

City Council Introduction: Monday, June 7, 2004
**Joint Public Hearing of the Lincoln City Council
and Lancaster County Board of Commissioners:**
Tuesday, June 15, 2004, 4:00 p.m.

Bill No. 04R-128

FACTSHEET

TITLE: COMPREHENSIVE PLAN AMENDMENT NO. 02001A, by the Director of Planning, at the request of Realty Trust Group, to amend the 2025 Lincoln/Lancaster County Comprehensive Plan, to change approximately six acres from Urban Residential to Commercial, generally located at 84th Street and Karl Ridge Road.

STAFF RECOMMENDATION: Approval.

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: 05/19/04
Administrative Action: 05/19/04

RECOMMENDATION: **Approval** (6-0: Carlson Marvin, Taylor, Carroll, Krieser and Bills-Strand voting 'yes'; Larson, Sunderman and Pearson absent).

FINDINGS OF FACT:

1. The staff recommendation to **approve** this amendment is based upon the "Status/Description" and "Comprehensive Plan Implications" as set forth in the staff report on p.2-3, concluding that at this time this site cannot be provided with sanitary sewer service per city standards. It is designated for "Priority B" development in the Comprehensive Plan, meaning sanitary sewer and other services are more than 10 years away. The applicant has requested the small area of commercial use designation at S. 84th and Karl Ridge Road in order to aid their long term planning for the site. The location is a 1/4 mile north of the intersection of 84th and Van Dorn. Turning movements at Karl Ridge Road will not interfere with the future intersection of the two arterial streets. The commercial designation is based on this future development conforming to the goals of the Comprehensive Plan, by providing a mixed use, pedestrian oriented neighborhood with a mix of commercial uses and a mix of residential uses.
2. Comments submitted by Public Works & Utilities are found on p.7.
3. The minutes of the Planning Commission are found on p.4. The applicant was available to answer questions.
4. There was no testimony in opposition.
5. On May 19, 2004, the Planning Commission agreed with the staff recommendation and voted 6-0 to recommend **approval**.

FACTSHEET PREPARED BY: Jean L. Walker

DATE: June 1, 2004

REVIEWED BY: _____

DATE: June 1, 2004

REFERENCE NUMBER: FS\CC\2004\CPA.02001A

2004 COMPREHENSIVE PLAN ANNUAL REVIEW

New Staff Report April 28, 2004

Amendment #02001 - A Commercial at Northeast Corner of 84th & Van Dorn

Applicant	Location	Proposal
Robert Wiegel, Realty Trust Group	Northeast corner of 84th & Van Dorn	Change approximately 6 acres from Urban Residential to Commercial use
Recommendation: Approval. While this site will not be provided with sanitary sewer service for more than 10 years, the small area of commercial designation as part of a future, pedestrian oriented, mixed use development is appropriate.		

Status/Description

On January 28, 1998 the Planning Commission unanimously recommended denial of an application for over 20 acres of commercial use on a 7-0 vote, as part of the 1998 Annual Review of the Comprehensive Plan. After public hearing at the City Council, the amendment was placed on pending and then on October 1st, 1998 it was withdrawn by the applicant.

The applicant then submitted a request for commercial use as part of the draft 2025 Comprehensive Plan. In May 2002, the Council and Board decided to send this request to the Planning Commission. This proposal was considered as part of Comprehensive Plan Amendment #02001. The amendment for over 20 acres of commercial use had public hearing on October 16, 2002 and was recommended for denial by a 9-0 vote of the Planning Commission. The amendment then had a hearing before the City Council and County Board in November 2002 and was put on pending at the request of the applicant. At the time, the applicant wanted time to see if part of the property could be provided with sanitary sewer service in the near term.

After reviewing options with staff, it was apparent that the site could not be provided with sanitary sewer service per city standards. During this period, the applicant also provided further details on their concept for a mixed use, pedestrian oriented development. On February 19th, 2004 the applicant revised their request to only 6 acres of commercial use and moved the location to the intersection of Karl Ridge Road and S. 84th Street. In March 2004, the City Council and County Board removed this amendment from pending and forwarded it to the Planning Commission for a new public hearing.

To the west across S. 84th Street is an apartment complex, to both the north and east is agricultural land. To the south across Van Dorn Street is the Firethorn golf course and the Lincoln Benefit Life offices.

