

FACTSHEET

TITLE: SPECIAL PERMIT NO. 04062, requested by Dave Johnson of Studio NRG on behalf of the Rape/Spouse Abuse Crisis Center, for authority to operate a crisis center in a landmark located at 2541 N Street.

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: 12/08/04
Administrative Action: 12/08/04

STAFF RECOMMENDATION: Conditional Approval

RECOMMENDATION: Conditional Approval (9-0: Carlson, Carroll, Krieser, Sunderman, Pearson, Marvin, Taylor, Larson and Bills-Strand voting 'yes').

ASSOCIATED REQUESTS: Change of Zone No. 04078 (05-1).

FINDINGS OF FACT:

1. This special permit request and the associated Change of Zone No. 04078 were heard at the same time before the Planning Commission.
2. The purpose of this special permit is to use a landmark property to operate a crisis/counseling center.
3. The staff recommendation of conditional approval is based upon the "Analysis" as set forth on p.3-4, concluding that the proposal is in conformance with the Comprehensive Plan and the Zoning Ordinance.
4. The presentation by Ed Zimmer as the historic preservation planner is found on p.7. The Historic Preservation Commission has recommended approval of this special permit and has requested opportunity to review a more detailed site plan as it is submitted for final review.
5. The applicant's testimony is found on p.7-8. The applicant met with the Woods Park Neighborhood Association prior to purchasing the property. The proposed expansion of the RSACC facility will provide some private rooms for counseling services.
6. The record consists of two letters in support from the Woods Park Neighborhood Association and a neighbor in Woods Park (p.19-20).
7. Testimony in opposition by Don Pearston, 229 S. 26th Street, is found on p.8-9, and his letter in opposition is found on p.21-22. His opposition focused upon the current parking problems in the neighborhood and the impact of this expanded facility on the existing parking problems. He is also concerned about further expansion of the facility in the future. He believes the applicant is attempting to circumvent the requirements of the R-6 zoning with the landmark designation.
8. The staff and applicant responses to the opposition are found on p.9-10. This special permit will increase off-street parking by 10 stalls, to 14 stalls, which should be adequate since most employees are in the field at any point in time.
9. On December 8, 2004, the Planning Commission agreed with the staff recommendation and voted 9-0 to recommend conditional approval, as set forth in the staff report dated November 24, 2004. The conditions of approval are found on p.5.
10. The Site Specific conditions of approval required to be completed prior to scheduling this application on the City Council agenda have been satisfied.

FACTSHEET PREPARED BY: Jean L. Walker

DATE: January 3, 2005

REVIEWED BY: _____

DATE: January 3, 2005

REFERENCE NUMBER: FS\CC\2005\SP.04062

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for December 8, 2004 PLANNING COMMISSION MEETING

P.A.S.: Special Permit #04062 - Historic Preservation - to operate a crisis center in a landmark

PROPOSAL: To expand the existing Rape/Spouse Abuse Crisis Center operating in the landmark Pace-Woods House to include the adjacent "Lally House," a proposed landmark

LOCATION: Generally located east of S. 26th Street, on the south side of N Street (2541 N Street)

LAND AREA: .15 acre, more or less.

CONCLUSION: In conformance with the Comprehensive Plan and Zoning Ordinance.

<u>RECOMMENDATION:</u>	Conditional Approval
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GENERAL INFORMATION:

LEGAL DESCRIPTION: Irregular Tracts lots 46 and 59 in the NE quarter of Section 25, Township 10 North, Range 6 East, Lancaster County, NE.

EXISTING ZONING: R-6, Residential District.

EXISTING LAND USE: Single family residence.

SURROUNDING LAND USE AND ZONING:

North:	"Lighthouse" (youth services) Credit Union	R-6 Residential & B-3 Commercial
South:	Residential	R-6, Residential
East:	Residential	R-6, Residential
West:	Office in Landmark	R-6, Residential, designated as Landmark

HISTORY: Special Permit #1914 to use the landmark Pace-Woods House at 2545 N Street (adjacent to the subject property, to the east) as the Rape/Spouse Abuse Crisis Center (RSACC) was approved in 2001.

COMPREHENSIVE PLAN SPECIFICATIONS: This area is shown as residential (F-25).

Seek incentives and regulatory support for the rehabilitation of existing buildings in order to make it more feasible to rehabilitate and continue to use older buildings. (F-142)

TRAFFIC ANALYSIS: N Street is an “urban collector” street. S. 26th Street is a local street.

ALTERNATIVE USES: Multiple family residences, duplexes, single family residences, and other permitted uses in the R-6 district.

ANALYSIS:

1. This is a request for a special permit to use a landmark property as a crisis/counseling center. RSACC operates from an adjacent historic house (Pace-Woods House, 2545 N Street) and wishes to attach the Lally House at 2541 N Street to the main facility and expand its office and counseling uses into the combined houses, as well as expanding its parking area to the south.
2. There is an existing special permit for RSACC to operate in the Pace-Woods House at the corner of 26th and N Streets.
3. The Antelope Valley Redevelopment Plan, currently under consideration by City Council, proposes conservation of existing buildings in this area and acknowledges the landmark Pace-Woods and Murphy-Sheldon Houses that bracket the Lally House.
4. Lincoln Municipal Code Section 27.63.400 states, in part:

In any zoning district a special permit may be granted to allow the preservation of a historic structure or site and the reuse thereof. This permit shall be limited to structures or sites designated as landmarks under Chapter 27.57.

(a) The City Council may approve, by special permit, any use of a historic structure or site in any zoning district after review and consideration of the following:

 - (1) The significance of the historic structure or site and the degree of variation sought from the permitted uses of the district;*
 - (2) The extent to which economic factors necessitate the change in use;*
 - (3) The extent of proposed exterior change to the structure or site;*
 - (4) The impact on the surrounding area;*
 - (5) The compatibility of the proposed use to the structure or site and the surrounding area; and*
 - (6) The manner in which the public will be benefitted by such proposed use.*
5. The Historic Preservation Commission voted unanimously on Oct. 21, 2004 to find that the Lally House met the “Standards for Designation” of a Lincoln Landmark for architectural significance.

