfer of impact fee credits from one location to another, if the first
3 location is no longer a buildable lot; and repealing Section 27.82.050 as hitherto existing.

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

5 Section 1. That Section 27.82.050 of the Lincoln Municipal Code be amended to read
6 as follows:

7 **27.82.050 Imposition of Impact Fees.**

8 a. Requirement. On and after June 2, 2003 and the adoption of impact fee schedules by
9 resolution of the City Council, any person who applies for a building permit for a
10 development or who applies for any other permit for a development where a building permit
11 is not required, or who seeks to engage in a development for which no permit is required,
12 shall pay a water system impact fee, water distribution impact fee, wastewater impact fee,
13 arterial street impact fee, and neighborhood park and trail impact fee unless the type of
14 development described in the permit or to be engaged in is specifically exempted, waived
15 or subsidized by this ordinance, or unless the type of development described in the permit
16 or to be engaged in is not located in an impact fee benefit district for the above-described
17 impact fees.

18 b. Payment of Impact Fees. A person applying for any of the permits for a development listed
19 in subsection (a) above shall pay each impact fee required by this ordinance to the Impact
20 Fee Administrator prior to the issuance of any such permit. If the issuance of a permit is not
21 required for the development (e.g. golf course, park, change of use, etc.), then the person

1 seeking to engage in the development shall pay each impact fee required by this ordinance
2 prior to the occurrence of any one of the following events, whichever occurs first:

- 3 1. Completion of any connection to the City's water and wastewater systems; or
- 4 2. The date when any part of the development opens for business or goes into use.

5 No such permits shall be issued, no such connections shall be made, and no such other
6 development shall be opened for business or allowed to go into use until each impact
7 fee require by this ordinance has been paid.

8 All impact fees paid by a person pursuant to this ordinance shall be promptly deposited
9 in the appropriate impact fee accounts described in Section [27.82.070](#).

10 c. Calculation of Impact Fees from Impact Fee Schedules.

11 1. Unless the person applying for any of the permits for a development listed in subsection
12 (a) above or the person seeking to engage in a development for which no permit is
13 required requests that the City determine the amount of such fee pursuant to an
14 independent fee calculation study, the Impact Fee Administrator shall determine the
15 amount of each required impact fee through the use of impact fee schedules adopted by
16 the City Council.

17 2. If the type of development or meter size that a permit is applied for or the type of
18 development to be engaged in for which no permit is required is not listed in a schedule,
19 then the Impact Fee Administrator shall use the fee applicable to the most nearly
20 comparable type, land use, or meter size in such schedule. In the case of arterial street
21 impact fees, decisions about what use is most nearly comparable shall be guided by the
22 most recent edition of "Trip Generation" and the companion "Trip Generation Manual"

1 prepared by the Institute of Transportation Engineers, or if such publications are no
2 longer available, then by a similar publication.

- 3 3. If the type of development or meter size that a permit is applied for or the type of
4 development to be engaged in for which no permit is required includes a mix of those
5 uses or meter sizes listed in a schedule, then the fee shall be determined by adding up
6 the fees that would be payable for each use or meter size if it was a free-standing use
7 pursuant to such schedule.
- 8 4. If a person is applying for a permit to allow a change of use or meter size or for the
9 expansion, redevelopment, or modification of an existing development, the fee shall be
10 based on the net increase in the fee for the new use or meter size as compared to the
11 previous use, provided that the previous use was in operation within fifteen years prior
12 to the first building permit for the redevelopment.
- 13 5. If no use was in operation on the site within the last fifteen years, the redevelopment
14 shall be treated the same as a new development.
- 15 6. If the proposed change of use, meter size, expansion, redevelopment, or modification
16 results in a net decrease in the fee for the new use or development as compared to the
17 previous use, meter size, or development, there shall be no refund of or credit for impact
18 fees previously paid.
- 19 7. In the case of a demolition or termination of an existing use or structure, the impact fee
20 for future redevelopment of that site shall be based upon the net increase in the impact
21 fee for the new or proposed land use as compared to the previous use. Credit for the
22 prior use shall not be transferable to another location, except that if the old location was
23 acquired by the City for use for an Impact Fee Facility and will not be redeveloped, the

1 City will receive a credit against future impact fees equal to the impact fee that would
2 have been assessed against the relocated use which may be transferred by the City to a
3 community redevelopment project in another location within the same benefit area.

4 8. In the case of a relocation of a use, an impact fee shall be assessed to the relocated use
5 at its new location. Credits from the old location shall not be transferable to the new
6 location, except that if the old location use has changed to a non-buildable lot in part or
7 in full, as part of a community redevelopment project, the Impact Fee Administrator
8 may transfer a credit from the old location to a lot within the same project. Future
9 redevelopment of the old location from which the use was removed will receive a credit
10 against the impact fee assessed equal to the impact fee that would have been assessed
11 against the relocated use, if that credit has not been transferred.

12 d. Calculating Fees Through an Independent Fee Calculation Study.

13 1. General Provisions. If in the judgment of the Impact Fee Administrator there is no
14 comparable type, land use or meter size in such fee schedules which can be used to
15 accurately describe the impacts resulting from any proposed development, the person
16 applying for a permit for such development or the person seeking to engage in such
17 development for which no permit is required shall provide to the Administrator for the
18 Administrator's review and evaluation an independent fee calculation prepared at City
19 expense by a qualified professional in the preparation of an impact fee analysis. In
20 addition, if such person elects not to have the impact fee determined according to the
21 impact fee schedules, such person may request that the Impact Fee Administrator
22 determine the amount of a required impact fee for the proposed development by
23 reference to an independent fee calculation study prepared at such person's cost by a

1 qualified professional in the preparation of such analysis. Any such study shall be based
2 on the same service standards and unit costs for facilities used in the Impact Fee Study,
3 and shall document the methodologies and assumptions used. Any independent fee
4 calculation study submitted by such person may be accepted, rejected, or accepted with
5 modifications by the impact Fee Administrator as the basis for calculating an impact
6 fee. If such study is accepted or accepted with modifications as a more accurate measure
7 of the demand for Impact Fee Facilities created by the proposed development than the
8 applicable impact fee shown in the appropriate impact fee schedules, then the impact
9 fee due under this ordinance shall be calculated according to such study.

10 2. Additional Requirements for Arterial Street Impact Fee Studies. In addition to those
11 requirements listed in subsection (d)(1) above, any independent fee calculation study
12 submitted by a person for purposes of calculating an arterial street impact fee shall show
13 the traffic engineering and economic methodologies and assumptions used, including
14 but not limited to the following forms of documentation:

15 i. Such studies must include documentation of trip generation rates, trip lengths, the
16 percentage of trips from the site that represent net additions to current trips from
17 the site (if any), the percentage of trips that are new trips as opposed to pass-by or
18 diverted-link trips, and any other trip data for the proposed land use.

19 ii. Such studies must include documentation of any special factors that such person
20 believes will reduce the traffic volumes otherwise attributable to the proposed land
21 uses.

1 Section 2. That Section 27.82.050 of the Lincoln Municipal Code as hitherto existing
2 be and the same is hereby repealed.

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

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ___ day of _____, 2023: _____ Mayor

LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT

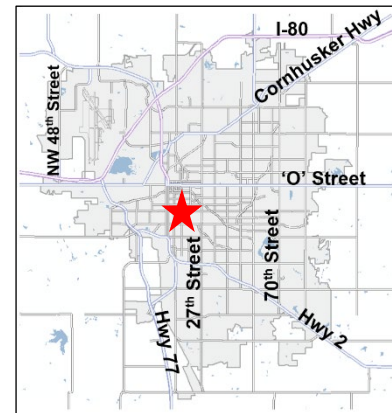
FROM THE LINCOLN/LANCASTER COUNTY PLANNING DEPARTMENT, 555 S. 10TH STREET, SUITE 213, LINCOLN, NE 68508

APPLICATION NUMBER Special Permit #13048A	FINAL ACTION? Yes	DEVELOPER/OWNER Tina Arsiaga/Atwood Investments LLC
PLANNING COMMISSION HEARING DATE March 8, 2023	RELATED APPLICATIONS None	PROPERTY ADDRESS/LOCATION 740 S 17 th Street

RECOMMENDATION: APPROVAL WITH CONDITIONS

BRIEF SUMMARY OF REQUEST

This is a request for a residential healthcare facility for up to 18 individuals. A waiver to reduce the required parking to six stalls, what is on site today and was approved with the original special permit, is also requested to be carried forward. No changes are proposed to the building as it is already set up for multiple individuals with the most recent approved use as a sorority for 15 individuals.



JUSTIFICATION FOR RECOMMENDATION

The protection of a Lincoln landmark designation supports the retention of a significant historic structure in Lincoln. Landmark designation is a requirement to seeking a Special Permit for Historic Preservation, which provides incentives for the continued use of prior investment in neighborhood infrastructure and the building, as is strongly encouraged by the Lincoln/Lancaster County 2050 Comprehensive Plan. The requested waivers to reduce the parking requirement and allow flexibility with regard to signage are necessary to reuse the building for a use other than a single-family dwelling.

APPLICATION CONTACT

Tina Arsiaga, (402) 310-3816 or tarsiaga@icloud.com

STAFF CONTACT

Stephanie Rouse, (402) 441-6373 or srouse@lincoln.ne.gov

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The Comprehensive Plan recommends designation of a wide range of the community's historic places and utilization of incentives to encourage their preservation.

WAIVERS

1. Maintain the previously approved parking waiver for six stalls. (Recommend Approval)
2. Allow the freestanding sign within the front yard. (Recommend Approval)

KEY QUOTES FROM THE 2050 COMPREHENSIVE PLAN

Introduction Section: Growth Framework

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

[Land Use Plan](#) - Residential uses in areas with varying densities ranging from more than fifteen dwelling units per acre to less than one dwelling per acre. All types of housing are appropriate here, from detached single family, duplex and missing middle, to higher density multi-family. 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.

Fundamentals of Growth in Lancaster County: The Urban Environment

Historic preservation. Preservation and renewal of historic buildings, districts, and landscapes is encouraged. Development and redevelopment should respect historical patterns, precedents, and boundaries in towns, cities and existing neighborhoods.

Goals Section

G12: History and Culture. The community's history and culture is discussed more in the Introduction section, and is reflected through historic buildings and sites throughout the county. These resources add to the desirable quality of life for current residents and should be protected for future generations. PlanForward encourages the continued use and maintenance of historic and cultural resources, including properties not formally designated as landmarks.

Elements Section

E2: Infill and Redevelopment

Mixed Use Redevelopment Nodes and Corridors

Design Strategies for Mixed Use Nodes and Corridors

9. Maintain or adaptively reuse existing structures (especially historic structures) where possible.

The adaptive reuse of historic or other existing structures into mixed uses is encouraged.

E3: Business, Economy and Workforce

Commercial Infill

7. Maintain or adaptively reuse existing structures (especially historical structures) where possible.

E6: Placemaking

This element describes principles and strategies intended to preserve and enhance the community's unique character – its sense of place – through preservation of cultural and historic resources and focused attention to the quality of public and private development.

All parts of PlanForward contribute to the attainment of this vision, but urban design and one of its components, historic preservation, relate most directly to guarding and enhancing the community's physical image.

The Historic Preservation Commission (HPC) works with neighborhood groups, preservation advocates, property owners, and the History Nebraska to discover, protect, and share the community's heritage. The zoning code provides protection for designated historic property and incentives for creative uses that maintain the vitality of historic places. The Commission has a key role in providing on-going guidance in the revitalization of areas such as Haymarket, residential historic districts, and Havelock Avenue.

[Figure E6.c: Historic & Capitol Environs Districts](#)

Policies Section

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

Action Steps

5. Preserve, protect and promote the character and unique features of urban neighborhoods, including their historical and architectural elements.

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

Action Steps

2. Lincoln and Lancaster County should work in partnership with state and federal historic preservation programs, but local landmark protections are usually the most effective and appropriate.
4. City and county governmental policies should provide for the protection and enhancement of historic resources.
6. Designate landmarks and districts through the local preservation ordinance and the National Register of Historic Places.
7. Seek incentives and regulatory support to maintain, rehabilitate, and minimize energy utilization of existing buildings in order to make it more feasible to rehabilitate and continue to use older buildings. Implement a public policy of the careful stewardship of significant, publicly owned historic resources, including a full and open examination of alternatives when major alterations or demolition are considered.
14. Encourage the continued use and maintenance of historic resources, including properties not formally designated as landmarks.

ANALYSIS

1. The Planning Commission may approve, by special permit, any use of a historic structure or site in any zoning district after review and consideration of the following:
 - a. **The significance of the historic structure or site and the degree of variation sought from the permitted uses of the district:** Multifamily residential is permitted in the R-7 zoning district, however Residential Healthcare Facilities are special permitted uses. The current special permit for historic preservation allows for 15 individuals under the sorority and the applicant is requesting up to 18 individuals under the Residential Healthcare Facilities. The change would be a minor variation from what is permitted today.
 - b. **The extent to which economic factors necessitate the change in use:** the large home has served for many years a sorority, however that use does not appear to remain a viable option any longer. The proposed reuse of the building would allow for the preservation and continued use of the historic site without changing any historic characteristics of the building.
 - c. **The extent of proposed exterior change to the structure or site:** No major exterior changes are proposed.
 - d. **The impact on the surrounding area:** the impact to the neighborhood would be minimal. The number of occupants will be very similar to what is there today with a similar function of new occupants cycling through the home as the sorority function.
 - e. **The compatibility of the proposed use to the structure or site and the surrounding area:** The proposed uses would require no major changes to the building and site and would be compatible.
 - f. **The manner in which the public will be benefitted by such proposed use:** The reuse of the existing building will provide ongoing maintenance and keep the building from falling into disrepair. Additionally, the residential healthcare facility would provide housing to individuals in transition or in need of public services in a walkable location along several bus routes.
2. The dwelling is currently zoned R-7 Residential with Landmark Overlay which allows multi-family dwellings, but residential healthcare facilities are allowed only as a special permitted use. The proposed use could also apply for

a special permit for a residential healthcare facility (27.63.530), however since the existing special permit is for historic preservation, an amendment is being processed to the existing special permit rather than creating a new permit. The requirements under the special permit for a residential healthcare facility are still being met under the proposal for up to 18 individuals.

- a. Parking is being modified under the special permit as discussed in the next section and will not be in a required front or side yard.
 - b. The facility will be licensed to comply with all state requirements.
 - c. The total number of clients or employee residents will be up to 18 as allowed under the one person per 750 square feet of lot area requirement (lot area is 14,200 square feet).
 - d. No increase to the maximum number of individuals noted above is requested.
 - e. The height and lot requirements are not impacted as the structure is existing and no alterations are proposed.
 - f. Sale of alcohol is not proposed.
3. The parking lot currently accommodates six stalls (four surface stalls and two in a garage). Approval of the special permit for the sorority included a waiver of the parking requirements to the six stalls available on site. The applicant is requesting to carry forward the waiver with the residential healthcare facility. Many of the residents will not have access to a vehicle that are residing at the house. The applicant has indicated that an average of one out of every four residents may have access to a vehicle. This property is also located on a transit corridor within blocks of three separate bus routes.
4. The applicant is proposing to remove the wall sign on the front of the building and install a freestanding sign in the front yard complying with Section 27.69.160 which limits the height to eight feet and the area to 20 square feet. The requirement to locate the sign out of the front yard can be waived through the special permit. The applicant is proposing to locate the sign along South 17th Street on the north side of the front walkway within the front yard setback. The sign structure would be white vinyl with two support posts on either end, with the 3 foot by 6 foot sign copy in metal. The height would not exceed the allowable 8 feet. This style of sign is similar to others used for businesses in older historic homes, such as the Rogers House which is a wood sign with two posts.
5. The Historic Preservation Commission (HPC) was unable to review the request at their regular February 16th meeting due to cancelling for weather. This meeting was rescheduled to March 2nd and the HPC will review this report at that time. Their recommendation and comments will be provided prior to the March 8th Planning Commission meeting.

CONDITIONS OF APPROVAL: See attached.

EXISTING LAND USE & ZONING: Vacant (former sorority)/R-7 Residential with Landmark Overlay

SURROUNDING LAND USE & ZONING

North: Multifamily/R-7 Residential
South: Church/R-7 Residential
East: Multifamily/R-7 Residential
West: Multifamily/R-7 Residential

APPLICATION HISTORY

- SP13048 approved October 30, 2013 for a sorority with 15 residents

APPROXIMATE LAND AREA: 0.32 acres

LEGAL DESCRIPTION: SAWYERS ADDITION, BLOCK 2, Lot 5 - 6

Prepared by Stephanie Rouse, Planner
(402) 441-6373 or srouse@lincoln.ne.gov

Date: February 20, 2023

Applicant: Tina Arsiaga
(402) 310-3816
tarsiaga@icloud.com

Contact: Same

Owner: Atwood Investments LLC

<https://linclanc.sharepoint.com/sites/PlanningDept-DevReview/Shared Documents/DevReview/SP/13000/SP13048A Little-Atwood RHC.slr.docx>

CONDITIONS OF APPROVAL - SPECIAL PERMIT #13048A

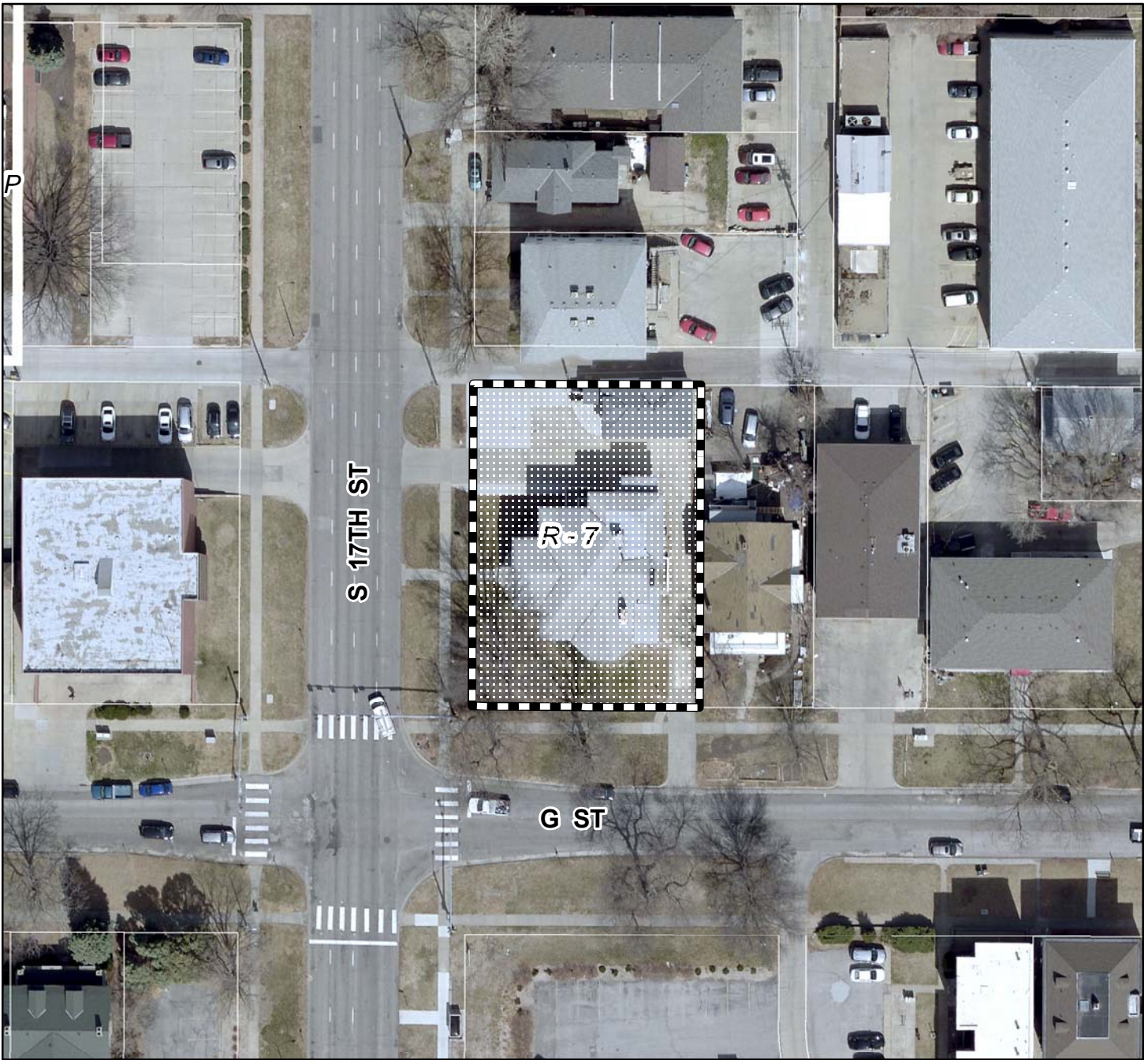
Per Section 27.63.400 this approval permits a Special Permit for Historic Preservation to allow a residential healthcare facility for up to 18 individuals with a waiver of Chapter 27.67 to reduce the required parking to six stalls and a waiver to allow the freestanding sign in the front yard.