Comprehensive Plan Implications

This property is inside the future service limit and is designated as "Priority B" in the Plan (page F 31). Priority B areas currently lack infrastructure and are shown for development generally beyond the next 12 years. Development in the near term is not in keeping with Priority B designation. This site is in the Stevens Creek drainage basin and can not be provided with sanitary sewer service per city standards. The applicant has explored many sewer options in the near term, but they all failed to meet city standards.

The revised application is discussed as part of a proposed mixed-use “life style” center. The Comprehensive Plan in numerous sections encourages a mix of land uses and housing types. Initially, the applicant was requesting a larger commercial development and “Neighborhood Center” designation in the Comprehensive Plan. Neighborhood Centers are typically 15 to 20 acres in size and up to 200,000 square feet in floor area. The process for designating Neighborhood Centers in the Comprehensive Plan (page F 47 of the Plan) is for their location to be determined as services and development proceeds within an area. Development in the square mile from 84th to 98th, from A Street to Van Dorn (Priority B area) is potentially more than 10 years away.

The current application is for only 6 acres, which might typically support about 60,000 square feet of floor area. The Plan on page F 46 states that “*Neighborhood Centers typically range in size from 150,000 to 250,000 square feet of commercial space.*” Thus, this request falls below the expected level for a Neighborhood Center. The designation of 6 acres should not significantly impact the future designation of a Neighborhood Center in this square mile. It is possible that the larger Neighborhood Center would be located at a different site in this square mile in the future.

The Comprehensive Plan has encouraged that “*Neighborhood Centers should generally not develop at corners of intersections of two arterial streets due to limited pedestrian accessibility and impact on the intersection – locations 1/4 to 1/2 mile from major intersections are encouraged.*” While this application is not for a Neighborhood Center, the general principle of encouraging access at the 1/4 or 1/2 mile point is met with this application.

Conclusion

At this time this site can not be provided with sanitary sewer service per city standards. It is designated for “Priority B” development in the Comprehensive Plan, meaning sanitary sewer and other services are more than 10 years away. The applicant has requested the small area of commercial use designation at S. 84th and Karl Ridge Road in order to aid their long term planning for the site. The location is a 1/4 mile north of the intersection of 84th and Van Dorn. Turning movements at Karl Ridge Road will not interfere with the future intersection of the two arterial streets. The commercial designation is based on this future development conforming to the goals of the Comprehensive Plan, by providing a mixed use, pedestrian oriented neighborhood with a mix of commercial uses and a mix of residential uses.

1. Amend the Lincoln/ Lancaster County Land Use Plan, on page F 23, to reflect the small commercial area of approximately 6 acres as shown on attached map.

Prepared by

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COMPREHENSIVE PLAN AMENDMENT NO. 02001A,

PUBLIC HEARING BEFORE PLANNING COMMISSION:

May 19, 2004

Members present: Carlson, Marvin, Taylor, Carroll, Krieser and Bills-Strand; Larson, Sunderman and Pearson absent.

Staff recommendation: Approval.