The first consideration of Special Permits–Historic Preservation, the significance of the structure, is met if the City Council concurs with the Preservation Commission and designates the property as a landmark.

6. Permitting the use of 2541 N Street by RSACC requires a change of zone or a special permit. The R-6 district is described as “a generally redeveloping area of moderately high residential density” which in addition to houses, duplexes, and apartments, accommodates lodging houses, fraternities and sororities, private clubs, and support facilities, such as schools parks, community buildings, and churches. Uses within a block of Lally House include Elliott Elementary School and the “Lighthouse” teen facility. The house at 2541 N Street is bracketed east and west by designated landmarks operating under special permits–RSACC’s Pace-Woods House at 2545 N and the Murphy-Sheldon House, a designated landmark which operates as a law office, at 2525 N Street.

Regarding the second issue raised by LMC 27.63.400–the degree of variation between the requested use and residential uses allowed in the district–the degree might be described as moderate. The degree of variation between the requested uses and the actual uses of the surrounding area might better be described as slight or none, considering the non-residential uses listed above. The location at the edge of the transition area between commercial uses associated with O Street and the residential uses is a sensitive one. Like the special permits approved for the neighboring landmarks, this request keeps an historic building in place and the residential zoning unchanged, while allowing a somewhat more intensive use.

7. The degree to which economic factors necessitate the change in use is subjective, but the agency has invested substantially, over a decade, in the exterior and interior rehabilitation of the adjacent building and has already purchased the Lally House.
8. The proposed exterior changes consist of a link between the two houses, recessed 32 feet back from the Lally House porch, and the rehabilitation of the Lally House exterior. The Historic Preservation Commission approved these modifications as appropriate to the landmark, with the condition that the final designs be submitted to the Commission for review and approval under the Certificate of Appropriateness process.
9. Key issues in the review of landmark special permits by Planning Commission are the interrelated items 4, 5, and 6 in LMC 27.63.400–the impact on the surrounding area, the compatibility of the proposed use with the structure and the area, and the public benefit of the proposed use. The impact of permitting RSACC to operate in this area has been tested for over a decade and apparently has not been adverse, as no complaints have been received through the public hearings or notifications conducted to date.

The public will benefit by the requested use through the important services offered by RSACC and through the enhanced maintenance of a neighborhood landmark.

10. The Public Works and Utilities Department reviewed the submitted site plan and noted that it must meet design standards, and further indicated that the conceptual plan appeared to

work but must be dimensioned for final approval, which can be accomplished as part of the building permit review prior to construction. (See attached memo,)

11. Fire Prevention/Life Safety review indicated the need for sprinklers to use the building for offices in its present configuration, but noted no other problem with the request. (See attached memo.)
12. The City-County Health Department reviewed the proposal and had no objections.

CONDITIONS:

Site Specific:

1. After the applicant completes the following instructions and submits the documents and plans to the Planning Department office and the plans are found to be acceptable, the application will be scheduled on the City Council's agenda:
 - 1.1 Revise the site plan to show:
 - 1.1.1 A dimensioned site plan demonstrating that the parking lot meets design standards.
2. This approval permits the use of 2541 N Street as part of the Rape/Spouse Abuse Crisis Center.

General:

3. Before receiving building permits:
 - 3.1 The permittee shall have submitted a revised final plan including 7 copies and the plans are acceptable.
 - 3.2 The construction plans shall comply with the approved plans.
 - 3.3 The landmark designation of 2541 N Street is approved.

STANDARD CONDITIONS:

4. The following conditions are applicable to all requests:
 - 4.1 Before occupying the building all development and construction shall have been completed in compliance with the approved plans.
 - 4.2 All privately-owned improvements shall be permanently maintained by the owner.

- 4.3 The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
- 4.4 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
- 4.5 The applicant shall sign and return the letter of acceptance to the City Clerk within 30 days following the approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filling fees therefor to be paid in advance by the applicant.

Prepared by:

Ed Zimmer
ezimmer@lincoln.ne.gov
Historic Preservation Planner

DATE: November 24, 2004

APPLICANT & OWNER: Rape/Spouse Abuse Crisis Center
2545 N Street
Lincoln, NE 68510
(402)476-0899

CONTACT: Dave Johnson
StudioNRG
105 N. 8th Street
Lincoln, NE 68508
(402)429-7109

**CHANGE OF ZONE NO. 04078
and
SPECIAL PERMIT NO. 04062**

PUBLIC HEARING BEFORE PLANNING COMMISSION:

December 8, 2004

Members present: Carlson, Carroll, Krieser, Sunderman, Pearson, Marvin, Taylor Larson and Bills-Strand.

Staff recommendation: Approval of the change of zone and conditional approval of the special permit.

Ex Parte Communications: None.

These applications were removed from the Consent Agenda due to a letter in opposition.

Proponents

1. Ed Zimmer of Planning staff submitted letters in support from Becky Martin and Michael James on behalf of the Woods Park Neighborhood Association, and a letter in opposition from Don Pearston.

The subject house was built in 1890. The houses on either side are already designated landmarks and both operate under special permits. The owner and operator of the house east of the subject house, the Rape and Spouse Abuse Crisis Center, purchased this property and wish to extend their operations to this property as well. The Historic Preservation Commission recommended approval, with the request that the site plan come back to the Preservation Commission for final review.

This designation comes on the basis of architectural character of the property, envisioning this row of three 19th century houses. The special permit application requests the same kind of use as the property immediately adjacent to the east. They wish to link the two properties physically and serve them with a common parking lot across the back. There will be a more detailed site plan submitted for final review by Public Works and the Building & Safety Department.