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.

Standard Conditions:

2. The following conditions are applicable to all requests:
 - 2.1 Before occupying the dwelling units 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 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.
 - 2.5 The site plan as approved with this resolution voids and supersedes all previously approved site plans, however all prior resolutions approving this permit remain in full force and effect as specifically amended by this resolution.

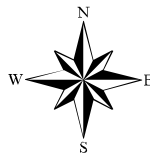


2022 aerial

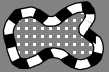


Special Permit #: SP13048A
S 17th St & G St

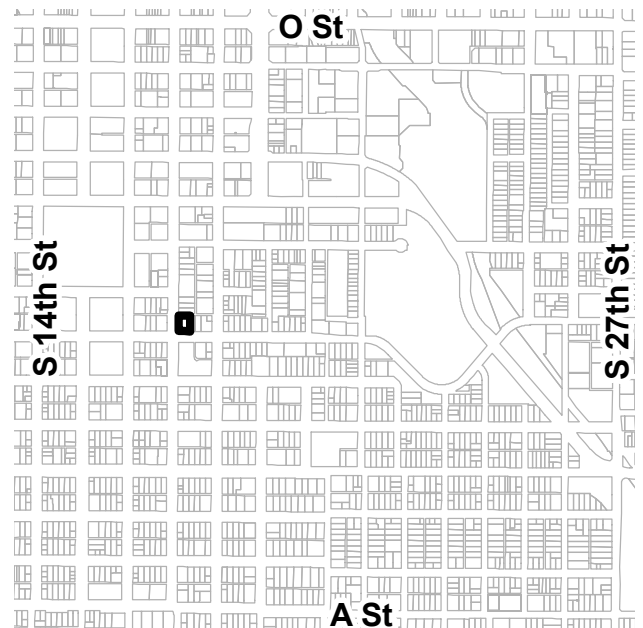
Zoning:

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

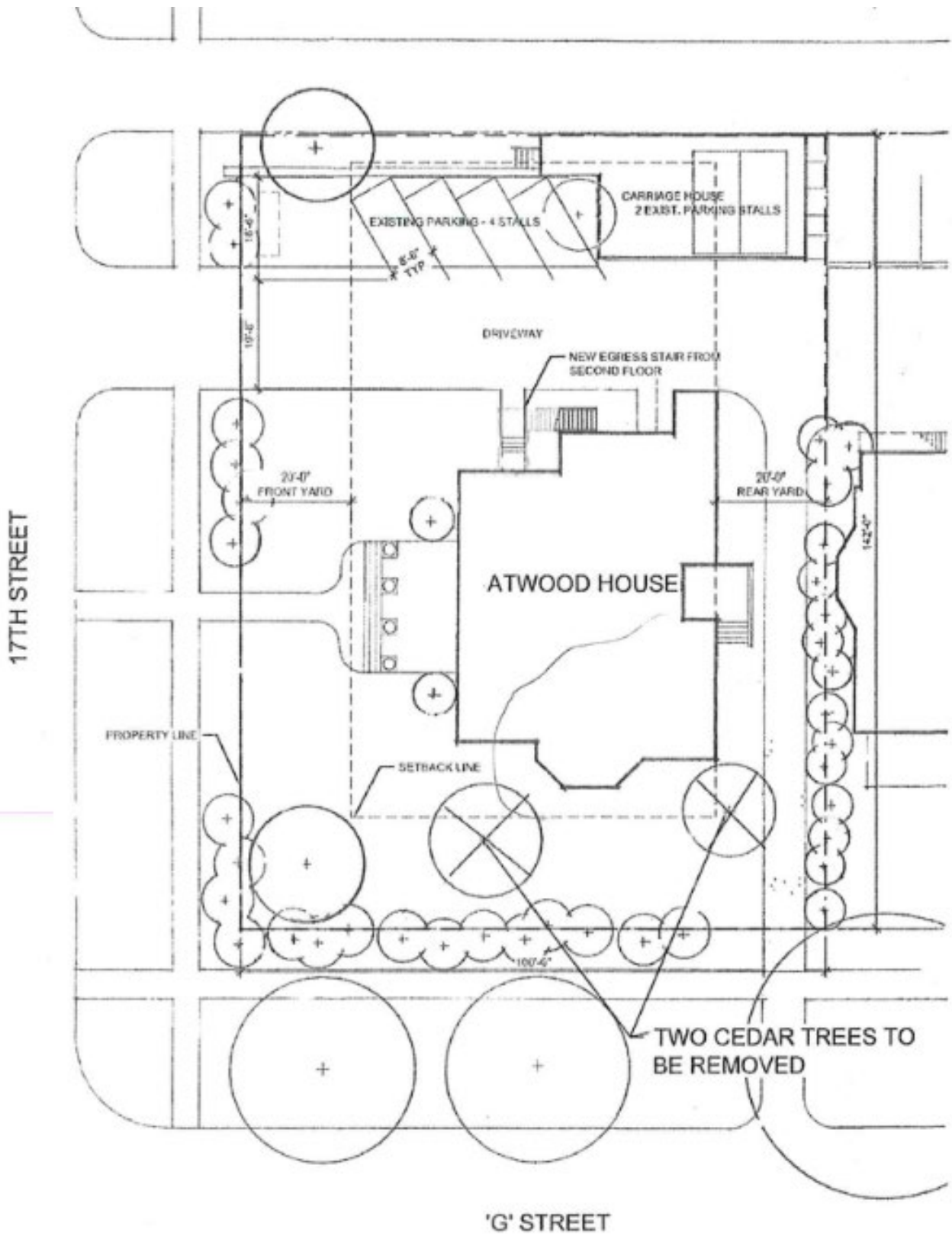


One Square Mile:
Sec.25 T10N R06E

	Area of Application
	Zoning Jurisdiction Lines
	Lancaster County Jurisdiction
73	



SITE PLAN



APPLICANT LETTER

Brenda J. Thomas

From: Tina Arsiaga <tarsiaga@icloud.com>
Sent: Tuesday, January 31, 2023 12:28 PM
To: Brenda J. Thomas
Subject: Fwd: Application for the Initiation of a Residential Healthcare Facility

Connecting Links is wanting to pursue an new application for a Residential Healthcare Facility at address 740 South 17th Street, Lincoln, NE. This healthcare facility will be more than 16 people; total of 18 on site if possible. Connecting Links will be serving persons with Disability and will have our offices on site at this location for treatment purposes. We will be having our offices on site to serve individuals as well as have others come to our office. Our services will include Intensive Outpatient Treatment, Outpatient Treatment; Substance Use Evaluations, Co-Occurring Evaluations, group, individual sessions and also educational classes.

Connecting Links is state approved to provide these services for treatment and for living purposes.

This property is currently approved as a Sorority for 16 plus persons on site and is already equipped with sprinkler systems, fire extinguishers, smoke alarm systems, exit systems. A call has been made to Megan at Fire to verify if the fire standards that apply to the sorority will comply with the standards of the Residential Healthcare Facility.

Please understand Connecting Links will assuredly continue to preserve the landmark of this property ensuring it maintains its historical value.

Thank You,
Tina Arsiaga; M.A. LMHP 402-310-3816



SIGN PLANS



ORDERED BY Connecting Links		CONTACT INFO	
#	ITEM	QTY	UOM
1	4" Vinyl Single Rail Frame	1	Each
2	6mm- Dibond with Vinyl Graphics Lutheran Family Services Sign face Sides: 2 Width: 72 Inches Height: 36 Inches Polymetal - (4' x 10' x 6mm) White on both sides	1	Each
3	Installation Installation of signage.	1	Hr

LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT

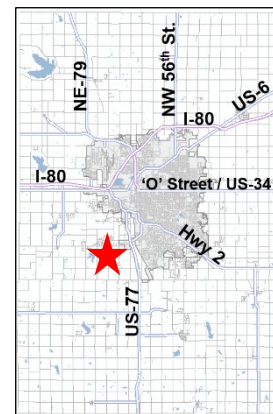
FROM THE LINCOLN/LANCASTER COUNTY PLANNING DEPARTMENT, 555 S. 10TH STREET, SUITE 213, LINCOLN, NE 68508

APPLICATION NUMBER Special Permit #12015A(County) and 12016A (City)	FINAL ACTION? Yes	DEVELOPER/OWNER Camp Sunshine, Jeff Keiser
PLANNING COMMISSION HEARING DATE March 8, 2023	RELATED APPLICATIONS None	PROPERTY ADDRESS/LOCATION 2260 W. Wittstruck Road

RECOMMENDATION: CONDITIONAL APPROVAL

BRIEF SUMMARY OF REQUEST

This is a combined staff report for SP12015A and 12016A for Camp Sunshine-Shiloh. This is a request to amend Special Permit 12015 and 12016 to increase the number of participants for a recreational facility from 50 to 200. The recreational facility is a day camp that provides outdoor activities. The boundary of the special permit is in both the City of Lincoln and Lancaster County zoning jurisdictions.



JUSTIFICATION FOR RECOMMENDATION

The buffer to the neighbors minimizes any impact on adjacent residential uses. The impact on the roads should be minimized with the traffic measures proposed.

APPLICATION CONTACT

Lonnie Schrader, 402-432-1270 or
lonnieschrader@gmail.com

STAFF CONTACT

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

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

This request meets the goals of the Comprehensive Plan for providing active recreation to help meet the goal of having healthy and active people in Lancaster County.

KEY QUOTES FROM THE 2050 COMPREHENSIVE PLAN

Introduction Section: Growth Framework

Figure GF.b: 2050 - This site is shown as future Agricultural and AG Stream Corridor on the 2050 Future Land Use Plan.

Land Use Plan - Agricultural is land principally in use for agricultural production and compatible industries like solar and wind energy production. Agricultural lands may be in transition to more diversified agribusiness ventures such as growing and marketing of products on site. Agricultural Stream Corridor is land intended to remain in open space, predominantly in agricultural use, but that may also include parks, recreation fields, or parking areas when near future commercial, industrial, or public uses.

Goals Section

G6: Healthy, Active, and Connected People. Lincoln and Lancaster County will be a healthy community that continuously creates and improves both its physical and social environments where every person is free to make choices amid a variety of healthy, available, accessible, and affordable options.

Elements Section

E5: Parks, Recreation and Open Space. This element describes principles and strategies for acquiring and managing parks, recreation and activity centers, open space, greenways, and other recreational facilities in the community.

Other Recreational Facilities and Activities.

Within Lancaster County, a wide variety of recreational opportunities are presented by both public and private sectors.

There is a diverse range of facilities and programs available to community residents from privately operated fitness facilities to community centers offering human service programs operated by non-profit organizations. (P. 3.70)

Policies

P32: Other Recreational Facilities and Activities. Continue to provide a wide variety of recreational opportunities to the people of Lincoln and Lancaster County and continually monitor current trends in recreation.

ANALYSIS

1. This is a request for a Recreational Facility, Camp Sonshine- Shiloh, under the provisions of LMC 27.63.130 of the Lincoln zoning code and Article 13.026 of the Lancaster County code. The site is approximately 100 acres. Camp Shiloh would be used for day camps that include activities such as field sports, crafts, archery, go-carts, hiking, nature activities and group games.
2. The recreational facility approved by SP 12015 and 12016 was for Camp Gargano operated by Radix Inc. Camp Sonshine purchased the property in July 2021. Camp Sonshine-Shiloh has been operating since August 2021 with smaller groups. The first summer camp program was in the summer 2022 with no more than 50 campers.
3. The peak operating season for the camp is June through August. The camp generally runs Monday-Friday 9:00 a.m. to 4:30 p.m. Additional camp and retreat programs for all ages occur throughout the rest of the year but at a smaller scale. These retreats are generally on the weekends.
4. Retreat groups can range from youth group retreats to a women's retreat with young adults and seniors. These retreats may include overnight stays. This request is to amend the previously approved special permit to increase the number of campers to 200. The previously approved special permit allowed:
 - a. A maximum occupancy of 50 persons that shall not exceed five consecutive days in a given calendar week.
 - b. A maximum occupancy of 150 persons that shall not exceed five events in a thirty-day period and not more than two events in a calendar week.
 - c. Special events of up to 500 persons not to exceed six events per year that shall be permitted through the Amusement License process of Lancaster County.
5. Special Permit 16036 for Dwellings for Members of Religious Order will be rescinded with approval of Special Permit 12015A. This special permit is on the existing building.
6. Access to the site is proposed to be Highway 33 (W. Roca Rd) to SW 29th St. to W. Wittstruck Rd. This allows vehicles to be on paved roads except for one-half mile of gravel on W. Wittstruck, Rd.
7. To lessen the amount of traffic to the site, the participants are encouraged to carpool or use the bus provided by

Camp Sonshine-Shiloh.

- a. For programs with 51 to 150 campers bus transportation is provided. Four pickup spots are provided to bring campers to the site.
- b. For programs of 151 to 200 campers bus transportation is encouraged and there will be 6 pickup spots available. Fifty percent of the campers will arrive by bus. According to the applicant, based on 2022 data, 70% of campers arrived by bus. The applicant noted that the children attending the summer camp enjoyed the time visiting with other campers on the bus and parents enjoyed the convenience of the drop off sites in Lincoln compared to the longer drive to the site.

The applicant proposed the traffic mitigation measures to the County Engineer. The County Engineer had some concerns with the original request for 300 campers. With the reduction to 200 campers, County Engineering was satisfied with the traffic measures.

8. The nearest residential units are to the east. The site plan has a 250 foot no activity setback from the west lot lines of the residential lots to the east. This setback was also shown on the site plans for SP 12015 and 12016. There are also 2 houses to the west of the site, the nearest house is approximately 1,000 feet from the entrance and 1,700 feet from the building. There is a vacant lot directly south of the entrance where a house could be built in the future. With the use of carpooling and shuttle busses, the impact to these lots should be minimal.
9. Note 4 indicates all outdoor lighting shall be shielded and extinguished by 10:00 pm, with the exception of security lighting. In addition, the majority of activity areas are separated from existing houses by the treed drainageway.
10. The applicant held a neighborhood meeting on December 11, 2022. Letters were sent out to all property owners within one mile of the site. Approximately 8 to 10 households attended the meeting.
11. The conditions for Outdoor Recreational Facilities in the City per LMC 27.63.130 are as follows:
 - a. The application for such special permit shall provide the following information: A statement describing all proposed accessory uses and accessory buildings to be included as part of the outdoor recreational facility. A site plan showing the location, height, and use of all structures on the parcel.
The application letter and site plan describe and show all structures.
 - b. Yard requirements in excess of those required in the district may be imposed. In the AG district, the City Council may decrease the yard requirements with consideration given to both the outdoor recreational facilities and the adjacent environment.
There is a 250 feet setback along the east boundary. The required setback is 60 feet. The west lot line has 50 feet setback for activities and parking. The required setback per zoning is 60 feet for parking and buildings. This was approved with the previous special permit. The front and rear yards meet the required setback of 50 feet.
 - c. The Planning Commission may establish the parking requirements based on a determination of the parking needs and operation of the proposed uses; no parking shall be permitted in any required yard. The application shall include the applicant's estimate of parking needed for the proposed facility.
The site plan shows 58 parking stalls with an overflow parking area. The applicant's letter states that nearly 70% of campers arrive by shuttle busses. Based on full capacity of 200 campers, 60 campers would arrive by their own vehicle. The 58 stalls is adequate for parking needs.
 - d. Outdoor lighting of the outdoor recreational facility may be permitted in conformance with the Design Standards for Outdoor Lighting.
All exterior lighting shall conform to City of Lincoln Design Standards
 - e. All buildings, including accessory buildings, shall be located so that they will not adversely affect any existing or reasonably anticipated future uses in the surrounding area.
There is only one building and it is located to not adversely affect future development.
 - f. The Planning Commission may authorize structures which exceed the maximum height requirements of the district in which they are located upon a finding by the Planning Commission that there is sufficient justification for such an adjustment and that there will be no significant adverse effect on existing or

reasonably anticipated future uses in the surrounding area.

The applicant is not requesting an increase in height.

- g. As part of the special permit for an outdoor recreational facility, the Planning Commission may approve or deny the sale of alcoholic beverages for consumption on the premises as an accessory use to the outdoor recreational facility,

The applicant is not requesting to sell alcohol. The Camp is a alcohol free zone per the application letter.

12. The conditions in the County for Recreational Facilities per Article 13.026 are as follows:

- a. The application for such special permit shall include the following information: The maximum proposed occupancy and event frequency for the recreation facility. Limits to the number of participants per event and limits to the maximum number of events over a certain time period may be imposed. A statement describing all proposed accessory uses and accessory buildings to be included as part of the recreation facility.

The application letter describes the number of campers and hours of operation.

- b. Yard requirements in excess of those required in the district may be imposed.

There is a 250 feet setback along the east boundary. The required setback is 60 feet. The west lot line has 50 feet setback for activities and parking. The required setback per zoning is 60 feet for parking and buildings. This was approved with the previous special permit. The front and rear yards meet the required setback of 50 feet.

- c. Parking requirements may be established based on a determination of the parking needs and operation of the proposed uses; no parking shall be permitted in any required yard. The application shall include the applicant's estimate of parking needed for the proposed facility.

The site plan shows 58 parking stalls with an overflow parking area. The applicant's letter states that nearly 70% of campers arrive by shuttle busses. Based on full capacity of 200 campers, 60 campers would arrive by their own vehicle. The 58 stalls are adequate for parking needs.

- d. Outdoor lighting of the recreation facility may be permitted with the following conditions:
 - i. No illumination source shall exceed initial output of 4050 lumens unless it is within a cutoff or full cutoff luminaire, except for luminous tube lighting such as neon, cold cathode, and fiber optic cable.
 - ii. All fixtures greater than 4050 lumens shall be cutoff or full cutoff and mounted level in the horizontal and vertical axis with the central part of the beam directed vertically downward.
 - iii. The installation of any mercury vapor luminaries for use as outdoor lighting is prohibited.
 - iv. No more than 2.0 foot-candles are allowed. Foot-candles are measured on a vertical plane located at the property line of the adjacent property.

