

FACTSHEET

TITLE: SPECIAL PERMIT NO. 14045
(South 84th Street and Karl Ridge Rd.)

BOARD/COMMITTEE: Planning Commission

APPLICANT: R.C. Krueger Development

RECOMMENDATION: Conditional Approval, as revised (9-0: Sunderman, Harris, Beecham, Cornelius, Hove, Weber, Scheer, Corr and Lust voting 'yes').

STAFF RECOMMENDATION: Conditional Approval, as revised.

OTHER DEPARTMENTS AFFECTED: N/A

SPONSOR: Planning Department

OPPONENTS: None

REASON FOR LEGISLATION: A Planned Service Commercial special permit to allow approximately 130,000 square feet of mini-storage and outside RV/vehicle storage, including requests to modify the zoning and subdivision ordinance requirements for rear and side yard setbacks and the requirements for the on-site detention pond, on property generally located at South 84th Street and Karl Ridge Road.

DISCUSSION/FINDINGS OF FACT:

1. This special permit request and the associated Comprehensive Plan Amendment No. 14008 (Bill #15R-6), Change of Zone No. 14028 (Bill #15-1) and Street and Alley Vacation No. 14009 (Bill #15-2) were heard at the same time before the Planning Commission.
2. The purpose of this proposal is to allow a Planned Service Commercial special permit to authorize construction of approximately 130,000 sq. ft. of mini-warehouse units and outside RV/vehicle storage on the site. The applicant is also requesting to reduce the side and rear yard setbacks and to modify the requirement that post-development flows be less than pre-development flows for an on-site detention pond.
3. The staff recommendation to approve the special permit, with conditions, is based upon the "Analysis" as set forth on p.5-8, concluding that limited commercial development and H-4 zoning on the site is appropriate if adequate screening and buffering is provided to limit the conflict between the commercial use and the surrounding residential uses. The modification of the setbacks is appropriate given the applicant's proposal to construct a wall and provide landscaping surrounding the commercial development.
4. The staff presentation is found on p.13-15, where a revised staff recommendation was submitted reflecting the approval of the applicant's revisions to the grading and stormwater management plans by the Watershed Management Division of Public Works & Utilities (See p.23-24).
5. The applicant's testimony is found on p.16, and the record consists of one letter in support (p.25).
6. There was no testimony in opposition.
7. On December 10, 2014, the Planning Commission agreed with the revised staff recommendation and voted 9-0 to recommend conditional approval of the special permit. The conditions of approval, as revised and recommended for approval by the Planning Commission are found on p.9-12.
8. On December 10, 2014, the Planning Commission also voted 9-0 to recommend approval of the associated Comprehensive Plan Amendment No. 14008 (Bill #15R-6), Change of Zone No. 14028 (Bill #15-1) and Street and Alley Vacation No. 14009 (Bill #15-2).

FACTSHEET PREPARED BY: Jean Preister, Administrative Officer

DATE: December 29, 2014

REVIEWED BY: Stephen S. Henrichsen, Development Review Manager

DATE: December 29, 2014

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for December 10, 2014 PLANNING COMMISSION MEETING

****As Revised and Recommended for Conditional Approval
by Planning Commission: 12/10/14****

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.

PROJECT #: Special Permit No. 14045
Change of Zone No. 14028

PROPOSAL: A request per Section 27.63.470 for Planned Service Commercial to develop up to 130,000 square feet of mini-warehouses in the H-4 district; and,

A request to rezone property from R-1 Residential District to H-4 General Commercial District, from R-3 Residential District to H-4 General Commercial District, from P Public Use District to H-4 General Commercial District, and from R-1 Residential District to P Public Use District on property generally located at S. 84th Street and Karl Ridge Road.

LOCATION: S. 84th Street and Karl Ridge Road

LAND AREA: 10.01 acres, more or less

EXISTING ZONING: R-1 Residential District, R-3 Residential District, and P Public Use District

WAIVER REQUESTS:

1. Per Section 27.72.040 of the Zoning Code, reduce the rear and side yard setbacks from 50 feet to 30 feet and 20 feet, respectively, when abutting residential zoning, and reduce the rear and side yard setbacks from 20 feet to 5 feet abutting the City water reservoir.

2. Per Chapter 2.05 of the Design Standards, waive the design standard requiring post development flows be less than pre-development flows for an on-site detention pond.

CONCLUSION: Limited commercial development and H-4 zoning on this site is appropriate if adequate screening and buffering is provided to limit the conflict between the commercial use and the surrounding residential uses. The waiver to the setbacks is appropriate given the applicant's proposal to construct a wall and provide landscaping surrounding the commercial development.

<p>RECOMMENDATION: <u>CHANGE OF ZONE NO. 14028</u> <u>SPECIAL PERMIT NO. 14045</u></p>	<p>Conditional Approval <u>Approval</u> <u>Conditional Approval</u></p>
<p>WAIVERS: 1. Per Section 27.72.040 of the Zoning Code, Height and Area Requirements. To reduce the rear and side yard setbacks. 2. Per Chapter 2.05 of the Design Standards, Stormwater Drainage. Waive the requirement that post development flows be less than pre-development flows for an on-site detention pond.</p>	<p>Conditional Approval Denial <u>Conditional Approval</u></p>

GENERAL INFORMATION:

LEGAL DESCRIPTION:

Special Permit: Outlot A, Trendwood 17th Addition and a portion of Lot 51, I.T., located in the SE 1/4 of Section 34-10-7, Lincoln, Lancaster County, Nebraska, generally located at South 84th Street and Karl Ridge Road.

Change of Zone: The legal descriptions for the change of zone are found in the attachments to this staff report.

