

LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT

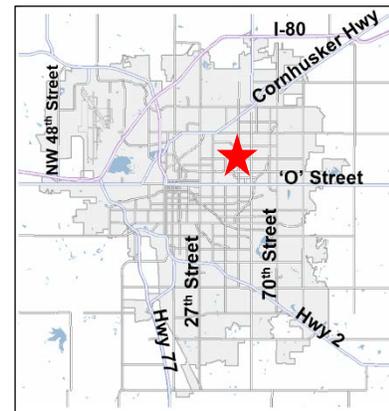
FROM THE LINCOLN/LANCASTER COUNTY PLANNING DEPARTMENT, 555 S. 10TH STREET, SUITE 213, LINCOLN, NE 68508

APPLICATION NUMBER Pre-Existing Special Permit #231	FINAL ACTION? Yes	DEVELOPER/OWNER Nebraska Wesleyan University
PLANNING COMMISSION HEARING DATE February 19, 2020	RELATED APPLICATIONS None	PROPERTY ADDRESS/LOCATION N. 49 th St. to N 56 th St. Huntington Ave. to Madison Ave.

RECOMMENDATION: CONDITIONAL APPROVAL

BRIEF SUMMARY OF REQUEST

This is a request for a private school to expand the area of the special permit to accommodate additional off-street parking for Nebraska Wesleyan University, a private school.



JUSTIFICATION FOR RECOMMENDATION

The planned additional parking will help relieve the pressure for on-street parking and should serve to benefit the neighborhood.

APPLICATION CONTACT
Thomas Huston, 402-474-6900 or thuston@cliniwilliams.com

STAFF CONTACT
Tom Cajka, (402) 441-5662 or tcajka@lincoln.ne.gov

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The proposed expansion for parking is in conformance with the Future Land Use Plan in the 2040 Comprehensive Plan and the North 48th Street/University Place Plan.

KEY QUOTES FROM THE 2040 COMPREHENSIVE PLAN

Support the necessary expansion of education facilities while remaining sensitive to surrounding neighborhoods. (p.8.9)

The area of application is shown as Public & Semi-Public in the 2040 Comprehensive Plan. (p.12.3)

The 2004 N 48th Street/University Place Plan includes the Wesleyan Campus as an integral component. The following references are relevant:

The improvement of the residential quality of the University Place neighborhoods is a widely shared goal. One important step in achieving that goal is to provide the neighborhood residents, particularly those in the blocks surrounding the Nebraska Wesleyan University campus, with a plan that helps them feel confident that future University expansion will not have a detrimental impact on their property values and overall quality of life.

This plan should also include provisions, which facilitate collaborative efforts by the University, the neighborhood, and the City to invest in the revitalization of these neighborhoods. (p.4)

A major institution like Wesleyan University generates understandable demands for land, parking and housing that it must address. Yet, these requirements can also affect the quality of the residential environment. (p.5)

An urban university campus adds to these parking problems. NWU, like many colleges, does not meet its parking demand on campus...Universities have difficulty buying the land necessary for surface parking, which in any case can threaten the quality of the campus; but have equal difficulty raising funds to build very expensive parking structures. As a result, a good deal of parking demand is met by the neighborhood's already crowded streets. (p.61)

The overall supply of parking in the neighborhood should be increased, without destroying the character of the area. Parking demand is generated by three sources - the business district, the University, and the residential neighborhood - and each requires somewhat different solutions. Resolving business district parking issues involves increasing both the supply of convenient parking and the ease by which customers find that parking. The University must identify locations for new parking, including the consideration of decks over surface lots. However, it must take care not to harm the neighborhood by expanding opportunistically into the residential fabric. Residential parking issues involve assuring that development has adequate parking to meet demand; and, in some cases, reducing densities to be more consistent with the carrying capacity of local streets and the on-street parking supply. (p.61)

