LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

This is a combined staff report for related items. This report contains a single background and analysis section for all items. However, there are separate conditions provided for each individual application.

P.A.S.: Use Permit #133
Change of Zone #3253
Change of Zone #3195

DATE: ~~November 13, 2001~~
Revised 11/29/01

PROPOSAL:

North: To change the zoning from R-3 to B-2 and permit 13,550 square feet of office uses.

South: To change the zoning from R-3 to B-2 and permit 26,400 square feet of commercial uses, including retail, office, and a car wash/gas station/convenience store.

WAIVER REQUESTS:

North: Rear yard setback from 50 feet to 25 feet
Front yard setback from 50 feet to 25 feet
Waiver to allow lots without frontage and access to a public street or private roadway.
Adjustment of the minimum frontage requirements to allow signs.

South: Front yard setback from 50 feet to 40 feet along S. Coddington Avenue
Street trees along S. Coddington Avenue and W. Van Dorn Street

LAND AREA:

North: 1.7 acres
South: 4.64 acres

CONCLUSION: The proposed changes of zone, combined with the proposed use permit, protect the Capitol view corridors, the developing residential uses to the northeast, and the Bison Trail to the southeast.

RECOMMENDATION:		
	Change of Zone #3195	Approval
	Change of Zone #3253	Approval
	Use Permit #133	Conditional Approval

GENERAL INFORMATION:

LEGAL DESCRIPTION: See attached

LOCATION: Northeast and southeat of S. Coddington Street and W. Van Dorn Avenue intersection

APPLICANT:

North: Brian D. Carstens
Brian D. Carstens & Associates
601 Old Cheney Road - Suite C
Lincoln, NE 68512
434-2424

South: J.D. Burt
Design Associates
1609 N Street
Lincoln, NE 68508
474-3000

OWNER:

North: R.C. Krueger Development Company
2929 Pine Lake Road - Suite C
Lincoln, NE 68516
423-7377

South: Stockwell Properties L.L.C.
300 N. 44th Street - Suite 100
Lincoln, NE 68503
467-1234

CONTACT:

North: Brian D. Carstens
Brian D. Carstens & Associates

South: J.D. Burt
Design Associates

EXISTING ZONING:
North: R-3
South: R-3

EXISTING LAND USE:
North: Vacant
South: Vacant

SURROUNDING LAND USE AND ZONING:

North

North:	R-3	Developing residential lots
South:	B-1/R-3	Lee's Chicken (Proposed B-2)
East:	R-3	Developing residential lots

West:	R-3	Low density residential

South

North: B-1	Lee's Chicken	
South:	AG	Open space and Bison Trail
East:	AG	Open space
West:	B-1	Ice Cream Stand (Proposed B-2)

ASSOCIATED APPLICATIONS: Changes of Zone #3247 and #3196 (both on Council's Pending List)

HISTORY:

April 17, 2000 City Council placed Changes of Zone #3247 and #3196 on the Pending List in anticipation of a use permit being submitted by one of the property owners. Use permit #133 is that use permit. The Planning Department requested the changes of zone from B-1, AGR, and R-3 to B-2 in order to protect the Bison Trail, the Capitol view corridors, and the developing residential in the area.

The existing commercial zoning pattern dates back to at least October 1953. It appears that the commercial zoning was established at 250 by 250 feet in area. The 250 by 250 foot area doesn't match the land use on any corner. In the 1950's, 'G' Local Business zoning was once on all four corners. The R-3 lot east of Lee's Chicken was used for parking as early as 1964. By the 1970's the northwest corner was no longer zoned commercial. In 1979 the zoning was converted to 'B-1' Local Business.

COMPREHENSIVE PLAN SPECIFICATIONS: The Land Use Plan designates a portion of the north property as Commercial and the remainder as Urban Residential. The south property is designated as Urban Residential. Both properties are in Capitol view corridors.

The Comprehensive Plan states:

Urban Design
Goals

- Protect and enhance the State Capitol, its Environs, and vistas to our premier landmark as a particular asset and responsibility of this community. (p 175)

Neighborhood Centers
Goals

- Maintain and encourage retail establishments and businesses that are convenient to, and serve, neighborhood residents, yet are compatible with but not intrusive upon residential neighborhoods.
- Provide geographically convenient and accessible retail areas throughout the City and County so as to provide the widest possible variety of goods and services. (p 63)

Wetland and Water Bodies
Goals

- Maintain, preserve and enhance existing wetlands and restore degraded wetlands.
- Protect the quantity and quality of ground and surface water (p 70)

Transportation Planning Process
Goals

- Maintain zoning and traffic patterns that are compatible with existing land uses and retain the character of rural and urban neighborhoods. (p 81)

UTILITIES: **North:** Available
South: Sanitary sewer is not available at this time
There is an existing main in W. Van Dorn Street
The south portion must be annexed prior to development

TOPOGRAPHY: **North:** Slopes upward, south to north
South: Increases in elevation from north to south, with wetlands in a depression on the northern portion of the site

TRAFFIC ANALYSIS: Both S. Coddington Avenue and W. Van Dorn Street are minor arterials. There is a future trail identified along S. Coddington Avenue abutting both properties.

PUBLIC SERVICE: **North:** City of Lincoln fire and police
South: County Sheriff and Southwest rural fire district until annexed, then City fire and police

REGIONAL ISSUES: None apparent

ENVIRONMENTAL CONCERNS: Wetlands protection

AESTHETIC CONSIDERATIONS: Capitol view corridors. View from the Bison Trail to rear of buildings, gas pumps, and parking area on southeast corner.

ALTERNATIVE USES: Mixed use residential/commercial. On the north side, this would provide a softer transition from the single family residential. On the south side, the buildings could be designed so that they also face the bicycle trail.

ANALYSIS:

Changes of Zone #3195 and #3253

1. Both petitions propose to expand existing commercial zoning at the corner of S. Coddington Avenue and W. Van Dorn Street.

2. Both expansions align the zoning district boundaries more closely with the ownership pattern.

3. The proposal on the southeast corner as shown on use permit #133 preserves the mature tree stands along S. Coddington Avenue and W. Van Dorn Street. The expansion also permits the owner to develop the land without filling the wetlands and natural drainage way.

4. The proposal on the northeast corner provides a transition between the developing residential and the Lee's Chicken site.

5. Neither corner contains the minimum 5 acres required for the B-2 district. When the north and south corners are combined, the total district area is 6.34 acres.

6. The B-2 zoning district prohibits off premise signs and requires a use permit. Both factors promote the goal of protecting Capitol vistas.

Use Permit #133 - North

1. The small office buildings provide an adequate buffer between the developing residential and the Lee's Chicken site.

2. The requests to modify the yards are appropriate given the unusual shape of the lot and the limitations on uses. If more area were incorporated into this portion of the use permit, the yard reductions would not be necessary or appropriate. No side yard waiver is required - the required side yard is 20 feet when abutting residential.

3. The site plan should clearly state that changes from office to other commercial uses will require a public hearing.

4. While the screening exceeds design standards, 800 square feet of shrubs are also required in the B-2 district.

5. The sign regulations for the B-2 district require 300 feet of frontage to allow a ground or pole sign in the front yard. The unusual size and shape of this lot makes a waiver of the frontage requirement acceptable.

Use Permit #133 - South

1. A reduction in rear yard setback would allow improvements to be moved further south and east, away from both the mature trees and the wetlands. It would also make the reduction in front yard setback unnecessary.

2. There should be a sidewalk connection to the edge of the property in the southeast corner. This would allow a connection between the trail and this development.

3. Additional deciduous and coniferous trees should be provided on the south and east edges of the property. This will screen the rear of the retail building, the trash containers, and the gasoline pumps from the Bison Trail. The site plan should provide an attractive entrance along the side nearest the trail.

4. Although Parks & Recreation has requested a trail easement along the frontage, it cannot be a condition of approval. The applicant may voluntarily grant the easement.

USE PERMIT 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 North site plan to show:

1.1.1 Add a note stating “A change from office to another commercial use shall require a public hearing.”

1.1.2 Label the building envelopes.

1.1.3 Label the lot lines.

1.1.4 Remove the Planning Commission approval block.

1.1.5 Delete waiver request number 3.

1.1.6 Label the purpose of Outlot A.

1.1.7 Provide landscaping which meets Design Standards.

1.1.8 Correct the planting size for Skyline Honeylocust and Amur Maple - they should be 1-1/2 inches in diameter.

1.1.9 Revise the plans to the satisfaction of the Public Works & Utilities Department.

~~1.1.10 Remove the lot labels. The lots do not front upon or take access to a private roadway or public street, and no waiver was requested.~~

1.2 Revise the South site plan to show:

1.2.1 A planting plan for the detention cell as requested by Parks & Recreation.

1.2.2 Separate the waiver requests from the rest of the notes. List them under the heading “waivers”.

1.2.3 Dimension the building envelopes.

1.2.4 Provide sign envelopes.

1.2.5 In Note 17, change “is hereby” to “shall be”.

1.2.6 In Note 4, change “are hereby” to “shall be”.

1.2.7 Delete the word “generic” from the “use permit” label.

1.2.8 Substitute Austrian Pine for White Fir. Austrian Pine has historical significance in this corridor.

1.2.9 Provide landscaping which meets Design Standards for open spaces in B-2 (Section 7.6) and parking lots (Section 7.1). Add landscaping along the south and east lot lines which meets design standards for adjacent land uses of substantially different character (Section 7.5).

