

City Council Introduction: **Monday**, August 30, 2004
Public Hearing: **Monday**, September 13, 2004, at **1:30 p.m.**

Bill No. 04R-227

FACTSHEET

TITLE: **USE PERMIT NO. 126B**, an amendment to the **Wilderness Woods Office Park**, requested by Wilderness Ridge, L.L.C., to revise the boundaries by removing the area of the parking lot from the use permit, with a waiver to reduce the rear yard setback, on property generally located southwest of South 27th Street and Yankee Hill Road.

STAFF RECOMMENDATION: Conditional Approval.

ASSOCIATED REQUESTS: Change of Zone No. 04048 (04-164) and Special Permit No. 1692C, an amendment to the Wilderness Ridge Community Unit Plan (04R-226).

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: Consent Agenda: 08/18/04
Administrative Action: 08/18/04

RECOMMENDATION: Conditional Approval (8-0: Carlson, Carroll, Krieser, Marvin, Pearson, Bills-Strand, Sunderman and Taylor voting 'yes'; Larson absent).

FINDINGS OF FACT:

1. This amendment to the Wilderness Woods Office Park and the associated Change of Zone No. 04048 and amendment to the Wilderness Ridge Community Unit Plan were heard at the same time before the Planning Commission.
2. This amendment removes the parking lot from the use permit and adds it to the community unit plan special permit.
3. The staff recommendation of conditional approval is based upon the "Analysis" as set forth on p.3, concluding that the request complies with the requirements of the Zoning Ordinance and is in conformance with the Comprehensive Plan.
3. On August 18, 2004, this application appeared on the Consent Agenda of the Planning Commission and was opened for public hearing. No one came forward to speak.
4. On August 18, 2004, the Planning Commission agreed with the staff recommendation and voted 8-0 to recommend conditional approval.

FACTSHEET PREPARED BY: Jean L. Walker

DATE: August 23, 2004

REVIEWED BY: _____

DATE: August 23, 2004

REFERENCE NUMBER: FS\CC\2004\UP.126B

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for , August 18, 2004 PLANNING COMMISSION MEETING

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.

P.A.S.: Change of Zone #04048 - From O-3 to R-3
Special Permit #1692C - Wilderness Woods Golf Course
Use Permit #126B - Wilderness Woods Office Park

PROPOSAL: To change the zoning on an existing parking lot from O-3 to R-3, and remove it from the O-3 district and include it with the golf course as part of the Wilderness Woods Golf Course.

LOCATION: Southwest of South 27th Street and Yankee Hill Road.

WAIVER REQUEST: Rear yard setback in the O-3 from 20' to 15'.

LAND AREA: Approximately 1.2 acres (this only includes the land area subject to the change of zone and to be transferred from O-3 to R-3).

CONCLUSION: This request is complies with the requirements of the Zoning Ordinance and complies with the Comprehensive Plan.

RECOMMENDATION:

Change of Zone #04048
Special Permit #1692C
Use Permit #126B

Waiver to rear yard setback from 20' to 15'

Approval
Conditional Approval
Conditional Approval
Approval

GENERAL INFORMATION:

LEGAL DESCRIPTION: CZ#04048 - See attached legal description.
SP#1692C - See attached legal description.
UP#126B - See attached legal description.

EXISTING ZONING: O-3 Office Park

PROPOSED ZONING: R-3 Residential

EXISTING LAND USE: Parking lot.

SURROUNDING LAND USE AND ZONING:

North:	Office Park	O-3
South:	Wilderness Woods Golf Course and Clubhouse	R-3
East:	Wilderness Woods Golf Course and Clubhouse	R-3
West:	Office Park	O-3

ANALYSIS:

1. Wilderness Woods includes both R-3 and O-3 zoning. The R-3 accommodates both residential development and a golf course approved by special permit in 1997. The O-3 was approved for up to 275,000 square feet of office space and associated parking lots by use permit in 2000.
2. A significant portion of the residential component is built-out, and the golf course including the club house have been built. The O-3 is yet to be developed with the exception of a parking lot, located adjacent to and northwest of the clubhouse.
3. The parking lot was intended to be a joint-use lot, serving both the office uses and the clubhouse. As is, the office uses have not been developed. Parking lots are allowed on the O-3, but only as an accessory use. Without offices to support, a parking lot is considered a principal use and is not allowed.
4. This request revises the boundaries by removing the area of the parking lot from the use permit and including it in the special permit. It then becomes part of the special permit for the golf course and is allowed as an accessory use to the clubhouse.
5. The waiver to the front setback is requested to provide a uniform setback from property lines for the O-3 district, with the exception of the east boundary which is adjacent to residential and where the setback is 20'. A 15' setback was considered adequate considering the remainder of the O-3 was surrounded by golf course and the impact of the reduced setback was negligible.