EXISTING LAND USE: Open space.

SURROUNDING LAND USE AND ZONING:

North: Fire Station/Water Reservoir/Single-Family Dwellings; P/R-1
South: Townhouses/Multi-Family Dwellings; R-3
East: Agricultural; AG
West: Single-Family Dwellings; R-1

ASSOCIATED APPLICATIONS:

Comprehensive Plan Amendment #14008
Street Vacation #14009 - Viewpoint Drive

HISTORY:

This property was rezoned from the A-1 Single Family Dwelling District to R-1 Residential District and P Public Use District with the 1979 zoning update.

The City received a previous proposal from the Lincoln Housing Authority to develop this site with 72 dwelling units. The application was forwarded to the Planning Commission with a recommendation of Conditional Approval from City staff. The neighboring residents and the Planning Commission opposed the development and the application was put on hold once it was forwarded to City Council, except for the declaration of surplus which was approved.

During this time, a new Administrative Regulation for Surplus Property went into effect. The Urban Development Department followed the new regulation which required the "For Sale" signs be posted for 30 days and the property be reopened for additional proposals after the property is declared surplus by the City Council. Five proposals were submitted to the City, including the Lincoln Housing Authority's proposal for housing on this site. The proposals were presented to the neighborhood residents, and representatives of the neighborhood submitted a petition in support for a mini-storage development on this site. The City took into account the wishes of the neighborhood and selected the developer of the mini storage units as the future buyer, and the Lincoln Housing Authority then withdrew their applications.

COMPREHENSIVE PLAN SPECIFICATIONS:

P. 1.9 - The 2040 Lincoln and Lancaster County Comprehensive Plan identifies this area as Urban Density Residential in the Future Land Use Plan.

P. 5.2 - Promote and foster appropriate, balanced and focused future economic growth that maintains the quality of life of the community.

P. 5.2 - Provide flexibility to the marketplace in siting future commercial and industrial locations.

P. 5.3 - Apply design standards as a tool for economic development. They provide assurances for surrounding property owners as well as prospective developers.

P. 5.5 - Commercial and Industrial Development Strategies -

- Within the City of Lincoln or incorporated villages.
- Outside of saline wetlands, signature habitat areas, native prairie and floodplain areas (except for areas of existing commercial and industrial zoning).
- Where urban services and infrastructure are available or planned for in the near term.
- In sites supported by adequate road capacity - commercial development should be linked to the implementation of the transportation plan.
- In areas compatible with existing or planned residential uses.
- So that they enhance entryways or public way corridors, when developing adjacent to these corridors.

P. 5.6 - The Commercial Centers map shows an unbuilt, approved Community Center on the east side of S. 84th Street at Van Dorn Street. Community Centers tend to be dominated by retail and service activities, although they can serve as campuses for corporate office facilities and should include a mix of residential uses with some light manufacturing or assembly in selected circumstances.

P. 5.14 - COMMERCIAL INFILL: A variety of commercial land uses seek infill and redevelopment locations. There are numerous opportunities throughout the community. Currently, there are

approximately 1,900 acres of vacant commercially-zoned land in the existing city. That translates to over 10 million potential square feet based on current floor area ratios by zoning district.

P. 5.14 - Strategies for Commercial Infill:

- Develop infill commercial areas to be compatible with the character of the area.
- Maintain and encourage businesses that conveniently serve nearby residents, while ensuring compatibility with adjacent neighborhoods.
- Avoid encroachment into existing neighborhoods during expansion of existing commercial and industrial uses, and take steps to ensure expansions are in scale with the adjacent neighborhood, are properly screened, fulfill a demonstrated need and are beneficial to health and safety.

P. 7.10 - Detailed Strategies for Existing Neighborhoods:

- Encourage a mix of compatible land uses in neighborhoods - (d) More intense commercial uses may not be compatible due to impact on nearby housing.
- Redevelopment and infill should strive for compatibility with the character of the neighborhood and adjacent uses.

UTILITIES: Development on this property will be impacted by the overhead L.E.S. utilities. L.E.S. has a 110' utility easement that runs southwest to northeast on the south end of the property.

An 18" natural gas pipeline is located in the S. 84th Street right-of-way. Although the proposal does not include habitable structures, it should be noted that no habitable structures are recommended within the 175 foot buffer. This buffer impacts potential development within approximately 80 feet of the S. 84th Street right-of-way.

TOPOGRAPHY: This site has varying topography. The site currently has a ridge running mostly north and south through the center of the site. The low points of the property are to the east and west of the ridge.

TRAFFIC ANALYSIS: S. 84th Street is shown as a Major Arterial in the Functional Classification Map. Karl Ridge Road and Viewpoint Drive are local streets.

PUBLIC SERVICE: There is a fire station located adjacent to this site on S. 84th Street. Given the location of proposed buildings and the availability of existing fire hydrants, private hydrants will be needed on site to adequately serve this development.

AESTHETIC CONSIDERATIONS: The mini-warehouse development is subject to screening and design standards. Additional aesthetic consideration should be taken since the proposal is for a commercial development adjacent to residential dwellings.

ALTERNATIVE USES: Develop the property per the existing R-1 zoning designation.

ANALYSIS:

1. This is a request for a special permit for Planned Service Commercial in the H-4, General Commercial District, to authorize the construction of 130,000 square feet of mini-warehouse. The proposal includes 615 mini-warehouse units with 340 being climate controlled.

2. This proposal also includes a request to change the zoning from R-1, Residential District, R-3, Residential District, and P, Public Use District to H-4, General Commercial District and from R-1, Residential District to P, Public Use District. Planned Service Commercial is allowed in the H-4 zoning district by special permit.

