

FACTSHEET

TITLE: **COMPREHENSIVE PLAN AMENDMENT**
NO. 15002 (South 70th & Yankee Hill Road)

BOARD/COMMITTEE: Planning Commission

APPLICANT: White LLC and 1640 LLC

RECOMMENDATION: Approval (7-0: Harris, Cornelius, Hove, Weber, Scheer, Corr and Sunderman voting 'yes'; Beecham and Lust absent).

STAFF RECOMMENDATION: Approval of the Proposed Amendment

OTHER DEPARTMENTS AFFECTED: N/A

SPONSOR: Planning Department

OPONENTS: None present at hearing.

REASON FOR LEGISLATION: Amend the Existing and Proposed Commercial Centers map to change the commercial center designation on land northwest of South 70th Street and Yankee Hill Road from "Unbuilt Mixed Use Office Center" to "Unbuilt Neighborhood Center", on property generally located at South 70th Street and Yankee Hill Road.

DISCUSSION/FINDINGS OF FACT:

1. The staff recommendation to approve the comprehensive plan amendment is based upon the "Analysis" as set forth on p. 2-3, concluding that the proposal is consistent with the Comprehensive Plan. The staff presentation is found on p.5.
2. Testimony on behalf of the applicant is found on p.5.
3. There was no testimony in opposition.
4. On August 5, 2015, the Planning Commission agreed with the staff recommendation and voted 7-0 to recommend approval of this comprehensive plan amendment.

FACTSHEET PREPARED BY: Geri Rorabaugh, Administrative Officer

DATE: August 10, 2015

REVIEWED BY: David R. Cary, Acting Planning Director

DATE: August 10, 2015

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LINCOLN /LANCASTER COUNTY PLANNING STAFF REPORT
for August 5, 2015 Planning Commission Meeting

Project #: Comprehensive Plan Amendment #15002

PROPOSAL: Amend the Existing and Proposed Commercial Centers map to change the commercial center designation on land northwest of S. 70th and Yankee Hill Road from “Unbuilt Mixed Use Office Center” to “Unbuilt Neighborhood Center”.

CONCLUSION: The proposal is consistent with the Comprehensive Plan.

<u>RECOMMENDATION:</u>	Approval of the proposed amendment
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GENERAL INFORMATION:

LOCATION: S. 70th Street and Yankee Hill Road

EXISTING LAND USE: Undeveloped/agriculture

COMPREHENSIVE PLAN SPECIFICATIONS:

The Future Land Use Plan in the 2040 Comprehensive Plan identifies this area as Commercial. (p. 1.9)

Provide flexibility to the marketplace in siting future commercial and industrial locations. (p. 5.2)

Commercial. Areas of retail, office, service and residential mixed uses. Commercial uses may vary widely in their intensity of use and impact. Individual areas designated as commercial in the land use plan may not be appropriate for every commercial zoning district. (p. 12.4)

ANALYSIS:

1. The area requested for a change in commercial center designation is currently zoned AG Agriculture, but is shown as “Commercial” in the future land use plan.
2. No residential or commercial plans have been approved for this site and none have been submitted.
3. The current commercial center designation for this land is “Unbuilt Mixed Use Office Center”. Generally, they are around 250,000 square feet, focus primarily on office space, are distributed throughout the community, and include up to 25% retail uses. They are intended to provide a high quality environment for offices with clustering to maximize transportation and a critical mass of employees to support a mix of retail uses. The full description of Mixed Use Office Centers can be found on Pages 5.12 to 5.13 of the Comprehensive Plan.

4. The proposed center designation for this land is “Unbuilt Neighborhood Center”. Generally, Neighborhood Centers are 150,000 square feet, but may expand up to 225,000 square feet if they meet incentive criteria set forth in the Comprehensive Plan on Pages 5.13 to 5.14. The full description of Neighborhood Centers can be found on Pages 5.11 to 5.12 of the Comprehensive Plan. Typically, a Neighborhood Center includes one anchor store and several smaller stores. The Comprehensive Plan suggests their spacing be a half mile from other Neighborhood Centers and that there should only be two per square mile. The proposed change increases the number of Neighborhood Centers in this square mile from one to two, but it will be less than a half mile from another Unbuilt Neighborhood Center on the southeast corner of S. 70th Street and Yankee Hill Road that does not have approved detailed plans, but is part of the Woodlands at Yankee Hill Planned Unit Development which is approved for commercial at that corner.
5. Future applications for a change of zone and preliminary plan (use permit, Planned Unit Development, etc.) will address details of development and site layout.
6. Mixed Use Office Centers typically allow 250,000 square feet, with 10-25% retail (25,000-62,500 square feet). Neighborhood Centers typically allow 50,000-150,000 square feet or up to 225,000 square feet if meeting the incentive criteria.

