

City Council Introduction: **Monday**, August 13, 2001
Public Hearing: **Monday**, August 20, 2001, at **1:30 p.m.**

Bill No. 01-137

FACTSHEET

TITLE: **CHANGE OF ZONE NO. 3265**, from AG Agriculture to I-3 Employment Center and from AG Agriculture to R-3 Residential, requested by Hampton Development Services, on property generally located between North 14th and North 27th Streets, north of I-80 and south of Alvo and Arbor Roads.

STAFF RECOMMENDATION: Approval

ASSOCIATED REQUESTS: Annexation No. 00003 (01-135); Change of Zone No. 3325 (01-136); Special Permit No. 1845, Stone Bridge Creek Community Unit Plan (01R-220); Preliminary Plat No. 00017, Stone Bridge Creek (01R-221); and Use Permit No. 139 (01R-222).

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: 07/11/01
Administrative Action: 07/11/01

RECOMMENDATION: Approval (7-0: Krieser, Newman, Duvall, Carlson, Steward, Schwinn and Bayer voting 'yes'; Taylor and Hunter absent).

FINDINGS OF FACT:

1. This change of zone and the associated annexation, community unit plan, preliminary plat and use permit were heard at the same time before the Planning Commission.
2. The Planning staff recommendation to approve this change of zone is based upon the following analysis:
 - A. Utility extension and phasing to serve the area are detailed in Comprehensive Plan Amendment #94-40, and are specifically addressed in the associated annexation agreement.
 - B. The request for a change of zone is in conformance with the Comprehensive Plan.
3. The applicant's testimony is found on p.5-7.
4. There was no testimony in opposition.
5. On July 11, 2001, the Planning Commission agreed with the staff recommendation and voted 7-0 to recommend approval.

FACTSHEET PREPARED BY: Jean L. Walker

DATE: August 6, 2001

REVIEWED BY: _____

DATE: August 6, 2001

REFERENCE NUMBER: FS\CC\FSCZ3265

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

P.A.S.: Stone Bridge Creek
Annexation No. 00003
Change of Zone # 3265
Special Permit # 1845
Preliminary Plat #00017
Use Permit # 139

DATE: August 7, 2001

****As Revised by Planning Commission, 07/11/01****

Note: 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.

PROPOSAL: This staff report reflects the following proposals:

- Annexation #00003 of 251 acres, more or less
- Change of Zone #3265 to change approximately 52.7 acres from AG to I-3, and change approximately 189.5 acres from AG to R-3
- Special Permit # 1845 Stone Bridge Creek Community Unit Plan for 437dwelling units
- Preliminary Plat #00017 for 315 single family lots, 80 attached single family lots, 1 multi-family lot, 7 outlots, 2 industrial lots and 2 large lots for potential future urban village.
- Use Permit # 139 for 500,500 square feet of industrial and office uses.

With requests for waivers of:

1. 26.27.090 of the Land Subdivision Ordinance to waive street trees along the I-80 frontage.
2. 26.23.140(e) to allow double frontage lots along a street (Humphrey Avenue) that is not a major street.
3. 26.23.130(a) to allow block lengths to exceed 1,320 feet.
4. 26.23.140(c) to waive the requirement that side lot lines be at right angles to a street.
5. 26.23.125 to waive the requirement for pedestrian way easements.
6. 27.51.090(a) the front and side yard setbacks along I-80 from 50' to and unspecified amount and along Outlot D from 50' to 20'.
7. 27.15.080(a) lot area, width and size for outlots and specified residential and townhouse lots in the proposed R-3 district.
8. An exception to the design standards to allow sanitary sewer mains to be constructed outside the natural drainage area.
9. An exception to the design standards to allow sanitary sewer mains to be constructed opposite street grades.

GENERAL INFORMATION:

APPLICANT: Robert Hampton
Hampton Development Services
6101 Village Drive, Suite 101
Lincoln, NE 68516
(402)434-5650

CONTACT: Mark Hunzeker
1045 Lincoln Mall
Lincoln, NE 68508
(402) 476-7621

LOCATION: Between N. 14th and N. 27th, north of I-80 and south of Alvo and Arbor Roads.

LEGAL DESCRIPTION: See attached

EXISTING ZONING: AG, Agricultural

EXISTING LAND USE: Undeveloped/Agricultural

SURROUNDING LAND USE AND ZONING: Zoned AG to the north, west and south with agricultural and rural residential uses; zoned H-3 Highway Commercial District to the east with commercial uses under development; R-3 residential with a request for a change of zone to H-3 Highway Commercial and a preliminary plat in process; H-4 General Commercial District, H-3 Highway Commercial District to the south with commercial uses under development.

