



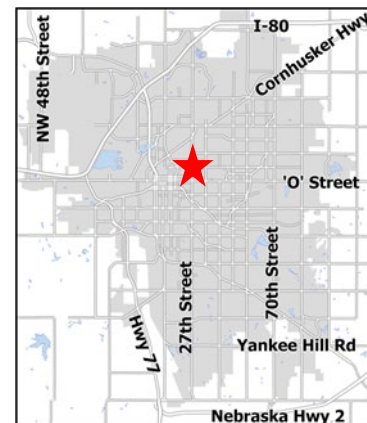
LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT
FROM THE LINCOLN/LANCASTER COUNTY PLANNING AND DEVELOPMENT SERVICES DEPARTMENT
555 S. 10TH STREET, SUITE 203, LINCOLN, NE 68508

APPLICATION NUMBER	FINAL ACTION?	DEVELOPER/OWNER
Special Permit #26033	Yes	TJK Investments Inc.
PLANNING COMMISSION HEARING DATE	RELATED APPLICATIONS	PROPERTY ADDRESS/LOCATION
September 16, 2026	None	Southwest corner of N 28 th Street & Vine Street.

RECOMMENDATION: CONDITIONAL APPROVAL

BRIEF SUMMARY OF REQUEST

This is a request for a Special Permit to allow the Containers on Vine Phase 2 Community Unit Plan (CUP) for up to 7 single family dwelling units on property zoned R-4 Residential. The site is located at the southwest corner of N 28th Street and Vine Street. The existing single family dwelling located at 745 N 28th Street will be included in the CUP as one of the seven dwellings allowed. The CUP includes waivers associated with reduced front and rear yard setbacks similar to the existing neighborhood, along with waivers the Design Standards related to building orientation and roof pitch.



JUSTIFICATION FOR RECOMMENDATION

The special permit is justified as the CUP proposes additional residential dwellings as infill within the existing neighborhood. The site will utilize a vacant and residentially zoned lot to provide smaller and more affordable dwelling units with associated parking on site. The requested waivers to setbacks are compatible with the existing residential neighborhood and provide flexibility with location of the six dwellings and parking on site.

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The proposed request is compatible with the 2050 Comprehensive Plan as this site is shown for future urban residential and commercial on the Future Land Use map. The designation as future urban residential encourages varying densities ranging from more than fifteen dwelling units per acre to less than one dwelling per acre. All types of housing can be appropriate in this designation depending upon the location and circumstances. This could range from detached single family, duplex and missing middle, to high density multifamily. This project will accomplish goals of supporting residential infill within the existing city limits and providing additional housing options and styles.

APPLICATION CONTACT

Shive-Hattery, Codah Gatewood,
(402) 477-1666

STAFF CONTACT

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

WAIVERS

1. To LMC 27.72.020(a) to reduce the front yard setback from 25' to 20 feet. (Recommend Approval)
2. To LMC 27.72.020(a) to reduce the rear yard setback to 20 feet. (Recommend Approval)
3. To Design Standards Chapter 3 to allow a 3:12 pitch roof on dwellings. (Recommend Approval)
4. To Design Standards Chapters 3 for building orientation of residential dwellings. (Recommend Approval)

KEY QUOTES FROM THE 2050 COMPREHENSIVE PLAN

Introduction Section: Growth Framework

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

The Community in 2050

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

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

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

Benefits of Well-Planned Growth

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

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.

Elements Section

E1: Complete Neighborhoods and Housing

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

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

Existing Neighborhoods

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

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

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

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

E2: Infill and Redevelopment

Infill and Redevelopment Approach

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

Neighborhood Edges

Neighborhood edges present an opportunity for missing middle housing, which can help expand affordable housing options and overall housing choice in the community. Missing middle housing includes “house-scale” buildings that provide typically 3 to 12 units and fit in with the character of single-family neighborhoods.

Criteria to consider when locating and designing neighborhood edge redevelopment should include:

- Provide direct or adjacent access to an arterial street to minimize traffic impacts on neighborhood streets.
- In some cases a transition zone may be needed when creating higher-density redevelopment adjacent to lower density neighborhoods.

- Target legacy commercial sites and abandoned, vacant, or blighted parcels for new missing middle housing.
- Consider the character of adjacent built environment in both the design and location of buildings.