All exterior lighting shall conform to City of Lincoln Design Standards

- e. The Planning Commission, and if appealed, the County Board may authorize structures which exceed the maximum height requirements of the district in which they are located upon a finding by the Planning Commission or County Board that there is sufficient justification for such an adjustment and that there will be no significant adverse effect on existing or reasonably anticipated future uses in the surrounding area.

The applicant is not requesting an increase in height.

CONDITIONS OF APPROVAL: See attached.

EXISTING LAND USE & ZONING: Recreational facility and farm ground

AG-Agriculture

SURROUNDING LAND USE & ZONING

North: AG-Agriculture Seven acreage lots and farm ground
South: AG- Agriculture Farm ground and two dwellings
East: AG- Agriculture Seven acreage lots and farm ground
West: AG- Agriculture Two acreage lots and farm ground

APPLICATION HISTORY: See attached.

APPROXIMATE LAND AREA: 100 acres, more or less

LEGAL DESCRIPTION:

SP12015A (county jurisdiction): Lot 1 and a portion of Outlot A, Bentzingers Pleasant Acres First Addition, located in the S ½ of Section 9-8-6, Lancaster County, NE

SP12016A(city jurisdiction): A portion of Outlot A, Bentzingers Pleasant Acres First Addition, located in the SE ¼ of Section 9-8-6, Lancaster County, NE.

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

Date: February 27, 2023

Applicant: Jeff Keiser, Camp Sonshine
 402-560-1277
 jeff@campsonshinememories.org

Contact: Lonnie Schrader
 402-432-1270
 lonnieschrader@gmail.com

Owner: Camp Sonshine
 13440 S. 25th St.
 Roca, NE 68430
 402-423-8746
 info@campsonshinememories.org

<https://linclanc.sharepoint.com/sites/PlanningDept-DevReview/Shared Documents/DevReview/SP/12000/SP12015A and SP12016A Camp Sonshine.tjc.docx>

CONDITIONS OF APPROVAL - SPECIAL PERMIT #12015A

Per Article 13.026 this approval permits a Recreational Facility for up to 200 persons. This approval supersedes Special Permit #12015. Special Permit 16036 for Dwellings for Members of Religious Order is hereby rescinded by approval of this special permit.

CONDITIONS OF APPROVAL - SPECIAL PERMIT #12016A

Per Article 27.63.130 this approval permits an Outdoor Recreational Facility for up to 200 persons. This approval supersedes Special Permit #12016.

CONDITIONS OF APPROVAL FOR BOTH SPECIAL PERMIT #12015A and 12016A

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 For SP12015A In the legal change Outlot A to “A portion of Outlot A.”
 - 1.2 For SP12016A delete Lot 1 from the legal and change Outlot A to “a portion of Outlot A.”
 - 1.3 In Note 4 change Lancaster County to City of Lincoln. Lancaster County does not have lighting design standards.
 - 1.4 Show the correct flood plain limits.
 - 1.5 Add a note to relinquish access to W. Wittstruck except for the existing drive for Lot 1.
 - 1.6 Show the minimum flood corridor and add a note that no structures are allowed in the minimum flood corridor.
 - 1.7 Delete references and blocks for Civil Design Group as they did not prepare the application.
 - 1.8 Add 12015A and 12016A for the special permit number.
 - 1.9 Add the following note:

Traffic to the site shall be addressed as follows:

Programs under 50 participants

1. Preferred route will be promoted in all camp materials and correspondence regarding getting to camp.
 - Preferred route: Hwy 33 to SW 29th in order to approach the property from the west.

Programs of 51-150

1. Above measures
2. Participants will be encouraged to carpool with one another.
3. Summer camp transportation will be provided.
 - a. Bus transportation options will be provided with at least 60% or more of campers arriving via shuttle bus. 4 bus stops are currently provided to bring campers to camp.
4. Signage and traffic delineators will be utilized at the corner of W Wittstruck and SW 14th at times when the road is impassable to deter motorists from getting stuck in the mud.

Programs of 151-200

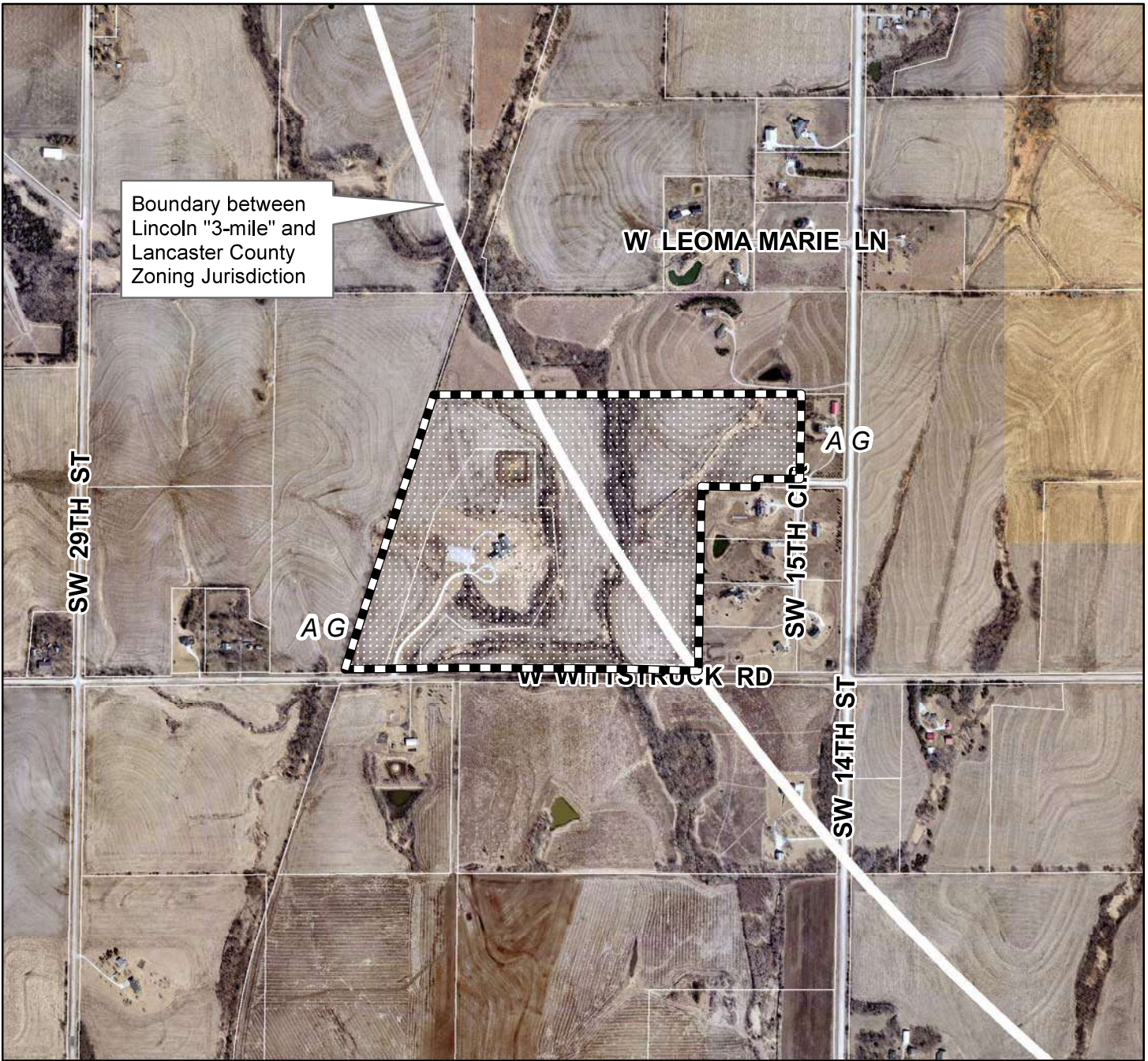
1. Above measures
 2. 2 additional bus stops will be added with 50% of campers arriving via shuttle buses.
2. Submit an engineer's statement certifying the existing lagoons can accommodate the increased effluent flows from the proposed additional camp participants.

Standard Conditions:

3. The following conditions are applicable to all requests:
- 3.1 Before starting the operation all development and construction shall substantially comply with the approved plans.
 - 3.2 The physical location of all setbacks and yards, buildings, parking and circulation elements, and similar matters be in substantial compliance with the location of said items as shown on the approved site plan.
 - 3.3 Before increasing the occupancy occupying the City/County Health Department is to approve the waste water systems.
 - 3.4 The terms, conditions, and requirements of this resolution shall run with the land and be binding upon the Permittee, its successors and assigns.
 - 3.5 The applicant shall sign and return the letter of acceptance to the City and County 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. For county special permits 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.
 - 3.6 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.

APPLICATION HISTORY
SP12015A and 12016A

- March 7, 2000: SP 174CO for Bentzinger's Pleasant Acres Community Unit Plan for 8 lots was approved by Lancaster County Board of Commissioners.
- September 11, 2007: SP07032 for a Club for church-based youth athletics for 50 persons was approved by Lancaster County Board of Commissioners.
- November 16, 2007: AA07075(city) and AA07076 (county) to remove the area of Lot 1 Bentzinger Pleasant Acres from the area of the CUP and to reduce the number of residential lots in the CUP from 8 to 7 was approved by the Planning Director.
- July 24, 2012: SP12015 (County jurisdiction) to convert SP07032 from a club to a recreational facility and expand the number of participants was approved by the Lancaster County Board of Commissioners.
- July 30, 2012: SP12016 (City jurisdiction) to convert SP07032 from a club to a recreational facility and expand the number of participants was approved by the City Council.
- August 17, 2016: SP16036 (County) for Dwellings for Members of Religious Order was approved by Lincoln-Lancaster County Planning Commission.



Boundary between Lincoln "3-mile" and Lancaster County Zoning Jurisdiction

W LEOMA MARIE LN

SW 29TH ST

AG

AG

SW 15TH CIR

W WITTRUCK RD

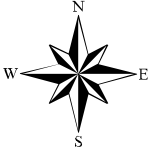
SW 14TH ST

Special Permit #: SP12015A & Special Permit #: SP12016A
SW 29th St & W Wittstruck Rd




2022 aerial

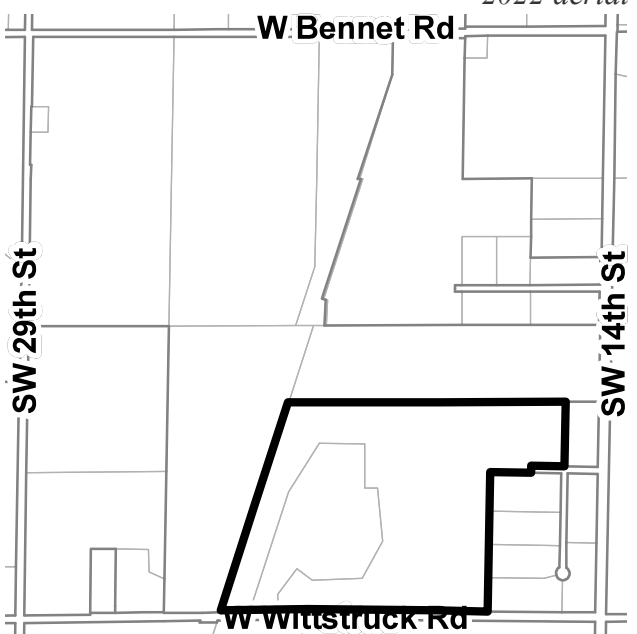
Zoning:

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



One Square Mile:
Sec.09 T08N R06E

	Area of Application
	Zoning Jurisdiction Lines
	City of Lincoln Jurisdiction

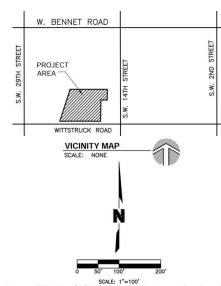


SPECIAL PERMIT - LEGAL DESCRIPTION

SUBJECT TO THE 1/4 AC. BENTZINGER'S PLANNED LOTS, LOCATED IN THE NORTHEAST QUARTER OF SECTION 2, TOWNSHIP 8 NORTH, RANGE 6 EAST OF THE 96° P.M., LANCASTER COUNTY, NEBRASKA

NOTES - SPECIAL PERMIT - RECREATIONAL FACILITY

1. THE PERMITTER SHALL ALLOW A RECREATIONAL FACILITY AND ACCESSORY BUILDINGS AND USES TO BE LOCATED AT VARIOUS LEVELS OF USE FOR THE PURPOSE OF DAY AND OVERNIGHT CAMP AND RETREAT PROGRAMS DETAILED.
2. THE OWNER RESERVES THE RIGHT TO BUILD STRUCTURES ANYWHERE WITHIN THE BUILDING ENVELOPE SHOWN. ACCESSORY USES ARE PERMITTED ANYWHERE ON LOT 1 AND OUTLOT 1A WITHIN THE BOUNDARIES OF THE AREA WITHIN THE 500' ACTIVITY SETBACK AREA ADJACENT TO THE RESIDENTIAL ACTIVITY SETBACKS ON THE EAST. USES MAY BE RELOCATED WITHOUT ANY AMENDMENTS TO THE SPECIAL PERMIT.
3. BUILDING HEIGHT IN THE 100' ZONED AREA SHALL NOT EXCEED 35 FEET.
4. ALL EXTERIOR LIGHTING SHALL COMPLY WITH THE DESIGN STANDARDS AS ADOPTED BY LANCASTER COUNTY. PARKING LOT LIGHTING SHALL BE PROVIDED FROM ADJACENT PROPERTIES AND TURNED OFF BY 10:00 P.M. OR WHEN DOING SO DOES NOT CREATE SAFETY RISKS.
5. SIGNAGE SHALL COMPLY WITH COUNTY REQUIREMENTS AND STANDARDS.



OWNER & DEVELOPER:
 CAMP SONSHINE
 13465 S. 23TH ST
 MOGIA, NE 68603
 402-423-8746

ENGINEER:
 CIVIL DESIGN GROUP, INC.
 6315 EXECUTIVE WOODS DRIVE
 SUITE 200
 LINCOLN, NE 68512 (402)434-8484

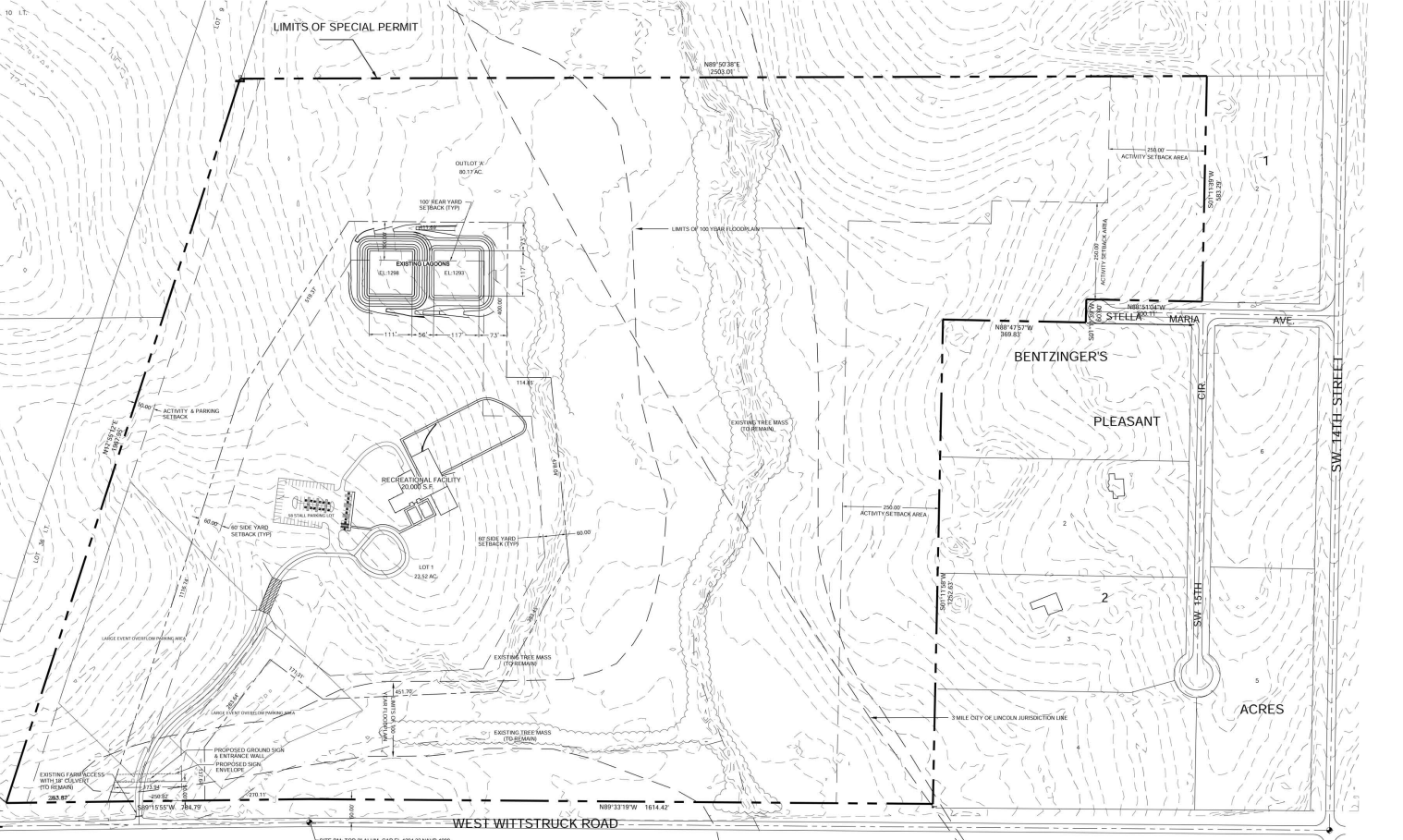
SURVEYOR:
 AULET SURVEYING & MAPPING, INC.
 6320 S. 84TH STREET
 LINCOLN, NE 68514
 (402)436-2096

SHEET INDEX
 SITE PLAN

CDI Design Group, Inc.
 2025 Lincoln Blvd. Suite 200
 Lincoln, NE 68502
 P: 402-434-8484 F: 402-436-2096
 www.cdidesign.com

CDI

CDI DESIGN GROUP, INC. IS AN EQUAL OPPORTUNITY AND AFFIRMATIVE ACTION EMPLOYER.



NO.	DATE	DESCRIPTION
1	09/25/2012	ISSUED PERMIT & LOCATED UTILITIES

REVISIONS	
NO.	DESCRIPTION
1	ISSUED PERMIT & LOCATED UTILITIES

SITE PLAN
 CAMP SONSHINE
 SPECIAL PERMIT # _____ FOR A RECREATIONAL FACILITY
 LINCOLN, NEBRASKA

Drawn by:	Checked by:	Project no.:	13
09/25/2012	09/25/2012	13	13
Date:	Issue Date:	Sheet no.:	1 of 1

Camp Sonshine - Shiloh

2260 W Wittstruck Rd. Roca, NE 68430

Special Use Permit Amendment Proposal
Permit #'s: 12015 & 12016

OVERVIEW

Camp Sonshine is a camp and retreat ministry offering programs to all ages but primarily for children and teens. Our peak operating season is during the summer where we provide day camps beginning in June and running through the start of school in August. Camp programs generally run Monday-Friday 9:00AM-4:30PM with extended hours available as early as 7:30AM to 6:00PM. Additional camp and retreat programs for groups of all ages occur throughout the rest of the year but at a smaller scale. These programs are generally weekend retreats but can accommodate the scheduling needs of the retreat group.