Proponents

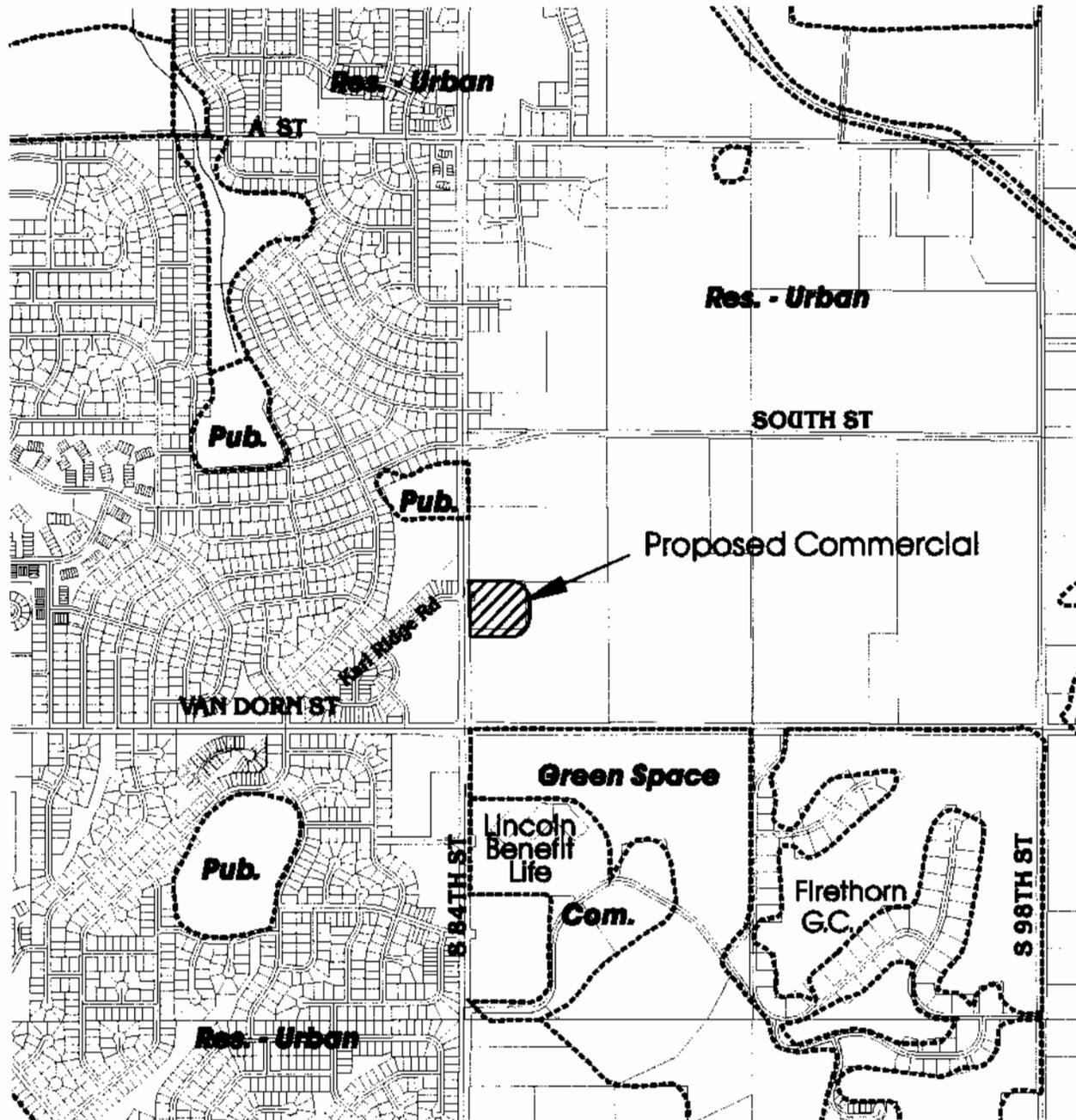
1. **Mike Marsh**, Vice President of **Realty Trust Group**, appeared to answer questions.

There was no testimony in opposition.

ADMINISTRATIVE ACTION BY PLANNING COMMISSION:

May 19, 2004

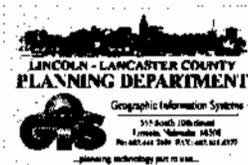
Carlson moved approval, seconded by Carroll and carried 6-0: Carlson, Marvin, Taylor, Carroll, Krieser and Bills-Strand voting 'yes'; Larson, Sunderman and Pearson absent.



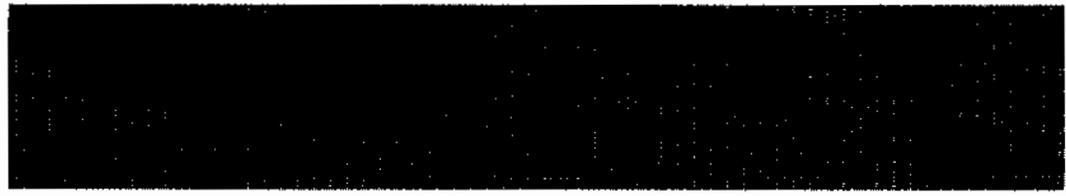
S 84th & Karl Ridge Road

Comprehensive Plan Amendment 02001A

- Land Use Boundary
- Res** Land Use Category
-  From Urban Residential to Commercial



