

**LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT**

**for August 3, 2005 PLANNING COMMISSION MEETING**

**PROJECT #:** Change of Zone #05052  
Universal Addition Planned Unit Development (PUD)

**PROPOSAL:** From I-2 to I-2 P.U.D

**LOCATION:** South 14<sup>th</sup> Street and Pioneers Blvd

**LAND AREA:** 24.9 acres more or less.

**CONCLUSION:** The proposed layout provides for a more efficient use of the site, and provides another access point onto South 14<sup>th</sup> Street. The additional access point enhances traffic safety by providing more space for vehicle stacking south of the Highway 2/South 14<sup>th</sup> Street intersection and railroad crossing. The setback adjustment for the existing building is appropriate to accommodate the proper alignment of Delanie Blvd and Dalton Drive. The waivers to a sidewalk along the east side of Delanie Drive and to the setbacks for the new pad sites are not justified. Subject to the conditions of approval, this request is consistent with the Comprehensive Plan.

<b>RECOMMENDATION:</b>	
CZ#05025	Approval
Waivers:	
-Front yard setback from 50' to 10', Lot 4	Approval
-Front yard setback from 50' to 10', Lot 1	Conditional Approval
-Front yard setback from 50' to 30', Lots 1, 2, 3	Approval
-Front yard setback from 50' to 15', Lot 1	Conditional Approval
-Side yard setback from 20' to 15', Lots 1, 2, 3	Approval
-Side yard setback from 20' to 10', Lot 4	Approval
-Rear yard setback from 20' to 15', Lot 3	Approval
-Sidewalk along the east side of Delanie Blvd	Denial

**GENERAL INFORMATION:**

**LEGAL DESCRIPTION:** Lots 1 and 2, Block 1, Lincoln Industrial Park

**EXISTING ZONING:** I-2

**EXISTING LAND USE:** Industrial

**SURROUNDING LAND USE AND ZONING:**

North:	Commercial, Railroad	H-3, I-2
South:	Commercial, Industrial	I-2
East:	Commercial	I-2
West:	State Penitentiary	P

**COMPREHENSIVE PLAN SPECIFICATIONS:**

**Pg F25** - The Land Use Plan designates industrial land uses for this site.

**Pg F38** - General Principles For All Commercial and Industrial Uses - Commercial and industrial districts in Lancaster County shall be located:

- 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
- in areas accessible by various modes of transportation (i.e. automobile, transit and pedestrian)
- so that they enhance entryways or public way corridors, when developing adjacent to these corridors
- in a manner that supports the creation and maintenance of green space as indicated in the environmental resources section of this Plan.

**UTILITIES:** Public utilities are available to serve this site. On-site storm water detention must be accommodated, but the plan was not included with the application.

**TRAFFIC ANALYSIS:** South 14<sup>th</sup> Street is a principal arterial, and Pioneers Blvd is a local street. Full-turning movement access to South 14<sup>th</sup> Street is currently provided at the Pioneers Blvd intersection. Two new public streets, Delanie Blvd and Dalton Drive, provide access to the proposed lots being created, and show another full-turning movement access intersection at South 14<sup>th</sup> Street. Public Works has indicated that full access at Pioneers Blvd will be limited to right-in, right-out with future improvements to South 14<sup>th</sup> Street. The site plan shows a portion of Pioneers Blvd to be vacated anticipating the Pioneers Blvd intersection would be removed with those future improvements, however it appears that a limited turning-movement intersection will remain.

