

**LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT**

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**for July 9, 2003 PLANNING COMMISSION MEETING**

**P.A.S.:** Change of Zone #3413

**PROPOSAL:** From R-4, Residential to R-2 Residential.

**LOCATION:** Approximately N. 24<sup>th</sup> and Superior Streets.

**LAND AREA:** 5.5 acres, more or less.

**CONCLUSION:** The request to downzone this property is not in conformance with the Comprehensive Plan, is not an appropriate transition from the surrounding zoning and does not make efficient use of the existing infrastructure. Reducing approved residential zoning essentially contributes to sprawl by reducing density in an area that is appropriate for an increased number of units as allowed by the existing zoning.

<b><u>RECOMMENDATION:</u></b>	Denial
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**GENERAL INFORMATION:**

**LEGAL DESCRIPTION:** Lot 1, Block 1, Northview 4<sup>th</sup> Addition and the vacated Timothy Court, all located in Section 12, T10N, R6E.

**EXISTING ZONING:** R-4, Residential

**EXISTING LAND USE:** Undeveloped

**SURROUNDING LAND USE AND ZONING:**

North:	Bank	O-3, Office Park
South:	Residential	R-3, Residential
East:	Commercial	I-1, Industrial
West:	Office, public school, residential	O-3, R-3, R-2, Residential

**COMPREHENSIVE PLAN SPECIFICATIONS:**

**Future Conditions of Community Form**

"Maximize the community's present infrastructure investment by planning for residential and commercial development in areas with available capacity. This can be accomplished in many ways including encouraging appropriate new development on unused land in older neighborhoods, and encouraging a greater amount of commercial space per acre and more dwelling units per acre in new neighborhoods" (F 17).

"Affordable housing should be distributed throughout the region to be near job opportunities and to provide housing choices within every neighborhood. Encourage different housing types and choices, including affordable housing, throughout each neighborhood for an increasingly diverse population" (F-18).

"Encourage mixed-use redevelopment, adaptive reuse, and in-fill development including residential, commercial and retail uses. These uses may develop along transit routes and provide residential opportunities for persons who do not want to or cannot drive an automobile. Promote residential development, economic development and employment opportunities throughout the City" (F-18).

"Encourage different housing types and choices, including affordable housing, throughout each neighborhood for an increasingly diverse population" (F-18).

"Construction and renovation within the existing urban area should be compatible with the character of the surrounding neighborhood" (F 18).

"Mixed-use centers, with higher residential and commercial densities, should provide for transit stops — permitting public transit to become a viable alternative to the automobile" (F-19).

This area is shown as Urban Residential on the Land Use Plan (F-25). Urban Residential is defined as "Multi-family and single family residential, uses in areas with varying densities ranging from more than fifteen dwelling units per acre to less than one dwelling per acre" (F-27).

### **Future Conditions of Residential**

"Affordable housing should be distributed throughout the region to be near job opportunities and to provide housing choices within every neighborhood. Preserve existing affordable housing and promote the creation of new affordable housing throughout the community" (F-65).

"Sidewalks should be provided on both sides of all streets, or in alternative locations as allowed through design standards or the Community Unit Plan process" (F 66).

"Interconnected networks of streets, trails and sidewalks should be designed to encourage walking and bicycling and provide multiple connections within and between neighborhoods" (F 66).

"Multi-family and elderly housing nearest to commercial area" (F-67).

Encourage a mix of housing types, single family, townhomes, apartments, elderly housing all within one area (F-67).

"Similar housing types face each other...change to different use at rear of lot" (F 67).

There are notable differences between elderly housing and traditional multiple-family residential developments. Typically, elderly housing will have fewer occupants per unit and will generate less traffic than housing built for the general marketplace. Thus, a location that is deemed appropriate for elderly housing may not be deemed appropriate for other types of higher-density housing such as multiple-family or town homes (F-72).

### **HISTORY:**

Special Permit #2014, Northview Villa's Community Unit Plan, for 61 dwelling units was denied by the Planning Commission on **June 26, 2003** and is presently scheduled for the City Council.

Special Permit #1821 for a childcare facility, Special Permit #1820 for 128 Elderly Housing and 20 domiciliary care dwelling units, Change of Zone #3231 from R-3 to R-4, Special Permit #1781 for Northview 1<sup>st</sup> Community Unit Plan and Northview 1<sup>st</sup> Preliminary Plat #99017 were approved by the City Council on **February 22, 2000**.

Northview Preliminary Plat #96021, Combined Special Permit/Use Permit #12 for the office park were approved by the City Council on **March 3, 1997**.

Change of Zone #3025 from R-3 to O-3 (north of this site) was approved by the City Council on **January 21, 1997**.

Northview Preliminary Plat #94028 and Change of Zone #2906 from R-3, Residential to O-3 Office Park (north of this site) was approved by the City Council on **August 7, 1995**.

City Council approved Change of Zone #1755 from R-2 to R-3 in **January 1980**.

Zoned A-2, Single Family until it was converted to R-2, Residential during the **1979** zoning update.

#### **HISTORY OF OTHER RESIDENTIAL DOWNZONING**

Change of Zone #3412 from R-4, Residential to R-2, Residential within the existing Antelope Park Neighborhood was submitted to the Planning Department and will be considered by the Planning Commission and City Council in the near future. (The applicant requests to hold the application until a petition is done)

Change of Zone #3397 from R-4, Residential to R-2, Residential within the existing Near South Neighborhood in landmark district was approved by the City Council on **April 14, 2003**.

Change of Zone #3378 from R-5 and R-6, Residential to R-2, Residential within the existing Mount Emerald Neighborhood to preserve landmark districts was approved by the City Council on **October 28, 2002**.

Change of Zone #3354 from R-4, Residential to R-2, Residential within the existing Antelope Park Neighborhood was approved by City Council on **February 25, 2002**. Staff recommended denial because it would cause 35% of the lots to become non-standard and because the R-4 district allowed a diversity of housing stock.

**TRAFFIC ANALYSIS:** Superior Street is classified as an Urban Principal Arterial. All other streets are classified as local streets (F-103). The City Traffic Engineer indicated that the function of the intersection (N. 24<sup>th</sup> and Superior) is normal and does not see a traffic related need to down-zone the property. Their comments are attached.

**ALTERNATIVE USES:** Retain the current zoning and the approved special permit (1820) for elderly housing and domiciliary care facilities. Any deviation from the approved special permit requires an amendment to the special permit, any different permitted, special or conditional use will require a new preliminary plat for the area. The area was previously preliminary platted as one lot.