Whereas the current special use permit was established for the purposes proposed by our predecessors, we are seeking to adjust this permit to better match our current operations as well as to allow for future growth to respond to community interest and demand.

It was suggested by the county to align this permit with the existing permit for Camp Sonshine located at 13440 S 25th St. Although not exactly the same setup or situation and peak numbers are being limited, we feel that this change would be reasonable and prudent at this time.

SAFETY MEASURES

The primary concern that has been expressed by the county and some neighbors is regarding traffic. Our plan to address traffic is as follows:

Programs under 50 participants

1. Preferred route will be promoted in all camp materials and correspondence regarding getting to camp.
 - Preferred route: Hwy 33 to SW 29th in order to approach the property from the west.
 - The majority of traffic approaching camp will be coming from the south, making a right hand turn onto W Wittstruck thus reducing the need to cross lanes of traffic.

Programs of 51-150

1. Above measures
2. Participants will be encouraged to carpool with one another.
 - a. NOTE: many programs of this size already include sibling strips who will be arriving together in one vehicle.
3. Summer camp transportation will be provided.

- a. Bus transportation options will be provided with at least 60% or more of campers arriving via shuttle bus. 4 bus stops are currently provided to bring campers to camp.
NOTE: Based on numbers from 2022, nearly 70% of campers arrived utilizing the shuttle bus.
4. Camp leadership staff will be in place onsite during dropoff and pickup times to aid with smooth and safe traffic flow/circulation.
5. Nonsummer retreat groups are encouraged to carpool. Traffic counts are additionally cut by 50% for any retreat participant who drives themselves as the vehicle only makes one trip to and from the property.
6. Signage and traffic delineators will be utilized at the corner of W Wittstruck and SW 14th at times when the road is impassable to deter motorists from getting stuck in the mud.

Programs of 151-200

1. Above measures
2. 2 additional bus stops will be added with 50% of campers arriving via shuttle buses.
NOTE: Based on numbers from 2022, nearly 70% of campers arrived utilizing the shuttle bus. As enrollment increases we think that 50% is a realistic target.
3. Of the remaining campers not arriving on a shuttle, we can further reduce the number of vehicles by an additional 50% through carpooling and accounting for those families with multiple siblings.
4. Groups of this size shall be limited to summer camp programs held during the summer months.

GENERAL NOTES & CONSIDERATIONS

In addition to the items listed above we believe the following points should be considered as part of the conversation.

1. Peak Traffic Windows: Any increase in traffic volume will be isolated to a couple of key times during the day. The vast majority of camp traffic will occur during a 20 minute window in the mornings (9:20-9:40) and another 20 minutes in the afternoons (4:00-4:20). These times are generally after the rush of the morning work commute and before the evening rush.
2. Proven Track Record of Safety: Camp Sonshine has been adding great value to the community for the past 16 years and continues to maintain an impeccable track record of safety and quality traffic control with no accidents.
3. Motorist Personal Interest in Safety: Every vehicle traveling to camp has a personal interest in taking safety precautions as it directly impacts their child(ren).

PROGRAM CONSIDERATIONS

- This permit provides for a maximum of 200 registered campers
 - Campers are placed in groups of 8-12 students and are supervised and monitored continually by trained staff members and following established procedures.
 - That number can seem like a lot but we believe that it's the programs and procedures of our organization that mitigate the chaos and confusion associated with large groups of students.
 - The maximum number of participants relates to peak seasonal use for a limited number of weeks.
- Camp seeks to provide a place of retreat for people to get away thus desiring to preserve the peace and quiet of the natural surroundings.
- Kids need to be out in nature and taught to respect it and can only do that through direct experiences with and opportunities out in nature.
- Many of the students we work with become contributing members of our community and ultimately want to help care for and preserve the space that has become so meaningful to them.
- Summer camp programming provides high quality supervision & experiences for children with working parents who may not have other options available to them.
- We plan to continue offering traditional summer camp activity rotations and experiences that include things we do at our other locations such as field sports, crafts, archery, go-karts, hiking, nature activities, airsoft/paintball, ax throwing, group games, archery tag, campfire times, 9-square, and small group activities. All activities are led and supervised by staff members and follow set procedures for safety. There are no times during the activity schedule where campers are unsupervised by our trained staff. Go-karts are smaller youth sized units that follow pre-established tracks and are used for the purpose of campers learning proper use and safety, not a free-for-all drive wherever they want with no boundaries.

ADDITIONAL NOTES ON RETREATS:

- Retreats are handled based on the size of the group, not the age of the participant. Programs can range from a youth group retreat to a womens' retreat with young adults and seniors.
- Non-summer retreat groups are limited to 150 and would follow the transportation measures listed for that group size.
- Any programs over 150 only occur during the summer.
- We do not have any overnight programs lasting more than 48 hours.
- The majority of retreats programs are held Friday evening through Saturday afternoon, however, can be scheduled whichever night accommodates the group desiring the camp retreat.
- Any adult retreat is still encouraged to carpool. Traffic counts, however, for adult retreats are already 50% less due to the vehicle only making one trip to and from the property as the adult is not being dropped off and picked up but staying as the participant.
- Camp Sunshine properties are "Alcohol Free" zones and do not allow alcohol on the premises.

PROPOSED SPECIAL USE PERMIT NOTES:

1. THIS SPECIAL PERMIT ALLOWS A RECREATIONAL FACILITY AND ACCESSORY BUILDINGS AND USES TO OPERATE AT VARIOUS LEVELS OF USE FOR THE PURPOSE OF DAY AND OVERNIGHT CAMP AND RETREAT PROGRAMS DEFINED AS:
 - a. SUMMER CAMP AND/OR RETREAT PROGRAMS UP TO 200 PARTICIPANTS WITH MORE THAN 50% ARRIVING ON BUS TRANSPORTATION.
 - b. YEAR ROUND DAY CAMP PROGRAMS AND/OR RETREATS UP TO 150 REGISTERED USERS.
2. THE OWNER RESERVES THE RIGHT TO BUILD STRUCTURES ANYWHERE WITHIN THE BUILDING ENVELOPE SHOWN. ACCESSORY USES ARE PERMITTED ANYWHERE ON LOT 1 AND OUTLOT "A" WITH THE RESTRICTION OF THE AREA WITHIN THE 250' ACTIVITY SETBACK AREA ADJACENT TO THE RESIDENTIAL ACREAGES ABUTTING ON THE EAST. USES MAY BE RELOCATED WITHOUT ANY AMENDMENTS TO THE SPECIAL PERMIT.
3. BUILDING HEIGHT IN THE 'AG' ZONED AREA SHALL NOT EXCEED 35 FEET.
4. ALL EXTERIOR LIGHTING SHALL COMPLY WITH THE DESIGN STANDARDS AS ADOPTED BY LANCASTER COUNTY. PARKING LOT LIGHTING SHALL BE SHIELDED FROM ADJACENT PROPERTIES AND TURNED OFF BY 10:00 P.M. OR WHEN DOING SO DOES NOT CREATE SAFETY RISKS.
5. SIGNAGE SHALL COMPLY WITH COUNTY REQUIREMENTS AND STANDARDS.

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
Miscellaneous 23002
*56th, 70th, and Fletcher Redevelopment
Area Blight & Substandard Determination
Study*

FINAL ACTION?
No

PLANNING COMMISSION HEARING DATE
March 8, 2023

RELATED APPLICATIONS
None

LOCATION
Generally 56th Street & Fletcher Ave

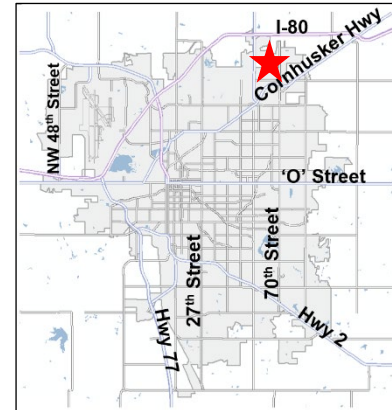
RECOMMENDATION: FINDING OF SUBSTANDARD AND BLIGHTED CONDITIONS

BRIEF SUMMARY OF REQUEST

The 56th, 70th, and Fletcher Redevelopment Area is generally bounded by 56th Street on the west, Salt Creek on the north, 84th Street on the east, and Fletcher Avenue on the south. A map of the area is attached.

This request is to determine whether the area qualifies as substandard and blighted within the definition set forth in the Nebraska Community Development Law, Nebraska Revised Statutes '[18-2103](#).

The complete Blight & Substandard Study is on file with the Urban Development Department and the Planning Department. The Study can also be found online on the Planning Application Tracking System (PATS): [MISC23002](#).



JUSTIFICATION FOR RECOMMENDATION

The 56th, 70th, and Fletcher Redevelopment Area qualifies as substandard and blighted within the definition set forth in the Nebraska Community Development Law, NEB REV STAT '18-2103, as determined by the 56th, 70th, and Fletcher Redevelopment Area Blight & Substandard Determination Study.

Nebraska Community Development Law, NEB REV STAT '18-2109 requires the Planning Commission to review whether an area is substandard and blighted. A recommendation of the Planning Commission is required to be provided to the City Council prior to an area being declared blighted and substandard.

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The Comprehensive Plan identifies blight designations as part of the strategy to facilitate infill development and revitalization.

APPLICATION CONTACT

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

STAFF CONTACT

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

KEY QUOTES FROM THE 2050 COMPREHENSIVE PLAN

Elements Section

E2: Infill and Redevelopment

Redevelopment Incentives

Facilitating infill and redevelopment in the existing city requires both a nuanced understanding of the challenges associated with redevelopment projects and a well-thought out set of strategies to overcome them. Commonly cited challenges to infill and redevelopment include land cost and assembly, access to financing, and zoning requirements.

Tax Increment Financing (TIF), facilitated by redevelopment plans in blighted areas, has been the city's most common tool for incentivizing infill redevelopment. TIF is authorized by Nebraska Community Development Law and has been utilized by the City of Lincoln since 1982. TIF uses the added tax revenue created by the redevelopment to finance project-related costs such as land acquisition, core and shell rehabilitation, and public improvements. Traditionally, the developer takes on the debt of the project, pays their full tax burden, and then is allocated back the increment to pay down the debt on the pre-identified project-related costs.

In 2019 the State legislature revised Nebraska Community Development Law to include an "extremely blighted" designation. Areas meeting the criteria of being extremely blighted are eligible for additional Housing Trust Fund dollars and state tax credits for owner-occupied home purchases.

There are many existing and potential redevelopment incentives beyond blighting and TIF (i.e. tax abatement, land value tax, impact fee exclusions).

Policies Section

P8: Infill and Redevelopment

Infill projects should target existing underdeveloped or redeveloping areas in order to remove blighted conditions and more efficiently utilize existing infrastructure.

ANALYSIS

1. This is a request to determine whether the 56th, 70th, and Fletcher Redevelopment Area should be declared substandard and blighted per '18-2103 (11) Nebraska Revised Statutes. After an area is declared substandard and blighted, the City has the option to proceed with the preparation and approval of a Redevelopment Plan. Redevelopment activities may include utilizing Tax Increment Financing (TIF) from private development to pay for public infrastructure and improvements. The Redevelopment Plan will be submitted for review at a future date and needs a finding of Comprehensive Plan Conformance by the Planning Commission and City Council.
2. The Urban Development Department hired a consultant who conducted the study to determine whether there was a presence of substandard or blighting conditions in the study area per '[18-2103](#) Nebraska Revised Statutes.
3. The Urban Development Department requests the determination study be reviewed by the Planning Commission for conformance with the Comprehensive Plan.
4. 56th, 70th, and Fletcher Redevelopment Area includes approximately 936 acres. According to the land use categories identified in the Blight Study, approximately 72.7% of the land (679.9 acres) is undeveloped, 16.3% (152.7 acres) is public, 8.5% (79.6 acres) is commercial, 2.2% (21.0 acres) is streets/right-of-way, and 0.3% (2.7 acres) is industrial.

5. The study area of 936 acres includes 273 acres outside the City of Lincoln corporate limits. As per ['18-2123](#), Nebraska Revised Statutes, a blight study can consider the acquisition and development of land outside the City, but within a radius of three miles thereof, necessary or convenient to the proper clearance or redevelopment of one or more substandard or blighted areas within the City or is a necessary adjunct to the general community redevelopment program of the City. The land areas currently outside the Corporate Limits will need to be annexed to become eligible for Tax Increment Financing.

6. A **substandard** area is defined in the Nebraska Revised Statutes as containing a predominance of buildings or improvements with at least one of four conditions present:
 1. Dilapidation/deterioration
 2. Age or obsolescence
 3. Inadequate provision for ventilation, light, air, sanitation or open spaces
 4.
 - a) High density of population and overcrowding; or
 - b) The existence of conditions which endanger life or property by fire and other causes; or
 - c) Any combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime, and is detrimental to the public health, safety, morals or welfare.

7. The area qualifies as **substandard** because according to the Blight study **three substandard** factors were found to have a strong presence in the study area. One factor was found to have a reasonable presence. The strong factors are summarized below.
 - A) Based on field evaluation three of the 19 structures are over 40 years of age. The average age of residential structures in the study area is 44.9 years (Page 20).
 - B) The inadequate provision for ventilation, light, air, sanitation, or open spaces is a strong presence. The three deteriorating buildings can pose health, safety, and sanitary problems. Water and sanitary mains are aging and described in condition from “excellent” “good” to “fair” (Page 20).
 - C) The combination of deteriorating or dilapidated buildings and advanced age of structures combine to have a detrimental impact to the public health, safety, morals or welfare of the area (Page 21).

8. A **blighted** area is defined in the Nebraska Revised Statutes as having the presence of one or more of the twelve following conditions:
 1. A substantial number of deteriorated or deteriorating structures;
 2. Existence of defective or inadequate street layout;
 3. Faulty lot layout in relation to size, adequacy, accessibility or usefulness;
 4. Insanitary or unsafe conditions;
 5. Deterioration of site or other improvements;
 6. Diversity of ownership;
 7. Tax or special assessment delinquency exceeding the fair value of the land;
 8. Defective or unusual conditions of title;
 9. Improper subdivision or obsolete platting;
 10. The existence of conditions which endanger life or property by fire or other causes;
 11. Any combination of such factors, substantially impairs or arrests the sound growth of the community, retards the provision of housing accommodations or constitutes an economic or social liability;
 12. Is detrimental to the public health, safety, morals, or welfare in its present condition and use; and in which there is at least one of the following conditions:
 - a) Unemployment in the designated blighted area is at least one hundred twenty percent of the state or national average;
 - b) The average age of the residential or commercial units in the area is at least 40 years;
 - c) More than half of the platted and subdivided property in the area is unimproved land that has been within the City for 40 years and has remained unimproved during that time;
 - d) The per capita income of the designated blighted area is lower than the average per capita income of the city or City in which the area is designated; or
 - e) The area has had either stable or decreasing population based on the last two decennial

censuses.

9. The study found **seven blighting** factors to be present to a strong extent in the study area. Three factors were demonstrated to have a reasonable presence, one little to no presence, and one factor was not reviewed. The strong factors are listed below:
- A) Defective or inadequate street layout - There is a lack of platted and developed streets in the area (Page 25).
 - B) Faulty Lot Layout - The parcels are irregularly shaped, primarily due to parcels being subdivided on an as-needed basis (Page 26).
 - C) Diversity of Ownership - Twenty-five distinct ownership groups own property within the area (Page 28).
 - D) Improper Subdivision or Obsolete Platting - Primarily due to irregular tracts (parcels) of land (Page 30).
 - E) Existing of Conditions Which Endanger Life or Property - Of the 31 structures in the area, 35.5 percent are in a state of deterioration and 61.3 percent are 40+ years of age. Water and sanitary mains are aging and described in condition from “excellent” “good” to “fair” (Page 30).
 - F) Other Environmental and Blighting Factors - Overall, the area contains aging structures and buildings that are deteriorating with parcels having “fair” to “poor” site conditions and either minor or major debris. Additionally, approximately 550 acres (58.8%) of the total area is within the floodway and associated floodplain of Salt Creek (Page 31).
 - G) One of the Required Five Additional Blight Factors - Estimated average age of commercial structures in the area is 44 years, exceeding the blight criteria of 40+ years of age (Page 33).
10. The study finds there are three strong factors that constitute an area as substandard within the study area, and out of 12 possible factors that constitute an area blighted, seven are strongly present in the area. Therefore it is the conclusion of the study that sufficient conditions and factors meet the criteria of substandard and blight as evidenced in the Blight Study. These factors present a serious barrier to the planned and coordinated development of the area, have created an environment that negatively impacts private sector investment in the area, and serve as a detriment to the overall healthy economic growth and physical development of the community.

EXISTING LAND USE: Undeveloped, Public, Commercial, Industrial (page 13)

EXISTING ZONING: AG Agriculture, I-1 Industrial, P Public (page 14)

APPROXIMATE LAND AREA: 936 acres

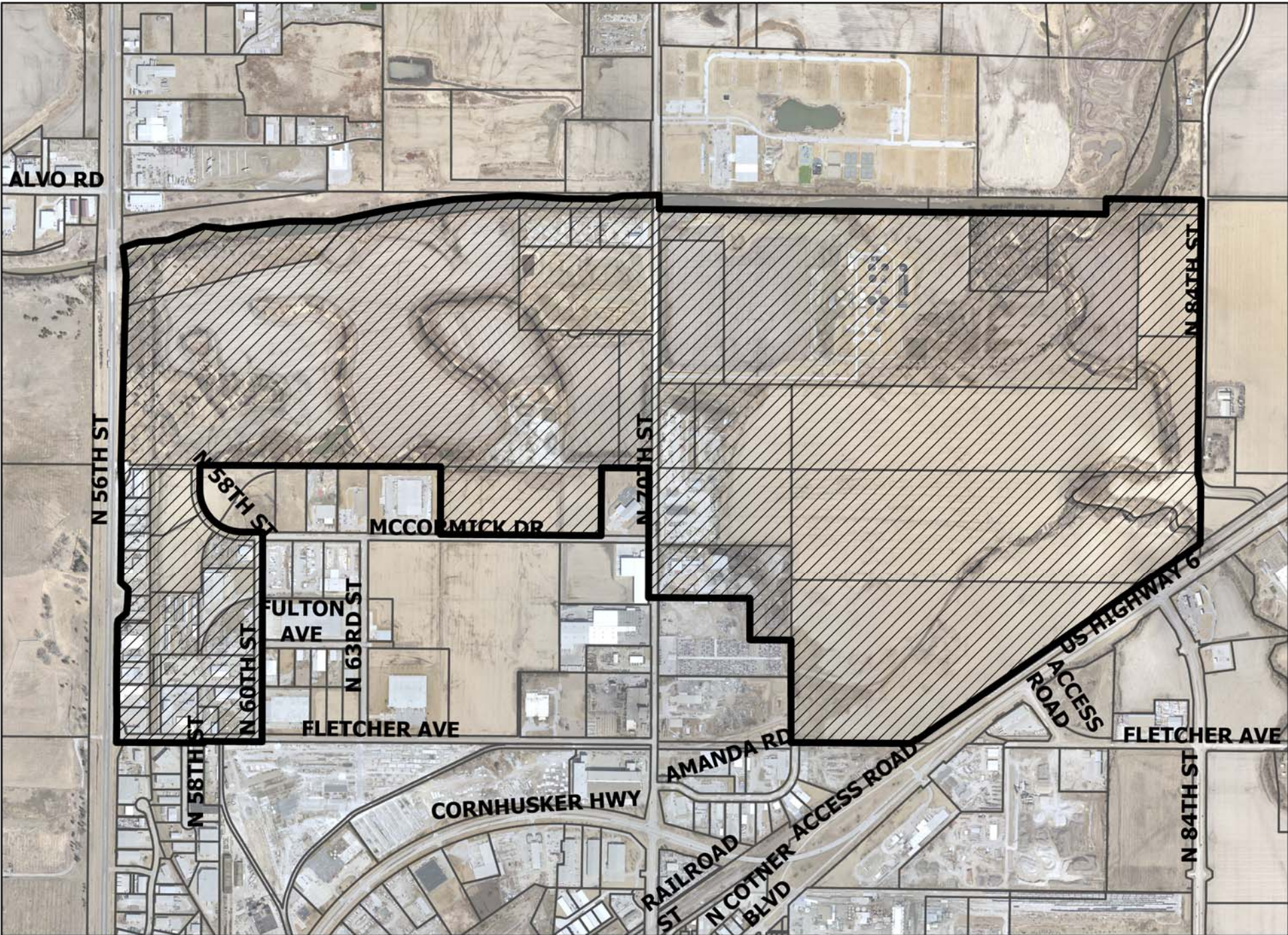
Prepared by Andrew Thierolf, AICP
February 27, 2023

Applicant: Dan Marvin, Director
Urban Development Department
555 S. 10th Street
Lincoln, NE 68508
(402) 441-7126
dmarvin@lincoln.ne.gov

Contact: Ernie Castillo
City of Lincoln Urban Development Dept
(402) 441-7855
ecastillo@lincoln.ne.gov

<https://linclanc.sharepoint.com/sites/PlanningDept-DevReview/Shared Documents/DevReview/MISC/23000/MISC23002 56th 70th & Fletcher>

Page 4 - Blight and Substandard - Miscellaneous 23002 - The 56th, 70th, and Fletcher Redevelopment Area



2022 aerial



MISC23002
56th, 70th and Fletcher Redevelopment Area
Blight & Substandard Study

Project: GIS\Projects\DevReview\CPCRedevelopmentAreaDrawings.aprx
PDF: Iboards\PC\Internet\Out

February 8, 2023

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

Dear David:

Enclosed is a copy of the 56th, 70th and Fletcher Redevelopment Area Blight and Substandard Study. The study will assist the city in moving forward with a redevelopment plan for the area. The area is generally located between 56th & 70th and Fletcher Avenue.