**ANALYSIS:**

1. The proposed PUD creates four lots, including one for the existing warehouse building and three new pad sites. The warehouse is to remain and potentially expand, and the proposed uses allowed on the lot are those allowed in the I-2 district. The three pad sites are proposed for commercial development, and the uses allowed are those in the H-3 which includes fast food restaurants, banks with drive-thru windows, convenience stores, and other highway commercial uses.
2. Public Works has indicated that Pioneers Blvd will be limited to right-in, right-out access after South 14<sup>th</sup> Street is improved sometime in the future. The potential improvement is not a part of the Capital Improvement Program at this time, so the actual design of the new street is not certain. The intent of this plan is to provide for improved accessibility and traffic flow as part of this development by allowing full-turning movement access onto South 14<sup>th</sup> Street at Dalton Drive, understanding it is likely that the access at Pioneers will be restricted in the future. A portion of the Pioneers Blvd right-of-way is shown to be vacated based upon an initial understanding that access would no longer be allowed to South 14<sup>th</sup> Street, however it appears that limited access will be allowed so the vacation should be removed and eliminated from the proposal.
3. Two new public streets are created to provide access to the lots and a new access onto South 14<sup>th</sup> Street. The alignment of Delanie Blvd is such that it bends to the east to make Dalton Drive long enough to provide for adequate vehicle stacking. The intent is to reduce traffic conflicts potentially caused by trucks entering and leaving the warehouse facility. The stacking forces Delanie Blvd into the standard 50' front yard of the I-2 district. Considering the increased safety the new streets provide for the truck traffic and other existing and new properties, the adjustment is reasonable.
4. Several setback adjustments are also requested for the new pad sites. The adjustment requested between Lots 1 and 2, and between Lots 3 and 4 are not adjacent to a street and are internal to the development. The adjustments requested along Delanie Blvd, Dalton Drive, and Pioneers Blvd reduce the yards along the street. The uses allowed on these lots are those of the H-3 district in an attempt to maintain consistency with the H-3 area north of Pioneers Blvd, and further south on the other side of Beal Slough. These lots should maintain the required 30' front yard setback of the H-3, with no parking or drive aisles allowed in the front yards along South 14<sup>th</sup> Street, Dalton Drive, and Delanie Blvd. Providing this green space justifies the loss of green space along the existing building east of Delanie Blvd. The adjustment for the south line of lot 3 is to the rear yard, not the side yard as stated, and seeks to adjust the setback from 20' to 15'. Located along the Beal Slough drainage, a 15' setback

will maintain an adequate setback and provide enough area to sustain landscape plantings.

5. A waiver to the required sidewalk along the east side of Delanie Drive is requested. Sidewalks are required on both sides of streets by the Subdivision Ordinance and are encouraged by the Comprehensive Plan. Exceptions would be those cases where there is a hardship associated with installing the sidewalk, or it has been demonstrated it is impractical to build it. However, no such hardship or impracticality has been demonstrated in this case and the sidewalk should be installed. Additionally, a sidewalk is required to be shown along Pioneers Blvd adjacent to this development. At the time of final platting, a sidewalk and street lights will be required improvements.
6. A complete grading and drainage plan was not included with the original submittal. The review from Public Works and Utilities was received in time to be attached to this report, but not in time to be included in the analysis. Approval of the PUD must be subject to the applicant making any required revisions noted by Public Works and Utilities.
7. Parks and Recreation noted that the street tree plan does not comply with the City of Lincoln Design Standards. It is recommended the plan be revised to their satisfaction at this time. A street tree is required to be submitted at the time of final plats.

### **CONDITIONS OF APPROVAL:**

#### Site Specific:

1. After the applicant completes the following instructions and submits the documents and plans to the Planning Department and the plans are found to be acceptable, the application will be scheduled on the City Council's agenda:

#### 1.1 Revise the site plan as follows:

1.1.1 Remove the shaded area indication a portion of Pioneers Blvd to be vacated and any reference to the vacation of Pioneers Blvd.

1.1.2 Submit a grading and drainage plan in accordance with adopted codes and design standards to the satisfaction of Public Works and Utilities.

1.1.3 Make other revisions in accordance with adopted codes and design standards to the satisfaction by Public Works and Utilities.

1.1.3 Show a 30' setback for Lot 1 along Delanie and Pioneers Blvds with a note stating that parking and driving aisles shall not be allowed in the 30' setback along South 14<sup>th</sup> Street, Dalton Drive, and Delaney Blvd.

1.1.4 Show sidewalks along the east side of Delanie Blvd. and along Pioneers Blvd adjacent to Lots 1 and 4.

1.1.5 All sidewalks in the right-of-way shall be shown at least 9'6" from the back of pavement. A pedestrian way easement shall be provided if the sidewalk is located on private property.

2. This approval permits 370,000 square of commercial and industrial floor area with variances to the front yard from 50' to 10' for Lot 4, and from 50' to 30' for Lots 1, 2, and 3, however no parking and driving aisles shall be allowed in the 30' front yard along South 14<sup>th</sup> Street, Dalton Drive, and Delaney Blvd, and variances to the side yard for Lots from 20' to 15' for Lots 1, 2, and 3, and from 20' to 10' for Lot 4, and the rear yard from 20' to 15' for Lot 3.

General:

3. Before receiving building permits:
  - 3.1 The permittee shall have submitted five copies of a revised final plan and the plans are acceptable.
  - 3.2 The construction plans shall comply with the approved plans.
  - 3.3 Final Plats shall be approved by the City.

