

Lincoln City - Lancaster County

PLANNING COMMISSION

AGENDA

PLANNING COMMISSION

Cindy Ryman Yost: Chair

Cristy Joy: Vice Chair

Lorenzo Ball

Dick Campbell

Maribel Cruz

Brett Ebert

Gloria Eddins

Bailey Feit

Richard Rodenburg

PLANNING STAFF

David R. Cary: Director

Shelli Reid: Administrative Officer

Jennifer McDonald: Administrative Aide

September 4, 2024

NOTICE: The Lincoln/Lancaster County Planning Commission will hold a public hearing on Wednesday, September 4, 2024, at 1:00 p.m. in the City Council Chambers 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, September 4, 2024

Approval of minutes of the regular meeting held [August 21, 2024](#).

1. CONSENT AGENDA (Public Hearing and Administrative Action)

ANNEXATION:

- Page 6*
- 1.1 ANNEXATION 24008, to annex the property at 5500 Cavvy Road and the adjacent Cavvy Road right-of-way, on property generally located at 5500 Cavvy Road.
Staff recommendation: Approval
Staff Planner: Andrew Thierolf, 402-441-6371, athierolf@llincoln.ne.gov

SPECIAL PERMIT:

- Page 12*
- 1.2 SPECIAL PERMIT 24026, to allow a portion of the existing building to be used for an early childcare facility with up to 35 children and a waiver to the screening requirements of the outdoor play area on property generally located at 6300 A Street. The Planning Commission action is final, unless appealed to the Lincoln City Council. ****FINAL ACTION****
Staff recommendation: Conditional Approval
Staff Planner: Steve Dush, 402-441-5662, sdush@llincoln.ne.gov

2. REQUESTS FOR DEFERRAL

COMPREHENSIVE PLAN AMENDMENT AND RELATED ITEMS:

2.1a COMPREHENSIVE PLAN AMENDMENT 24004, to amend the Lincoln-Lancaster County 2050 Comprehensive Plan to change the future land use designation from Urban-density Residential to Commercial, on property generally located on the northwest corner of S 70th Street and Nebraska Parkway.

Staff recommendation: Denial

Staff Planner: Stephen Henrichsen, 402-441-6374,

shenrichsen@llincoln.ne.gov

2.1b CHANGE OF ZONE 24003, from AGR (Agricultural Residential District) to O-3 (Office District) on property generally located on the northwest corner of S 70th Street and Nebraska Parkway.

Staff recommendation: Denial

Staff Planner: Stephen Henrichsen, 402-441-6374,

shenrichsen@llincoln.ne.gov

2.1c USE PERMIT 24003, to allow a use permit in the O-3 (Office District) zoning district for approximately 51,000 square feet of commercial floor area, with waivers to setbacks, on property generally located on the northwest corner of S 70th Street and Nebraska Parkway.

Staff recommendation: Denial

Staff Planner: Stephen Henrichsen, 402-441-6374,

shenrichsen@llincoln.ne.gov

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

4. PUBLIC HEARING AND ADMINISTRATIVE ACTION

SPECIAL PERMIT:

4.1 SPECIAL PERMIT 24027, to allow the operation of a mobile rock crusher on site during the demolition of structures, on property generally located on 3001 Cornhusker Highway. The Planning Commission action is final, unless appealed to the Lincoln City Council. ****FINAL ACTION****

Staff recommendation: Conditional Approval

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

5. CONTINUED PUBLIC HEARING AND ADMINISTRATIVE ACTION

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

Adjournment

PENDING LIST: No items

Planning Department Staff Contacts:

David Cary, <i>Director</i> dcary@lincoln.ne.gov	402-441-6364
Stephen Henrichsen, <i>Development Review Manager</i> shenrichsen@lincoln.ne.gov	402-441-6374
Paul Barnes, <i>Long Range Planning Manager</i> pbarnes@lincoln.ne.gov	402-441-6372
Benjamin Callahan, <i>Planner</i> bcallahan@lincoln.ne.gov	402-441-6360
Collin Christopher, <i>Planner</i> cchristopher@lincoln.ne.gov	402-441-6370
Rachel Christopher, <i>Transportation Planner</i> rchristopher@lincoln.ne.gov	402-441-7603
Steve Dush, <i>Planner</i> sdush@lincoln.ne.gov	402-441-5662
Arvind Gopalakrishnan, <i>Planner</i> agopalakrishnan@lincoln.ne.gov	402-441-6361
Emma Martin, <i>Planner</i> emartin@lincoln.ne.gov	402-441-6369
Andrew Thierolf, <i>Planner</i> athierolf@lincoln.ne.gov	402-441-6371
George Wesselhoft, <i>County Planner</i> gwesselhoft@lincoln.ne.gov	402-441-6366

**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>**

**The Planning Commission agenda may be accessed on the Internet at
<https://app.lincoln.ne.gov/city/plan/boards/pc/pc.htm>**

MEETING RECORD

Advanced public notice of the Planning Commission meeting was posted on the County-City bulletin board and the Planning Department's website. In addition, a public notice was emailed to the Lincoln Journal Star for publication on Tuesday, August 13, 2024.

NAME OF GROUP: PLANNING COMMISSION

DATE, TIME AND PLACE OF MEETING: Wednesday, August 21, 2024, 1:00 p.m., Hearing Room 112, on the first floor of the County-City Building, 555 S. 10th Street, Lincoln, Nebraska.

MEMBERS AND OTHERS IN ATTENDANCE: Dick Campbell, Maribel Cruz, Brett Ebert, Gloria Eddins, Bailey Feit, Cristy Joy and Cindy Ryman Yost; Lorenzo Ball and Rich Rodenburg absent. Steve Henrichsen, Shelli Reid, Jennifer McDonald, Andrew Thierolf and George Wesselhoft with the Planning Department; media and other interested citizens were present.

STATED PURPOSE OF MEETING: Regular Planning Commission Hearing

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

Note: This is **Final Action** on the following item **Special Permit 24025** unless appealed by filing a Notice of Appeal with the **City Council** or the **County Board within 14 days**.

Ryman Yost requested a motion approving the minutes for the regular meeting held August 7, 2024.

Motion for approval of the minutes made by Campbell, seconded Joy.

Minutes approved 6-0: Campbell, Cruz, Eddins, Feit, Joy, and Ryman Yost voting "yes"; Ebert abstained; Ball and Rodenburg absent.

CONSENT AGENDA
PUBLIC HEARING & ADMINISTRATIVE ACTION
BEFORE PLANNING COMMISSION:

August 21, 2024

Members present: Campbell, Cruz, Ebert, Eddins, Feit, Joy, and Ryman Yost. Ball and Rodenburg absent.

The Consent Agenda consisted of the following item: Comprehensive Plan Conformance 24016 and Special Permit 24025.

There were no ex-parte communications disclosed.

There were no ex-parte communications disclosed relating to site visit.

Campbell made a motion for approval of the Consent Agenda; seconded by Joy.

Motion carried 7-0: Campbell, Cruz, Ebert, Eddins, Feit, Joy, and Ryman Yost voting "yes"; Ball and Rodenburg absent.

Campbell moved to adjourn the Planning Commission meeting of August 21, 2024; seconded by Joy.

Motion to adjourn 7-0; Campbell, Cruz, Ebert, Eddins, Feit, Joy, and Ryman Yost voting "yes"; Ball and Rodenburg absent.

There being no further business the meeting was adjourned at 1:04 p.m.



LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT

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

APPLICATION NUMBER
Annexation 24008
5500 Cavy Road

FINAL ACTION?
No

OWNER
City of Lincoln

PLANNING COMMISSION HEARING DATE
September 4, 2024

RELATED APPLICATIONS
None

PROPERTY ADDRESS/LOCATION
S 56th St & Cavy Rd

RECOMMENDATION: APPROVAL

BRIEF SUMMARY OF REQUEST

This is a request to annex approximately 4.6 acres near S 56th Street and Cavy Road. The site is a residential acreage and the property owner is requesting city utilities. Per the City's annexation policy, properties receiving city utilities should be within the Lincoln city limits. The request, if approved, would also annex the adjacent Cavy Road right-of-way.



JUSTIFICATION FOR RECOMMENDATION

This area can be served by city utilities and is contiguous to Lincoln city limits.

APPLICATION CONTACT

Ted Scott, (402) 202-2482 or
ted@medallioncustomhomes.com

STAFF CONTACT

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

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

This proposal meets the criteria of the Annexation Policy in PlanForward 2050, the Comprehensive Plan. It is located within Growth Tier I, Priority B meaning that annexation is expected in the first half of the planning period (by 2036).

COMPREHENSIVE PLAN SPECIFICATIONS:

Introduction Section: Growth Framework

Fundamentals of Growth in Lancaster County

Multi-directional contiguous growth. Lincoln's future urban growth should generally occur in multiple directions around the existing city. Lincoln will continue to have managed and contiguous growth, including strengthening our Downtown core. Lincoln's sense of community has been based on incremental, compact growth built on the foundations of established neighborhoods. Future growth will continue this traditional pattern and be linked to both the level of demand in the market and to the orderly extension of public improvements and services.

