

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

P.A.S.: Special Permit #1013I

DATE: September 19, 2001

PROPOSAL: Steve Miers requests an amendment to the existing special permit for planned service commercial to allow for the construction of an 80 foot high flag pole, which exceeds the maximum allowed height of the district, for the display of the American Flag in the required front yard setback. The special permit is for the Trade Center, generally located at 56th and Waltz Road.

WAIVER REQUEST:

Section 27.45.070(a) Increase height to 80 feet for the flag pole.

Section 27.45.070(a) Reduce the front yard setback to a point shown on the site plan to allow for the flag pole.

LAND AREA: 3.6 Acres

CONCLUSION: In conformance with the Comprehensive Plan.

RECOMMENDATION:

Approval

GENERAL INFORMATION:

LEGAL DESCRIPTION: Lot 44 Irregular Tract located in the NW 1/4 of Section 16 T9N R7E in Lancaster County, Nebraska.

LOCATION: 56th and Waltz Road

APPLICANT: Steve Miers
6000 S. 56th Street
Lincoln, NE 68516
(402)730-6000

OWNER: Same

CONTACT: Same

EXISTING ZONING: H4, General Commercial District

EXISTING LAND USE: Mini warehouses

SURROUNDING LAND USE AND ZONING:

North:	Planned Service Commercial	H4, General Commercial District
South:	Planned Service Commercial	H4, General Commercial District
East:	Planned Service Commercial	H4, General Commercial District
West:	Vacant	H4, General Commercial District

HISTORY: This area was zoned AA, Rural and Public Use District and A-1, Single Family Dwelling District until it was updated to AGR Agricultural Residential and R-1, Residential during the zoning update in 1979.

On **April 4, 1983**, City Council approved Change of Zone #2018 to H4, General Commercial District.

On **April 4, 1983**, City Council approved Special Permit #1013 to expand the area of Planned Service Commercial at 56th and Old Cheney Streets for 400,875 square feet of building area in 25 buildings to the east of this site.

On **September 5, 1989**, City Council approved Special Permit #1013D for Planned Service Commercial at 56th and Waltz Road for authority to construct a self-service storage facility.

COMPREHENSIVE PLAN SPECIFICATIONS: The Comprehensive Land Use Plan specifies this area as commercial.

TRAFFIC ANALYSIS: The Functional Street Classification in the Comprehensive Plan indicates that South 56th Street is classified as a minor arterial and Waltz Road is a local street.

South 56th Street has a Building Line District. The Building Line District requires the front yard line be located 50 feet from the centerline of South 56th Street.

ANALYSIS:

1. This is a request to allow an 80 foot flag pole in order to display the American flag in the required front yard.

2. Section 27.45.070(a) of the Zoning Ordinance specifies a maximum allowable height of 35 feet and a required front yard of 50 feet in H4, General Commercial District.
3. Section 27.63.470(d) Permitted Special Use: Planned Service Commercial states: "The City Council may increase or decrease the height and area regulations and the floor area to land area ratios otherwise applicable in the H4 General Commercial District, consistent with adequate protection of the environments of adjacent land uses"(page 27-157).
4. This area is located in a floodplain. The Comprehensive Plan indicates that the capacity of the floodway or floodplain shall be maintained. All construction must comply with all Federal, State, and City floodplain regulations including the standards as set forth in Title 27, Zoning Ordinance, section 27.55 Flood Plain District.
5. The Building and Safety Department indicated that:
 - The applicant needs to provide an existing and proposed grading plan or a note to indicate that no grading changes are taking place.
 - A building permit and flood plain permit is required at which time structural engineering for both the pole and footings must be provided.
 - It should be noted that no portion of the flag may fly over any property lines, building line district lines, or easement lines without approval by the City.
 - If the flag is to be illuminated, the source of illumination must be noted on the site plan as well as how the applicant is going to control any light pollution.

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 The permittee shall have submitted a 5 copies of a revised final plan including the following revisions:

- 1.1.1 Provide an existing and proposed grading plan or add a note that no grading will be performed.

- 1.1.2 Revise the plan to note that no portion of the flag may fly over any property lines, building line district lines, or easement lines.
 - 1.1.3 If the flag is to be illuminated, the source of illumination shall be noted on the site plan as well as how the applicant is going to control any light pollution.
2. This approval permits up to an 80 foot flag pole for the display of the American Flag in the required front yard setback as shown on the site plan.

