

## LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for NOVEMBER 9, 2016 PLANNING COMMISSION MEETING

- PROJECT #:** Special Permit No. 463A
- PROPOSAL:** A request per Section 27.63.790 for a veterinary facility.
- LOCATION:** 2000 N. 112<sup>th</sup> Street located northeast of N. 112<sup>th</sup> Street and Holdrege Street.
- LAND AREA:** 32.58 acres, more or less
- EXISTING ZONING:** Ag Agricultural
- CONCLUSION:** This request is in conformance with the Comprehensive Plan and Zoning Ordinance. The veterinary facility should have minimal impact on the surrounding area.

<b>RECOMMENDATION:</b>	Conditional Approval
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### GENERAL INFORMATION:

**LEGAL DESCRIPTION:** Lot 1 Irregular Tract located in the SE1/4 of Section 18-10-8, Lancaster County, NE

**EXISTING LAND USE:** Kennel and single family house

### **SURROUNDING LAND USE AND ZONING:**

North:	AG Agricultural	Farm ground
South:	AG Agricultural	Al Larson acreage subdivision
East:	AG Agricultural	Farm ground and smaller acreages
West:	AG Agricultural	Farm ground

### **HISTORY:**

April 1967 Al Larson Subdivision final plat was approved by the City Council.

July 1969 SP#463 for a veterinary office on the west 340 feet of the north 200 feet of Lot 1 Irregular Tract was approved by the City Council.

### **COMPREHENSIVE PLAN SPECIFICATIONS:**

The 2040 Future Land Use Plan identifies this area as Residential-Low Density. (p12.3)

The 2040 Priority Growth Areas map identifies this area in Tier II. (p.12.6)

**UTILITIES:** The veterinary facility will have a private well and wastewater disposal system.

**TRAFFIC ANALYSIS:** N. 112<sup>th</sup> Street is a county gravel road and is classified as a minor arterial.

**PUBLIC SERVICE:** This area is served by the Southeast Rural Fire District and the Lancaster County Sheriff.

**ANALYSIS:**

1. This request is for a special permit for a 5,000 sq. ft. veterinary facility in the AG District. The site is currently used as a kennel. Kennels are a permitted use in the AG District.
2. A special permit was approved for a veterinary office in July 1969 on a portion of this site. The veterinary office was never built, but the site has been used as a kennel since 1963. This application expands the area that was previously approved for the veterinary office. Therefore, an amendment to the original special permit is required.
3. The special permit is over the entire lot, but the building envelope is limited to the west 600 feet of the lot. The applicant's letter states that the remainder of the site could be used for walking trails and outdoor amenities for the clinic/kennel use.
4. There is a house on the site. The house is currently being rented for single family use. In the future the existing house will be used as a caretakers residence as part of this special permit. The zoning ordinance does not allow two main uses on the property, therefore the house must be accessory to the veterinary facility.
5. For kennels in zoning districts other than AG and AGR there is a limit to no more than 3 animals outside at any one time. Since this kennel is zoned AG there is no limit on the number of animals outside. The AG District has no restriction on number of animals allowed, so there is no restriction on kennels.
6. The site is located approximately one-half mile north of Holdrege Street on N. 112<sup>th</sup> Street. Holdrege Street is a paved road, but N. 112<sup>th</sup> Street is a gravel road. Increase traffic is likely with the approval of the veterinary clinic. With this site being less than one mile from the City limits, potentially most of the traffic and customers could come from the City and not the rural area.

7. The veterinary facility should have minimal impact on the surrounding rural area. There has been a kennel on the premise for many years. The use is all indoors except for a small outdoor area. There is the potential for increased traffic. This use is appropriate for the area.

**CONDITIONS OF APPROVAL:**

Per Section 27.63.790 this approval permits a veterinary facility.

**Site Specific Conditions:**

1. Before receiving building permits the permittee shall cause to be prepared and submitted to the Planning Department a revised and reproducible final plot plan including **3** copies with all required revisions and documents as listed below:
  - 1.1 Change the building envelope on the north and south side to 60 feet to match the side yard setback in the AG District.
  - 1.2 Delete Notes 5 and 6. There is no parking requirement in the AG District. Note 6 and 2 can be combined.
  - 1.3 Change Note 2 to read, "The owner reserves the right to build within the building envelope. Site plan is conceptual and may be finalized at time of building permit."
  - 1.4 Show the floodplain on the site plan.
  - 1.5 Change Note 1 to read, "This special permit allows a 5,000 sq. ft. veterinary office. Kennels and other buildings are accessory to the veterinary office. The existing house shall be for a caretaker of the veterinary office or kennel."
2. Before receiving building permits provide the following documents to the Planning Department:
  - 2.1 Verification from the Register of Deeds that the letter of acceptance as required by the approval of the special permit has been recorded.