1.2.10 Add a sidewalk to the southeast property line so that the Bison Trail can potentially connect to this site.

1.2.11 Add sidewalks along S. Coddington Avenue and W. Van Dorn Street.

1.2.12 Revise the plans to the satisfaction of the Public Works & Utilities Department.

1.2.13 Add a note stating that City utilities will not be extended to this site and no development shall occur until the area is annexed.

1.3 Revise the overall site plan to show:

1.3.1 The changes required by 1.1 and 1.2

2. This approval permits13,550 square feet of office uses on the north side of W. Van Dorn Avenue and 26,400 square feet of commercial on the south side of W. Van Dorn Avenue.

2.1 The City Council approves the following waivers and adjustments:

2.1.1. Street trees on the south side of W. Van Dorn Street east of S. Coddington Avenue.

2.1.2 Street trees on the east side of S. Coddington Avenue south of W. Van Dorn Street.

2.1.3 On the north side of W. Van Dorn Street, an adjustment of front yard setback from 50 feet to 25 feet and of rear yard setback from 50 feet to 25 feet.

2.1.4 On the south side of W. Van Dorn Street, an adjustment of rear yard setback from 30 feet to 20 feet.

2.1.5 The requirement that lots front upon and take access to a public street or private roadway.

2.1.6 The 300' minimum street frontage required to allow signs.

2.2 The City Council approves:

2.2.1 Change of Zone #3195.

2.2.2 Change of Zone #3196.

2.2.3 Change of Zone #3253.

General:

3. Before receiving building permits:

3.1 The permittee shall have submitted a revised final plan including 6 copies 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 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 or an appropriately established property owners 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.

Prepared by:

Jason Reynolds
Planner

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Change of Zone #3195
Lee's Place
W. Van Dorn & Coddington
R-3 to B-2

N

Photograph Date: 1997

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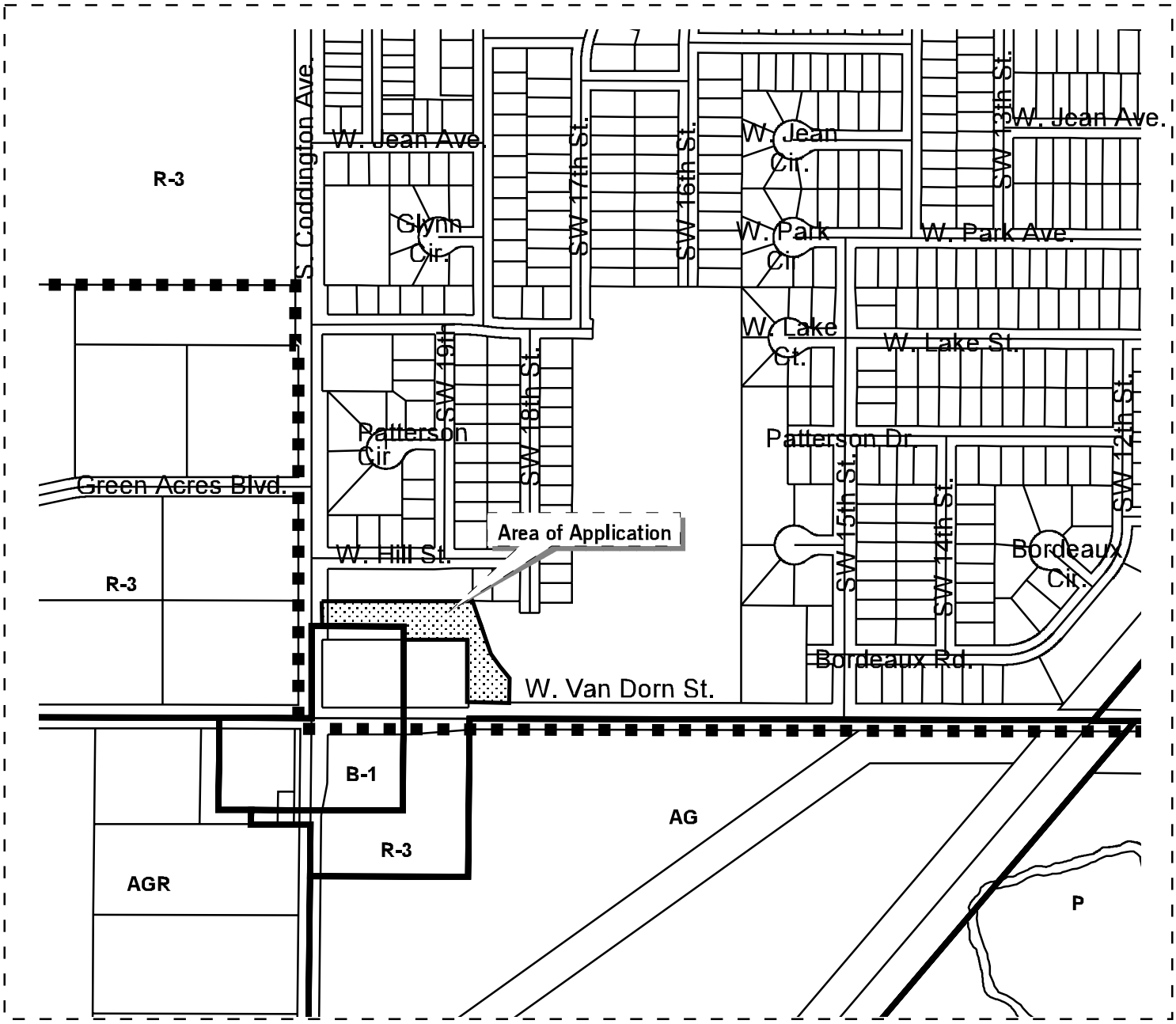
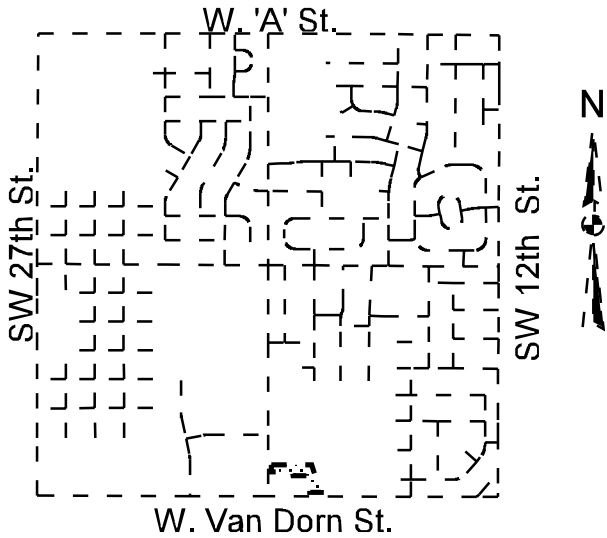
Lincoln City - Lancaster County Planning Dept.



Change of Zone #3195
Lee's Place
W. Van Dorn & Coddington
R-3 to B-2



Zoning:

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Convervation 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 R6E

Zoning Jurisdiction Lines

City Limit Jurisdiction

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Lincoln City - Lancaster County Planning Dept.

Change of Zone #3253
W. Van Dorn & Coddington

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Photograph Date:1997

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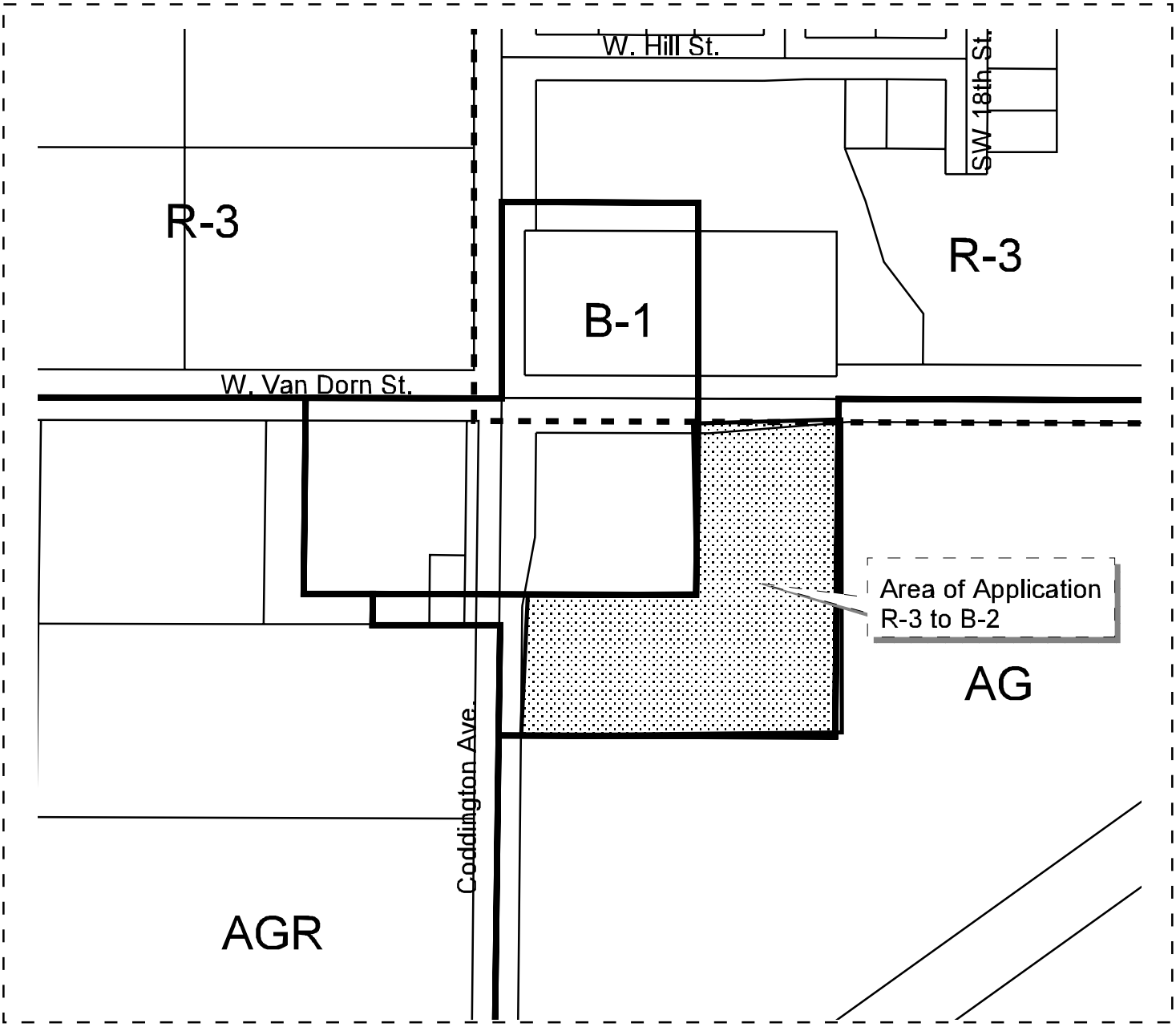
Lincoln City - Lancaster County Planning Dept.