SUMMARY:

The commercial center designation change is appropriate considering the timing of development in this general area, and the reportedly weak office development market. More than likely, the future Neighborhood Center at this location will include a mix of retail, offices, and dwellings to serve the surrounding area--just at different ratios than envisioned for a Mixed Use Office Center.

PROPOSED AMENDMENT:

Amend the 2040 Lincoln/Lancaster County Comprehensive Plan as follows:

1. Amend Map 5.1: Existing and Proposed Commercial Centers on Page 5.6 to change the commercial center designation from Mixed Use Office Center to Neighborhood Center.

Prepared by:

Brandon M. Garrett, AICP
Planner
402-441-6373 or bgarrett@lincoln.ne.gov

DATE: July 27, 2015

APPLICANT: White LLC and 1640 LLC
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zwhite@zsarealtygroup.com

OWNER: Village Gardens Development Company, LLC
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402-423-4556

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Lincoln, NE 68508
402-435-6000
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Comprehensive Plan Amendment No. 15002

COMPREHENSIVE PLAN AMENDMENT NO. 15002
TO AMEND THE 2040 COMPREHENSIVE PLAN,
BY CHANGING FROM O MIXED USE OFFICE TO N NEIGHBORHOOD CENTER
ON PROPERTY GENERALLY LOCATED AT
THE NORTHWEST CORNER OF SOUTH 70TH STREET AND YANKEE HILL ROAD.
PUBLIC HEARING BEFORE PLANNING COMMISSION: August 5, 2015

Members present: Corr, Cornelius, Harris, Hove, Scheer, Sunderman, and Weber; Lust and Beecham absent.

Staff recommendation: Approval.

There were no ex parte communications disclosed.

Staff presentation: **Brandon Garrett of Planning Staff** came forward to state this is an atypical land use change. The Comprehensive Plan includes a future land use map which shows use designations such as residential or commercial, among others. There is also a future centers map which defines and designates future center types. At this time, there are no specific proposed use permits, planned unit developments, or comments about what may occur at the site.

The definition of a mixed-use office center would allow approximately 250,000 square feet., primarily office and some retail. Flipping this use to neighborhood center allows for more retail and a smaller center size of approximately 150,000 square feet, unless the applicant pursues the incentive criteria which would allow and increase up to 225,000 square feet. A neighborhood center with focus on retail will still have office and support uses. With uncertainty in the commercial real estate market in general, and a weaker office market, it may be appropriate to make this change as requested. It potentially changes the land use area as the site develops out, but it could also allow a greater mix of uses, including multi-family dwellings, town homes, and senior living.

Applicant:

DaNay Kalkowski, Seacrest & Kalkowski, came forward on behalf of 1640, LLC and White, LLC, who have an option to purchase this corner. Since 2006, this area has been shown as commercial. The reason for this requested change is largely a function of the market and what these clients feel will be marketable for this corner. It has been a soft suburban office market the last several years and changing this designation allows for a higher composition of retail. There are no specific land use plans but this change could have an influence on the way the property is marketed; therefore, it is being requested up front.

ACTION BY PLANNING COMMISSION: August 5, 2015

Corr moved approval, seconded by Cornelius.

