

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for September 13, 2006 PLANNING COMMISSION MEETING

NOTE: 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 #: Annexation #06015 - Yankee Hill Plaza
Change of Zone #06058

PROPOSAL: To annex approximately 23.89 acres of land and change the zoning from AG Agriculture to B-2 Planned Neighborhood Business.

LOCATION: Approximately 1/4 mile south of the intersection of Yankee Hill Road and South 40th Street.

LAND AREA: Approximately 23.89 acres.

CONCLUSION: While this site is not designated for commercial land uses, the Comprehensive Plan anticipates a neighborhood commercial center in each square-mile section to primarily serve the residences located within it. With approximately 216,000 of office and commercial floor area, this request is consistent with a neighborhood center as described in the Plan. Funds are programmed in the CIP to serve this site with public utilities, and annexation is consistent with the City's criteria. Subject to the owner entering into an annexation agreement with the City of Lincoln, these requests are consistent with the Comprehensive Plan.

<u>RECOMMENDATION:</u>	Approval
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GENERAL INFORMATION:

LEGAL DESCRIPTION: Separate legal descriptions for annexation and change of zone are attached.

EXISTING ZONING: AG Agricultural

SURROUNDING LAND USE AND ZONING:

North:	Agricultural Residential	AG
South:	Church	R-4
East:	Agriculture	AG
West:	Agriculture	AG

EXISTING LAND USE: Agriculture

COMPREHENSIVE PLAN SPECIFICATIONS:

Page F17 - Overall Form - Maximize the community's present infrastructure investment by planning for residential and commercial development in areas with available capacity. This can be accomplished in many ways including encouraging appropriate new development on unused land in older neighborhoods, and encouraging a greater amount of commercial space per acre and more dwelling units per acre in new neighborhoods.

Page F25- This site is designated for urban residential land uses in the Land Use Plan.

Page F27 - Urban Growth Tiers - This site is in Tier 1, Priority Area A of the City's Future Service Limit.

Page F46 - Neighborhood Centers - Neighborhood Centers typically range in size from 150,000 to 250,000 square feet of commercial space. Existing centers may vary in size from 50,000 to 300,000 square feet.

Neighborhood Centers should be located approximately 3/4 to one mile apart, depending upon their size, scale, function and the population of the surrounding area.

Neighborhood Centers are not sited in advance on the land use plan. However, in neighborhoods oriented to greater pedestrian activity and residential density, two neighborhood centers may be located within a square mile of urban residential use.

Neighborhood Centers should generally not develop at corners of intersections of two arterial streets due to limited pedestrian accessibility and impact on the intersection – locations 1/4 to 1/2 mile from major intersections are encouraged, particularly if there is to be more than one commercial center within a square mile of urban residential use. There may be circumstances due to topography or other factors where centers at the intersection may be the only alternative.

During the planning period many additional neighborhood centers will be needed. These centers are not identified on the land use plan and will instead be located as part of plans for future neighborhoods based on the commercial guidelines.

Page F154 - The City's annexation policy of the 2025 Comprehensive Plan.

HISTORY:

July 25, 2006 - Applicant and staff met formally during a project pre-application meeting. A written response from staff outlining unresolved issues or known required corrections was distributed to applicant and other interested parties on August 4, 2006.

May 25, 2006 - Applicant and staff met informally to discuss the project. Review by formal pre-application was recommended.

ASSOCIATED REQUEST:

Use Permit #06005 - A request for use permit approval for approximately 216,000 square feet of office and commercial floor area.

SPECIFIC INFORMATION:

UTILITIES & SERVICES:

- A. **Sanitary Sewer:** This project must connect to sewer lines both west of South 40th Street to serve the northern portion of the site, and the line to the south that will serve the Southwood Lutheran Church. The Upper Southeast Salt Valley Basin trunk sewer from South 20th Street to approximately South 40th Street and Yankee Hill Road, and the Sub-basin Upper Southeast Salt Valley Basin trunk sewer to South 40th Street must be constructed to provide sanitary sewer service to the area to be annexed. Funds are shown in years 2005-06 in the Capital Improvement Program (CIP) for these sewer mains.
- B. **Water:** Funds to construct water distribution mains from South 27th Street to South 40th Street in Rokeby Road, and from Yankee Hill Road to Rokeby Road in South 40th Street are shown in years 2005-06 in the CIP.
- C. **Roads:** South 40th Street from Yankee Hill Road to Rokeby Road is a two-lane, asphalt county road, and is designated as an arterial street. Funds to improve it to the City's urban paving standard are not included in the six-year CIP.
- D. **Parks and Trails:** The Comprehensive Plan shows a neighborhood park in the area halfway between Yankee Hill and Rokeby Roads on South 40th Street. It has not yet been designated as part of any development.
- E. **Police/Fire Protection:** Police and fire protection are currently provided by the Lancaster County Sheriff and the Southeast Rural Fire Department. After annexation those service will be provided by the Lincoln Police and Fire Departments. The nearest fire stations are located at South 48th Street and Claire Avenue and South 27th Street and Old Cheney Road.