Existing Neighborhoods

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

Policies Section

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.
3. Encourage public/private partnerships with housing entities such as Lincoln Housing Authority, Affordable Housing Initiatives, Habitat for Humanity, and NeighborWorks Lincoln.
4. Provide for more education of the public about affordable housing and code enforcement.
5. Promote the preservation, maintenance and renovation of existing housing and neighborhoods throughout the city, with special emphasis on low and moderate income neighborhoods.
6. Preserve the existing affordable housing stock, increase the supply of affordable owner and renter units, and add more variety in housing types.

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

Action Steps

1. Promote the preservation, maintenance, and renovation of existing housing and supporting neighborhood uses throughout the City, with special emphasis on low and moderate income neighborhoods.
2. Maintain and enhance infrastructure and services, commensurate with needs, in existing neighborhoods.
3. Encourage well-designed and appropriately placed density, including within existing apartment and group living complexes and in redeveloping commercial or industrial centers, where there is land available for additional buildings or expansions. Provide flexibility to the marketplace in siting future residential development locations. This includes appropriately placed infill in prioritized Nodes and Corridors, neighborhood edges, and underutilized commercial or industrial sites.
4. Recognize that broad economic diversity within existing neighborhoods encourages reinvestment and improves quality of life for all residents while acknowledging the need for affordable housing.
5. Preserve, protect and promote the character and unique features of urban neighborhoods, including their historical and architectural elements.
6. Promote the continued use of residential dwellings and all types of buildings, to maintain the character of neighborhoods and to preserve portions of our past. Building code requirements for the rehabilitation of existing buildings should protect the safety of building occupants, while recognizing the need for flexibility that comes with rehabilitating existing buildings.

7. Implement the housing and neighborhood strategies as embodied in the Affordable Housing Coordinated Action Plan, City of Lincoln Consolidated, Annual Action Plans, and subsequent housing and neighborhood plans. These plans provide the core for affordable housing and neighborhood preservation actions for public and private agencies.
8. Retain and encourage a mix of housing in existing and new neighborhoods in order to provide a mix of housing types at a variety of price points.
9. Implement elements of Complete Neighborhoods for existing neighborhoods. ...
21. Encourage a variety of housing types including townhomes, senior living facilities, low/no maintenance condominiums, accessory dwelling units, multi-family development, and small lot single-family units.

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

Action Steps

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

CLIMATE ACTION PLAN SPECIFICATIONS:

- p. 11 Key Initiative – Transition to Low-Carbon Energy.
- Continue incentive-based (residential, commercial, or industrial) programs promoting the installation of renewable energy systems. Incentives may include offering rebates on purchasing equipment, attractive net metering pricing, tax incentives, height allowances, setback, and area-based incentives, expedited permitting, and others.
- p. 14 Key Initiative - Build a Decarbonized and Efficient Transportation System.
- Continue to encourage mixed-use development in the Comprehensive Plan.
 - Consider Transit Oriented Development policies in the update of the Comp Plan 2050.

ANALYSIS

1. This is a request for a Special Permit for the Containers on Vine Phase 2 Community Unit Plan (CUP) located at the southwest corner of N 28th Street and Vine Street for up to 7 single family dwelling units. The property is zoned R-4 Residential with the total CUP area of 1.02 acres which is measured to the centerline of the abutting right-of-way line. The area of developable area within the CUP is .69 acres which is used for calculating the allowed density in R-4 zoning. The CUP proposes six new dwelling units and includes one existing dwelling unit for a total of 7 single family units.
2. The property is surrounded by both commercial and residential zoning. To the north and west is B-3 Commercial along both N 27th Street and Vine Street, consisting of a mix of multitenant commercial buildings and B-3 uses. The multitenant commercial building zoned B-3 abutting this property is also owned by the applicant, TJK Investments Inc. To the south and east is R-4 Residential consisting of both single and two-family residential.
3. The CUP is being proposed as an infill project as the second phase to the existing “container home” at 745 N 28th Street which is owned by the applicant. This existing dwelling is included within the CUP boundary, with six new single family dwellings located to the south along N 28th Street. The six dwellings will be arranged in a semi-circular layout on one larger lot. The lot will have two detached, three-car garages and parking areas shared by the units located off the existing north-south alleyway.
4. The proposed dwelling design is intended to match the existing container constructed home at 745 N 28th Street. The applicant submitted the residential elevations and layout which were discussed by the Urban Design Committee at the September 1st meeting. The project was unanimously supported by the Urban Design Committee. The six new units are proposed to be a 2-story design and approximately 980 square feet each.
5. Following the CUP density calculations, the R-4 zoning district would allow 13.93 dwellings per acre. The developable area within this CUP is approximately .69 acres, which would allow a maximum of 9 residential dwelling units. Since the existing home along Vine Street is within the CUP, this leaves 8 allowed units. The CUP only proposes six new dwelling units, for a total of seven units within the CUP boundary and below the allowed R-4 density.
6. The applicant has requested the following waivers with thin the CUP:

- a. To LMC 72.62.020(a) to reduce the front yard setback from 25’ to 20 feet.

This waiver is being added as the slight reduction will add flexibility in site layout, specifically to ensure the detached garages on the rear of the lot can meet spacing requirements to the shown dwelling units. A 20’ front yard setback is compatible with the surrounding neighborhood as many of the existing homes surrounding this site have varying setbacks ranging from 17’ to 25 feet approximately.

- b. To LMC 72.62.020(a) to reduce the rear yard setback to 20 feet.

This waiver is justified with the layout of the site and orientation of dwellings. Following the LMC this site would require a larger rear yard setback for All Other Uses at 30 feet. The reduction to 20 feet will allow the site to follow the single and two-family setback within R-4, similar to the surrounding homes on this street. A reduced setback is not expected to adversely impact the abutting commercial property to the west as the site is B-3 commercial also owned by the applicant with a shared alleyway separating the block.

- c. To Design Standards Chapter 3.75(4.1.1) to allow a roof pitch of 3:12.

This waiver is consistent with the overall design of this project as it will allow the six new dwelling units to also match the existing home to the north. With this, the dwellings will utilize prefabricated containers as the primary construction aspect for each dwelling with an intent to provide narrow dwellings with smaller floor areas.

- d. To Design Standards Chapter 3.75(4.1.2) to allow residential structures to be oriented away from the street.
This waiver is reflected on the site layout as the six dwelling units will be arranged in a semi-circular shape, open to N 28th Street. The six units will be placed to all face a common green space in the middle. The two residential units on each end will still meet Neighborhood Design Standards related to required openings and provide a front door and porch facing N 28th Street, helping match the character of the existing homes along N 28th Street.
7. The project is aligned with numerous goals within the 2050 Comprehensive Plan encouraging infill residential development on vacant sites within the city limits but also providing additional units that aid in affordability aspects and smaller floor areas. The associated waivers are compatible with the surrounding area while allowing for the infill project which provides a variety in dwelling styles and sizes.

CONDITIONS OF APPROVAL: See attached.

EXISTING LAND USE & ZONING: R-4 Residential, Single Family Dwelling

SURROUNDING LAND USE & ZONING

North: Multi-tenant commercial / single family dwellings	B-3 Commercial & R-4 Residential
South: Single family dwellings	R-4 Residential
East: Single family dwellings	R-4 Residential
West: Multi-tenant commercial	B-3 Commercial

APPROXIMATE LAND AREA: 1.02 acres, more or less

LEGAL DESCRIPTION: Remaining portions of Lots 1-4, Block 2, Houtz & Baldwins Subdivision, Lincoln, Lancaster County, Nebraska.

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

Date: September 3, 2026

Applicant/
Contact: Shive-Hattery Architecture
Codah Gatewood
(402) 477-1666

Owner: TJK Investments Inc.