COMPREHENSIVE PLAN SPECIFICATIONS: In conformance with Comprehensive Plan. Amendment 94-40 adopted in 2000 approved a “Study Area Plan” for the area including residential uses, an employment center, and a future “urban village” center.

HISTORY:

The area was zoned A-A, Rural and Public Use until 1979 when the zone was updated to AG, Agricultural.

Comprehensive Plan Amendment 94-40 adopted on March 27, 2000 approved a “Study Area Plan” for the area including residential uses, an employment center, and a future “urban village” center.

SPECIFIC INFORMATION

UTILITIES: The extension of the utilities and phasing to serve the area are detailed in Comprehensive Plan Amendment #94-40, and are specifically addressed in the associated annexation agreement.

TOPOGRAPHY: Gently sloping to the northeast.

TRAFFIC ANALYSIS: The traffic study prepared by the applicant triggered improvements which are outlined in the annexation agreement. Arbor Road is classified as an Urban/Rural Principal Arterial, 14th Street is classified as an Urban/Rural Minor Arterial, and Interstate 80 is classified as an Urban/Rural Interstate & Expressway.

AESTHETIC CONSIDERATIONS: Because the site abuts the Interstate, the site is aesthetically sensitive. All applicable design standards for landscaping are being met with this application. A reduction of the front yard setback in the area of the use permit will bring the site development closer to the right of way. Pole signs are not permitted in the I-3 district and variations or modifications to the sign ordinance have not been requested.

ANALYSIS:

Project Overview:

1. This is a request for an Annexation, Change of Zone, Community Unit Plan, Preliminary Plat and Use Permit for a mixed use development including 437 dwellings and 500,500 square feet of floor area of industrial/office space.
2. Utility extension and phasing to serve the area are detailed in Comprehensive Plan Amendment #94-40, and are specifically addressed in the associated annexation agreement.

Entryway:

3. The area is adjacent to Interstate 80. Specific standards have not been adopted.
4. Signs are as permitted in the I-3 district. Pole signs are not permitted in the I-3 district. City Council may modify permitted entrance and pad site ground signs. However, the applicant has not requested any waivers to allow pole signs. Permitted district entrance ground signs may be a maximum of 300 square feet and permitted pad site ground signs may be a maximum of fifty square feet.
5. The I-3 district is required through the City of Lincoln Design Standards to provide four trees with a design spread diameter of 30 feet each or a combination of trees to equal the same, and four hundred square feet of shrub coverage for each 10,000 square feet or fraction thereof of building coverage in addition to required parking lot screening requirements and street trees. The application meets the design standards for screening and landscaping for Lot 2, Block 13. General site note #15 indicates that Lot 1, Block 13 requires an administrative amendment which would provide for review of the final site layout, open space, parking, drainage circulation, and landscape layout.

Change of Zone:

6. The request for a change of zone is in conformance with the Comprehensive Plan.

STAFF RECOMMENDATION:

Approval

Prepared by:

Becky Horner
Planner I

**ANNEXATION NO. 00003;
CHANGE OF ZONE NO. 3265;
SPECIAL PERMIT NO. 1845,
STONE BRIDGE CREEK COMMUNITY UNIT PLAN;
PRELIMINARY PLAT NO. 00017, STONE BRIDGE CREEK;
and
USE PERMIT NO. 139**

PUBLIC HEARING BEFORE PLANNING COMMISSION:

July 11, 2001

Members present: Krieser, Newman, Duvall, Carlson, Steward, Schwinn and Bayer; Taylor and Hunter absent.

Planning staff recommendation: Conditional approval of the annexation; approval of the change of zone; and conditional approval of the special permit, preliminary plat and use permit.

Becky Horner of Planning staff submitted proposed revisions to the conditions of approval on the preliminary plat and the use permit.

Proponents

1. Mark Hunzeker appeared on behalf of the developer, **Hampton Development Services**, stating that they have been working on this project for quite some time. The Comprehensive Plan Amendment went through a while back designating this area for this project. The primary mover behind this development was the need to establish a site for Centurion Wireless Technologies and Dual Dynamics, both of which will be located in the industrial area along I-80. This is a big project which he believes is going to help Lincoln move in the direction of I-80. They have spent a lot of time working through a lot of issues with the staff. There have been a substantial number of people involved in this project, including about 15 different staff people who have spent varying amounts of time. Hunzeker expressed appreciation for the cooperation they have received from the Planning and Public Works Departments. It has taken longer than they had hoped, but Hunzeker believes they have reached a point where the issues have been narrowed down to one or two.