This property has been identified as Urban Density Residential in the current and previous Lincoln/Lancaster County Comprehensive Plans. Urban Residential could be an appropriate land use on this property if properly designed with regard to site constraints. However, limited commercial development may also be appropriate on this site with detailed site planning, landscaping and screening.

The change of zone to H-4 General Commercial is appropriate in conjunction with the approval of a special permit. The special permit for planned service commercial will limit the H-4 allowed uses to mini-warehouse on the site. Any other use of the property will require an amendment of the special permit through the public hearing process.

3. The Lincoln Water Department has identified the amount of land they need to retain for their facility and for the fire station adjacent to S. 84th Street. The Lincoln Water Department declared 9.37 acres of land as surplus to allow for private development.
4. The applicant is also purchasing Outlot A, Trendwood 17th Addition that is located adjacent to this property and S. 84th Street. The site plan proposes additional storage units on Outlot A.

Outlot A is currently zoned R-3 and is part of the Trendwood Community Unit Plan. Outlot A is approximately 0.64 acres. If approved, Outlot A would be removed from the Trendwood Community Unit Plan by administrative amendment. Removing Outlot A from the Trendwood Community Unit Plan will have a minor impact on the maximum allowed density. The last amendment approved a total of 368 units in the Trendwood C.U.P., and the land area in the C.U.P. would allow for up to 501 units.

Outlot A is currently non-buildable, and the site plan shows mini-warehouse units on that site. A final plat will need to be approved, prior to obtaining a building permit.

5. L.E.S. has a 110' easement for the overhead transmission power lines. No structures can be built within the easement area. According to L.E.S., current line clearances to existing grade will limit types of vehicles that can park under the line at this location. Vehicle parking that is proposed within the 110' easement area should comply with L.E.S. height restrictions.
6. This site is accessed off Viewpoint Drive and Karl Ridge Road. Viewpoint Drive is a public right-of-way that ends at this property. The applicant is requesting that Viewpoint Drive be vacated. Petitions to vacate the right-of-way have been submitted by the adjacent property owners. A utility easement will be required over the vacated right-of-way. If approved, the Viewpoint Drive right-of-way would be converted to a driveway for this development.

7. The S. 84th Street right-of-way adjacent to this property is currently 50' from centerline. The standard right-of-way width for arterial streets is 120'. Since S. 84th Street is classified as an arterial, an additional 10' of right-of-way is shown to be dedicated along S. 84th Street. The 20' front yard setback is measured from the future right-of-way line.
8. This site has varying topography, with a ridge running mostly north and south through the center of the site. The grading plan is proposing to level the site to allow for the development. An on-site dry detention cell is proposed in the northwest corner of the site that will hold water during storm events. Grate inlets and storm sewer pipe are also shown along S. 84th Street which flow into the existing 24" storm sewer pipe located in the northeast corner of the site.

The Watershed Management Division has noted several deficiencies with the proposed grading and stormwater management plan. The Watershed Management Division is recommending denial of the applicant's waiver to detention, based on the information presented to date. This and other items need to be corrected prior to scheduling this application on the City Council agenda.

9. The following conditions are found in the Planned Service Commercial special permit to allow mini-warehouses in the H-4 district:

A. An applicant for a special permit under the provisions of this section shall comply with environmental performance standards relating to noise, emission, dust, odor, glare, and heat as shall be from time to time established for those districts requiring use permits.

The environmental performance standards are found in Chapter 3.00 of the Design Standards apply to property zoned B-2, B-5, I-2, I-3 and O-3. The proposed zoning for this property is H-4.

B. Each application for a special permit under this section shall include a landscape plan which shall show proposed plantings in conformance with city standards in all required yard areas, open space areas, malls, parking areas, and around proposed buildings. The applicable standards shall be those adopted by resolution of the City Council for those districts requiring use permits.

Design Standards applicable to this project are those required when adjacent land uses and zoning districts of substantially different character abut residential districts. In this case, the mini-storage development is abutting a residential district on the west and on the south. The standards require the perimeter be screened at least 60% up to 10' above the adjacent ground elevation.

The applicant is proposing a 10' tall stucco and brick wall on the back side of all perimeter buildings and a 6' tall wrought iron fence along all other areas. The landscape plan shows deciduous trees in the areas between the proposed buildings and residential properties. Per the standards, trees are not counted toward required

screening of the surface from the ground to a height of 10'. Additional plant materials should be shown on the landscape plan that will count toward the screening requirements in the areas adjacent to the wrought iron fence. The screening material should also include coniferous plant material that will retain screening through the winter months.

Additional screening material should also be added to the area behind the townhouses fronting on Karl Ridge Road. Ornamental trees and a wrought iron fence are proposed at this location, but lower shrubs and other plant material should be shown to meet the 60% screening requirement.

C. The City Council may increase or decrease the height and area regulations and the floor area to land area ratios otherwise applicable in the H-4 General Commercial District, consistent with adequate protection of the environments of adjacent land uses;

The applicant has requested to decrease several setbacks for this project. These include:

Rear and side yard setback reduction from 50 feet to 30 feet and 20 feet, respectively, abutting a residential district

Rear and side yard setback reduction from 20 feet to 5 feet

The setback reductions are justified given the applicant's proposal for screening. Adding coniferous and other plant material to the screening, as recommended above, would further reduce the potential negative impact on the surrounding properties and provide screening during winter months. Additionally, the neighbors have reviewed this site plan and support the proposed development.