**Standard Conditions:**

3. The following conditions are applicable to all requests:
  - 3.1 Before occupying the buildings or starting the operation all development and construction shall substantially comply with the approved plans.

- 3.2 The physical location of all setbacks and yards to be in substantial compliance with the location of said items as shown on the approved site plan.
- 3.3 Before occupying this veterinary facility the City/County Health Department is to approve the water and waste water systems.
- 3.4 The terms, conditions, and requirements of this resolution shall run with the land and be binding upon the Permittee, its successors and assigns.
- 3.5 The applicant shall sign and return the letter of acceptance to the City Clerk. This step should be completed within 60 days following the approval of the special permit. The City Clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the applicant.
- 3.6 The site plan as approved with this resolution voids and supersedes all previously approved site plans, however all prior resolutions approving this permit remain in full force and effect as specifically amended by this resolution.

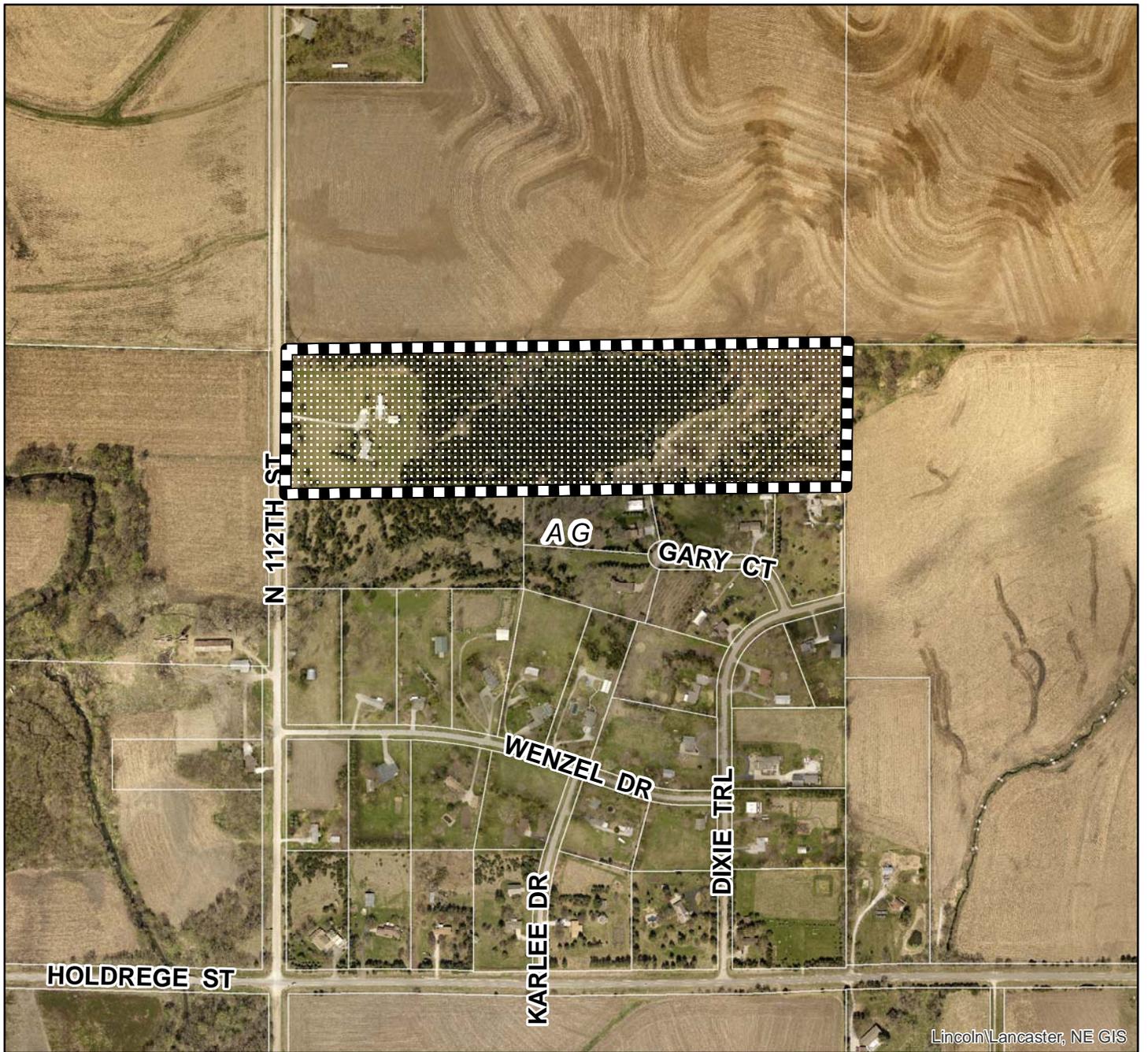
Prepared by

Tom Cajka  
Planner

**DATE:** October 28, 2016

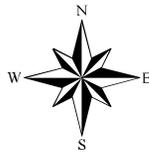
**APPLICANT/CONTACT:** REGA Engineering Group  
601 Old Cheney Rd. Suite A  
Lincoln, NE 68512  
402-484-7342

