

FACTSHEET

TITLE: CHANGE OF ZONE NO. 13009, the **Campbell's Planned Unit Development**, requested by Campbell's Nursery, on property generally located east of the intersection of South 40th Street and Lake Street.

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: 05/15/13
Administrative Action: 05/15/13

STAFF RECOMMENDATION: Conditional approval

RECOMMENDATION: Conditional approval, with amendment to Condition #1.8 (7-0: Gaylor Baird, Corr, Cornelius, Lust, Scheer, Weber and Hove voting 'yes'; Sunderman absent).

FINDINGS OF FACT:

1. This proposed **Campbell's Planned Unit Development** requests a change of zone from R-2 Residential to O-3 Office Park on approximately eight acres, more or less, to allow a mixed-use development including residential, office and commercial uses generally located east of the intersection of South 40th Street and Lake Street, with adjustments to setbacks as provided for in the associated "Campbell's P.U.D. Development Plan" as set forth on p.18-20.
2. The staff recommendation of conditional approval is based upon the "Analysis" as set forth on p.4-6, concluding that, subject to the recommended conditions of approval, the proposed PUD complies with the Zoning Ordinance and 2040 Comprehensive Plan. The staff presentation is found on p.9.
3. The applicant's testimony is found on p.9-10, including a proposed amendment to Condition #1.8 (p.23). Additional information submitted by the applicant, including signatures by those who attended the neighborhood meeting conducted by the applicant, is found on p.24-29. Other testimony in support is found on p.11.
4. There was no testimony in opposition.
5. On May 15, 2013, the Planning Commission agreed with the staff recommendation and voted 7-0 to recommend conditional approval as set forth in the staff report dated May 1, 2013, with amendment to Condition #1.8 as requested by the applicant and agreed upon by staff.

FACTSHEET PREPARED BY: Jean L. Preister

DATE: May 28, 2013

REVIEW ED BY: Marvin Krout, Director of Planning

DATE: May 28, 2013

REFERENCE NUMBER: FS\CC\2013\CZ13009 PUD



LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for May 15, 2013 PLANNING COMMISSION MEETING

****As Revised and Recommended for Conditional Approval by
Planning Commission: May 15, 2013****

PROJECT #: Change of Zone #13009 - Campbell's Planned Unit Development (PUD)

PROPOSAL: An O-3 Office Park PUD to allow a mixed-use development including residential, office and commercial uses.

LOCATION: South 40th and Lake Streets

LAND AREA: Approximately 7.87 acres

EXISTING ZONING: R-2 Residential

PROPOSED ZONING: O-3 Office Park Planned Unit Development

WAIVERS: 1. Per Section 27.72.030 - Adjust setbacks

CONCLUSION: Subject to the recommended conditions of approval, this request complies with the Zoning Ordinance and Comprehensive Plan.

RECOMMENDATION:

CZ#13009 from R-2 to O-3 PUD

Conditional Approval

WAIVERS:

Adjust setbacks

Conditional Approval

GENERAL INFORMATION:

LEGAL DESCRIPTION: Lots 405 and 460 I.T., located in the SW 1/4 of Section 32-10-7, Lancaster County, Nebraska

EXISTING LAND USE: Garden Center/Nursery

SURROUNDING LAND USE AND ZONING:

North:	Residential, Office	R-5 (PUD)
South:	Residential	R-2
East:	Eden Park	P
West:	Residential	R-2

HISTORY: Jul 1955 - SP#71 was approved allowing an early childhood care facility.

Nov 1957 - SP#125 was approved allowing the expansion of a nonconforming use.

Oct 1961 - SP#217 was approved to allow an addition to the existing nursery.

Nov 1964 - SP#266 was approved to allow greenhouses and a workshop.

Dec 1964 - SP#294 was approved to allow an illuminated ground sign.

Oct 1967 - SP#394 was approved to allow a garden center.

COMPREHENSIVE PLAN SPECIFICATIONS:

Page 17 - The Future Land Use Map designates urban residential land uses for the area of this PUD.

Page 6.2 - Building Principles, Mixed Use Redevelopment

-Occur on sites supported by adequate road and utility capacity.

-Be located and designed in a manner compatible with existing or planned land uses.

-Enhance entryways when developing adjacent to these corridors.

-Provide a diversity of housing types and choices throughout each neighborhood for an increasingly diverse population.

-Help to create neighborhoods that include homes, stores, workplaces, schools, and places to recreate.

Page 71- Strategies for New and Existing Urban Neighborhoods - The key to both new and existing urban neighborhoods is diversity. For new neighborhoods, it is having a greater mix of housing types and land uses. New neighborhoods should have a variety of housing types and sizes, plus commercial and employment opportunities. Developing a pedestrian orientation of buildings and streets is also a priority.

UTILITIES: The site is currently served by public utilities. They are available with adequate capacity to serve the proposed development.

TOPOGRAPHY: The grade is relatively flat across the site, and significant slope should not be an issue during redevelopment of the site.

TRAFFIC ANALYSIS: South 40th Street is a minor arterial street, improved as a two-plus-one with center turn lane facility. The nursery currently has four driveways onto South 40th Street, but after combining and relocating driveways the number of drives onto South 40th Street will eventually be reduced to two.

South 41st Street and Antelope Creek Road both dead-end at the edge of the site. Neither are proposed to be extended through the site, and neither is to be used for access. The one exception is that if Lot 3 is developed residentially, the lot will have access to Antelope Creek Rd. There is also a provision that will allow access for emergency responders only if required by the City of Lincoln in conjunction with the garden center relocating to Lot 3.

AESTHETIC CONSIDERATIONS: The site is adjacent to an older, well-established neighborhood on the south and west which are accustomed to living near a nursery and greenhouses. If land uses change, those other than residential should provide adequate separation, screening and landscaping to mitigate the impact of redevelopment.

ANALYSIS:

1. This is a request for a change of zone from R-2 Residential to O-3 Office Park with a Planned Unit Development overlay over the 8 acre site. The goal is provide a new home for a family medical practice seeking to relocate, and to provide for the continued operation of the nursery and garden center. The plan proposed incorporates flexibility, but limits the range of uses allowed in order to remain compatible with surrounding uses.
2. The plan submitted is conceptual in that specific plan details are not shown at this time. The PUD provides that all necessary information required with a preliminary plat will be submitted as necessary prior to development, to be approved by administrative amendment. This request is for the change of zone, approval of the overall concept plan, and the associated development which proposes limits on uses, building heights, and other zoning restrictions
3. The site plan shows the PUD consisting of three lots. Specific development restrictions are proposed in the development for each lot which relate to access, uses, height, and signs. The development regulations that relate to each lot are as follows:

Lot 1 (northern lot) - All uses allowed per the PUD Development plan. This would permit any of the allowed uses in the development plan including residential, office, and retail (provided that gross floor area is limited to 7,500 square feet per user per building) subject to the applicable limitations.

Lot 2 (southwestern lot) - Uses are limited to Office (which includes medical office) but is limited in height to one-story. No other uses are allowed on this lot.

Lot 3 (southeastern lot) - Uses are limited to garden center/nursery, office (which includes medical office), or residential. This would allow the garden center to relocate to this lot in the future if commercial development occurs on Lot 1, but would also allow an office building in a manner similar to Lot 2. It is noted that all non-residential uses will be limited to one-story in height, and will not take access to South 41st Street or Antelope Creek Road. However, emergency access to Antelope Creek Road is allowed if required by the City.

Residential uses, except apartments, are also allowed on this lot. The maximum density shall not exceed seven dwelling units per acre, and if developed residentially access to Antelope Creek Road will be allowed. The dwellings can be up to two-stories in height.