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February 19, 2004

TO: Steve Hendricksen Planning

FROM: Rick Hoppe for Realty Trust Group

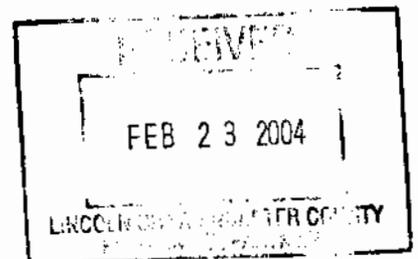
RE: 84th & Van Dorn Property

Currently, Realty Trust has an application pending for inclusion of their 40 acres of property at 84th & Van Dorn as a commercial center. We request that the application be amended to the six acres in the property's northwest corner. The ground starts at the north property line and runs approximately 600 feet south and 400 feet east from 84th.

We believe that the area is clearly suited for commercial development as part of a larger mixed use project at some future point. The location near the intersection of 84th & Van Dorn and Lincoln Benefit Life could serve many Lincolniters. It is situated near an area where a median opening has already been approved and is one-quarter of a mile north of the 84th & Van Dorn intersection, creating appropriate access and appropriate spacing. Its elevation would require little or no fill to ensure adequate flow.

Realty Trust acknowledges that inclusion in the Comprehensive Plan does not solve the area's sewerage needs. They expect to develop the property as infrastructure is built from the Stevens Creek Basin or if current infrastructure capacity in other areas is increased.

By establishing the six acres as commercial in the Comprehensive Plan, Realty Trust will be better able to plan for the future of a mixed use development that integrates residential and commercial uses.



Amendment 04014 — NW 70th & West Superior

The proposed area is currently a Tier I Priority A area. This area would be served by an extension of a sewer connected by an extension of a sewer connected to the end of an existing 21" diameter line at approximately NW 66th St and west Luke St. extended. However, downstream improvements on the existing trunk lines and Oak Creek siphon located on West Mathis St and the Oak Creek Trunk Sewer west of the Airport Runway are necessary to increase capacity and to serve the added flows from this area. These improvements are currently identified in the 2003-09 CIP for completion in 2007. These improvements require approval of the CIP in upcoming years. Achieving the Oak Creek Trunk Sewer Construction project as listed in the 2003-09 CIP will require sewer rate increases. Sewers 8" and smaller required to serve this area will be at the Developer's expense. The Theresa Street Treatment Plant has available capacity to serve this development.

Amendment 04015 — South 70th & Yankee Hill Road

This proposed area is the quarter section on the southeast corner of 70th & Yankee Hill Road. Before this area could be served the Beal Slough Relief Sewer Phase I must be completed and a trunk sewer would need to be extended from the existing end of the trunk line located at approximately 66th and Pine Lake Road. The Beal Slough Relief sewer and the extension of this sub-basin trunk line into this area is currently shown in the 2003-09 CIP and scheduled for completion in 2006. This identified future CIP project requires approval of the CIP in the upcoming years. Achieving the construction projects shown in the CIP will require sewer rate increases. Additional 8" sewers will be required to serve this area at the developer's expense. The Theresa Street Treatment Plant has available capacity to serve this development.

Amendment 04016 — Northwest Oak Creek Basin

The proposed area is a large area with multiple areas of development encompassing areas south, west, and north of the airport. Some of the areas identified in this amendment are currently in Tiers I, II, and III. Additional information will be required to make a recommendation. A number of downstream improvements have been identified in the 2003-09 CIP that are necessary to serve this area. A detailed engineering study is necessary to determine the sub-basin sewer requirements for serving this proposed area. Achieving the construction projects shown in the CIP will require sewer rate increases. Additional 8" sewers will be required to serve this area at the developer's expense. The Theresa Street Treatment Plant has available capacity to serve this development.

Amendment 02001 — 84th & Van Dorn

 The proposed area is in the Stevens Creek Basin. This area can be served by the future Stevens Creek Trunk Sewer. The Stevens Creek Trunk Sewer is not scheduled to reach this area, Van Dorn Street, within the next 15 years. Achieving the Stevens Creek Trunk Sewer Construction project as listed in the 2003-09 CIP will require sewer rate increases. These improvements require approval of the CIP in upcoming years. Sewers 8" and smaller required to serve this area will be at the Developer's expense. The Northeast Treatment Plant has available capacity to serve this development.