General:

3. Before receiving building permits:
- 3.1 The construction plans shall comply with the approved plans.
 - 3.2 A building permit and flood plain permit is required at which time structural engineering for both the pole and footings must be provided.

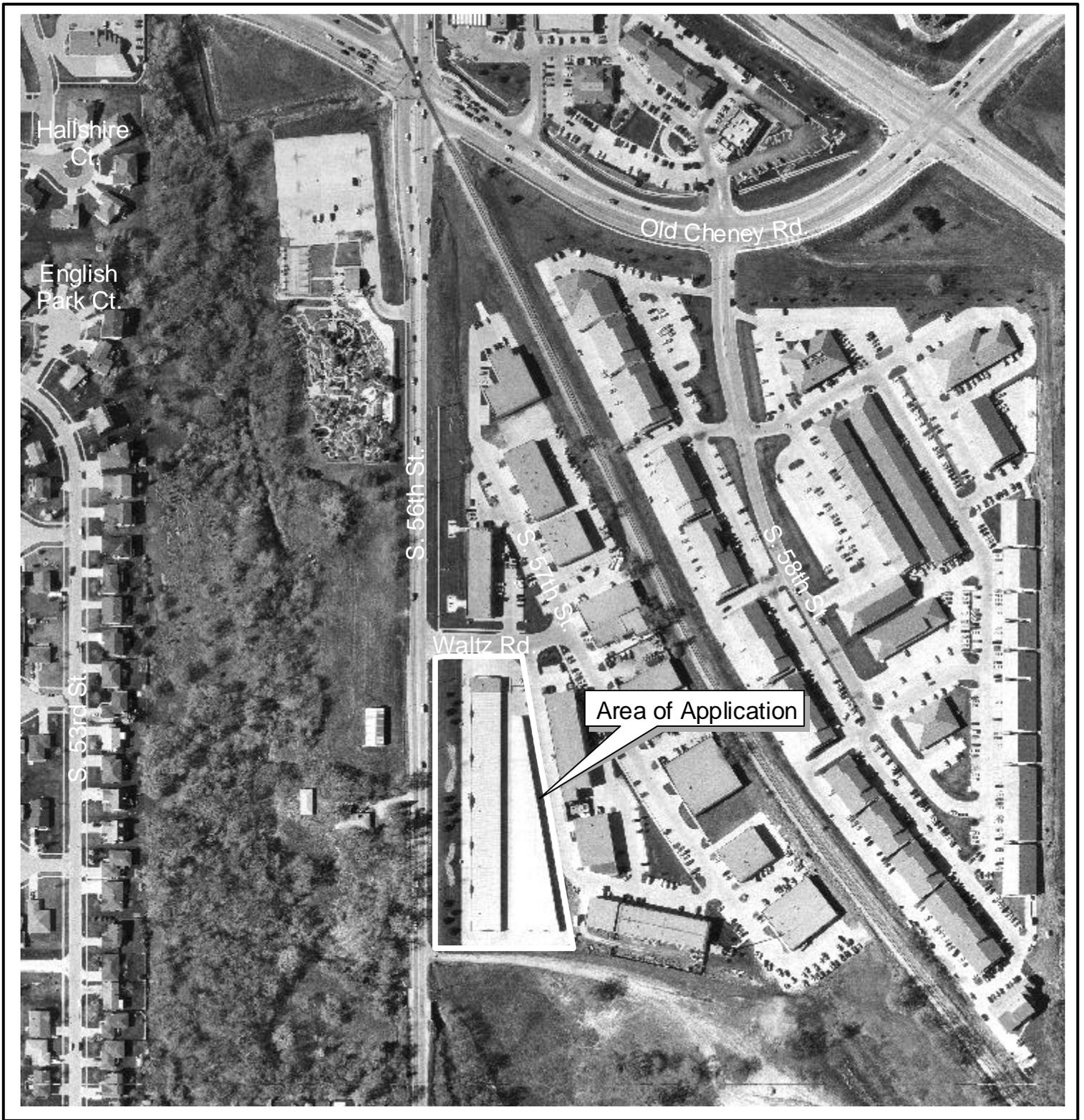
STANDARD CONDITIONS:

4. The following conditions are applicable to all requests:
- 4.1 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.

- 4.6 All construction shall comply with all applicable floodplain regulations.
5. The site plan as approved with this resolution voids and supersedes all previously approved site plans, however all resolutions approving previous permits remain in force unless specifically amended by this resolution.

