

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT
for October 26fv, 2005 PLANNING COMMISSION MEETING

P.A.S.: Change of Zone #05072 - CUP density

PROPOSAL: Text amendment to :

City *Zoning Ordinance*, Chapter 27.65.080, CUP Density, to add a provision to allow pre-existing lots to be included in the density specifically.

CONCLUSION: This amendment would allow preexisting buildable lots to be included in a Community Unit Plan and not be affected by the general density calculations. This is expected to provide for better design while protecting existing lot density.

RECOMMENDATION:

Approval

ANALYSIS:

1. This proposed zoning amendment would allow pre-existing lots to be included in Community Unit Plans (CUP) without losing the density of those lots. This should result in the ability to relocate existing "grand fathered" lots into a CUP and by including them result in a better design with no negative impact on density. Currently these "grand fathered" lots are often "wrapped around" by the CUP to avoid a loss of density.

2. This change was initiated by Brian Carstens specifically in relation to Stevens Creek Pointe CUP and two adjacent grand fathered, buildable lots. Staff and the applicant have mutually agreed this reflects a win win provision.

3. The proposed language has been adjusted by mutual agreement of the applicant and staff.

Proposed Language:

Chapter 27.65
Community Unit Plan

27.65.080 Design Standards; Density.

The density of a community unit plan, the shape, size, and location of buildings, required open space buffers, recreational facilities, and utilities shall be constructed in conformance with the design standards adopted by resolution of the City Council.

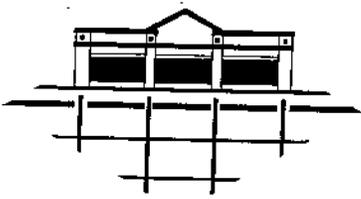
Pre-existing buildable lots located adjacent to a CUP may be included within the limits of the CUP and the previous permitted density from said pre-existing buildable lots may be transferred to another area in the CUP without effecting the overall density of the CUP as determined by the adopted design standards.

Prepared by:

Mike DeKalb, AICP, 441-6370, mdekalb@ci.lincoln.ne.us
Planner
September 24, 2005

APPLICANT: Brian D. Carstens
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CONTACT: Brian D. Carstens



BRIAN D. CARSTENS AND ASSOCIATES
LAND USE PLANNING RESIDENTIAL & COMMERCIAL DESIGN
601 Old Cheney Road, Suite C Lincoln, NE 68512 Phone: 402.434.2424

September 15, 2005

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

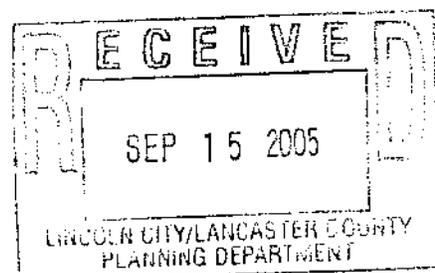
RE: STEVENS CREEK POINTE – SPECIAL PERMIT #1883A
NORTH 134TH AND ADAMS STREET

Dear Marvin,

On behalf of Gerry and Diane Krieser, we submit the following revised CUP for your review. Since the time of the original approval, the Krieser's have purchased the two-5 acre parcels in the southwestern portion of the site. These Irregular Tracts (I.T.'s) were not part of the original CUP. One I.T. contained an older home which has been removed, and the other lot is vacant.

The Krieser's want to include the former I.T.'s within the limits of the CUP and relocate them to the northwest, near the other lots in the CUP. This will clear the way for the future right of way needs in the intersection location of the proposed East Beltway and Adams Street. Thus, eliminating the possibility of residences being built now on the two I.T.'s and then the City or the NDOR having to acquire them when the project moves forward.

We are requesting a waiver of the Preliminary Plat process, as the Special Permit Plans include the same information as a Preliminary Plat. We are requesting the same waivers of the subdivision ordinance for sidewalks, street trees, street lighting, landscape screening and block length that were approved with the original Special Permit #1883.



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We are also processing a Change of Zone/ Text Change to Section 27.71.270 of the LMC to allow for the inclusion of existing I.T.'s to be included within the limits of a CUP and not affect the overall density.

Please contact me if you have any further questions.

Sincerely,



Brian D. Carstens

Cc: Gerry and Diane Krieser

Enclosures: Application for a Special Permit
Application Fees
24 copies of Sheet 1 of 3
8 copies of Sheets 2 & 3 of 3
Certificate of Ownership
8-1/2" x 11" reductions of the plans