CONDITIONS:

Use Permit #126B

Site Specific:

1. This approval permits a waiver of the rear setback from 40' to 15' for Wilderness Woods office park.

General:

2. Before receiving building permits:
 - 2.1 The permittee shall have submitted a five copies of the final plan and the plans are acceptable.
 - 2.2 The construction plans shall comply with the approved plans.

Standard:

3. The following conditions are applicable to all requests:
 - 3.1 Before occupying the buildings all development and construction shall have been completed in compliance with the approved plans.
 - 3.2 All privately-owned improvements shall be permanently maintained by the owner or an appropriately established homeowners association approved by the City Attorney.
 - 3.3 The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
 - 3.4 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
 - 3.5 The applicant shall sign and return the letter of acceptance to the City Clerk within 30 days following the approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filling fees therefor to be paid in advance by the applicant.
4. The site plan as approved with this resolution voids and supersedes all previously approved site plans, however all resolutions approving previous permits remain in force unless specifically amended by this resolution.

Prepared by:

Brian Will
441-6362, bwill@lincoln.ne.gov
Planner

August 4, 2004

CONTACT: Seacrest and Kalkowski
1111 Lincoln Mall Suite 350
Lincoln, NE 68508
(402) 435-6000

APPLICANT: Wilderness Ridge, LLC
8020 O Street
Lincoln, NE 68510

Owner: Ridge Development Company
PO Box 22296
Lincoln, NE 68542
(402) 421-1627

Southview, Inc.
3901 Normal Blvd Ste. 203
(402) 436-3111

Large Partnership, Ltd.
9505 South 27th Street
Lincoln, NE 68512
(402) 423-6961

USE PERMIT NO. 126B

CONSENT AGENDA
PUBLIC HEARING & ADMINISTRATIVE ACTION
BEFORE PLANNING COMMISSION:

August 18, 2004

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

The Consent Agenda consisted of the following items: **CHANGE OF ZONE NO. 04043; CHANGE OF ZONE NO. 04047; CHANGE OF ZONE NO. 04048; SPECIAL PERMIT NO. 1692C, Amendment to the WILDERNESS RIDGE COMMUNITY UNIT PLAN; USE PERMIT NO. 126B; USE PERMIT NO. 117A; USE PERMIT NO. 123C; SPECIAL PERMIT NO. 04004A, Amendment to the STONE BRIDGE CREEK COMMUNITY UNIT PLAN; and COUNTY FINAL PLAT NO. 04075, OAK PRAIRIE ESTATES.**

Item No. 1.1, Change of Zone No. 04043, and Item No. 1.6, Special Permit No. 04004A, were removed from the Consent Agenda and scheduled for separate public hearing.

Marvin moved to approve the remaining Consent Agenda, seconded by Carroll and carried 8-0: Carlson, Carroll, Krieser, Marvin, Pearson, Bills-Strand, Sunderman and Taylor voting 'yes'; Larson absent.



2002 aerial

Use Permit #126B S. 14th & Yankee Hill Rd.

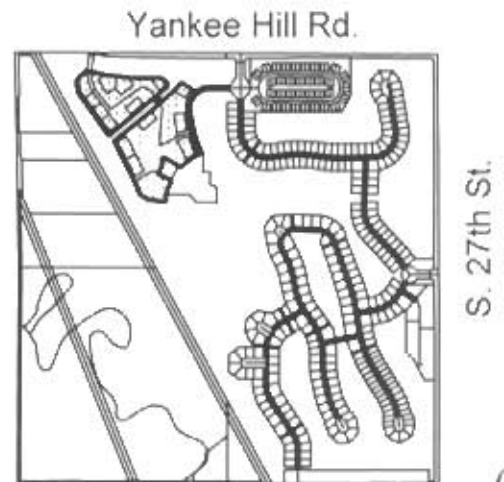
Zoning:

- 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
- I-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. 25 T9N R6E



Zoning Jurisdiction Lines
City Limit Jurisdiction



Rokeby Rd.

07

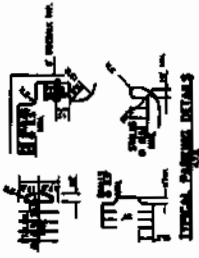
WILDERNESS WOODS OFFICE PARK

PREPARED BY THE ARCHITECT



NO.	DESCRIPTION	DATE
1	FOUNDATION	10/10/98
2	WALLS	10/10/98
3	ROOF	10/10/98
4	FLOORING	10/10/98
5	MECHANICAL	10/10/98
6	ELECTRICAL	10/10/98
7	PLUMBING	10/10/98
8	PAINTING	10/10/98
9	FURNITURE	10/10/98

GENERAL NOTES:
1. REFER TO SHEET 1 OF 2 FOR SITE PLAN.
2. REFER TO SHEET 2 OF 2 FOR MECHANICAL PLAN.
3. REFER TO SHEET 3 OF 2 FOR ELECTRICAL PLAN.
4. REFER TO SHEET 4 OF 2 FOR PLUMBING PLAN.



