

FACTSHEET

TITLE: COMPREHENSIVE PLAN AMENDMENT NO.

05013, by the Director of Planning, at the request of Engineering Design Consultants on behalf of Stone Bridge Creek, LLC, to amend the 2025 Lincoln/Lancaster County Comprehensive Plan to change the land use designation from Commercial and Industrial to Urban Residential, generally located along Humphrey Avenue between N. 14th and N. 27th Streets.

STAFF RECOMMENDATION: Approval.

ASSOCIATED REQUESTS: Annexation No. 05009 (05R-190); Annexation Agreement (05R-191); and Change of Zone No. 04081 (05-120).

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: 04/27/05, 05/11/05 and 06/08/05
Administrative Action: 06/08/05

RECOMMENDATION: Approval (6-0: Taylor, Pearson, Krieser, Sunderman, Carroll and Carlson voting 'yes'; Larson, Bills-Strand and Esseks absent).

1. This proposed Comprehensive Plan Amendment to change from Commercial and Industrial to Urban Residential was heard before the Planning Commission in conjunction with an associated annexation, change of zone, the Stone Bridge Creek Villas Community Unit Plan and an amendment to Use Permit No. 139, to allow the development of 124 dwelling units and 478,455 sq. ft. of employment center floor area.
2. The staff recommendation of approval is based upon the "*Comprehensive Plan Implications and Conclusion*" as set forth on p.2-4, concluding that the Comprehensive Plan encourages development of light industrial locations for "employment centers". Economic development locations such as this, that have utilities, high visibility, are located near highway corridors and that will not impact residential uses, should be preserved. This amendment reduces the area for the employment center, but retains at least 75 acres for I-3 Employment Center zoning in the future. The proposal to change Commercial to Urban Residential at the southern end of the project is in conformance with the goals and principles of the Comprehensive Plan and the original subarea plan.
3. The applicant's testimony is found on p.6.
4. There was no testimony in opposition; however, the record consists of one letter in opposition to the waiver of minimum lot width and lot area on the associated community unit plan (p.14).
5. On June 8, 2005, the Planning Commission agreed with the staff recommendation and voted 6-0 to recommend approval of the Comprehensive Plan Amendment (Taylor, Pearson, Krieser, Sunderman, Carroll and Carlson voting 'yes'; Larson, Bills-Strand and Esseks absent).
6. On June 8, 2005, the Planning Commission also voted 6-0 to recommend approval of the associated annexation and change of zone requests.
7. On June 8, 2005, the Planning Commission also adopted Resolution No. PC-00929 approving the associated community unit plan, and Resolution No. PC-00930 approving the associated amendment to Use Permit No. 139. Neither of these resolutions were appealed.

FACTSHEET PREPARED BY: Jean L. Walker

DATE: August 1, 2005

REVIEWED BY: _____

DATE: August 1, 2005

REFERENCE NUMBER: FS\CC\2005\CPA.05013

Comprehensive Plan Amendment No. 05013

14th -27th & Alvo Road

Stone Bridge Creek Residential

Applicant	Location	Proposal
Jason Thiellen, Engineering , Design Consultants for Stone Bridge Creek LLC	Generally on the south side of Humphrey Avenue, north of Interstate 80 between N. 14 th to N. 27 th Street	Change from Commercial and Industrial to Urban Residential
<p>Recommendation: Approval</p> <p>The revised plan makes a few changes in the overall arrangement of land uses. The area of industrial use is reduced, but 75 acres for Employment Center zoning are still retained.</p>		

Status/Description

The entire area from 14th to 27th Street was the focus of a subarea plan approved in March 2000. On page 4 of the subarea plan it noted that even though the northern area was designated as industrial, that this part of the employment center would be more oriented to office and retail uses, allowed in the I-3 Employment Center zoning. The subarea plan designated the following general land uses for Stone Bridge Creek:

<u>Stone Bridge Creek</u>		
<u>Land Use Type</u>	<u>Acres</u>	<u>Potential Floor Area</u>
Employment Center	100	
Industrial	-	550,000 SF
Office	-	300,000 SF
Retail	-	150,000 SF
<u>Urban Village: Retail & Office</u>	<u>35</u>	<u>300,000 SF</u>
Total	135	1,300,000 Square Feet

The area designated for industrial uses in the Comprehensive Plan was approximately 100 acres.