Support

1. Marcy Metzger, Executive Director of the **Rape/Spouse Abuse Crisis Center (RSACC)**, testified in support and explained the services provided by the crisis center for the past 30 years, being at the 2545 N Street location since 1991. Last year, RSACC answered more than 16,000 client related calls and provided services to more than 2000 victims and their families. In order to respond to the complexity of relationship violence, the agency has been involved in building collaboration in the community to respond to this violence. This proposed additional facility is not to be used to house individuals. RSACC is in collaboration with all three hospitals and with all law

enforcement. RSACC also has on-site advocates at the probation office, as well as support groups in the community. RSACC has 16 full-time equivalents and much of the work is done out in the community. They have a staff meeting once a week. They provide walk-in services from 9:00 a.m. to 7:00 p.m., Monday and Wednesday; 9:00 a.m. to 5:00 p.m., Tuesday and Thursday; and open Saturday mornings from 9:00 a.m. to 1:00 p.m. They have worked hard to be responsible neighbors and RSACC is honored to have the opportunity to purchase this property. The proposal was immediately taken to the Woods Park Neighborhood Association board prior to purchasing the property and the Neighborhood Association is in support.

2. Dave Johnson, of Studio Energy Architects, and a board member with RSACC, discussed the site plan. They are proposing a parking lot on the south side of the property with 14 stalls (which is an increase of 10 stalls) to help some of the parking congestion on the street. This also provides a handicap stall and handicap access as opposed to parking on the street. RSACC has communicated with the neighbor to the south who is opposed to the parking lot. In an attempt to alleviate those concerns, the parking lot was located 6' from the property line in order to do some screening. Mr. Pearston is requesting that there be a stockade fence as opposed to the natural screening, and the applicant will not object.

Programmatically, this expansion will provide some private rooms for counseling services. Currently, in the approved facility, the exit is through an office, out a door and out an outside fire stair. By connecting the two residences, there will be a fire exit on the main floor and on the second floor, resulting in three exits off the second floor.

Opposition

1. Don Pearston, 229 S. 26th Street, south of the current facility for RSACC, testified in opposition. The process was begun with the Historic Preservation Commission without anyone in the neighborhood knowing about it. There was no representation from the neighborhood that has been affected by RSACC at the Historic Preservation Commission meeting. Pearston stated that he appreciates the services rendered by RSACC, but the parking situation is a problem. The cornerstone of his argument is that there needs to be a permanent solution to the parking before there is any expansion of the buildings. There is an 82-plex apartment building, a school, the Lighthouse and several businesses that do not have parking facilities in this area. The parking bleeds into the neighborhood on 25th and 26th Streets, going down to at least M Street on both sides of the street. The driveways are often times partially blocked. Pearston submitted that the applicant's current drawings are a remedy, not a solution, to the parking problem. They are proposing this large expansion and they have not solved the ongoing parking problem that has been there for years. They are proposing 14 parking stalls, but this does not cover all of the employees, volunteers and guests. The guests will continue to park on the street. The Lighthouse has absolutely no off-street parking. Elliott Elementary has parking, but it overflows very quickly, bleeding out into the neighborhood. Capitol City Villa is an 82-plex which does not have sufficient parking for its residents. 2541 N Street has no parking space and RSACC has four spaces currently. There is a serious parking problem in this neighborhood. Is the city going to continue to allow expansions without a permanent solution for parking?

Pearson went on to suggest that this 14 stall parking lot would run down the entire property line of his home. It is going to be noisy, it may devalue his home, and he did not know he purchased a home that would be next door to an expanding enterprise.

Pearson is concerned about RSACC expanding further in the future. RSACC started in the mid-1970's and has expanded for over 30 years unchecked. He believes that this proposal will result in expansion of services as well as office space. There will be loss of property tax and excessive use of the neighborhood as a parking facility.

Pearson is also opposed to the landmark designation. RSACC has no interest in the preservation of the perpetuation of this house for posterity. The reason they are seeking this landmark designation is to circumvent the R-6 zoning in order to hook the two houses together. R-6 zoning would not allow this kind of expansion. They want a more flexible arrangement with this landmark designation. If the real concern is the preservation of the house, it would be better for a private entity rather than for an expanding nonprofit organization.

Pearson also does not believe that this proposal meets the standards of the landmark designation. He does not believe this house is associated with anyone making a significant contribution to the heritage and culture of the city. Nor was it built by a well-known craftsman or has significant developer. This is a "runt" between two very glamorous buildings. He does not believe this application meets the criteria for landmark designation.

Response by the Applicant

In regard to the criteria, Zimmer pointed out that the language in the ordinance includes the key word "or". It needs to be associated with significant persons or events "or" representative of a style or time period of architecture or have archeological value. It is Zimmer's opinion that the application meets the second criteria of exemplifying a style of a certain time. This small cottage, while currently impeded somewhat by asbestos siding, does have the architectural characteristics of a certain time period. It is strengthened in its value and preservation is enhanced by its placement between two larger examples. Alone, it is a good example of a Queen Ann cottage.

Pearson asked whether there was any discussion by the Historic Preservation Commission about connecting the cottage to a landmark. Zimmer stated that there was such a discussion. The design seeks to mitigate the impact of that by moving that addition quite a ways back from the facade of the building. There is opportunity to introduce landscaping in front of it. They have done a lot of work in recent years on the building they have owned and maintained to enhance its historic character.

Marvin inquired as to how this designation protects the property. Zimmer stated that the landmark puts in place that agreement between the owner and the city governing future changes to the building. It is a neat little house today that has not been maintained as a historic property. The landmark special permit seeks to offer opportunity for owners to put in a use that zoning would not

ordinarily allow in order that they might better maintain and enhance the landmark. It is a specific incentive program that requires the judgment of the Planning Commission and the City Council as far as meeting the balance between preservation and the impact on the neighborhood.

Taylor inquired about the hours of operation and how many staff might be there at one time. Metzger stated that at any one time on most any typical day the staff are out in the community as opposed to being at this office facility. There are 4-6 employees at the office site on a typical day. The walk-in traffic is very low key. RSACC has been a very good neighbor and has been active in the Woods Park Neighborhood Association. RSACC talked with the Neighborhood Association before even purchasing the house. Mr. Pearston has never spoken to RSACC about parking issues. There have not been substantial complaints about the parking. RSACC does not intend to continue to expand at this facility. It is much to the advantage of the victims for the RSACC staff to be out in the community to meet the needs.