Standard:

4. The following conditions are applicable to all requests:
  - 4.1 Before occupying the buildings all development and construction shall have been completed in compliance with the approved plans.
  - 4.2 The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
  - 4.3 The terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.

- 4.4 The City Clerk shall file a copy of the ordinance approving the permit and the letter of acceptance with the Register of Deeds. The Permittee shall pay the recording fee in advance.

Prepared by:

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Brian Will, 441-6362, [bwill@lincoln.ne.gov](mailto:bwill@lincoln.ne.gov)  
Planner  
Date: July 20, 2005

**APPLICANT/  
OWNER:**

Universal Companies  
800 Cattail Road  
Lincoln, NE 68521  
402.474.9500

**CONTACT:**

August Ponstigl  
REGA Engineering  
4827 Pioneers Blvd  
Lincoln, NE 68506  
402.484.7342

Ste A



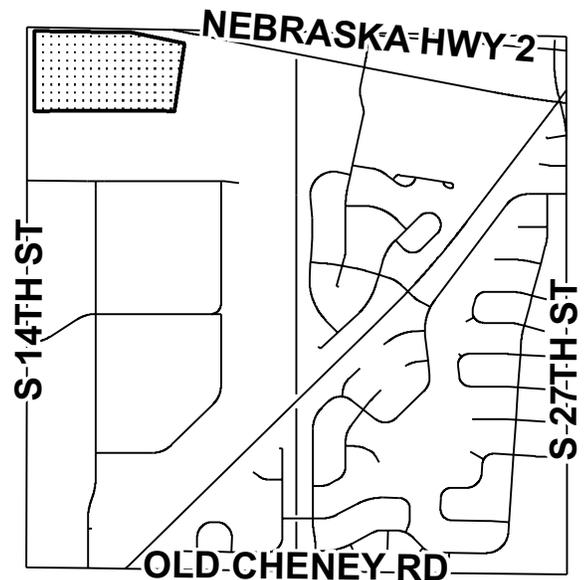
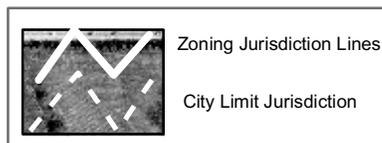
# Change of Zone #05052 S. 14th & Pioneers Blvd Universal Addition PUD

2005 aerial

## 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. 12 T9N R6E







July 7, 2005

Mr. Marvin Krout  
City of Lincoln  
555 South 10th, Room 213  
Lincoln, NE 68508

RE: Universal Addition: Planned Unit Development

Dear Marvin,

On behalf of John Jacobson, we are here within submitting of Universal Addition Planned Unit Development. The existing Lot 1 of Lincoln Industrial Park will be added to Lot 2, and then 3 commercial and 1 industrial lots will be divided off. Setbacks and Uses shall be the same as H-3 and I-2 zoning districts for the lots 1 thru 3 (H-3), and Lot 4 (I-2) respectively, except at Delanie Blvd. where the setbacks will be as shown on the site plan.

**Access:**

Per the City of Lincoln's request, Pioneers Blvd. shall be closed and vacated along the Planned Unit Development. This was requested due to problems of safety that exist at this intersection. Two public streets will divert traffic thru the proposed PUD to a signaled intersection at Dalton Drive and S. 14th Street. Dalton Drive and S. 14th Street will be a full access - signaled intersection with a Right and Left In as well as a Right and Left Out.

**Water:**

All lots have access to existing water mains. No additional public water utilities will need required. Services will connect Lots 1 thru 3 to the water main along S. 14th Street.

**Sanitary:**

All lots have access to existing sanitary sewer mains. No additional public sanitary sewer mains will need required. Services will connect Lots 1 thru 3 to the sanitary sewer main that runs thru the proposed Lots 1 thru 3.

**Grading:**

There is no net increase in the amount of fill being added to the site. The Industrial Lot will not be changed by this PUD.

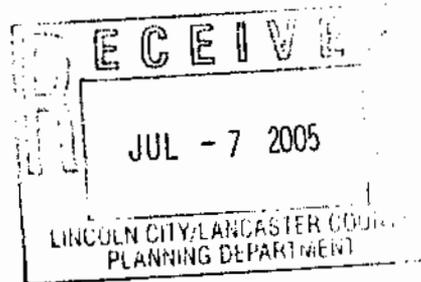
**Waivers:**

We request a Waiver to the Preliminary Plat requirement.

If you have any questions please call me at 484-7342.