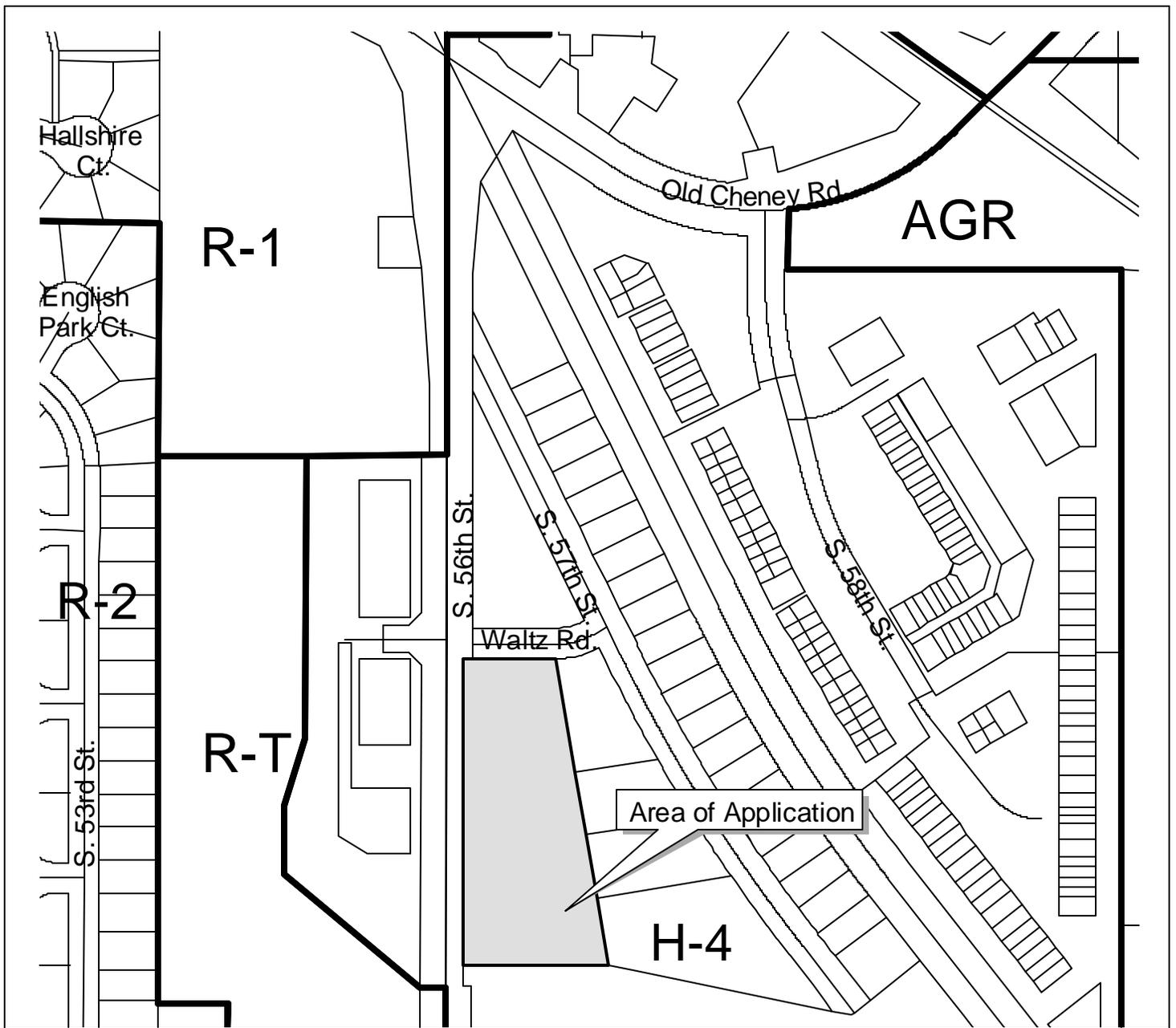
Prepared by:

Becky Horner
Planner



Special Permit #1013 I
6000 S. 56th St.