Please forward this study to the Planning Commission for their earliest consideration for Comprehensive Plan compliance. My understanding is that the Blight and Substandard Study should be on the March 8, 2023, agenda.

If you have questions or need additional information, please contact me at 402-441-7855 or at ecastillo@lincoln.ne.gov.

Sincerely,



Ernie Castillo

Cc: Dan Marvin, Director, Urban Development
Andrew Thierolf, Planning Department
Steve Henrichsen, Planning Department
Hallie Salem, Urban Development

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 23001 <i>27th & Starr Redevelopment Project</i>	FINAL ACTION? No	OWNER LA Real Estate LLC
PLANNING COMMISSION HEARING DATE February 22, 2023	RELATED APPLICATIONS None	PROPERTY LOCATION NE corner of 27 th and Starr Streets

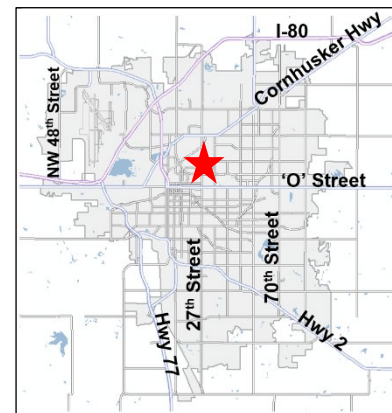
RECOMMENDATION: IN CONFORMANCE WITH THE COMPREHENSIVE PLAN

BRIEF SUMMARY OF REQUEST

Review as to conformance with the 2050 Lincoln-Lancaster County Comprehensive Plan, a proposed amendment to the N. 27th Street Corridor and Environs Redevelopment Plan to add the "27th & Starr Redevelopment Project".

The Project includes construction of a 12-unit apartment building, 3 townhomes and associated parking. The 15 dwelling units will be a mix of market-rate and affordable units.

The Redevelopment Project is on file with the Urban Development Department and the Planning Department. The project documents can also be found online on the Planning Application Tracking System (PATS): [CPC23001](#).



JUSTIFICATION FOR RECOMMENDATION

The Project is consistent with the Comprehensive Plan and the N. 27th Street Corridor and Environs Redevelopment Plan. It will utilize existing infrastructure, contribute to Lincoln’s affordable housing stock, and help meet the Comprehensive Plan goal of 12,000 new dwelling units to be located within the existing built-out portion of the City.

APPLICATION/STAFF CONTACT

Ernie Castillo
City of Lincoln Urban Development Dept
(402) 441-7855
ecastillo@lincoln.ne.gov

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

In addition to the specific elements listed above, this project provides appropriately placed infill development with townhomes in addition to apartments to serve as transition to the adjacent single family residential. Further, the project is consistent with the City of Lincoln Nebraska Affordable Housing Coordinated Action Plan which seeks to increase the number of affordable units in Lincoln.

COMPREHENSIVE PLAN SPECIFICATIONS:

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.

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).

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

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. PlanForward understands the ongoing need for affordable housing and supports development of 5,000 affordable units by the year 2030.

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.

Policies Section

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

Action Steps

1. Implement the housing and neighborhood strategies as embodied in the Affordable Housing Coordinated Action Plan, City of Lincoln Consolidated and 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.
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.

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.

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.

NORTH 27th STREET CORRIDOR AND ENVIRONS REDEVELOPMENT PLAN SPECIFICATIONS:

- p. 22 - Guiding Development Principles for the North 27th Street Corridor
- Affordable Housing Replacement: Replace and even expand the affordable housing stock by assuring adequate sites for moderately priced residential development.
- p. 31e - Redevelopment Activities: Residential...1. Residential Redevelopment and Housing Rehabilitation
- Rehabilitate or remove existing deteriorating and substandard housing.
 - Expand the housing supply available in the redevelopment area.
 - Encourage housing that is affordable, particularly for low and moderate income households.

LINCOLN AFFORDABLE HOUSING COORDINATED ACTION PLAN SPECIFICATIONS:

- p. 8 Over the next decade, Lincoln will need an additional 17,000 units to support projected population growth.
- p. 9 Of the 17,000 additional units, 5,000 of those units will need to rent below \$1,000 a month and almost 4,000 ownership options will need to be priced below \$200,000.
- p. 64 Land costs and changes in the tax law, along with the ability to quickly and easily make profits on market-rate products, has made the participation in Low Income Housing Tax Credit (LIHTC) projects less appealing. Lincoln will need to find ways to increase the appeal of these types of projects, which are an essential source of housing for those making less than 80% AML.

ANALYSIS

1. This is an amendment to the N. 27th Street Corridor Environs and Redevelopment Plan to add the 27th & Starr Redevelopment Project. The Project involves the construction of a 12-unit apartment building, 3 townhomes and associated parking with a mix of market rate and affordable rental rate units for a total of 15 dwelling units.
2. The apartment building will include approximately 12 three-bedroom units. The apartment building will be 3 stories. The townhomes will include approximately 3 four-bedroom units and will be 2 stories in height.
3. The site is currently vacant in anticipation of redevelopment. The site in the early 2000s was being used for commercial use along N. 27th Street and residential use on the east part. The City of Lincoln purchased the properties in July 2010. The City demolished the structures and cleared the lots for future redevelopment. The lots were sold by the City in June of 2018.
4. CZ21010 was approved by City Council in May 2021. This was a change of zone for the property from B-3 (Commercial) and R-4 (Residential) to R-6 (Residential). A 9-unit townhome project was proposed by a prior developer for the property. The rezoning included an associated zoning agreement which limited the site to 9 dwelling units. The proposed project will require an amendment to the change of zone agreement to allow 15 dwelling units. No change of zone is needed. The R-6 Residential District allows multifamily uses and townhomes. The proposed project is in conformance with the existing R-6 zoning.

5. The Project was reviewed at the January 3, 2023, Urban Design Committee (UDC) meeting and was recommended for approval 5-0 with suggestions made for street trees and exterior treatment of the tri-plex, windows on the corners, and east and west facades. An excerpt from the draft minutes is attached along with the UDC staff report and associated graphics.
6. The Project is consistent with goals in the Comprehensive Plan, PlanForward 2050. Specifically, the 2050 Plan encourages housing affordability, establishing a mix of uses within neighborhoods including multifamily and single family and residential infill development to meet new housing needs.
7. The Project is also consistent with the N. 27th Street Corridor and Environs Redevelopment Plan. The Redevelopment Plan encourages a mix of uses, stable redevelopment, expansion of the housing supply and expansion of affordable housing.
8. The Project also conforms with the City of Lincoln Nebraska Affordable Housing Coordinated Action Plan which seeks to increase the number of affordable units in Lincoln and recognizes the role of infill development.
9. The Project represents a significant investment in the North 27th Street Corridor and Environs Redevelopment Plan Area. Publicly funded redevelopment activities may include: site acquisition; street sidewalk and alley improvements, landscaping, facade enhancements, and other public improvements and related costs and activities as permitted under the Community Development Law.
10. The total estimated development cost to implement the Project is approximately \$2,750,000 which includes approximately \$380,000 in public financing to fund public improvements and enhancements. The source of public funds will be the tax increment generated from the private developments on the Project Site. The Project is expected to generate approximately \$42,058 in annual TIF revenue to assist with the cost of the construction of public improvements and enhancements related to the project. More details can be found in the Cost Benefit Analysis section of the redevelopment plan amendment.

EXISTING ZONING: R-6 Residential District

EXISTING LAND USES: Vacant

SURROUNDING LAND USE & ZONING

North: Commercial, Single Family; B-3, R-4
 South: Commercial, Single Family; B-3, R-4
 East: Single Family; R-4
 West: Single Family, Vacant; B-3

APPROXIMATE LAND AREA: 27,741 square feet

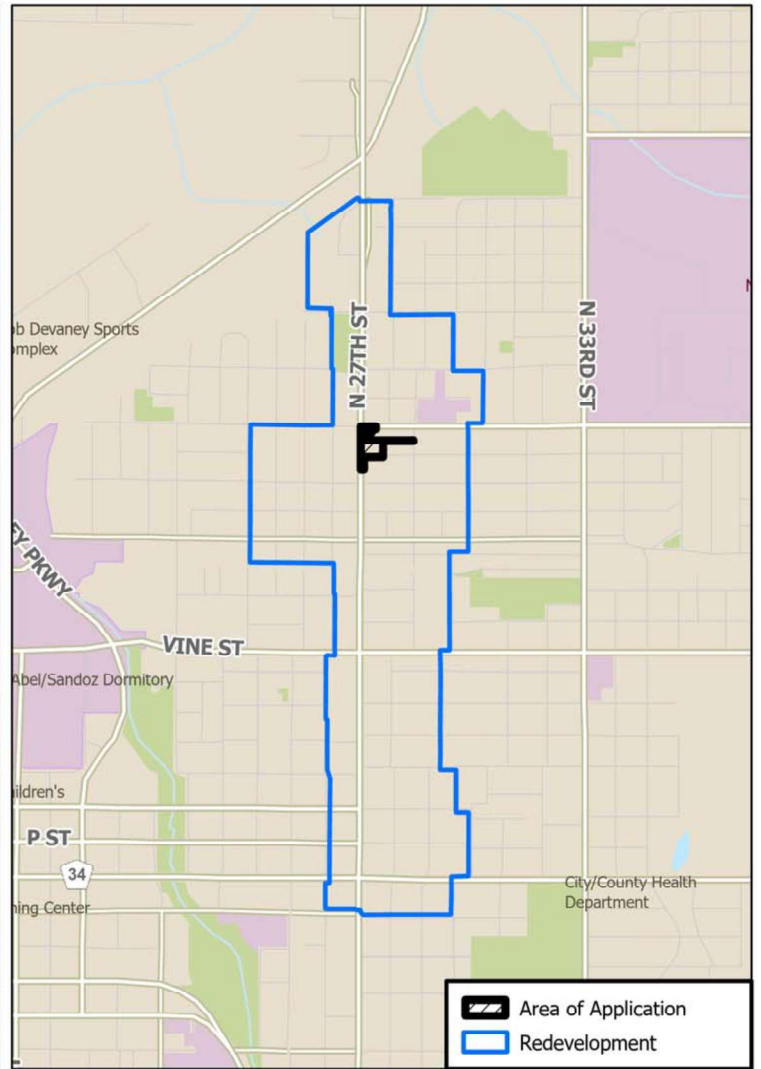
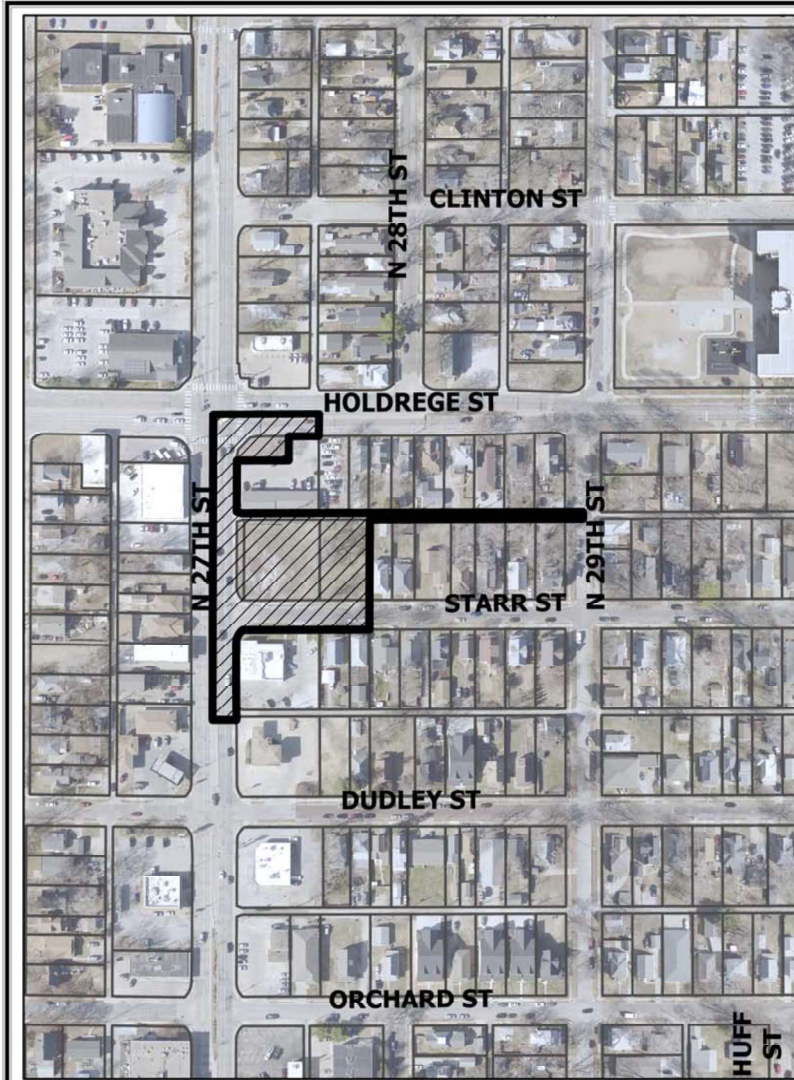
Prepared by George Wesselhoft, Planner
 (402) 441-6366 or gwesselhoft@lincoln.ne.gov

Date: February 9, 2023

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

Contact: Ernie Castillo
 (402) 441-7855 or ecastillo@lincoln.ne.gov

<https://linclanc.sharepoint.com/sites/PlanningDept-DevReview/Shared Documents/DevReview/CPC/23000/CPC23001 27th & Starr Redevelopment Project.docx>



2022 aerial

Comprehensive Plan Conformance #: CPC23001
N 27th Street Redevelopment Plan
27th & Starr Redevelopment Project

Project: GIS\Projects\DevReview\CPCRedevelopmentAreaDrawings.aprx
 PDF: Board\CPC\Internet\OUT

Draft Excerpt from MEETING RECORD

Advanced public notice of the Urban Design Committee meeting was posted on the County-City bulletin board and the Planning Department's website.

NAME OF GROUP: URBAN DESIGN COMMITTEE

DATE, TIME AND PLACE OF MEETING: Tuesday, January 3, 2023, 3:00 p.m., County-City Building, City Council Chambers, 555 S. 10th Street, Lincoln, NE.

MEMBERS IN ATTENDANCE: Mark Canney, Jill Grasso, Peter Hind, Tom Huston and Michelle Penn; (Emily Deeker and Gill Peace absent).

OTHERS IN ATTENDANCE: Paul Barnes, Collin Christopher and Teresa McKinstry of the Planning Department; Derek Zimmerman and Justin Hernandez with REV Development; Kurt Suhr with Architecture One; Kevin Riley with Riley Designs; Aaron Burd; and other interested parties.

Chair Penn called the meeting to order and acknowledged the posting of the Open Meetings Act in the room.

N. 27TH AND STARR MULTIFAMILY PROJECT:

January 3, 2023

Members present: Canney, Grasso, Hind, Huston and Penn; Deeker and Peace absent.

Christopher stated that the project in front of the Committee is a 15-unit infill project on the northeast corner of 27th Street and Starr Street in the Clinton neighborhood. There would be a 12-plex building and a tri-plex with each unit on its own individual lot. The questions to consider today is if the tri-plex units serve as a proper transition to the neighborhood, and whether the 12-plex fits within the larger context of both the neighborhood and the N 27th Street business district. The City is requiring street trees along N. 27th Street and Starr Street. The Starr Street side was agreed on previously. The N 27th Street side is unique. There is a sliver of City-owned property between the right-of-way and the applicant's property that is anticipated to be used for a future turn lane. The applicant has agreed to plant trees in this space in the interim.

Kurt Suhr stated that Starr Street is one block south of Holdrege Street. They are proposing 12 three bedroom apartments in a three-story building. The adjacent two-story building will be made up of three (3) four bedroom townhouses. The effort there is to step this down as it goes into the neighborhood. It would have a hip roof. The houses in the neighborhood are primarily

single story bungalow houses. They are proposing Hardie siding with some stone at the entrance. The buildings would be a combination of lap siding, vertical board and batten, and cement siding. The roof would be asphalt shingle. Color wise, they did a project at 25th Street and 'Y' Street that was a monochromatic palette of grays. The representation in the agenda is fairly close. The site is pretty full. The building faces south for the main entrance. Parking is along the alley to the north. North of this is a grocery store. South across the street is a laundromat. He showed an image of Starr Street. They butt up against two small houses. He showed some images of houses in the area.

Canney inquired about the distance between the lot line and public right-of-way. Kevin Riley stated that from the sidewalk is a 17 foot piece of lane saved for the turn lane. From that sliver of land is an additional 10 foot side yard. From sidewalk is about 27 feet. The question is where do the trees get planted. Christopher believes that will be up to Parks and Recreation. Canney knows that Parks and Recreation will address the issue. It sounds like the applicant has this addressed in the next phase. Christopher asked if the Committee had a recommendation on particular tree. Canney would recommend something columnar. You could go smaller and not as controversial to be removed, or do columnar and plant it far enough back that you don't have to move it. He would recommend a tree that doesn't get more than 10 to 12 feet wide.