4. The development plan modifies the uses allowed in the O-3 district as follows:

Adds as Permitted Uses: Greenhouses, garden centers, car wash, outdoor retail and outdoor seasonal sales, retail sales, and academies.

Prohibits: Multiple-family dwellings, group homes, broadcast towers and stations, wind energy systems, industrial trade schools, hotels and motels, mail order business, outdoor recreation, and temporary concrete paving plant.

These additions and deletions are compatible given the way uses are restricted on a lot by lot basis. However, the wind energy system should be modified to allow individual wind energy systems on individual buildings.

5. The primary access to the site will be off South 40th Street at Lake Street, with a common access easement for all three lots. This easement needs to be widened enough to allow for a 4'-wide sidewalk, 8' back from the curb on a 36'-wide street cross-section as required by Design Standards. Additionally, while access is provided by an access easement, it will look and function like a street and street trees should be provided along its extent.

Connections to South 41st Street and Antelope Creek Road are not proposed, with one exception. If Lot 3 is developed residentially, access will be to Antelope Creek Road instead of South 40th Street. A provision is also included to allow for emergency access if the garden center relocates to the lot, but only if required by the City, and only for emergency vehicles. Also shown are the four driveways onto South 40th Street eventually being combined and reduced to two, one each for Lot 1 and Lot 2.

6. A waiver to internal setbacks is requested. The 20 foot front setback for the O-3 should be provided around the perimeter of the development, but be expanded to include parking. Otherwise, an adjustment to setbacks internal to the development is appropriate.
7. The O-3 sign regulations allow each lot to have a freestanding sign on the lot, along with a center sign. For this development that equates to four signs overall, three of which could be located along South 40th Street. If the site develops with office or the relocated garden center, it is requested that Lot 3 be allowed to locate its free-standing sign along South 40th Street. This is possible if, for the purpose of sign regulations, the site is treated as one premises. However, in exchange for locating the additional ground sign for Lot 3 along South 40th Street, the center sign allowed in the O-3 district should then be deleted. The net result will still three signs along South 40th Street, but one less sign for the center overall.
8. Public Works and Utilities Department notes an easement along the south lot line that is not shown. It needs to be added to the plan as it will affect development on Lots 2 and 3. Also, the length of the turn lanes in South 40th Street may not be adequate given the lack of a traffic study. At the time of administrative amendment and prior to development, actual turn lane lengths will need to be approved by Public Works and Utilities. It is also noted that no drainage or storm water detention is shown at this time, but will be required to meet the applicable standards or be granted waivers at the time of administrative amendment.
9. Minor revisions to the site plan and development plan were noted by staff, and they are also included in the recommended conditions of approval.

CONDITIONS:

This approval changes the zoning from R-2 to O-3 PUD for approximately 7.87 acres of land with adjustments to setbacks for residential, office and commercial uses as provided for in the associated development plan which also a part of this PUD.

Site Specific

1. Upon approval of the planned unit development by the City Council, the developer shall cause to be prepared and submitted to the Planning Department 5 copies of a revised final site plan and development plan before receiving building permits.
 - 1.1 Modify Note #1 of the Development Plan by deleting the first sentence, and adding "AND NEED NOT BE SHOWN ON THE PLAN" at the end of the second sentence.
 - 1.2 Delete Note #2 of the Development Plan.
 - 1.3 Delete the word "WOULD" from the first sentence of the first paragraph on page 2 of the Development Plan.
 - 1.4 Delete the words "IS A PERMITTED USE" from the list of inclusions or increases, but add them to the sub-titles of Agricultural Use Groups and Retail Sales and Services Use Groups on page 2 of the Development Plan.
 - 1.5 Modify 3 c) on page 2 of the Development Plan to allow individual wind energy systems for individual buildings.
 - 1.6 Delete Note #13 and Modify Note #12 of the Development Plan to include "OFF-PREMISES SIGNS ARE PROHIBITED EXCEPT THAT FREESTANDING SIGNS WHICH SERVE TO ADVERTISE BUSINESS CONDUCTED WITHIN THE PUD BUT THAT ARE OFF THE PREMISES ON WHICH THE FREESTANDING SIGN IS LOCATED ARE PERMITTED WITH THE PUD. THIS PROVISION DOES NOT ALLOW ANY ADDITIONAL SIGNS BEYOND THE NUMBER ALLOWED IN THE O-3 DISTRICT, AND NO CENTER SIGN IS ALLOWED."
 - 1.7 Revise the note to show the 20' perimeter setback is to buildings and parking.
 - 1.8 Show the common access easement widened enough to the satisfaction of the Director of the Planning Department and the Director of Public Works to allow for a 4'-wide sidewalk, tree planting area 8' back from the curb on a 36'-wide street and driveway or private roadway cross-sections consistent with Design Standards, and add a note which states that street trees shall be planted along its extent within the common access easement or on abutting private property subject to a public vegetation easement; provided that, modifications may be made to the Design Standards to accommodate the driveway or private roadway alignment with intersection of Lake Street and South 40th Street and the existing house (located on Lot 406 SW, Section 32, Township 10, Range 7, 6th Principal Meridian, Lincoln, Lancaster County, Nebraska) until such house is removed. (**Per Planning Commission at the request of the applicant and agreed upon by staff: 05/15/13**)
 - 1.9 Make corrections noted by the L.E.S. review.

1.10 The construction plans comply with the approved plans.

1.11 Final plat(s) is/are approved by the City.

Standard

2. The following conditions are applicable to all requests:
 - 2.1 Before occupying the buildings all development and construction is to comply with the approved plans.
 - 2.2 All privately-owned improvements shall be permanently maintained by the owner or an appropriately established homeowners association approved by the City Attorney.
 - 2.3 The site plan and development plan accompanying this plan unit development shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
 - 2.4 This ordinance's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
 - 2.5 The applicant shall sign and return the letter of acceptance to the City Clerk. This step should be completed within 60 days following the approval of the PUD. The City Clerk shall file a copy of the resolution approving the PUD and the letter of acceptance with the Register of Deeds, filling fees therefore to be paid in advance by the applicant. Building permits will not be issued unless the letter of acceptance has been filed.
3. The site plan and development plan as approved with this ordinance voids and supersedes all previously approved site plans, however all ordinance approving previous permits remain in force unless specifically amended by this ordinance.

Prepared by:

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

Planner

May 1, 2012

OWNER: Sandy Priefert
Campbell's Nursery
5626 Pine Lake Road
Lincoln, NE 68516
402.416.5750

**APPLICANT/
CONTACT:** Tim Gergen
Olsson Associates
1111 Lincoln Mall
Lincoln, NE 68508
402.458.5914

CHANGE OF ZONE NO. 13009 CAMPBELL'S PLANNED UNIT DEVELOPMENT

PUBLIC HEARING BEFORE PLANNING COMMISSION:

May 15, 2013

Members present: Gaylor Baird, Cornelius, Corr, Hove, Lust, Scheer and Weber; Sunderman absent.

Staff recommendation: Conditional approval.

There were no ex parte communications disclosed.