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.

New commercial and industrial development should be located in Lincoln and other incorporated communities. Lincoln has ample land area and infrastructure availability for commercial and industrial development. The situation is similar in most incorporated communities in the county. Rural areas of the county do not have access to urban infrastructure, and commercial or industrial development can add significant traffic and maintenance responsibilities to county roads.

Priority B of Tier I – 16.9 square miles

Areas designated for development in the first half of the planning period (to 2036) are generally contiguous to existing development and should be provided with basic infrastructure as they develop. Some of the infrastructure required for development may already be in place. Some infrastructure improvements may be made in the near term while others, such as road improvements that are generally more costly, may take longer to complete. In certain cases, areas in Priority B have special agreements that include some level of commitment to build future infrastructure. These areas move into Priority A upon approval of development plans.

Policies Section

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

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

Action Steps

1. Regularly evaluate for potential annexation all property along the city's edge for which basic infrastructure is generally available or planned for in the near term. The City should annex land in Tier 1 Priorities A and B that is contiguous to city limits and generally urban in character. All land that is engulfed by the City should be annexed.

2. Provide advance notice to properties that may be subject to city-initiated annexation.
3. Properties within the Tier 1 Priority A growth area should be annexed upon approval of final plat.
4. Coordinate the provision of services for areas considered for annexation with the Capital Improvement Program.

UTILITIES & SERVICES

- A. Sanitary Sewer: City sewer is available directly to the north of this property and on the east side of 56th Street.
- B. Water: City water is available on the west side of 56th Street directly adjacent to this property. A smaller tappable main may need to be extended onto Cavvy Road to accommodate the service line from this property.
- C. Roads: The adjacent right-of-way of Cavvy Road (approximately 320 feet) is included in this annexation, per Nebraska State Statute ([18-1716.01](#)).
- D. Parks and Trails: There are no current or future trails shown abutting this site.
- E. Fire Protection: The site will be served by the Lincoln Fire Department (LFR).

ANALYSIS

1. This is a proposed annexation of approximately 4.6 acres near at 5500 Cavvy Road. The property is a residential acreage. The home was destroyed by a fire in May 2024. As part of reconstructing the house the property owner has requested city sewer and water.
2. Per the City's Annexation Policy (Policy 80):

The City of Lincoln requires that properties receiving municipal services be located within city limits. City annexation should occur before any property is provided with water, sanitary sewer, or other potential City services.
3. This property is contiguous to Lincoln city limits on the north and east and is appropriate for annexation.
4. This property is part of a larger acreage subdivision that is currently outside city limits but nearly surrounded by the City. Per the City's annexation policy regarding surrounded properties (Policy 80 of the Comprehensive Plan) it is likely that the subdivision will be annexed by the City within the next five years.
5. Maintenance of the annexed portion of Cavvy Road will be the responsibility of the City, while the County will continue to maintain the remaining streets in the subdivision. The City will take over maintenance responsibilities for all streets in the subdivision once the entire subdivision is annexed at a future date.
6. Upon annexation the area will switch from Southeast Rural Fire to Lincoln Fire & Rescue. Per Nebraska State Statute ([35-514](#)) the City is required to compensate rural fire districts that lose area as a result of annexation. This payment is based on a calculation of the assessed value of the annexed area as a proportion of the net debt of the fire district. Based on the calculation there is no payment due to Southeast Rural Fire as part of this annexation.

EXISTING LAND USE & ZONING: Acreage Residential, AGR

SURROUNDING LAND USE & ZONING

North: Open Space, Residential P Public, R-3 Residential
South: Residential AGR Residential
East: 56th Street, Residential R-3 Residential
West: Residential AGR Residential

APPROXIMATE LAND AREA: 4.6 acres

PROPOSED CITY COUNCIL DISTRICT ASSIGNMENT: District 2

LEGAL DESCRIPTION:

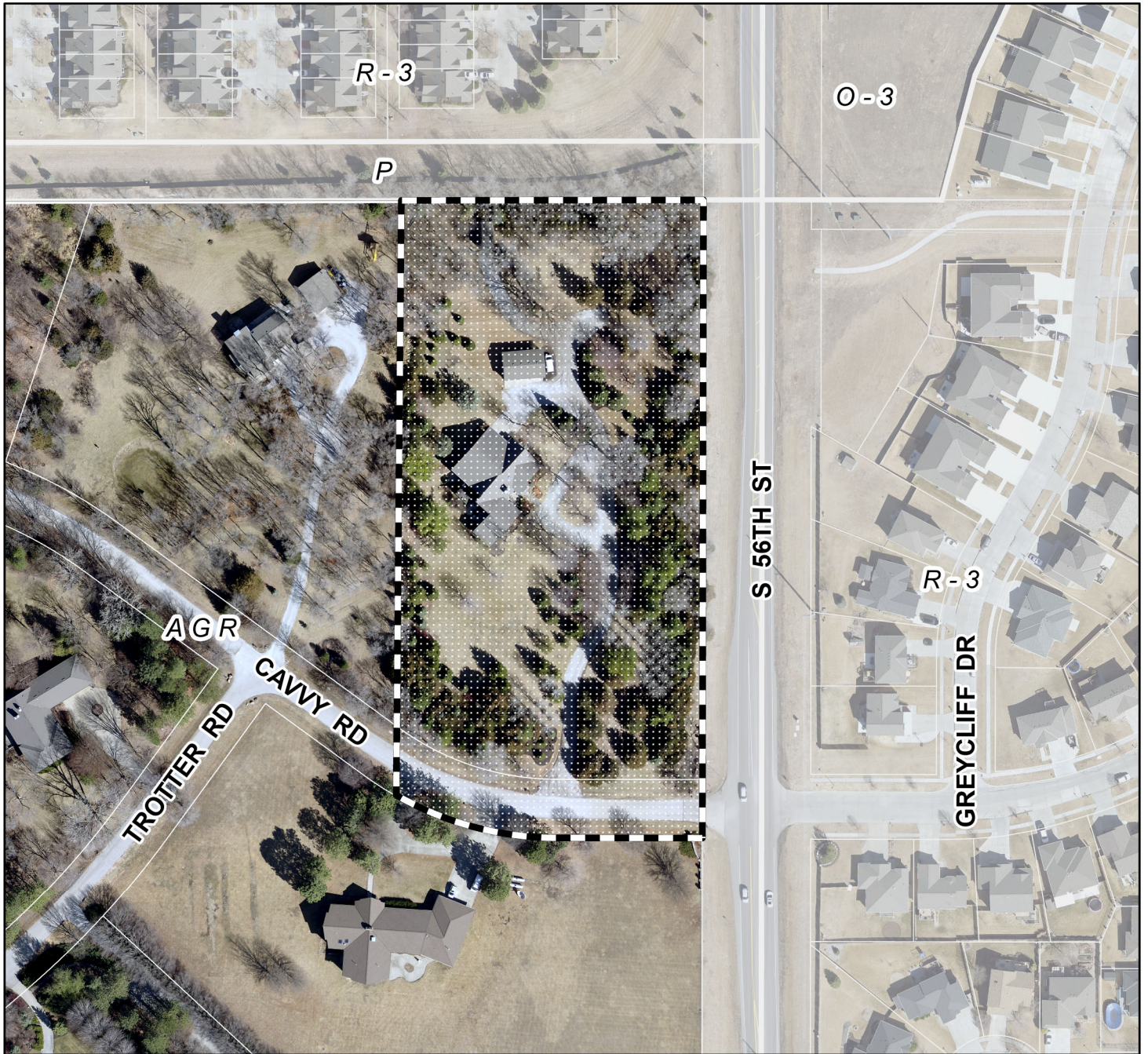
COUNTRY ACRES, BLOCK 1, LOT 1, EX E PT FOR RD (INSTR #04-33652 CONTAINING 4,753 SF INCLUDED), AND THE ADJACENT CAVVY RD RIGHT-OF-WAY, LOCATED IN THE SE 1/4 OF SECTION 20, T9N, R7E, OF THE 6TH P.M. LANCASTER COUNTY NEBRASKA

Prepared by Andrew Thierolf, AICP
(402) 441-6371 or athierolf@lincoln.ne.gov
August 22, 2024

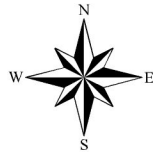
Applicant: Ted Scott, Medallion Custom Homes
 1200 Crestdale Road
 Lincoln, NE 68510

Owner: Jay C & Tawnya L Wilkinson
 5500 Cavy Road
 Lincoln, NE 68516

<https://linclanc.sharepoint.com/sites/PlanningDept-DevReview/Shared Documents/DevReview/AN/24000/AN24008 5500 Cavy Road.adt.docx>



Annexation #: AN24008
S 56th St & Cavy Rd

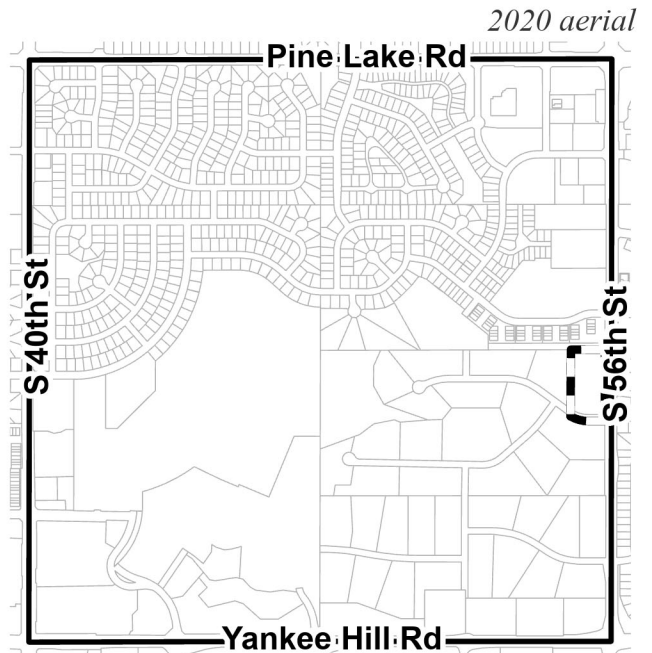


One Square Mile:
 Sec.20 T09N R07E

Zoning:

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

	Area of Application
	Zoning Jurisdiction Lines
	Existing Lincoln City Limits
10	



Medallion Custom Homes, Inc.