**ANALYSIS:**

1. This is a request to change the current zoning from R-4, Residential to R-2, Residential. This request is brought forward by the adjacent neighborhood association, Landon’s and Regalton Neighborhood Association, without the support of the landowner, Regal Building Systems, Inc.
2. The applicant states that they request the zoning change because of the traffic burden in the area and because the property owner requested to change the approved special permit for elderly housing/domiciliary care to allow multifamily housing.
3. When Special Permit #1820 was approved the request to change the zoning was to allow the applicant to increase the number of elderly dwelling units. The height was also increased for the buildings on the site from 35' to 43'. Landon’s Neighborhood Association submitted a letter of support (attached) indicating that their support was contingent on the road connection between Old Dairy Road and Dodge Street to be paved before further construction is completed. This contingency has been met. The approved site plan is attached.
4. By approving the change of zoning to R-4 the impact of multifamily structures with height exceptions was assessed and determined to be appropriate on February 22, 2000 when the change of zone was approved. Additionally a certain level of traffic was determined acceptable. Special Permit #2014 for 61 dwelling units was determined by the Planning and Public Works & Utilities Departments to be appropriate development in this location.
5. The uses allowed in the R-4 and R-2 district are substantially similar, however, the area required for each lot is different. The maximum density of R-2 versus R-4 is approximately half. For example, on this site approximately 25 two-family units are permitted with the R-2 district, whereas approximately 45 are permitted with the R-4 district. Area requirements are illustrated below.

	<b>R-2</b>	<b>R-4</b>
Lot area, single family	6,000 sq. ft.	5,000 sq. ft.
Lot area, two family	5,000 sq. ft. per unit	2,500 sq. ft. per unit
Avg. lot width, single family	50 feet	50 feet

Avg. lot width, two family	40 feet per unit	25 feet per unit
Front yard	25 feet	25 feet
Side yard, single family	5 feet	5 feet
Side yard, two family	10 feet (0 feet at common wall)	5 feet (0 feet at common wall)
Rear yard	Smaller of 30 feet or 20% of depth	Smaller of 30 feet or 20% of depth

6. The Comprehensive Plan encourages efficient use of existing infrastructure. All adjacent transportation routes are paved to the full extent of their functional classification, although the applicant indicates traffic issues in the area. The position of the City Traffic Engineer is that the existing Superior Street functions reasonably well. He further indicated that based on the amount of traffic on Superior Street, an additional traffic signal is not warranted until certain conditions are met (see attached memo). The Public Works & Utilities Department is considering restriping Dodge Street with three lanes at Superior which will reduce congestion during peak hours. The Police Department provided accident information for Superior Street as well as a listing of the top accident intersections in the City. Their information indicated that, comparatively, this intersection (N. 24<sup>th</sup> and Superior Streets) does not have a high number of accidents.
7. The City Traffic Engineer indicated that there is no traffic related need to down zone this property. He indicated that the traffic generation under three scenarios (indicated in his memo) does not significantly impact the function of the intersection (see attached memo).
8. Reducing the density in the city effectively increases the need for more units in another location, namely on the edge of the city. Reducing allowed units within the city contributes to sprawl on the edge of the city, and increases the burden for all taxpayers by creating a need to fund additional infrastructure. Allowing the R4 zoning to remain at this location allows a greater amount of housing demand to be met by infill development.
9. The Comprehensive Plan encourages a transition of uses from office/commercial to multifamily, from multifamily to two-family, and from two-family to single family. The area of R4 zoning offers the opportunity to transition the uses appropriately. The Comprehensive Plan illustration of how this should be accomplished is attached.
10. The Comprehensive Plan indicates general land uses but not specific districts. This area, for example, is identified as Urban Residential. Urban Residential is identified as “multifamily and single family residential uses in areas with varying densities ranging from more than fifteen dwelling units per acre to less than one dwelling per acre” (F-27).

11. The R-2 district has been utilized recently to preserve the density and character of existing neighborhoods. It is important to note that the requests for downzoning in existing neighborhoods were brought forward and supported by a majority of the landowners within the boundary of the request, which is not the case with this application.
12. The R-4 zoning is appropriate in this location. Multifamily and elderly housing are both appropriate in this location.
13. If the zoning is changed the existing special permit (#1820) for elderly housing and domiciliary care would be nullified because the allowed number of units was based on R4 zoning.
14. When the special permit was approved the elderly housing received bonuses which allowed more units, but still had an overall traffic generation near the proposed multifamily use. The elderly housing were larger and taller multifamily structures. The review of the special permit determined that the type of structures were appropriate and the traffic generation was acceptable. The R-4 district will not exceed that with its permitted uses, and special permitted uses can be regulated through the special permit to maintain levels of traffic that can be handled by the existing road system.

Prepared by:

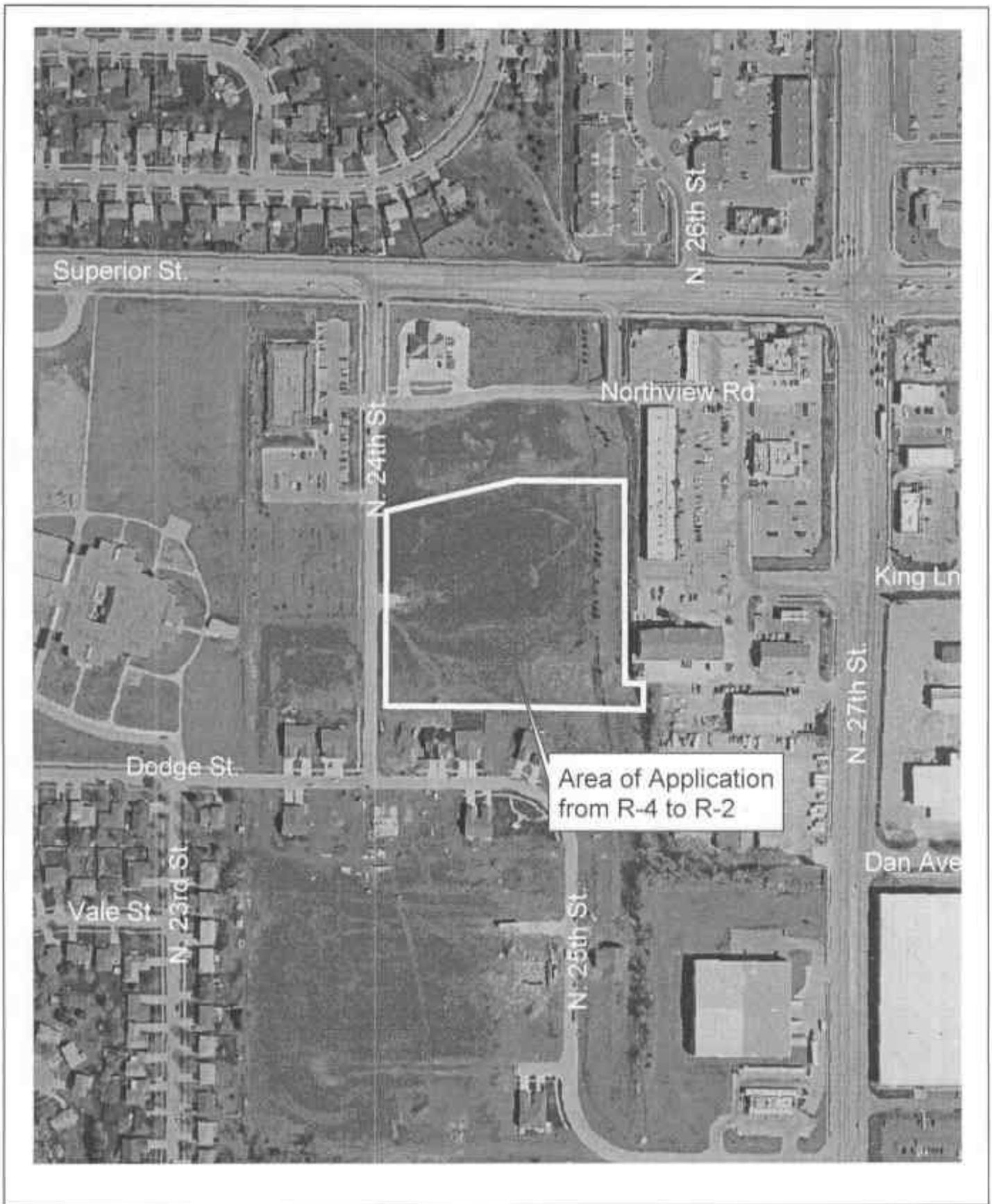
Becky Horner  
Planner

**DATE:** June 23, 2003

**APPLICANT:** Landon's Neighborhood Association  
Regalton Neighborhood Association

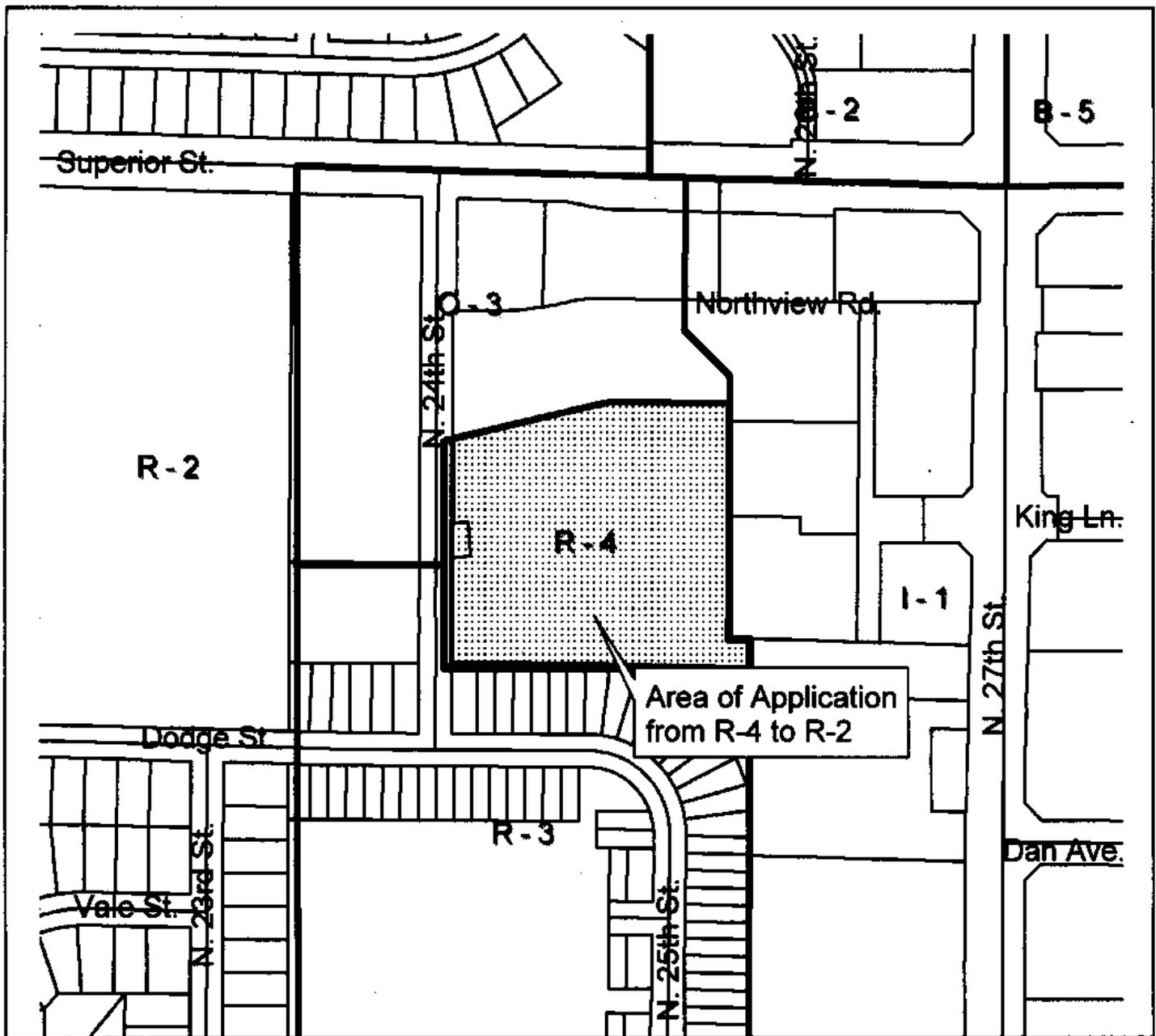
**OWNER:** Regal Building Systems, Inc.  
2610 Park Boulevard  
Lincoln, NE 68502  
(402)435-3550

**CONTACT:** Carol Brown  
2201 Elba Cir.  
(402)435-8932



**Change of Zone #3413  
N. 24th St & Superior St.**





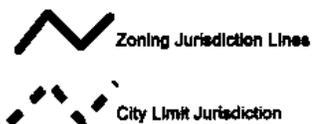
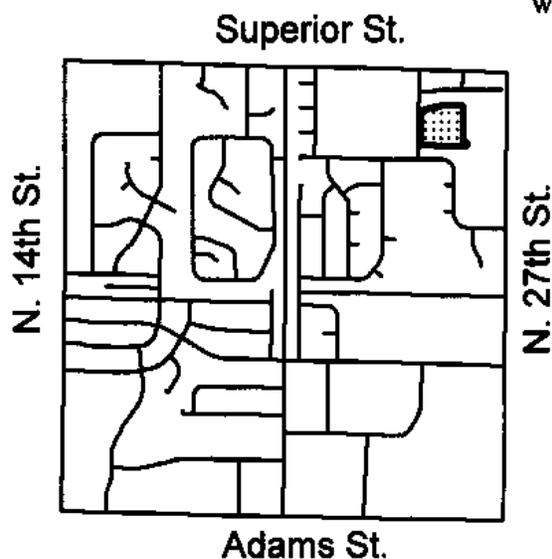
## Change of Zone #3413 N. 24th St & Superior St.