D. That the land surrounding the tracts for the proposed planned service commercial development will not be adversely affected;

The addition of a 10' wall, wrought iron fence and landscaping will provide a buffer between the mini-storage and the adjacent residential uses. The Public Works and Utilities Department is not requiring a Traffic Impact Study for this development.

E. That upon approval of a planned service commercial development, the land proposed to be included within such development shall not be developed for or devoted to any other permitted use or specially permitted use of the H-4 General Commercial District, except those specifically approved in the special permit authorizing the planned service commercial development, unless an amendment thereto has been approved in accordance with the procedures set forth for approving special permits generally.

The Special Permit for Planned Service Commercial will limit the development on this site to a mini-storage facility with up to 130,000 square feet of floor area. Any change in use would require approval of an amendment to the special permit.

CONDITIONS OF APPROVAL:

Per Section 27.63.470 this approval permits Planned Service Commercial for approximately 130,000 square feet of mini-warehouse as shown on the site plan with modifications to the rear and side yard setbacks, and a change of zone from R-1 Residential District to H-4 General Commercial District, from R-3 Residential District to H-4 General Commercial District, from P Public Use District to H-4 General Commercial District, and from R-1 Residential District to P Public Use District on property generally located at S. 84th Street and Karl Ridge Road.

Note: The grading and stormwater management plans shall be approved by the Watershed Management Division, prior to scheduling these applications on a City Council agenda.

Site Specific Conditions:

~~1. The grading and stormwater management plans shall be approved by the Watershed Management Division, prior to scheduling these applications on a City Council agenda. (**Revised staff recommendation, 12/09/14**)~~

1.4 The City Council approves associated request:

1.1.4 Amendment of the Lincoln/Lancaster County Comprehensive Plan to show this property as a "Commercial" designation

1.4.2. Street vacation of Viewpoint Drive

1.3 Change of Zone No. 14028 (**Revised staff recommendation, 12/10/14**)

2. Before receiving building permits or before a final plat is approved the permittee shall cause to be prepared and submitted to the Planning Department a revised and reproducible final plot plan including 4 copies with all required revisions and documents as listed below:

2.1 Add coniferous plant material to the perimeter of the site, and add landscaping adjacent to the residential lots along Karl Ridge Drive. The landscape plan shall be approved by the Planning Director, prior to obtaining a building permit.

2.2 Remove notes 8, 12,13 and 16 from the plan.

2.3 Add a note that states, "Private fire hydrants will be installed to adequately serve this development."

2.4 Change Note 4 to states, "The building height shall be per the H-4 district."

- 2.5 Add a note to the plan that states, "Vehicle parking within the 110' L.E.S. overhead power line easement will comply with L.E.S. height restrictions."
 - 2.6 Add a note to the plan that states, "The Stormwater Detention Calculations report dated October 15, 2014, and revised December 1, 2014, is a supplement to the special permit for Planned Service Commercial." (****Revised staff recommendation: 12/09/14****)
 - 2.7 Provide hard copies of the revised drainage report to the satisfaction of the Watershed Management Division. (****Revised staff recommendation: 12/09/14****)
- 3. Before receiving building permits or before a final plat is approved provide the following documents to the Planning Department:
 - 3.1 Verification from the Register of Deeds that the letter of acceptance as required by the approval of the special permit has been recorded.
 - 4. Prior to the issuance of a building permit:
 - 4.1 The construction plans must substantially comply with the approved plans.
 - 5. Final plat(s) is/are approved by the City.

Before the approval of a final plat, the drainage facilities, land preparation and grading, sediment and erosions control measures, storm water detention/retention facilities, drainageway improvements, and street trees, must be completed or provisions (bond, escrow or security agreement) to guarantee completion must be approved by the City Law Department. The improvements must be completed in conformance with adopted design standards and within the time period specified in the Land Subdivision Ordinance. A cash contribution to the City in lieu of a bond, escrow, or security agreement may be furnished for sidewalks and street trees along major streets that have not been improved to an urban cross section. A cash contribution to the City in lieu of a bond, escrow, or security agreement may be furnished for street trees on a final plat with 10 or fewer lots.

No final plat shall be approved until the Permittee, as subdivider, enters into an agreement with the City whereby Permittee agrees:

to complete the enclosed private drainage facilities shown on the approved drainage study to serve this plat within two (2) years following the approval of the final plat.

to complete land preparation including storm water detention/retention facilities and open drainageway improvements to serve this plat prior to the installation of utilities and improvements but not more than two (2) years following the approval of the final

to complete the installation of street trees along the west side of S. 84th Street as shown on the final plat within two (2) years following the approval of this final plat.

to complete any other public or private improvement or facility required by Chapter 26.23 (Development Standards) of the Land Subdivision Ordinance in a timely manner which inadvertently may have been omitted from the above list of required improvements.

to submit to the Director of Public Works a plan showing proposed measures to control sedimentation and erosion and the proposed method to temporarily stabilize all graded land for approval.

to comply with the provisions of the Land Preparation and Grading requirements of the Land Subdivision Ordinance.

to maintain the private improvements in good order and condition and state of repair including the routine and reasonable preventive maintenance of the private improvements on a permanent and continuous basis.

to relinquish the right of direct vehicular access from the property to S. 84th Street.

Standard Conditions:

6. The following conditions are applicable to all requests:
 - 6.1 Before starting the operation all development and construction shall substantially comply with the approved plans.
 - 6.2 All privately-owned improvements, including landscaping, shall be permanently maintained by the Permittee or an appropriately established homeowners association approved by the City.
 - 6.3 The physical location of all setbacks and yards, buildings, parking and circulation elements, and similar matters be in substantial compliance with the location of said items as shown on the approved site plan.
 - 6.4 The terms, conditions, and requirements of this resolution shall run with the land and be binding upon the Permittee, its successors and assigns.
 - 6.5 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 special permit. The City 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.

