

City Council Introduction: Monday, June 30, 2003
Joint Public Hearing of the Lincoln City Council
and Lancaster County Board of Commissioners:
Thursday, July 10, 2003, 5:30 p.m.

Bill No. 03R-175

FACTSHEET

TITLE: **COMPREHENSIVE PLAN AMENDMENT NO. 03020**, by the Director of Planning, at the request of Mark Hunzeker, on behalf of John Sampson and David McEwen, to amend the 2025 Lincoln/Lancaster County Comprehensive Plan to designate a "Community" sized commercial center at approximately S. 40th Street and Rokeby Road.

STAFF RECOMMENDATION: **Approval of a designation between Rokeby Road and Saltillo Road on South 40th Street.**

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: 06/11/03
Administrative Action: 06/11/03

RECOMMENDATION: **Approval of the staff recommendation** (8-0: Carlson, Larson, Duvall, Taylor, Steward, Bills-Strand, Krieser and Schwinn voting 'yes').

FINDINGS OF FACT:

1. The staff recommendation to approve the designation of an additional Community Center between Rokeby Road and Saltillo Road on South 40th Street is based upon the "Status/Description", "Comprehensive Plan Implications" and "Conclusion" as set forth in the staff report on p.2-5, concluding, in part, that designating a potential Community Center for the area generally along South 40th Street from Rokeby Road to Saltillo Road is the first step in the development process. The exact location and size of the center would yet to be determined. At this point, the location of a potential center should be flexible to include land at 40th Street and Saltillo Road. Thus, the amendment should include land from Rokeby Road to Saltillo Road.
2. The testimony on behalf of the applicants is found on p.6, indicating that the applicants are requesting the designation of a community center at the southeast corner of the intersection of 40th Street and Rokeby Road; however, the applicants do not object to the staff recommendation to show the community center at the half-way point between Saltillo Road and Rokeby Road. .
3. There was no testimony in opposition.
4. On June 11, 2003, the Planning Commission voted 8-0 to agree with the staff recommendation as set forth on p.5 and 8.

FACTSHEET PREPARED BY: Jean L. Walker

DATE: June 23, 2003

REVIEWED BY: _____

DATE: June 23, 2003

REFERENCE NUMBER: FS\CC\2003\CPA.03020

2003 COMPREHENSIVE PLAN ANNUAL REVIEW

Comprehensive Plan Amendment No. 03020 S. 40th; Rokeby Road to Saltillo Road

Applicant	Location	Proposal
Mark Hunzeker for John Sampson and David McEwen	S. 40 th from Rokeby Road to Saltillo Road	Designate an additional Community sized Commercial Center at S. 40 th and Rokeby Road
<p>Recommendation: Approval of designation between Rokeby and Saltillo Road on S. 40th Street.</p> <p>An additional Community Center should be generally designated for the area between Rokeby Road and Saltillo Road on S. 40th Street to allow greater choice in potential locations.</p>		

Status/Description

The applicant proposes to place a commercial “Community Center” in the Land Use Plan at South of 40th and Rokeby Road. On page F40 of the Plan it states: “For the purpose of the Comprehensive Plan, Commerce Centers have been divided into three separate size categories. The size differences reflect the differing impacts that the centers have on adjacent land uses and the public infrastructure. The three categories of Commerce Centers are:

- 1 - Regional Centers (R)
- 2 - Community Centers (C)
- 3 - Neighborhood Centers (N)”

In terms of size,

Regional Centers are over 1 million square feet in size.

Community Centers “may vary in size from 300,000 to nearly a million square feet of commercial space. Typically, new Community Centers will range from 300,000 to 500,000 square feet.” (Page F 45)

Neighborhood Centers typically range in size from 150,000 to 250,000 square feet of commercial space. Existing centers may vary in size from 50,000 to 300,000 square feet. (Page F 46)

There are two separate, but related, Comprehensive Plan amendments at 27th and Yankee Hill Road:

Amendment #03014 North Side of S. 27th and Yankee Hill Road by Kent Seacrest on behalf of Ridge Development Company and Southview Inc. to move the Community Center commercial designation from 40th and Yankee Hill Road to 27th and Yankee Hill Road and move the Neighborhood Center designation from 27th and Yankee Hill Road to 40th and Yankee Hill Road.