ANALYSIS

1. This application is to expand the boundary of the special permit for Nebraska Wesleyan University (NWU). The area of expansion is owned by NWU.
2. The expanded area includes 5034 Madison Avenue and 5043 Huntington Avenue. The applicant's letter states that the house at 5034 Madison Ave. has been vacant for many years and 5043 Huntington Ave. is dilapidated. Both houses would be removed and the sites used for parking.
3. NWU purchased the property at 5034 Madison Ave. in 1998 and 5043 Huntington Ave in 2000. The house at 5034 Madison Ave had been used as a sorority until 1962.
4. The proposed parking areas contain 22 parking stalls. The Madison Ave parking lot, Area V, will contain 16 stalls and the Huntington Ave. parking lot, Area W, will contain 6 stalls. The new parking areas will need to meet design standards for landscaping and screening.
5. The parking lots will provide off-street parking for students and will help relieve the pressure for on-street parking in the area.
6. The Future Land Use Plan in the 2040 Comprehensive Plan identifies one-half block south of Huntington Ave. and one-half block north of Madison Ave. as Public and Semi-Public. The two subject properties are within this future public and semi-public area.
7. The North 48th Street/University Place Plan adopted in 2004 encourages Wesleyan to provide off street parking. The additional off street parking will help reduce congestion on local streets.

CONDITIONS OF APPROVAL: See attached.

EXISTING LAND USE & ZONING: R-6 Residential Multi-family dwellings

SURROUNDING LAND USE & ZONING

North:	R-2, R-4 and R-6 Residential	Single-family and multi-family dwellings.
South:	R-4 and R-6 Residential	Single-family and multi-family dwellings.
East:	R-4 and R-6 Residential	Single-family and multi-family dwellings
West:	R-4 and R-6 Residential	Single-family and multi-family dwellings

APPLICATION HISTORY

April 13, 1994 PESP#23A for additional off-street parking and for a new health and fitness center was approved by the Planning Commission.

Sept. 8, 1997 PESP#23B to expand an existing parking lot at N. 53rd St. and Huntington Ave. was approved by the City Council.

Sept. 10, 1997 PESP#23C to expand the boundary of the campus at N 53rd Street and Huntington Avenue was approved by the Planning Commission.

August 1998 PESP#23D to expand the boundary of the campus at the northwest corner to include two houses to provide room and board for up to ten students was approved by the Planning Commission.

May 6, 2002 PESP#23E to allow the addition of student housing to accommodate 350 students was approved by the City Council.

August 31, 2005 PESP#23F to expand the boundary of the special permit to accommodate additional off-street parking was approved by the Planning Commission.

February 8, 2012 PESP#23G to expand the boundary of the special permit to accommodate additional off-street parking was approved by the Planning Commission

June 13, 2016 PESP #23H to expand the area of the special permit and build new science building was approved by the Planning Commission.

APPROXIMATE LAND AREA: Area of existing special permit is approximately 51 acres. Area of expansion is approximately 0.38 acres.

LEGAL DESCRIPTION: See attached

Prepared by

Tom Cajka, Planner

Date: February 10, 2020

Applicant: Nebraska Wesleyan University
5000 Saint Paul Ave.
Lincoln, NE 68504
402-465-2114

Contact: Thomas Huston
233 S. 13th St. Suite 1900
Lincoln, NE 68508
402-474-6900
thuston@clinewilliams.com

