

**LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT**

**for May 26, 2004 PLANNING COMMISSION MEETING**

**P.A.S.:** Special Permit #04021

**PROPOSAL:** Church Steeple/Ornamental Spire exceeding the height of the district.

**LOCATION:** Approximately S. Folsom Street and Pioneers Blvd.

**LAND AREA:** 20.25 acres, more or less.

**CONCLUSION:** This building and spire are designed and located such that it should have minimal, if any, impact upon the character of the nearby neighborhood.

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

**LEGAL DESCRIPTION:** A 20.07 portion of Lot 48 I.T. in the NE 1/4 of Section 10 T9N R6E, Lancaster County, Nebraska. Legal description attached.

**EXISTING ZONING:** AG Agriculture

**EXISTING LAND USE:** Vacant

**SURROUNDING LAND USE AND ZONING:**

North:	Acreages/ Yankee Hill neighborhood	R-3 Residential
South:	Agriculture/ ball fields	AG Agricultural
East:	Highway 77 and agricultural	AG Agricultural
West:	YMCA soccer fields & acreage	AG Agricultural

**HISTORY:** A special permit was issued for a recreation facility for the Optimist on this site in March 1997. An amendment is in process to remove this area from the permit boundary.

**COMPREHENSIVE PLAN SPECIFICATIONS:**

The Land Use Plan shows this property as Green Space (F 25)

**TRAFFIC ANALYSIS:**

This is bounded by Folsom Street on the west, Pioneer Blvd on the north and Hwy 77 on the east. Access to Folsom was limited in the Optimist ballfield special permit. The Optimists have given an access easement through their property to this land.

**PUBLIC SERVICE:**

This is outside the City limits. The closest fire station is South West Rural Fire, located 1/4 mile north.

**ANALYSIS:**

1. This is a proposal to permit a 49 foot high church spire. This is in the AG district which permits a maximum building height of 35 feet. Churches are a permitted use.
2. A special permit for a church steeple, tower or ornamental spire to exceed the maximum height permitted in the district may be allowed pursuant to LMC §27.63.220. The permit provision lists no conditions of review.
3. This is not in a Capitol View Corridor.
4. This is not in an approach zone to the airport.
5. This proposed ornamental spire is located 250' or more from all property lines.
6. The proposed increase in height (49' vs 35') will not have a negative impact in the area.

**CONDITIONS:**

Site Specific:

1. This approval permits an ornamental spire up to 49 feet in height.

General:

2. Before receiving building permits:
  - 2.1 The permitted shall submit 8 copies of the documents and plans to the Planning Department office for review and approval.
  - 2.2 The construction plans comply with the approved plans.

**STANDARD CONDITIONS:**

3. The following conditions are applicable to all requests:

- 3.1 All development and construction is to comply with the approved plans.
- 3.2 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.
- 3.4 This resolution's terms, conditions, and requirements bind and obligate the permitted, its successors and assigns.
- 3.5 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

Mike DeKalb, 441-6370, [mdekalb@ci.lincoln.ne.us](mailto:mdekalb@ci.lincoln.ne.us)  
Planner

May 11, 2004

**Applicant:** Hope Community Church  
2001 Pine Lake Road, Suite 350  
Lincoln, NE 68512  
(402) 423-8855

**Owner:** Hope Reformed Church, A Nebraska Non-Profit Corporation

**Contact:** Jim Krieger  
Architectural Design Assoc.  
7501 "O" Street, Suite 105  
Lincoln, NE 68510  
(402) 486-3232



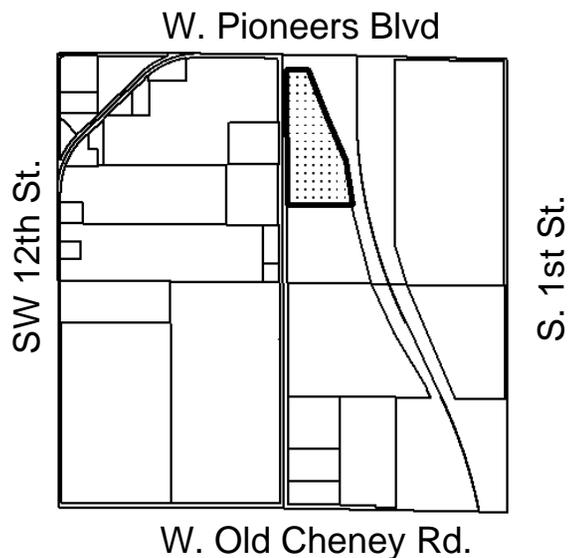
**Special Permit #04021**  
**Hwy 77 & Pioneers Blvd**  
**Hope Community Church**