Prepared by

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DATE: November 25, 2014

APPLICANT: R.C. Krueger Development
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Lincoln, NE 68512

OWNER: City of Lincoln
Real Estate Division
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Lincoln Federal Savings & Loan
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CONTACT: Marcia L. Kinning, ESP
601 Old Cheney Road, Suite A
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**COMPREHENSIVE PLAN AMENDMENT NO. 14008,
CHANGE OF ZONE NO. 14028,
SPECIAL PERMIT NO. 14045
and
STREET & ALLEY VACATION NO. 14009**

PUBLIC HEARING BEFORE PLANNING COMMISSION:

December 10, 2014

Members present: Scheer, Harris, Cornelius, Beecham, Corr, Sunderman, Weber, Hove and Lust.

Staff recommendation: Approval of the comprehensive plan amendment and change of zone; conditional approval of the special permit; and a finding of conformance with the Comprehensive Plan on the street and alley vacation.

There were no ex parte communications disclosed.

Staff presentation: **Paul Barnes of Planning staff** presented the proposal, indicating that this property has been designated as Urban Residential on the Future Land Use map for quite some time. Since we are looking at a commercial development for this site and it is greater than 5 acres in size, it is typical policy to process a comprehensive plan amendment to reflect that change on the land use designation. Although the property has been recommended to be shown as residential, the staff believes that commercial uses can be appropriate for this site with certain restrictions and considerations with the site planning and landscaping.

Along with the comprehensive plan amendment, Barnes stated that the staff is supporting the change of zone and special permit, which further take a look at the development and restrict not only uses but things like siting of the buildings. The change of zone and special permit go hand-in-hand, including a request for H-4 commercial zoning which allows the developer to apply for a Planned Service Commercial special permit. The Planned Service Commercial special permit can restrict what types of uses are allowed.

Barnes advised that the special permit would allow up to 130,000 sq. ft. of mini-storage. The access to this type of development will not be through the adjacent residential neighborhood, but rather near South 84th Street, which is an arterial. There is a connection off South 84th Street on Karl Ridge Road.

A previous request for residential units on this property was denied by the Planning Commission due to the location of a pipeline hazard area, limited access to the site and opposition from the surrounding neighbors. Thereafter, the city requested proposals for development on this site. This proposal was presented to the neighborhood and the neighborhood supports this development.

Barnes further pointed out that the commercial use near the residential area allows flexibility to make sure the development is compatible with the nearby residents in the area. The access will be limited to one point and some additional landscaping and screening will be provided between the residential units and this commercial development. The proposal from the developer includes a 10' wall as well as a wrought iron fence and some trees. The conditions request that the landscaping be enhanced.

With regard to the special permit for Planned Service Commercial, Barnes submitted a recommendation by the staff to amend the conditions of approval. Watershed Management is now satisfied, thus the staff is recommending that the proposal can move forward to the City Council. The proposed amendments are as follows:

RECOMMENDATION:	Conditional Approval
<u>CHANGE OF ZONE NO. 14028</u>	Approval
<u>SPECIAL PERMIT NO. 14045</u>	Conditional Approval

WAIVERS:

1. Per Section 27.72.040 of the Zoning Code, Height and Area Requirements. To reduce the rear and side yard setbacks.	Conditional Approval
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2. Per Chapter 2.05 of the Design Standards, Stormwater Drainage. Waive the requirement that post development flows be less than pre-development flows for an on-site detention pond.	Denial <u>Conditional Approval</u>
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~~1. The grading and stormwater management plans shall be approved by the Watershed Management Division, prior to scheduling these applications on a City Council agenda.~~

1.4 The City Council approves associated request:

1.1.4 Amendment of the Lincoln/Lancaster County Comprehensive Plan to show this property as a "Commercial" designation

1.4.2. Street vacation of Viewpoint Drive

1.3 Change of Zone No. 14028

2.6 Add a note to the plan that states, "The Stormwater Detention Calculations report dated October 15, 2014, and revised December 1, 2014, is a supplement to the special permit for Planned Service Commercial."

2.7 Provide hard copies of the revised drainage report to the satisfaction of the Watershed Management Division.

Regarding the request to vacate Viewpoint Drive, Barnes explained that Viewpoint Drive is a stub street/public right-of-way that is located off of Karl Ridge Road. The intent of the right-of-way is to provide access back to the larger parcel for future development. Essentially, by vacating it at the request of this developer and the adjacent property owners, the public right-of-way will become a private driveway and will still serve as access to the development.

Beecham commented that traffic through the residential neighborhood had been a concern in the past. Are we looking at large trucks coming into the mini-storage, or is it more likely to be smaller trucks? She thinks that perhaps travelers going north on 84th might go through the neighborhood. Barnes explained that the staff did not require the developer to do a full traffic study, but the staff and the applicant did specifically discuss the types and frequency of the vehicles, which will be addressed in the applicant's testimony. There would be potential for larger trucks but more frequently it would be smaller vehicles.

Corr asked for an explanation about Outlot A currently being non-buildable, but yet it appears that there will be some units on Outlot A. Barnes explained that platted outlots are generally non-buildable and typically reserved for open space, drainage, etc. In this case, Outlot A was reserved for some type of future use. In order to build the units as proposed, a final plat is required to designate that lot in order to get a building permit. Corr assumes that is acceptable and that Outlot A was for water detention. Barnes pointed out that this proposal includes a detention facility in the northwest portion of the site which will carry and hold most of the detention for this development, and there are also some underground facilities connecting to South 84th Street. Corr asked why Outlot A was designated as non-buildable in the first place. Barnes suggested that the owner may have wanted to reserve it for a period of time. Corr then sought to confirm that there are no existing topographic issues making that outlot non-buildable. Barnes concurred.