Included with this submittal:

- PUD Application Form
- Arial Photo Soil Map
- Tax Status Form (To be submitted separately)
- Ownership Certificate (To be submitted separately)



P. U. D. Drawings to include:

Cover Sheet	21 copies
Topographic Site Plan	6 copies
Site Plan	21 copies
Grading Plan	6 copies
Drainage Plan	6 copies
Paving Profile Plan	6 copies
Utility Plan	6 copies
Landscape Plan	6 copies

8.5 x 11 Site Plan

Sincerely,

August Ponstingl  
Land Development Planner



CC: John Jacobson  
Dave Albers  
Peter Katt  
Dan Rosenthal

July 19, 2005

Mr. Brian Will  
City of Lincoln  
555 South 10th, Room 213  
Lincoln, NE 68508

RE: Universal Addition: Adjustments

Dear Brian,

The PUD zoning request would require a couple of adjustments to strict letter of the respective zoning districts as delineated on the site plan. These adjustments are helpful in that they provide a better overall development while maintaining the current level of public services available. .

**Setback Lot 1:**

The setback for Lot 1 will be an adequate and space saving 10-feet along Delanie Blvd. This gives Lot 1 ample room to develop a commercial building while saving the very nice large cottonwood trees that are on the Lot. The setback change will allow maximum flexibility and increase the character of the site by framing the public space along Delanie Blvd. It is intended that only a portion of the setback will be required to be 10-feet, due to the irregular shape of the lot, while setting it more restrictively would be confusing, the current 10-foot setback is needed for parking and building design flexibility.

**Setback Lot 4:**

A 10-foot setback along Delanie Blvd. for the existing industrial building gives it adequate space for plantings. An attractive screen will be added along the west side of the industrial building and will include shrubs, trees, flowering trees and perennial flower beds. Due to site constraints and requirements for the commercial lots and the creation of a full public road, the additional extravagant and excessive setbacks requirements are unfortunately not practical for the west side of the industrial lot.

**Sidewalk:**

Sidewalk access for the commercial property will be adequate along the west side of Delanie Blvd. The industrial building has no access along the west or the north side of the property therefore no need of additional sidewalks (the building has been in existence for many years without the need for a sidewalk). There is no pedestrian activity along Pioneers Blvd. and no future activity is anticipated because Pioneers Blvd. dead ends into industrial uses. There are no other sidewalks along Pioneers Blvd. and the building has been in use for many years without need for sidewalks.

If you have any questions please call me at 484-7342.

Included with this submittal:

Sincerely,

August Ponstingl  
Land Development Planner

# M e m o r a n d u m

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**To:** Brian Will, Planning Department

**From:** Chad Blahak, Public Works and Utilities  
Dennis Bartels Public Works and Utilities

**Subject:** Universal Addition Change of Zone #05052 PUD

**Date:** July 22, 2005

**cc:** Randy Hoskins

Engineering Services has reviewed the submitted plans for the Universal Addition PUD located south and east of the intersection of Highway 2 and South 14<sup>th</sup> Street, and has the following comments:

- 1 **Sanitary Sewer** - The following comments need to be addressed.
  - (1.1) The sewer service for the existing warehouse on Lot 4 needs to be shown. If the service connects to the existing 15" sewer that runs parallel to South 14<sup>th</sup> Street, it will have to be reconstructed to take access off of the existing 12" sewer in Pioneers Boulevard.
- 2 **Water Main** - The following comments need to be addressed.
  - (2.1) The existing private water line shown along the west side of the existing warehouse building will need to be relocated such that it is not within the proposed right-of-way for Delanie Boulevard or the street will need to be realigned such that the existing water main is not within the proposed right-of-way.
- 3 **Grading/Drainage** - The following comments need to be addressed.
  - (3.1) The flood plain shown does not match the flood prone area as shown in the Beal Slough master plan. The plans need to be revised to show the flood plain as it is shown in the approved master plan. The drainage study needs to provide the information required for a master planned basin.
  - (3.2) Detention has not been addressed with this plat. Detention calculations need to be submitted in accordance with design standards and the Drainage Criteria Manual and the grading plan needs to be revised to show where detention is proposed to be located or justification provided to waive the detention.
  - (3.3) There appears to be errors in the pipe sizing calculations. For numerous pipe sections the calculations show that the flow exceeds the pipe capacity. These errors need to be corrected on the plans accordingly. If existing pipes are

undersized this development should be required to rebuild the required system.

(3.4) A 30' easement must be shown for the existing storm sewer across the plat for the existing 36" storm sewer.