Hind understands that you can't drive between the buildings from the north. Riley noted that was correct. Over one year ago, the previous owners rezoned this. There are some increased sideyard setbacks. There is a 15 foot instead of the typical 10 foot sideyard. It is currently R-6 zoning. Regulations say you have to pave the alley. This was originally replatted for nine row houses. In discussions with Urban Development, Ernie Castillo and Dan Marvin liked the idea of transitioning from row houses to townhouses, to apartments. What you see here is allowed by code. Burd noted that from his research, vinyl siding is almost the same price as fiber cement Hardie board. Everything is pre-finished. The tri-plex and both buildings would be somewhat of the same color palette, to have it flow. They are looking at pre-finished lap siding. The belt line is proposed for real stone. The offset middle protrudes more. Each has its own porch.

Grasso asked if the windows will have trim. Riley answered there will be a picture frame trim.

Canney wondered what is happening on the east and west end of the apartment building. Riley stated the center is 72 inch wide by 42 inch tall bedroom windows. Suhr showed an image of a similar property to what is being proposed.

There was a discussion of different design elements for the building.

Grasso mentioned that she would like to see the door match a little more.

Huston believes the question is whether or not a tri-plex is sufficient buffer to the existing neighborhood. In his opinion, he thinks it is a nice blend and a good transition.

Penn thinks the design of the 12 plex is relatively flat, but efforts were made with the push and pull on the 12 plex. Riley noted the entry has an offset of 2 feet, a shed roof and stone columns.

Hind noted the windows facing 27th Street. Riley stated that building code says you can declare your front on one side or the other. The Planning Dept. told them that 27th Street is technically a side yard due to the upcoming turn lane dedication. Starr Street is the front. This is not a corner lot.

Canney thinks the goal is to keep the trees long term. Riley stated he had heard from the City that if ownership changes on the lot to the north, whoever obtains that property will have restrictions related to the turn lane. The sale of that property makes a turn lane more likely. Canney would recommend street trees and Parks and Recreation can show what they want and where they are placed.

Hind applauded the density and everything else. He thinks there is an opportunity with the interstitial space between the buildings. He would encourage a rethinking and use this as an opportunity. Perhaps a high window in the living space or something could be done. He thinks it needs a little more design than just grass. He thinks people will use this space. Suhr would have to look at the code to see what is allowed. Hind added that even a brick path with benches would be nice. Canney noted that the townhouses might not want a lot of traffic next to them.

Hind stated that in his experience, the end units are the same in design as the middle unit and you lose a lot of opportunity with daylight and landscaping.

ACTION:

Huston moved approval as presented with consideration for suggestions made for street trees and exterior treatment of the tri-plex, windows on the corners, and east and west facades, seconded by Canney and carried 5-0: Canney, Grasso, Hind, Huston and Penn voting 'yes'; Deeker and Peace absent.

URBAN DESIGN COMMITTEE STAFF REPORT

APPLICATION NUMBER	Urban Design Record #22138
APPLICATION TYPE	Advisory Review
ADDRESS/LOCATION	2716 and 2718 Starr Street (N 27 th and Starr Streets)
HEARING DATE	January 3, 2023
ADDITIONAL MEETINGS	N/A
APPLICANT	Aaron Burd, amburd76@gmail.com
STAFF CONTACT	Collin Christopher, 402-441-6370, cchristopher@lincoln.ne.gov

RECOMMENDATION: ADVICE ONLY

Summary of Request

Developers are proposing a multifamily infill project on the vacant land at the northeast corner of N 27th and Starr Streets. The project will consist of a 12-unit apartment building closest to N 27th and a tri-plex to the east that will serve to transition into the existing neighborhood. Each of the two-story tri-plex units will consist of four bedrooms and three baths. Each of the units within the larger three-story building will be made up of two bedrooms and one bath.

Both the 12-plex and the tri-plex are being proposed to consist of Hardie cement board siding as the primary façade material. The tri-plex relies mostly on lap siding, while the 12-plex incorporates sections of panel and board and batten siding. Both have hipped roofs.

UDC's advice is being sought because the applicant is requesting the use of Tax Increment Financing. Additional details can be found within the attachments.

Compatibility with the Design Standards

The Neighborhood Design Standards apply to this project. The neighborhood design standards are intended to create infill developments in residential neighborhoods that are sympathetic to the existing character. This site has N. 27th Street with commercial and some residential to the west, a laundromat with a blank façade and two older homes with full front porches set about two to three steps above grade to the south, a small bungalow with a full front porch to the east, and a commercial building with a blank façade on the north. Starr Street has the most impact on the character of this development and except for a few minor intrusions, it is comprised of one to one-and-a-half story older homes set close to the front property line with garages in the rear or non-existent.

What follows is a synopsis of some of the key Neighborhood Design Standards that affect this project. It should be assumed that those standards not specifically identified are being met or are not relevant.

4.1 Building Elements

8. Height of new buildings should be similar to that of existing residences on the same and facing block fronts. New buildings shall be acceptable that are not taller than the tallest residential structure, nor

shorter than the shortest residential structure, built prior to December 31, 1949 on the contiguous block face, provided that:

- a. the maximum allowable height shall not be reduced to less than twenty-eight (28) feet, and
- b. if the height permitted under this section would exceed that permitted in the underlying district, the new building shall be no taller than an existing, adjacent building. Taller structures may be approved on a case-by-case basis, when a steeper roof would increase compatibility between the new building and adjacent older residences.

Compatibility per Staff Analysis: The three-story 12-plex is facing one-story commercial buildings and is okay from a compatibility perspective. The two-story tri-plex sits adjacent to one and one-and-a-half story homes. The steepness of the roof of the tri-plex also adds to the difference in heights, making it questionable whether this particular standard is being met.

10. The rhythm of similar width houses on similar width lots does much to establish the character of Lincoln's established residential areas. Large new buildings disrupt this character, unless design measures are employed to reduce their apparent scale. New buildings over fifty feet (50') in length on the principal street facade should be designed to maintain the rhythm of the existing adjacent buildings. Designs will be bound to meet this standard which offset the principal street facade and roof at intervals of fifty feet (50') or less. These offsets shall be at least six feet (6') in depth, and the portions of the facade offset shall equal at least 10% of the length of the facade. Alternate designs that maintain the rhythm of the blockface by such means as shifts in materials within the facade, use of multiple porches and/or dormers, and grouping of windows and entrances, may also be approved on a case-by-case basis.

Compatibility per Staff Analysis: The façade on the tri-plex is broken up with a recessed portion along Starr Street. However, the 12-plex has a 106-foot-long façade that is only broken up by the protruding porch and some minor recessing behind the porch on the south side. While the design relies on changes in materials to further break up the façade, it could potentially benefit from some additional push and pull along the long expanse of the south façade.

4.2 Yards and Open Space

3. No more than one mechanical unit, such as air conditioning units, shall be located within each required front yard and not more than three in any required side yard, provided that multiple units are spaced at least twenty feet apart. Such accessory structures will be screened from adjacent properties if located within a required front yard or within ten feet (10') of a side lot line.

Compatibility per Staff Analysis: While no mechanical units are shown in the material provided, this standard should be a consideration of the final design.

4.3 Parking

2. Trees in addition to any others required elsewhere shall be planted within five (5) feet of a parking area at the rate of one tree for every six (6) parking spaces.

Compatibility per Staff Analysis: Only two of the three required trees are being shown in the parking lot for the 12-plex. The tri-plex shows a total of six stalls, which would typically require one tree. However, the property is being replatted so that each unit sits on its own property. In that scenario, each property would only have two parking stalls and would not be subject to this standard.

3. Parking areas of four or more stalls shall be screened from adjacent properties. Fences may be used for screening in rear yards.

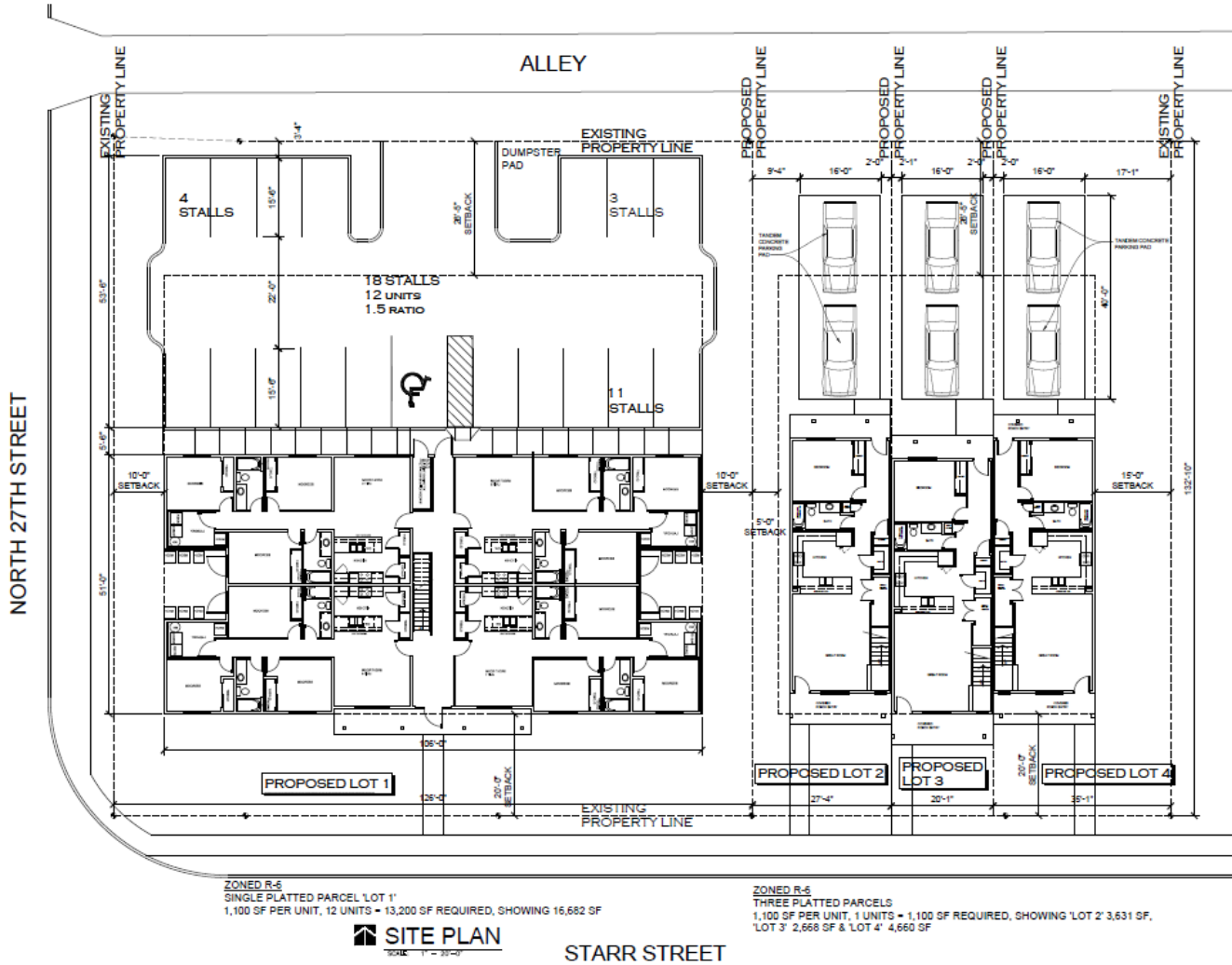
Compatibility per Staff Analysis: While this standard is somewhat vague in regards to screening of parking lots, the Design Standards for Screening and Landscaping for which this property is also subject to will require that the entire length of the north edge of the parking lot for the 12-plex (adjacent to the alley) be screened up to three feet (3') in height. Again, the requirements for the tri-plex come down to whether this would be considered a single parking lot of six stalls or three parking lots of two stalls each. For the former, a screen would be required along the east edge to provide a buffer against the adjacent residential.

Recommendation

While this item is advice only, the project's compatibility with Neighborhood Design Standards and how it interacts with the existing neighborhood should be a key consideration of the Committee. More specifically:

- The tri-plex should serve as a transition from the existing residential neighborhood to the larger 12-plex unit abutting the N 27th Street commercial corridor.
- The design of the 12-plex is relatively flat in terms of the push and pull of the façade along Starr Street. Though an effort has been made by the applicant to offset this with changes in materials, the Committee should weigh in on whether the applicant's efforts are successful.
- The landscaping should serve to soften the impacts of this project on the neighborhood. *(Note: In addition to the parking lot screening already mentioned, this project will require street trees along Starr Street and possibly N 27th Street. Those details will be worked out as an amendment to the existing zoning agreement, but the Committee should weigh in on what is appropriate.)*

ATTACHMENT A SITE PLAN



ZONED R-6
SINGLE PLATTED PARCEL 'LOT 1'
1,100 SF PER UNIT, 12 UNITS = 13,200 SF REQUIRED, SHOWING 16,682 SF

ZONED R-6
THREE PLATTED PARCELS
1,100 SF PER UNIT, 1 UNITS = 1,100 SF REQUIRED, SHOWING 'LOT 2' 3,631 SF,
'LOT 3' 2,668 SF & 'LOT 4' 4,660 SF

SITE PLAN
SCALE 1" = 20'-0"

STARR STREET

**ATTACHMENT B
RENDERINGS**



Looking to the northeast from 27th and Starr



Looking to the northwest from Starr Street (12-plex)



Looking to the southeast from 27th Street



Looking to the southwest from the alley



Looking to the northeast at the tri-plex from Starr Street



Looking to the northwest from Starr Street

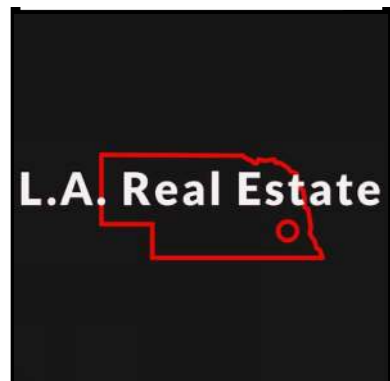
MARSHALL ADDITION DEVELOPMENT NORTH 27TH & STARR STREETS



OVERALL ELEVATION OF SOUTH ELEVATION OF BOTH BUILDINGS

Sheet Index

1. Neighborhood Plan
2. Site Plan
3. Landscaping Plan
4. Typical Apartment Building Plan
5. Tri-plex Plans
6. Apartment building colors
7. Apartment building elevations
8. Tri-plex colors
9. Tri-plex elevations
10. Rendering
11. Rendering
12. Rendering
13. Rendering
14. Rendering
15. Rendering



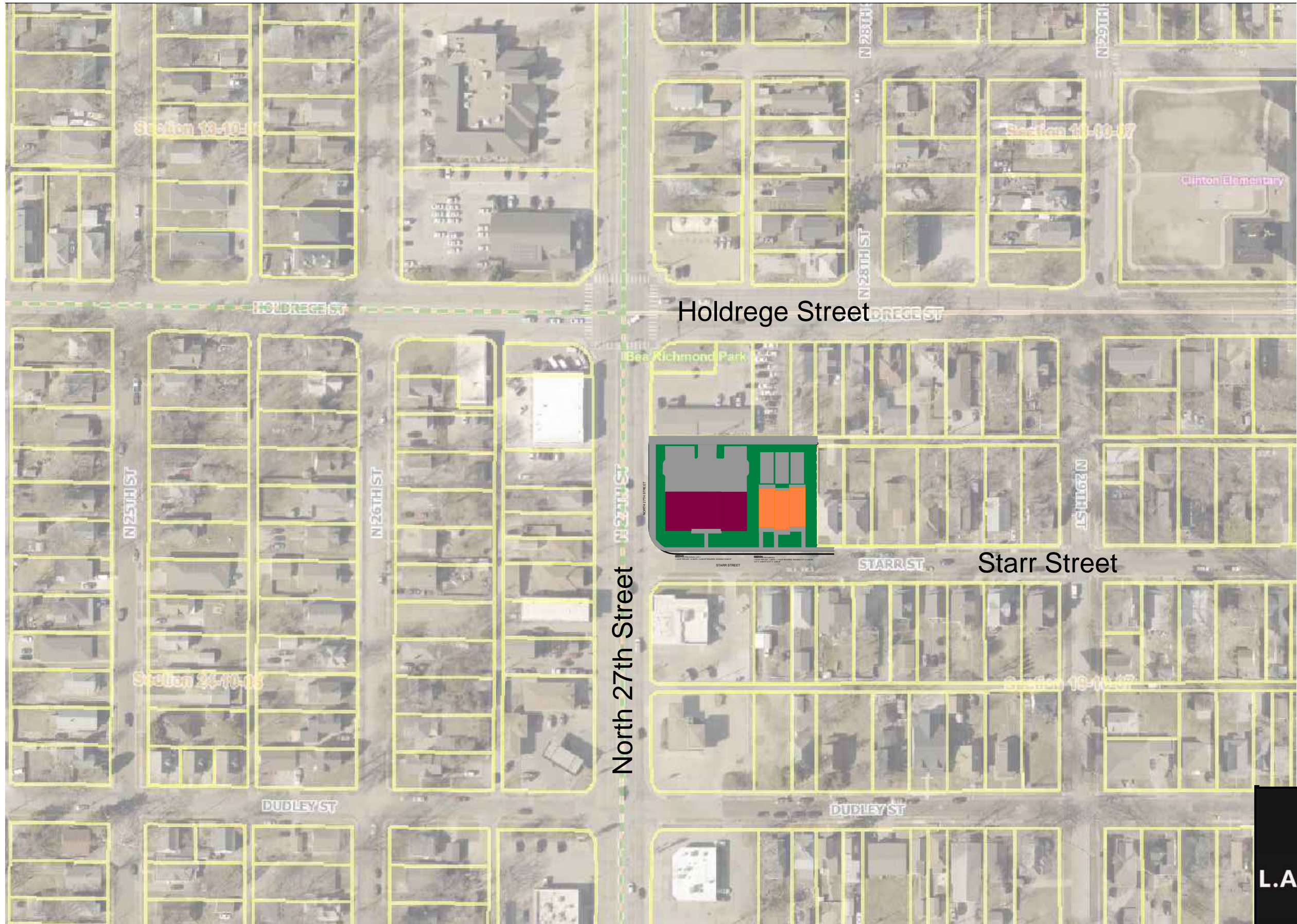
Architecture  **Architecture**

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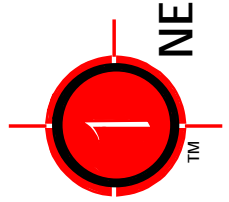
Riley
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Kevin C. Riley
1322 Shire Lane
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kc Riley221965@gmail.com