Staff presentation: **Brian Will of Planning staff** stated that everyone is probably familiar with Campbell's Nursery site at 40th St. and Lake St. The PUD is a conceptual plan at this point. The site plan we have today essentially shows a conceptual layout of three lots. Approval of the conceptual plan identifies future access points and approves a development plan which identifies uses. The height and area regulations can be adjusted. The development plan shows height and area adjustments, as well as allowed uses. Setbacks are internal to the development. The internal lot lines have been reduced to zero. This is typical to use permits or commercial developments. The plan also talks about adjustments. It increases the uses that would be permitted, but also restricts some uses. A PUD offers the most flexibility and is most compatible to surrounding land uses. As to development surrounding this property, to the south and west of 40th St. is residential. Antelope Creek and City park land is in the vicinity. The development plan calls out specific uses for those three lots. The northern lot will allow residential, office and retail. The retail would be limited to 7,500 square feet. The south lot would accommodate medical office. That would be the only use allowed on that lot. The third lot would be limited to office, garden sales, plant nursery or residential. There is no plan to allow access to either of the streets to the south, with the exception of Lot 3, if it is developed residentially.

Gaylor Baird questioned the note about a car wash. Will replied this would potentially be allowed on the north lot. 40th St. is an arterial street. When you have an arterial street adjacent to a development, you look at that as a boundary. It is a separation that makes the proposed uses acceptable.

Gaylor Baird would like Will to respond to comments about roads. Will noted the road connection will only be made if the south part develops into residential. He believes that is not an issue anymore.

Proponents

1. **Dick Campbell**, 6111 Chartwell Lane, appeared as the applicant and stated that his family has been in the nursery business for many years. His parents bought this in 1949 before the City was even there. As the City grew around, the garden center has always remained under a special conditional use. He plans to keep the garden center where it is at the present time. The main building was built in 1950. We think there is probably more modern construction that can be done. We haven't determined if it is best to keep it on that lot or move it to Lot 3. We don't even plan on

broaching that topic at this time. 16,000 square foot of medical office would be allowed. There is currently a medical complex at 40th St. and Normal Blvd. Those tenants need more space. They are very excited about the possibility of moving here. It would be a one-story building. Campbell's will be landscaping and providing street trees. Letters were sent to all the neighbors before an application was even filed for this proposal. They went through everything with the neighbors and listed the comments and concerns. Two items were brought up. One concern had to do with any potential changes to home valuations. Campbell called Norm Agena and inquired if property values had historically changed when something like this is built. Agena replied it has never changed a valuation. The second item of concern was neighbors did not want 41st Street opened. They want it to remain closed. Antelope Creek Rd. won't open unless residential is built in the back part. Commercial traffic would be fed to 40th Street.

Corr commended the applicant for working with the neighbors and including them in the process.

Campbell stated that his sister and brothers were present today. They all grew up in the house and the neighborhood. It is still part of his family and they want to make sure it is handled that way.

2. **Sam Manzitto**, 9130 Sandhills Ct., spoke on behalf of Physician's Network. He has been working with the Campbell family. Part of their process in looking for a new location, was to stay in the same area and be able to expand. This would make an easy transition for their staff and patients.

Corr commended them as well. She is a big proponent of businesses that stay in the core. This makes a big difference for patients, especially for medical.

3. **Kent Seacrest**, Seacrest & Kalkowski, 1111 Lincoln Mall, appeared representing Campbell Farm and Land. There is an old house south of the present store. They are showing that when the three lots are created, there will be a new driveway system. It makes sense to line that new driveway up with Lake Street. They need a lane to come in, a lane to turn left and are proposing a right turn lane. When that is done, the house would touch the sidewalk. This is still conceptual. They will work with Public Works and Planning to try and get the driveway to work, and not be disastrous for the house. He submitted a proposed amendment to the conditions of approval to which he believes staff is in agreement:

- 1.8 Show the common access easement widened enough to the satisfaction of the Director of the Planning Department and the Director of Public Works to allow for a 4' - wide sidewalk, tree planting area, 8' back from the curb on a 36' wide street and driveway or private roadway cross-sections consistent with Design Standards, and add a note which states that street trees shall be planted along its extent within the common access easement or on abutting private property subject to a public vegetation easement; provided that, modifications may be made to the Design Standards to accommodate the driveway or private roadway alignment with intersection of Lake Street and South 40th Street and the existing house (located on Lot 406 SW, Section 32, Township 10, Range 7, 6th Principal Meridian, Lincoln, Lancaster County, Nebraska) until such house is removed.

Seacrest stated that this amendment gives them more time to work with staff.

Support

1. **Richard Schneider**, 2433 S. 40th St., lives across from Campbell's Nursery. He has lived there since the 60's. He understands that nothing will be changed from the house to the creek.

There was no testimony in opposition.

ACTION BY PLANNING COMMISSION:

May 15, 2013

Lust moved to approve the staff recommendation of conditional approval with the amendment proposed by the applicant, seconded by Gaylor Baird.

Gaylor Baird stated that this is a fine example of increasing density in the core and clearly there has been great cooperation between the applicant and neighbors.

Motion for conditional approval with amendment carried 7-0: Gaylor Baird, Cornelius, Corr, Lust, Scheer, Weber and Hove voting 'yes'; Sunderman absent. This is a recommendation to the City Council.



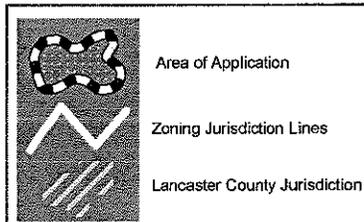
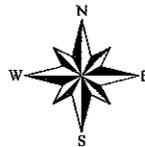
2010 aerial

Change of Zone #: CZ13009
S 40th & Lake St

Zoning:

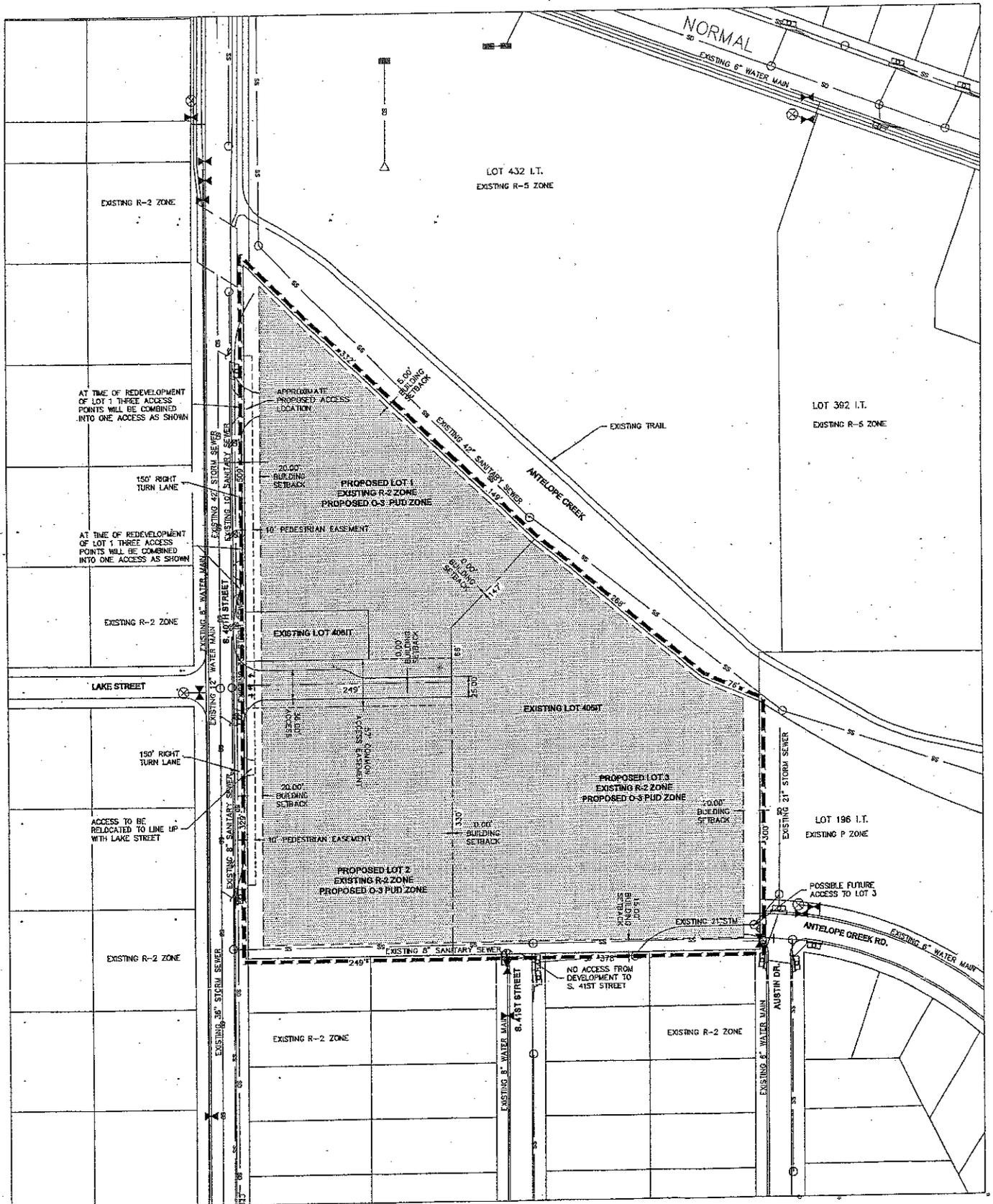
- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- O-1 Office District
- O-2 Suburban Office District
- O-3 Office Park District
- R-T Residential Transition District
- B-1 Local Business District
- B-2 Planned Neighborhood Business District
- B-3 Commercial 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