**OWNER:** Sunflower Holdings LLC  
9340 Duane Lane  
Lincoln, NE 68505  
402-467-4469



2016 aerial

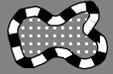
**Special Permit #: SP463A  
Lionberger Veterinary  
N 112th St & Holdrege St**

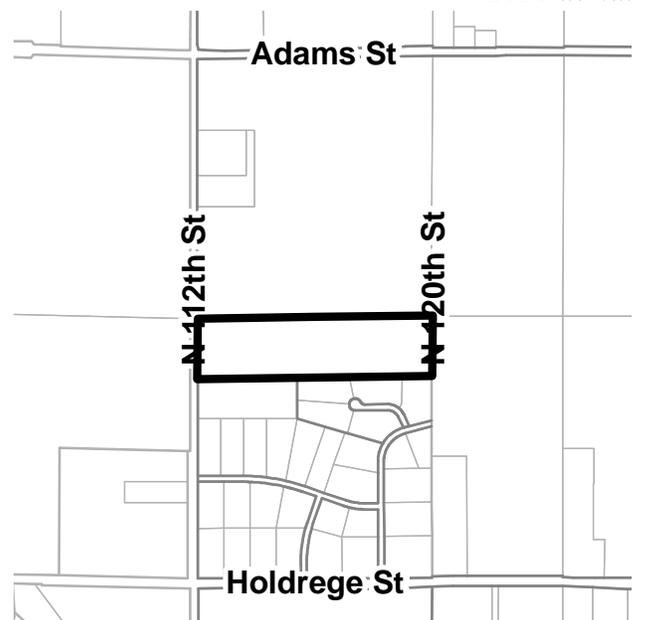


**One Square Mile:  
Sec. 18 T10N R08E**

**Zoning:**

- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential 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

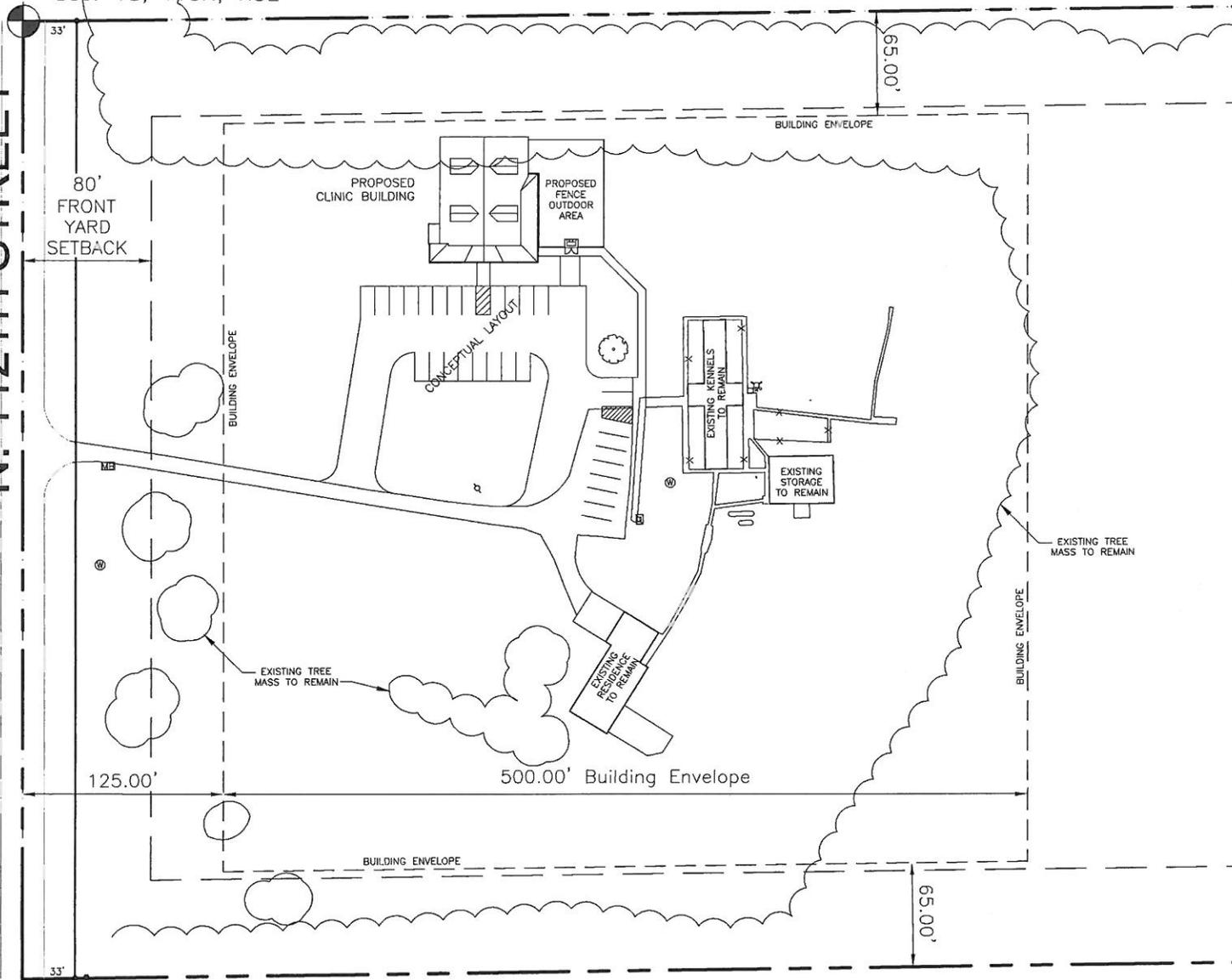
	Area of Application
	Zoning Jurisdiction Lines
	Lancaster County Jurisdiction