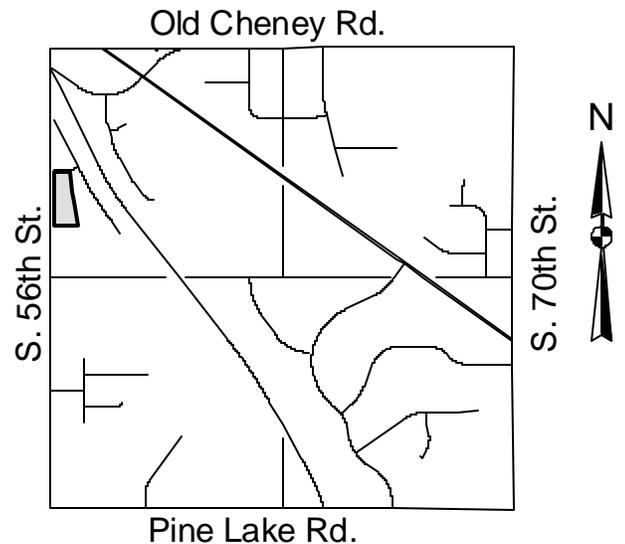
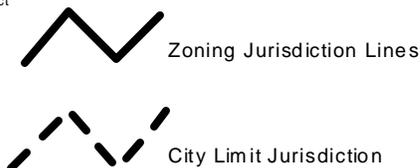


Special Permit #1013 I
6000 S. 56th St.