In July 2003 the City Council and County Board approved Comprehensive Plan Amendment (CPA) 03010 which did the following:

- 1) A change of approximately 20 acres from Urban Residential to Commercial use on the southern end of the project at about N. 17th and Humphrey Avenue.
- 2) Minor modification to the boundaries between Commercial and Urban Residential uses in the central area, without generally increasing the amount of commercial acres.

This proposed amendment will reverse the first portion of CPA 03010 and return the land to the original urban residential designation on the southern end. This land on the south is already approved for residential development with the Stone Bridge Creek Community Unit Plan approved in May 2004. This proposed amendment is associated with the Stone Bridge Creek Villas CUP Special Permit 04067, Use Permit 139A, Change of Zone 04081 and Annexation 05009.

Comprehensive Plan Implications

The approved subarea plan for the property from 14th to 27th Street, north of Interstate 80 was included as a subarea plan as part of the 2025 Comprehensive Plan. The main aspects of the subarea plan include:

- ▼ An employment center location
- ▼ Land uses and commercial floor area that can be supported by the future road network
- ▼ A mix of industrial, office, retail and housing types
- ▼ An adequate buffer between light industrial and residential use
- ▼ Landscaping, building design guidelines, preservation of wetlands and other measures to provide a good entryway corridor along I-80
- ▼ Development of an “urban village” neighborhood commercial center
- ▼ Potential inclusion of a movie theaters in conformance with the theater policies and standards of the community
- ▼ A buffer for and retention of natural and to environmentally sensitive areas

This amendment would decrease the commercial acres by about 20 acres and the industrial area by about 23 acres. This will result in a reduced amount of floor area in the center. The relative mix of commercial and industrial uses would remain basically the same.

This area is designated as a future Community Center commercial center. The Comprehensive Plan states that new Community centers are generally 300,000 to 500,000 square feet. The Plan offers an incentive for projects to develop with more square feet, if certain criteria are met. As of this time, a site plan for the majority of this site has not yet been developed to determine if this site meets the criteria.

Potential Floor Area in Stone Bridge Creek Per This Amendment

<u>Land Use Type</u>	<u>Acres</u>	<u>Potential Floor Area</u>
Employment Center	75	
Industrial	–	375,000 SF
Office	–	225,000 SF *
Retail	–	150,000 SF *
<u>Urban Village: Retail & Office</u>	<u>35</u>	<u>300,000 SF</u>
Total	110	1,050,000 Square Feet

* Note: the I-3 Employment Center allows a maximum of 30% of floor area to be office and 20% retail.

Use Permit 139A includes approximately 478,000 square feet of floor area. It does not yet state the land use designations of the floor area. This will leave 575,000 square feet for the remaining commercial and industrial area.

Environmental Concerns in Area

In the past, the Game and Parks Commission, Lincoln Parks and Recreation Department and the Fish and

Wildlife Service have noted that there is natural and environmentally sensitive designation on the northeastern part of this property that contains several wetlands. There are rare saline wetlands and Salt Creek Tiger Beetle locations nearby this site.

Previously, in CPA #03010, Public Works and Utilities Watershed Management notes:

“The northeast portion of this site is in the floodplain of Little Salt Creek and has been identified as an environmental resource in the Lincoln/Lancaster County Comprehensive Plan. There are NWI freshwater wetlands and previously identified farmed wetlands in the northeast portion of the site... Stormwater runoff from this site has the potential to have greater adverse impacts on saline wetlands downstream of this site without the buffer area in place.”

This change from Commercial and Industrial to Urban Residential uses does not change the environmental designation in the Comprehensive Plan. The Use Permit 139A staff report will cover the specific treatment of the wetlands as part of the development.

Conclusion

The Comprehensive Plan encourages the development of light industrial locations for “employment centers.” Economic development locations, such as this that have utilities, high visibility, are located near highway corridors, and won’t impact residential uses should be preserved. This amendment reduces the area for the employment center, but retains at least 75 acres for I-3 Employment Center zoning in the future. The proposal to change Commercial to Urban Residential at the southern end of the project is in conformance with the goals and principles of the Plan and the original subarea plan.