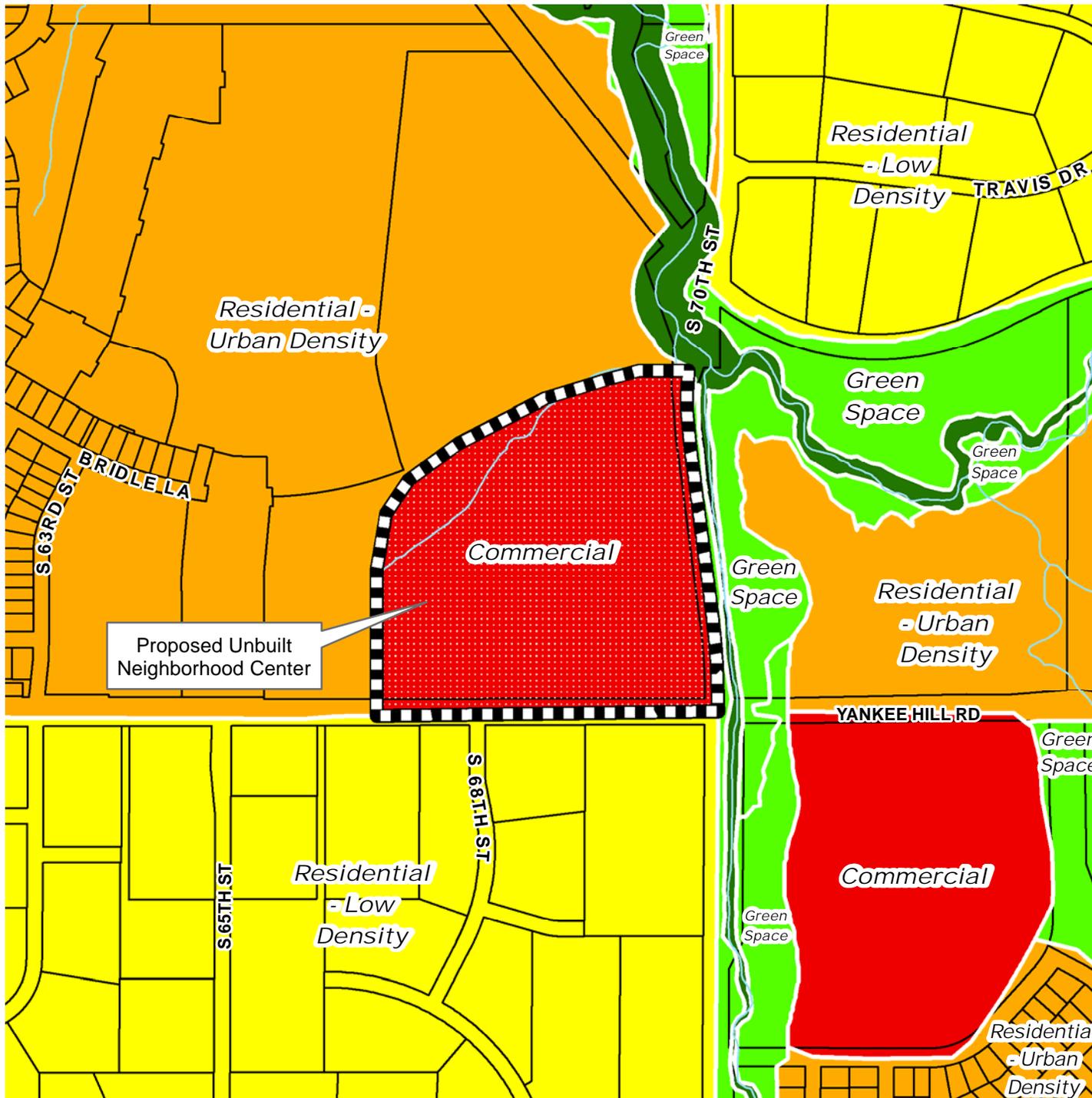
Cornelius said this proposed area is largely surrounded by residential and green space. It is unlikely that a neighborhood center would have significantly more impact on the area than a large office development. He will support the motion.

Hove stated he agrees and this is the right thing to do in this fairly new area.

Motion carried 7-0: Lust and Beecham absent.