2002 aerial

**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. 10 T9N R6E



## Legal Description

20.07 +/- AC TRACT IN NORTH PART  
LOT 48 PART IN NE CORNER FOR  
ROAD NE 10-9-6

### PARCEL A

THAT PART OF LOT 45 IRREGULAR  
TRACT LOCATED IN THE NORTH-  
EAST QUARTER OF SECTION 10,  
TOWNSHIP 9 NORTH, RANGE 6 EAST  
OF THE 6th P M., LANCASTER  
COUNTY, NEBRASKA, MORE PAR-  
TICULARLY DESCRIBED AS FOL-  
LWS;

COMMENCING AT THE SOUTHWEST  
CORNER OF SAID NORTHEAST  
QUARTER; THENCE ON THE SOUTH  
LINE OF SAID NORTHEAST QUAR-  
TER, ON AN ASSIGNED BEARING OF  
S 88°57'03"E A DISTANCE OF  
50.00'; THENCE PARALLEL TO THE  
WEST LINE OF SAID NORTHEAST  
QUARTER,  
N 0°00'00"E 909.60', TO THE  
POINT OF BEGINNING; THENCE  
CONTINUING PARALLEL TO SAID  
WEST LINE, N 0°00'00"E 1586.82',  
TO A POINT ON THE SOUTH RIGHT  
OF WAY LINE OF WEST PIONEERS  
BOULEVARD; THENCE ON SAID  
SOUTH RIGHT-OF-WAY LINE, N 89°  
39'40"E 248.86', TO THE INTER-  
SECTION OF SAID SOUTH RIGHT-OF-  
WAY LINE AND THE WEST RIGHT-OF-  
WAY LINE OF U.S. HIGHWAY #77;  
THENCE ON SAID WEST RIGHT-OF-  
WAY LINE FOR THE NEXT TWO (2)  
COURSES, S 22°32'43"E 1151.21';  
THENCE S 8°30'14"E 530.90';  
THENCE S 90°00'00"W 768.75',  
TO THE POINT OF BEGINNING, SAID  
TRACT CONTAINING AN AREA OF  
20.25 ACRES, MORE OR LESS.



Architectural Design Associates P.C.

**Hope Community Church  
New Building Project**

**Special Permit Application – Purpose Statement  
April 15, 2004**

Hope Community Church is locating a new church building on an unimproved piece of ground located at the intersection of Hwy 77, Pioneer Blvd and Folsom Street (see attached site plan). As an element of the building design, there is an ornamental tower on the south elevation of the building (see attached rendering). The parcel is zoned AG, and the maximum allowed height in an AG district is 35 feet. The proposed tower is approximately 49 feet.

The proposed tower will be constructed with a brick veneer and standing seam metal roof to match the materials of the church building. The tower will also feature a circular, internally illuminated element near it's top. The material for this is yet to be determined, but is intended to be a white, translucent plastic with an applied cross design (see attached Tower Detail).

We hereby request a special permit to allow the additional tower height based upon Special Permit Section 27.63.220 of the City of Lincoln Zoning Ordinance, allowing Ornamental spires to exceed the maximum height permitted in an AG district.