Hunzeker agreed with the staff's proposed revisions to the conditions of approval. Hunzeker also submitted further proposed amendments to the conditions of approval:

Condition #11.5 of the preliminary plat. Hunzeker proposed adding language to clarify that this development is providing for drainage in natural drainage ways and to clarify that the Public Works Department is not requiring a low flow liner in that natural drainage way because it would have required tearing out a substantial number of trees. The language proposed to be added to Condition #1.1.5 of the preliminary plat is: "however, in areas where natural drainage ways are used to create storm water detention, the minimum 2% slope through the detention area and low flow liner requirement shall be waived. A note shall be added to the preliminary plat indicating that erosion control shall be a specific item of maintenance required for all outlots." The additional language about erosion control may be embellished before this proceeds on to the City Council.

Public Works wants to be assured that the channel is analyzed in a way that will allow for placement of some grade checks in the channel to control erosion. This developer is willing and anxious to do this because otherwise they will end up killing some of the trees from erosion.

Condition #1.1.8 of the preliminary plat: Hunzeker requested that this condition be amended as follows: "Pedestrian easement that meets the development standards of the Land Subdivision Ordinance in Blocks 2, 3, 5 and 7."

Condition #1.1.9 of the preliminary plat: Hunzeker requested to add language to clarify the extension of the sidewalk easement that would extend through the outlot to eventual location of a trail: "A pedestrian easement and four foot sidewalk between Lots 13 and 14, Block 11, that extends the sidewalk and easement to the future pedestrian trail; however, the portion of the easement and sidewalk in an outlot C shall be located, dedicated and constructed at the time of construction of the bike trail." In other words, the developer is willing to work with the Parks Department to dedicate an easement for a trail in the outlot when they tell us where they want it to be.

Hunzeker believes that staff is in agreement with these amendments.

Condition #1.1.6 of the preliminary plat: Hunzeker requested that this condition be deleted. At the northwest corner of the site where Arbor Road meets 14th, they have a street called North 16th Street that intersects Arbor Road at a right angle. That street is less than 1/4 mile from 14th Street. That is the location where this street has been shown for over a year in all the discussions with the staff. The applicant's traffic impact study was done assuming that intersection was in place; in the event that 14th and Arbor Road becomes a very high traffic intersection, there is room enough to extend dual left turn lanes more than 700' back from 14th Street. The traffic study indicates at least until the year 2025, there will never be a need for signalization of that intersection at No. 16th and Arbor Road. They do not want to re-engineer the cul-de-sac immediately east and bring that intersection over to the location of that cul-de-sac and then create a new cul-de-sac on No. 16th. The developer wishes to maintain the street configuration as shown. There will not be problem with the intersection at that location. Even Public Works understands that we do not create a problem for at least the 25-year foreseeable future.

Carlson wondered why No. 16th was not originally drawn according to the design standards. Hunzeker's response was when they started this process this road was not in the Comprehensive Plan as being a major road. As part of this process, we need to design some sort of proposed street alignment for the property on the north side and frankly, we think this is the best way to line it up. We think this is a better alignment and design for this project and has minimal effect on that standard. Hunzeker also noted that the standard is really not one that is rigidly enforced. Even in the Comprehensive Plan Amendment that approved this project, extension of the urban area to the north is not contemplated. Right now, we don't have sewers planned to go north of there and he does not believe there is a need to go 1/4 mile from 14th Street with this road. All traffic information indicates it will function just fine.

There was no testimony in opposition.

Staff questions

Carlson asked staff to comment on the applicant's proposed amendments. Horner agreed with the proposed amendments, except the deletion of Condition #1.1.6, which should be discussed by Public Works.

Carlson asked Public Works to address No. 16th Street being within 1/4 mile of the intersection. Bartels believes it is 1,000 feet away from 14th. Assuming the traffic projections were done, the intersection does not have to be signalized. From Public Works' point of view, 1/4 mile spacing is the most efficient spacing we can put on an arterial street. The street is platted here. It is there forever. What comes into play is the long term—if Arbor Road reaches full capacity or the land uses change and we have to signalize that intersection, it helps preserve the capacity on Arbor Road and makes for better traffic flow on Arbor Road in the future. As long as it is not signalized, there is enough room, as Hunzeker said, to provide the left turn storage. Bartels stated that he hesitates to say it would not need signalization at 16th & Alvo, but the traffic study doesn't show it to be needed in the period of the traffic study. There are a lot of unknowns as far as how soon the north might develop.

Carlson wondered whether the curve becomes an issue as you move it east. Bartels stated that having it on the edge of the curve is not an ideal situation, but it is workable.