Change of Zone #3253
W. Van Dorn & Coddington

Zoning:

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Convervation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
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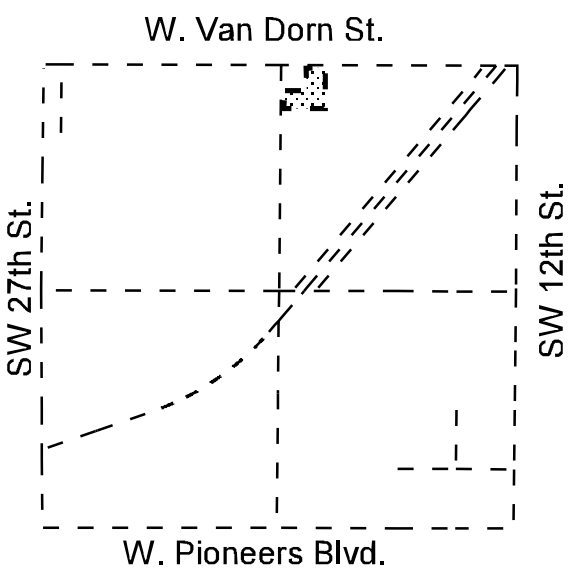
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile
Sec. 4 T9N R6E

Zoning Jurisdiction Lines

City Limit Jurisdiction



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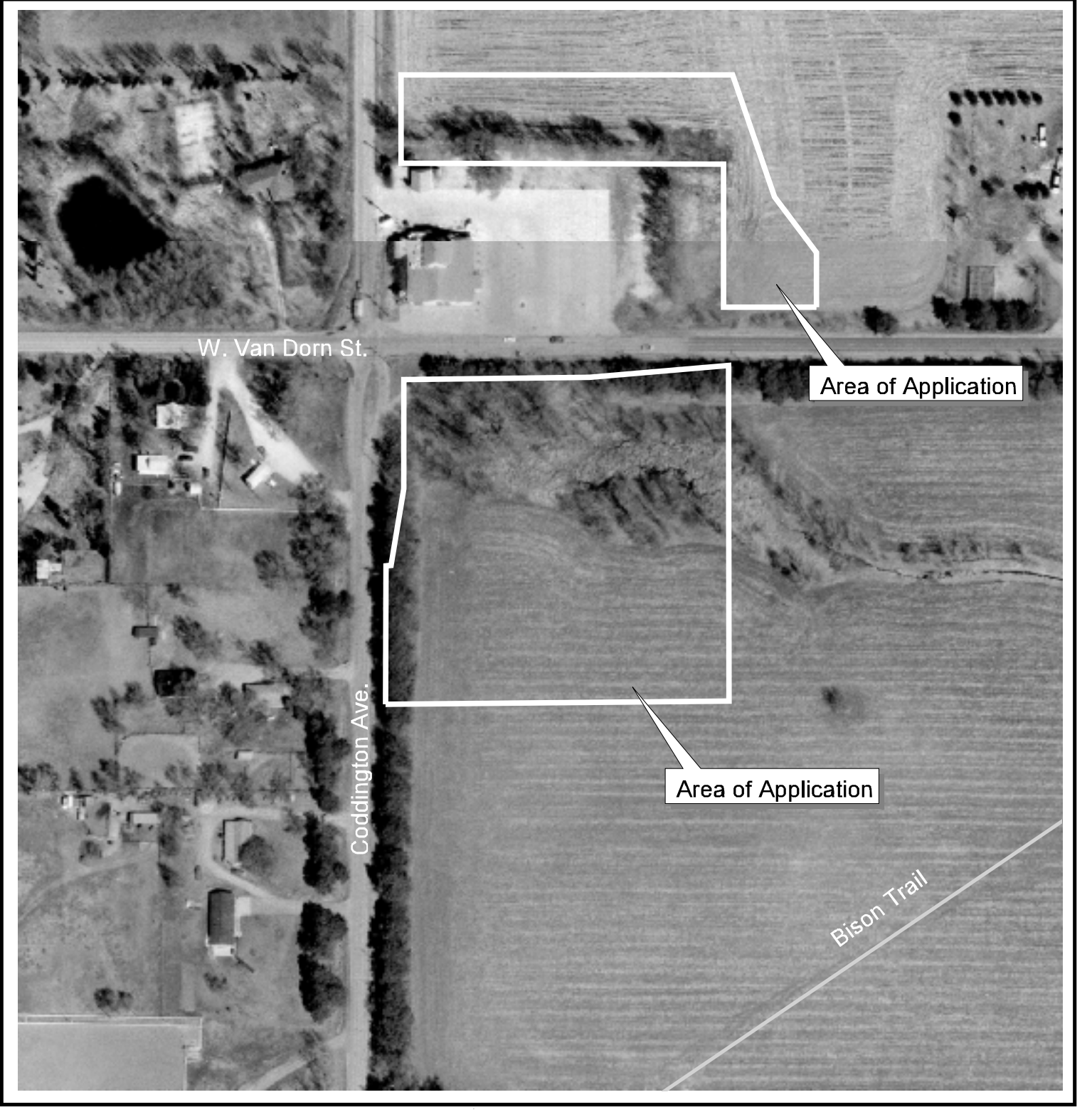
Lincoln City - Lancaster County Planning Dept.