Amendment #03015 South Side of S. 27th and Yankee Hill Road by J. Michael Rierden on behalf of Lincoln Federal Savings Bank to move the Community Center commercial designation from 40th and ½ mile

north of Rokeby Road to 27th and Yankee Hill Road and move the Neighborhood Center designation from 27th and Yankee Hill Road to 40th Street, ½ mile north of Rokeby Road. In addition a light industrial area is proposed for S. 40th Street, north of Rokeby Road.

Potentially, these two amendments could be complimentary, and lead to development of an integrated “Community” sized center at 27th and Yankee Hill Road, though they are being developed by different developers.

Comprehensive Plan Implications

In regards to Community size commercial centers the Comprehensive Plan states the following on page F 45:

“Community Centers may vary in size from 300,000 to nearly a million square feet of commercial space. Typically, new Community Centers will range from 300,000 to 500,000 square feet.

DESCRIPTION

Community Centers are intended to be smaller in scale and intensity of uses than Regional Centers and serve a more targeted market and geographic area. Community Centers tend to be dominated by retail and service activities, although they can also serve as campuses for corporate office facilities and other mixed-use activities. When properly located, some light manufacturing or assembly when accessory to an office function may be allowed.

One or two department stores or “big box” retail operations may serve as anchors to the Community Center with smaller general merchandise stores located between any anchors or on surrounding site pads, such as Edgewood Shopping Center at S. 56th Street and Highway 2. Examples of existing single use centers are the office parks for Firethorn/ Lincoln Benefit Life Office Park at S. 84th & Van Dorn, and the State Farm Office Campus at S. 84th & O Street. Other centers may have more of a mix of retail, office and residential uses such as Williamsburg Village at S. 40th and Old Cheney Road.

MARKET AREA

Community Centers can have a community wide appeal but primarily serve a geographic subarea within Lincoln and surrounding areas within the County. Depending on the mix of stores and other shopping opportunities in the area, existing Community Centers can have a market area that is quite extensive, even rivaling some Regional Centers.

CENTER SPACING

Community Centers should be located approximately two to three miles apart, depending upon their size, scale, function and area population.

LOCATION CRITERIA

The general location of future Community Centers should be indicated in advance in the Comprehensive Plan. These locations are not intended to be site specific but rather to suggest a general area within which a Community Center might be developed. The Plan recognizes the strong need to further and support an evolving marketplace. Thus, the exact location of a Community Center should be designated in the Comprehensive Plan as part of the development review process.

The community will not require market studies to determine the economic impact on existing development. However, new Regional and Community Centers will be generally sited in the Comprehensive Plan so that the potential impact on existing centers may be considered as part of the siting process.

Community Centers should be geographically well dispersed throughout the Lincoln urban area based upon the center spacing guidelines noted above....

SITING PROCESS

The locations of the Community Centers shown in the plan are generalized. It is anticipated that the center will develop somewhere within a ½ mile of the location shown in the Plan. As part of major development proposals that include proposed Community Centers, the exact location of the Community Center for that area should be determined and a Comprehensive Plan Amendment forwarded for consideration.

FLOOR AREA INCENTIVE

New Community Centers will typically range from 300,000 to 500,000 square feet. However, centers that follow most, if not all, of the incentive criteria ... may be appropriate to develop with some additional space over 500,000 square feet.”

This proposed center is within two miles of the proposed center at 27th and Yankee Hill Road. However, as the Plan states centers “*should be located approximately two to three miles apart, depending upon their size, scale, function and area population.*” Due to change of zone approved prior to the approval of the Plan in May 2002, the Plan already has two Community sized centers within two miles in this area. However, there is a difference in function between these centers as the center at 14th and Yankee Hill Road is oriented to corporate offices and more “heavy” commercial uses. The proposed Community Center at 27th and Yankee Hill Road is more retail oriented and potentially could include one or two car dealerships.

At this time, the specific size, scale and function of a Community Center in this general area has not yet been determined. In regards to the population of the area, the primary market for this center would be the area from 14th to 70th Street. The Plan designates urban residential uses from approximately 14th to 48th Street. The area east of 48th Street to 70th Street is primarily designated for low density residential uses. Designating a potential Community sized center on land between 48th to 70th Street would not be an appropriate due to the surrounding low density residential uses and the lack of a substantial population in the immediate area.