But, Steward wondered whether there are also some topographic issues. It's either going dramatically up or dramatically down. He thinks it goes up. So you would be on a curve and on an incline and in the more dramatic position if you move it. Bartels stated that it is less grading to make it work at that location from the standpoint of this plat, although he believes they could engineer around it. The street location has been an issue. It is what the staff has recommended from the beginning--1/4 mile spacing--and the staff continues to maintain that position.

Bartels agreed with the applicant on the drainage issue. Public Works is not asking for additional concrete low flow liners in the drainage channels, but if you don't look at the erosion potential, they won't look like they do now if you dump the storm sewer out to them and ignore them. Bartels agreed with the applicant's proposed amendment to Condition #1.1.5.

Response by the Applicant

Hunzeker stated that this development is dedicating 120' of right-of-way on Alvo Road, and the initial construction of that road is a single lane on either side of a large median with turn lanes at every intersection. A median is designed to be wide enough to allow dual left turn lanes at all those intersections if it becomes necessary. Even if the traffic engineers are wrong and there is a need to signalize³ the intersection that we are being asked to move, there is enough room to provide dual left turn lanes and still have 600-700 feet of dual left turn lane at 14th and Alvo/Arbor Road. We're not going to interfere with that intersection.

Carlson was seeking more of a rationale other than "we didn't put it at the proper spacing and now it's going to be expensive to redraw it". Hunzeker indicated that they have talked with staff about the grades all along and it is an issue that we have consistently come back to throughout the process of this plat. We just came down to a disagreement. It's not something that Public Works has been pounding the table about, and Hunzeker feels pretty strongly that this is a better location. If it becomes necessary for the purpose of maintaining capacity at Alvo/Arbor, that median could be closed. We wouldn't have to have the ability to cross it.

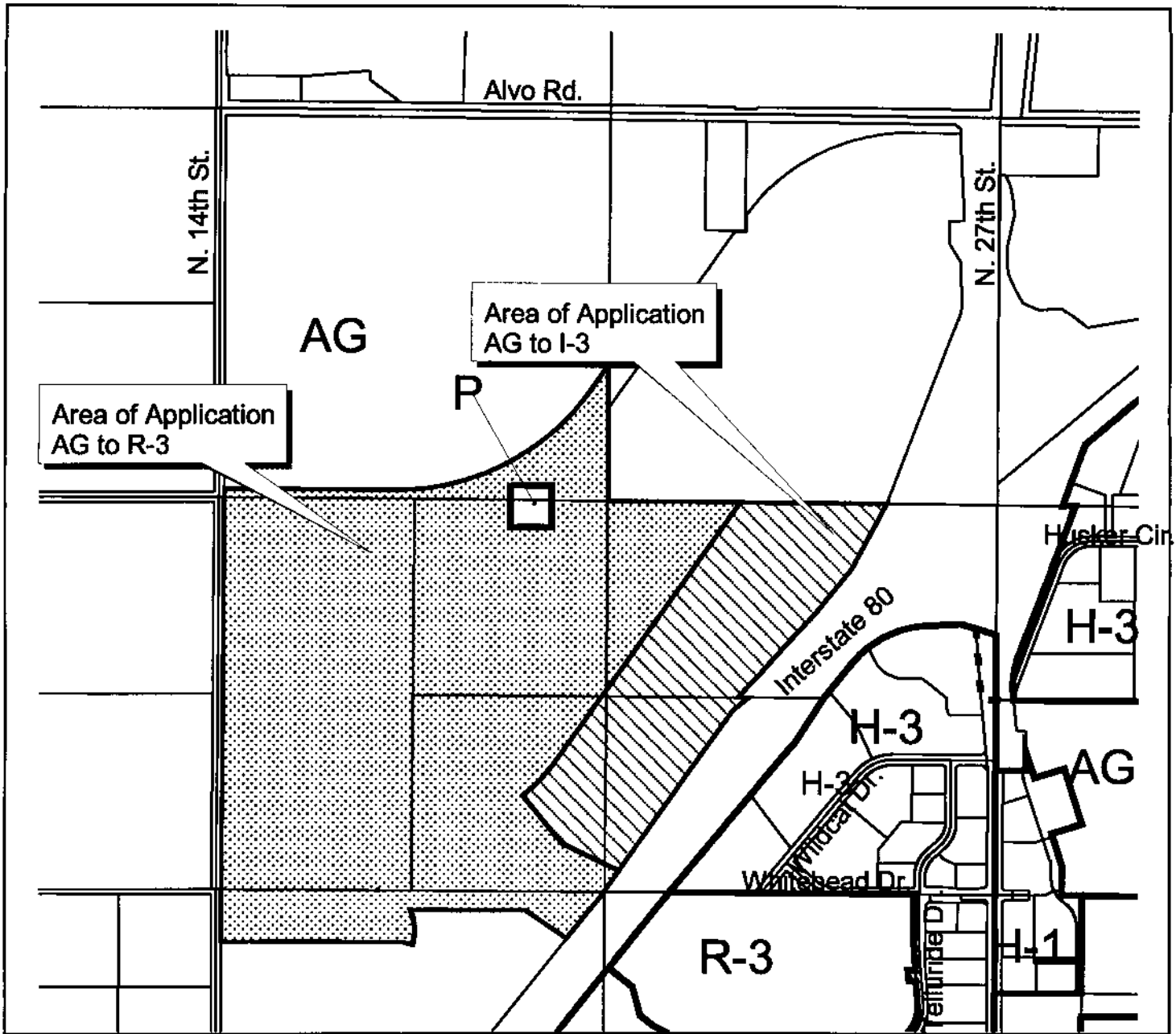
Public hearing was closed.