**Special Permit #04021  
Hwy 77 & Pioneers Blvd  
Hope Community Church**



Rendering

Hope Community Church

ADA

1



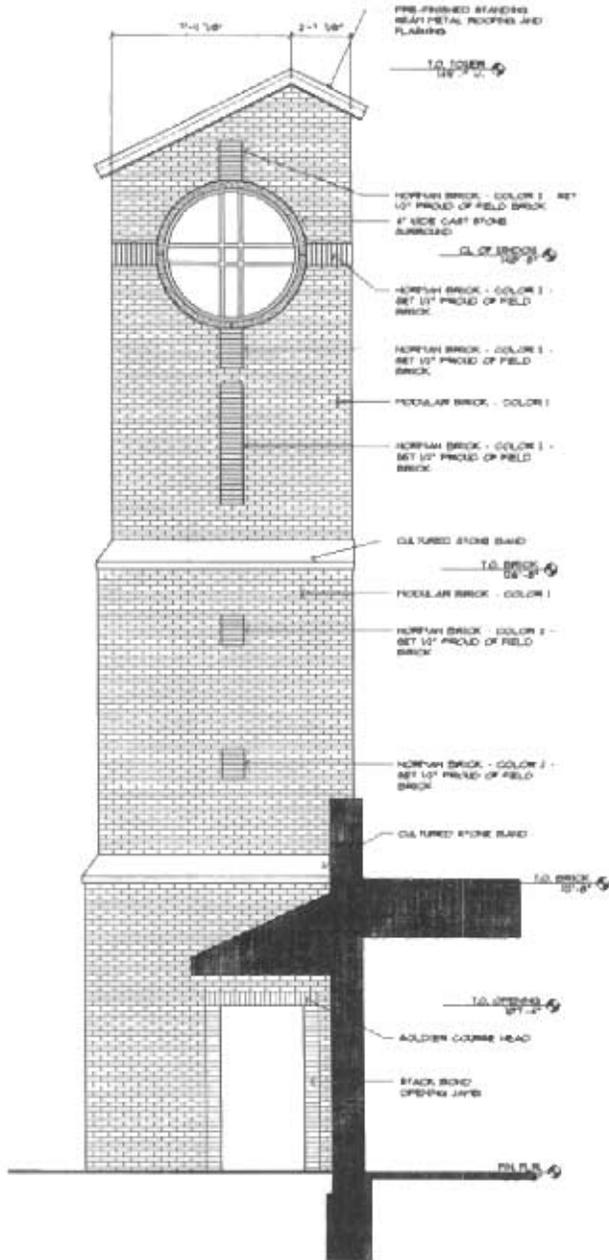
TOWER DETAIL

Hope Community Church

4/1/04

ADA

4



SOUTH ELEVATION  
SCALE: 3/8\"/>

Special Permit #04021  
Hwy 77 & Pioneers Blvd  
Hope Community Church

Architectural Design Associates, P.C. 7501 - O' Street, Suite 105 Elmork, NE, 68510 phone: (402) 486-2232 fax: (402) 486-3380 ada@adafirm.com