There is a question as to whether this area will have enough population to support another large Community size center, in addition to the existing and proposed commercial uses along S. 27th Street and Yankee Hill Road. However, the Comprehensive Plan does not require a market study to verify need. The Plan does state that new centers should not impact existing centers. A new center along S. 40th in the vicinity of Rokeby or Saltillo Road should not impact existing commercial centers, since it is quite removed from existing commercial centers. If there is not enough population to support a large Community Center, then this site may appropriately develop as a smaller Community Center of only 300,000 to 400,000 square feet.

The applicant has proposed the center be generally shown at the intersection of 40th and Rokeby Road. The Plan states that will “*develop somewhere within a ½ mile of the location shown in the Plan.*” Thus, the future center would probably be somewhere a ½ mile north or south of Rokeby Road. A location along Rokeby Road further east would not be appropriate due to the low density residential uses to the east. Rokeby will not continue west of 27th Street, so it appears a location along Rokeby Road west of 40th Street is also probably not appropriate.

While this designation would include land north of 40th and Rokeby Road, it has already been proposed that a Community Center would not be located to the north and instead a Neighborhood Center is proposed as part of Comprehensive Plan Amendment #03015.

The designation at 40th and Rokeby Road would not include land at 40th and Saltillo Road. There is land near Saltillo Road that is also potentially suitable and should be considered. This land is closer to the future interchange with the South Beltway, which is a ½ mile south of Saltillo Road. At this point the amendment should allow for the option of locating the Community Center nearer to Saltillo Road, than is proposed by the applicant.

It has been a principle of the Comprehensive Plan to provide for land uses that can be served by the transportation network. The community should not approve land uses that will overload the road network. In this case, an additional Community Center may add more commercial development than has been assumed by traffic modeling done by the City. In general, traffic modeling has shown that there would be some capacity on S. 40th Street in this area, once it is improved to 4 lanes.

The traffic modeling assumed development of several neighborhood centers scattered throughout this area. If this newly proposed Community Center was an enlargement of a neighborhood center, rather than in addition to a neighborhood center, the traffic impact might be only minor. The traffic impact should be addressed prior to any site specific designation of a Community Center.

Conclusion

This amendment is in conformance with most of the principles of the Comprehensive Plan for commercial centers. It will provide an opportunity for a larger Community Center to serve the area from 14th to 70th Street, south of Yankee Hill Road. This area would already partially served by the proposed center at 27th and Yankee Hill Road as part of Amendments #03014 and #03015. There are low density residential uses east of 48th Street, which further limits the potential population and demand for a center in this area.

Designating a potential Community Center for the area generally along S. 40th from Rokeby Road to Saltillo Road is the first step in the development process. The exact location and size of the Center would yet to be determined. There are many issues that will need to be addressed before a more specific site would be identified, such as:

- ! transportation impact
- ! population to be served
- ! site design review to determine conformance with the principles of the Plan

At this point, the location of a potential center should be flexible to include land at 40th and Saltillo Road. Thus, the amendment should include land from Rokeby Road to Saltillo Road. Infrastructure improvements to serve this area are still many years away, as shown in the proposed Capital Improvement Program. Thus, there is sufficient time to determine a specific location and address the identified issues.

Amend the Comprehensive Plan as follows:

1. Amend the "Lincoln/Lancaster County Land Use Plan", figure on pages F23 and F25, to designate a "New Proposed Commercial or Industrial Center (Not Site Specific) as shown on the attached plan.
2. Amend the "Existing and Proposed Commerce Centers" on Page F 41 as shown on the attached map to add the area at approximately S. 40th Street between Rokeby Road and Saltillo Road to designate a Community Center as an "Unbuilt Approved Center (Not Site Specific)."
3. Amend the list of proposed locations of future Community Centers on page F 46 to add the following:
 - ! S. 40th in the general vicinity of Rokeby Road to Saltillo Road"

COMPREHENSIVE PLAN AMENDMENT NO. 03020

PUBLIC HEARING BEFORE PLANNING COMMISSION:

June 11, 2003

Members present: Larson, Steward, Carlson, Bills-Strand, Duvall, Krieser, Taylor and Schwinn.

Staff recommendation: Approval.

Ex Parte Communications: Bills-Strand reported that she had received a telephone call from Mark Hunzeker and they discussed the application.