Owner: Nebraska Wesleyan University

CONDITIONS OF APPROVAL - SPECIAL PERMIT #23I

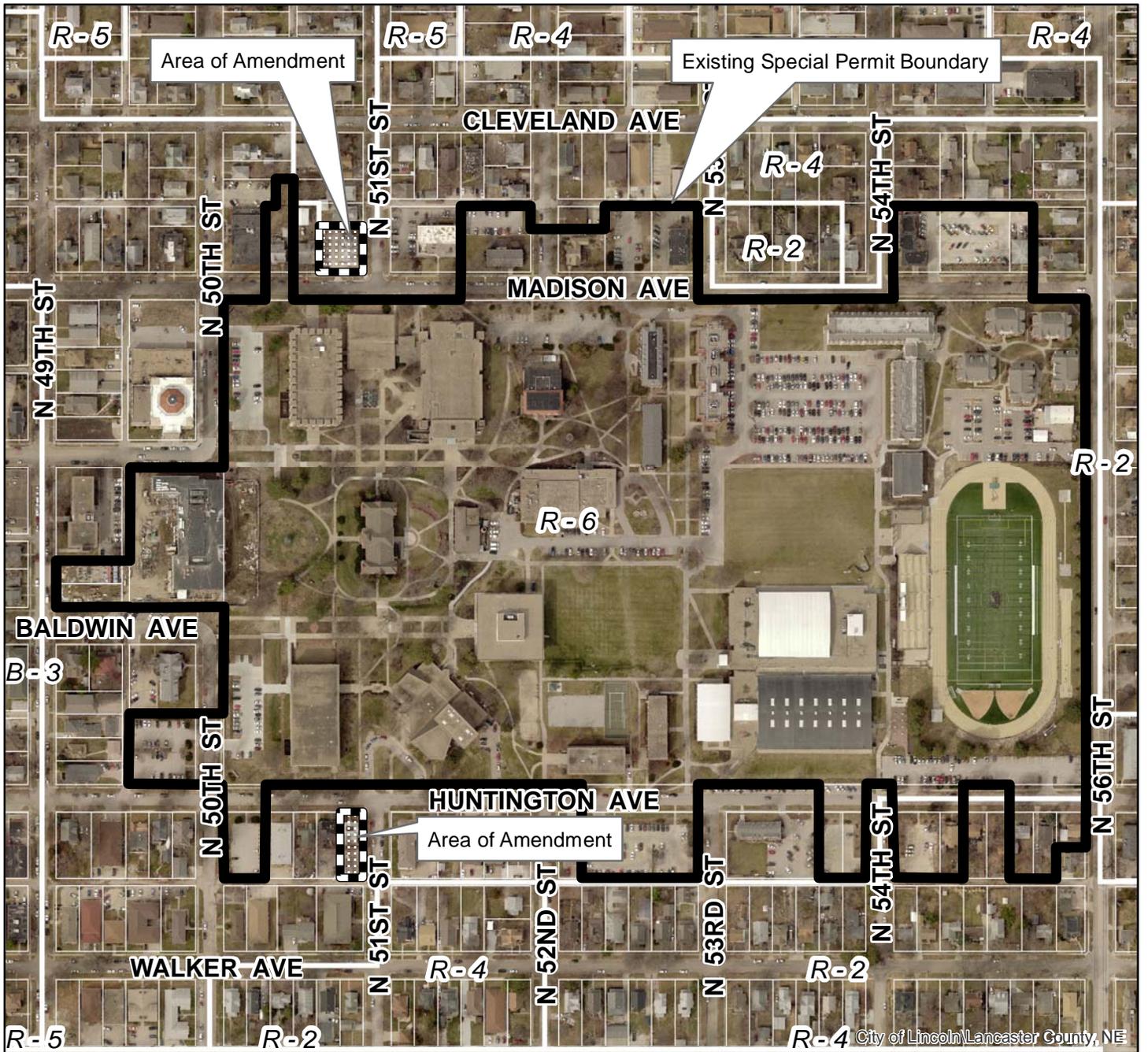
Per Section 27.63.075 this approval permits a private school.

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 Identify the boundary of the special permit.
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 starting the operation all development and construction shall substantially comply with the approved plans.
 - 3.2 The physical location of all setbacks and yards, buildings, parking and circulation elements, and similar matters be in substantial compliance with the location of said items as shown on the approved site plan.
 - 3.3 The terms, conditions, and requirements of this resolution shall run with the land and be binding upon the Permittee, its successors and assigns.
 - 3.4 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. Building permits will not be issued unless the letter of acceptance has been filed.
 - 3.5 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.



City of Lincoln Lancaster County, NE

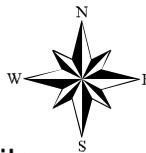
2018 aerial

Special Permit #: PESP23I
Nebraska Wesleyan University
N 50th St & St Paul Ave

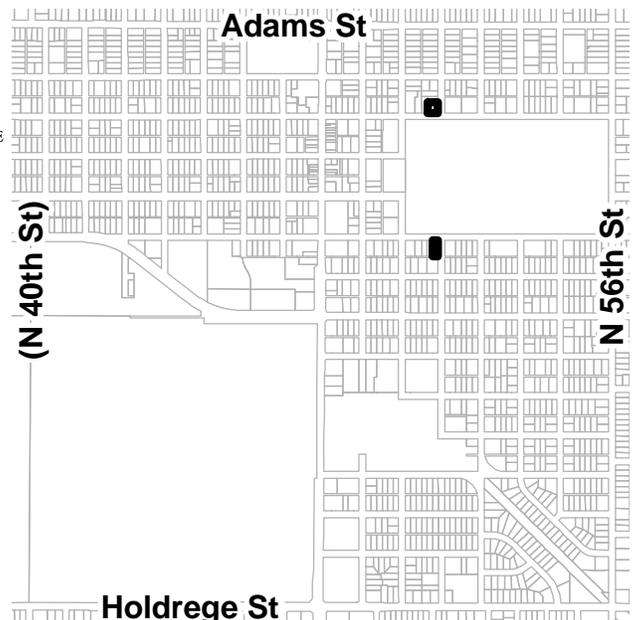
Zoning:

- 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

One Square Mile:
 Sec.17 T10N R07E



	Area of Application
	Zoning Jurisdiction Lines
	Lancaster County Jurisdiction



LEGAL DESCRIPTION
Special Permit #23
For Nebraska Wesleyan University

- Parcel 17-17-218-001-000 (5410 Huntington Avenue)

Irregular tract between 50th and 56th Streets and Madison and Huntington Avenues, Section Seventeen (17), Township Ten (10), Range Seven (7), 6th Principal Meridian, City of Lincoln, Lancaster County, Nebraska.

- Parcel 17-17-235-001-000 (4950 Baldwin Avenue)

Lot One (1), Nebraska Wesleyan University Addition, Lincoln, Lancaster County, Nebraska.

- Parcel 17-17-220-010-000 (2517 North 50th Street) (Area “B”)

Lots Four (4), Five (5) and Six (6), Block Eighty Five (85), University Place, Lincoln, Lancaster County, Nebraska.

- Parcels 17-17-211-007-000; 17-17-211-011-000 and 17-17-211-010-000 (5204 and 5240 Madison Avenue) (Area “E”)

Lots Seven (7) through Twelve (12), Block Fifty Three (53), University Place Addition, Lincoln, Lancaster County, Nebraska

- Parcel 17-17-223-05-000 (5007 Huntington Avenue) (Area “J”)

Lots Five (5) and Six (6) except the east Twelve (12) feet, Block Ninety Seven (97), University Place, Lincoln, Lancaster County, Nebraska.

- Parcels 17-17-227-004-000 and 17-17-227-003-000 (5445 and 5451 Huntington Avenue) (Area “K”)

North Seventy Five (75) feet of Lot One (1) and all of Lots Two (2) and Three (3), Block One Hundred One (101), University Place, Lincoln, Lancaster County, Nebraska.

- Parcel 17-17-227-017-000 (No site address) (Area “L”)

Lots Seven (7) and Eight (8), Block One Hundred One (101), University Place, Lincoln, Lancaster County, Nebraska.

- Parcels 17-17-226-002-000 and 17-17-226-001-000 (5335 and 5343 Huntington Avenue) (Area “N”)

Lots One (1) and Two (2), Block One Hundred (100), University Place, Lincoln, Lancaster County, Nebraska.

- Parcel 17-17-225-012-000 (5219 Huntington Avenue) (Area “Q”)

Lots One (1) through Five (5), Block Ninety Nine (99), University Place, Lincoln, Lancaster County, Nebraska.

- Parcels 17-17-213-009-000; 17-17-213-008-000 and 17-17-211-014-000 (5400 to 5448 Madison Avenue) (Area “S”)

Lots Nine (9) through Fourteen (14), Block Fifty Five (55), University Place Addition, Lincoln, Lancaster County, Nebraska

- Parcel 17-17-210-012-000 (5132 Madison Avenue) (Area “T”)

Lots Ten (10), Eleven (11) and Twelve (12), Block Fifty Two (52), University Place, Lincoln, Lancaster County, Nebraska.

- Parcel 17-17-209-006-000 (5034 Madison Avenue) (Area “V”)

Lot Twenty Four (24) Irregular Tract, Northeast Quarter of Section Seventeen (17), Township Ten (10) North, Range Seven (7) East, 6th Principal Meridian, City of Lincoln, Lancaster County, Nebraska.

- Parcel 17-17-223-001-000 (5043 Huntington Avenue) (Area “W”)

Lot One (1), Block Ninety Seven (97), University Place, Lincoln, Lancaster County, Nebraska.

- Parcel 17-17-217-002-000 (2612 North 49th Street)

Lot Eight (8), Block Seventy-Seven (77), University Place, City of Lincoln, Lancaster County, Nebraska.

