

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

P.A.S.: Special Permit No. 1869A

DATE: October 15, 2002

SCHEDULED PLANNING COMMISSION MEETING:

DATE: October 30, 2002

PROPOSAL: Allow Lots 1-10 to be either attached two-family dwellings or single-family dwellings.

WAIVER REQUEST: Average lot width for single family lots from 50' to 46 on Lots 1-10.
Lot area from 6,000 square feet to 4,140 square feet on Lots 1-10.

LAND AREA: 4.62 acres more or less.

CONCLUSION: This application does not change the density or lot area of the approved Special Permit. It allows flexibility for residential uses. The requested waivers are acceptable.

RECOMMENDATION:

Conditional Approval

GENERAL INFORMATION:

LEGAL DESCRIPTION: Lots 1-25, Block 1 and Outlot "A", Knights Court Addition, located in the NW 1/4 of Section 33, T10N, R7E, Lancaster County, NE.

LOCATION: S. 60th Street & South Street

APPLICANT: Gus Ponstingl
Ross Engineering
201 N. 8th St. Suite 401
Lincoln, NE 68508
(402) 474-7677

OWNER: Council Building Association
6044 South St.
Lincoln, NE 68506
(402) 486-1580

CONTACT: same as applicant

EXISTING ZONING: R-2 Residential with a Community Unit Plan

EXISTING LAND USE: Single family and two-family residential

SURROUNDING LAND USE AND ZONING:

North: R-2 Residential
South: R-2 Residential
East: R-2 Residential
West: R-2 Residential

HISTORY:

July 11, 2001 Final Plat #01002, Knights Court Addition, was approved by Planning Commission

February 12, 2001 Special Permit #1869, Knights Court, was approved by City Council.

January 10, 2001 Preliminary Plat #00024, Knights Court, was approved by Planning Commission.

COMPREHENSIVE PLAN SPECIFICATIONS: The area is identified as Urban residential in the 2025 Comprehensive Plan.

The 2025 Comprehensive Plan states:

Overall Guiding Principles for Residential

A safe residential dwelling should be available for each citizen: the efficiency apartment and the country estate, the small single family “starter” home and the large downtown apartment suite, the most affordable and the most expensive dwelling unit, completely independent living and living within the care of others. Provision of the broadest range of housing options throughout the community improves the quality of life in the whole community. (F 65)

Provide different housing types and choices, including affordable housing, throughout each neighborhood for an increasingly diverse population. (F 66)

UTILITIES: Available

TRAFFIC ANALYSIS: South St. is classified as a urban collector.

ANALYSIS:

1. This application proposes to change 10 lots from attached two-family residential to single family residential.
2. The density and number of lots will not change with this application.
3. The proposed single-family lots are shown as 46' wide with 4,140 square feet of lot area. R-2 zoning requires 50' wide lots and 6,000 square feet lot area. A waiver of these requirements is acceptable because the lot width and the square footage of the lots have not changed from the approved special permit.
4. The Planning Director does not have the authority to approve an amendment that violates any regulation in the zoning ordinance.[Sec. 27.65.060(e)] Therefore, the amendment must be heard by the Planning Commission and City Council.

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 Requested waivers.

2. This approval permits Lots 1-10 to be either single-family or attached two-family.

General:

3. Before receiving building permits:

3.1 The permittee shall have submitted a revised and reproducible final plan including 5 copies showing the following revisions and the plans are acceptable:

3.2 The construction plans shall comply with the approved plans.

3.3 Final Plats shall be approved by the City.

STANDARD CONDITIONS:

4. The following conditions are applicable to all requests:
 - 4.1 Before occupying the dwelling units 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 or an appropriately established homeowners association approved by the City Attorney.
 - 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.
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:

Tom Cajka
Planner

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Special Permit #1869A
S. 60th & South St.
Knights Court

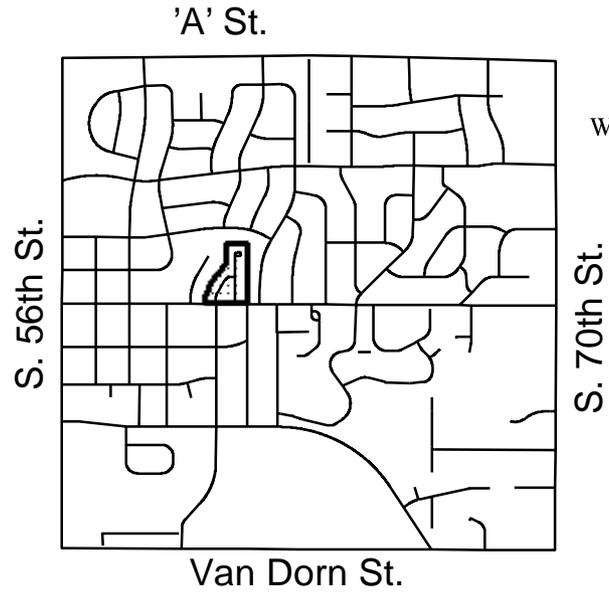
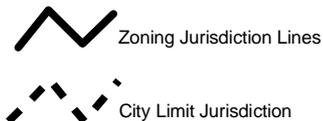