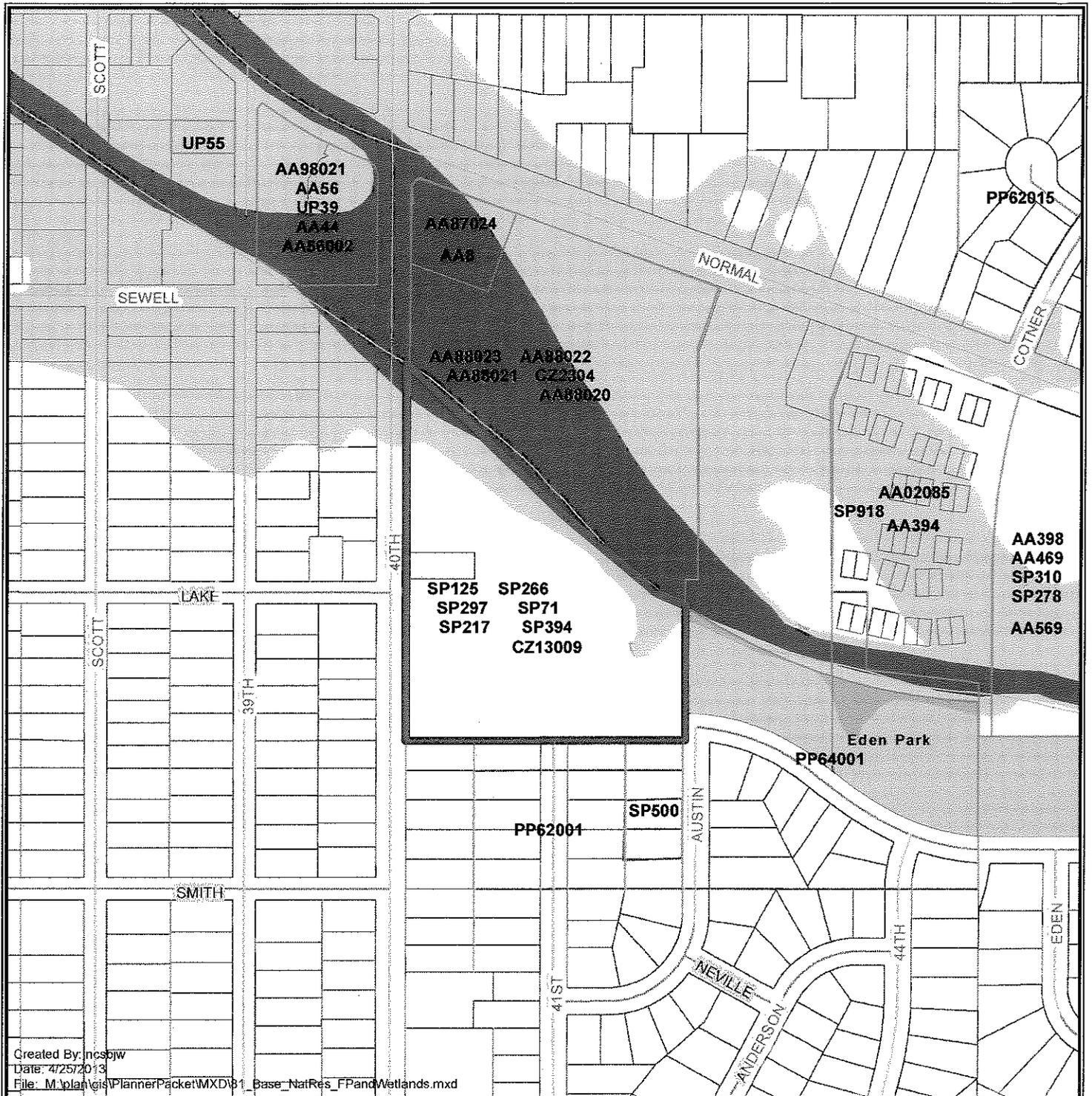
One Square Mile:
 Sec.32 T10N R07E



CAMPBELL'S PLANNED UNIT DEVELOPMENT SITE PLAN

PROJ





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LINCOLN - LANCASTER COUNTY
PLANNING DEPARTMENT



Information Technology Services
 333 South 10th Street
 Lincoln, Nebraska 68508
 PH: 402-441-7498 FAX: 402-441-0277

Sec.32 T10N R07E



Consult the detailed Application information at
<http://www.lincoln.ne.gov/asp/city/plan/permap.asp>