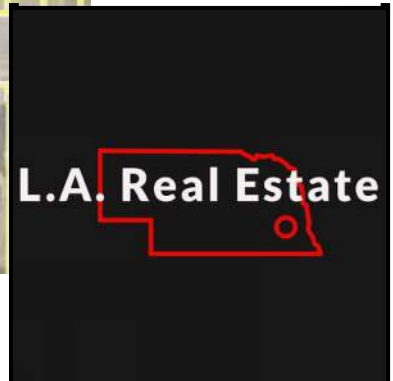
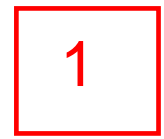
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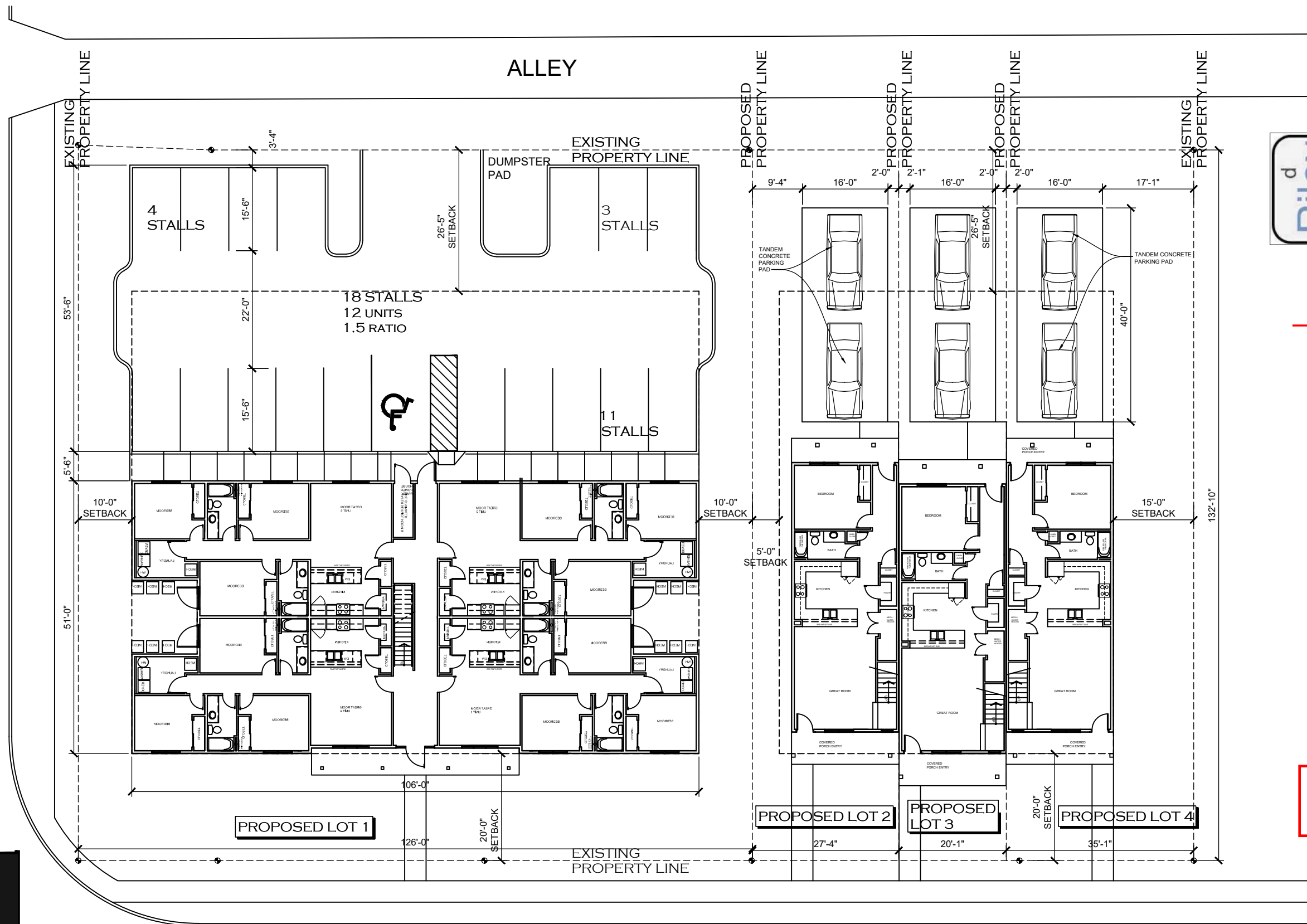
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NORTH 27TH STREET



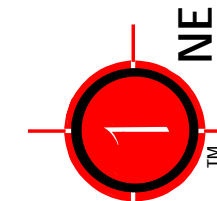
ZONED R-6
 SINGLE PLATTED PARCEL 'LOT 1'
 1,100 SF PER UNIT, 12 UNITS = 13,200 SF REQUIRED, SHOWING 16,682 SF

ZONED R-6
 THREE PLATTED PARCELS
 1,100 SF PER UNIT, 1 UNITS = 1,100 SF REQUIRED, SHOWING 'LOT 2' 3,631 SF,
 'LOT 3' 2,668 SF & 'LOT 4' 4,660 SF

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

STARR STREET

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Architecture

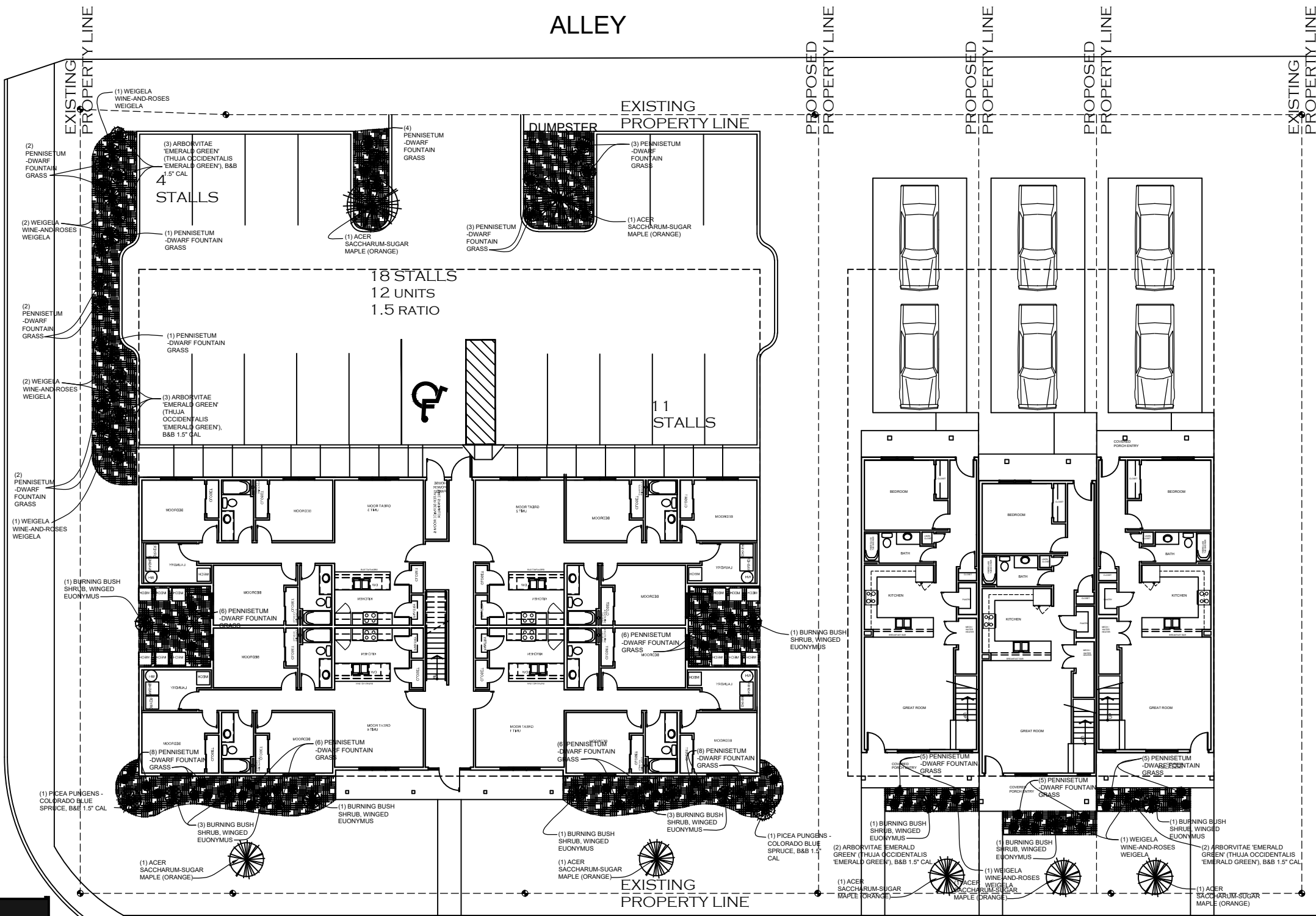
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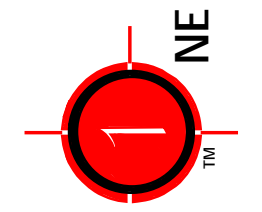
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NORTH 27TH STREET

ALLEY



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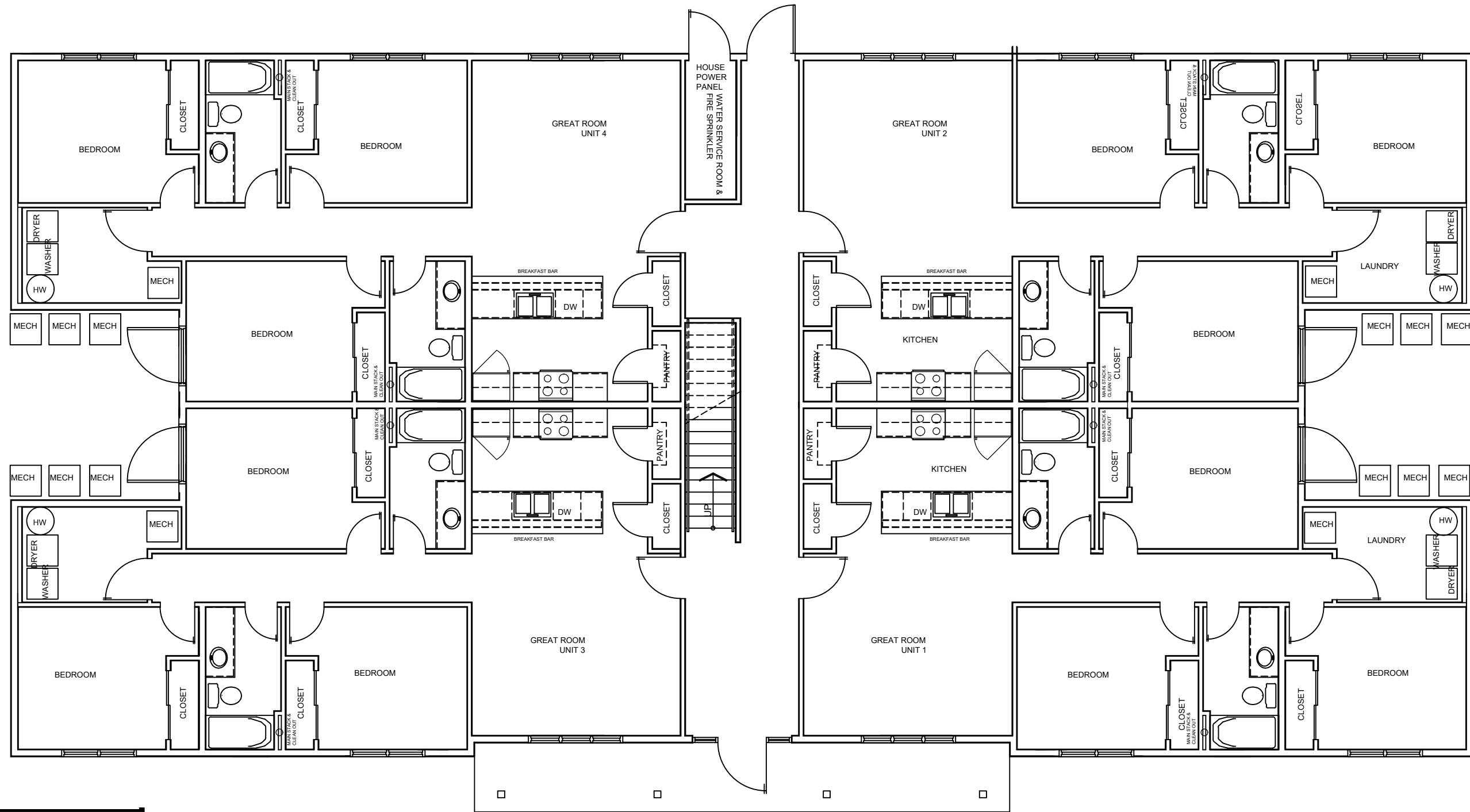
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 'LOT 3' 2,668 SF & 'LOT 4' 4,660 SF

STARR STREET

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

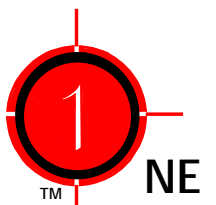
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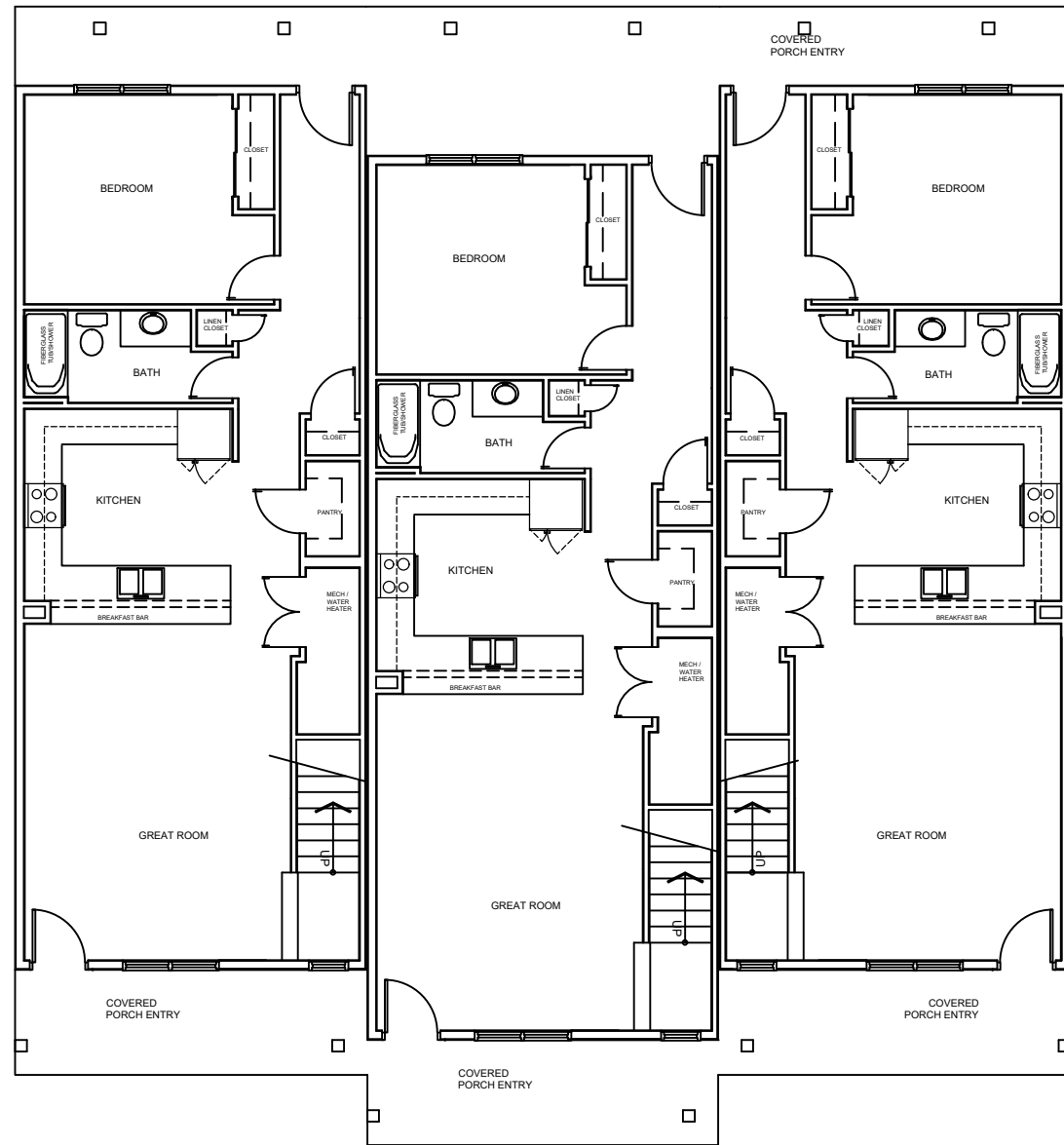


TYPICAL FLOOR PLAN
SCALE: 1/8" = 1'-0"

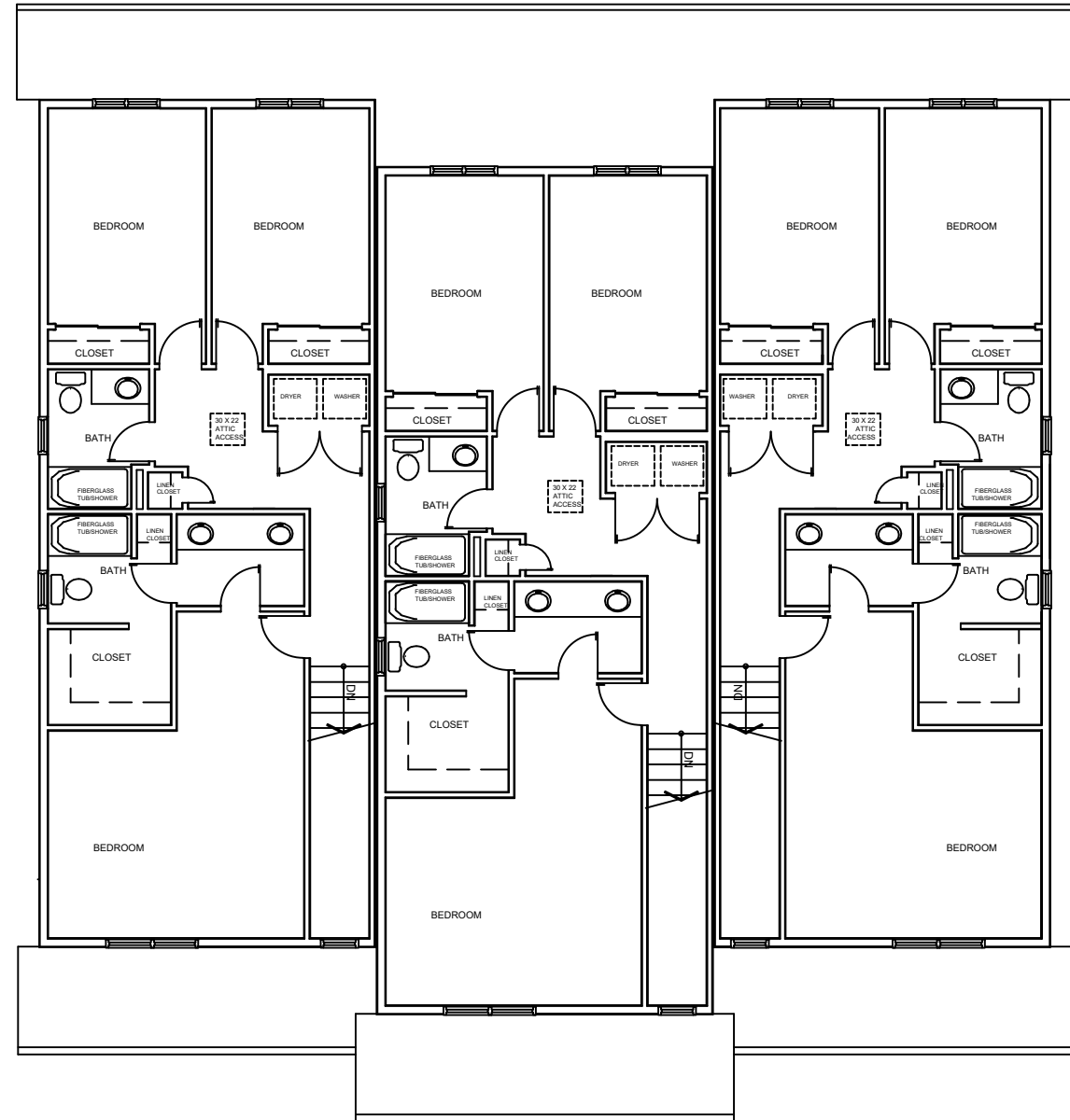
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MAIN LEVEL FLOOR PLAN
SCALE: 3/32" = 1'-0"



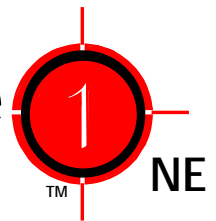
UPPER LEVEL FLOOR PLAN
SCALE: 3/32" = 1'-0"

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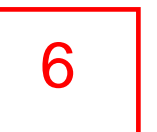
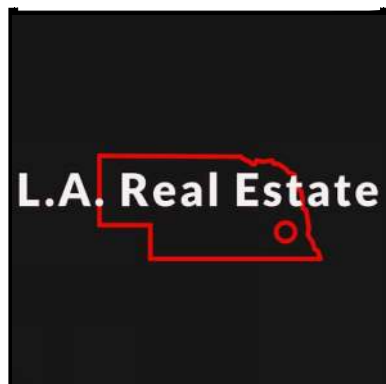
Kevin C. Riley
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12 PLEX SOUTH ELEVATION

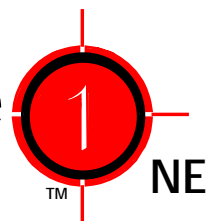
Exterior finish information

1. All roofing material to be Pabco Roofing Products "Antique Black".
2. Stone to be Edwards stone Cottonwood Dimensional
3. All doors & windows to be black, fascia, gutters & downspouts to all be black.
4. All trim to match the color of the area it is adjacent to.
5. All board & batten siding to be Night Gray Hardie Plank cement board.
6. All lap siding to be Pearl Gray Hardie Plank cement board.
7. All panel siding to be Gray Slate Hardie Plank cement siding.