August 6, 2024

Andrew Thierolf
Lincoln-Lancaster County Planning Department
555 S 10th St, Ste 213
Lincoln, NE 68508

Dear Andrew:

We are seeking annexation of lot 1, block 1 Country Acres, AKA 5500 Cavvy Road so that we can obtain city services, specifically water and wastewater connections. The residential structure on the property burned down and therefore must be demolished and replaced. We know that annexation of the general area is forthcoming in the future and with city services running parallel with the property it just makes sense to have the proper infrastructure in place as we rebuild and to meet the future requirements of the city.

Sincerely,



Ted Scott, on behalf of the property owners Jay & Tawnya Wilkinson



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 #24026

FINAL ACTION?
Yes

DEVELOPER/OWNER
Unitarian Church of Lincoln

PLANNING COMMISSION HEARING DATE
September 4, 2024

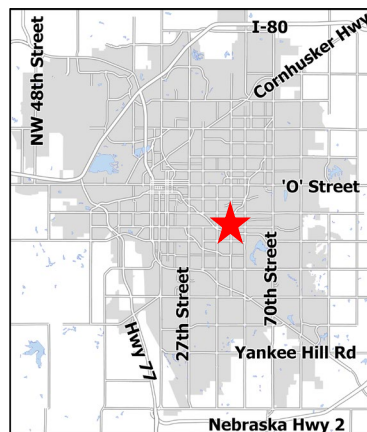
RELATED APPLICATIONS
None

PROPERTY ADDRESS/LOCATION
6300 A Street

RECOMMENDATION: CONDITIONAL APPROVAL

BRIEF SUMMARY OF REQUEST

This is a request for a Special Permit to allow an Early Childhood Care Facility with a maximum of 35 children at 6300 A Street. The property is approximately 2.62 acres in size, zoned R-1 Residential District, and is home to the Unitarian Church of Lincoln. A Special Permit is required in the R-1 district when the facility exceeds 15 children. The applicant is requesting to waive the screening standards to allow the existing playground fencing to remain.



JUSTIFICATION FOR RECOMMENDATION

This request for a Special Permit is compatible with the immediate neighborhood as the use is to be located in the existing church facility had a similar use in the past. The site is located adjacent to a minor arterial street per the City's access management classification, and provides adequate parking, circulation and stacking. The outward appearance of the building, site, and operational characteristics, inclusive of the waiver to the playground screening will not have a deleterious impact upon the immediate surroundings as the site design is compatible, functional and meets the purpose and intent of the screening standard.

APPLICATION CONTACT

Jean Helms, (402) 202-5326 or admin@unitarianlincoln.org

STAFF CONTACT

Steve Dush, (402) 441-5662 or sdush@lincoln.ne.gov

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

This Special Permit for an Early Childhood Care Facility is in conformance with the 2050 Comprehensive Plan. The Comprehensive Plan includes goals supporting childhood care facilities as a necessity within the community and effort for accessible childhood care facilities near residential neighborhoods, schools, and parks.

WAIVERS

1. Request to waive the opaque fencing requirement with the early childhood care facility design standards to allow the existing non-opaque fence and existing landscaping on site. (Recommend Approval)

KEY QUOTES FROM THE 2050 COMPREHENSIVE PLAN

Introduction Section: Growth Framework

Figure GF.b: 2050 - This site is shown as future [fill in future land use] 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.

Policies Section

P45: Early Childhood Care and Education - Evaluate methods to improve access to and quality of early childhood care and education experiences.

Action Steps

1. Locate child care centers within neighborhoods and near schools, parks, and outdoor learning environments when possible.
2. Examine building and zoning code requirements for child care centers and family child care homes to determine if there are any obstacles that could be removed while maintaining the safety of the building occupants.
3. Consider access to educational institutions, places of employment, and childcare services, when planning public transportation investments.
4. Expand the use of park facilities, public buildings, and cultural institutions for enriching early childhood experiences.
5. Support philanthropic and advocacy groups that provide all children with access to high quality early childhood care and education (i.e., Lincoln Littles).
6. Support efforts that build capacity of ECCE workforce to support stability of experiences for children and families (i.e., childcare providers, professionals that work with families).
7. Support the City's Lead Hazard Control and Healthy Homes programs to foster economic stability and access to healthy and safe housing.
8. Promote public-private partnerships to increase resources for low-income families to access high-quality early learning programs to promote kindergarten readiness.
9. Support Lincoln Public Schools' efforts to provide early childhood programs in all elementary schools.
10. Support an increase in access to prenatal care and targeted home visitation services for new parents, including fathers.
11. Support continued collaboration with providers of healthcare and social services, and partner with organizations to support healthy development of babies and toddlers.
12. Consider ways to leverage seniors in assisting to create intergenerational connections (i.e., NeighborLNK, grand-friends).
13. Expand community partnerships between Lincoln Public Schools, the University of Nebraska, and other social service agencies to provide additional funding and services (such as EduCare Lincoln).
14. Educate childcare providers on climate-related health issues for young children, including climate related health emergencies, heat events, air pollution events, floods, and evacuation plans.

ANALYSIS

1. This is a request for a Special Permit to allow an Early Childhood Care Facility with a maximum of 35 children at 6300 A Street. Section 27.63.070 provides that early childhood care facilities with sixteen or more children may be allowed upon approval of a special permit. The property is currently zoned R-1 Residential, and generally located at the northeast corner of A street and Eldon Drive. The applicant is proposing to use approximately 2,000 feet of the existing 14,652 square foot building on site and utilize the existing approximately 1,600 square foot outdoor playground that is immediately east of the classrooms to be used. The surrounding uses are all zoned R-1 with Pius X High School to the west and residential to the north, south, and east. The site is accessible from A street and Eldon Drive.

2. The applicant is proposing no more than 35 children at this location with no more than 5 employees, with regular operating hours of 7:00 AM to 9:00 PM, Monday through Friday. The site currently has a 1,600 square foot playground surrounded by a 4-foot-high fence on the west side of the building that will continue to be utilized for this facility. The applicant is not proposing any additions or exterior alterations to the building or playground. Existing parking on site will be sufficient with a total of 54 parking spaces.

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

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

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

The organization is requesting a maximum occupancy of 35 children with a total of 5 staff.

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

The applicant did provide a site plan showing the existing building entrance to the facility, parking layout, and playground location. The facility will continue to use the existing site and parking layout. Loading and unloading of children will occur within the parking lot, which contains more than adequate stalls, as well as drive lanes and circulation within the existing parking lot to ensure no vehicular impacts upon the adjacent streets. .

3. If the proposed facility is for twenty-one or more children and is located in a residential district, the application must also include a conversion plan which complies with the design standards for early childhood care facilities.

This location is located within a residential district, yet the structure is not a home, it is a church and as such a conversion plan is not necessary.

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

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

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

The facility may be accessed from A street , which is a minor arterial street, and Eldon Drive, which also receives traffic from the Pius X High School.

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

The site has an existing play area that is fenced on the west side of the property. A waiver was requested with the application to allow for the existing playground site to continue with a 4 non-opaque wrought iron type fence and current landscaping on site. This waiver is acceptable as the playground is existing and its location and integration into the site is appropriate and functional. Additionally, the area was previously used for a private school.

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

The required parking at this location is sufficient on the existing site with 54 parking stalls. The required parking for an early childhood care facility in a residential district is one space/employee on the largest shift, plus off-street loading/unloading area for one automobile per ten care receivers. This would require 9 stalls.

The proposed Special Permit is in conformance with the Comprehensive Plan and continued nonresidential use at this

location. The proposed early childhood care use will also be within close proximity to an existing High School (Pius X) to the west and separations to the existing residential should be fully adequate to mitigate any unnecessary potential impacts.

CONDITIONS OF APPROVAL: See attached.