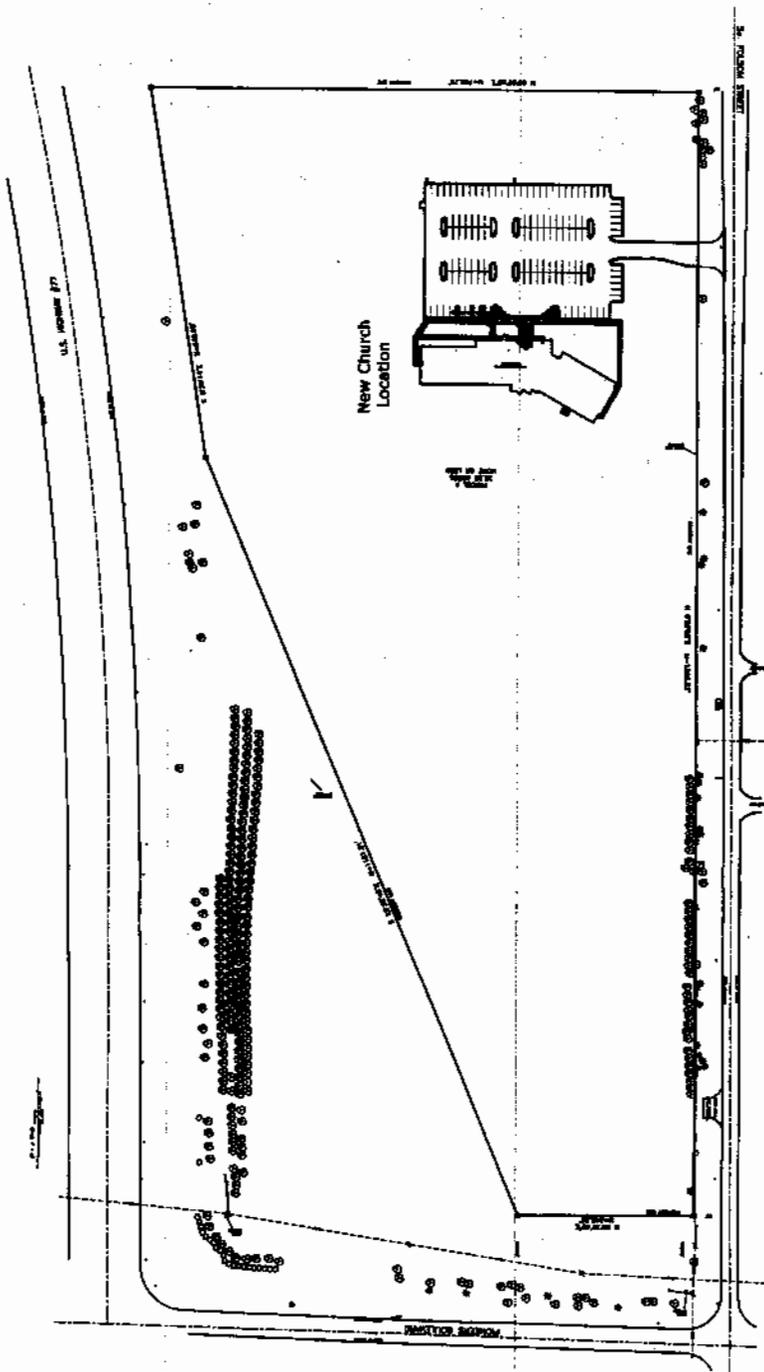
**Legal Description**

20.07 +/- AC TRACT IN NORTH PART LOT 48 PART IN NE CORNER FOR ROAD NE 10-8-8

**PARCEL A:**

THAT PART OF LOT 45 IRREGULAR TRACT LOCATED IN THE NORTH-EAST QUARTER OF SECTION 10, TOWNSHIP 8 NORTH, RANGE 6 EAST OF THE 8th P.M., LANCASTER COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID NORTHEAST QUARTER; THENCE ON THE SOUTH LINE OF SAID NORTHEAST QUARTER, ON AN ASSIGNED BEARING OF S 68°45'70" E A DISTANCE OF 50.00'; THENCE PARALLEL TO THE WEST LINE OF SAID NORTHEAST QUARTER, N 0°40'00" E 908.80', TO THE POINT OF BEGINNING; THENCE CONTINUING PARALLEL TO SAID WEST LINE, N 0°40'00" E 1588.82', TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF WEST PIONEERS BOULEVARD; THENCE ON SAID SOUTH RIGHT-OF-WAY LINE, N 89°43'40" E 248.86', TO THE INTERSECTION OF SAID SOUTH RIGHT-OF-WAY LINE AND THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #77; THENCE ON SAID WEST RIGHT-OF-WAY LINE FOR THE NEXT TWO (2) COURSES, S 22°46'32" E 1151.21'; THENCE S 8°46'30" E 530.90'; THENCE S 90°40'00" W 788.75' TO THE POINT OF BEGINNING, SAID TRACT CONTAINING AN AREA OF 20.25 ACRES, MORE OR LESS.