Use Permit #133
W. Van Dorn & Coddington

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Photograph Date:1997

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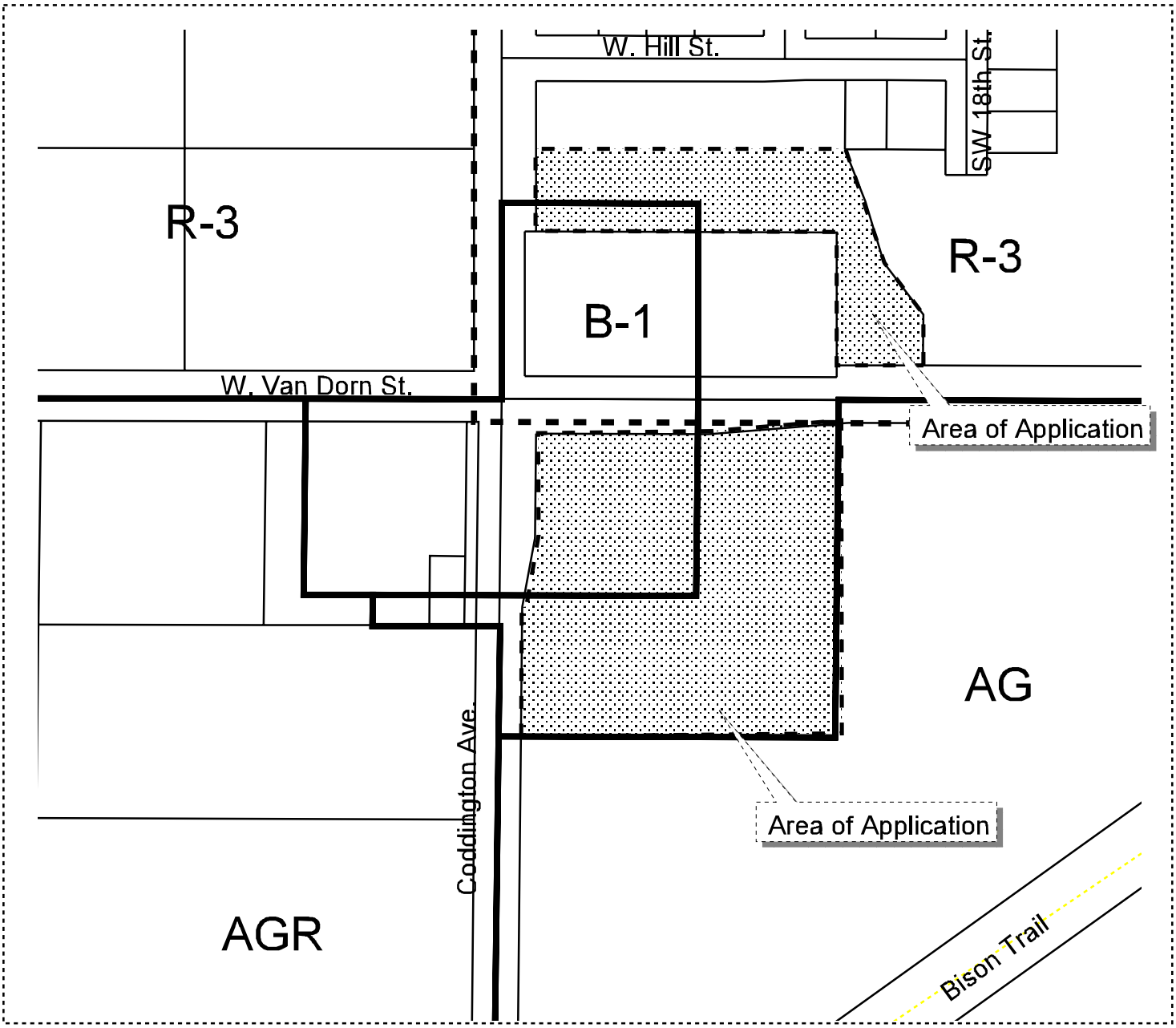
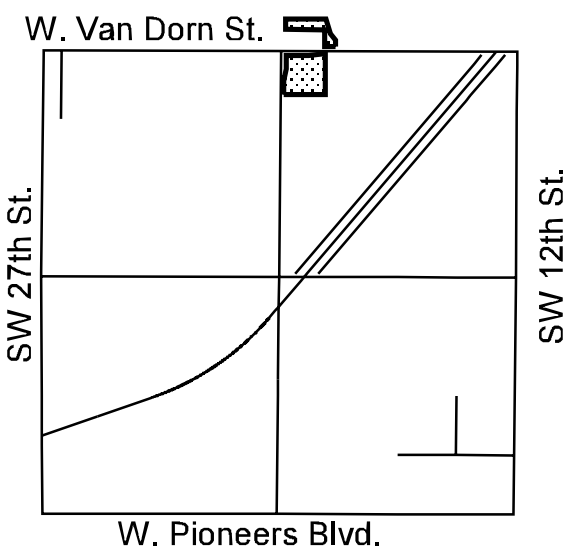
Lincoln City - Lancaster County Planning Dept.



Use Permit #133
W. Van Dorn & Coddington



Zoning:

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R-C	Residential Convervation District
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I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile
Sec. 4 T9N R6E

Zoning Jurisdiction Lines

City Limit Jurisdiction

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Lincoln City - Lancaster County Planning Dept.

CZ # 3195

CHANGE OF ZONE FROM 'B-1' TO 'B-2'
LEGAL DESCRIPTION:

A LEGAL DESCRIPTION OF A PORTION OF OUTLOT 'A', LEE'S PLACE, LOCATED IN SE 1/4 OF SECTION 33, TOWNSHIP 10 NORTH, RANGE 6 EAST, OF THE 6TH P.M., LANCASTER COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE S.W. CORNER OF SAID S.E. 1/4 OF SECTION 33, AND EXTENDING THENCE N. 00°22'55" W., ALONG THE WEST LINE OF SAID S.E. 1/4 A DISTANCE OF 241.71 FEET; THENCE N. 89°50'12" E., A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING;

THENCE N. 00°22'55" W., A DISTANCE OF 41.31 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF WEST HILL STREET;

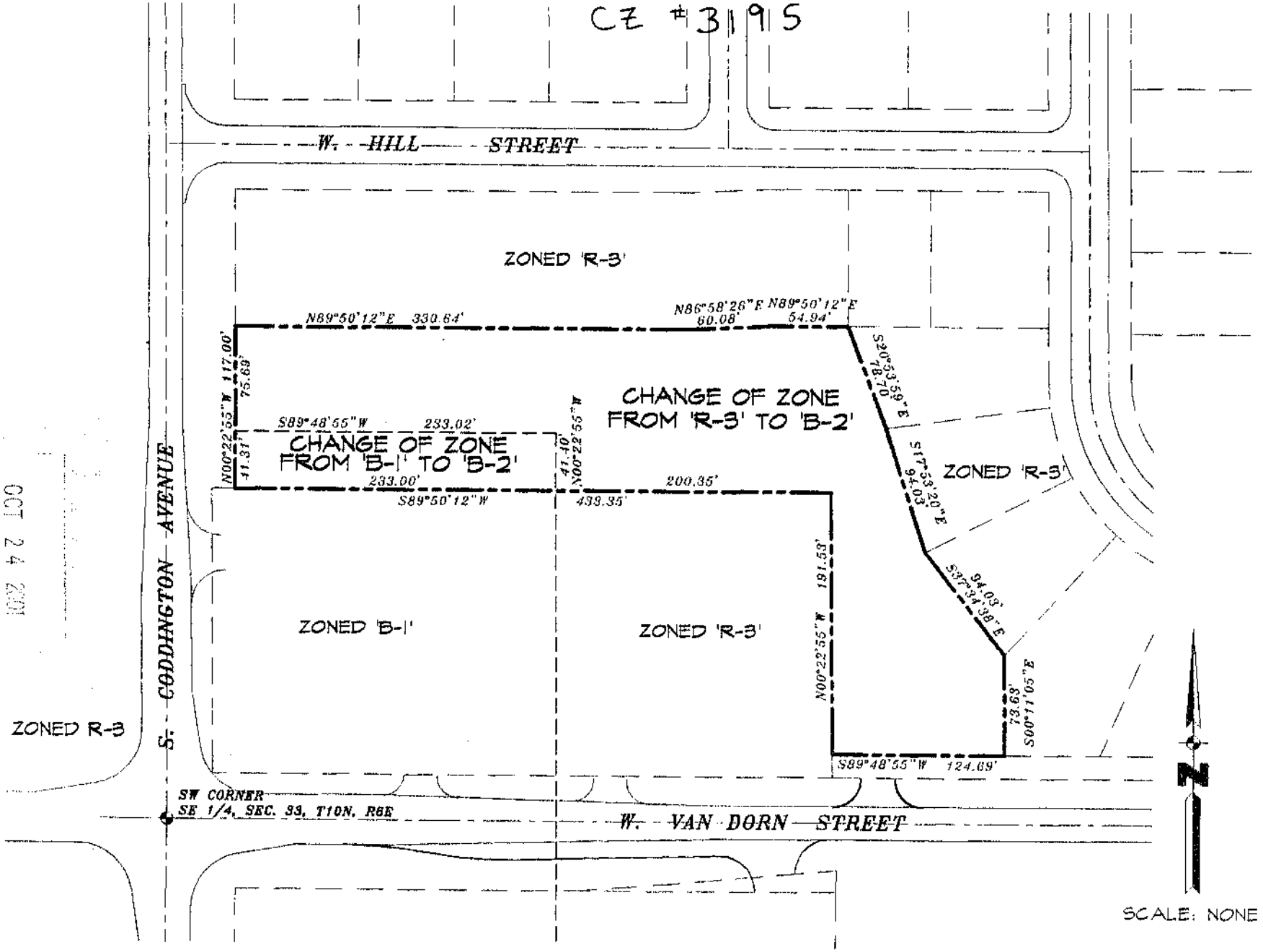
THENCE N. 89°48'55" E., A DISTANCE OF 233.02 FEET;

THENCE S. 00°22'55" E., A DISTANCE OF 41.40 FEET;

THENCE S. 89°50'12" W., A DISTANCE OF 233.00 FEET TO THE POINT OF BEGINNING AND CONTAINING A CALCULATED AREA OF 9635.59 S.F. OR 0.22 ACRES, MORE OR LESS.