EXISTING LAND USE & ZONING: Church R-1 Residential

SURROUNDING LAND USE & ZONING

North: Residential	R-1 Residential
South: Residential	R-1 Residential
East: Residential	R-1 Residential
West: High School (Pius X)	R-1 Residential

APPLICATION HISTORY

There have not been any discretionary zoning applications on this property.

APPROXIMATE LAND AREA: 2.62 acres

PROPOSED CITY COUNCIL DISTRICT ASSIGNMENT: District 2

LEGAL DESCRIPTION: S28, T10, R7, 6th Principal Meridian, IRREG TR LT 42 SW

Prepared by Steve Dush, AICP
(402) 441- 5662 or sdush@lincoln.ne.gov

Date: August 26, 2024

Applicant/
Contact/
Owner Unitarian Church of Lincoln
Contact: Jean Helms
 6121 So. 52nd St
 Lincoln, NE 68516
 admin@unitarianlincoln.org

<https://linclanc.sharepoint.com/sites/PlanningDept-DevReview/Shared Documents/DevReview/SP/24000/SP24026 - Teach Peace - Early Childhood Care Staff Report.docx>

CONDITIONS OF APPROVAL - SPECIAL PERMIT #24026

Per Section 27.63.070 this approval permits an Early Childhood Care Facility for up to 35 children with the associated waiver:

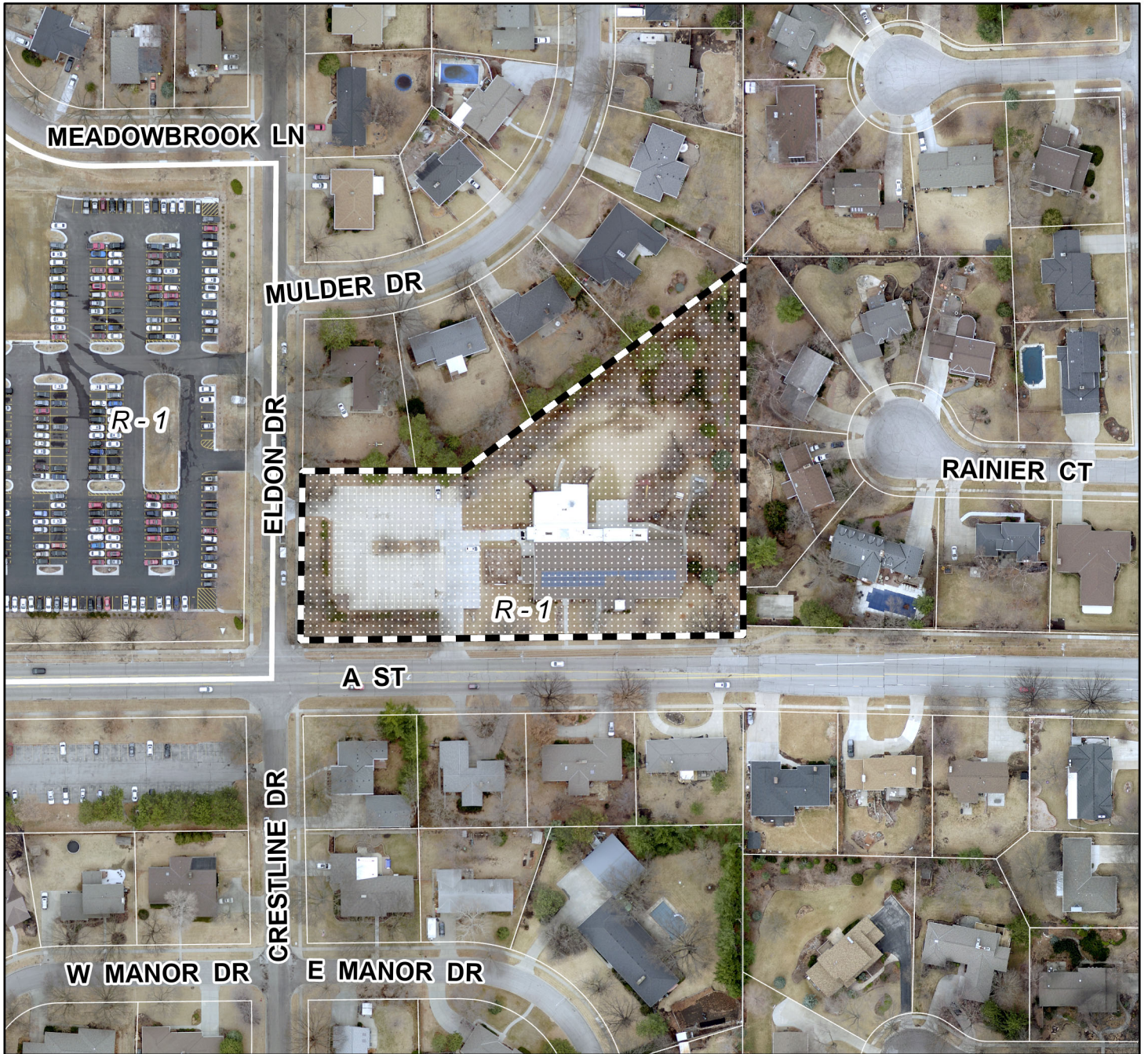
- a. Waiver from the early childhood care design standards to allow the existing non-opaque fence and existing landscaping around the playground area.

Site Specific Conditions:

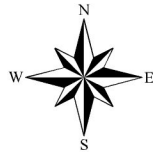
1. Before receiving building permits the permittee shall cause to be prepared and submitted to the Planning Department a revised and reproducible final plot plan including 2 copies with all required revisions and documents as listed below:
 - 1.1 List the waiver being requested on the site plan.

Standard Conditions:

2. The following conditions are applicable to all requests:
 - 2.1 Before occupying the building or starting the operation all development and construction shall substantially comply with the approved plans.
 - 2.2 The physical location of all setbacks and yards, buildings, parking and circulation elements, and similar matters be in substantial compliance with the location of said items as shown on the approved site plan.
 - 2.3 The terms, conditions, and requirements of this resolution shall run with the land and be binding upon the Permittee, its successors and assigns.
 - 2.4 The applicant shall sign and return the letter of acceptance to the 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.



Special Permit #: SP24026
Eldon Dr & A St

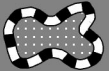




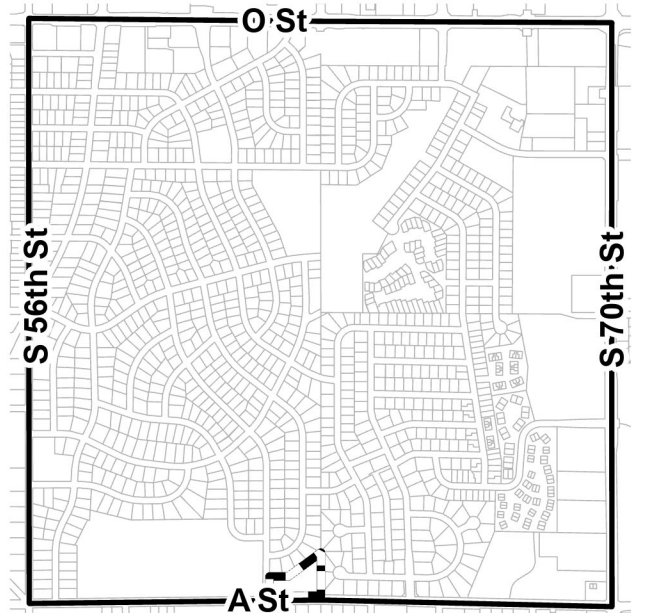
2020 aerial

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.28 T10N R07E

	Area of Application
	Zoning Jurisdiction Lines
	Lancaster County Jurisdiction
17	



MATERIALS LIST

DESIGN PLASTIC LAMINATE (PL)

- PL-1 WILSONART
COLOR: TBO (WOOD GRAIN)
FINISH: MATTE
LOCATION: COUNTERTOP & POSTION BACKSPLASH/SIDESPLASH IN OFFICE/WHM
- PL-2 FORMICA
COLOR: BELUGA BEIGE
FINISH: MATTE
LOCATION: COUNTERTOP & POSTION BACKSPLASH/SIDESPLASH IN OFFICE/WHM

DESIGN SOLID POLYMER FABRICATION (SP)

- SP-1 X
COLOR: GRAY
EDGE: SQUARE BEAD
LOCATION: WINDOW SILLS
- SP-2 FORMICA
COLOR: BELUGA BEIGE
FINISH: MATTE
LOCATION: COUNTER & SPLASHES & COFFEE BAR & OFFICE PASS THROUGH WINDOW

DESIGN CERAMIC TILE (PARCEL) (CT/CTA)