CHANGE OF ZONE NO. 3265

ADMINISTRATIVE ACTION BY PLANNING COMMISSION:

July 11, 2001

Duvall moved approval, second by Krieser and carried 7-0: Krieser, Newman, Duvall, Carlson, Steward, Schwinn and Bayer voting 'yes'; Taylor and Hunter absent.

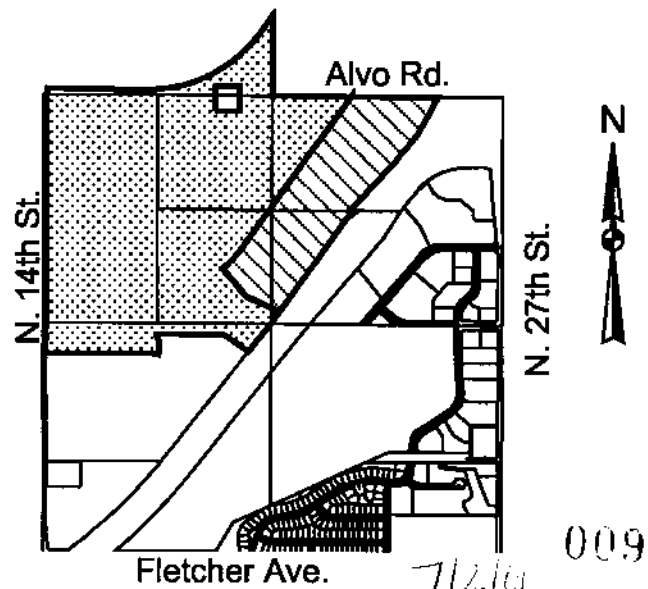
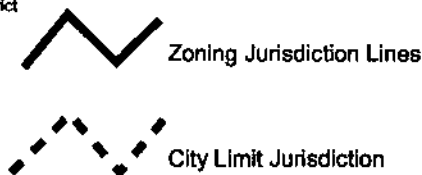