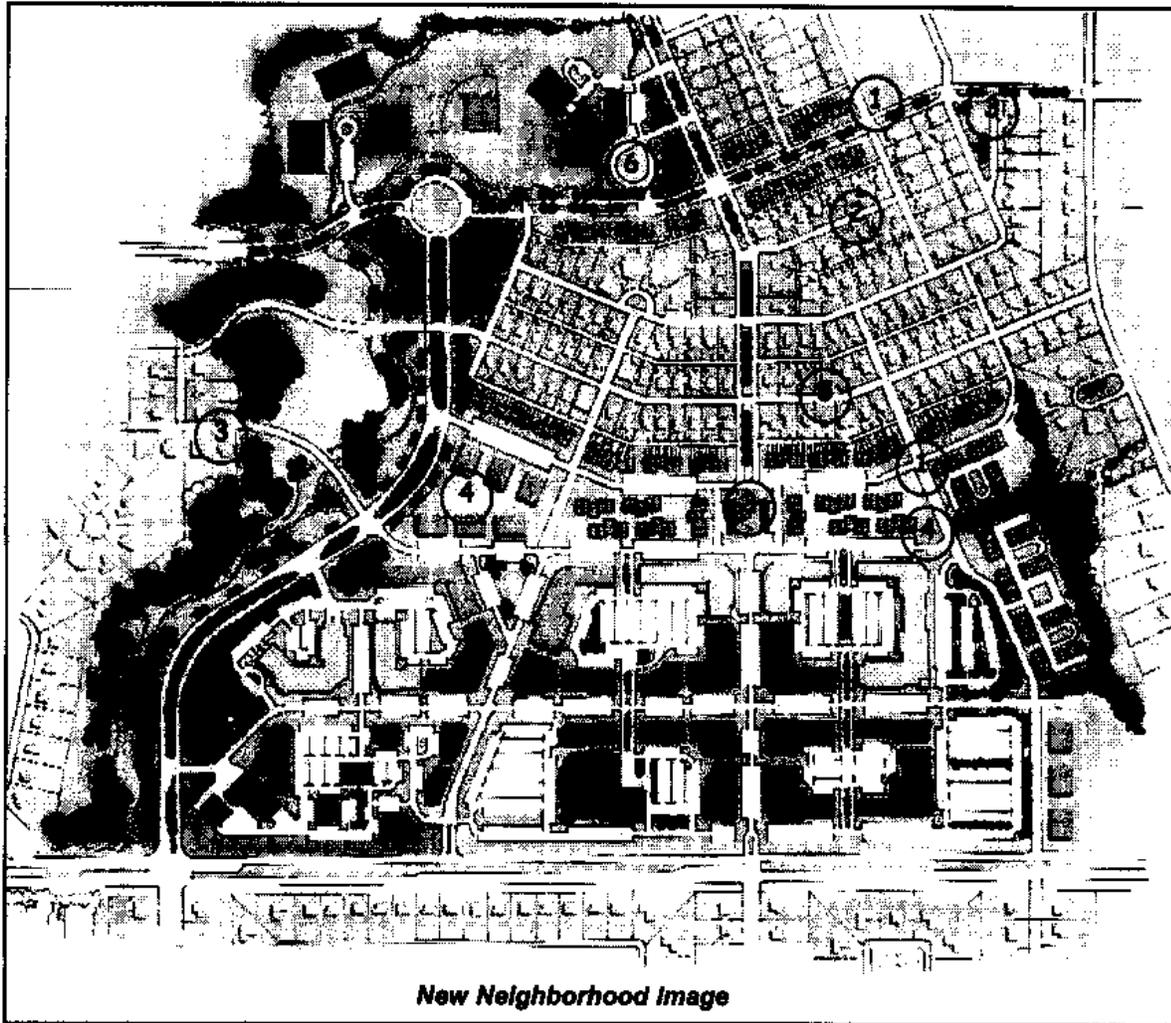


### Zoning:

- 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-6 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. 12 T10N R6E





***New Neighborhood Image***

The image is an example of how the principles might work together in a neighborhood, including the following principles:

1. Encourage a mix of housing types, single family, townhomes, apartments, elderly housing all within one area;
2. Similar housing types face each other: single family faces single family, change to different use at rear of lot;
3. Parks and open space within walking distance of all residences;
4. Multi-family and elderly housing nearest to commercial area;
5. Pedestrian orientation; shorter block lengths, sidewalks on both sides of all roads;
6. Public uses (elementary schools, churches) as centers of neighborhood – shared facilities (city parks & school sites).



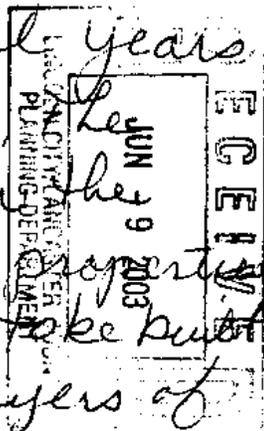
June 9-83

Marvin Krout: Planning Director,

We are requesting a zone change of the Northview addition from R-4 to R-2. This action is being taken because of the burden of traffic in the area and the non-conformancy of the building plan submitted by Regal Building.

Carol Brown  
435-8932

The neighborhood associations have been told that this property was to be used for an assisted living facility and elderly retirement housing. This is why the Landon's neighborhood association approved a zoning several years ago from an R-2 to an R-4 change. The townhomes very near have been under the assumption, when they purchased their property, that an assisted living facility was going to be built here. This is still being told to prospective buyers of



The townhomes.

Neighborhood associations involved  
are Sandon's and Regalton.

Carol Brown

# Memorandum

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<b>To:</b>	Becky Horner, Planning Department
<b>From:</b>	Randy Hoskins, Public Works and Utilities
<b>Subject:</b>	Northview Villas
<b>Date:</b>	June 29, 2003
<b>cc:</b>	Ray Hill Nicole Fleck-Tooze

Public Works has conducted traffic analyses on the impact of three potential development scenarios on the parcel of land east of what is currently the intersection of North 24th Street and Timothy Court. Scenario #1 assumed the proposed Northview Villas apartment complex consisting of 61 units with the current R4 zoning. Scenario #2 assumed 25 town house units with the proposed R2 zoning. Scenario #3 assumed the existing approved use permit with 128 elderly housing units and 60 domiciliary/nursing home units. A June 3rd traffic count of the intersection of North 24th Street and Superior Street was used to determine the existing background traffic.

The total number of trips expected for scenario #1 is 34 trips in the AM peak hour and 52 trips for the PM peak hour. For scenario #2, the AM peak would create 17 trips and the PM peak would create 20 trips. Scenario #3 showed an AM peak increase of 35 trips and a PM peak increase of 39 trips.

The following is a break down on how the different scenarios would impact the North 24th Street and Superior Street intersection. Scenario #1 showed an increase of 23 vehicles approaching Superior Street from 24th Street in the AM peak hour and 14 vehicles in the PM peak hour. Scenario #2 showed an increase of 11 vehicles in the AM peak and five vehicles in the PM peak. Scenario #3 showed an increase of 13 vehicles in the AM peak and 14 vehicles in the PM peak. The June 3rd traffic study showed a total of 52 vehicles entering the intersection in the AM peak hour and 92 vehicles in the PM peak hour.

The largest impact on the intersection occurs during the AM peak hour for scenario #1. The number of vehicles entering the intersection from 24th Street is shown to increase from 52 to 75. This averages out to 1.25 vehicles **per minute** entering the intersection. The greatest impact during the PM peak hour occurs with scenarios #1 and #3. The number of vehicles entering the intersection is shown to increase from 92 to 106. This averages out to less than two vehicles **per minute**.

It is the opinion of Public Works that the function of the intersection is not affected significantly by any of the three scenarios. There does not appear to be a traffic-related need to down-zone the parcel of land to decrease density. Further, the proposed Northview Villas apartment complex does not appear to create a significant adverse effect on the traffic function in the area.