ANALYSIS:

1. The Grandale preliminary plat adjacent to the south, which includes the Southwood Lutheran Church, was approved August 2, 2006. The area had been previously annexed on April 17, 2006, thereby making this site contiguous to the city limit.
2. The Comprehensive Plan designates urban residential uses for this site. The recommended spacing suggests approximately one neighborhood center per square mile. Neighborhood centers are not indicated on the Land Use Map, rather the specific locations are floating and are determined based upon the development pattern within the square mile.
3. Development within this section includes acreages over most of the east half, and the recently approved Grandale plat which did not include a commercial component over the southwest quarter.
4. Annexation policy:
 - A. Land which is remote from the limits of the City of Lincoln will not be annexed; land which is contiguous and generally urban in character may be annexed; and land which is engulfed by the City should be annexed.
 - B. Annexation generally implies the opportunity to access all City services. Voluntary annexation agreements may limit or otherwise outline the phasing, timing or installation of utility services (i.e., water, sanitary sewer) and may include specific or general plans for the private financing of improvements to the infrastructure supporting or contributing to the land uses in the annexed area.
 - C. Plans for the provision of services within the areas considered for annexation should be carefully coordinated with the Capital Improvements Program of the city and the county."
5. Funds are programmed in the CIP to extend water and sewer to serve this site. During the review of these requests Public Works noted that improvements in South 40th Street may be necessary pending an approved traffic study. Any off-site improvements, including those in South 40th Street, would be stipulated in an annexation agreement. The requirement for the owner to enter into an annexation agreement is a recommended condition of approval of annexation.

CONDITIONS:

Annexation #06015

1. The owner(s) enter into an annexation agreement with the City of Lincoln.

Prepared by:

Brian Will, 441-6362, bwill@lincoln.ne.gov
Project Manager
August 31, 2006

**APPLICANT/
CONTACT:**

Brandon Garrett
Engineering Design Consultants
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Lincoln, NE 68521
402.438.4014

OWNER:

Lincoln Federal Bancorp
1100 N Street
Lincoln, NE 68508
402.474.1400

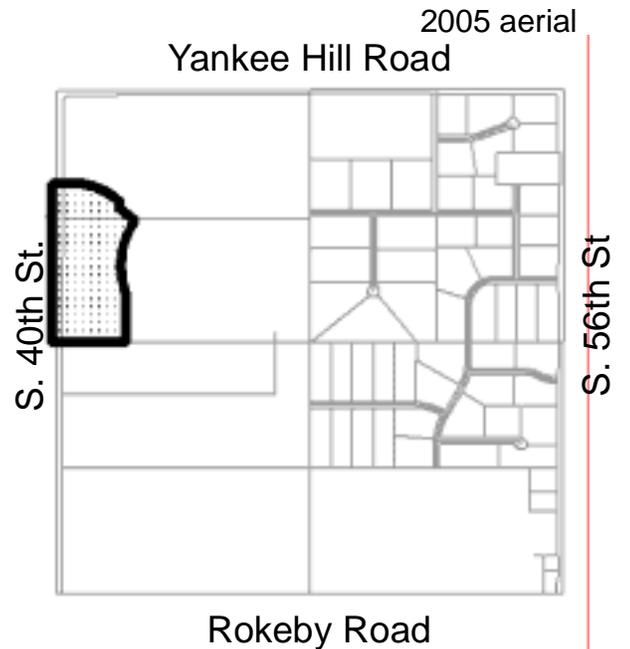
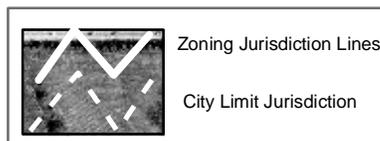


