

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for September 15, 2004 PLANNING COMMISSION MEETING

P.A.S.: Special Permit #04045

PROPOSAL: Increase the allowable lot coverage for a church from 15% to 20%.

LOCATION: NW 12th Street and Isaac Drive

LAND AREA: 9.66 acres, more or less.

CONCLUSION: This application meets the requirements of the Zoning Ordinance and Comprehensive Plan.

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

LEGAL DESCRIPTION:

Lots 1, Block 1, Highland West 1st Addition, located in the SW1/4 of Section 3-10-6, Lancaster County, Nebraska

LOCATION: 11th Street and Isaac Drive

EXISTING ZONING: R-3 Residential

EXISTING LAND USE: Church

SURROUNDING LAND USE AND ZONING:

North:	Single-family residential	R-3 Residential
South:	Single-family residential	R-3 Residential
East:	Single-family residential	R-3 Residential
West:	Vacant	O-3 Office Park

HISTORY:

Oct 1994 Occupancy permit finalized by the Building and Safety Department.

May 1979 The zoning update changed the zoning designation from A-2 Single Family Dwelling to R-3 Residential.

ANALYSIS:

1. This is an application to increase the allowable lot coverage for a church from 15% to 20%. Applicant has recently added a new church and parish hall building, and now intends to add a rectory.
2. Pursuant to LMC §27.63.520, there are four conditions under which this permit may be granted. They are:

a) **A church use shall have been located on the premises for which the special permit is requested for at least ten years.**

The Building and Safety Department has indicated this church has existed at this site since at least October 26, 1994. Therefore, should this permit be granted, Applicant should be limited to obtaining a building permit on or after October 26, 2004.

b) **An expansion or expansions shall not exceed more than five percent cumulative additional lot coverage over existing lot coverage on the date the first expansion was approved. Once the expansion or expansions have reached the maximum five percent cumulative additional lot coverage over said existing lot coverage, no further expansion shall be permitted for a period of ten years.**

This is the first request to expand lot coverage.

c) **The applicant must show to the satisfaction of the city that no additional adjacent lands are reasonably available for acquisition to otherwise support the proposed expansion and that the applicant has acquired all such adjacent lands as are reasonably available.**

The four sides of Applicant's lot are adjacent to Isaac Drive, NW 10th and 12th Streets, and single-family dwellings. There are no reasonably available adjacent properties.

d) **The proposed expansion shall not reduce the available parking below the required minimum for the church use, including the proposed expansion.**

The proposed site plan indicates there are 215 parking stalls provided. However, the plan does not indicate the number of required parking stalls. The addition of the rectory will not likely affect the required number of stalls, but the information should be shown on the site plan.

3. The existing lot coverage is 14.86%, including the new church and parish hall. With the addition of the rectory, lot coverage will increase to greater than 15%. This request to increase coverage by 5% will allow Applicant to undertake future expansions without the need for additional special permits.

4. Should this permit be approved, §27.63.520(b) precludes the possibility of increasing the lot coverage again within the next ten years.
5. No City departments have raised an objection to this application.

CONDITIONS:

Site Specific:

1. This permit allows for a church use with a maximum lot coverage of 20%.
2. The construction plans shall comply with the approved plans.
3. Building permits shall not be issued for the rectory until October 26, 2004 or after.

STANDARD CONDITIONS:

4. The following conditions are applicable to all requests:
 - 4.1 Before occupying buildings, 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.
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:

Greg Czaplewski
Planner

Date: August 30, 2004

Applicant: North American Martyrs Catholic Church
Father Penzer
1101 Isaac Drive
Lincoln, NE 68521
476.8088

Owner: Catholic Bishop of Lincoln
PO Box 80328
Lincoln, NE 68508

Contact: Sinclair Hille Architects
Kevin Clark
700 "Q" Street
Lincoln, NE 68508
476.7331



2002 aerial

Special Permit #04045 NW 12th & Isaac Dr.

Zoning:

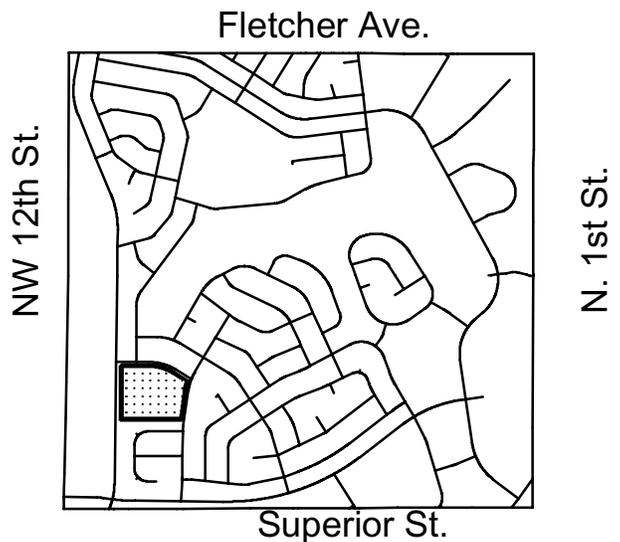
- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- R-C Residential Conservation District
- O-1 Office District
- O-2 Suburban Office District
- O-3 Office Park District
- R-T Residential Transition District
- B-1 Local Business District
- B-2 Planned 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