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AG

GENERAL NOTES
1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF ALBUQUERQUE ZONING ORDINANCE AND ANY APPLICABLE SUPPLEMENTAL ORDINANCES.
2. THE ZONING DISTRICT IS AG (GENERAL OFFICE).
3. THE PROJECT IS SUBJECT TO THE CITY OF ALBUQUERQUE DESIGN REVIEW PROCESS.
4. THE ARCHITECT HAS CONDUCTED VISUAL ANALYSES OF THE PROJECT AND DETERMINED THAT THE PROJECT IS IN SUBSTANTIAL COMPLIANCE WITH THE CITY OF ALBUQUERQUE ZONING ORDINANCE.
5. THE ARCHITECT HAS CONDUCTED VISUAL ANALYSES OF THE PROJECT AND DETERMINED THAT THE PROJECT IS IN SUBSTANTIAL COMPLIANCE WITH THE CITY OF ALBUQUERQUE ZONING ORDINANCE.

EXHIBIT A - LANDSCAPE PLAN
1. THE LANDSCAPE ARCHITECT HAS CONDUCTED VISUAL ANALYSES OF THE PROJECT AND DETERMINED THAT THE PROJECT IS IN SUBSTANTIAL COMPLIANCE WITH THE CITY OF ALBUQUERQUE ZONING ORDINANCE.
2. THE LANDSCAPE ARCHITECT HAS CONDUCTED VISUAL ANALYSES OF THE PROJECT AND DETERMINED THAT THE PROJECT IS IN SUBSTANTIAL COMPLIANCE WITH THE CITY OF ALBUQUERQUE ZONING ORDINANCE.

- GENERAL CONTRACTOR
- MECHANICAL CONTRACTOR
- ELECTRICAL CONTRACTOR
- PLUMBING CONTRACTOR
- PAINTING CONTRACTOR
- FURNITURE CONTRACTOR



LARGE PARTNERSHIP LIMITED
MR. RICHARD L. LARGE
GENERAL PARTNERSHIP
9505 SOUTH 27TH STREET
LINCOLN, NE. 68516
PHONE: 423-6961

SOUTHVIEW, INC.
SUITE 203
3901 NORMAL BLVD.
LINCOLN, NE. 68506-5250
PHONE: 436-3111

▲ LEGAL DESCRIPTION
USE PERMIT #1268

LOTS 1 THROUGH 15, AND OUTLOT 'A', WILDERNESS WOODS OFFICE PARK ADDITION LOCATED IN THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 9 NORTH, RANGE 6 EAST OF THE 6TH P.M., CITY OF LINCOLN, LANCASTER COUNTY, NEBRASKA, EXCEPT FOR THAT PORTION OF SAID OUTLOT 'A', MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A SOUTHEAST CORNER OF SAID OUTLOT 'A', SAID POINT ALSO BEING THE NORTHEAST CORNER OF LOT 1, WILDERNESS WOODS OFFICE PARK ADDITION; THENCE, WESTERLY, ALONG THE NORTH LINE OF SAID LOT 1, ON AN ASSUMED BEARING OF NORTH 64 DEGREES 40 MINUTES 15 SECONDS WEST A DISTANCE OF 190.75 FEET; THENCE NORTH 32 DEGREES 36 MINUTES 24 SECONDS EAST A DISTANCE OF 23.57 FEET; THENCE AROUND A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A RADIUS OF 264.00 FEET, A DELTA ANGLE OF 32 DEGREES 36 MINUTES 24 SECONDS, AN ARC LENGTH OF 150.24 FEET, A CHORD BEARING OF NORTH 16 DEGREES 18 MINUTES 12 SECONDS EAST AND A CHORD LENGTH OF 148.22 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST A DISTANCE OF 41.94 FEET; THENCE SOUTH 64 DEGREES 15 MINUTES 00 SECONDS EAST A DISTANCE OF 267.71 FEET TO THE EASTERLY LINE OF SAID OUTLOT 'A'; THENCE AROUND A CURVE IN A COUNTER CLOCKWISE DIRECTION, ALONG SAID EASTERLY LINE, SAID LINE ALSO BEING THE WESTERLY LINE OF LOT 1, WILDERNESS RIDGE 1ST ADDITION, HAVING A RADIUS OF 725.00 FEET, A DELTA ANGLE OF 16 DEGREES 36 MINUTES 03 SECONDS, AN ARC LENGTH OF 210.06 FEET, A CHORD BEARING OF SOUTH 35 DEGREES 59 MINUTES 48 SECONDS WEST AND A CHORD LENGTH OF 209.33 FEET TO THE POINT OF BEGINNING.