- Parcel 17-17-217-003-000 (2602 North 49th Street)

Lot Seven (7), Block Seventy-Seven (77), University Place, City of Lincoln, Lancaster County, Nebraska.

- Parcel 17-17-209-004-000 (5018 Madison Avenue)

Lot Twenty Two (22), Irregular Tract, Northeast Quarter of Section Seventeen (17), Township Ten (10) North, Range Seven (7) East of the 6th P.M., Lincoln, Lancaster County, Nebraska.

CLINE WILLIAMS
WRIGHT JOHNSON & OLDFATHER, L.L.P.

ATTORNEYS AT LAW
ESTABLISHED 1857

233 SOUTH 13TH STREET
1900 U.S. BANK BUILDING
LINCOLN, NEBRASKA 68508-2095
(402) 474-6900 • FAX (402) 474-5393
www.clinewilliams.com

January 21, 2020

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GREGORY S. FRAYSER
JENNIE A. KUEHNER
TRAVIS W. TETTENBORN
BEAU B. BUMP
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DAVID O. COLVER †
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DONALD F. BURT (INACTIVE)
STEPHEN H. NELSEN (INACTIVE)

†ATTORNEYS ADMITTED IN COLORADO ONLY

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MARK A. CHRISTENSEN
RICHARD P. GARDEN, JR.
SHAWN D. RENNER
JOHN C. MILES
THOMAS C. HUSTON
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HENRY L. WIEDRICH
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VIA HAND DELIVERY

David Cary

Director of Planning

Lincoln City/Lancaster County Planning Department

555 South 10th Street, Suite 213

Lincoln, NE 68508

Re: Nebraska Wesleyan University – Special Permit No. 23
Our File No.: 10892.017

Dear David:

I represent Nebraska Wesleyan University which operates its educational institution under Special Permit No. 23 located, generally, east of 50th Street and south of Madison Avenue. This letter shall serve as a purpose letter and explanation of the request to amend Special Permit No. 23 applicable to the Nebraska Wesleyan University campus.

1. **Special Permit Amendment.** Nebraska Wesleyan University has 2 properties that contain dilapidated improvements which need to be removed. The University desires to add these properties to the Special Permit and convert them to parking uses supporting the University campus. The 2 properties are:

a. 5034 Madison Avenue. This property is on the north edge of campus and the existing house has not been occupied for many years and will be removed. The University intends to demolish the building, grade the lot and convert it to parking for University purposes. The parking lot will comply with the parking lot screening requirements and design standards; and

b. 5043 Huntington Avenue. At this location, the University intends to remove a dilapidated older home which is beyond repair. The University intends to remove the home, grade the lot and convert it to parking

12910 PIERCE STREET
SUITE 200
OMAHA, NE 68144-1105
(402) 397-1700

1207 M STREET
P.O. BOX 510
AURORA, NE 68818
(402) 694-6314

416 VALLEY VIEW DRIVE
SUITE 304
SCOTTSBLUFF, NE 69361
(308) 635-1020

215 MATHEWS STREET
SUITE 300
FORT COLLINS, CO 80524
(970) 221-2637

216 SOUTH INTEROCEAN AVENUE
HOLYOKE, CO 80734
(970) 854-2264

David Cary
January 21, 2020
Page 2

use to support the University. The parking lot will comply with the screening requirements and design standards.

2. **Submittal**. Attached to the Special Permit please find:

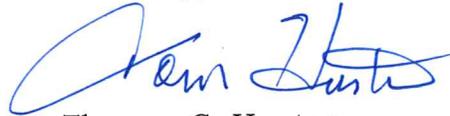
a. The Application signed by Tish Gade-Jones, the Vice President for Finance and Administration of Nebraska Wesleyan University;

b. Application Fee. A check made payable to the City of Lincoln in the amount of \$988.00 as the application fee to amend Special Permit No. 23; and

c. Request Notification. Upon receipt of the application number, please notify myself and Tim Gergen so Mr. Gergen can upload the Site Plan to ProjectDocs.

If there are any questions, please do not hesitate to contact me.

Sincerely,



Thomas C. Huston
For the Firm

Enclosures

cc: Tish Gade-Jones (via email)
Tim Gergen (via email)