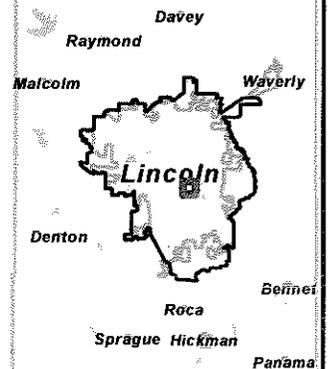
Application Number **CZ13009**

Natural Resources - Floodplain and Wetlands

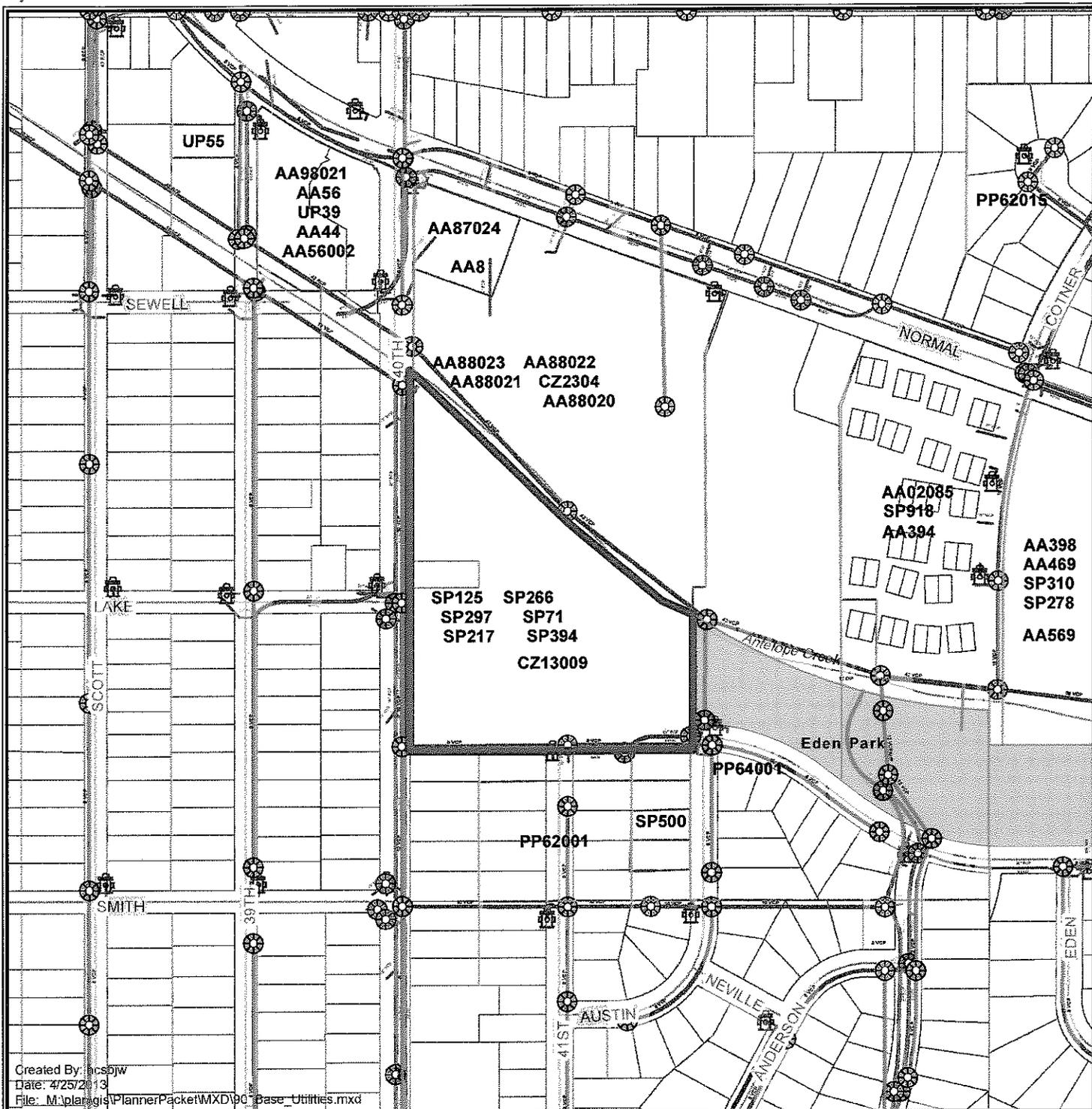
FEMA Floodplain Saline Wetlands NWI Wetlands

- | | | |
|---------------|--------------|---------|
| Floodplain | Category I | Lakes |
| Floodway | Category II | Rivers |
| Salt Creek | Category III | Marshes |
| Storage Areas | Category IV | |

Location Overview



Lincoln's Future Service Limit
 Shown as Black Outline



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 Date: 4/25/2013
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LINCOLN - LANCASTER COUNTY
PLANNING DEPARTMENT
 Information Technology Services
 555 South 10th Street
 Lincoln, Nebraska 68508
 Ph: 402-441-7498 Fax: 402-441-6377

Sec.32 T10N R07E



Consult the detailed Application information at
<http://www.lincoln.ne.gov/asp/city/plan/permapp.asp>

Application Number

CZ13009

Utility Information

Sanitary

- Manhole
- Cleanout
- Sewer Mains

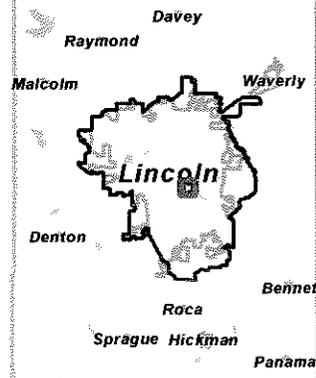
Storm

- Manhole
- Junction Box
- Transition Structure
- Drain Tile
- Lateral
- Main

Water

- City Hydrant
- Private Hydrant
- Distribution Main
- Hydrant Main
- Private Main

Location Overview



Lincoln's Future Service Limit
 Shown as Black Outline



May 6, 2013

Mr. Marvin Krout
Planning Department, City of Lincoln
County-City Building
555 So. 10th Street
Lincoln, NE 68508

**RE: Planned Unit Development Application – Campbell's
Change of Zone from R-2 to O-3 PUD
Legal Description: Lot 405 IT and 406 IT**

Dear Mr. Krout:

On behalf of the Owners, Campbell Farm and Land Co. (Lot 405 IT) and Sandra L. Priefert, Trustee, Richard B. Campbell, Douglas B. Campbell, and Michael W. Campbell (Lot 406 IT), we are requesting a Planned Unit Development to Change the Zoning from R-2 to O-3 PUD on property located east of the Intersection of South 40th and Lake Street.

The plan will consist of three lots zoned O-3 PUD with access points shown on the plans. Currently there are four (4) access points onto 40th Street. We are proposing to consolidate these access points into two (2) with Right Turn Lanes.

Lot 1 will be allowed to have a commercial use subject to the limitations of the PUD development plan. Lot 2 will be allowed to an office use or medical office use only with a limitation of a single story structure. Lot 3 will be allowed to have a garden center, office, medical office, or residential. The residential is limited to a maximum density of seven dwelling units per acre, multi-family dwellings are not allowed. Uses other than residential are limited to one story. No access to Antelope Creek Road except for residential use or emergency access vehicles if requested by Building and Safety Department or City of Lincoln Fire Department for emergency vehicle use only. No commercial traffic allowed.

Retail sales for Lot 1 shall occupy no more the 7,500 sf of floor area per business. Except as noted in the O-3 PUD submittal, all the other O-3 land zoning standards would apply (height, parking, etc.). We appreciate your consideration of our request.

Sincerely,

A handwritten signature in black ink, appearing to read 'N. Buss', written in a cursive style.

Nathaniel Buss, PE

*Enclosures: Change of Zone Application; Application Fee; PUD Site Plan (upload to ePlan); PUD
General Notes (uploaded to ePlan)*

*cc: Dick Campbell and Sandy Priefert, Campbell Farm & Land Co.; Kent Seacrest, Seacrest & Kalkowski,
PC, LLO*