- CT-1 CAESAR
TYPE: SMART COLLECTION
SIZE: 12" X 24"
COLOR: SMART GREY
FINISH: MATTE
GROUND: TBO - COLOR TO MATCH TILE
THICKNESS: 3/8"
- CT-2 CAESAR
TYPE: SMART COLLECTION
SIZE: 12" X 24"
COLOR: SMART GREY
FINISH: MATTE
GROUND: TBO - COLOR TO MATCH TILE
THICKNESS: 3/8"
- CT-3 CAESAR
TYPE: SMART COLLECTION
SIZE: 12" X 24"
COLOR: SMART GREY
FINISH: MATTE
GROUND: TBO - COLOR TO MATCH TILE
THICKNESS: 3/8"
- CT-4 CAESAR
TYPE: SMART COLLECTION
SIZE: 12" X 24"
COLOR: SMART GREY
FINISH: MATTE
GROUND: TBO - COLOR TO MATCH TILE
THICKNESS: 3/8"
- CT-5 CAESAR
TYPE: SMART COLLECTION
SIZE: 12" X 24"
COLOR: SMART GREY
FINISH: MATTE
GROUND: TBO - COLOR TO MATCH TILE
THICKNESS: 3/8"

DESIGN STONE (SLAB)

- SLAB-1 DMLITE
TYPE: NATURAL STONE - LIMESTONE COLLECTION
SIZE: SLAB SIZES
COLOR: MARNOVA
FINISH: HONEY & SEALED
GROUND: GRYT
THICKNESS: 3/4"
LOCATION: FRENCH FINISH - SIZES TO BE SENT PER ADD #1

DESIGN TILE ACCESSORIES (PTA/PTB)

- PTA-1 SCHULTER
TYPE: RENOV
COLOR: BVI (BRUSHED STAINLESS STEEL)
SIZE: VARIES (FIELD VERIFY PROFILE HEIGHT REQUIRED)
LOCATION: FRENCH FINISH (PTA/PTB)
LOCATION: SEE DRAWINGS
- PTB-1 SCHULTER
TYPE: QUAD-C
COLOR: AE (ANODIZED ALUMINUM)
SIZE: MIN. LONGEST LENGTH AVAILABLE
LOCATION: ALL WALL TRANSITIONS FROM TILE AND ALL EXTERNAL TILE CORNERS, SEE DRAWINGS
ACCESSORIES: POLYURETHANE CORNERS, CONNECTORS, AND END CAPS

DESIGN CERAMIC TILE (PARCEL) (CT/CTA)

- CTA-1 L&L
TYPE: MARE CLAMPLUS HIGH NTC
SIZE: 12" X 24"
COLOR: WHITE
FINISH: MATTE
GROUND: GALVANIZED STEEL
- CTA-2 ECOPHON
TYPE: POLIC DO
SIZE: 48" X 48" X 1"
COLOR: WHITE
GROUND: GALVANIZED STEEL - 15/16"
- CTA-3 ARCHITECTURAL SURFACES INC.
TYPE: LINWOOD II WITH ACOUSTIC FILLER STRIPS
SIZE: 12" X 24" X 3/8"
COLOR: H&K - FACTORY STAINED
ACCESSORIES: 6" PERIMETER TRIM
GROUND: GALVANIZED STEEL - 15/16"
COLOR: BLACK

DESIGN RESILIENT FLOORING (RF & RT)

- RF-1 JOHNSTONE
STYLE: FLOUDA
COLOR: TBO
SIZE: ROLL GOODS - 6'-6" WIDE
ACCESSORIES: WELD WELD TO MATCH
COLD WELD ALL SEAMS
- RT-1 JOHNSTONE
STYLE: STAR TREK (20)
FINISH: HARMERD
COLOR: ROOFTOP - DNT

DESIGN RESILIENT ACCESSORIES (PTA & PTB)

- PTA-1 JOHNSTONE
STYLE: STAR TREK (20)
FINISH: HARMERD
COLOR: ROOFTOP - DNT
- PTB-1 JOHNSTONE
STYLE: STAR TREK (20)
FINISH: HARMERD
COLOR: ROOFTOP - DNT

DESIGN PAINT (P)

- P-1 SHERWIN WILLIAMS
COLOR: TBO
FINISH: EGGSHELL
LOCATION: CEILING COLOR TYP
- P-2 SHERWIN WILLIAMS
COLOR: LIGHT-TONE
FINISH: EGGSHELL
LOCATION: SEE DRAWINGS AND RFS - WALL PAINT
- P-3 SHERWIN WILLIAMS
COLOR: MID-TONE
FINISH: EGGSHELL
LOCATION: SEE DRAWINGS AND RFS - WALL PAINT
- P-4 SHERWIN WILLIAMS
COLOR: MID-TONE
FINISH: EGGSHELL
LOCATION: SEE DRAWINGS AND RFS - WALL PAINT
- P-5 SHERWIN WILLIAMS
COLOR: MID-TONE
FINISH: EGGSHELL
LOCATION: SEE DRAWINGS AND RFS - WALL PAINT
- P-6-17 SHERWIN WILLIAMS
COLOR: MID-TONE
FINISH: EGGSHELL
LOCATION: SEE DRAWINGS AND RFS - WALL PAINT

DESIGN CARPET (CPT)

- CPT-1 SHAW
STYLE: QUARTZ MODULAR TILE
COLOR: SHAMATE-L490
INSTALL TYPE: ASHAR
- CPT-2 SHAW
STYLE: FREQUENCY MODULAR TILE
COLOR: TBO
INSTALL TYPE: ASHAR

DESIGN WALL COVERING (WCL)

- WCL-1 SOURCE ONE
TYPE: SOURCE
COLOR: TBO
INSTALL: RIBS RUN VERTICALLY
- WCL-2 CLARICE
TYPE: CLARICE CORE (HOMOGENEOUS)
COLOR: TBO
INSTALL: TRIM WITH 1/2" FINISHED TRIM
ALSO USED FOR TACKSTRIP INSERT

ROOM #	ROOM NAME	ROOM FINISH SCHEDULE										COMMENTS	
		FLOOR FINISH	BASE FINISH	WALL MATERIAL	WALL FINISH	CEILING MATERIAL	CEILING FINISH	WALL MATERIAL	WALL FINISH	WALL MATERIAL	WALL FINISH		
001	HALL	CPT-1	WD	GWB	P-2	GWB	P-2	GWB	P-2-4	GWB	P-2	ACT	ACT-1
002	MUSIC ROOM	CPT-1	WD	GWB	P-2	GWB	P-2	GWB	P-2	GWB	P-2	ACT	ACT-2
003	MECHANICAL	SC	RB	GWB	P-1	GWB	P-1	GWB	P-1	GWB	P-1	EXP	P-1
004	STORAGE	SC	RB	GWB	P-1	GWB	P-1	GWB	P-1	GWB	P-1	EXP	P-1
005	STAR	RF	WD	GWB	P-1	GWB	P-1	GWB	P-1	GWB	P-1	EXP	P-1
100	VESTIBULE	WOC	WD	GWB/GLASS	P-2	GWB/GLASS	P-2	GWB	P-4	GWB/GLASS	P-2	EXP	P-2
101	HALL	CPT-1	WD	GWB	P-2	EXIST	-	GWB	P-2/PT-2	GWB	P-2	EXPACT	P-1/ACT-1
102	CLASSROOM	CPT-1	WD	GWB	P-2	EXIST	-	GWB	P-2	GWB	P-2	ACT	ACT-1
103	OFFICE	CPT-1	WD	GWB	P-2	GWB	P-2	GWB	P-2	GWB	P-2	ACT	ACT-2
104	WOODWORK	CPT-1	WD	GWB	P-2	GWB	P-2	GWB	P-2	GWB	P-2	ACT	ACT-2
105	MINISTER	CPT-1	WD	GWB	P-2	GWB	P-2	GWB	P-2	GWB	P-2	ACT	ACT-2
106	HALL	CPT-1	WD	GWB	P-2	GWB	P-2	GWB	P-2	GWB	P-2	EXPACT	P-1/ACT-1
106A	STAR	CPT-1/PT	WD	GWB	P-4	GWB	P-2	GWB	P-2-4	GWB	P-2	EXPACT	P-1/ACT-1
106B	STAR	SC	RB	GWB	P-1	GWB	P-1	GWB	P-1	GWB	P-1	EXP	P-1
107	NEWS'RR	CT-1	CT	CHB/GWB	CT-2/EP-2	CHB/GWB	CT-2/EP-2	CHB/GWB	CT-2/EP-2	CHB/GWB	CT-2/EP-2	EXP	P-2
108	WIPERS'RR	CT-1	CT	CHB/GWB	CT-2/EP-2	CHB/GWB	CT-2/EP-2	CHB/GWB	CT-2/EP-2	CHB/GWB	CT-2/EP-2	EXP	P-2
109	HALL	RF	RB	EXIST	-	GWB	P-2	GWB	P-2	GWB	P-2	ACT	ACT-2
110	HURRYRY	RF	RB	EXIST	-	GWB	P-2	GWB	P-2	GWB	P-2	ACT	ACT-2
111	HALL	CPT-1	WD	GWB	P-2	GWB	P-2	GWB	P-2	GWB	P-2	ACT	ACT-2
112	CLASSROOM	RF	RB	EXIST	-	GWB	P-2	GWB	P-2	GWB	P-2	ACT	ACT-2
113	CLASSROOM	RF	RB	EXIST	-	GWB	P-2	GWB	P-2	GWB	P-2	ACT	ACT-2
114	CLASSROOM	CPT-2/EP	RB	GWB	P-5	GWB	P-10	GWB	P-3	GWB	P-3	ACT	ACT-2
115	HALL	CT-1	CT	GWB	EP-5	CHB	EP-5	CHB/GWB	CT-1/EP-5	CHB/GWB	CT-1/EP-5	EXP	P-2
116	HALL	RF	RB	EXIST	-	GWB	P-2	EXIST	EP-5	EXIST	EP-5	EXP	P-2
117	HALL	RF	RB	EXIST	-	GWB	P-2	EXIST	EP-5	EXIST	EP-5	EXP	P-2
118	HALL	RF	RB	EXIST	-	GWB	P-2	EXIST	EP-5	EXIST	EP-5	EXP	P-2
119	CLASSROOM	RF	RB	GWB	P-5	GWB	P-5	GWB	P-5	GWB	P-5	ACT	ACT-2
120	GALLERY	CPT-1	WD	GWB	P-2	EXIST	-	GWB	P-2	GWB	P-2	ACT	ACT-2
121	MINISTER	CPT-1	WD	GWB	P-2	EXIST	-	FWOOD	WCL-1	GWB/ACT	P-3/ACT	P-3/ACT	3,2,2
122	MINISTER	RF	RB	EXIST	-	EXIST	-	EXIST	-	EXIST	-	EXP	-
123	MINISTER	RF	RB	EXIST	-	EXIST	-	EXIST	-	EXIST	-	EXP	-
124	CLASSROOM	RF	RB	GWB	P-13	GWB	P-5	GWB	P-5	EXIST	P-14	ACT	ACT-2
125	MINISTER	SC	RB	EXIST	-	EXIST	-	EXIST	-	EXIST	-	EXP	-
126	CLASSROOM	RF	RB	GWB	P-5	GWB	P-5	GWB	P-5	GWB	P-5	ACT	ACT-2
127	STORAGE	SC	RB	GWB	P-5	GWB	P-5	GWB	P-5	GWB	P-5	EXP	P-5
128	CLASSROOM	RF	RB	GWB	P-15	GWB	P-5	GWB	P-5	GWB	P-5	ACT	ACT-2
129	CLASSROOM	RF	RB	GWB	P-17	GWB	P-5	GWB	P-5	GWB	P-5	ACT	ACT-2
130	COFFEE BOOKS	CPT-1/2	WD	GWB	P-3	GWB	SLAB	EXIST/GWB	P-3	EXIST/GWB	P-3	EXPACT	P-2/ACT-2
131	STORAGE	RF	RB	EXIST	-	EXIST	-	EXIST	-	EXIST	-	EXP	-