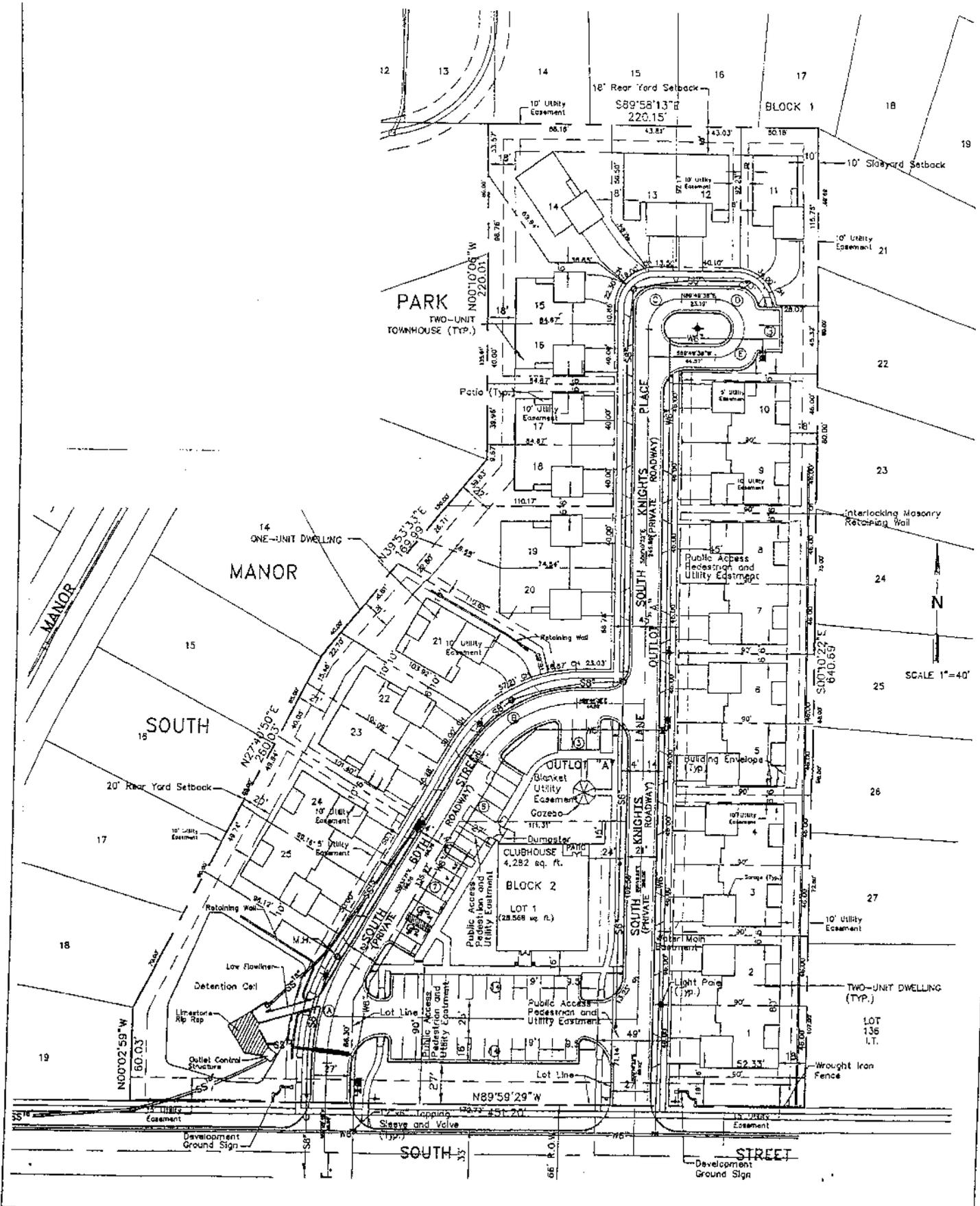


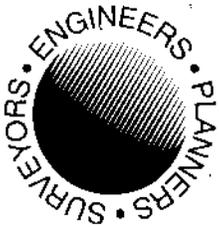
Special Permit #1869A
S. 60th & South St.
Knights Court
Zoning:

- 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. 33 T10N R7







ROSS
Engineering,
Inc.

September 30, 2002

Marvin Krout
Planning Director
County-City Building
555 South 10th Street
Lincoln, NE 68508

RE: Knights Court: Special Permit
61st and South Streets
REI Project No. 118801-F

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1974

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Tomorrow*

Dear Marvin:

On behalf of the Council Building Association we are submitting a Special Permit Application for Knights Court Community Unit Plan. We are requesting the change of the use of the duplex units on Lots 1-10 at Knights Court C.U.P. for use as Single Family Residences. We are doing this due to the popularity of the Single Family Homes. Our client has received numerous requests for Single Family.

We are not changing anything on the Grading, Drainage, or Landscape Plans. We originally were trying to make these changes with an Amendment to the Special Permit, but since we are the possibility of Single Family Units on 46 foot wide lots, we aren't in conformity with the underlying R-2 zoning.

We are adding Note 24: which states that the Single Family Units shown on Lots 1-10 can also be combined and constructed as Two Family Units. We are adding this note to maintain our right for the Lots 1-10 to be constructed as Two Family Dwellings. This gives our client flexibility to still build Two Family Units. We are confident this is a positive change for the neighborhood, and the Planning Department has expressed general approval of this change. We appreciate your consideration.

Included with this submittal are the following:

- | | | |
|----|--------------------------------|----------|
| 1. | Site Plan | 8 copies |
| 2. | Application for Special Permit | |
| 3. | \$585.00 check | |

If you have any questions or comments please, give me a call.

Sincerely,

ROSS ENGINEERING, INC.

August J. Ponstingl
August J. Ponstingl
Senior Land Planner

The Candy Factory
201 North 8th Street
Suite 401
Lincoln, NE 68508
Phone 402.474.7677
Fax 402.474.7678

Cc: Dean Graham
RECEIVED
OCT 1 2002
LAN CITY/LANCASTER COUNTY
PLANNING DEPARTMENT

Enclosure

www.rossengineering.com

AJP
118801L80.doc