SAID TRACTS CONTAIN A CALCULATED AREA OF 1,281,437.56 SQUARE FEET OR 29.42 ACRES, MORE OR LESS.

22 July 2004

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OF TURN
WILDERNESS
)

SEACREST & KALKOWSKI, P.C.

1111 LINCOLN MALL, SUITE 350
LINCOLN, NEBRASKA 68508-3905

TELEPHONE (402) 435-6000
FACSIMILE (402) 435-6100

KENT SEACREST
E-MAIL: kent@sk-law.com

DANAY KALKOWSKI
E-MAIL: danay@sk-law.com

July 22, 2004

HAND DELIVERY

Marvin Krout
Planning Director
County-City Building
555 South 10th Street
Lincoln, NE 68508

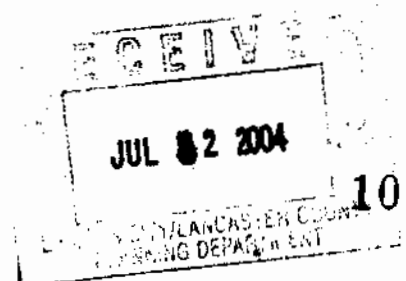
RE: Amendment to Wilderness Woods Office Park Use Permit No. 126A; Amendment to Wilderness Ridge Community Unit Plan Special Permit No. 1692B; and Change of Zone from O-3 to R-3

Dear Marvin:

Our office represents Wilderness Ridge, LLC, the owner of the Wilderness Ridge Golf Course and Clubhouse, as well as Ridge Development Company, Southview, Inc. and Large Partnership, Ltd., the developers and primary owners of Wilderness Woods Office Park. Our clients are requesting amendments to above referenced Use Permit and Special Permit to add an additional parking area for the Wilderness Ridge Clubhouse. To facilitate this change, the clients are requesting that approximately one acre of Outlot A, Wilderness Woods Office Park Addition be removed from Use Permit No. 126A and be added to Special Permit No. 1692B. In addition, the clients are requesting that the zone on that portion of Outlot A be changed from O-3 to R-3. By separate cover, Olsson Associates will be submitting a new final plat which replats the clubhouse lot to include this new portion of Outlot A.

The portion of Outlot A affected by the amendments is located adjacent to the existing clubhouse lot. The removal of this portion of Outlot A from the Use Permit does not compromise the parking needed for the Wilderness Woods Office Park. Enclosed herein please find the following documents:

- A. Wilderness Woods Office Park Use Permit No. 126A Amendment
 1. 21 copies of the site plan
 2. 9 copies of the grading and drainage plan
 3. 5 copies each of sheets L1.1, L1.2, L1.3, the landscaping plans
 4. \$740 application fee
 5. Application
 6. Ownership Certificate
 7. 8 ½ x 11 reduced site plan



- B. Wilderness Ridge Special Permit No. 1692B Amendment
1. 21 copies of the site plan
 2. 9 copies of the grading and drainage plan
 3. 5 copies of the landscaping plan
 4. \$740 application fee
 5. Application
 6. Ownership Certificate
 7. 8 ½ x 11 reduced site plan
- C. Change of Zone from O-3 to R-3 for a portion of Outlot A
1. Change of Zone Exhibit
 2. \$270 application fee
 3. Application

In addition to the above amendment requests, the clients are requesting a reduction in the front yard setback along the western boundary of Use Permit No. 126A from 40 feet to 15 feet. The Wilderness Woods Office Park has been designed to have internal lots surrounded by an outlot for green space and parking. The Use Permit site plan assigned a front, side and rear yard setback to the entire site. The western boundary was assigned as a front yard, although it actually borders the golf course. The reduction of the setback allows for a consistent building theme to be maintained for the lots on the north side of the channel within the Use Permit. A 15 foot setback is consistent with the side yard setback that is designated for the northern boundary of the Use Permit and will permit more flexibility in locating buildings within the Office Park.

We look forward to working with you on these requested amendments. If you have any questions or need any additional information, please feel free to give me a call.

Very truly yours,


DANAY KALKOWSKI
For the Firm

Enclosures

cc: Ridge Development Company
Southview, Inc.
Large Partnership, Ltd.