**CPA # 15002:
Village Gardens
S 70th St & Yankee Hill Rd**

**Proposed Amendment Area
Unbuilt Mixed Use Office Center
to
Unbuilt Neighborhood Center**



Legend

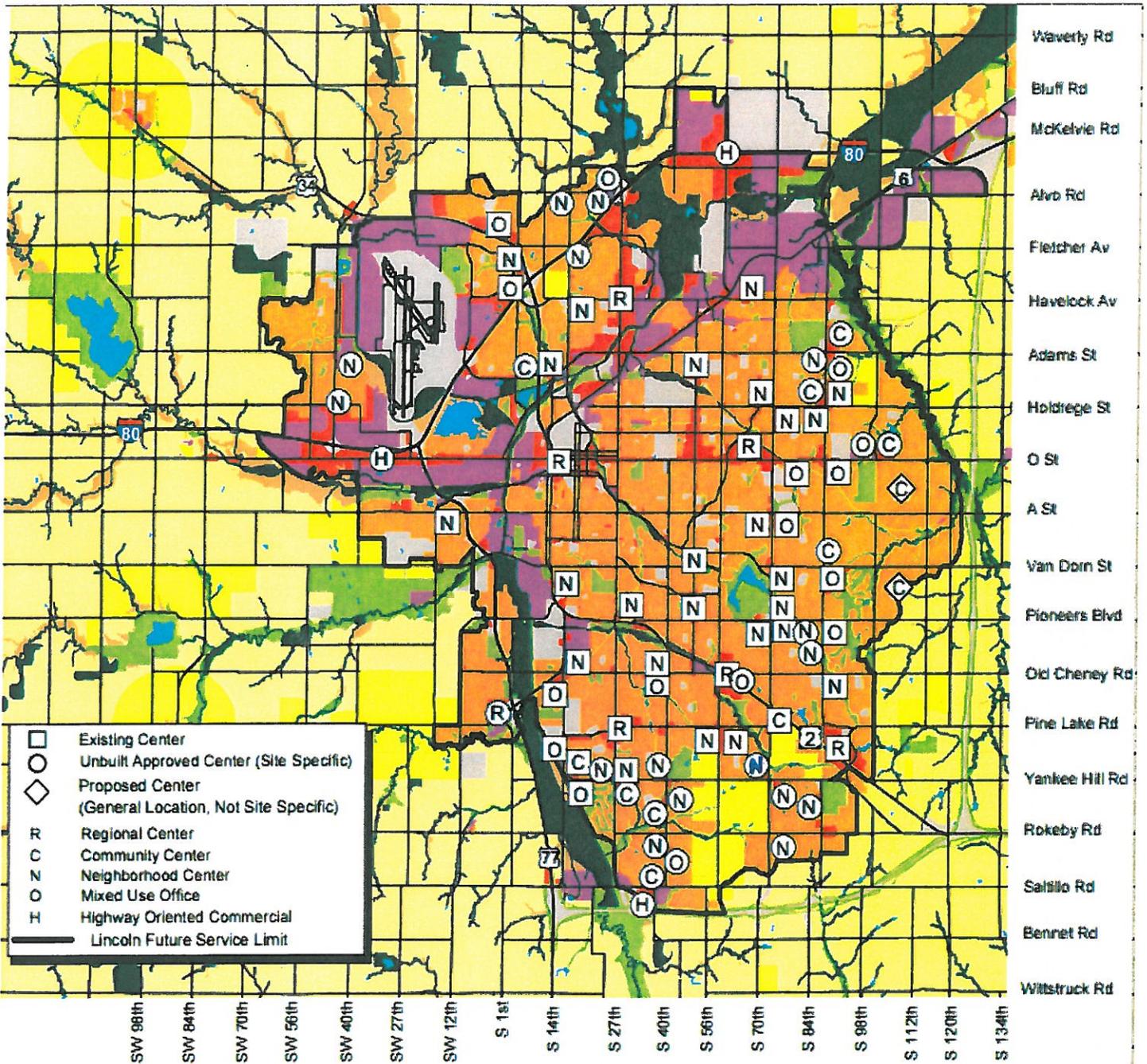
 Area of Amendment

N
W E
S

Lincoln - Lancaster County
PLANNING DEPARTMENT
Information Technology Services
ITS
305 South 10th Street
Lincoln, Nebraska 68508
Ph: 402.441.7491 Fax: 402.441.6377

0 280 560 1,120
Feet

UNBUILT APPROVED CENTER (SITE SPECIFIC)
 CHANGE OF DESIGNATION FROM
 MIXED USE OFFICE PARK (O) TO NEIGHBORHOOD CENTER (N)
 NW CORNER S. 70TH & YANKEE HILL ROAD



Map 5.1: Existing and Proposed Commercial Centers

SEACREST & KALKOWSKI, PC, LLO

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DANAY KALKOWSKI
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July 8, 2015

HAND DELIVERY

David Cary, Interim Director
Planning Department
555 South 10th Street
Lincoln, NE 68508

RE: Comprehensive Plan Amendment

Dear David:

Our office represents 1640 LLC and White LLC (collectively "Developers"), who have a contract interest in approximately 30 acres located at northwest corner of South 70th Street and Yankee Hill Road (the "Property"). In 2008, the Property was designated for "Commercial" use on the Lincoln Area Future Land Use Plan and was designated (O) for a Mixed Use Office Center as part of the 2030 Lincoln/Lancaster County Comprehensive Plan. The Property enjoys the same designations in the 2040 Lincoln/Lancaster County Comprehensive Plan ("Comp Plan").

Developers are requesting an amendment to the Comp Plan to change the designation of the Property from (O) Mixed Use Office Center to (N) Neighborhood Center on Map 5.1: Existing and Proposed Commercial Centers. Enclosed please find a map showing the change of designation. The Neighborhood Center designation is consistent with the "Commercial" designation on the Lincoln Area Future Land Use Map and will better reflect the most viable use of the Property. Developers anticipate the Property will be developed with a diverse mix of uses. However, given the continuing weakness of the office market in suburban Lincoln and the addition of other office developments in the area since 2008, Developers believe the mix of uses desired by the market will lean more heavily toward retail and service uses. This change of Comp Plan designation is needed to allow Developers to effectively market the Property.