Based on the amount of traffic on Superior Street, a traffic signal would not be warranted at this location unless there were 100 vehicles approaching the intersection on 24th Street for each of eight hours, or at least 150 vehicles in a single peak hour.



Sorry I missed your call, I was in meetings all day yesterday and this morning.

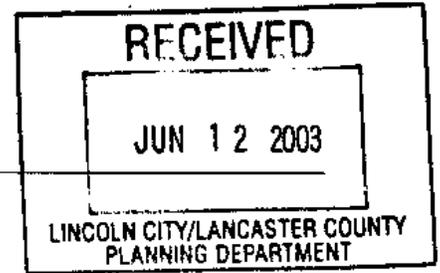
Carol Brown is concerned about the amount of existing traffic in the area around Campbell Elementary, as well as the expected increase in traffic due to the proposed apartments and additional traffic that will be generated next school year by the number of students that will be attending NorthStar High School and driving by on Superior.

A couple of the concerns she has are in regards to installing traffic signals at 21st or 24th and Superior. She feels one or both of these locations should be signalized. We will be looking at the possibility of striping 24th St for two lanes northbound at Superior, one lane for right turns and one for lefts. We will look at signalizing this intersection, but I don't believe it will meet the Federal warrants for one even following the apartment development.

If you have any additional questions, feel free to email me or call me at 441-7570.

Randy Hoskins, P.E.  
City Traffic Engineer

**M e m o r a n d u m**



**To:** Becky Horner, Planning Dept.  
**From:** <sup>BB</sup> Bruce Briney, Public Works and Utilities  
**Subject:** Change of Zone Request #3413  
Landon's Neighborhood Association  
Regalton Neighborhood Association  
**Date:** June 12, 2003  
**cc:** Nicole Fleck-Tooze  
Randy Hoskins

The City Engineer's Office of the Department of Public Works and Utilities has reviewed the request for Change of Zone #3413 from R-4 to R-2 for Landon's and Regalton Neighborhood Associations. Public Works has no objection to the request.



Rick Peo  
<rpeo@ci.lincoln.ne.us  
>

To: RHorner@ci.lincoln.ne.us  
cc:  
Subject: Re: Change of Zone at 24 and Dodge

06/17/2003 01:53 PM

He will be limited to R-2 uses. He could only develop the R-4 elderly housing by completing substantial construction prior to the COZ becoming effective and obtaining a vested right to complete the project.

RHorner@ci.lincoln.ne.us wrote:

> Rick, regarding the request to change the zoning from R-4 to R-2 out at 24  
> and Dodge/Superior we felt that a comment from you would be most helpful.  
>  
> Specifically we are wondering, if the zoning gets changed, what the  
> applicant can do with his property. Can he develop the elderly housing  
> based on the R-4 density. Will this be a taking, if approved? Any other  
> things you can think of?

LOCATIONS WITH 13 OR MORE ACCIDENTS  
 FROM 1-00 TO 10-00      PRINTED: 11-04-2000  
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#OF ACC'S :    LOCATION

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.....
37 : N 48 bet O and R
25 : N 27 bet FAIRFIELD and KMART DR
25 : O bet 56 and COTNER
24 : S 70 bet A and SUMNER
23 : O bet 48 and 50
22 : CORNHUSKER bet N 20 and N 27
21 : N 27 bet CORNHUSKER and KMART DR
21 : NEBR HWY bet S 27 and SOUTHWOOD DR
19 : N 48 bet R and VINE
19 : O bet 14 and CENTENNIAL MALL
19 : O bet 16 and CENTENNIAL MALL
19 : O bet 50 and 52
19 : O bet 56 and PIAZZA
19 : S 48 bet ANTELOPE CREEK and VAN DORN
18 : 9 at O
18 : O bet 66 and 68
17 : O bet 3 (OVERPASS) and 9
17 : O bet 32 and 33
17 : S 27 at NEBR HWY
16 : N 27 bet T and VINE
16 : O bet 25 and 26
16 : O bet COTNER and LYNCREST
16 : S 70 bet L and O
15 : N 27 bet FAIRFIELD and OLD DAIRY RD
15 : N 27 bet O and P
14 : CORNHUSKER bet N 48 and SUPERIOR
14 : N 27 at VINE
13 : 27 at O
13 : 48 at O
13 : CORNHUSKER bet N 31 and STATE FAIR PARK
13 : I 180 at CORNHUSKER
13 : N 10 at Q
13 : O bet 46 and 48
13 : O bet 68 and 70
13 : S 40 at SHERIDAN
13 : S 48 bet A and C
  
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*Top accident locations*

LOCATIONS WITH 17 OR MORE ACCIDENTS

FROM 1-01 TO 12-01 PRINTED: 01-04-2002

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#OF ACC'S : LOCATION

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43	:	N 48 bet O and R
32	:	O bet 68 and 70
32	:	O bet COTNER and LYNCREST
28	:	N 27 bet CORNHUSKER and KMART DR
28	:	O bet 14 and CENTENNIAL MALL
28	:	O bet 48 and 50
27	:	N 27 bet O and P
27	:	O bet 56 and COTNER
26	:	O bet 66 and 68
24	:	N 27 bet FAIRFIELD and KMART DR
23	:	CORNHUSKER bet N 20 and N 27
23	:	I 180 bet CORNHUSKER and R
23	:	N 27 bet Q and R
23	:	S 14 bet NEBR HWY and PIONEERS
22	:	O bet 3 (OVERPASS) and 9
22	:	O bet 46 and 48
22	:	S 48 bet ANTELOPE CREEK and VAN DORN
22	:	S 70 bet L and O
21	:	N 48 bet R and VINE
21	:	O bet 50 and 52
20	:	HOMESTEAD EXP bet CAPITOL and W O
19	:	48 at O
19	:	NEBR HWY bet S 27 and SOUTHWOOD DR
19	:	O bet 56 and PIAZZA
19	:	S 70 bet A and TETON
18	:	A bet REGENCY and S 70
18	:	N 27 bet FAIRFIELD and OLD DAIRY RD
18	:	S 70 bet A and SUMNER
17	:	CORNHUSKER bet N 31 and N 33
17	:	I 80 bet NW 12 and SALT VALLEY RDWY
17	:	N 27 bet CENTER and THERESA/OVERPASS
17	:	N 48 bet DUDLEY and HOLDREGE
17	:	NEBR HWY bet HIGH and VAN DORN
17	:	O bet 24 and 25
17	:	S 27 at NEBR HWY
17	:	S 27 bet NEBR HWY and PICCADILLY
17	:	S 48 bet M and O
17	:	S 70 bet L and S WEDGEWOOD