CAMPBELL'S P.U.D. DEVELOPMENT PLAN

5/6/13

1. Any building outline shown on the PUD Master Plan is illustrative only. Fences, trash enclosures, decorative structures and accessory buildings are not shown. Buildings may be located anywhere on the lot subject to setback limitations.
2. Setbacks within the PUD area may be adjusted by the Planning Director.
3. Any lots shown on the PUD Master Plan are illustrative only. Lot configurations shall be defined by Approved Final Plat.
4. Lots may be created without frontage to a public street if they have access to a public or common access easement.
5. Lots may be created with non-perpendicular lot corners.
6. Direct vehicular access to South 40th Street and Antelope Creek Road is relinquished except as shown. No access shall be provided to South 41st Street.
7. The construction of accessory buildings in the common open space is permitted.
8. Any relocation of existing facilities shall be at the Owner/Developer's expense.
9. Site layout is conceptual. All information for a preliminary plat may be required to be submitted, including street and lot layout, street centerline profiles, grading plan, drainage study, utility plan, and landscaping, to be approved by administrative amendment prior to final plat approval, and may result in modifications to the site layout. Exact locations of water, sewer, drainage, landscape and paving will be submitted with individual site plans at time of building permit in accordance with City of Lincoln design standards.
10. The yard setbacks regulates structural walls only and does not restrict overhangs, patios, door swings, window swings, etc. from encroaching into the setbacks.
11. A common access easement will be provided over all drives and parking stalls, as such drives and parking stalls may exist in the commercial areas.
12. Signage allowed will be as specified for the O-3 zones in Chapter 27.69 of the zoning ordinance. All signs must be located outside of sight triangles and may be illuminated.
13. A business on proposed Lot 3 may have an off premise sign on the South 40th street frontage. This sign will only be used to identify and advertise the products and services offered by the business on proposed Lot 3. The size of this sign and its placement will be as specified for O-3 zones in Chapter 27.69 of the zoning ordinance.
14. The requirement of Section 27.67.030(d) that states "All required parking spaces shall be provided on the same lot as the use for which they are required" does not apply.
15. Use Permit; Procedures and Requirements is deleted in its entirety.

The proposed O-3-Office Park District PUD uses would allow the uses shown in the Use Groups (permitted uses, conditional uses and special permitted uses) for the O3- Office Park District as shown in Chapter 27.06, Lincoln Municipal Code, except for the inclusions and exclusions shown below:

Inclusions or Increases:

1. Agricultural Use Groups
 - a. Greenhouses is a permitted use
2. Retail Sales and Services Use Group
 - a. Garden Centers is a permitted use
 - b. Motorized vehicle wash facilities is a permitted use
 - c. Outdoor retail sales is a permitted use
 - d. Outdoor seasonal sales is a permitted use
 - e. Retail Sales is a permitted use with a condition of gross floor area limited to 7,500 sf per building per user
 - f. Academies is a permitted use

Exclusions or Reductions:

1. Household Living Use Group
 - a. Multiple family is not permitted
2. Group Living Use Group
 - a. Group homes is a permitted conditionally
3. Utilities Use Group
 - a. Broadcast stations is not permitted
 - b. Broadcast towers is not permitted
 - c. Wind Energy Conversion System is not permitted
4. Education and Instruction Use Group
 - a. Industrial trade schools is not permitted
5. Retail Sales and Services Use Group
 - a. Hotels and motels is not permitted
 - b. Mail order catalog sales is not permitted
6. Commercial Recreation and Entertainment Facilities Use Group
 - a. Recreational Uses, outdoor is not permitted
7. Manufacturing, Processing, Storage and Distribution Use Group
 - a. Concrete paving plants (temporary) is not permitted

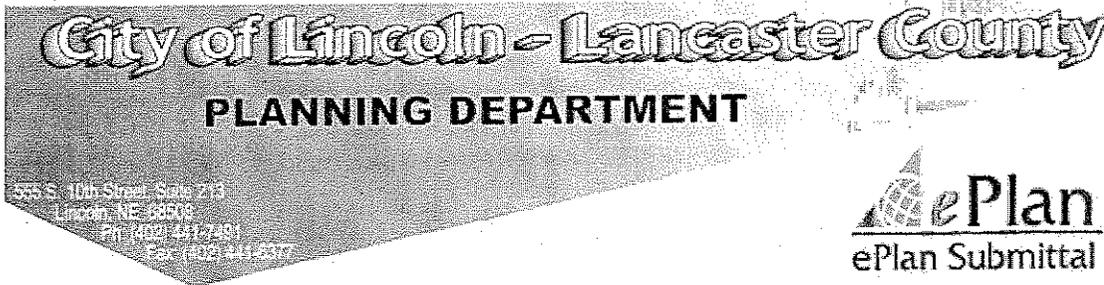
Individual Lot Use Plans and Height restriction:

Lot 1: All commercial uses allowed subject to the limitations of the PUD Development Plan.

Lot 2: Office or Medical Office uses allowed. One-story height limitation.

Lot 3: Garden Center, Office, Medical Office, or Residential. Residential is limited to a maximum density of seven dwelling units per acre, multi-family dwellings are not allowed. Uses other than residential are limited to one-story. No access to Antelope Creek Road except for residential

use or emergency access vehicles if requested by Building and Safety Department or City of Lincoln Fire Department for emergency vehicle use only. No commercial traffic allowed.



Application Information	
Application #	CZ13009 Title CAMPBELL'S NURSERY
Associated Requests	

Planning Department Use Only	
Submission Date	4/18/2013 Review Due 4/28/2013
Project Planner	Brian Will

Review Comments	
Planning	<input checked="" type="radio"/> Corrections Needed for Review <input type="radio"/> Insufficient Information for Review <input type="radio"/> Recommend Denial <input type="radio"/> Recommend Approval with Conditions <input type="radio"/> Recommend Approval <input type="radio"/> No Review Required Review 1:
Development Review Manager (Steve Henrichsen)	<input type="radio"/> Corrections Needed for Review <input type="radio"/> Insufficient Information for Review <input type="radio"/> Recommend Denial <input type="radio"/> Recommend Approval with Conditions <input checked="" type="radio"/> Recommend Approval <input type="radio"/> No Review Required Review 1:
Stronger Safer Neighborhoods (Jon Carlson)	<input type="radio"/> Corrections Needed for Review <input type="radio"/> Insufficient Information for Review <input type="radio"/> Recommend Denial <input type="radio"/> Recommend Approval with Conditions <input type="radio"/> Recommend Approval <input type="radio"/> No Review Required Review 1: The proposed future connection of Antelope Creek Rd to lot 3 could negatively impact Lincoln Montessori School at 2615 Austin Drive and also Eden Park.
Planning (Diana Gottschall)	<input type="radio"/> Corrections Needed for Review <input type="radio"/> Insufficient Information for Review <input type="radio"/> Recommend Denial <input type="radio"/> Recommend Approval with Conditions <input type="radio"/> Recommend Approval <input type="radio"/> No Review Required Review 1:
	<input type="radio"/> Corrections Needed for Review <input type="radio"/> Insufficient Information for Review <input type="radio"/> Recommend Denial <input checked="" type="radio"/> Recommend Approval with Conditions <input type="radio"/> Recommend Approval <input type="radio"/> No Review Required