Annexation #06015 and S. 40th St & Yankee Hill Road

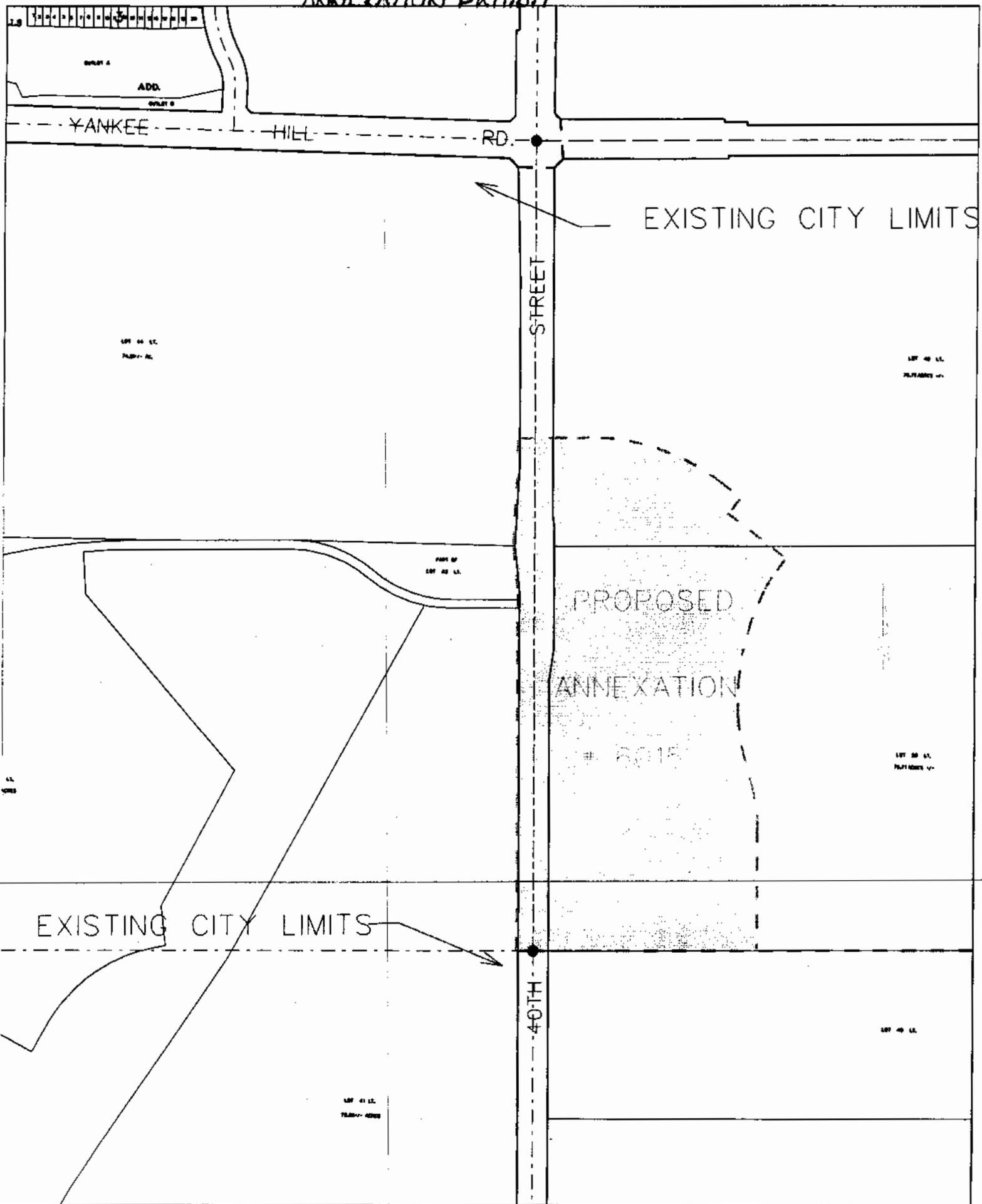
Zoning:

- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- R-C Residential Conservation District
- O-1 Office District
- O-2 Suburban Office District
- O-3 Office Park District
- R-T Residential Transition District
- B-1 Local Business District
- B-2 Planned Neighborhood Business District
- B-3 Commercial District
- B-4 Lincoln Center Business District
- B-5 Planned Regional Business District
- 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. 29 T09N R07E