Proponents

1. Mark Hunzeker appeared on behalf of **John Sampson** and **Dave McEwen**. This is a proposal to designate a community center at the southeast corner of the intersection of 40th and Rokeby Road. The staff is recommending mapping it at the half-way point roughly between Saltillo Road and Rokeby Road, to which the applicants do not object. They agree that this is an appropriate location. The staff has indicated a willingness to be flexible about exactly where the center will be located after more detailed planning.

Schwinn noted that this ties into the nice layout that Jim Hille showed during the Annual Review public hearing. Hunzeker stated that this request is in response to moving that community center from one side to the other. We think there is going to be a sufficient population in this area in the long term for a center there. There is a substantial amount of land controlled by his clients and possibly one other property owner who wants to begin to plan for the "medium" term future.

Steward inquired whether there is any potential that it could move any closer toward 27th Street. Hunzeker stated that he would be very surprised if it did move closer to 27th Street just because of the transportation corridor. 40th Street will be a major transportation corridor that will have some capacity. A center of the size of a community center needs to have good roadway capacity to serve it. To the extent that it would move over to 27th, it would be moving closer to what is already a fairly substantial concentration of retail uses. He is not sure that would be a direction they would want to go.

There was no testimony in opposition.

Staff questions

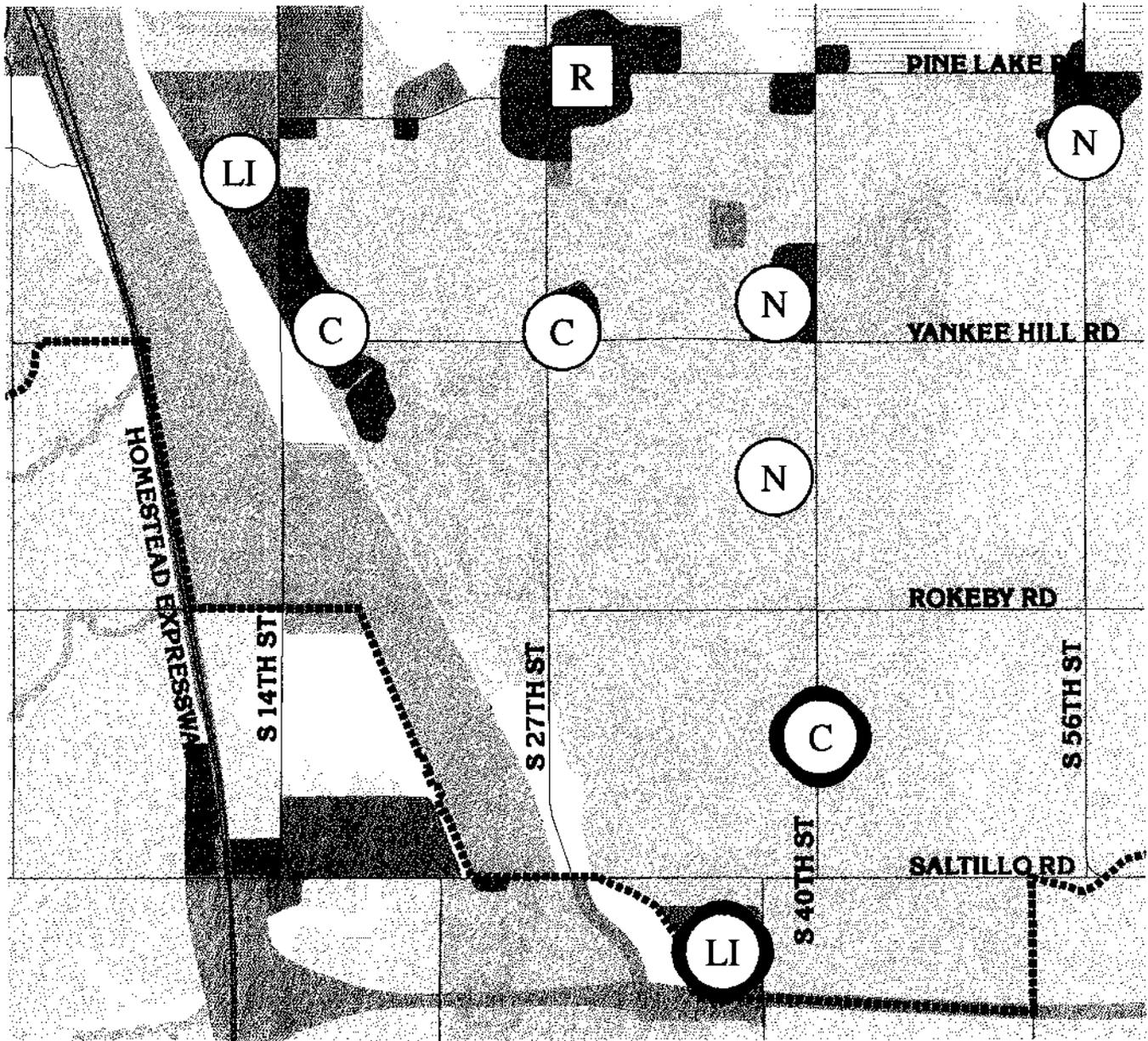
Steward observed that in general terms, between the two maps in the original Comprehensive Plan proposal and the recommended amendment, it seems that we have a better distribution geographically of different size and types of centers than we had originally. His only concern is the potential proximity between this community center and the area marked "light industrial". Are we asking for any difficulty by that proximity designation? Steve Henrichsen of Planning staff observed that the Comprehensive Plan suggests that the center would be generally somewhere within ½ mile of where it is generally shown on this map. It could move closer to the South Beltway interchange, but he views the light industrial location as being something in the I-3 Employment Center district that does offer some retail and office use. The staff is viewing this as a separate center, somewhere within this area and not necessarily associated with the South Beltway. Steward observed then that the staff is envisioning more compatibility rather than less. Henrichsen stated that the staff is viewing this as a community center that might be more oriented toward the surrounding area, where the light industrial might have some retail uses oriented to the Beltway as well as I-3 for something like small size manufacturing firms, etc.