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. 16 T9N R7E



10/20/89

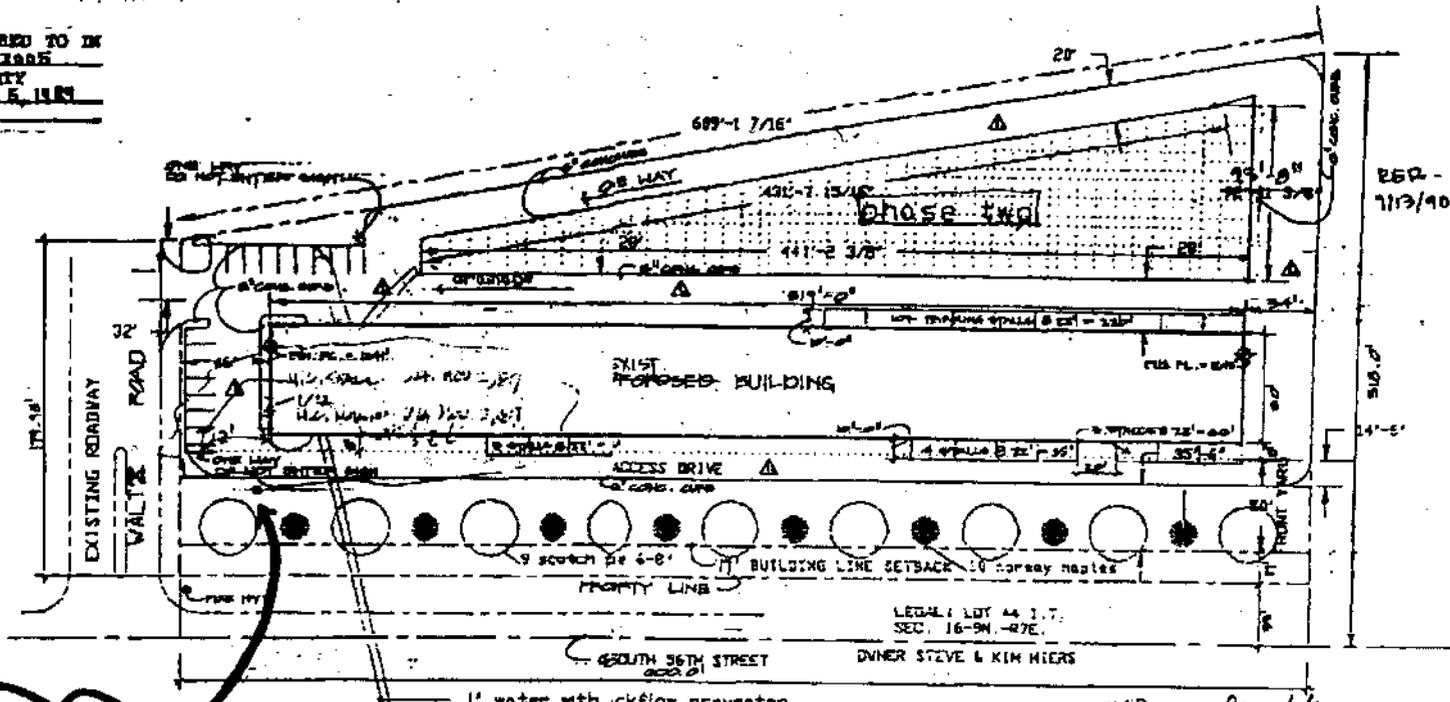
CITY PLANNING DIRECTOR APPROVES THIS

LANDSCAPE PLAN FOR 57.8 1013 D 56TH AND WALTER ROAD

[Signature]
PLANNING DIRECTOR

10/4/89
DATE

PLOT PLAN REFERRED TO IN
RESOLUTION # A-1288
ADOPTED BY THE CITY
COUNCIL ON SEPT. 5, 1989
S.E.P. 1013 D



PROPOSED
FLAG POLE
LOCATION
-SEE ENLARGED
PLAN

SITE PLAN N.T.S.
ADDRESS: 6000 So. 56th

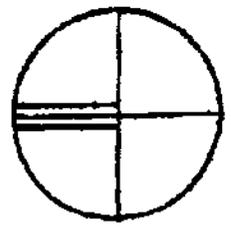
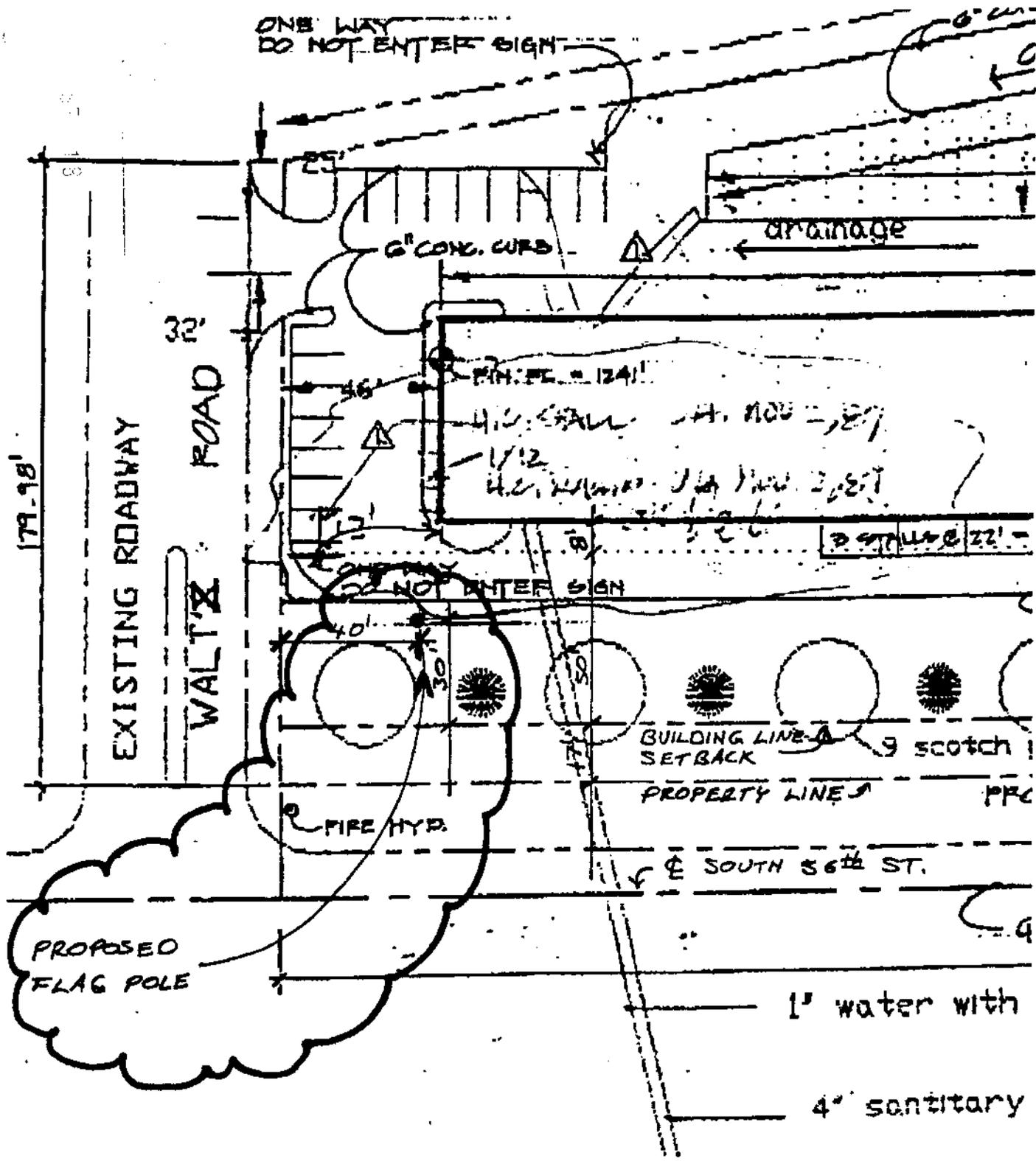
RECEIVED
OCT 27 89
BUILDING AND SAFETY
LINCOLN, NEBRASKA