ANNEXATION EXHIBIT





Change of Zone #06058

2005 aerial

Use Permit #06005

S. 40th St & Yankee Hill Road

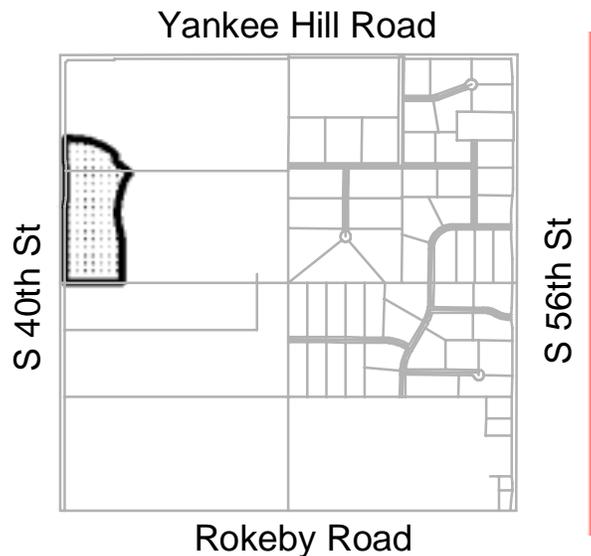
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- I-1 Industrial District
- I-2 Industrial Park District
- I-3 Employment Center District
- P Public Use District

One Square Mile
Sec. 29 T09N R07E



Zoning Jurisdiction Lines
City Limit Jurisdiction



RECEIVED

AUG 17 2006

LINCOLN CITY/LANCASTER CO.
PLANNING DEPARTMENT

CHANGE OF ZONE LEGAL DESCRIPTION

PART OF LOTS 49 AND 50 LOCATED IN THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 9 NORTH, RANGE 7 EAST OF THE 6TH P.M., LANCASTER COUNTY, NEBRASKA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER OF SECTION 29; THENCE S89°59'30"E, A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING, SAID POINT ALSO BEING ON THE EAST RIGHT-OF-WAY LINE OF SOUTH 40TH STREET; THENCE ALONG SAID EAST RIGHT-OF-WAY LINE OF SOUTH 40TH STREET ON THE FOLLOWING DESCRIBED 5 COURSES: THENCE N00°01'37"W, A DISTANCE OF 884.77 FEET; THENCE N08°25'22"E, A DISTANCE OF 102.08 FEET; THENCE N00°01'37"W, A DISTANCE OF 400.00 FEET; THENCE N08°59'43"W, A DISTANCE OF 32.07 FEET; THENCE N00°01'37"W, A DISTANCE OF 248.61 FEET; THENCE N89°57'34"E, A DISTANCE OF 77.36 FEET; THENCE S86°47'46"E, A DISTANCE OF 43.95 FEET; THENCE EASTERLY ON A CURVE TO THE RIGHT WITH A RADIUS OF 683.00 FEET, A DISTANCE OF 451.39 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS S71°06'41"E, A DISTANCE OF 443.22 FEET; THENCE S52°10'41"E, A DISTANCE OF 78.93 FEET; THENCE S37°49'19"W, A DISTANCE OF 66.00 FEET; THENCE S52°10'41"E, A DISTANCE OF 238.79 FEET; THENCE S37°49'19"W, A DISTANCE OF 71.35 FEET; THENCE S28°28'25"W, A DISTANCE OF 53.38 FEET; THENCE S22°46'25"W, A DISTANCE OF 106.70 FEET; THENCE S15°10'27"W, A DISTANCE OF 106.70 FEET; THENCE S07°34'28"W, A DISTANCE OF 106.70 FEET; THENCE S00°01'31"E, A DISTANCE OF 106.70 FEET; THENCE S07°37'30"E, A DISTANCE OF 106.70 FEET; THENCE S15°13'26"E, A DISTANCE OF 106.68 FEET; THENCE S17°35'48"E, A DISTANCE OF 20.00 FEET; THENCE S09°48'05"E, A DISTANCE OF 90.01 FEET; THENCE S00°52'21"E, A DISTANCE OF 47.19 FEET; THENCE S00°00'30"W, A DISTANCE OF 392.56 FEET; THENCE N89°59'30"W, A DISTANCE OF 672.07 FEET TO THE POINT OF BEGINNING. SAID TRACT OF LAND CONTAINS AN AREA OF 1,040,828 SQUARE FEET OR 23.89 ACRES, MORE OR LESS.