Carlson noted that during the Annual Review, the Planning Commission recommended approval to move one of the commercial centers to 27th (it is actually a car lot). What is the staff's sense of overall square footage? Henrichsen stated that Comprehensive Plan Amendments 03014 and 03015 were not reviewed in terms of increasing the amount of overall square footage. With respect to this Amendment 03020, it was reviewed in terms of neighborhood centers already being anticipated out in this area that may have been 250,000 sq. ft. The size of the community center has not been determined. If it does increase the overall square footage, the transportation impact should be addressed. South 40th Street in this location is quite a bit below its design capacity for a four-lane street. Carlson inquired how far it is to the east before encountering another "dot". Henrichsen stated that everything east of 48th is acreages. There is some urban residential east of 70th, but by that time you get close to 84th and Hwy 2, which is viewed as the larger regional center serving that area.

ADMINISTRATIVE ACTION BY PLANNING COMMISSION:

June 11, 2003

Steward moved approval, seconded by Bills-Strand and carried 8-0: Larson, Steward, Carlson, Bills-Strand, Duvall, Krieser, Taylor and Schwinn voting 'yes'.



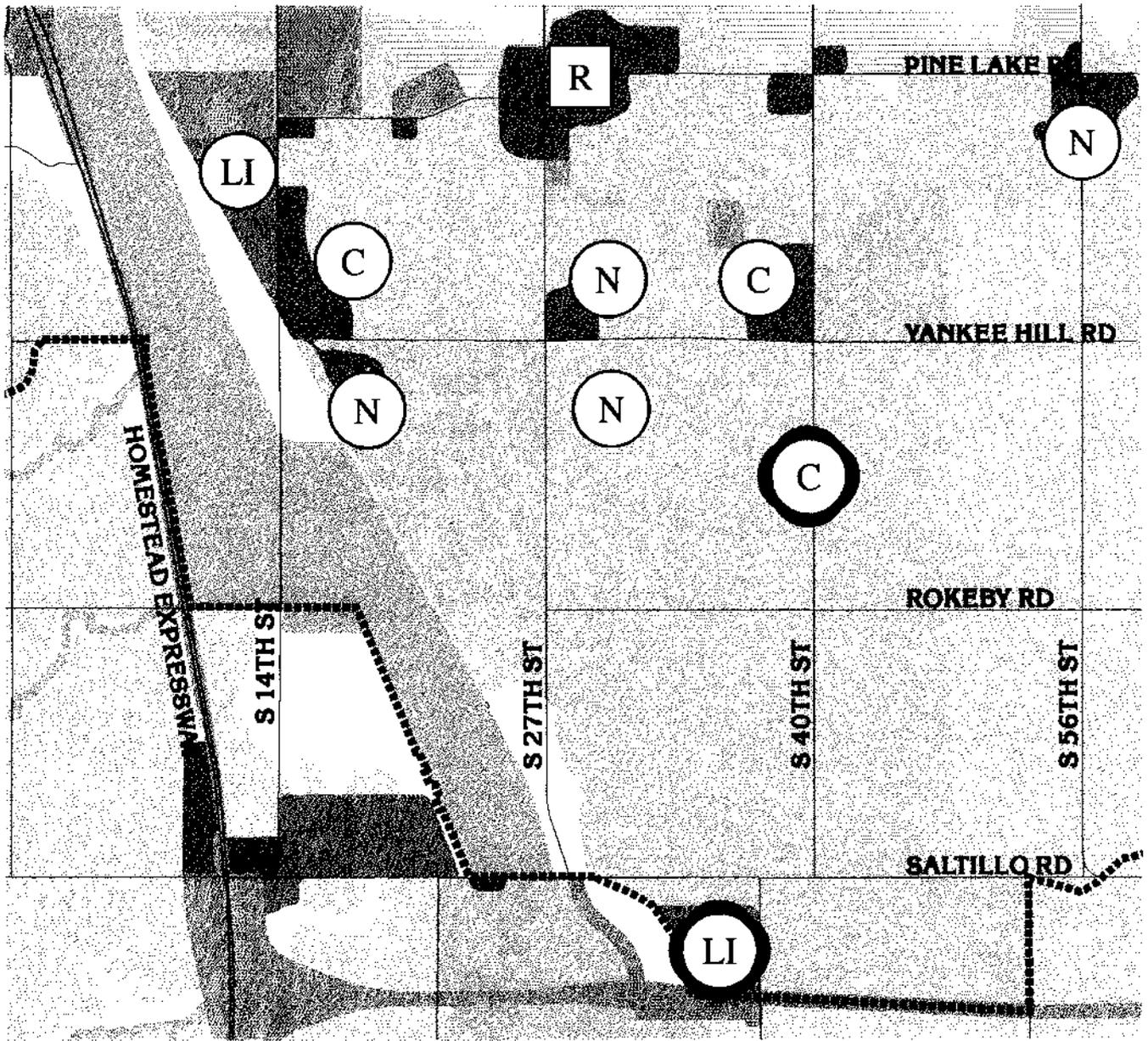
S 40th & Rokeby - Saltillo Rd

Recommended Amendment No 20
(Includes Changes per Amendments #14 and #15)

- Future Service Limit
- Existing Center
- Unbuilt Approved Center Site Specific
- ⊙ New Proposed Center Not Site Specific
- R Regional
- N Neighborhood
- C Community
- LI Light Industry