W 1/4 Corner  
Sec. 18, T10N, R8E

N. 112TH STREET



NORTH  
SCALE 1" = 50'



GENERAL NOTES:

1. THIS SPECIAL PERMIT FOR VETERINARY FACILITY AND KENNELS CONSISTS OF A MAXIMUM ALLOWED 5,000 SQUARE FEET FLOOR AREA FOR CLINIC, KENNELS, ACCESSORY BUILDINGS AND RESIDENCE FOR EMPLOYEES OF THE CLINIC OR KENNELS.
2. THE OWNER/DEVELOPER RESERVES THE RIGHT TO BUILD WITHIN THE BUILDING ENVELOPE SHOWN.
3. FRONT, SIDE AND REAR YARD SETBACKS SHALL BE IN ACCORDANCE WITH THE AG ZONING DISTRICT UNLESS OTHERWISE NOTED.
4. SIGNS NEED NOT BE SHOWN ON THIS PLAN, BUT NEED TO BE IN COMPLIANCE WITH CHAPTER 27.69 OF THE LINCOLN ZONING ORDINANCE, AND MUST BE APPROVED BY BUILDING & SAFETY DEPARTMENT PRIOR TO INSTALLATION.
5. PARKING SHALL BE IN COMPLIANCE WITH CHAPTER 27.67.
6. THE SPECIFIC SITE PLAN IS NOT REQUIRED WITH THE SPECIAL PERMIT. THE SITE LAYOUT SHALL BE APPROVED THROUGH THE BUILDING PERMIT PROCESS.

R8E

ADAMS STREET

LIONBERGER VETERINARY SERVICES  
AMENDMENT TO SPECIAL PERMIT #463A  
SITE PLAN

2000 N. 112TH STREET

# REGA

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ENGINEERING  
GROUP, INC.

File No. 161272  
October 12, 2016

Mr. David Cary  
Director of Planning  
Tom Cajka, Planner  
City of Lincoln/ Lancaster County  
555 South 10th Street  
Lincoln, NE 68508

RE: AMENDMENT TO SPECIAL PERMIT #463  
LIONBERGER VETERINARY SERVICES  
2000 North 112<sup>th</sup> Street

Dear David,

On behalf of Sunflower Holdings LLC, we are requesting to amend the existing Vet Facilities special permit. The proposed special permit is now shown to include the entire parcel of Lot 1 I.T. located in the South Half of Section 18, Township 10 North, Range 8 East.

A building envelope has been shown to include the west portion of the lot, primarily outside of the existing tree mass. Previously a square footage of 3,900 was approved for the clinic and with this amendment we are requesting that to be increased to 5,000 square feet. The increased portion will not be utilized at this time, however this will allow expansion in the future. The proposed parking and building layout is only conceptual.

The existing residence within the permit will be an accessory use to the clinic/kennels with an employee residing within the residence. The existing kennels and storage building will also remain.

The remaining area east of the building envelope, will be utilized in the future for walking trails and outdoor amenities for the clinic/kennel use.

Please contact me if you have any questions or comments.

Sincerely,

  
Marcia L. Kinning

Cc: John and Kaz Lionberger  
Stephen Mossman  
Enclosures: Special Permit Application  
Special Permit Fee \$988.00