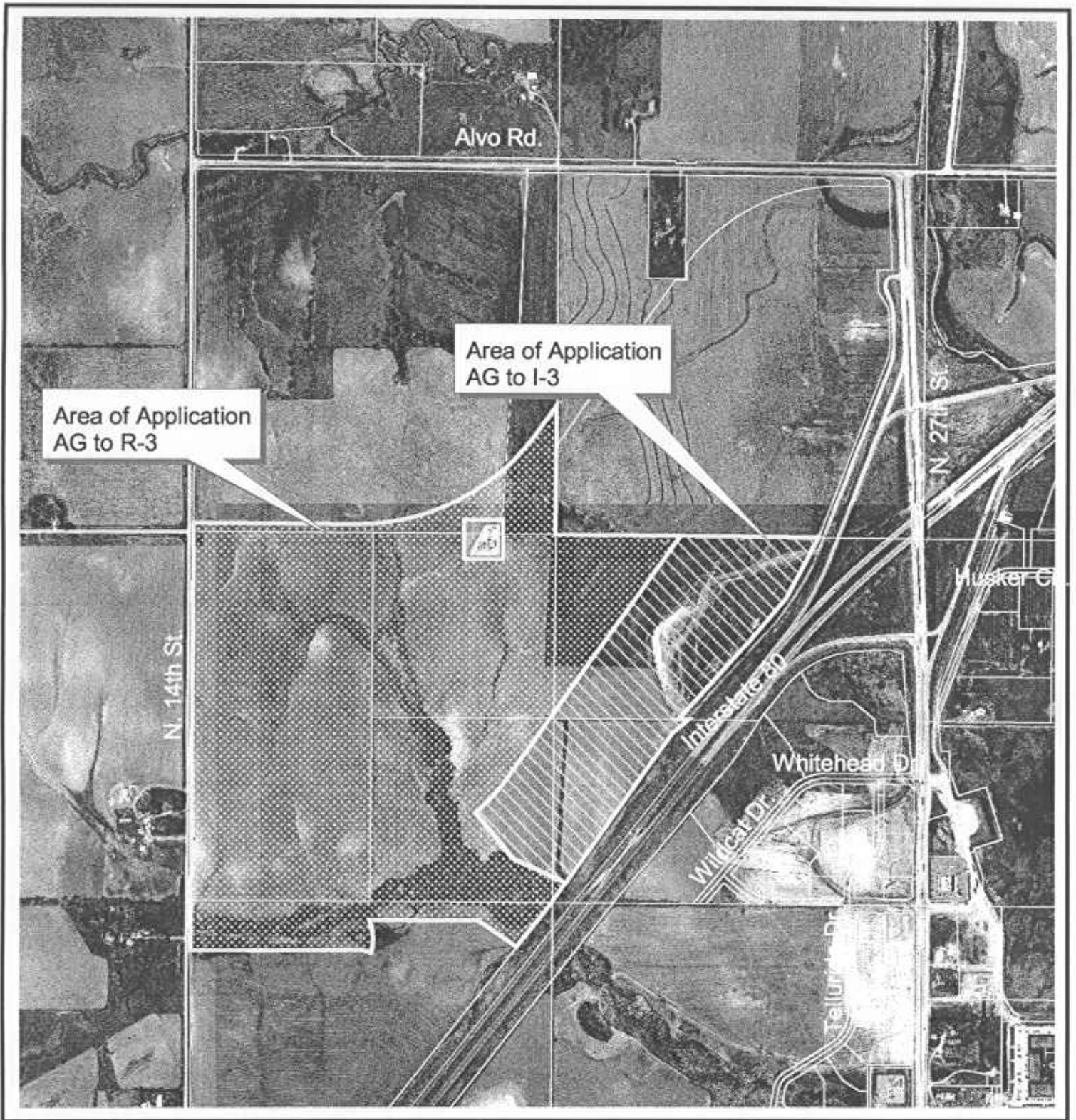
Change of Zone #3265 Stonebridge Creek

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. 36 T11N R6E





**Change of Zone #3265
Stonebridge Creek**



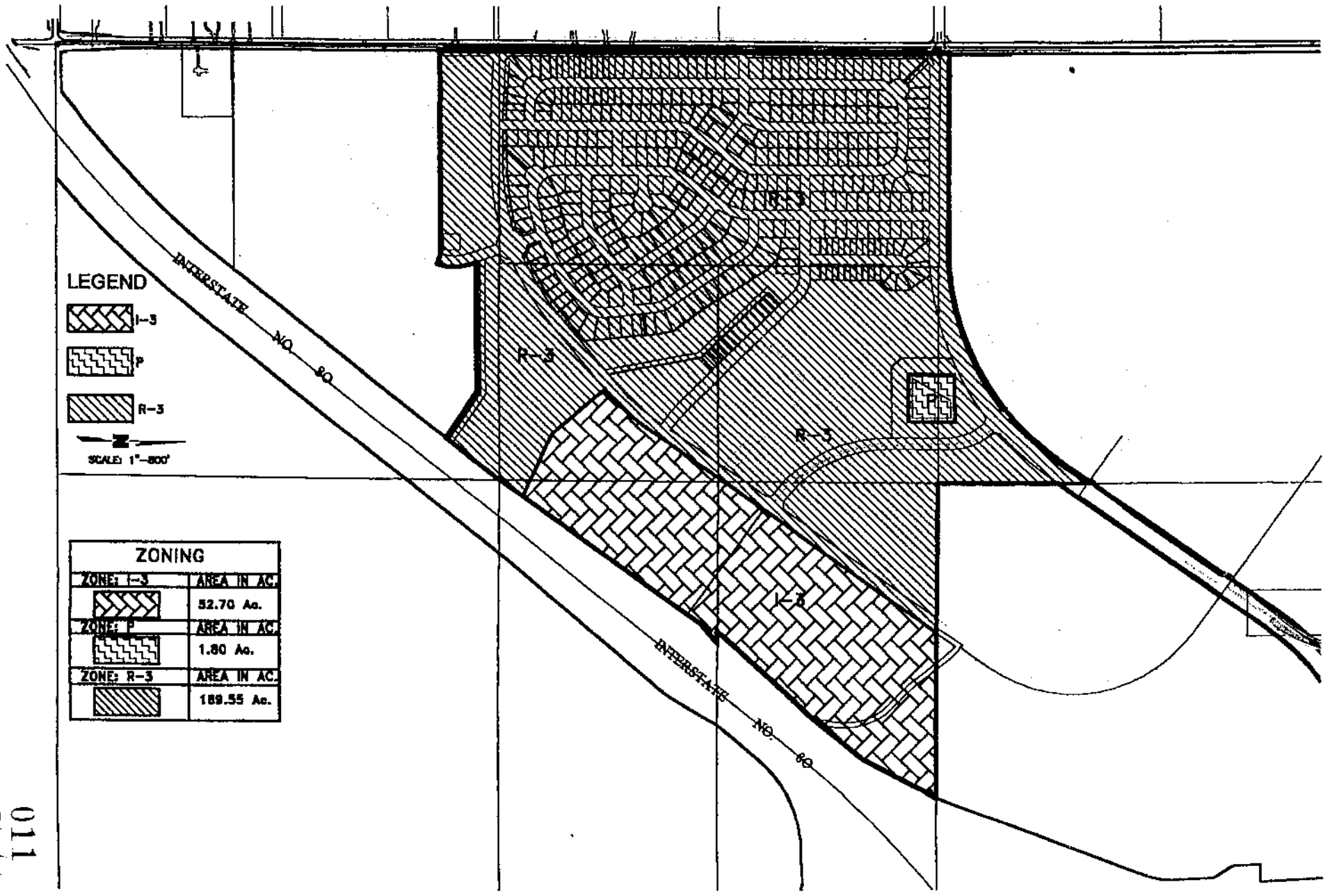
Sheet _____ of _____

Date: 6/29/01




Photograph Date: 1999 010

Lincoln City - Lancaster County Planning Dept.




028265



LEGEND

-  I-3
-  P
-  R-3

SCALE: 1"=800'

ZONING	
	ZONE: I-3
52.70 Ac.	AREA IN AC.
	ZONE: P
1.80 Ac.	AREA IN AC.
	ZONE: R-3
189.55 Ac.	AREA IN AC.

011
7/2/01



630 N. Cotner Blvd.
 Ste. 105
 Lincoln, NE 68505
 Ph. 402-464-4011

STONE BRIDGE CREEK
ZONING EXHIBIT
 Lincoln, Nebraska

Drawn By: CNS
 Dwg.: SBCzoninganex2
 Date: 5/21/01

SHEET
 1 OF 1

CHANGE OF ZONE

FILE: STONER-3

R-3 Legal

03-12-01

A LEGAL DESCRIPTION OF A TRACT OF LAND CONSISTING OF A PART OF LOTS 20, 17, 31, 3 AND 24 IRREGULAR TRACTS, THE WEST HALF OF THE NORTHWEST QUARTER, ALL IN THE NORTHWEST QUARTER, THE NORTHEAST QUARTER AND THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 11 NORTH, RANGE 6 EAST OF THE 6TH P.M., AND ALSO A PORTION OF LOT 25 IRREGULAR TRACT, IN THE SOUTHWEST QUARTER OF SECTION 25, TOWNSHIP 11 NORTH, RANGE 6 EAST OF THE 6TH P.M., LANCASTER COUNTY, NEBRASKA, EXCLUDING LOTS 16 AND 19 IRREGULAR TRACTS IN SAID SECTIONS 25 AND 36, AND MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