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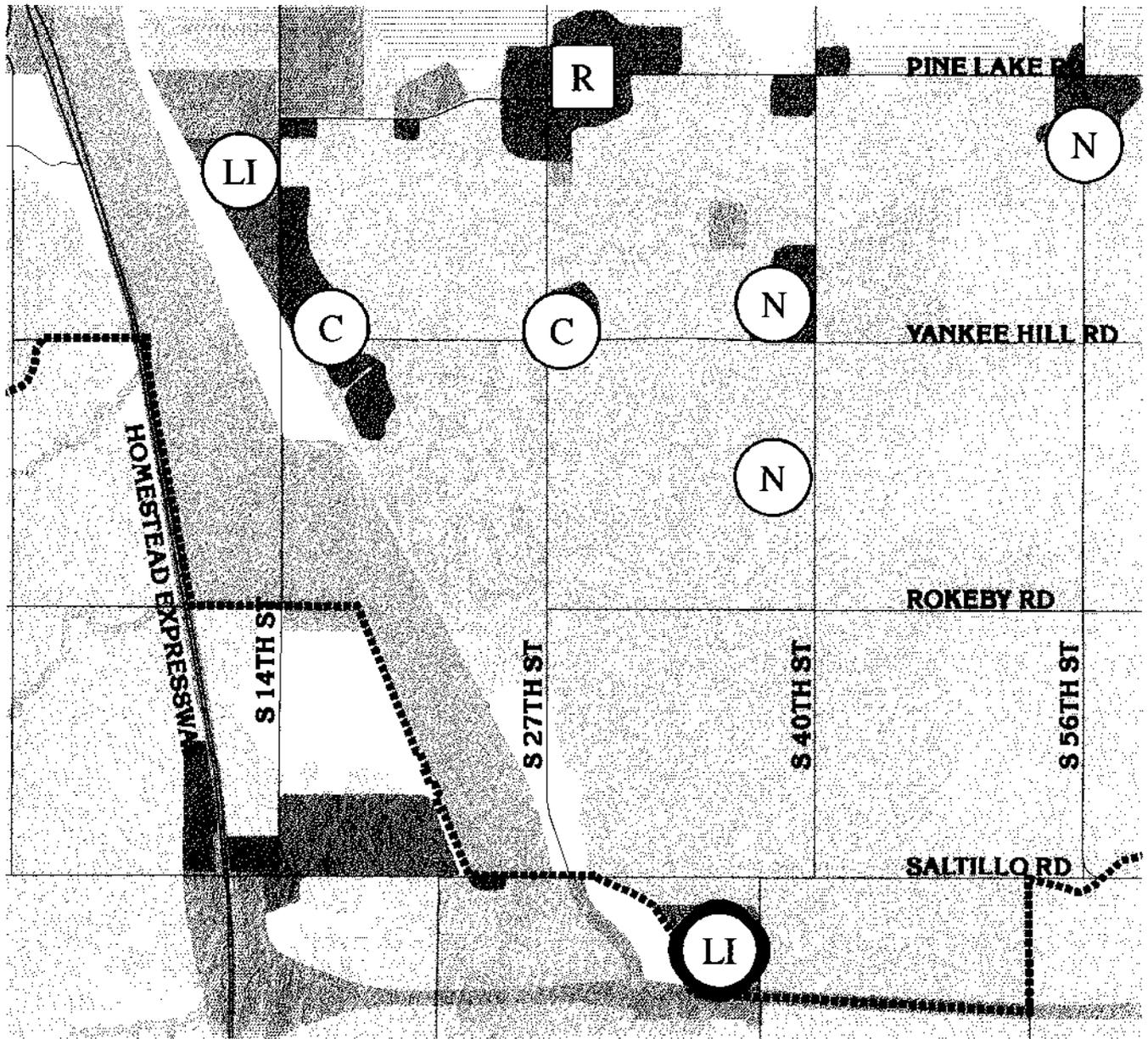
Commercial Centers

As Shown in the Approved Comprehensive Plan

- Future Service Limit
- R** Existing Center
- C** Unbuilt Approved Center Site Specific
- C** New Proposed Center Not Site Specific



009



S 27th / S 40th & Yankee Hill Area

Comp Plan Proposed Amendment No 14 and 15

----- Future Service Limit



Existing Center



Unbuilt Approved Center
Site Specific



New Proposed Center
Not Site Specific

R Regional

N Neighborhood

C Community

LI Light Industry



M I L E S



010

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May 21, 2003

Marvin Krout, Director of Planning
City of Lincoln
555 So. 10th Street
Lincoln, NE 68508

Re: Comprehensive Plan Amendment No. 03014 and No. 03015

Dear Mr. Krout:

As we have discussed with you and Steve Henrichsen, my clients David McEwen and John Sampson, are the owners of land on the northeast, southeast and southwest corners of the intersection of South 40th Street & Rokeby Road. The original version of the 2002 Comprehensive Plan included a community center at the intersection of 40th & Rokeby Road. In a Comprehensive Plan Revision, the community center was moved north to 40th Street at approximately halfway between Rokeby Road and Yankee Hill Road. Now, the above-captioned applicants seek to modify the plan once again, moving the community center to 27th & Yankee Hill Road.

We have no objection to the land uses proposed by either Plan Amendment No. 03014 or No. 03015. However, we do take exception to the elimination of a community commercial center in the vicinity of 40th & Rokeby Road. Upon review of the map and consideration of the amount of land designated for residential use, which is east of Wilderness Park and south of Yankee Hill Road, we believe there will be ample population to support the community center in that area.

Therefore, we request that a community center designation (non-site specific) be added to the Comprehensive Plan land use map as shown on the attached map, and that the list of developing community centers on page F46 of the Comprehensive Plan be amended by adding "South 40th & Rokeby Road".

Marvin Kraut
May 21, 2003
Page 2

We appreciate the time you and Steve have taken to discuss this matter, and we look forward to this matter being placed on the agenda for public hearing as you indicated in our meeting. Thank you very much.