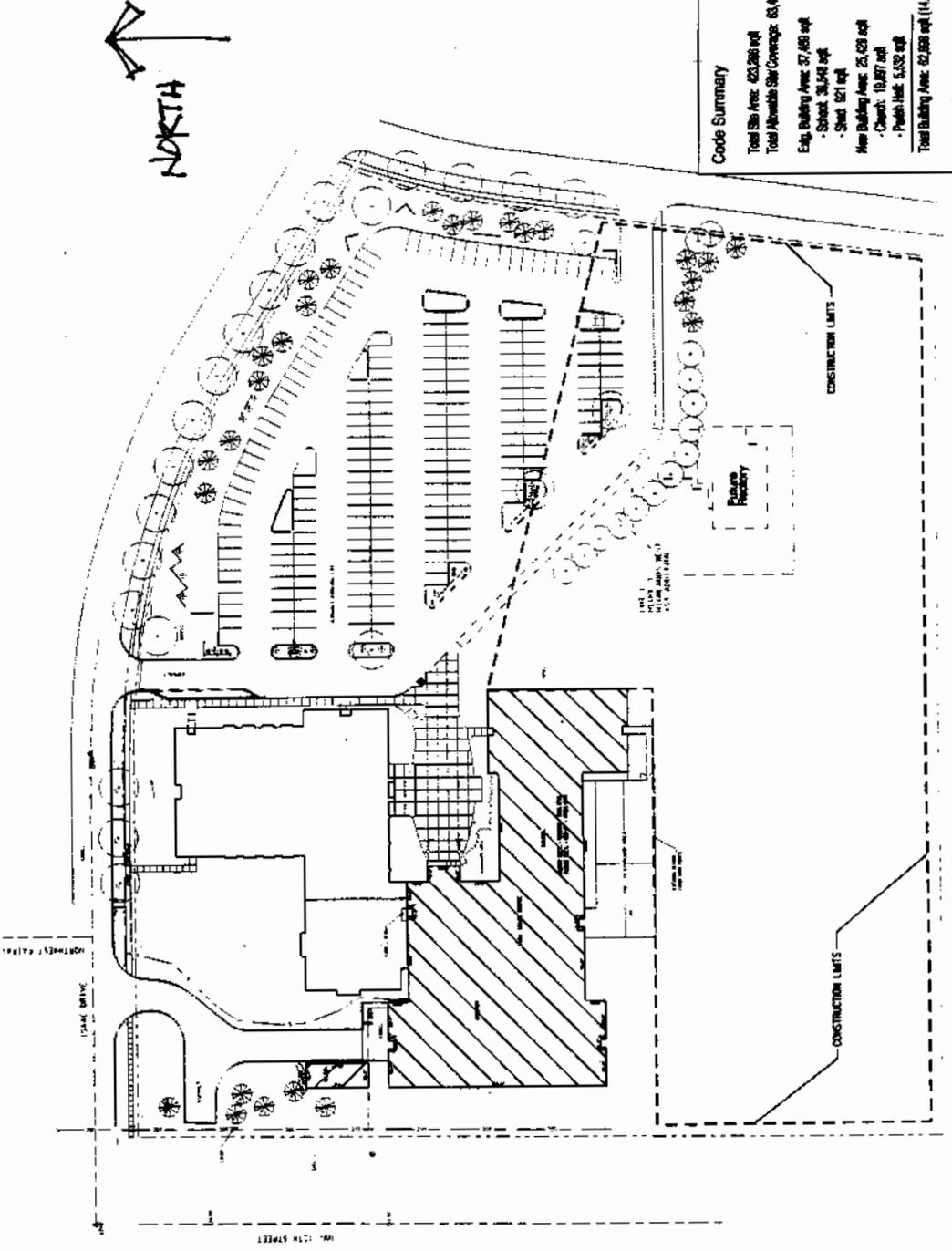
One Square Mile
Sec. 3 T10N R6E



Zoning Jurisdiction Lines

City Limit Jurisdiction





Code Summary

Total Site Area:	423,288 sqft
Total Movable Site Coverage:	83,680.9 sqft (19%)
Edge Building Area:	37,469 sqft
- Street:	28,549 sqft
- Sidewalk:	8,920 sqft
New Building Area:	25,429 sqft
- Church:	19,887 sqft
- Parish Hall:	5,542 sqft
Total Building Area:	52,258 sqft (14.25%)
Total Allowable Building Area Remaining:	592 sqft (0.14%)

July 20, 2004

Lincoln Planning Department

Re: North American Martyrs Catholic Church Special Permit Application

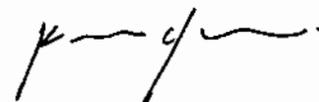
Dear Planning Department:

The North American Martyrs Catholic Church is submitting this application for Special Permit 27.63.520 requesting a 5% increase in lot coverage after 10 years of use. The increased lot coverage will allow the parish to build a rectory for the parish priests on the site. The rectory will include bedrooms, office, kitchen, common spaces, basement, and garage.

During a 5-19-04 meeting with Chuck Zimmerman the date of 10-26-94 was established as the first use. This would allow the parish to occupy the rectory on 10-26-04.

Please feel free to contact me with any questions or requests for further information. Thank you for the review of this request.

Sincerely,



Kevin Clark, AIA
For the firm
encl.

pc:

Principals

John E. Sinclair
James C. Hille
Daniel J. Grasso
Kevin A. Clark
Lizabeth A. Kuhman

Associate Principals

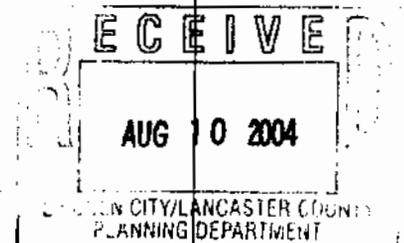
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