In regard to the developer's plans to construct a 10' wall, Harris was interested in what the minimum screening requirement would normally be for this type of development. She referred to the design standards, i.e., at least 60% up to 10 feet. What would the minimum be for this type of development? Barnes stated that the staff would follow the design standards for screening which would require screening between the perimeter of the commercial use and the adjacent residential properties. There is a formula in the design standards that is followed. By providing the 10' wall, essentially they are screening 100% from the adjacent property. Harris asked if 10' would be the maximum for whatever would have been developed. Barnes responded that the "60% up to 10 feet" is the design standard. Harris then assumed that the developer is doing the maximum screening and they would never be asked to do anything above ten feet. Barnes acknowledged that the staff is not recommending any additional height. There is some grade difference, so from properties on the west, the wall may look taller than 10', but the recommendation includes additional plant material throughout the site to provide the minimum requirement.

Proponents

1. Rick Krueger, President of Krueger Development, testified as the applicant, stating that the green area shown on the map is the area that will remain grass. In fact, 37% of the site will still be grass when completed. This is a very straight-forward application, and he expressed his appreciation to the staff for creating workable solutions on all of the various issues involved.

Krueger stated that the developer team met with the neighborhood, and there is a letter of support in the record. There were three proposals submitted to the City for this property, and this application received positive vibes from the neighbors. Krueger stated that he has no issues with the city in regard to design items.

With regard to the 10' wall, Krueger explained that the perimeter wall will be located at least at the setback and in some cases back beyond the normal setback so that there would not be any light trespass into the neighborhood; it will provide security for the facility; and by moving it back, the neighbors have more open space. This was also done at South Ridge Village at 27th & Pine Lake between the office use and the residential.

Krueger pointed out that there are two detention cells on 84th Street (series of underground vaults) and the major cell drains through an existing pipe and down through the city storm system. The proposal meets all of the standards for detention.

2. Danielle Smith, regional manager of **Big Red Storage** responded to the concerns about truck traffic. The traffic count indicates that there will be 35 visits (70 trips) per day. As far as large vehicles, there may be some smaller moving trucks, but there will be very limited semi-truck access. She does not believe it will be an issue.

Beecham inquired whether the trucks are Big Red's own fleet or private vehicles. Smith stated that Big Red does has two 14' U-Haul trucks which might be parked there a few months out of the year. Beecham encouraged that the neighbors contact Ms. Smith if there are any problems.

There was no testimony in opposition.

COMPREHENSIVE PLAN AMENDMENT NO. 14006
ACTION BY PLANNING COMMISSION:

December 10, 2014

Hove moved approval, seconded by Scheer.

Lust thinks this is a good project for the location and she is glad the City was able to regroup and have a project come forward that is acceptable to the neighborhood.

Motion for approval carried 9-0: Scheer, Harris, Cornelius, Beecham, Corr, Sunderman, Weber, Hove and Lust voting 'yes'. This is a recommendation to the City Council.

CHANGE OF ZONE NO. 14028
ACTION BY PLANNING COMMISSION:

December 10, 2014

Hove moved approval, seconded by Beecham and carried 9-0: Scheer, Harris, Cornelius, Beecham, Corr, Sunderman, Weber, Hove and Lust voting 'yes'. This is a recommendation to the City Council.

SPECIAL PERMIT NO. 14045
ACTION BY PLANNING COMMISSION:

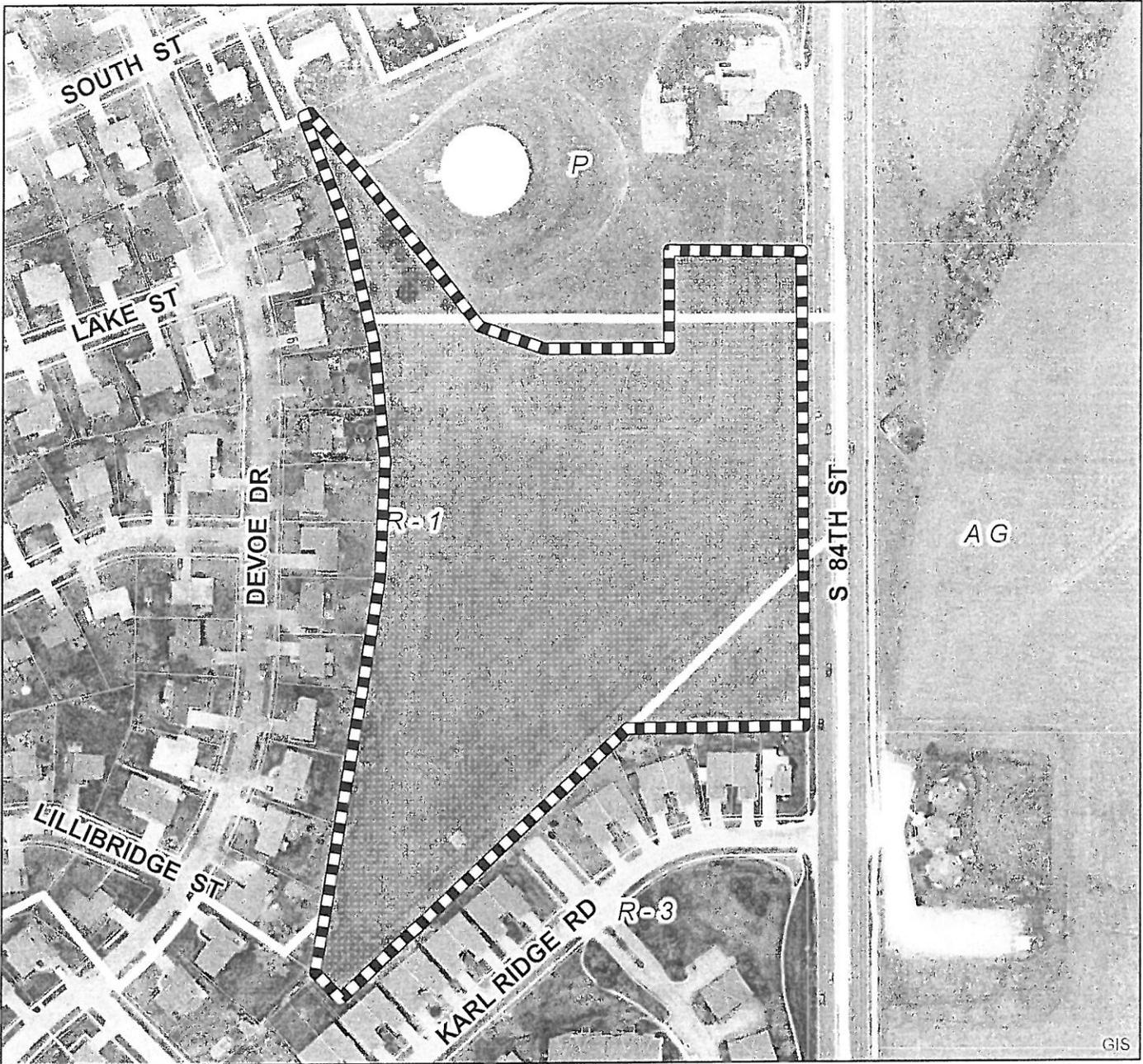
December 10, 2014

Hove moved to approve the staff recommendation of conditional approval, as amended, seconded by Weber and carried 9-0: Scheer, Harris, Cornelius, Beecham, Corr, Sunderman, Weber, Hove and Lust voting 'yes'. This is a recommendation to the City Council.

STREET & ALLEY VACATION NO. 14009
ACTION BY PLANNING COMMISSION:

December 10, 2014

Cornelius moved to approve a finding of conformance with the Comprehensive Plan, seconded by Hove and carried 9-0: Scheer, Harris, Cornelius, Beecham, Corr, Sunderman, Weber, Hove and Lust voting 'yes'. This is a recommendation to the City Council.



GIS

2013 aerial

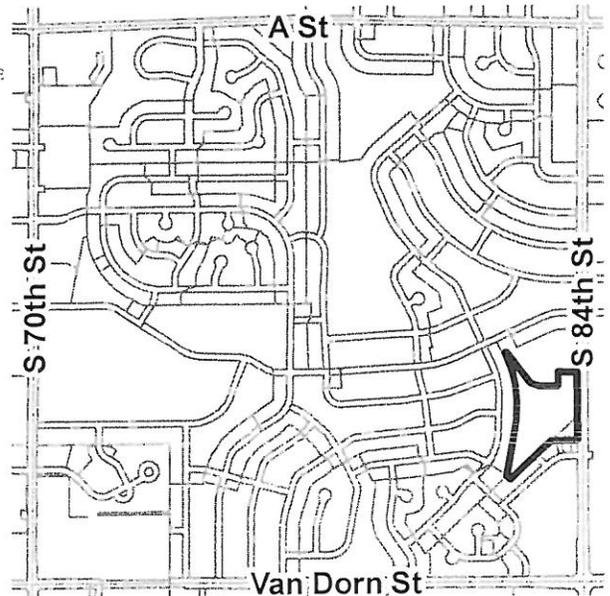
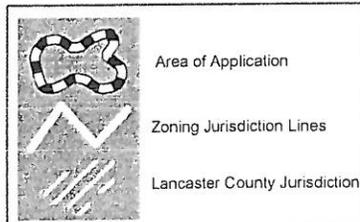
Special Permit #: SP14045
S 84th St & Karl Ridge Rd



One Square Mile:
 Sec. 34 T10N R07E

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





File No. 14-0104
October 15, 2014

Mr. Marvin Krout, AICP
Director of Planning
Paul Barnes, Planner
City of Lincoln/ Lancaster County
555 South 10th Street
Lincoln, NE 68508

RE: SOUTH 84TH
SOUTH 84TH STREET & KARL RIDGE ROAD
CHANGE OF ZONES/ COMPREHENSIVE PLAN AMENDMENT/
SPECIAL PERMIT "PLANNED SERVICE COMMERCIAL"

Dear Marvin,

On behalf of R.C. Krueger Development, we submit the above mentioned zoning applications for your review. All of the applications are located along South 84th Street and approximately at Karl Ridge Road.

The change of zones include revising 'R-1', 'R-3' and 'P' zoning to 'H-4' zoning. The total area requested to be changed to 'H-4' zoning is proposing 10.01 acres.

A comprehensive plan amendment is also being requested on the 10.01 acres mentioned above. The comprehensive plan amendment is requested to modify the residential designation on the property to a commercial designation.

South 84th is a planned service commercial special permit to allow 130,000 square feet of mini-storage and outside RV/vehicle storage. The special permit contains the above mentioned 10.01 acres of the requested 'H-4' zoning. The site contains approximately 615 mini-storage units with 340 units being climate controlled. The site also contains outside storage areas for 22 recreational vehicles and 14 personal vehicles.