CHANGE OF ZONE EXHIBIT FOR LEE'S PLACE

CZ #3195



SCALE: NONE

OCT 24 2001

DESCRIPTION B – Change of Zone 3253

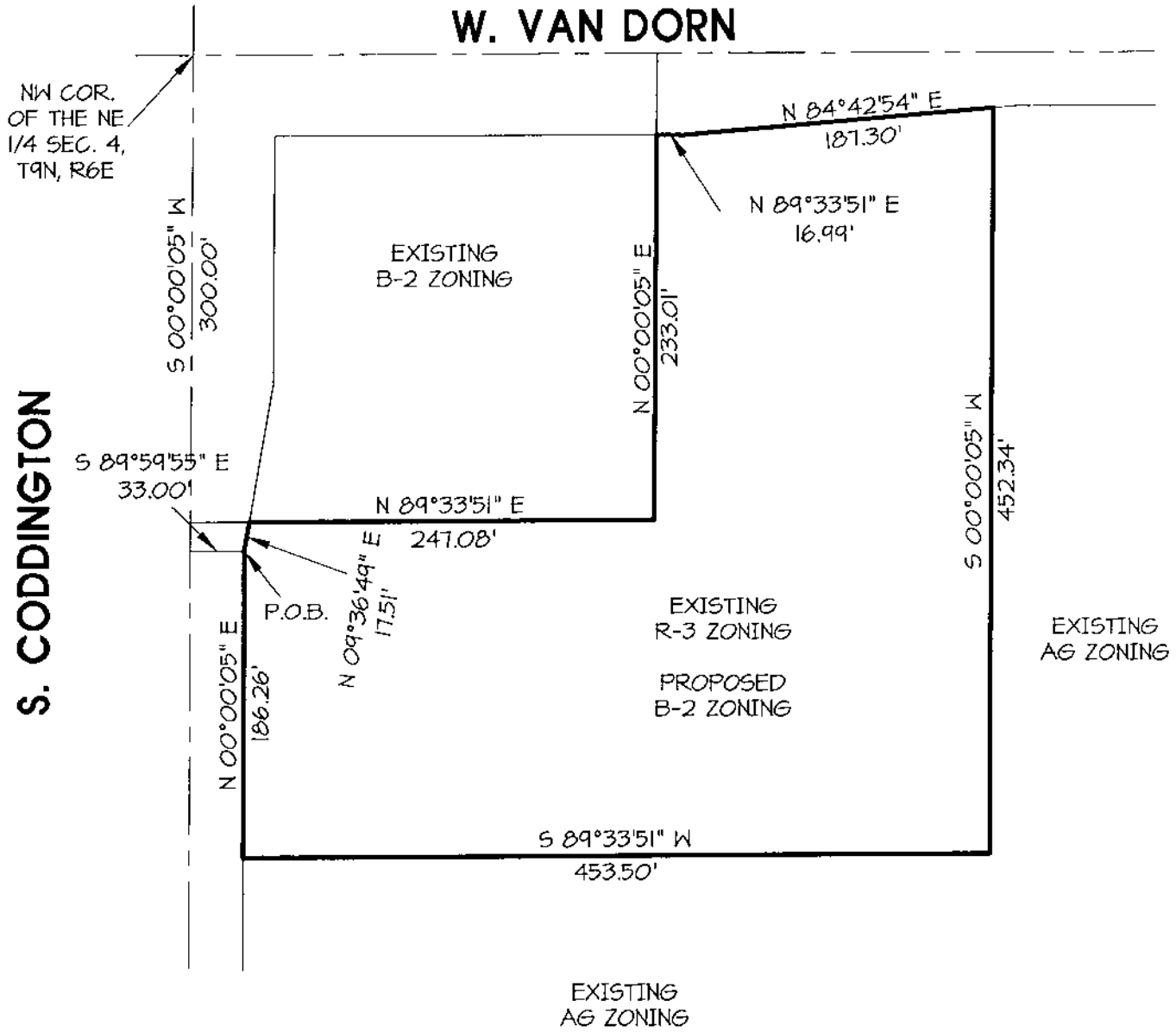
LOCATED IN THE NORTHEAST QUARTER OF SECTION 4, TOWNSHIP 9 NORTH, RANGE 6 EAST OF THE 6TH PM, LANCASTER COUNTY, NEBRASKA. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SAID NORTHEAST QUARTER;

THENCE ON THE WEST LINE OF THE SAID NORTHEAST QUARTER, ON AN ASSIGNED BEARING OF S 00°00'05" W, A DISTANCE OF 300.00 FEET; THENCE S 89°59'55" E A DISTANCE OF 33.00 FEET TO THE POINT OF BEGINNING;

THENCE N 09°36'49" E A DISTANCE OF 17.51 FEET, TO A POINT LOCATED 283.00 FEET SOUTH OF THE NORTH LINE OF SAID SECTION 4;
THENCE N 89°33'51" E A DISTANCE OF 247.08 FEET, ON A LINE 283.00 FEET SOUTH OF AND PARALLEL TO SAID NORTH LINE;
THENCE N 00°00'05" E A DISTANCE OF 233.01 FEET, ON A LINE 283.00 FEET EAST OF AND PARALLEL TO SAID WEST LINE;
THENCE N 89°33'51" E A DISTANCE OF 16.99 FEET, ON A LINE 50.00 FEET SOUTH OF AND PARALLEL TO SAID NORTH LINE;
THENCE N 84°42'54" E A DISTANCE OF 187.30 FEET, TO A POINT LOCATED 34.17 FEET SOUTHERLY OF SAID NORTH LINE;
THENCE PARALLEL TO SAID WEST LINE S 00°00'05" W A DISTANCE OF 452.34 FEET;
THENCE PARALLEL TO SAID NORTH LINE, S 89°33'51" W A DISTANCE OF 453.50 FEET TO A POINT LOCATED 33.00 FEET EASTERLY FROM SAID WEST LINE;
THENCE PARALLEL TO SAID WEST LINE, N 00°00'05" E A DISTANCE OF 186.26 FEET, TO THE POINT OF BEGINNING.

SAID TRACT CONTAINING 3.24 ACRES MORE OR LESS



N

CHANGE OF ZONE

EXCLUSIVE OF CODDINGTION R.O.W.

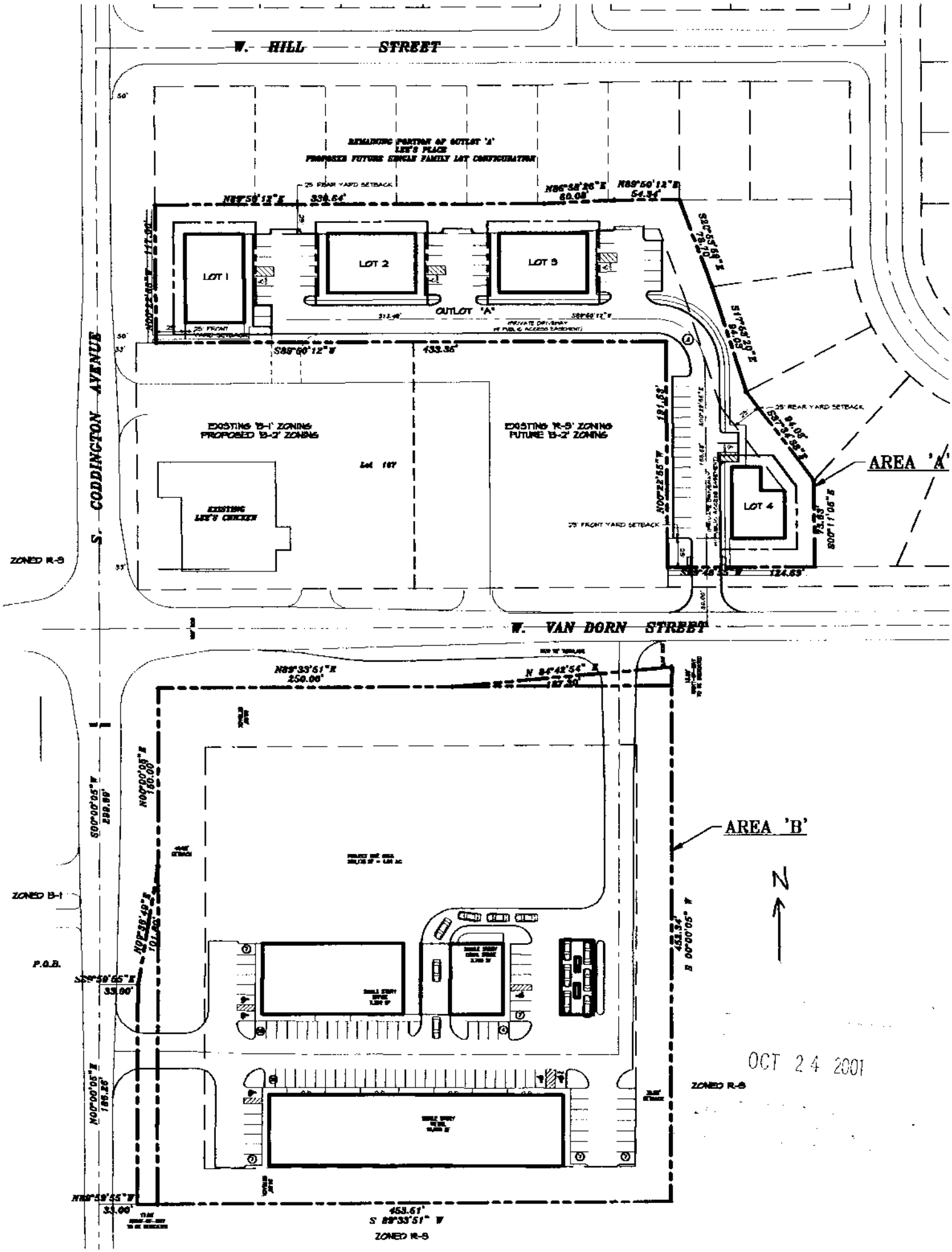
SCALE: 1" = 100'

1 OF 1

DESIGN ASSOCIATES OF LINCOLN, INC.
1609 "N" STREET
LINCOLN, NEBRASKA 68508
PHONE:(402) 474-3000
FAX:(402) 474-4045
desassoc@inebraska.com