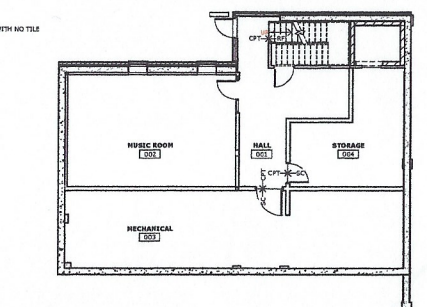
GENERAL NOTES:

- SEE DRAWINGS FOR ADDITIONAL FINISH LOCATIONS/DIRECTIONS.
- REMOVE EXISTING FINISH TO BE REPLACED WITH GYPSUM BOARD CONTINUING ABOVE. UTILIZE TILE TRANSITION AT ALL EXTERIOR CORNERS AND AT TOP OF WAINSCOT.
- SEE PLAN FOR LOCATION OF HANDBOARDS, TACKBOARDS & TACK STRIPS IN CLASSROOM. SEE TYPICAL CLASSROOM ELEVATIONS FOR MOUNTING HEIGHTS.
- SEE ELEVATIONS/PLANS FOR ADDITIONAL DETAIL AT WALL TYPE BEHIND WCL-1. FINISH WITH VERTICAL WOOD TRIM PIECE AT EITHER END.
- SEE ALTERNATES FOR SCOPE OF WORK WITHIN THE ROOM.
- SEE ELEVATIONS FOR ADDITIONAL DETAILS OF FINISH. SUB PATTERNING AT FIREPLACE TO BE SENT VIA ADD #1.

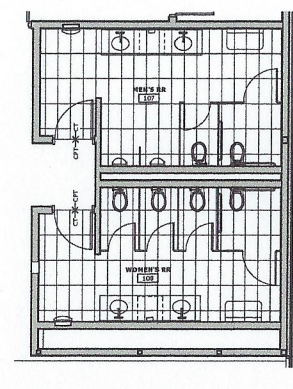
NOTATION LABELS:

- WOC = WALK OFF CARPET
- CPT = CARPET
- RF = RESILIENT FLOOR
- SC = SEALED CONCRETE
- RB = RESILIENT BASE
- WD = WOOD TRIM
- GWB = GYPSUM WALLBOARD
- CH = CHERRY BACKED BOARD
- ACT = ACQUITYON CEILING TILE
- CT = CERAMIC/PORCELAIN TILE
- STONE = LIMESTONE SLAB
- P = PAINT
- EP = EPOXY FAULT
- RF = FIBERGLASS REINFORCED POLYMER
- WCL = WALL COVERING
- FP = FIBERGLASS REINFORCED PLASTIC

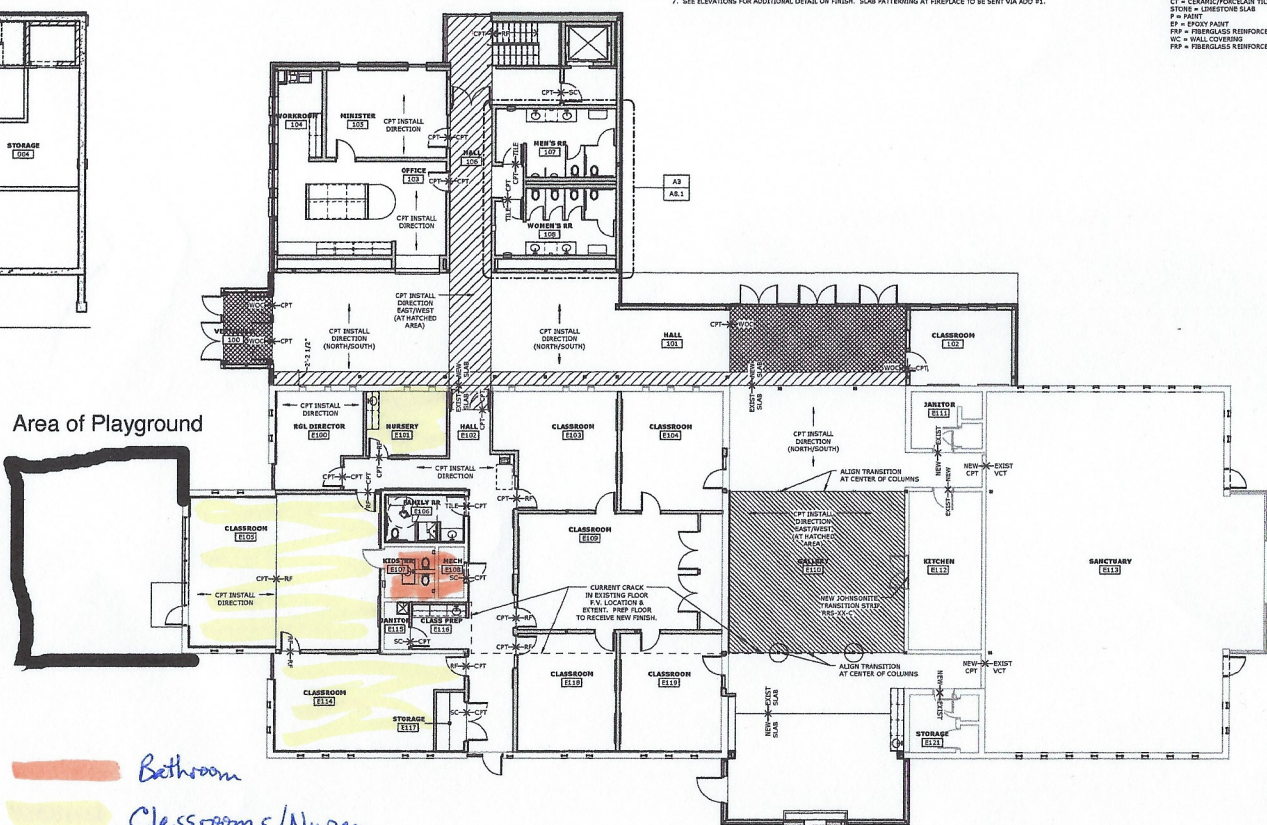
H3 LOWER LEVEL FINISH PLAN
1/8" = 1'-0"



A3 ENL FINISH PLAN - RESTROOMS
1/4" = 1'-0"



Area of Playground



Bathroom
Classrooms/Nursery

A9 FIRST FLOOR FINISH PLAN
1/8" = 1'-0"