**4 Streets/Paving** - The following comments need to be addressed.

- (4.1) Prior to the approval of this plat, information needs to be provided showing that all property owners adjacent the proposed Pioneers Boulevard right-of-way vacation are in agreement with the vacation. If the vacation of the right-of-way is approved, this developer is responsible for all removal and reconstruction involved in removing this connection to South 14<sup>th</sup> Street.
- (4.2) This developer will be responsible for all construction in conjunction with the proposed full intersection at Dalton Drive and South 14<sup>th</sup> Street including the right and left turn lanes in 14<sup>th</sup> Street. This developer will also be responsible for any required construction at Pioneers and South 14<sup>th</sup> Street. The plans need to be revised to show these improvements. The right turn lane as shown does not meet design standards.
- (4.3) The right angle intersection of Pioneers and Delanie and the intersection of Delanie and Dalton do not meet design standards for horizontal curves. Anticipated truck traffic likely cannot make these turns without occupying the entire intersection. The plans need to be revised to show that the WB-50 vehicle can negotiate the intersections with impeding the flow of traffic.
- (4.4) The right turn lane approaching Dalton on 14<sup>th</sup> Street is required by arterial street criteria to provide a 200 foot tangent length. Revisions need to be made accordingly.
- (4.5) Paving of Pioneers adjacent to this plat is substandard. No sidewalks or street lights exist. Street lighting is a responsibility of the developer not the City. General note #7 needs to be revised accordingly.
- (4.6) Right-of-way for Pioneers must be dedicated to provide a minimum of 33' south of the centerline for the entire length of the plat. Right-of-way 33' wide is standard for public street in commercial areas.
- (4.7) The driveway shown at the east end of Dalton does not meet Lincoln Municipal Code requirements for paving grade. Revisions need to be made accordingly.
- (4.8) Additional 25' right-of-way triangles need to be shown at the intersection of 14<sup>th</sup> and Dalton to accommodate possible future traffic signals.

**General** - The information shown on the preliminary plat relating to the public water main system, public sanitary sewer system, and public storm sewer system has been reviewed to determine if the sizing and general method providing service is satisfactory. Design considerations including, but not limited to, location of water main bends around curves and cul-de-sacs, connection of fire hydrants to the public main, temporary fire hydrant location, location and number of sanitary sewer manholes, location and number of storm sewer inlets, location of storm sewer manholes and junction boxes, and the method of connection storm sewer inlets to the main system are not approved with this review. These and all other design considerations

can only be approved at the time construction drawings are prepared and approved.

CZ05052 tdq

**LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT  
INTER-OFFICE COMMUNICATION**

<b>TO:</b> Brian Will	<b>DATE:</b> July 19, 2005
<b>DEPARTMENT:</b> Planning	<b>FROM:</b> Chris Schroeder
<b>ATTENTION:</b>	<b>DEPARTMENT:</b> Health
<b>CARBONS TO:</b> EH File EH Administration	<b>SUBJECT:</b> Universal Addition CZ #05052 (PUD)

The Lincoln-Lancaster County Health Department has reviewed the proposed development with the following noted:

- All wind and water erosion must be controlled during construction. The Lower Platte South Natural Resources District should be contacted for guidance in this matter.
- During the construction process, the land owner(s) will be responsible for controlling off-site dust emissions in accordance with Lincoln-Lancaster County Air Pollution Regulations and Standards Article 2 Section 32. Dust control measures shall include, but not limited to application of water to roads, driveways, parking lots on site, site frontage and any adjacent business or residential frontage. Planting and maintenance of ground cover will also be incorporated as necessary.



**Lincoln**  
**Parks & Recreation**

Memo

**To: Brian Will, Planning Department**  
**From: Mark Canney, Parks & Recreation**  
**Date: July 14, 2005**  
**Re: Universal Addition – CZ05052 (PUD)**

Staff members of the Lincoln Parks and Recreation Department have conducted a plan review of the above-referenced application/proposal and have the following comments:

1. Marmo Maple is not an acceptable street tree species. Please contact the City Forestry Department at 441-7036 for the appropriate street tree.
2. Planting details do not comply with the City Standard. Please contact the Parks and Recreation Planning and Construction Department at 441-8248 for the correct detail.
3. The City Arborist must be contacted prior to street tree installation to mark out street trees. The contact number is City Forestry Department at 441-7036. Please include this note on landscape plan.

If you have any additional questions, comments or concerns, please feel free to contact me at 441-8248.  
Thank you.