EXHIBIT B

CHANGE OF ZONE #3253
S. CODDINGTON AND W. VAN DORN
LINCOLN, NEBRASKA


W. HILL STREET
S. CODDINGTON AVENUE
W. VAN DORN STREET
REMAINING PORTION OF OUTLOT 'A'
LEE'S PLACE
PROPOSED FUTURE SINGLE FAMILY LOT CONFIGURATION
LOT 1
LOT 2
LOT 3
LOT 4
OUTLOT 'A'
EXISTING 'B-1' ZONING
PROPOSED 'B-2' ZONING
EXISTING 'R-5' ZONING
FUTURE 'B-2' ZONING
EXISTING LEE'S CHICKEN
AREA 'A'
AREA 'B'
ZONED R-5
ZONED B-1
P.O.B.
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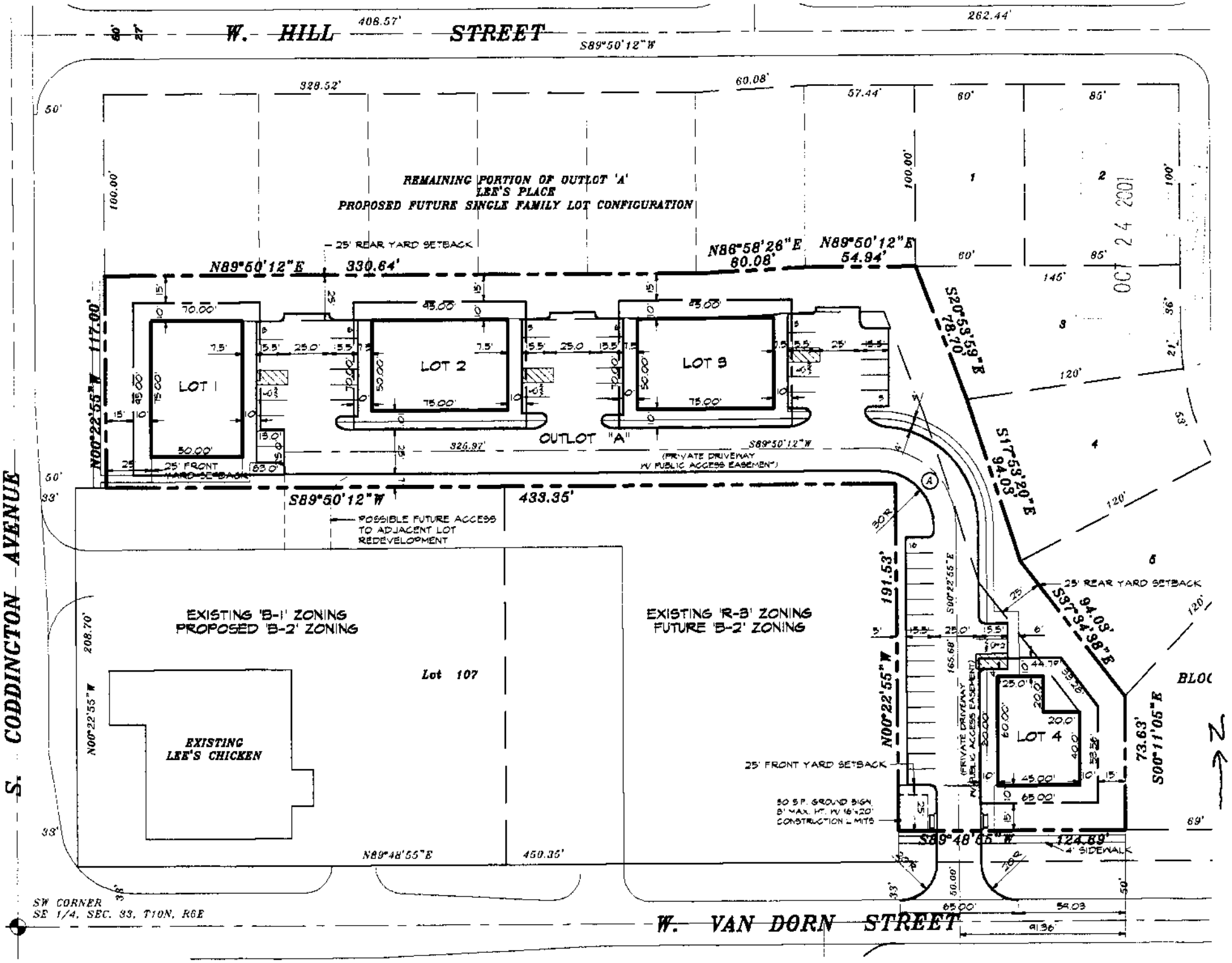
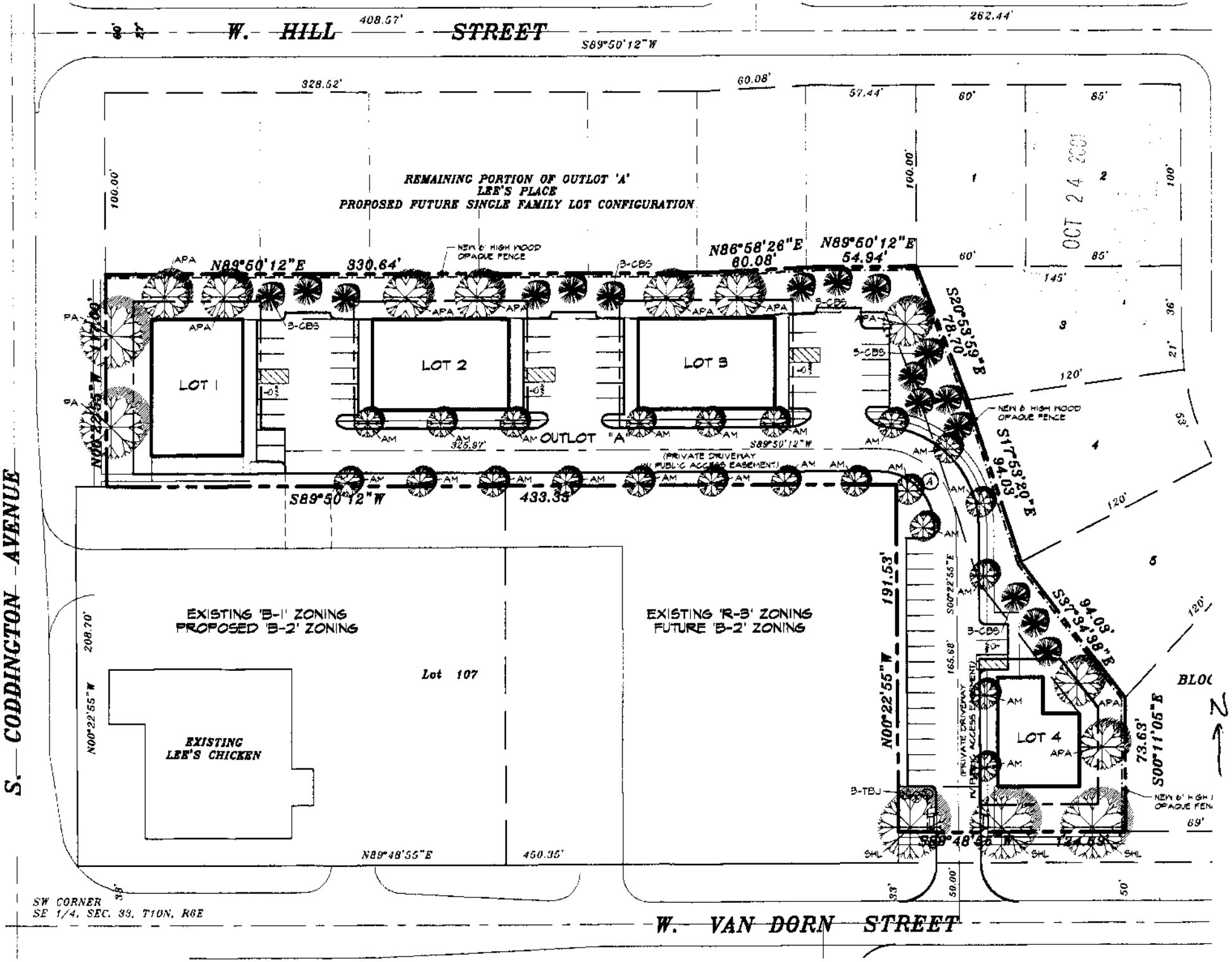
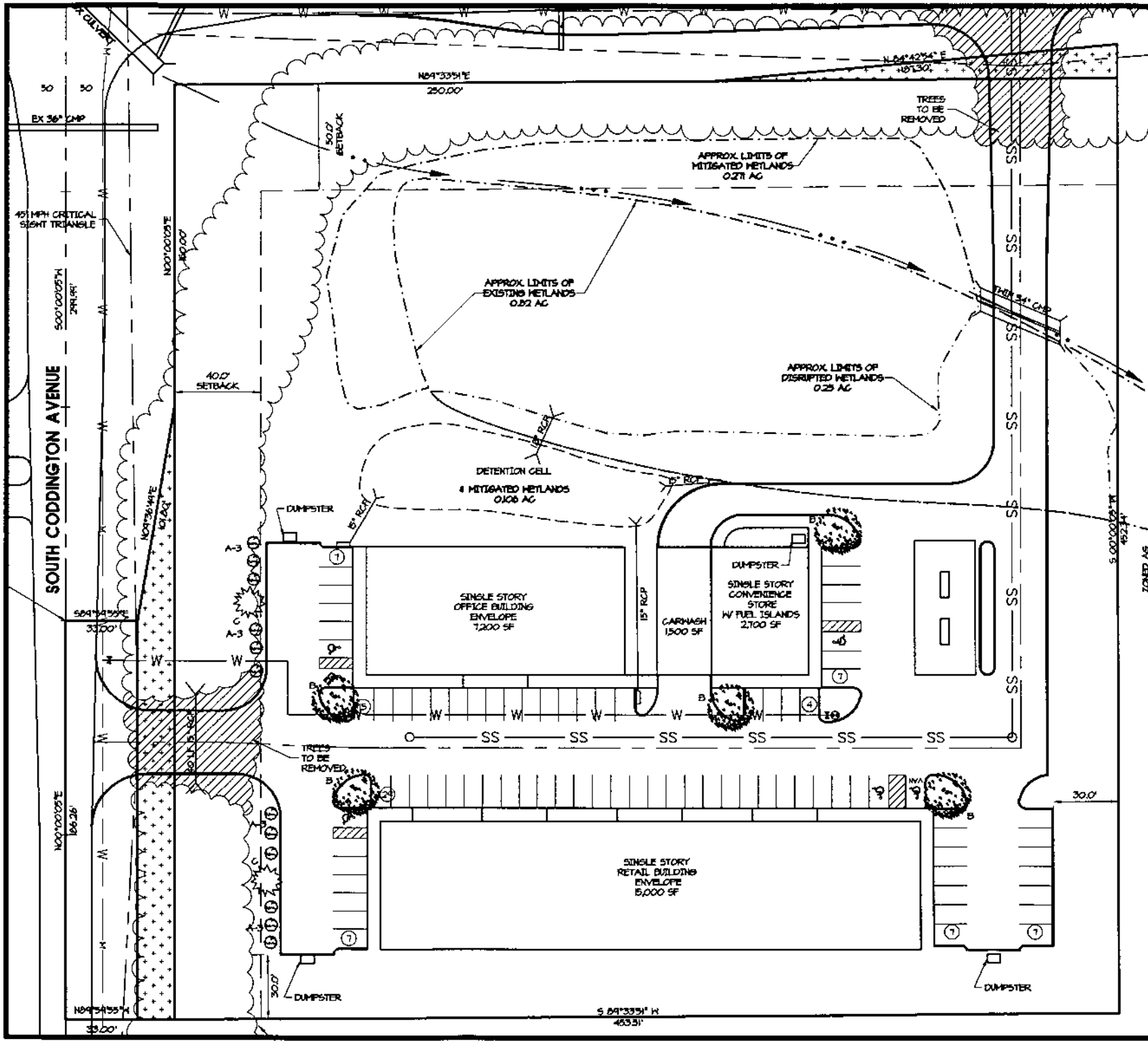
OCT 24 2001