**Special Permit #04021  
Hwy 77 & Pioneers Blvd  
Hope Community Church**

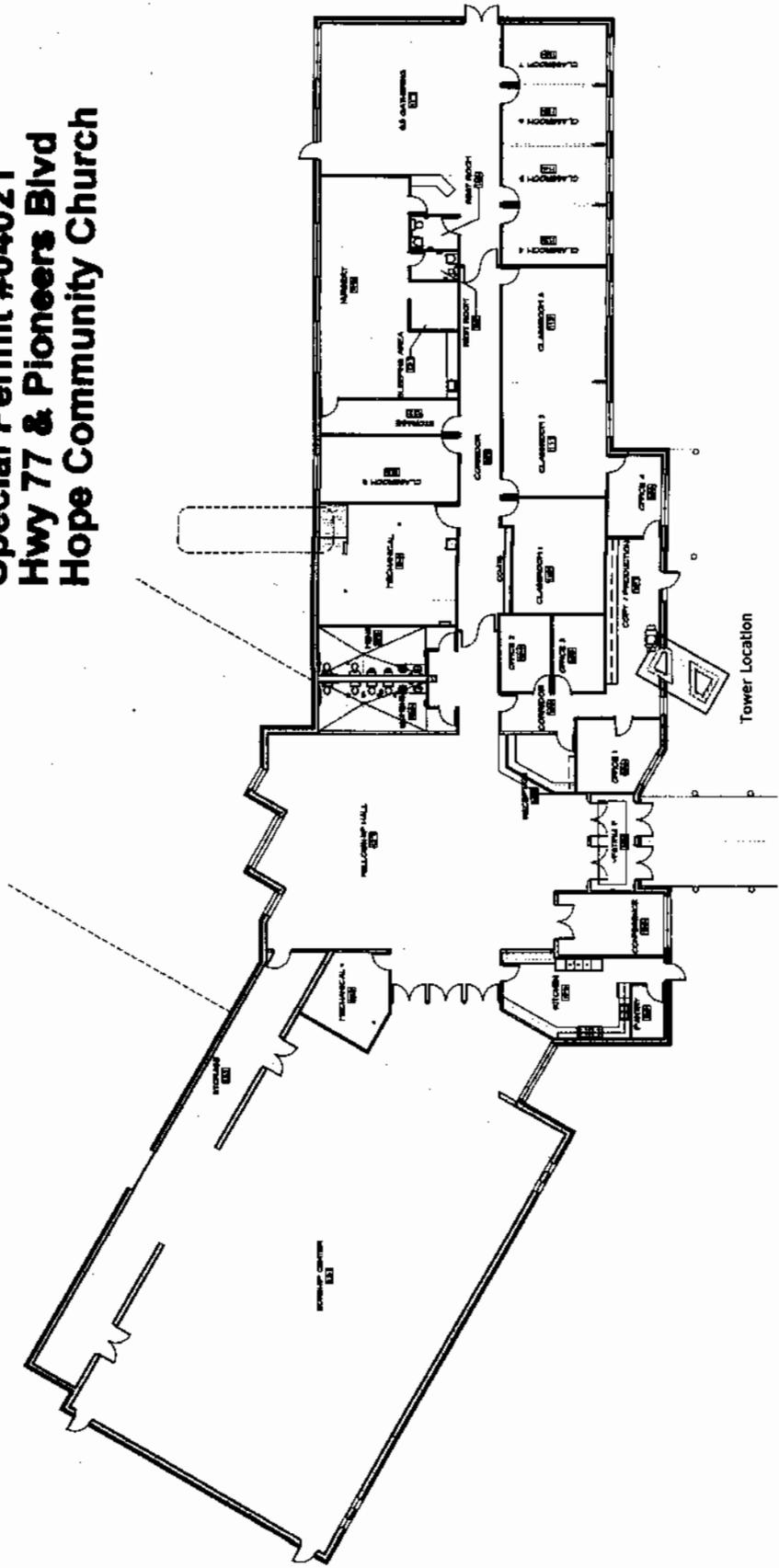


**Site Plan**

**Hope Community Church**

4/15/04 **ADA**

**Special Permit #04021  
Hwy 77 & Pioneers Blvd  
Hope Community Church**



# Memorandum

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<b>To:</b>	Mike DeKalb, Planning Dept.
<b>From:</b>	Bruce Briney, Public Works and Utilities
<b>Subject:</b>	Special Permit #04021, Hope Community Church
<b>Date:</b>	May 3, 2004
<b>cc:</b>	Randy Hoskins

The City Engineer's Office of the Department of Public Works and Utilities has reviewed the application for Special Permit #04021 for Hope Community Church located at South Folsom Street and Pioneers Boulevard to permit an ornamental tower attached to the church building to exceed the maximum allowed height of 35 feet in an AG district. The proposed tower is approximately 49 feet in height. Public Works has no objection to the application.