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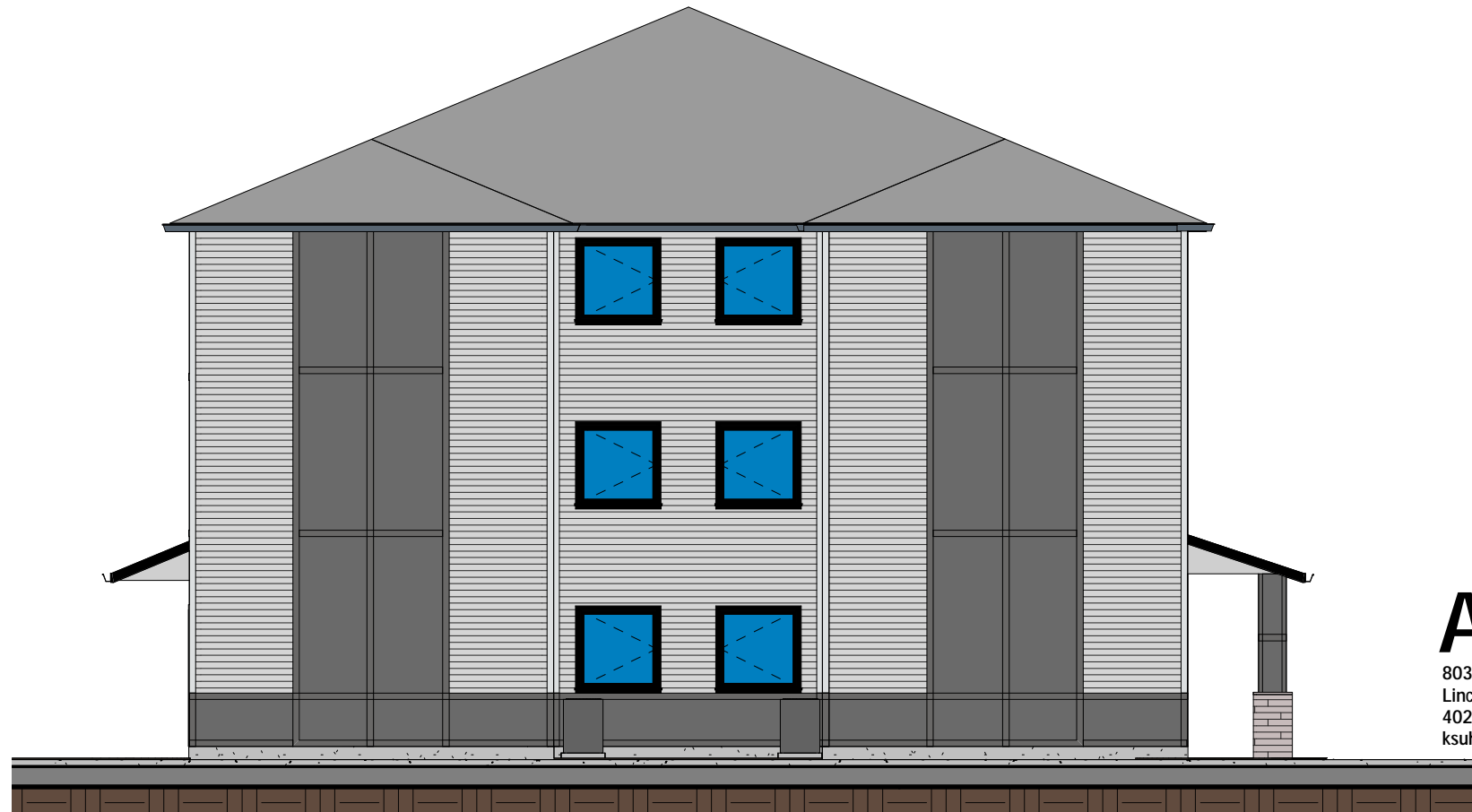


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12 PLEX NORTH ELEVATION



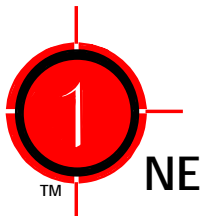
12 PLEX WEST ELEVATION



7

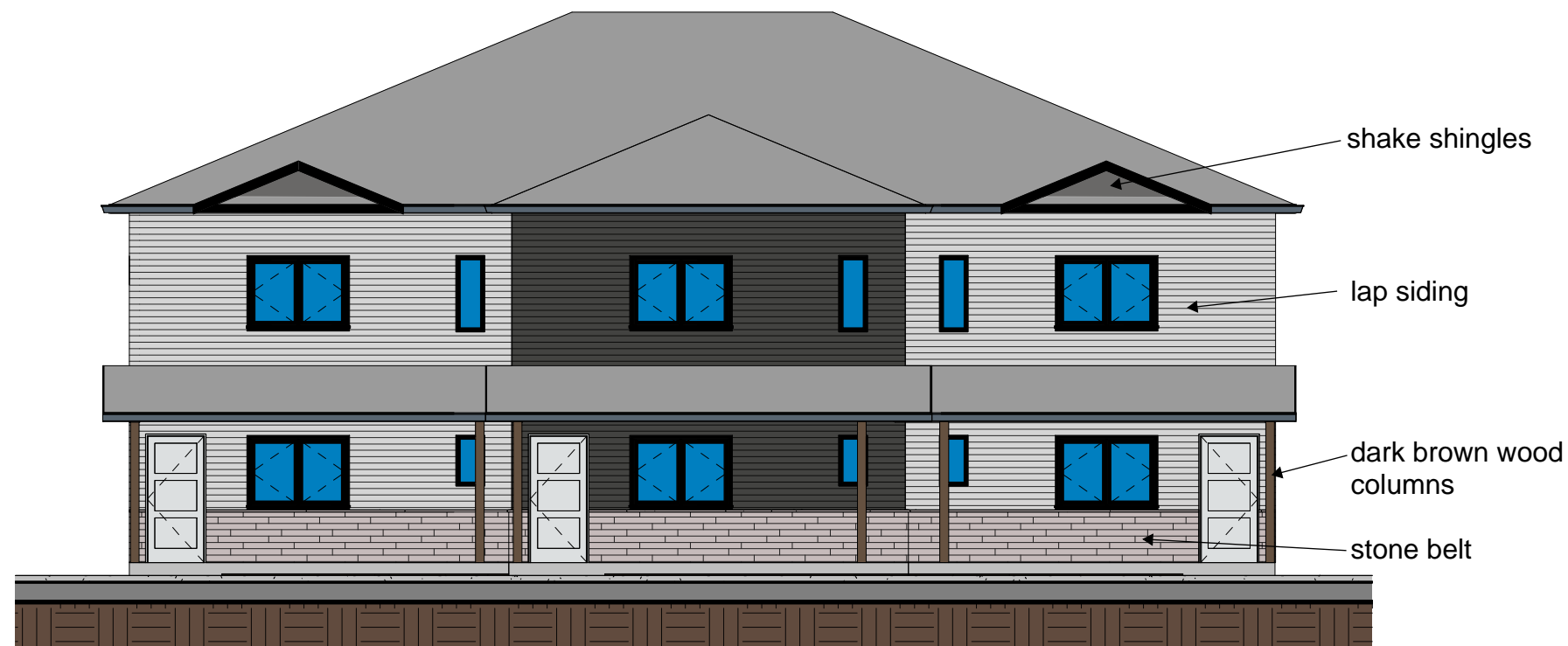
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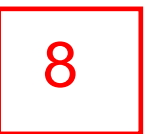
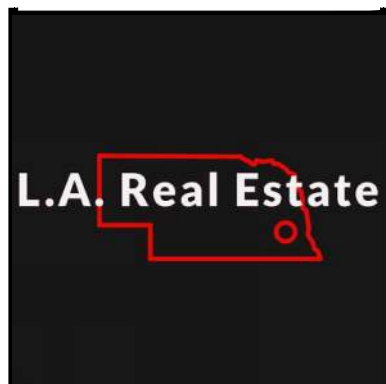




TRI-PLEX SOUTH ELEVATION

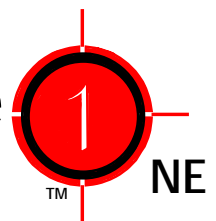
Exterior finish information

1. All roofing material to be Pabco Roofing Products "Antique Black".
2. Stone to be Edwards stone Cottonwood Dimensional
3. All doors & windows to be black, fascia, gutters & downspouts to all be black.
4. All trim to match the color of the area it is adjacent to.
5. Middle unit to be Night Gray Hardie lap cement board siding.
6. East & west units to be Pearl Gray Hardie lap cement board siding.
8. Dormers to be on the east & west units to be Pearl Gray Hardie shingle cement board siding.



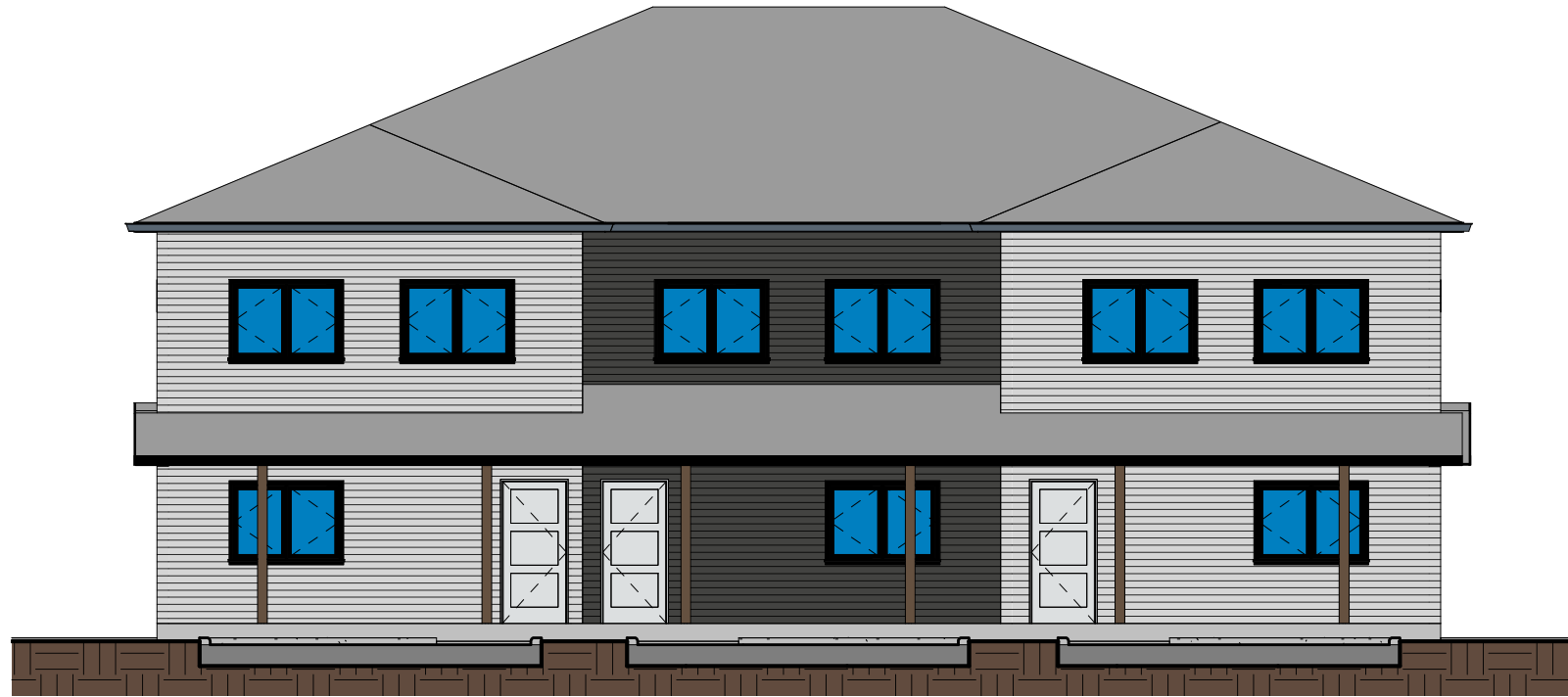
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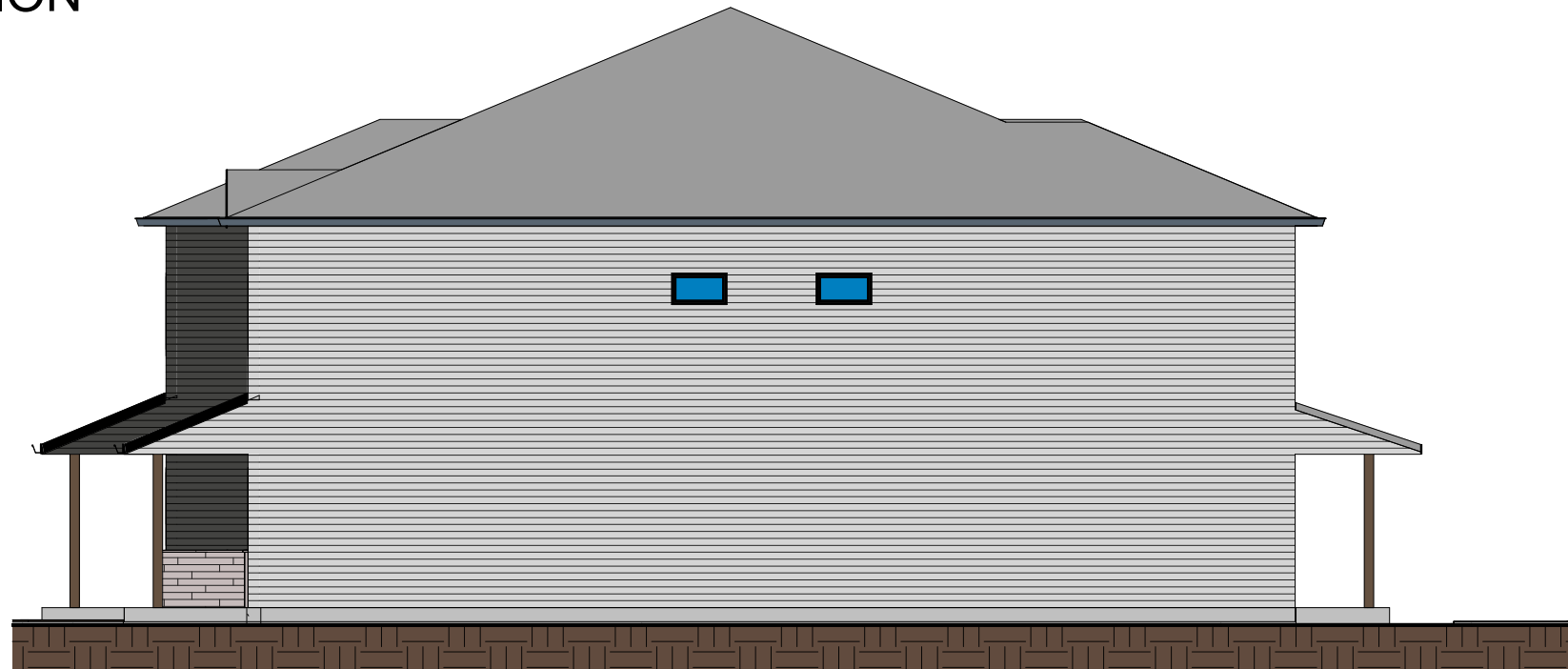


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TRI-PLEX NORTH ELEVATION

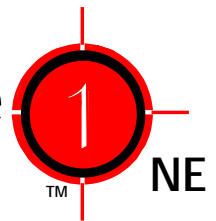


TRI-PLEX EAST ELEVATION



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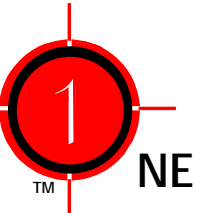




LOOKING TO THE NORTHEAST FROM 27TH & STARR



10

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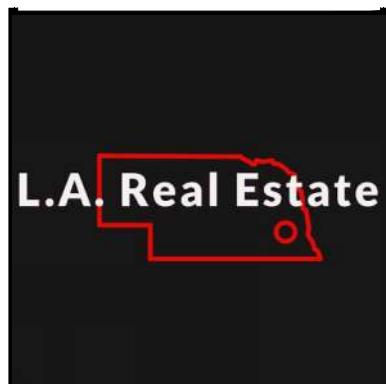
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Kevin C. Riley
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Riley
designs

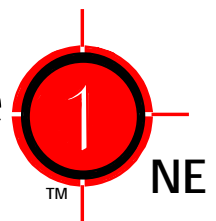


LOOKING TO THE NORTHWEST FROM STARR STREET AT THE 12 PLEX



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LOOKING TO THE SOUTHEAST FROM 27TH STREET AT BOTH BUILDINGS



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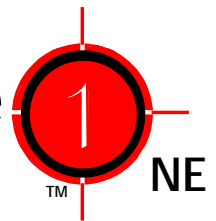


LOOKING TO THE SOUTHWEST FROM THE ALLEY AT BOTH BUILDINGS



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Riley

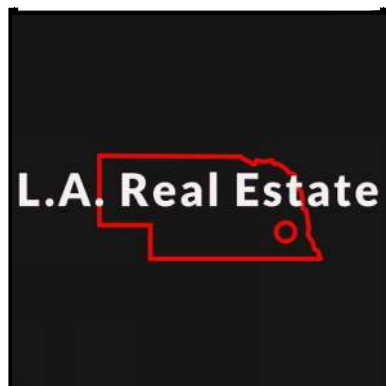
Signs

Kevin C. Riley
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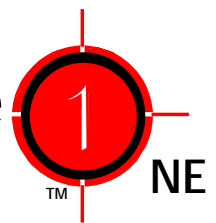
LOOKING TO THE NORTHEAST FROM STARR STREET AT THE TRI-PLEX

14



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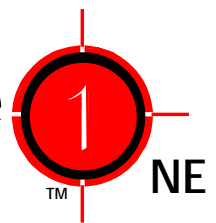


LOOKING TO THE NORTHWEST FROM STARR STREET AT BOTH BUILDINGS



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