<https://linclanc.sharepoint.com/sites/PlanningDept-DevReview/Shared Documents/DevReview/SP/26000/SP26033 Containers On Vine CUP.bmc.docx>

CONDITIONS OF APPROVAL – SPECIAL PERMIT #26033

Per Section 27.63.65 this approval permits the Containers on Vine Phase 2 Community Unit Plan for up to seven dwelling units with the following waivers:

1. To LMC 27.72.020(a) to reduce the front yard setback from 25' to 20 feet. (Recommend Approval)
2. To LMC 27.72.020(a) to reduce the rear yard setback to 20 feet. (Recommend Approval)
3. To Design Standards Chapter 3 to allow a 3:12 pitch roof on dwellings. (Recommend Approval)
4. To Design Standards Chapters 3 for building orientation of residential dwellings. (Recommend Approval)

Site Specific Conditions:

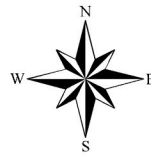
1. Before receiving building permits (if no final plat is required) or before a final plat is approved (if final plat is required) the permittee shall cause to be prepared and submitted to the Planning Department a revised and reproducible final plot plan including **2** copies with all required revisions and documents as listed below:
 - 1.1 Revise or provide a separate cover sheet to clearly show boundary of the CUP.
 - 1.2 Add legal description of the property within the CUP to the cover sheet.
 - 1.3 Revise to the property with six units as one large lot, with one large building envelope matching the requested setbacks.

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 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.



Special Permit #: SP26033
Containers on Vine Phase 2 CUP
N 28th St & Vine St

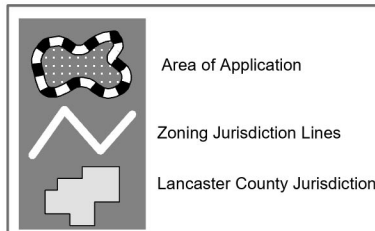


2024 aerial

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.19 T10N R07E



SITE PLAN
181'-0" x 249'-5"
44515 SF
1.02 ACRES

Vine Street

131.53'

8.48'

63.40'

59.42'

138.37'

5' SIDE YARD SETBACK

25' FRONT YARD SETBACK

20' REAR YARD SETBACK

50.03'

50'

143.04'

EXISTING STRUCTURE

EXISTING STRUCTURE

6 Driveway Stall
6 Garage Stalls
12 Total Stalls

6 single structures
6 units
6 - 2 BR

OPTION 01
1"=20'-0"

North 28th Street

NORTH 28TH STREET
CENTERLINE

Public Alleyway

ALLEYWAY
CENTERLINE

CYCLEWORKS & MOOSE'S TOOTH TO WEST

City of Lincoln Urban Design Committee
555 S. 10th St., Ste. 203
Lincoln, NE 68508

August 18, 2026

Special Permit Application – Container on Vine Phase 2 Project Letter

Mr. Callahan,

We have been working with TJK Investments on the Container on Vine project. The project was originally envisioned as a series of buildings similar in scope and form to the existing Containers on Vine structure at the corner of 28th and Vine.

The site in question is Parcel ID 1719300030000, located within the Houtz and Baldwins Subdivision (W1/2 NW SW 19-10-7), Block 2, Lot 1.

Since the initial approval, we have revised our approach for the next phase of development on the remaining three adjacent lots. The updated proposal includes six single-family residential structures across the three lots, along with a limited number of detached garages to support these residences.

The 6 residential structures are to be 2 story, 980 square feet each. The 2 detached garage structures to be 760 square feet each accessible from the alley. Each of those garages will provide 3 stalls on the inside with room to provide 3 driveway stalls to the alley. This will bring a total of 6 garage stalls and 6 driveway stalls for the project.

The structures fit within the setbacks required within the R-4 Zoning, with the exception of the Rear Setback, which we are requesting to waive to be consistent with single- and two-family homes. This separation provides an appropriate buffer for fire safety while also maintaining a comfortable spacing between homes that is consistent with the character and development pattern of the surrounding neighborhood.

New trees, shrubs, grasses, etc. provide a more welcoming site that is cohesive with the surrounding neighborhood.

The structures are also provided with covered porches on each single-family home. This is provided to engage with the provided community space. The community space in this little pocket neighborhood utilizes some portions of the shipping containers that were not utilized during construction to provide shade structures for community sitting areas.

The slope of the roof is congruent to the adjacent Containers on Vine duplex to the north. We wanted to keep the single slope aesthetic that already exists, and ties these structures together.

Preliminary review of the Municipal Code shows that the project could be allowed in R-4 zoning, using a Special Permit through Community Unit Plan. Please see attached documentation for additional information and proposed waivers regarding the project and this proposed Community Unit Plan.

Thank you for your time and consideration.

Sincerely,
Codah L. Gatewood
Shive-Hattery Architecture