Projects\04-080\development\dwg\use\terminal\exminits\legal\description.dwg, Legal, 8/15/2006 3:53:41 PM, gajimrcc



YANKEE HILL PLAZA

Drawn By: XXX
Dwg.: Legal Description
Date: 08-17-06
Job#: 04-080

SHEET
1 OF 1

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AUG 17 2006

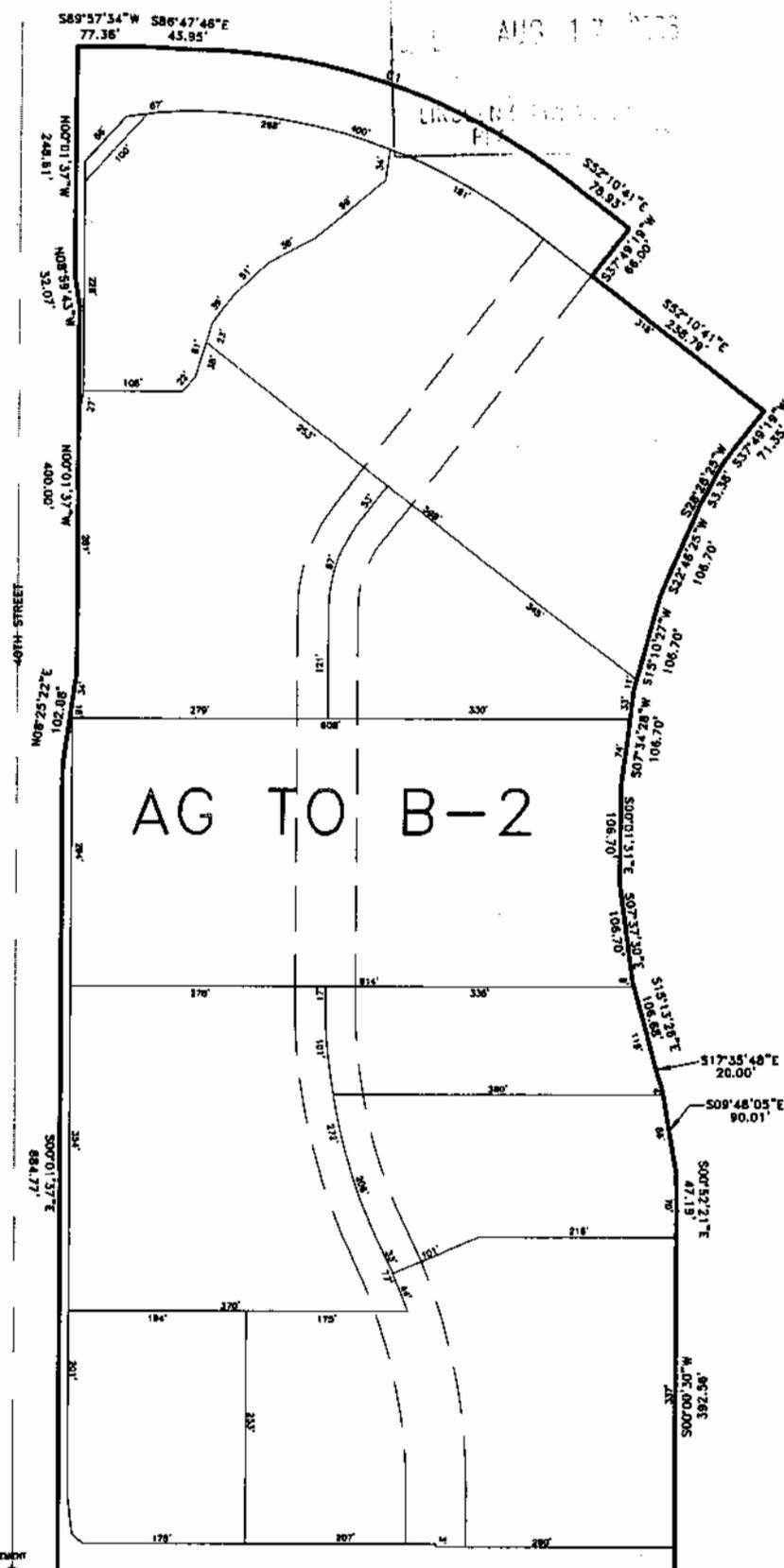
OWNER	AREA	ACRES	PERCENT	CHORD BEARING	CHORD LENGTH
STATE	1.0000	0.0228	0.23	N 89° 59' 30" W	672.07

ANALYSIS
Change of Zone

USE PERMIT LEGAL DESCRIPTION

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AG TO B-2



0 100' 200' 400'
SCALE: 1"=200'

POINT OF COMMENCEMENT
W. 1/4 CORNER OF
SEC. 29-09-07

POINT OF
BEGINNING



YANKEE HILL PLAZA
Change of Zone Exhibit
Lincoln, Nebraska

Drawn By: BMG
Dwg.: Legal Description
Date: 08-17-06
Job#: 04-060

SHEET
1 OF 1

Projects\04-060\develop\dwg\use Permit\exhibits\legal description.dwg, Change of Zone, 8/16/2006 3:58:38 PM, cgarrett, 1:1