A 10 foot tall decorative wall has been proposed around the perimeter of the property which abuts residential zoning. The back of the proposed buildings will also have a decorative wall which takes place of the 10 foot wall. A 6 foot tall wrought iron fence is shown in numerous areas around the perimeter and on the north and east sides of the development to break up the length of the wall as well as allow a gate access to maintain the property around the perimeter of the site.

Detention is shown in the northwest corner of the site. The water flows into an existing 18 inch storm sewer pipe. Grate inlets and storm sewer pipe is shown along South 84th Street which flows into the existing 24 inch storm sewer pipe located in the northeast corner of the site.

We are requesting waivers of the following zoning and subdivision regulations at this time.

1. Rear yard setback from 50 feet to 30 feet adjacent to 'R-1' & 'R-3' zoning which is the far west property line. (Zoning Ordinance, Chapter 27.72.040)
The residential zoning adjacent to the requested waiver has a setback of 30 feet. This proposal matches the adjacent setback. With the decorative wall and additional deciduous trees the impact of this development has been greatly reduced on the adjacent neighbors.
2. Rear yard setback from 20 feet to 5 feet adjacent to 'P' zoning which is a west line of the property in the middle of the project. (Zoning Ordinance, Chapter 27.72.040)
The property line in question is more like a side yard than a rear yard. The adjacent property is public property.
3. Side yard setback from 50 feet to 20 feet adjacent to 'R-3' zoning which is the south property line. (Zoning Ordinance, Chapter 27.72.040)
The proposed setback has been presented to the adjacent neighbors with a positive response. With the decorative wall and additional deciduous trees the impact of this development has been greatly reduced on the adjacent neighbors.
4. Side yard setback from 20 feet to 5 feet adjacent to 'P' zoning which is the north property line. (Zoning Ordinance, Chapter 27.72.040)
The adjacent property is public property. The reduction in setback will help utilize the property efficiently and compensate for the property that cannot be utilized due to detention and/or electrical lines through the property.

A separate application for the vacation of right-of-way on Viewpoint Drive has been submitted to the Planning Department. The developer will obtain ownership of that area of the existing pavement along with a few feet from the curb and the adjacent owners will establish ownership of the remaining adjacent to their lot. The vacated right-of-way will be established as the driveway access to the mini-storage development.

Please contact me if you have any questions or comments.

Sincerely,



Marcia L. Kinning

Cc: R.C. Krueger Development Company, Inc.

Enclosures: Application
COZ Application Fee of \$792.00
Comp Plan Amend Application Fee of \$330.00
Special Permit Application Fee of \$792.00
Owner's List

MEMORANDUM

TO: Planning Commission

FROM: Paul Barnes, Planner

SUBJECT: South 84th Street Planned Service Commercial, SP#14045

DATE: December 9, 2014

CC: Rick Krueger
Ben Higgins
Jared Nelson
Marcia Kinning

The purpose of this memo is to amend the staff recommendation for the South 84th Street Mini-Storage Planned Service Commercial special permit. This application will be heard at the December 10, 2014 Planning Commission meeting.

The staff report noted that the grading and stormwater management plans needed to be revised and approved by the Watershed Management Division, prior to scheduling this application on a City Council agenda. The Watershed Management Division has reviewed revisions to the report and has determined that the changes are satisfactory. The staff recommendation is hereby amended as follows:

1. Change the recommendation for a Stormwater Drainage waiver from 'Denial' to 'Conditional Approval' on page 2 of the staff report.
2. Remove Note 1 under Site Specific Conditions that states, "The grading and stormwater management plans shall be approved by the Watershed Management Division, prior to scheduling these applications on a City Council agenda."
3. Renumber the Site Specific Conditions as noted below:
 - 1.4 The City Council approves associated request:
 - 1.1.4 Amendment of the Lincoln/Lancaster County Comprehensive Plan to show this property as a "Commercial" designation

1.4.2 Street vacation of Viewpoint Drive

4. Add note 2.6 under Site Specific Conditions that states, "Add a note to the plan that states, 'The Stormwater Detention Calculations report dated October 15, 2014, and revised December 1, 2014, is a supplement to the special permit for Planned Service Commercial.'"
5. Add note 2.7 under Site Specific Conditions that states, "Provide hard copies of the revised drainage report to the satisfaction of the Watershed Management Division."

SUPPORT

ITEMS NO. 4.1a,b,c,d: COMP PLAN AMEND NO. 14008
CHANGE OF ZONE NO. 14028
SPECIAL PERMIT NO. 14045
SAV14009

(p.75 - Public Hearing - 12/10/14)

From: Randy Taylor <nebraskaland@hotmail.com>
Sent: Tuesday, December 09, 2014 9:50 AM
To: Jean Preister
Subject: 84th & South development

Dear Members of the Planning Commission

RE: Comprehensive Plan Amendment No. 14008-Future Land Use Map
Change of Zone CZ14028- R-1 to P and R-1, R-3 and P to H-4
Special Permit No. 14045-Min-storage and RV/vehicle storage: and
Street & Alley Vacation No. 14009-Viewpoint Drive
(South 84th Street and Karl Ridge Road)

Our family owns a home on the west side of the property at 84th and South St, specifically Lot 13, Block 14, Trendwood 5th addition. We are writing to voice our support of the proposed changes which you will be voting on at the December 10th, 2014 meeting. We feel the project has been well designed and that Kruger Development has worked with the neighbors to minimize the impact of the storage shed development to the neighborhood. It is our feelings that the Kruger development of the storage sheds is the best option for the property and the neighborhood.

Thank you and we are hopeful that the Commission will approve the items regarding these changes.

Randy & Maria Taylor
2330 Devoe Dr
Lincoln, NE 68506