W. HILL STREET
S89°50'12"W
408.57'
262.44'
328.52'
60.08'
57.44'
REMAINING PORTION OF OUTLOT 'A'
LEE'S PLACE
PROPOSED FUTURE SINGLE FAMILY LOT CONFIGURATION
25' REAR YARD SETBACK
N89°50'12"E 330.64'
N86°58'26"E 60.08'
N89°50'12"E 54.94'
N00°22'55"W 117.00'
LOT 1
LOT 2
LOT 3
OUTLOT "A"
326.97'
S89°50'12"W
(PRIVATE DRIVEWAY W/ PUBLIC ACCESS EASEMENT)
25' FRONT YARD SETBACK
S89°50'12"W 433.35'
POSSIBLE FUTURE ACCESS TO ADJACENT LOT REDEVELOPMENT
S20°53'59"E 78.70'
S17°53'20"E 94.03'
S37°34'38"E 94.03'
S00°11'05"E 73.63'
N00°22'55"W 191.53'
S00°22'55"E
EXISTING 'B-1' ZONING
PROPOSED 'B-2' ZONING
EXISTING 'R-3' ZONING
FUTURE 'B-2' ZONING
Lot 107
EXISTING LEE'S CHICKEN
N00°22'55"W 208.70'
N89°48'55"E 450.35'
25' FRONT YARD SETBACK
50 S.F. GROUND SIGN, 8' MAX. HT. W/ 16'x20' CONSTRUCTION LIMITS
S89°48'55"W 124.89'
4' SIDEWALK
LOT 4
(PRIVATE DRIVEWAY W/ PUBLIC ACCESS EASEMENT)
25' REAR YARD SETBACK
S. CODDINGTON AVENUE
W. VAN DORN STREET
SW CORNER
SE 1/4, SEC. 33, T10N, R6E
N
OCT 24 2001


W. HILL STREET
S89°50'12"W
408.57'
262.44'
328.52'
60.08'
57.44'
60'
85'
100.00'
REMAINING PORTION OF OUTLOT 'A'
LEE'S PLACE
PROPOSED FUTURE SINGLE FAMILY LOT CONFIGURATION
N89°50'12"E 330.64'
NEW 6' HIGH WOOD OPAQUE FENCE
N86°58'26"E 60.08'
N89°50'12"E 54.94'
S20°53'59"E 78.70'
S17°53'20"E 94.03'
S37°34'38"E 94.09'
S00°11'05"E 73.63'
S89°48'55"W 124.69'
LOT 1
LOT 2
LOT 3
LOT 4
OUTLOT "A"
S89°50'12"W 326.97'
(PRIVATE DRIVEWAY PUBLIC ACCESS EASEMENT)
S89°50'12"W 433.33'
191.53'
N00°22'55"W
S00°22'55"E 165.68'
EXISTING 'B-1' ZONING
PROPOSED 'B-2' ZONING
EXISTING 'R-3' ZONING
FUTURE 'B-2' ZONING
Lot 107
EXISTING LEE'S CHICKEN
208.70'
N00°22'55"W
N89°48'55"E 450.35'
S. CODDINGTON AVENUE
W. VAN DORN STREET
SW CORNER
SE 1/4, SEC. 33, T10N, R6E
OCT 24 2008
BLOC
N
APA
AM
B-CBS
B-TBJ
SHL
PA
NEW 6' HIGH WOOD OPAQUE FENCE
145'
120'
69'
50'
33'
38'
21'
36'
53'



WEST VAN DORN PLAZA

LANDSCAPE PLAN

LINCOLN, NEBRASKA

24 OCT 0

Project No. 200013

Sheet name

SCALE 1" =

DESIGN ASSOCIATES OF LINCOLN, INC.
ARCHITECTS-ENGINEERS-PLANNERS
1609 "N" STREET
LINCOLN, NEBRASKA 68508
PHONE:(402) 474-3000
FAX:(402) 474-4045
desassoc@inebraska.com

Memo

To: **Brian Will, Planning Department**

From: **Mark Canney, Parks & Recreation** MC

Date: **November 5, 2001**

Re: **West Van Dorn Plaza (Formerly Lee's Place)**

Staff members of the Lincoln Parks and Recreation Department have conducted a plan review of the above-referenced application/proposal and have compiled the following comments:

Resubmit a Landscape Plan with the following changes:

1. Existing tree mass including Austrian Pines and Lilacs have historical significance along this corridor. Plant material should be recognized and be reflected in the long term planning and planting plans.

2. Provide planting plan on detention cell to help determine the water quality taking into consideration the parking lot runoff will contain petrochemicals. A pre-treated area or cell should occur before runoff enters wetlands.

3. The Comprehensive Plan indicates trail connection along frontage of property. Need trail easement location along Coddington with a 10' wide concrete trail, either through on the east side of the existing tree mass.

If you have any additional questions, comments or concerns, please feel free to contact me at 441-8248.

INTER–DEPARTMENT COMMUNICATION

DATE November 5, 2001

TO Brian Will, City Planning

FROM Sharon Theobald
(Ext. 7640)

SUBJECT DEDICATED EASEMENTS
DN #26S-19W

Attached is the Use Permit for Lee's Place.

In reviewing the dedicated transmission line or other electrical easements shown on this plat, LES does not warrant, nor accept responsibility for the accuracy of any such dedicated easements.

ALLTEL, Time Warner Cable, and the Lincoln Electric System will not require any additional easements.

Sharon Theobald

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PLANNING DEPARTMENT

ST/nh
Attachment
c: Terry Wiebke
Easement File

Design Associates of Lincoln, Inc.
Pershing Square
1609 'N' Street
Lincoln, NE 68508
Phone: (402) 474-3000 • Fax: (402) 474-4045

October 29, 2001

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LINCOLN CITY/LANCASTER COUNTY
PLANNING DEPARTMENT

Kathleen Sellman
Lincoln-Lancaster County
Planning Department
555 South 10th Street
Lincoln, Nebraska 68508

RE: REVISED- Generic Use Permit #133
West Van Dorn Plaza
Coddington Avenue and West Van Dorn Street

Ms. Sellman:

On behalf of Stockwell Properties, L.L.C., the following is offered as a re-submittal of a Generic Use Permit application for property located at the southeast corner of Coddington and Van Dorn Street. This plan is being offered in conjunction with the Use Permit application for Lee's Place located immediately north of West Van Dorn Plaza. The attached site, grading and landscape plans are offered as concept for the requested permit. Revisions to the site plan from the initial submittal of this application include the following:

- Dedication of additional right-of-way along West Van Dorn Street and Coddington Avenue;
- Relocation of the West Van Dorn Street driveway to the east;
- Reduction of the drainage structure length for the West Van Dorn Street access from 170 feet to approximately 40 feet;
- Reduction of wetland disruption from 0.41 acre to approximately 0.25 acre;
- Relocation of the fuel pump islands to the south and west; and
- Conversion of 5,400 square feet of retail to 7,200 square feet of office use.