Taylor inquired whether clientele will be able to park in the parking lot behind the building. Metzger indicated that to be the intent because many of the clients have safety concerns. Taylor inquired whether the applicant foresees increased off-street parking or decreased off-street parking with this application. Metzger believes it will result in increased off-street parking by 10 stalls.

Carroll inquired about the landscaping and lighting for the parking lot. Zimmer stated that there are no lights currently proposed. The Historic Preservation Commission has asked to see more detailed plans and there would be interest in both landscaping and lighting issues. Dave Johnson added that Building & Safety would have to approve any parking lot lighting that might be proposed.

Pearson believes the main concern here is parking. If this were office occupancy and the rate were 1/100 sq. ft., what would be the required number of off-street parking if this were office zoning? Johnson responded, stating that they will end up with 2900 sq. ft. per floor. If this were office zoning, the requirement would be 5/1000 sq. ft. It would be 1/100 sq. ft. if it were a restaurant. This would equate to about 15 stalls. Zimmer suggested that 1/300 sq. ft. would be more typical in many of the districts, which is 10-15 stalls.

CHANGE OF ZONE NO. 04078

ACTION BY PLANNING COMMISSION:

December 8, 2004

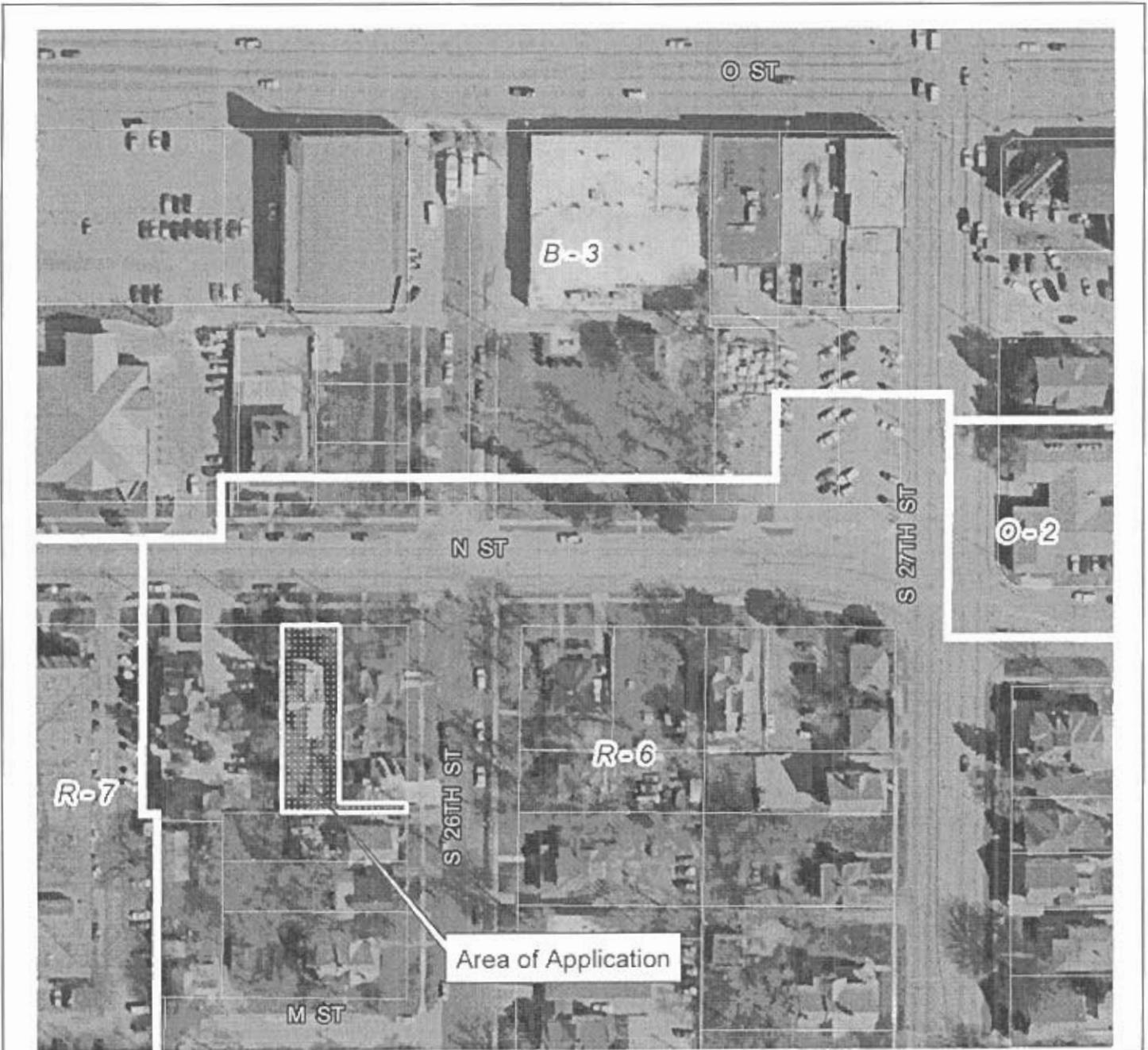
Pearson moved approval, seconded by Marvin and carried 9-0: Carlson, Carroll, Krieser, Sunderman, Pearson, Marvin, Taylor, Larson and Bills-Strand voting 'yes'. This is a recommendation to the City Council.

SPECIAL PERMIT NO. 04062

ACTION BY PLANNING COMMISSION:

December 8, 2004

Pearson moved to approve the staff recommendation of conditional approval, seconded by Marvin and carried 9-0: Carlson, Carroll, Krieser, Sunderman, Pearson, Marvin, Taylor, Larson and Bills-Strand voting 'yes'. This is a recommendation to the City Council.