REFERRING TO THE NORTHWEST CORNER OF SAID SECTION 36; THENCE: S89°28'59"E, (AN ASSUMED BEARING), A DISTANCE OF 33.00 FEET, TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF NORTH 14TH STREET AND THE POINT OF BEGINNING; THENCE: N00°05'24"E, ON SAID LINE, A DISTANCE OF 60.00 FEET; THENCE: S89°28'59"E, A DISTANCE OF 1161.57 FEET, TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 55°02'47", A RADIUS OF 1615.00 FEET, AN ARC LENGTH OF 1551.60 FEET, A CHORD LENGTH OF 1492.61 FEET AND A CHORD BEARING N62°59'37"E; THENCE: ON SAID CURVE A DISTANCE OF 1551.60 FEET, TO THE POINT OF TANGENCY; THENCE: N35°28'14"E, A DISTANCE OF 215.31 FEET; THENCE: S00°14'33"W, A DISTANCE OF 926.23 FEET; THENCE: S89°31'31"W, A DISTANCE OF 905.39 FEET; THENCE: S35°45'02"W, A DISTANCE OF 2153.48 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 14°14'04", A RADIUS OF 1236.00 FEET, AN ARC LENGTH OF 307.07 FEET, A CHORD LENGTH OF 306.28 FEET AND A CHORD BEARING S42°52'04"W; THENCE: ON SAID CURVE, A DISTANCE OF 307.07 FEET TO THE POINT OF TANGENCY; THENCE: S49°59'06"W, A DISTANCE OF 26.92 FEET; THENCE: S40°00'54"E, A DISTANCE OF 422.69 FEET; THENCE: S65°04'42"E, A DISTANCE OF 424.62 FEET; THENCE: S35°44'24"W, A DISTANCE OF 163.06 FEET; THENCE: S29°32'55"W, A DISTANCE OF 11.10 FEET; THENCE: S38°46'00"W, A DISTANCE OF 407.50 FEET; THENCE: N55°40'46"W, A DISTANCE OF 338.45 FEET; THENCE: N89°49'22"W, A DISTANCE OF 787.53 FEET; THENCE: S19°20'16"E, A DISTANCE OF 27.89 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 36°36'59", A RADIUS OF 333.00 FEET, AN ARC LENGTH OF 212.81 FEET, A CHORD LENGTH OF 209.21 FEET AND A CHORD BEARING S01°01'45"E; THENCE: ON SAID CURVE A DISTANCE OF 212.81 FEET TO THE POINT OF TANGENCY; THENCE: N72°43'14"W, A DISTANCE OF 66.00 FEET; THENCE: N89°47'10"W, A DISTANCE OF 1232.29 FEET, TO A POINT ON THE EAST RIGHT- OF WAY LINE OF NORTH 14TH STREET; THENCE: N00°12'50"E, ON SAID LINE, A DISTANCE OF 354.28 FEET; THENCE: N00°21'14"E, A DISTANCE OF 2646.75 FEET TO THE POINT OF BEGINNING AND CONTAINING A CALCULATED AREA OF 189.546 ACRES MORE OR LESS EXCLUDING SAID LOT 16 AND 19.

STONEBRIDGE CREEK
CHANGE OF ZONE LEGAL
AG TO I-3

A LEGAL DESCRIPTION OF A TRACT OF LAND CONSISTING OF A PART OF LOTS 17, 31, 3, AND 20 IRREGULAR TRACTS, ALL IN THE NORTHWEST QUARTER AND THE NORTHEAST QUARTER OF SECTION 36, TOWNSHIP 11 NORTH, RANGE 6 EAST OF THE 6TH P.M., LANCASTER COUNTY, NEBRASKA, AND MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

REFERRING TO THE NORTHWEST CORNER OF SAID SECTION 36; THENCE: S89°28'59"E, (AN ASSUMED BEARING), ON THE NORTH LINE OF THE NORTHWEST QUARTER A DISTANCE OF 2645.59 FEET; THENCE: S89°31'31"E, ON THE NORTH LINE OF THE NORTHEAST QUARTER, A DISTANCE OF 905.39 FEET TO THE POINT OF BEGINNING; THENCE: CONTINUING S89°31'31"E, A DISTANCE OF 997.08, TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF INTERSTATE 80; THENCE: S28°16'49"W, ON SAID LINE, A DISTANCE OF 495.92 FEET; THENCE: S39°44'14"W, ON SAID LINE, A DISTANCE OF 395.97 FEET; THENCE: S42°30'33"W, ON SAID LINE, A DISTANCE OF 774.29 FEET; THENCE: S89°33'37"E, ON SAID LINE, A DISTANCE OF 73.98 FEET; THENCE: S50°54'23"W, A DISTANCE OF 146.20 FEET; THENCE: S35°44'24"W, ON SAID LINE, A DISTANCE OF 1325.67 FEET; THENCE: N65°04'42"W, A DISTANCE OF 424.62 FEET; THENCE: N40°00'54"W, A DISTANCE OF 422.69 FEET; THENCE: N49°59'06"E, A DISTANCE OF 26.92 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 14°14'04", A RADIUS OF 1236.00 FEET, AN ARC LENGTH OF 307.07 FEET, A CHORD LENGTH OF 306.28 FEET AND A CHORD BEARING N42°52'04"E; THENCE: ON SAID CURVE, A DISTANCE OF 307.07 FEET TO THE POINT OF TANGENCY; THENCE: N35°45'02"E, A DISTANCE OF 2153.48 FEET TO THE POINT OF BEGINNING AND CONTAINING A CALCULATED AREA OF 52.700 ACRES MORE OR LESS.