APPROVED *[Signature]*
215383
GENERAL NOTES
▲ BUILD. ON CONC. SLAB (1" OVER CONC. TYPE) W/
- 4" O.C. 6" R.H.M. @ DRIVES.

[Signature]
ARCHITECT
RECOMMENDED
1000 S. 10th St. Lincoln, NE 68502
314-466-1111

890408 6000 So. 56 Street

101-101-4001-4004-4005-4006-4007-4008-4009-4010-4011-4012-4013-4014-4015-4016-4017-4018-4019-4020-4021-4022-4023-4024-4025-4026-4027-4028-4029-4030-4031-4032-4033-4034-4035-4036-4037-4038-4039-4040-4041-4042-4043-4044-4045-4046-4047-4048-4049-4050-4051-4052-4053-4054-4055-4056-4057-4058-4059-4060-4061-4062-4063-4064-4065-4066-4067-4068-4069-4070-4071-4072-4073-4074-4075-4076-4077-4078-4079-4080-4081-4082-4083-4084-4085-4086-4087-4088-4089-4090-4091-4092-4093-4094-4095-4096-4097-4098-4099-4100



SITE PLAN

40' ADDRESS 6000 SO. 56TH

9/20/01

PLANNING DEPT. _____ SPECIAL PERMIT NO. 1013 T
ADDRESS OR LOCATION 6000 S 56th
RECEIPT NO. _____ FEE \$ 285 - CBSA

APPLICATION FOR A SPECIAL PERMIT

HONORABLE CITY COUNCIL
City of Lincoln, Nebraska Lincoln, Nebraska 9-18, 2001

Under the provisions of Chapter 27.63 of the Lincoln Municipal Code, the undersigned hereby applies for a Special Permit to: (indicate proposed use or development)

Increase Ht. of District For Flag Pole
20'

on the property described as Lot 17 44 Block N.W. 1/4 16-9-7

Addition _____

Proposed development of the property is shown on plans attached hereto. Type and character of the proposed use is as follows:

Display of American Flag

Petitioner Steve Miers
(Please Print)

Petitioner's Signature [Signature] Telephone No. 730 6000

Petitioner's Address 6000 S 56th St 68516

Contact Person Same

Contact Person's Address Same

* NOTE: Please designate one individual. All information and questions will be directed to this person.

RECORD OWNER & ADDRESS Same

Dates of Planning Commission Hearing _____

April 20, 2000

SEP 18 2001



Lana T Tolbert

09/20/2001 02:51 PM

To: Rebecca D Horner/Notes@Notes
cc: Chuck A Zimmerman/Notes@Notes, Dale L Stertz/Notes@Notes
Subject: Trade Center Special Permit Request

This department offers the following comments regarding your request:

1. The applicant needs to provide an existing and proposed grading plan or a note to indicate that no grading changes are taking place.
2. A Building Permit and Flood Plain Permit will be required.
3. The applicant will need to submit structural engineering for both the pole and footings for our review before we can approve any permits.
4. It should be noted that no portion of the flag may fly over and property lines, building line district lines, or easement lines without proper approval.
5. If the flag is to be illuminated, the source of illumination should be noted on the site plan as well as how the applicant is going to control any light pollution.

Please contact Dale at 441-6449 if you have any questions.