2002 aerial

**Change of Zone #04078HP
Special Permit #04062
S. 25th & N Street**

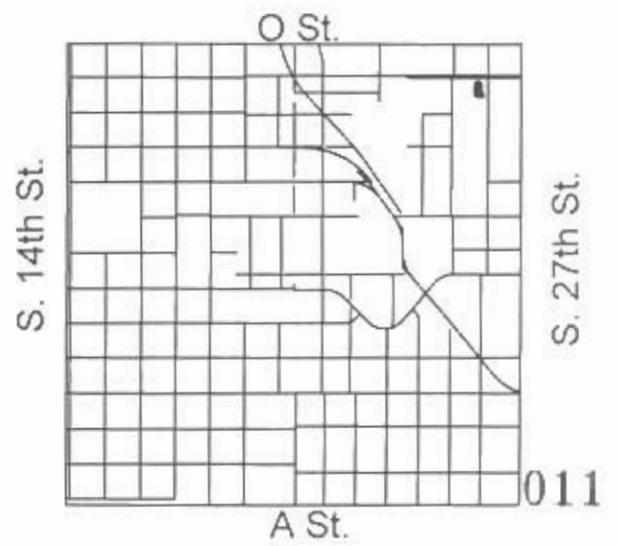
Zoning:

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

One Square Mile
Sec. 25 T10N R6E

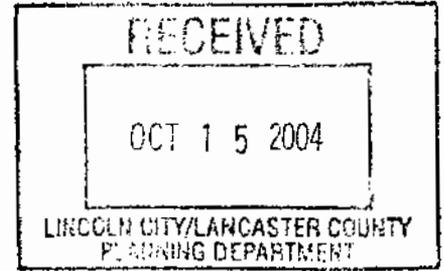


Zoning Jurisdiction Lines
City Limit Jurisdiction



October 15, 2004

Ed Zimmer
Planning Department
City of Lincoln
Room 213
555 South 10th Street
Lincoln, Nebraska 68508



RE: Rape Spouse Abuse Crisis Center
2545 N Street & 2541 N Street

Dear Ed,

Please accept this application for Landmark Designation and Special Use Permit for the property located at 2541 N Street, IT lot 46 and 59 NE 25-10-6.

The Rape Spouse Abuse Crisis Center (RSACC) has purchased this property and is interested in using this property as an extension to its current facility located adjacent to the east at 2545 N Street. Although our goal is to have the two buildings appear from the street to be individual dwelling units, we are proposing to physically connect the two buildings for reasons of safety and security of both the staff and clientele.

The current facilities' offices are over crowded and in some instances shared by four staff members. The current facilities' group and individual counseling spaces are inadequate in number and size. The acquisition and use of the 2541 building will allow most of the staff to have individual offices, which in turn will allow for individual counseling in the staff members office. The 2541 building will also allow for a larger group room that will better facilitate the services that RSACC offers to the community. The connecting link will also allow for new accessible restroom facilities on both floors, currently there is one accessible restroom on the main floor of the existing facility and two other small restrooms on the second floor. The additional property will also allow for an increase in the off street parking for the facility. Currently there are four off street stalls, the additional property will allow for up to an additional ten off street parking stalls.

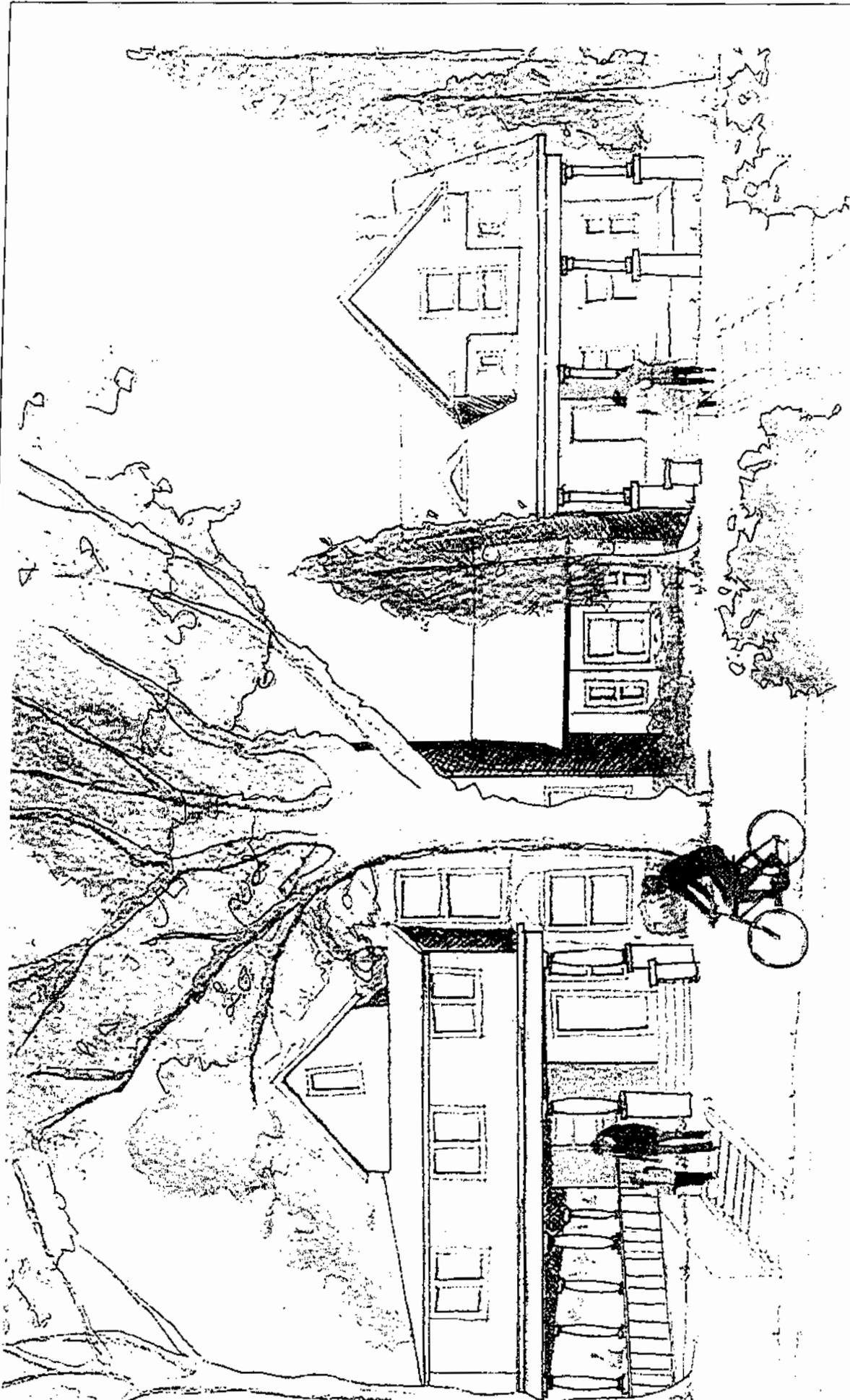
The addition of the 2541 building will not necessarily increase the services or the traffic of the facility but will allow better use and access of RSACC's services.