*Top accident locations*

LOCATIONS WITH 15 OR MORE ACCIDENTS

FROM 1-02 TO 12-02 PRINTED: 01-04-2003

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#OF ACC'S : LOCATION

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63	:	N 48 bet O and R
31	:	N 48 bet R and VINE
31	:	S 70 bet L and O
30	:	N 27 bet FAIRFIELD and KMART DR
27	:	N 27 bet CENTER and THERESA/OVERPASS
25	:	N 27 bet CORNHUSKER and KMART DR
25	:	S 48 bet A and C
24	:	NEBR HWY bet S 27 and SOUTHWOOD DR
24	:	O bet COTNER and LYNCREST
23	:	S 70 bet HOLMES PARK RD and PIONEERS
22	:	N 27 at VINE
22	:	O bet 14 and CENTENNIAL MALL
22	:	O bet 66 and 68
21	:	N 66 bet O and Q
21	:	S 27 at NEBR HWY
20	:	48 at O
20	:	S 48 bet ANTELOPE CREEK and VAN DORN
19	:	N 27 bet CLEVELAND and CORNHUSKER
19	:	O bet 46 and 48
19	:	O bet 68 and 70
19	:	S 14 at NEBR HWY
18	:	27 at O
18	:	N 48 at VINE
18	:	NEBR HWY bet S 27 and PIONEERS
18	:	O bet 27 and 28
18	:	O bet 56 and COTNER
18	:	S 14 bet NEBR HWY and PIONEERS
18	:	S 70 bet A and SUMNER
18	:	S 70 bet A and TETON
18	:	S 70 bet L and S WEDGEWOOD
17	:	S 27 bet NEBR HWY and WOODS BLVD
16	:	I 180 bet CORNHUSKER and R
16	:	O bet 17 and 18
15	:	N 10 at P
15	:	N 27 bet FAIRFIELD and OLD DAIRY RD
15	:	N 9 bet P and Q
15	:	S 27 bet E and F

*Top accident locations*

LOCATIONS WITH 7 OR MORE ACCIDENTS

FROM 1-03 TO 05-03 PRINTED: 06-04-2003

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#OF ACC'S : LOCATION

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.....
15 : N 48 bet O and R
13 : N 66 bet O and Q
12 : I 80 bet NW 12 and HOMESTEAD EXP
12 : O bet 63 and 66
12 : O bet 68 and 70
11 : N 27 bet CORNHUSKER and KMART DR
11 : S 70 bet L and S WEDGEWOOD
10 : 27 at O
10 : 56 at O
10 : HOMESTEAD EXP bet CAPITOL and W O
10 : N 27 bet CENTER and THERESA/OVERPASS
10 : O bet 14 and CENTENNIAL MALL
10 : O bet 48 and 50
9 : I 180 bet CORNHUSKER and R
9 : N 27 bet T and VINE
9 : NEBR HWY bet S 27 and SOUTHWOOD DR
9 : O bet 16 and CENTENNIAL MALL
9 : O bet 3 (OVERPASS) and 9
9 : O bet 46 and 48
8 : N 1 bet CORNHUSKER and SAUNDERS
8 : N 27 bet FAIRFIELD and KMART DR
8 : N 27 bet O and P
8 : N 27 bet P and Q
8 : N 33 bet HOLDREGE and STARR
8 : N 48 bet R and VINE
8 : N 56 bet HOLDREGE and ORCHARD
8 : P bet N 56 and N COTNER
8 : S 14 bet CENTERPARK and PIONEERS
8 : S 17 at K
8 : S 27 at NEBR HWY
7 : CAPITOL PKWY W bet S 9 and S FOLSOM
7 : CORNHUSKER bet N 31 and STATE FAIR PARK
7 : CORNHUSKER bet N 48 and SUPERIOR
7 : N 16 at P
7 : N 27 at HOLDREGE
7 : N 27 at VINE
7 : N 70 bet O and P
7 : NEBR HWY bet S 27 and PIONEERS
7 : O bet 10 and 11
7 : O bet 25 and 26
7 : S 14 bet NEBR HWY and PIONEERS
7 : S 40 bet LAKE and NORMAL
7 : S 48 bet ANTELOPE CREEK and VAN DORN
7 : S 48 bet M and O
7 : S 70 bet HOLMES PARK RD and PIONEERS
    
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*Top accident locations*

ACCIDENTS BY STREET LOCATION

ON: SUPERIOR AT/ CENTER '-' IF AT INTERSECTION)  
 BET: N 24 AND: N 27 LOC#: 24284

LOCKEY	CASE #	DAY	DATE	TIME	#VEHS	TYPE OF ACCIDENT
24284	A2-018170	MON	02-18-2002	1145	2	SIDE SWIPE ACC. PR.DAM.
24284	A2-006424	FRI	01-18-2002	2128	2	REAR END ACC. PR.DAM.
24284	A3-066429	WED	06-18-2003	9999	3	REAR END ACC. PR.DAM.
24284	A3-060507	THU	06-05-2003	1700	2	REAR END ACC. PR.DAM.
24284	A3-059573	TUE	06-03-2003	1158	2	REAR END ACC. INJURY
24284	A3-051012	WED	05-14-2003	1314	2	REAR END ACC. PR.DAM.
24284	A3-025514	THU	03-13-2003	0850	2	SIDE SWIPE ACC. PR.DAM.
24284	A3-022328	WED	03-05-2003	0750	2	DRIVEWAY ACC. PR.DAM.
24284	A2-148313	TUE	12-31-2002	1838	2	SIDE SWIPE ACC. NOT REPORTABLE
24284	A2-123888	SAT	10-26-2002	1034	2	REAR END ACC. NOT REPORTABLE
24284	A2-106067	SAT	09-14-2002	1410	2	REAR END ACC. PR.DAM.
24284	A2-080822	FRI	07-19-2002	0847	3	REAR END ACC. INJURY
24284	A2-061403	WED	06-05-2002	0644	1	REAR END ACC. PR.DAM.

2003 - 6

2002 - 12

2001 - 8

2000 - 6

ACCIDENTS BY STREET LOCATION

ON: SUPERIOR AT/ CENTER '-' IF AT INTERSECTION)  
 BET: N 21 AND: N 27 LOC#: 11882

LOCKEY	CASE #	DAY	DATE	TIME	#VEHS	TYPE OF ACCIDENT
11882	A2-016674	THU	02-14-2002	1715	3	REAR END ACC. INJURY
11882	A3-060137	WED	06-04-2003	1915	3	REAR END ACC. PR.DAM.
11882	A3-050242	MON	05-12-2003	1713	2	REAR END ACC. PR.DAM.
11882	A2-108794	FRI	09-20-2002	1552	2	REAR END ACC. NOT REPORTABLE
11882	A0-139615	MON	12-18-2000	0920	2	SIDE SWIPE ACC. PR.DAM.
11882	A0-107164	TUE	09-26-2000	1518	2	REAR END ACC. INJURY
11882	A0-041749	SUN	04-23-2000	1220	2	SIDE SWIPE ACC. H&R NOT-REP.
11882	A0-026520	WED	03-15-2000	0740	2	REAR END ACC. PR.DAM.
11882	99-124470	MON	11-15-1999	1903	2	REAR END ACC. NOT REPORTABLE
11882	99-118961	MON	11-01-1999	1640	2	REAR END ACC. PR.DAM.
11882	99-018123	MON	02-22-1999	0951	1	RAN OFF ROAD ACC. H&R NOT-REP.
11882	98-042737	MON	04-27-1998	0151	1	RAN OFF ROAD ACC. NOT REPORTABLE
11882	97-108021	THU	09-25-1997	2100	1	RAN OFF ROAD ACC. INJURY