021

<p>Public Works (Dennis Bartels)</p>	<p>Review 1: Tthere is an existing sanitary sewer along the south side of this development. No easements are shown. The easement should be from the south property line north to a line 15' north of the sewer centerline. Note this will affect the building setback since all buildings must be located out of the easement.</p> <p>No access to Antelope Creek Road should be allowed to Lot 3 unless Lot 3 is developed for residential use. This needs to be clarified on the site plan.</p> <p>2 driveways to this site appear to meet the Access Management Policy. Not enough information is given with this site plan to approve the right turn lane lengths and whether or not additional right of way dedication should be required. Future applications that detail the site plan will need to meet Access Management Policy or have approved waivers. For instance no traffic study information is given and it also appears that the 150' turn lanes to not meet the length required by policy.</p> <p>No drainage or storm water detention is addressed with this preliminary PUD and will be required or waivers considered with the future detailed plans.</p>	
<p>Lower Platte South NRD (Paul Zillig)</p>	<p><input type="radio"/> Corrections Needed for Review <input type="radio"/> Insufficient Information for Review <input type="radio"/> Recommend Denial <input type="radio"/> Recommend Approval with Conditions <input type="radio"/> Recommend Approval <input type="radio"/> No Review Required</p> <p>Review 1:</p>	
<p>Public Works (Ben Higgins)</p>	<p><input type="radio"/> Corrections Needed for Review <input type="radio"/> Insufficient Information for Review <input type="radio"/> Recommend Denial <input type="radio"/> Recommend Approval with Conditions <input type="radio"/> Recommend Approval <input checked="" type="radio"/> No Review Required</p> <p>Review 1:</p>	
<p>LES (Nancy Hegener)</p>	<p><input type="radio"/> Corrections Needed for Review <input type="radio"/> Insufficient Information for Review <input type="radio"/> Recommend Denial <input checked="" type="radio"/> Recommend Approval with Conditions <input type="radio"/> Recommend Approval <input type="radio"/> No Review Required</p> <p>Review 1: See uploaded redlined plat with easement requests. 04/24/2013</p>	
<p>Public Works (Buff Baker)</p>	<p><input type="radio"/> Corrections Needed for Review <input type="radio"/> Insufficient Information for Review <input type="radio"/> Recommend Denial <input type="radio"/> Recommend Approval with Conditions <input checked="" type="radio"/> Recommend Approval <input type="radio"/> No Review Required</p> <p>Review 1: CZ Approved as discussed at Joint Planning Meeting 4/19/13 AM Possible Roadway connections to 41st and Austin Drive may be recommended as the site plan develops.</p>	

MOTION TO AMEND

I hereby move to amend Change of Zone #13009 – Campbell’s Planned Unit Development (PUD)

- 1.8 Show the common access easement widened enough to the satisfaction of the Director of the Planning Department and the Director of Public Works to allow for a 4'-wide sidewalk, tree planting area, 8' back from the curb on a 36'-wide street and driveway or private roadway cross-sections consistent with Design Standards, and add a note which states that street-trees shall be planted along its extent within the common access easement or on abutting private property subject to a public vegetation easement; provided that, modifications may be made to the Design Standards to accommodate the driveway or private roadway alignment with intersection of Lake Street and South 40th Street and the existing house (located on Lot 406 SW, Section 32, Township 10, Range 7, 6th Principal Meridian, Lincoln, Lancaster County, Nebraska) until such house is removed.

Introduced by:

Approved as to Form & Legality:

City Attorney

Staff Review Completed:

Administrative Assistant

Requested by: SEACREST & KALKOWSKI, PC, LLO on behalf of ~~██████████~~

Campbell Farm + Lands Co.



April 6, 2013

NURSERIES

To: Neighboring Property Owners and Other Interested Parties

RE: Campbell's Planned Unit Development, Change of Zone

GARDEN CENTERS

Dear Neighbors;

LANDSCAPING

We would like to invite you to attend an informational meeting on Tuesday, April 16, 2013 regarding a proposed Campbell's O3-Office Park District Planned Unit Development (PUD) based upon the rezoning of the Campbell's garden center and nursery located at South 40th Street and Lake Street and our parents' former house located at 2342 South 40th Street. Our family is seeking the ability to implement the following site plan (**Option #1**)

GIFTS

1. **Northwest portion of the Nursery property abutting South 40th Street:** Continue the 4,800 Square foot retail Campbell's garden center and/or other allowed O-3-Office Park District PUD uses with two motor vehicle accesses to South 40th Street: (1) abutting or near Antelope Creek and (2) a shared driveway that lines up with Lake Street.

EXPERT ADVICE

2. **Southwest portion of the Nursery property abutting South 40th Street:** Permit a proposed 16,500 square foot medical office building (one-story) or other allowed O-3-Office Park District PUD uses with motor vehicle access on a shared driveway to South 40th Street that lines up with Lake Street; And
3. **Southeast portion of the Nursery Property abutting Antelope Creek Road:** Residential (single family, patio homes, townhomes, (but not apartment buildings) with motor vehicle access to Antelope Creek Road.

An alternative **Option #2** would also be part of our proposed PUD rezoning submittal. Site Plan #2 is identical to Site Plan #1; except the southeast portion of the Nursery property would permit a new garden center and/or other O-3-Office Park District PUD uses, except that there would be no permitted motor vehicle access to Antelope Creek Road. All access under Site Plan #2 would be provided at two South 40th Street driveway points: (1) abutting or near Antelope Creek and (2) a driveway that lines up with Lake Street.

The details of the meeting are as follows:

Neighborhood Meeting
Tuesday April 16th, 2013
5:30 p.m.
Gere Library Conference Room #1
2400 So 56th
(Southeast corner of 56th and Normal)

The PUD submittal would require the traditional 20 foot front yard setback from South 40th Street and a screened 15 foot side yard setback abutting our south property line. The proposed O-3-Office Park District PUD uses are attached.

The goal of this meeting is to provide a neighborhood overview and input of the proposed PUD submittal to the City of Lincoln. We want to make sure you have an opportunity to ask questions and gain knowledge of the proposed rezoning.

If you have questions prior to the meeting, feel free to contact Dick Campbell, Campbell's Nurseries at 402-423-4556 ext. 220 or email at slp@campbellsnursery.com or rbc@campbellsnursery.com. Otherwise, we look forward to seeing you on the 16th.

Best Regards,

Sandy Priefert
President
CAMPBELL'S NURSERIES
AND GARDEN CENTER, INC.

cc: Jon Camp
Brian Will, County-City Planning Department

The proposed O-3-Office Park District PUD uses would allow the uses shown in the Use Groups (permitted uses, conditional uses and special permitted uses) for the O3- Office Park District as shown in Chapter 27.06, Lincoln Municipal Code, except for the inclusions and exclusions shown below:

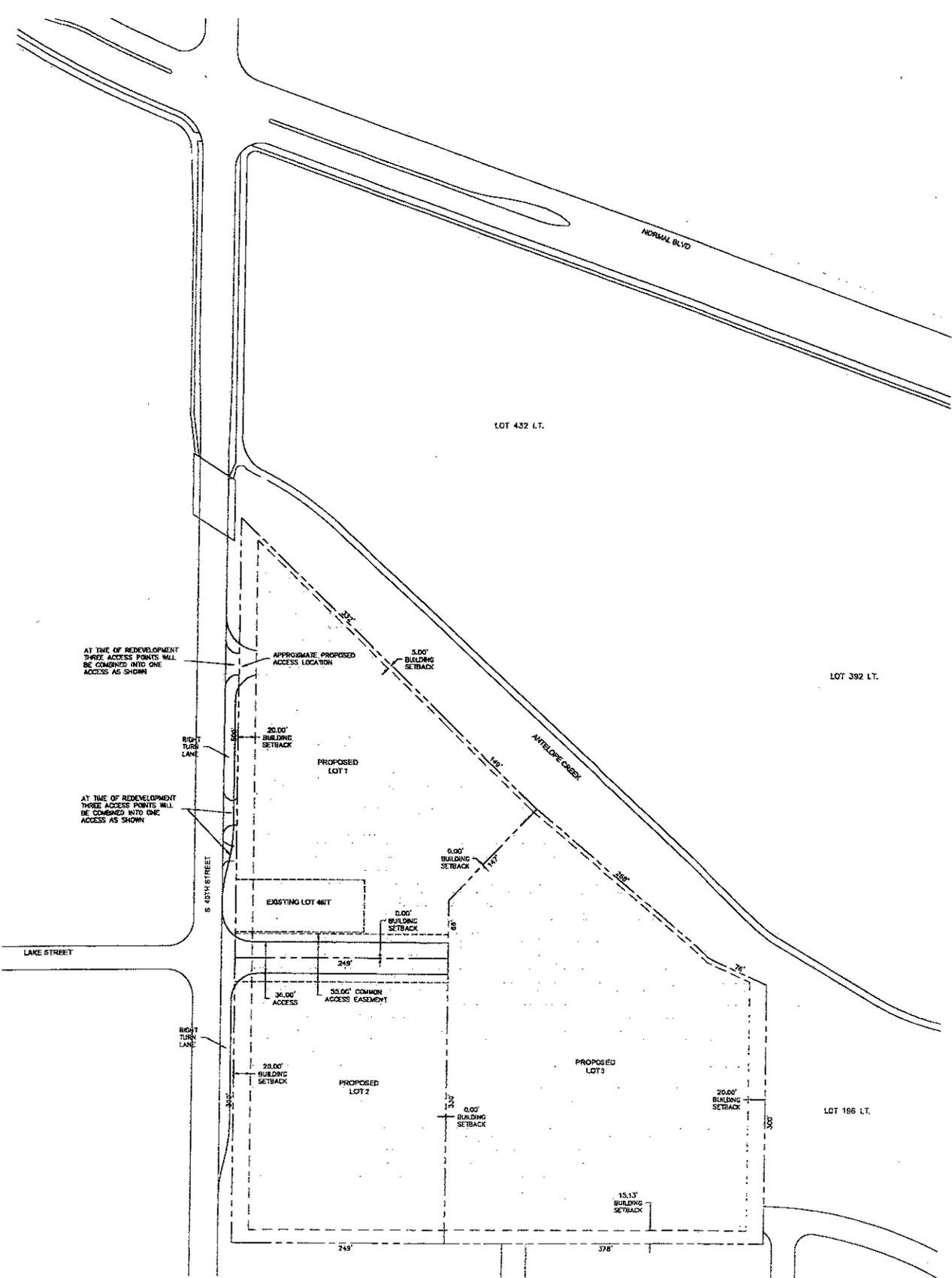
Inclusions or Increases:

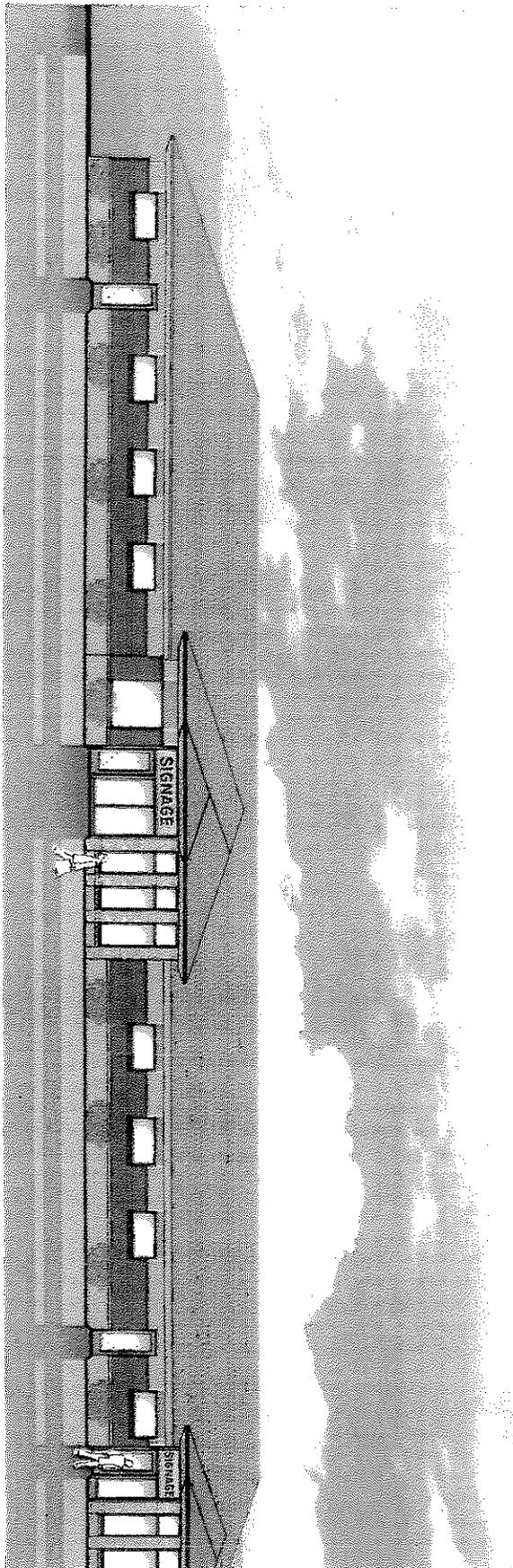
- | | |
|--|--|
| 1. Agricultural Use Groups | |
| a. Greenhouses | Permitted Use |
| 2. Retail Sales and Services Use Group | |
| a. Garden Centers | Permitted Use |
| b. Motorized vehicle wash facilities | Conditional Use |
| c. Outdoor retail sales | Permitted Use |
| d. Outdoor seasonal sales | Permitted Use |
| e. Retail Sales | Conditional Use, but limited to 7,5000 square feet per building) |
| f. Academies | Permitted Use |

Exclusions or Reductions:

- | | |
|--|-----------------|
| 1. Household Living Use Group | |
| a. Multiple family | Not permitted |
| 2. Group Living Use Group | |
| a. Group homes | Conditional Use |
| 3. Utilities Use Group | |
| a. Broadcast stations | Not permitted |
| b. Broadcast towers | Not permitted |
| c. Wind Energy Conversion System | Not permitted |
| 4. Education and Instruction Use Group | |
| a. Industrial trade schools | Not permitted |
| 5. Retail Sales and Services Use Group | |
| a. Hotels and motels | Not permitted |
| b. Mail order catalog sales | Not permitted |
| 6. Commercial Recreation and Entertainment Facilities Use Group | |
| a. Recreational Uses, outdoor | Not permitted |
| 7. Manufacturing, Processing, Storage and Distribution Use Group | |
| a. Concrete paving plants (temporary) | Not permitted |







PROPOSED MULTI-
STORY OFFICE BUILDING

APRIL 16 Neighborhood Meeting

NAME	ADDRESS	PHONE	E-MAIL
Amber & Bryce Marker	2443 S 40th St	402-304-7069	amber.marker09@gmail.com
Atlas Nijata	2630 S. 40th St	402-570-9671	
Rachel Schneider			
Kent Seacrest	1111 Lincoln Mall	402-435-6000	KateSK-LAW.COM
Diane Schneider	8200 Meredith	489-2111	
Gayle Mason	2536 S 37th	402-488-3228	mymason@windstream.net
Jan Gulbranson	2200 S 40th		
Sharon Johnson	2200 S. 40th		
Mike Leffing	7615 Glynock w/TPN		
Linda Sittler	2517 S 40th		sitr4@gmail.com
Mike Nelson	2333 S. 40th	402-486-1542	
Larry Verschuer	2615 Austin Dr	402-489-8110	linconmontessori@gmail.com
Sam Navarro	9130 Saddle CF	402-416-5571	
Karis Anberg	4215 Antelope Creek Rd	402-432-0700	KarisAnberg@earthlink.net
Alecia Peterson	2351 S. 40th St	560-3082	
Melie Saule	2610 S. 41st	570-8532	
John Hylene	3300 Kejan Dr	(402)540-2414	jhylene@neifund.com
Lori Irons	2343 S. 40th St	(402) 401-9515	Linconmontessori@gmail.com Realty.com