Amend the Comprehensive Plan as follows:

1. Amend the “Lincoln/Lancaster County Land Use Plan”, figure on pages F23 and F25, to change the land use designation from Commercial and Industrial to Urban Residential as shown on the attached drawing.

Prepared by

Stephen Henrichsen, AICP
Planning Department, (402) 441-6374: shenrichsen@ci.lincoln.ne.us

Prepared April 14, 2005

**COMPREHENSIVE PLAN AMENDMENT NO. 05013,
ANNEXATION NO. 05009,
CHANGE OF ZONE NO. 04081,
SPECIAL PERMIT NO. 04067,
STONE BRIDGE CREEK-THE VILLAS COMMUNITY UNIT PLAN,
and
USE PERMIT NO. 139A**

PUBLIC HEARING BEFORE PLANNING COMMISSION:

April 27, 2005

Members present: Carroll, Pearson, Marvin, Krieser, Sunderman, Carlson, Taylor, Larson and Bills-Strand.

Staff recommendation: Approval of the Comprehensive Plan Amendment and Change of Zone; approval of the Annexation, subject to an annexation agreement; and conditional approval of the community unit plan and amendment to the use permit.

Ex Parte Communications: None.

The Clerk announced that the applicant has submitted a written request for a two-week deferral.

Taylor moved to defer, with continued public hearing and action scheduled for May 11, 2005, seconded by Marvin and carried 9-0: Carroll, Pearson, Marvin, Krieser, Sunderman, Carlson, Taylor, Larson and Bills-Strand voting 'yes'.

There was no public testimony.

CONT'D PUBLIC HEARING BEFORE PLANNING COMMISSION:

May 11, 2005

Members present: Carroll, Pearson, Marvin, Krieser, Sunderman, Carlson, Taylor, Larson and Bills-Strand.

Staff recommendation: Approval of the Comprehensive Plan Amendment; approval of the Annexation, subject to an Annexation Agreement; approval of the Change of Zone; and conditional approval of the Community Unit Plan and amendment to the Use Permit.

Ex Parte Communications: None.

Becky Horner of Planning staff submitted a letter from the applicant requesting a four-week delay to revise the application, which will require new advertising and a new staff report.

Horner also submitted a letter from an adjacent neighbor in opposition to one of the waiver requests.

Taylor moved to defer, with continued public hearing and action scheduled for June 8, 2005, seconded by Pearson and carried 9-0: Carroll, Pearson, Marvin, Krieser, Sunderman, Carlson, Taylor, Larson and Bills-Strand voting 'yes'.

CONT'D PUBLIC HEARING BEFORE PLANNING COMMISSION:

June 8, 2005

Members present: Taylor, Pearson, Sunderman, Carroll, Krieser and Carlson; Larson, Bills-Strand and Esseks absent.

Staff recommendation: Approval of the Comprehensive Plan Amendment; approval of the annexation, subject to an annexation agreement; approval of the change of zone; and conditional approval of the community unit plan and amendment to the use permit.

Ex Parte Communications: None.

Becky Horner of Planning staff submitted a letter citing concerns about the smaller lot sizes.

Proponents

1. Jason Thiellen appeared on behalf of **Stone Bridge Creek, LLC**. Stone Bridge Creek Villas is a continuation of the Stone Bridge Creek development. This will be a great addition to the development. The applicant withdrew the request to waive the sidewalk on one side of the private roadway and will install sidewalks on both sides. Thiellen agreed with all conditions of approval.

Pearson asked Thiellen to show her where the environmentally sensitive area is located on the map. Thiellen pointed it out in the northeast portion of the site, and advised that it is outside of the use permit; however, it runs all the way up to Alvo Road. It is a fresh water, three pond system upon which the applicant worked with the Corps of Engineers in terms of enhancing the area.

2. Bob Lewis of **Stone Bridge Creek, LLC**, explained that it is a saline wetland area that abuts 27th and is located south of Arbor Road. He concurred that they have been working with the Corps, Game and Parks, and Fish and Wildlife. The saline wetlands had been farmed for quite some time and they are enhancing, rehabbing and enlarging that area and taking some smaller wetlands throughout the site and bringing them to the one location. It is approximately 30 acres. The area abuts 27th, just west of 27th and just south of Arbor Road.