In addition the following is offered in response to specific staff comments.

Staff has requested the dedication of additional right-of-way along West Van Dorn Street and Coddington Avenue. The plan has been revised to include dedication of right-of-way to provide 50' as measured from each respective centerline. **A request to reduce the required front yard setback from 50' to 40' along Coddington Avenue is requested to accommodate parking located at the west end of the proposed buildings**.

Access is proposed to both street frontages to accommodate internal circulation. The access to West Van Dorn Street has been relocated to the east to increase the separation

from the intersection of Coddington and Van Dorn. Revision to this access includes an eastbound to southbound right turn deceleration lane at the request of staff.

The plan has been revised to indicate the sanitary sewer located along the north side of West Van Dorn is future. It is acknowledged installation of this sanitary main is required prior to sanitary sewer service to the proposed development.

Water service to the site is shown from the existing water main located in Coddington Avenue. Service to the north side of West Van Dorn Street is also available from the Coddington Avenue water main. It appears the requested 12-inch water main in West Van Dorn is not needed to serve the abutting properties.

The submittal has been expanded to include storm water and detention calculations. All contributing drainage basins totaling 119.48 acres are shown on the grading plan. The revised plan continues to provide an adequate area to accommodate storm water detention and required wetland mitigation at the northwest corner of the site.

A landscape plan is included as part of the re-submittal. **A waiver of street trees along Coddington Avenue and West Van Dorn Street is requested due to the existing coniferous trees located along both frontages**. Landscape and parking lot screening is not proposed along the south and east limits of the site due to the adjacent agricultural zoning.

It is acknowledged that additional information will be required prior to approval of a final development plan that includes the following:

Site plan identifying specific building and parking dimensions
Wetland delineation and mitigation plan

Please advise if additional information is needed to process this application.

Sincerely,

J.D. Burt
For the firm

cc: Don Linscott

BRIAN D. CARSTENS AND ASSOCIATES
LAND USE PLANNING RESIDENTIAL & COMMERCIAL DESIGN
601 Old Cheney Road, Suite C Lincoln, NE 68512 Phone: 402.434.2424

October 23, 2001

Kathleen A. Sellman, AICP
Director of Planning
City of Lincoln
555 South 10th Street
Lincoln, NE 68508

RE: LEE'S PLACE
USE PERMIT #133

Dear Ms. Sellman,

This letter is in response to the corrections requested by the Planning and Public Works Departments from the October 19th meeting . The following refers to the revised re-submitted plans with revision date 8/23/2001.

1) The private roadway has been changed to a private driveway.
2) The sewer and water lines have been changed from public to private. See the utility plan for details.
3) The private driveway allows for additional parking stalls and one less tree. See the site plan and landscape plan for details.

If you have any questions please give us a call.

Sincerely,

Brian D. Carstens

cc: Rick Krueger

Enclosed: 16 copies of sheets 1 & 2 of 5
6 copies of sheets 3, 4, & 5 of 5

OCT 24 2001

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NOV 26 2001

M e m o r a n d u m

To: Jason Reynolds, Planning

From: Dennis Bartels, Engineering Services

Subject: Use Permit 133, West Van Dorn Plaza (Formerly Lee's Place)

Date: November 21, 2001

cc: Roger Figard
Nicole Fleck-Tooze

Engineering Services has reviewed the revised Use Permit 133 for West Van Dorn Plaza located north and south of Van Dorn west of Coddington and has the following comments:

1. Water - The proposed development requires construction of a water main in Van Dorn to provide water service to both sides of the street.

2. Sanitary Sewer - Sanitary sewer is required to be constructed to serve this development.

3. The approved preliminary plat of Lee's Place did not show the residential lots on the south side of Hill Street. West Hill was widened to meet requirements for a commercial street for access to the commercial zoning. Widening was required for a right and left turn lane in Coddington at Hill Street. Future improvements to Coddington and Van Dorn will likely include medians that preclude a left turn to the B zoned property to Coddington.

   The proposed driveways to the developments from Van Dorn do not align north to south across Van Dorn. This is unsatisfactory. Access points to both sides of Van Dorn will need to align or the assumption will be that no left turn access can be provided to both sides.

   Coddington and Van Dorn Streets are rural design streets that do not meet design standards requirements for paved urban streets. The abutting streets need to be widened to provide left turn access to the proposed driveways to Coddington and Van Dorn Streets.

4. The drainage from the proposed commercial north of Van Dorn is not satisfactory. Judging by information submitted, the drainage from the proposed use permit is being discharged to Coddington but the grades in Coddington are not shown such that the pipe can be built. The grades imply that the Coddington Avenue east ditch outlets and sheet drains across the Lee's Restaurant parking lot.

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NOV 26 2001
LINCOLN CITY - LANCASTER COUNTY PLANNING

M e m o r a n d u m

To: Jason Reynolds, Planning

From: Dennis Bartels, Engineering Services

Subject: Use Permit 133, West Van Dorn Plaza (Formerly Lee's Place)

Date: November 21, 2001

cc: Roger Figard
Nicole Fleck-Tooze

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ITEM NO. 3.1a,b,c: CHANGE OF ZONE 3195
CHANGE OF ZONE 3253
USE PERMIT 133
(p.97- Public Hearing - 11/28/01)

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LINCOLN CITY/LANCASTER COUNTY
PLANNING DEPT.

2601 SW 23 St
Lincoln NE 68522
November 23, 2001

Kent Seacrest and Danay Kalkowski
Seacrest & Kalkowski, PC
1111 Lincoln Mall Ste 350
Lincoln NE 68508-3905

RE: Southeast Corner of West Van Dorn and South Coddington

Lincoln the Greed Life! I have observed over the last ten years or so the bastardizing and trashing of my hometown of nearly 70 years. I am a fifth generation citizen of this once livable, viable hometown. In the 1800s my ancestors owned nearly half of downtown Lincoln.

I have watched the developers and builders collaborate to develop a cartel whose members proudly proclaim "we own City Hall and I can get anything I want from City Hall." The Seacrest, Hunzicker, Hampton, Brager, Linscott, etc. have no consciences or any concern for the present or future citizens of Lincoln. They perpetuate their power base on lie after lie.

Here we go again—a letter asking for our "comments or questions" only because you have to. I and others know from experience that this and thousands of other hearings are all done deals! For instance, ever since our neighborhood was notified that Linscott wanted to develop this corner I would call the Planning Department every three to four months to see where the project was on the schedule. Each time I was told I would be notified. I also asked the Planning Department to put pressure on Linscott to make it a part of Pioneers Park. Now I am notified that it is a done deal.

Mr. Linscott, two years ago several of my neighbors and I met with you on the West Van Dorn and Coddington project. You pontificated at length about how you and your wife were so environmentally conscious. A lie. We asked you then to add this property to Pioneers Park and to let the trail be left to an open space. Through your greed and lack of conscience you are now trashing our neighborhood. Again, this proves a total lack of leadership from our city's elected and appointed officers.

It is so painful to watch helplessly while you create heinous problems for our next generations.

Lynn Darling

Lynn Darling

cc: Don Linscott
Planning Commission
Mayor Wesely

BRIAN D. CARSTENS AND ASSOCIATES

LAND USE PLANNING RESIDENTIAL & COMMERCIAL DESIGN

601 Old Cheney Road, Suite C Lincoln, NE 68512 Phone: 402.434.2424

November 29, 2001

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NOV 30 2001

LINCOLN CITY/LANCASTER COUNTY PLANNING DEPARTMENT

Ms. Kathleen A. Sellman, AICP
Director of Planning
City of Lincoln/ Lancaster County
555 South 10th Street
Lincoln, NE 68508

RE: LEE'S PLACE - USE PERMIT #133
SOUTH CODDINGTON AVENUE AND WEST VAN DORN STREET

Dear Kathleen,

On behalf of R.C. Krueger Development, I am requesting two additional 'waivers' for the above mentioned Use Permit as follows:

1. Waiver of the requirement that all lots have access and frontage to a public street or private roadway.

2. Waiver of the minimum lot frontage requirement to allow a ground sign along West Van Dorn Street.

The City Council may grant the waiver of the lots fronting along a 'public access easement' as part of the approval of the Use Permit. This procedure will allow for individual lots to be created under each building.

The City Council my modify the signage requirements as requested, as part of the approval of the Use Permit. We have minimal lot frontage along West Van Dorn Street. Allowing one ground sign that will identify the development and potentially individual businesses is very appropriate in the 'B-2' Zoning District.

We have also included a check in the amount of $195.00 to cover the costs of the re-notification of the property owners in proximity to the site.

Please contact me if you have any further questions.

Sincerely,

Brian D. Carstens

cc: Rick Krueger, R.C. Krueger Development Company, Inc.

ENCLOSURES: Fee of $195.00