2003 - 2  
 2002 - 2  
 2001 - 0  
 2000 - 4

ACCIDENTS BY STREET LOCATION

ON: SUPERIOR AT/ CENTER '-' IF AT INTERSECTION)  
 BET: N 20 AND: N 21 LOC#: 11880

LOCKEY	CASE #	DAY	DATE	TIME	#VEHS	TYPE OF ACCIDENT
11880	A3-045119	WED	04-30-2003	0850	2	REAR END ACC. INJURY
11880	A2-094989	MON	08-19-2002	1247	2	REAR END ACC. PR.DAM.
11880	A2-047487	THU	05-02-2002	2129	2	REAR END ACC. INJURY
11880	A1-039871	WED	04-18-2001	1645	2	OTHER ACC. NOT REPORTABLE
11880	99-121580	MON	11-08-1999	1520	2	REAR END ACC. NOT REPORTABLE
11880	99-103975	FRI	09-24-1999	1537	3	REAR END ACC. NOT REPORTABLE
11880	99-046228	SAT	05-08-1999	1428	1	RAN OFF ROAD ACC. INJURY
11880	99-021902	THU	03-04-1999	1726	2	REAR END ACC. PR.DAM.
11880	98-070378	FRI	07-03-1998	1536	2	REAR END ACC. PR.DAM.
11880	98-024503	TUE	03-10-1998	0847	3	REAR END ACC. PR.DAM.
11880	97-128121	MON	11-10-1997	2129	2	SIDE SWIPE ACC. INJURY H&R
11880	97-108296	FRI	09-26-1997	1538	3	REAR END ACC. PR.DAM.
11880	97-106717	MON	09-22-1997	1947	2	REAR END ACC. NOT REPORTABLE

2003 - 1  
 2002 - 2  
 2001 - 1  
 2000 - 0

ACCIDENTS BY STREET LOCATION

ON: ~~8~~ 24 AT/ VENTER '-' IF AT INTERSECTION)  
 BET: SUPERIOR AND: - LOC#: 24283

LOCKEY	CASE #	DAY	DATE	TIME	#VEHS	TYPE OF ACCIDENT
24283	A2-053099	THU	05-16-2002	1035	2	RIGHT ANGLE ACC. PR.DAM.
24283	98-029849	TUE	03-24-1998	0903	2	TURNING ACC. INJURY
24283	97-123964	FRI	10-31-1997	1150	2	TURNING ACC. PR.DAM.

2003 - 0  
 2002 - 1  
 2001 - 0  
 2000 - 0

ACCIDENTS BY STREET LOCATION

ON: N 21 AT/ CENTER '-' IF AT INTERSECTION)  
 BET: SUPERIOR AND: - LOC#: 11881

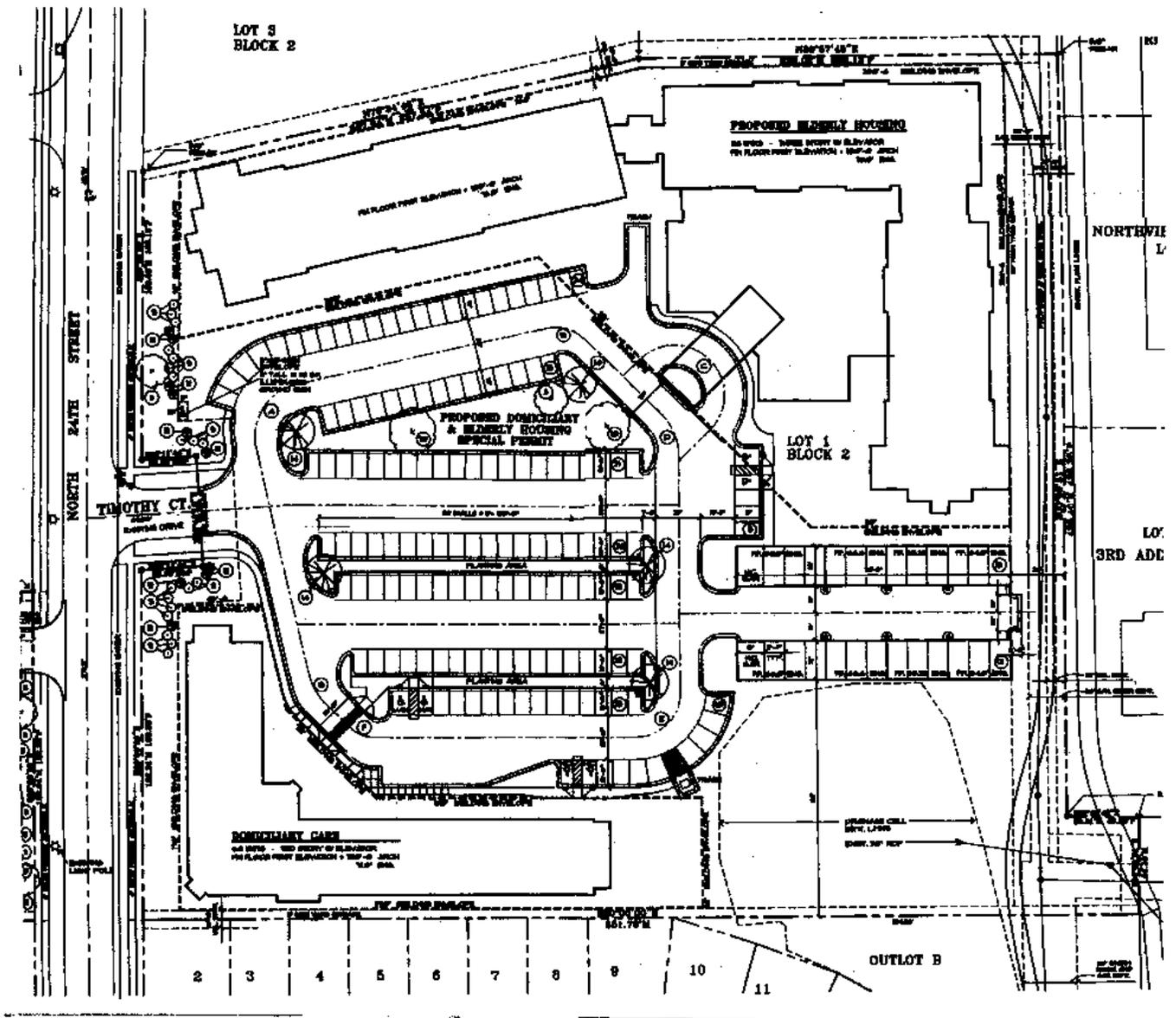
LOCKEY	CASE #	DAY	DATE	TIME	#VEHS	TYPE OF ACCIDENT
11881	A2-135615	TUE	11-26-2002	0705	2	RIGHT ANGLE ACC. PR.DAM.
11881	A1-072758	WED	07-04-2001	1600	2	TURNING ACC. PR.DAM.
11881	A1-051246	MON	05-14-2001	2104	2	RIGHT ANGLE ACC. PR.DAM.
11881	A0-005441	MON	01-17-2000	0609	3	OTHER ACC. INJURY
11881	99-125159	WED	11-17-1999	1856	2	RIGHT ANGLE ACC. PR.DAM.
11881	99-110665	SUN	10-10-1999	1000	2	TURNING ACC. PR.DAM.
11881	95-111170	FRI	10-13-1995	1855	2	RIGHT ANGLE ACC. NOT REPORTABLE
11881	93-103701	FRI	10-22-1993	0850	2	RIGHT ANGLE ACC. INJURY