Attached please find a colored rendering of the proposed facilities showing the connecting link. Also attached is a digital picture of the current state of the two buildings. We have attached the proposed first and second floor plans also.

Sincerely,

A handwritten signature in black ink, appearing to read "David L. Johnson".

David L. Johnson, AIA
President



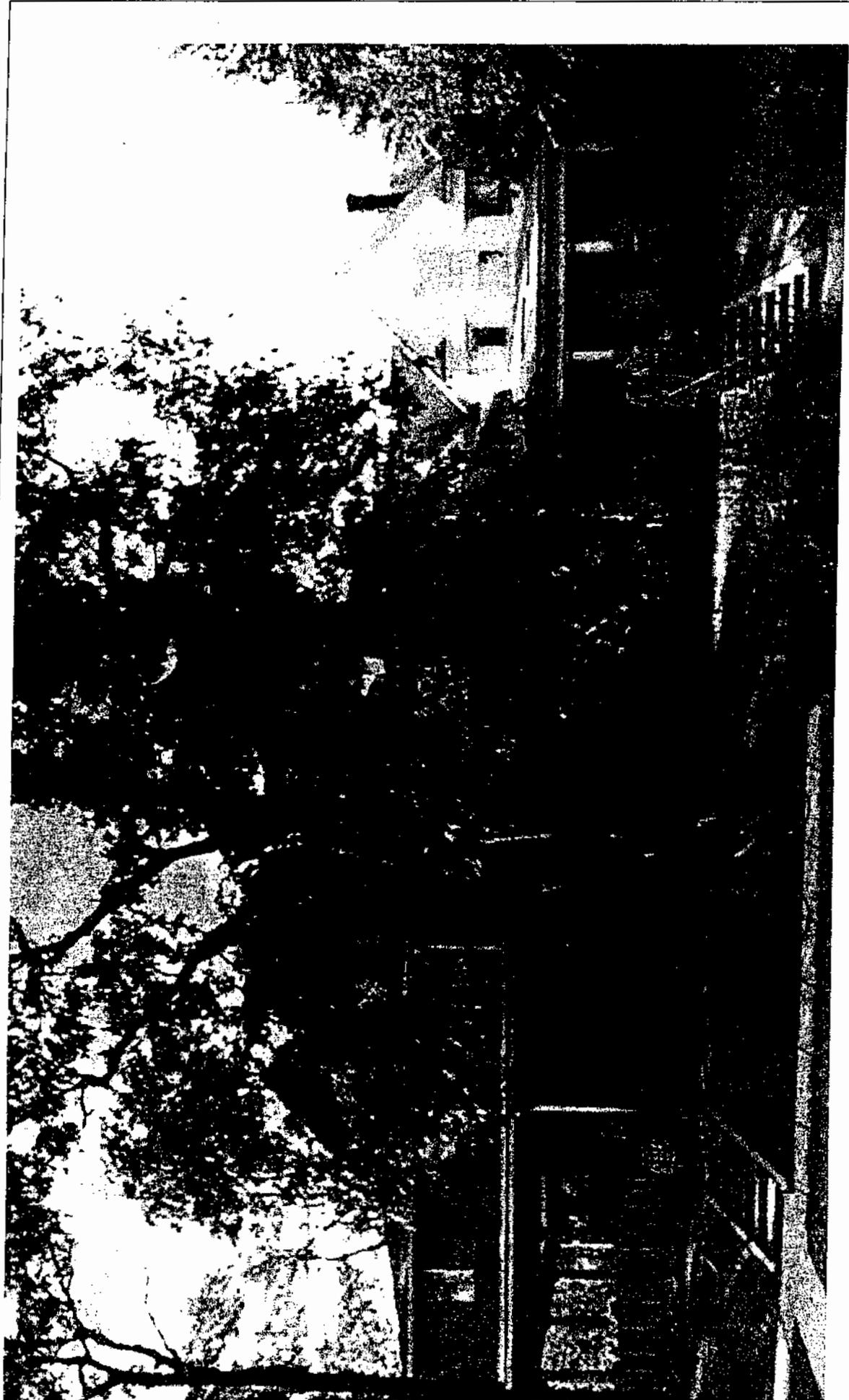
studio

proposed condition

10.14.2004

lincoln, nebraska

RSACC



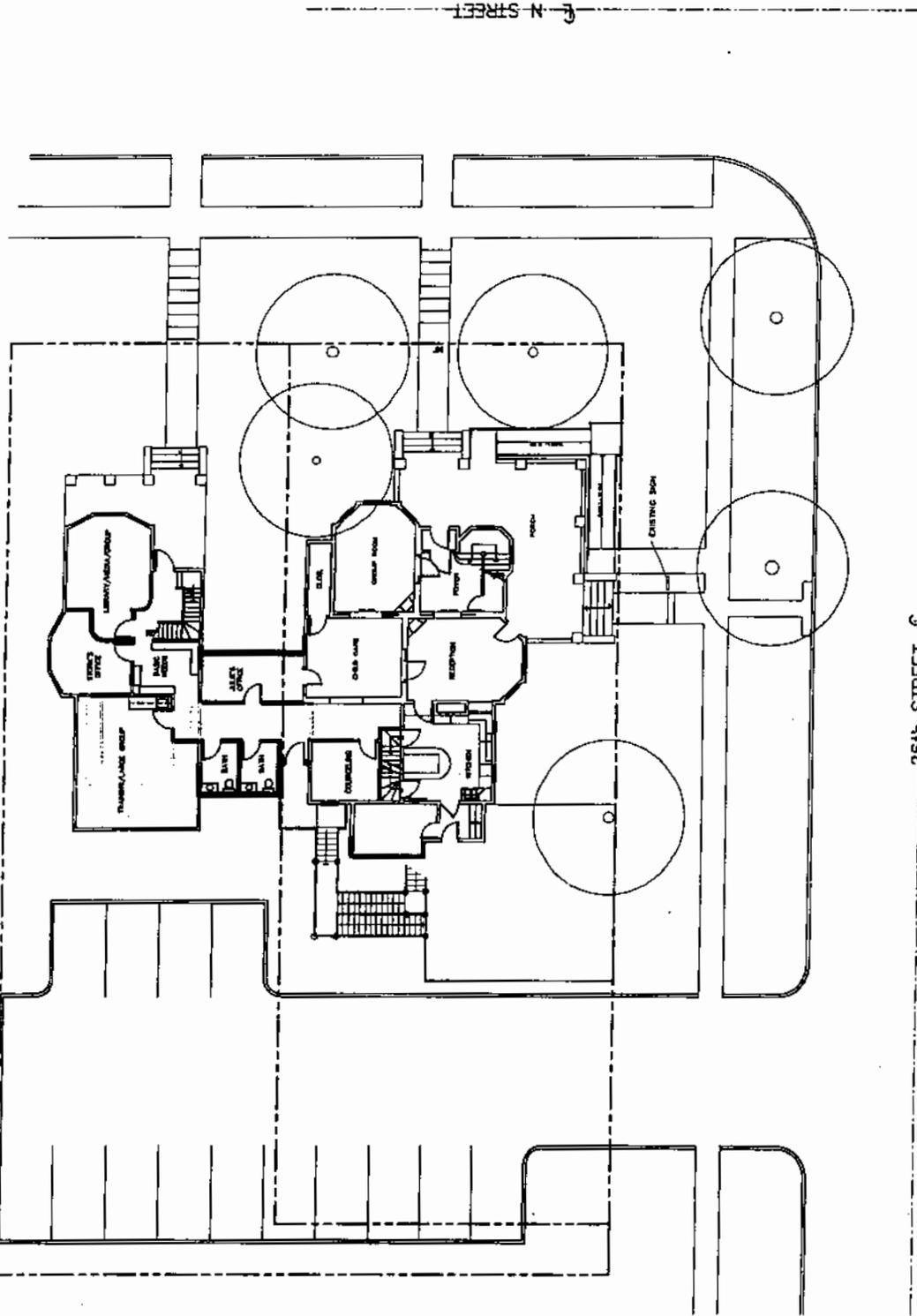
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existing site condition

10.14.2004

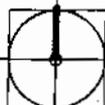
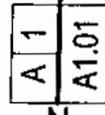
lincoln, nebraska

RSACC



SITE PLAN

SCALE: NONE

**LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT
INTER-OFFICE COMMUNICATION**

TO: Ed Zimmer

DATE: November 22, 2004

DEPARTMENT: Planning

FROM: Chris Schroeder

ATTENTION:

DEPARTMENT: Health

CARBONS TO: EH File
EH Administration

SUBJECT: SP #04062

The Lincoln-Lancaster County Health Department has reviewed the special permit application and has no objection to the approval of this application.

Memorandum

To:	Ed Zimmer, Planning Department
From:	Charles W. Baker, Public Works and Utilities
Subject:	Special Permit #04062, 2545 and 2541 'N' Street
Date:	November 24, 2004
cc:	Randy Hoskins