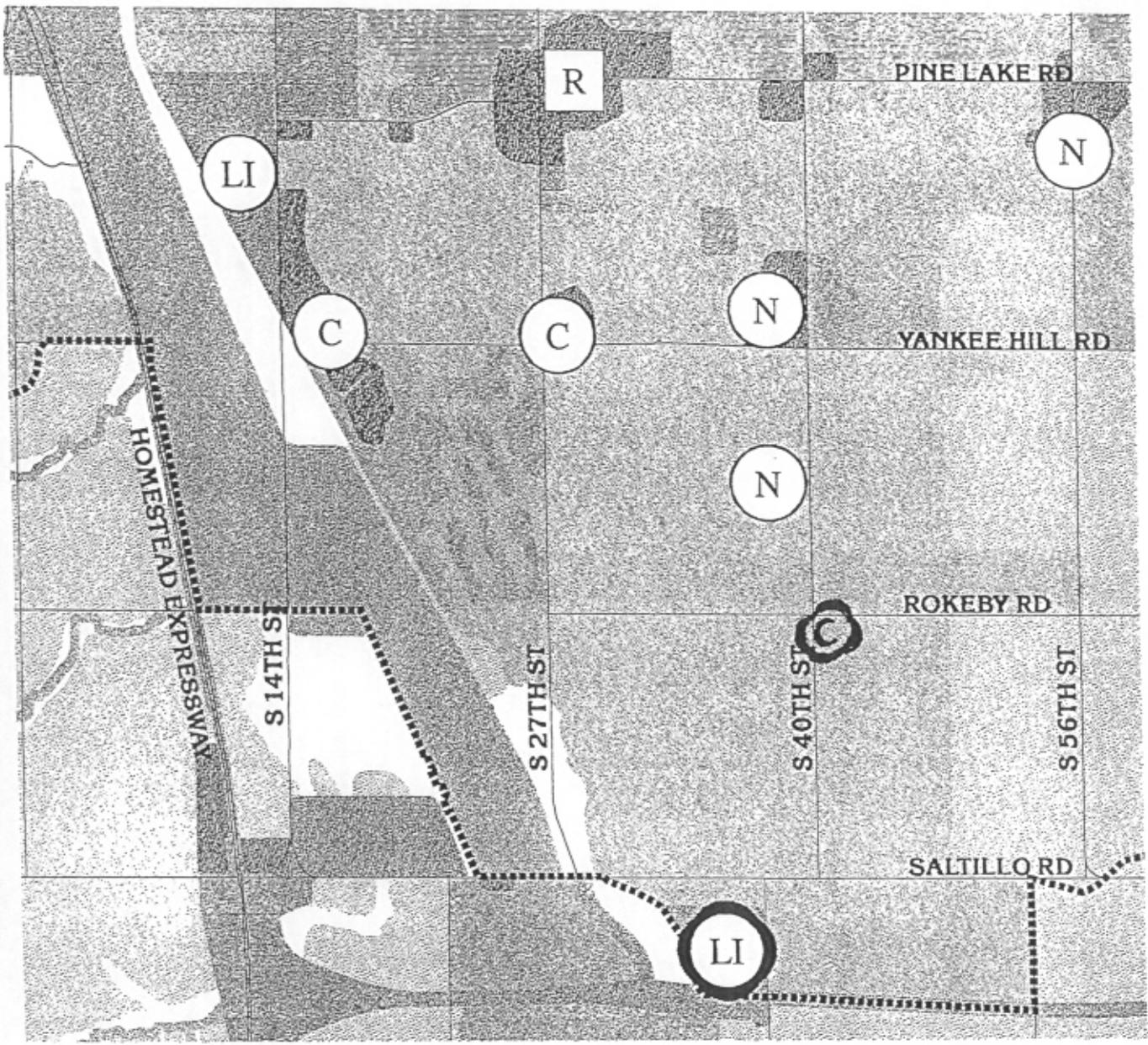
Sincerely,

A handwritten signature in black ink, appearing to read "Mark A. Hunzeker". The signature is fluid and cursive, with a large initial "M" and "H".

Mark A. Hunzeker
For the Firm

MAH:sb

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S 27th / S 40th & [REDACTED] Area

Comp Plan Proposed Amendment

- Future Service Limit
- Existing Center
- Unbuilt Approved Center
Site Specific
- New Proposed Center
Not Site Specific
- R Regional
- N Neighborhood
- C Community
- LI Light Industry