2003-0

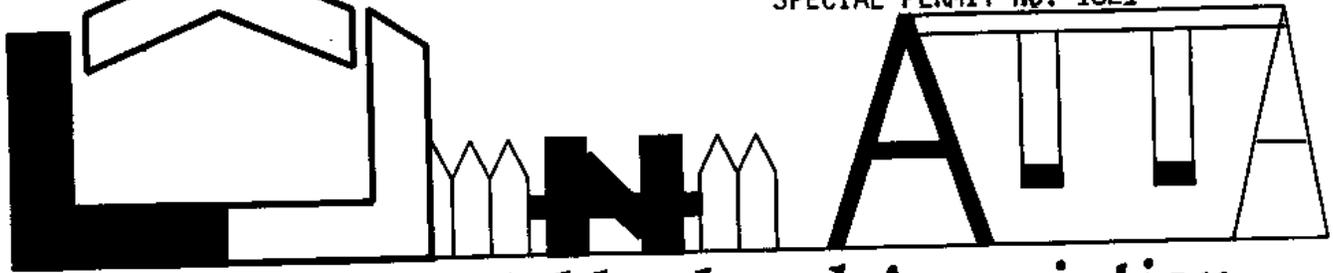
2002-1

2001-2

2000-1



SPECIAL PERMIT #1820  
 ELDERLY HOUSING/DOMICILIARY CARE  
 24TH AND DODGE STREETS



## Landon's Neighborhood Association

January 12, 2000

J. Michael Rierden  
645 "M" Street, Suite 200  
Lincoln, NE 68508

Dear Mr. Rierden:

On January 5, 2000, John Brown presented a preliminary plat plan for the proposed Northview Addition to Landon's Neighborhood Association (LNA) at our January meeting. Mr. Brown, Vice-President of LNA, had met with you regarding this proposed plat. The proposed Northview Addition, which lies directly east of Landon's Addition, was voted on favorably by all members present and received the approval of LNA officers and board members. This is, of course, contingent on you and the developer, Lincoln Federal Savings, living up to your long-time promise of having the connecting street between Old Dairy Road and Dodge Street completed and paved before further construction in the Northview Addition. As of this date, we notice the underground utilities have been completed, but no paving has been done.

We would, therefore, support the proposed Northview Addition after the paving is complete and the road open. This is concurrent with the preliminary plat proposed on August 26, 1999 to the Lincoln City/Lancaster County Planning Commission. That item number is 3.1.1.

Sincerely,

A handwritten signature in black ink, appearing to read "Rob Hackwith".

Robert Hackwith  
President

cc: Annette McRoy, Lincoln City Council  
Patty Newman, City/County Planning Commission  
Steve Henrichsen, City Planning Department

**CHANGE OF ZONE NO. 3231;  
SPECIAL PERMIT NO. 1820  
and  
SPECIAL PERMIT NO. 1821**

**PUBLIC HEARING BEFORE PLANNING COMMISSION:**

January 26, 2000

**Members present:** Steward, Duvall, Hunter, Krieser, Newman, Taylor and Schwinn;  
Bayer and Hopkins absent.

**Planning staff recommendation:** Deferral; revised to approval of the change of zone and conditional approval of Special Permit No. 1820 and Special Permit No. 1821 on January 26, 2000.

Steve Henrichsen of Planning staff submitted a memo of a meeting between the applicant and staff, which resulted in an agreement to widen the bike trail on the east side of this project and to connect the portion of the parking lots to that bike trail to allow emergency vehicles to gain access to the bike path. With that revision to the site plan and grading plan, the Fire Dept. now recommends approval. Although we need a revised grading plan, Public Works also agrees.

Therefore, Henrichsen revised the staff recommendation on the change of zone from deferral to approval of the change of zone and conditional approval of the Special Permit No. 1820, with amendment to Condition #1.1.7.

**Proponents**

**1. Michael Rierden** appeared on behalf of the applicant. These two properties are two of the three pieces to solve the use of a difficult piece of ground. Back in August, this particular proposal for townhomes was before the Commission and it was approved by the Planning Commission. The neighbors to the west, Landon's Addition, wanted the link of Old Dairy Road and Dodge that would go out onto 27<sup>th</sup> Street. The developer has agreed to do that and they had requested that that plan be put on hold before going on to City Council awaiting these two proposals.

The day care will be next door to Campbell Elementary. The whole use of the different types of uses blend well together. The difficult part about this property is that the surrounding uses are predominantly high intensity commercial/industrial. They have worked with Landon's for some period of time and Rierden submitted a letter dated January 12, 2000, from Robert Hackwith as President of Landon's Neighborhood, lending their support, which is contingent upon the construction of the roadway. The applicant has committed to build that road. They have done the grading and the utilities are in. They are just waiting for the right kind of weather for the concrete.

Rierden agreed with the staff recommendation and conditions of approval, including the amendments as submitted today.

There was no testimony in opposition.

Steward noted the Fire Dept. concerns, but the staff report does not mention the Police Department concerns about traffic and the child care facility. Henrichsen noted that to be addressed in the staff report for child care. The staff believes that North 24<sup>th</sup> would function as a collector and most of the traffic would be using Superior Street. Some people might be stopping at Campbell and then the Day Care so they may come down Dodge Street; however, we probably already have that situation to a certain degree. Staff also believes that in terms of traffic impact on Superior, the multiple commercial uses in the area have far greater impact than this child care center would. This is convenient to the commercial district without being right in the center. There are two means of egress back to Superior Street.

Newman noted the applicant's request for a 5' setback. Henrichsen pointed out that Condition #1.1.1 changes that 5' setback to a 25' setback and they will be required to comply with this condition if this is approved.

Public hearing was closed.

**CHANGE OF ZONE NO. 3231**

**ADMINISTRATIVE ACTION BY PLANNING COMMISSION:**

January 26, 2000

Duvall moved approval, seconded by Krieser. Newman believes this is a perfect example of how something should be done off an arterial street. She thinks it is a very good project.

Motion for approval carried 7-0: Steward, Duvall, Hunter, Krieser, Newman, Taylor and Schwinn voting 'yes'; Bayer and Hopkins absent.

**SPECIAL PERMIT NO. 1820**

**ADMINISTRATIVE ACTION BY PLANNING COMMISSION:**

January 26, 2000

Duvall moved approval, with conditions, as revised, seconded by Hunter and carried 7-0: Steward, Duvall, Hunter, Krieser, Newman, Taylor and Schwinn voting 'yes'; Bayer and Hopkins absent.

**SPECIAL PERMIT NO. 1821**

**ADMINISTRATIVE ACTION BY PLANNING COMMISSION:**

January 26, 2000

Duvall moved approval of the Planning staff recommendation of conditional approval, seconded by Newman and carried 7-0: Steward, Duvall, Hunter, Krieser, Newman, Taylor and Schwinn voting 'yes'; Bayer and Hopkins absent.