The City Engineer's Office of the Department of Public Works and Utilities has reviewed the application for Landmark Designation and Special Use Permit at 2541 and 2545 'N' Street. Public Works has no objections. The proposed parking layout at the rear of the residences must meet Design Standards. The conceptual layout appears to work, however without dimensions Public Works cannot approve the submitted site plan. The final plan will be reviewed through the Department of Building and Safety by Public Works for the parking lot construction.



IMPORTANT



Return this report with two sets of corrected plans. The corrections noted below are required to be made to the plans prior to issuance of a permit. Please indicate under each item where the correction is made by plan sheet number or plan detail number.

A separate set of plans for review and final approval must be submitted by the licensed installing contractor/s if fire suppression systems, sprinklers, dry powder, fire alarm systems or underground tanks are installed.



Permit # **DRF04183**

Address

Job Description: **Development Review - Fire**

Location:

Special Permit: **Y 04062**

Preliminary Plat:

Use Permit:

CUP/PUD:

Requested By **ED ZIMMER**

Status of Review: **Denied**

11/15/2004 7:45:39 PM

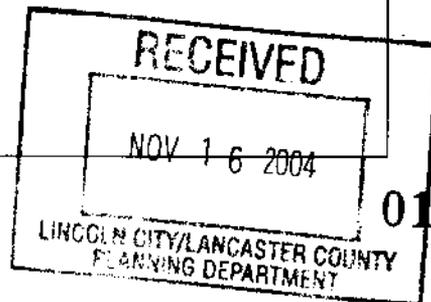
Reviewer: **FIRE PREVENTION/LIFE SAFETY CODE**

BOB FIEDLER

Comments: **need a meeting with applicant , even though I have no problem with the special permit this building will need to be sprinkled to change its use to offices, in its present configuration.**

Current Codes In Use Relating to Construction Development in the City of Lincoln:

- 2000 International Building Code and Local Amendments
- 2000 International Residential Code and Local Amendments
- 1994 Nebraska Accessibility Guidelines (Patterned after and similar to ADA guidelines)
- 1989 Fair Housing Act As Amended Effective March 12, 1989
- 1979 Zoning Ordinance of the City of Lincoln as Amended including 1994 Parking Lot Lighting Standards
- 1992 Lincoln Plumbing Code (The Lincoln Plumbing Code contains basically the 1990 National Standard Plumbing Code and local community Amendments.)
- 1999 National Electrical Code and Local Amendments
- 1997 Uniform Mechanical Code and Local Amendments
- 1994 Lincoln Gas Code
- 2000 NFPA 101 Life Safety Code
- 2000 Local Amendments International Firecode
- Applicable NFPA National Fire Code Standards



018

IN SUPPORT

ITEM NO. 1.1a&b: CHANGE OF ZONE NO. 04078
SPECIAL PERMIT NO. 04062
(p.01 - Consent Agenda - 12/08/04)



Jean L Walker
12/07/2004 02:37 PM

To: Marvin S Krout/Notes@Notes, Ray F Hill/Notes@Notes
cc: (bcc: Jean L Walker/Notes)
Subject: Change of Zone No. 04078 and Special Permit No. 04062 - Support

----- Forwarded by Edward Zimmer/Notes on 12/07/2004 02:31 PM -----



MDJ14528@aol.com
12/07/2004 12:27 PM

To: ezimmer@lincoln.ne.gov
cc: Bambi@rsacc.org
Subject: change of zone and special permit application

Dear Ed:

I am writing in regard to the Change of Zone No. 04078, for a landmark designation, on property at 2541 N Street, Special Permit No. 04062, for a nonprofit office use at the same location.

I recently received notice of the application by RSACC for the zoning changes. We haven't had the opportunity for a presentation to the entire Woods Park Neighborhood Association Board. However, a fellow WPNA board member, Bambi Carnicle, had brought to the board the information that they were buying the house next door to RSACC. She told us the intention of expanding their offices into it. I would say that there was great support of the idea. RSACC is a very valuable community service and they have been good neighbors in Woods Park. We will have a formal vote at our next meeting which is the 14th of December. I can say with a large degree of certainty that WPNA will support the zone changes for the property at 2541 N street.

Michael James

President, WPNA

IN SUPPORT

ITEM NO. 1.1a&b: CHANGE OF ZONE NO. 04078

SPECIAL PERMIT NO. 04062

(p.01 - Consent Agenda - 12/08/04)



"Becky Martin"
<rjmartin2@msn.com>

11/30/2004 10:56 PM

To: <plan@ci.lincoln.ne.us>, "Ed Zimmer" <ezimmer@ci.lincoln.ne.us>
cc:
Subject: 2541 "N" Street Change of Zone and Special Permit

Dear Ed Zimmer and Planning Commission Members,

This letter is in support of the Landmark Designation (04078) and Special Permit (04062) for 2541 "N" Street or the RSACC property. The Lally House deserves this special honor. RSACC has taken special care of this property and the designation would ensure the future preservation of this wonderful house. I urge the Planning Commission to support these requests as they will help preserve the historic characteristics of Woods Park Neighborhood.

Becky Martin
Neighbor in Woods Park

Don Pearston (p.1- Consent Agenda - 12/08/04)



● 229 S. 26th St. ● Lincoln, NE 68510 ● Phone (402) 477-0514 ●
● e-mail dpearston@yahoo.com ●

12/5/2004

Planning Commision,

I am writing this letter to oppose the special permit the RSACC has applied for in regards to 2541 N street and the 14 stall parking lot they propose building behind this building and their current building next door at 2545 N street.

I live in the house just south of the spousal abuse center, though I believe they offer a valuable service, their increased parking needs have been a growing problem. Our neighborhood has been inundated with their visitors cars parked on both sides of our street-on south 26th street. It is always difficult for apartment tenants and homeowners in the neighborhood to locate parking (this is a high density apartment area). Additionally, RSACC's guests often jam their cars into spots so that they partially block our driveways. Just last week the landscaper for the abuse center almost completely blocked my driveway, he apologized politely but stated, "there is not another place to park". In summation, this is a residential neighborhood and RSACC needs to resolve its current parking problems instead of this planned expansion.

I spoke to Dave Johnson, an RSACC board member and the architect for this expansion plan, he also admitted that there is a parking problem and that even with this new plan the new parking lot would simply be a "remedy and not a solution". He further stated that there are 14 full time employees and also volunteers working at RSACC. That would mean that the proposed parking lot would not provide enough parking spaces for their employees let alone the many guests that line our street daily. Not only do there expansion plans not solve the parking problems, if permitted, we would have a busy and large parking lot in our neighborhood-particularly by my own home as the new parking lot would run the length of my property.

In their request for a special permit, on the house they purchased next to the RSCACC, its states that there will not be an expansion of services. If they need to purchase additional land and office space that is by definition an expansion. Additionally, what is to stop them in the very near future from expanding services?

Lets look at their continual expansion since their inception:

- The organization started in 1974
- In 1976 they expanded to become part of the Family Services Association
- In 1978 they expanded so to include domestic violence
- Later expanded services to incest survivors
- In 1989 it incorporated into a non-profit 501 corporation.
- In 1992 bought the current residential home and added services
- 2000 they were operating with less cars and guests under R-6 zoning.
- In 2001 they got a special permit and increased operation, traffic and parking (by a few spaces).
- Now, in 2004 they have bought the house next door and want to expand their operations and build a large parking lot.

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Based on the above it is obvious that they are in fact expanding, and have done so unchecked every couple of years-and probably will continue to do so in the future.

I do have one possible solution and that would be for RSACC to seek an arrangement to either buy or lease parking spaces from either of the two lots north of their current location. Dave Johnson said the tried to buy them but the current owners declined. How about a long-term lease? Or, they could demolish their new building and make a large parking lot in its place.

In closing I hope that I have presented our case: In short RSACC is in fact expanding like they have in the last few decades and since being on N street they have outgrown their ability to provide parking to there guests. They have now bought the neighboring house to expand their operations with 1700 sq. feet of additional space and build a 14-stall parking lot that would not even provide enough stalls for their employees let alone their many guests. We hope that you will deny this special permit (and expansion) until they can adequately provide needed parking spaces for both their employees and guests.

Sincerely,


Don Pearston, MA