A Street



ARCHITECT
BAR WENNER HANCOCK ARCHITECTS
4620 9TH ST SE
LINCOLN NE 68509
V 402.475.4955
F 402.475.0250
bwh.com

CONSTRUCTION MANAGER
SHERWIN WILLIAMS
1200 PARKWAY COURT
LINCOLN NE 68511
V 402.422.2300
F 402.422.4517
www.sherwinwilliams.com

MECHANICAL ENGINEER
ENGINEERING TECHNOLOGIES, INC.
825 N STREET
LINCOLN NE 68508
V 402.474.1272
F 402.400.0000
etecorp.com

STRUCTURAL ENGINEER
STRUCTURAL DESIGN GROUP
400 S Y STREET
LINCOLN NE 68508
V 402.438.7788
F 402.438.7789
sdgroup.com

CIVIL ENGINEER
FISIA ENGINEERING
1625 S 9TH ST STE 103
LINCOLN NE 68506
V 402.486.7242
F 402.484.7334
regisgroup.com

REVISIONS SCHEDULE	
DATE	DESCRIPTION

UNITARIAN CHURCH OF LINCOLN
ADDITION / RENOVATION

CONSTRUCTION DOCUMENTS



FLOOR FINISH PLANS,
ROOM FINISH SCHEDULE,
MATERIALS LIST

A8.1

UNITARIAN CHURCH OF LINCOLN

6300 A STREET
LINCOLN, NEBRASKA 68510-5097
email: admin@unitarianlincoln.org phone: 402.483.2213



We are people
of open minds,
loving hearts,
and helping hands,
who show up.

Purpose of application for special permit for Early Childcare

The Unitarian Church of Lincoln, located at 6300 A Street, is seeking a special permit in order to rent a small portion of our existing building to Teach Peace Preschool and Childcare Center. We are not building a new structure.

The Teach Peace Preschool and Childcare intends to open with 22 children and three staff however we are asking for the permit to be approved for up to 35 students and five staff to permit potential growth.

We are also asking for a waiver in having to screen the outdoor play area. The play area is over 100 feet from the lot line on the north and south, and has A Street along the south side of the building which in itself is over 100 feet away. The church parking lot is on the west side and the building is on the east side. The current fence is four feet tall. There is direct access onto the playground from interior space that will be used by the preschool. Parking meets the requirements for our largest assembly area.

Three photographs are included looking east, north and south showing the playground and fence. There is an aerial map of the building with the playground outlined (this is from the city GIS page), and an image from the architectural drawing with the playground outlined per scale and including the rooms that will be used by the childcare.

If you have any questions, please feel free to contact me

Harry Heafer
Building Committee Chair
Unitarian Church of Lincoln
hheafer@neb.rr.com
402.416.4077

REV. DR. OSCAR SINCLAIR, Senior Minister
REV. FRITZ HUDSON, Minister Emeritus
REV. KIMBERLEY DEBUS, Affiliated Community Minister
CHELSEA KRAFKA, Religious Growth Director
JEAN HELMS, Administrative Director
DR. BOB FUSON, Music Director
WENDY HESTERMANN, Administrative Associate



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 #24027

FINAL ACTION?
Yes

DEVELOPER/OWNER
CL Development, LLC

PLANNING COMMISSION HEARING DATE
September 4, 2024

RELATED APPLICATIONS
None

PROPERTY ADDRESS/LOCATION
3001 Cornhusker Highway

RECOMMENDATION: CONDITIONAL APPROVAL

BRIEF SUMMARY OF REQUEST

This is a request for a special permit for the temporary operation of a mobile rock crusher under Section 27.63.290 of the Lincoln Municipal Code (LMC) to assist in the demolition of a grain elevator located at 3001 Cornhusker Highway. The rock crusher will be used to break down the concrete from the demolished elevator before it is eventually transported off site.



JUSTIFICATION FOR RECOMMENDATION

The request, subject to the conditions of approval, meets the requirements of LMC 27.63.290. Approval of the special permit will allow for the operation of a mobile rock crusher for three years following the date of approval.

APPLICATION CONTACT

Matt Langston, (402) 474-6311 or mlangston@olsson.com

STAFF CONTACT

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

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The proposed mobile rock crusher is compatible with the 2050 Comprehensive Plan. The rock crusher will assist in offsetting the high cost of the demolition of the grain elevator, which is a project that will have a positive impact on the City of Lincoln and assist in fulfilling goals related to community appearance and policies related to infill and redevelopment in Lincoln and Lancaster County.

KEY QUOTES FROM THE 2050 COMPREHENSIVE PLAN

Introduction Section: Growth Framework

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

Land Use Plan - Commercial - Areas of retail, office, service and residential mixed use. Commercial uses may vary widely in their intensity of use and impact.

Goals Section

G13: Community Appearance. Lincoln and Lancaster County will have a high-quality physical environment that creates a strong sense of place and community pride. When successful, urban design makes a community more enjoyable for residents, more attractive to visitors, and more competitive in drawing new businesses and retaining existing ones. A truly sustainable community recognizes and builds on its heritage by fostering good urban design, creating a sense of place and uniqueness that supports a strong economy, values environmental assets, and promotes social engagements and interaction.

Policies Section

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

Action Steps

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

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

Action Steps

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

ANALYSIS

1. This application is a request to permit the operation of a mobile rock crusher at 3001 Cornhusker Highway (the property) in connection with the demolition of the grain elevator currently located on the property. The rock crusher would be used as the grain elevator is dismantled, and the remaining concrete will be processed through the rock crusher, leaving reusable sized pieces of concrete for recycling and resale.
2. This request was submitted after several meetings that centered around the health and safety of the community and the environment in relation to the use of the rock crusher. The discussions included LTU - Watershed Management and the Lincoln-Lancaster County Health Department (LLCHD) to ensure that preliminary plans would comply with environmental and human health standards.
3. Construction of the grain elevator began in the 1950s; the elevator has been in place for over 70 years. Over the course of time and constant use, the elevator has become irreparable and obsolete according to the owner. Previous owners found that the cost of constant repairs outstripped the profits made through the operation. In early 2024, the Property was put up for sale and was purchased by the current owner with the intent to demolish the elevator and redevelop the approximately 17 acres that the property covers.
4. Lincoln Municipal Code (LMC) 27.63.290 for I-1 District Special Permits does not have a set list of requirements for projects and activities. Because there are a variety of unique and uncommon uses that fall under the Industrial umbrella, I-1 District Special Permit requirements are developed in a case-by-case basis. For this application, requirements centered around the storage of material and the crusher in the floodplain and the proper health and sanitation measures as they relate to the rock crusher.
5. CL Construction plans to demolish the grain elevator over the course of two to three years. The special permit will be a temporary, three-year permit which may be extended by the Planning Director for one additional year. The rock crusher, concrete waiting to be crushed, and the crushed concrete will be stored above the base flood elevation. Storage of materials will be temporary, and crushed concrete will be moved off site in a timely manner. A floodplain development permit will be required before the commencement of work under this special permit.
6. During the demolition and concrete crushing operation, the owner/operator will be responsible for controlling off-site dust emissions in accordance with Lincoln-Lancaster County Air Pollution Regulations and Standards. Prior to the crusher operation, the applicant must ensure that the crusher has the proper air quality permits from the LLCHD or the Nebraska Department of Environment and Energy. CL Construction has noted that the operation will use a dust-trapping atomizing mister to control the dust produced by the project.
7. The LLCHD noted that demolition operations (including the operation of the rock crusher) are exempt from noise limits from 6:00 am to 10:00 pm per Lincoln Municipal Code 8.24.090(a)(5). CL Construction has agreed to work with the City of Lincoln and other relevant authorities to meet noise standards and will place the rock crusher away from sensitive areas to further reduce noise pollution.
8. There will be an increase in noise and dust that may have an impact on adjacent uses. Any impact will be temporary side effects of the demolition and crushing operation and the increase in noise and dust would be similar to or less than what was generated by the previous use of the site. And the alternative, leaving the grain elevator and site alone, will not be beneficial for adjacent uses. The temporary increase in noise and dust will be more beneficial to the area and the city as a whole than to leave the property and structures as they are.
9. CL Construction has also taken the initiative to preserve the grain elevator's history. The elevator has been an important part of Lincoln's economy and culture over the 70 years of its existence. CL Construction completed a 3D scan of the facility which has been rendered into a 3D model that provides a digital blueprint that can be preserved for research and historical purposes. CL Construction will provide the model to the History Nebraska Archives.
10. This project is a positive for the City of Lincoln. The demolition of grain elevators and similar structures is not a low cost or easy project. Grain elevators that are defunct due to wear and tear can be left to continue to deteriorate for years or even decades, creating health concerns, occupying useable land, and becoming a general blight to the community. By operating a rock crusher to render the concrete, CL Construction will be able to offset some of the cost of demolition while recycling the elevator into useful material once again.
11. This application meets the requirements for an I-1 District Special Permit, as noted by the City of Lincoln, is compatible with the 2050 Comprehensive Plan, and will aid in the demolition of a defunct building, an action that will have a positive impact on the community.

CONDITIONS OF APPROVAL: See attached.