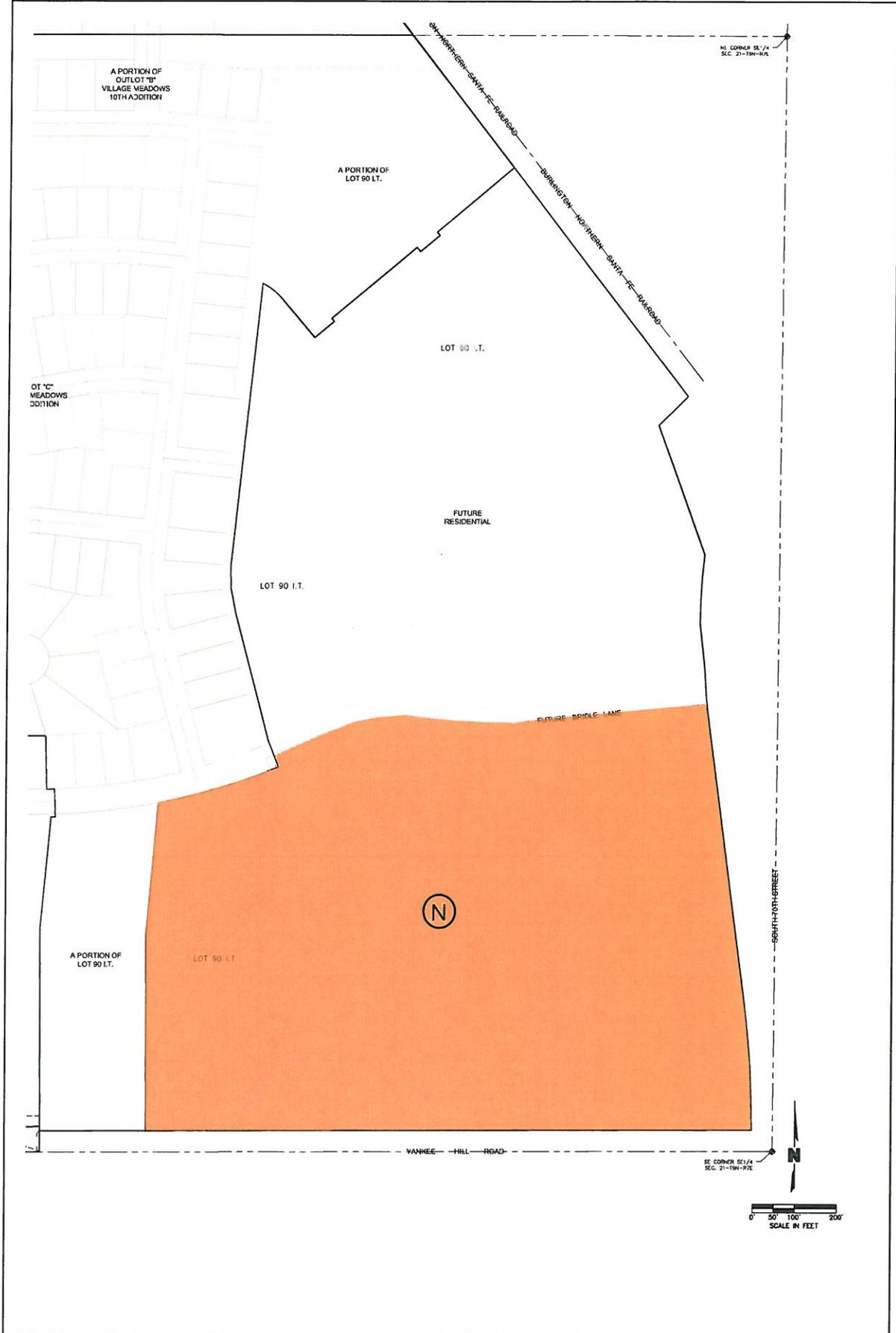
Enclosed please find the City of Lincoln Application Request Form, along with the application fee for a Comprehensive Plan Amendment in the amount of \$330. If you have any questions regarding the enclosed or need any additional information, please feel free to contact me.

Very truly yours,


DANAY KALKOWSKI
For the Firm

Enclosures

cc: Bob Benes
Zach White



SHEET 1 of 1	COMPREHENSIVE PLAN AMENDMENT		REV. NO.	DATE	REVISIONS DESCRIPTION
	VILLAGE MEADOWS				
	LINCOLN, NE		2015	REVISIONS	
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