EXISTING LAND USE & ZONING: Commercial and industrial I-1 Industrial

SURROUNDING LAND USE & ZONING

North:	Light industrial and commercial	H-3 Highway Commercial; I-1 Industrial
South:	Light industrial, railroad, public	I-1 Industrial
East:	Light industrial and commercial	H-3 Highway Commercial; I-1 Industrial
West:	Light industrial and commercial	H-3 Highway Commercial; I-1 Industrial

APPROXIMATE LAND AREA: 18.11 acres, more or less

LEGAL DESCRIPTION: Lots 70-72 and the remaining portion of Lot 99, located in the NW 1/4 of Section of 18-10-7, Lincoln, Lancaster County, Nebraska, generally located on 3001 Cornhusker Highway.

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

Date: Aug. 21, 2024

Applicant: Olsson
Matt Langston
601 P Street, Suite 200
Lincoln, NE 68501
mlangston@olsson.com

Contact: Olsson
Matt Langston
601 P Street, Suite 200
Lincoln, NE 68501
mlangston@olsson.com

Owner: CL Development, LLC
1927 County Road I
Wahoo, NE 68066
chris@clnebraska.com

<https://linclanc.sharepoint.com/sites/PlanningDept-DevReview/Shared Documents/DevReview/SP/24000/SP24027 3001 Cornhusker Highway Rock Crusher Operation.edm.docx>

CONDITIONS OF APPROVAL - SPECIAL PERMIT #24027

Per Section 27.63.290 this approval permits an I-1 District Special Permit for the operation of a mobile rock crusher for three years on property generally located at 3001 Cornhusker Highway.

Site Specific Conditions:

1. Before receiving 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 Elevate the area where the crushed material will be stored above the base flood elevation.
 - 1.2 Elevate the area where the rock crusher will be located above the base flood elevation.
 - 1.3 Show that any fill placed in the floodplain meets the Salt Creek Flood Storage requirements.
 - 1.4 Add a note that a floodplain development permit is required before commencement of work.
 - 1.5 Show the floodplain cross section(s) and elevation(s) on the plans.
 - 1.6 Revise note to state "Allowable location of mobile concrete crusher and temporary concrete storage (precrushing)".
 - 1.7 Note allowable location of crushed material.
 - 1.8 Identify and designate all LPSNRD Perpetual Easements over and across Deadman's Run that are on this property.
 - 1.9 Amend Note #1 to state "Planning Director may approve an administrative amendment to extend the special permit from three to four years from date of approval".

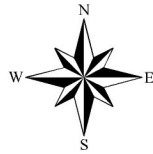
Standard Conditions:

2. The following conditions are applicable to all requests:
 - 2.1 Before starting the operation all development and construction shall substantially comply with the approved plans.
 - 2.2 All privately-owned improvements, including landscaping and recreational facilities, shall be permanently maintained by the Permittee or an appropriately established homeowners association approved by the City.
 - 2.3 The physical location of all setbacks and yards, buildings, parking and circulation elements, and similar matters be in substantial compliance with the location of said items as shown on the approved site plan.
 - 2.4 The terms, conditions, and requirements of this resolution shall run with the land and be binding upon the Permittee, its successors and assigns.
 - 2.5 The applicant shall sign and return the letter of acceptance to the City Clerk. This step should be completed within 60 days following the approval of the special permit. The City Clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the applicant. Building permits will not be issued unless the letter of acceptance has been filed.
 - 2.6 The operation and use is to comply with Chapter 8.24 (Noise Control Ordinance) of the Lincoln Municipal Code.

2.7 The rock crusher shall have the proper air quality permits from the Lincoln-Lancaster County Health Department of the Nebraska Department of Environment and Energy



Special Permit #: SP24027
State Fair Park Dr & Cornhusker Hwy

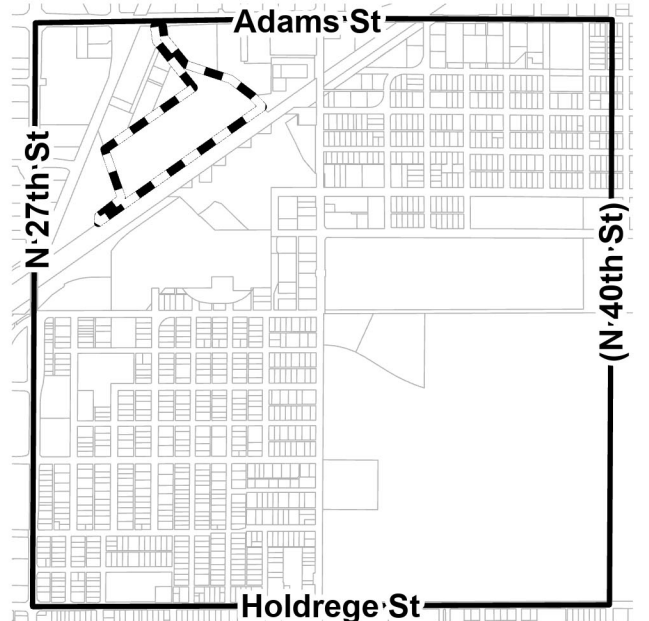
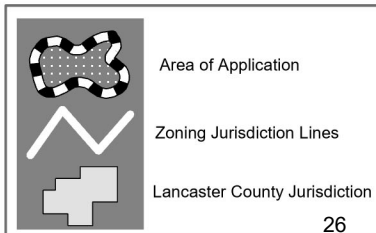


One Square Mile:
 Sec.18 T10N R07E

2020 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



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July 24, 2024

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VIA HAND DELIVERY AND EMAIL: dcary@lincoln.ne.gov

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

Re: CL Development, LLC – Application for Special Permit for Rock Crusher
Operation at 3001 Cornhusker Highway
Our File No.: 20458.002

Dear Mr. Cary:

I represent CL Development, LLC, a Nebraska limited liability company (“CL”) in connection with its application for a special permit to operate a mobile rock crusher on the property located at 3001 Cornhusker Highway (the “Property”) for a temporary period of time.

A. Background

The Property was previously operated as a grain elevator. There are currently approximately 146 large concrete grain silos and other improvements located on the Property, but the silos and other improvements on the Property are functionally obsolescent and the Property can no longer reasonably be used for its previous use. CL acquired the Property on May 30, 2024, with the intent of future potential redevelopment of the Property. However, before the Property can be put to any new use, the current structures must be demolished and removed.

The demolition will be a significant undertaking because of the size and scale of the concrete silos, and there will be a significant volume of concrete material that

needs to be disposed of when the silos are demolished. The concrete from the demolished structures can be crushed and recycled to make new concrete, but in order to recycle the concrete materials from demolition, CL will need to bring in and operate a mobile rock crusher to break down the concrete into appropriate sized materials for reuse.

The Property is zoned I-1. Pursuant to Section 27.06.180 of the Lincoln Zoning Regulations, a rock crusher use requires a special permit in the I-1 Zoning District. Therefore, CL is applying for a special permit to operate a mobile rock crusher on the Property during the demolition of the improvements on the Property.

B. Special Permit

The requested special permit would allow CL to operate a mobile rock crusher on the Property in connection with the demolition of the improvements currently located on the Property. As the silos are dismantled and brought down, the concrete remnants from the demolition will be processed through the rock crusher rather than disposed of in some other manner. The rock crusher will break down the concrete into reusable sized pieces for recycling and resale. All concrete materials that have been processed through the rock crusher will be stored in the existing building on the property. The building shall be floodproofed to an elevation of two (2) feet above the FEMA mapped 100-year floodplain and no concrete materials, once processed, will be stored outside the building. If the storage building is full, CL shall cease demolition and rock crushing operations until some of the concrete materials are sold and additional capacity in the storage building is created. CL anticipates that the demolition could be complete in 18 months, but requests that the special permit be issued for a period of three years in case there are delays. CL shall cease rock crushing operations on the Property as soon as the demolition of the improvements on the Property is complete and the materials have been processed.

The requested special permit is an appropriate use in the I-1 Zoning District and is necessary at this specific location to make the demolition feasible. The silos are in poor condition and need to be removed, but there is no economical way to do this without a temporary rock crusher operation. The rock crusher also provides positive environmental benefits permit by allowing the demolition debris to be recycled rather than deposited in a landfill. The recycled concrete could also potentially lower costs for future projects in the City that require a large amount of concrete, such as road projects.

CL shall obtain all other required permits for the grain elevator demolition including but not limited to a demolition permit, floodplain development permit, and air construction permit, as applicable. CL intends to control dust emissions to maintain air quality and protect the area from any potential adverse effects in a flood

David Cary
July 24, 2024
Page 3

event. CL will work with the City of Lincoln to ensure safe operations during the rock crushing operations.

C. Enclosures.

Enclosed with this delivery are the following:

1. Application Form.
2. Site Plan. Olsson has prepared a Site Plan for the Special Permit Application. The electronic version will be uploaded to ProjectDox.
3. CL Development Project Information. CL has prepared the informational packet to provide additional information on its business and proposed operations on the Property.
4. Application Fee in the amount of \$1,109 payable to the City of Lincoln.

If you have any questions, please do not hesitate to contact me.

Sincerely,



Andrew R. Willis
For the Firm