There was no testimony in opposition.

COMPREHENSIVE PLAN AMENDMENT NO. 05013

ACTION BY PLANNING COMMISSION:

June 8, 2005

Carroll moved to approve, seconded by Krieser and carried 6-0: Taylor, Pearson, Krieser, Sunderman, Carroll and Carlson voting 'yes'; Larson, Bills-Strand and Esseks absent. This is a recommendation to the City Council and the Lancaster County Board.

ANNEXATION NO. 05009.

ACTION BY PLANNING COMMISSION:

June 8, 2005

Carroll moved approval, subject to an annexation agreement, seconded by Krieser and carried 6-0: Taylor, Pearson, Krieser, Sunderman, Carroll and Carlson voting 'yes'; Larson, Bills-Strand and Esseks absent. This is a recommendation to the City Council.

CHANGE OF NO. 04081

ACTION BY PLANNING COMMISSION:

June 8, 2005

Carroll moved approval, seconded by Krieser and carried 6-0: Taylor, Pearson, Krieser, Sunderman, Carroll and Carlson voting 'yes'; Larson, Bills-Strand and Esseks absent. This is a recommendation to the City Council.

SPECIAL PERMIT NO. 04067

ACTION BY PLANNING COMMISSION:

June 8, 2005

Carroll moved to approve the staff recommendation of conditional approval, seconded by Pearson and carried 6-0: Taylor, Pearson, Krieser, Sunderman, Carroll and Carlson voting 'yes'; Larson, Bills-Strand and Esseks absent. This is final action unless appealed to the City Council.

USE PERMIT NO. 139A

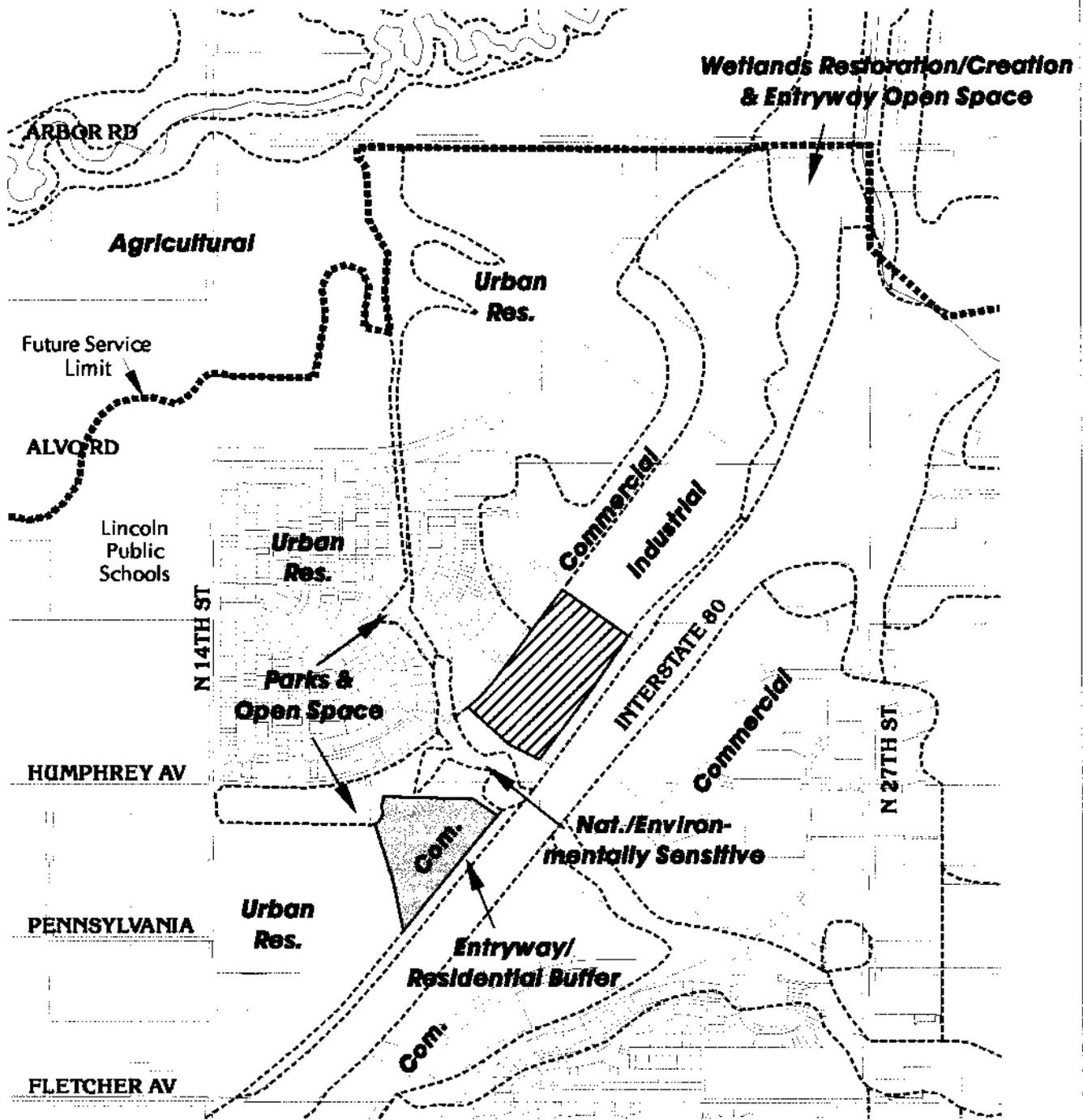
ACTION BY PLANNING COMMISSION:

June 8, 2005

Carroll moved to approve the staff recommendation of conditional approval, seconded by Krieser.

Carlson commented that this approves 124 dwelling units and 500,000 sq. ft. of employment center. We are looking for smart growth and this is the direction it needs to go.

Motion carried 6-0: Taylor, Pearson, Krieser, Sunderman, Carroll and Carlson voting 'yes'; Larson, Bills-Strand and Esseks absent. This is final action unless appealed to the City Council.



Stone Bridge Creek

Comprehensive Plan Amendment # 05013

- Future Service Limit
- Land Use Boundary
- Res** Land Use Category
-  From Commercial to Urban Residential
-  From Industrial to Urban Residential





Engineering Design Consultants

2200 Fletcher Ave.
Suite 102
Lincoln, NE 68521
Ph 402-438-4014
Fx 402-438-4026

March 31, 2005

Steve Henrichsen
Planning Department
City-County Building
555 South 10th Street
Lincoln, NE 68508

MAR 31 2005

RE: Stone Bridge Creek
Comprehensive Plan Amendment
EDC Job #04-033-25A

Dear Steve,

On behalf of Engineering Design Consultants (EDC) client, Stone Bridge Creek L.L.C, the application for a Comprehensive Plan Amendment is hereby submitted. Answers to the questions contained in Part II of the application are as follows:

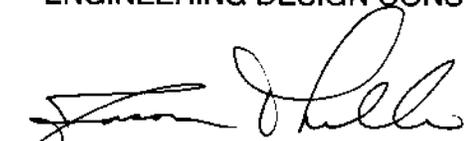
1. Stone Bridge Creek L.L.C is proposing to change the land use of property in Stone Bridge Creek generally located at North 27th Street and I-80 from Light Industrial and Commercial to Residential (see Exhibit A). The change in land uses for this area is in response to the Centurion International's decision not to locate a manufacturing facility within the current Light Industrial Center. The absence of this facility has changed the complexity of the land uses for the platted area. The intent of the amendment is to change the land use of the property located within the current I-3 Use Permit to allow the Stone Bridge Creek – The Villas, Community Unit Plan and return the current land use designation from commercial back to residential as proposed in the approved Stone Bridge Creek 1st Addition Preliminary Plat/CUP.
2. The proposed amendment addresses the Comprehensive Plan's desire for affordable and innovative residential uses. The Stone Bridge Creek development continues to include commercial and light industrial land use as part of the overall development. The proposed residential use brings forward an innovative design by providing for a range of housing types in the neighborhood. The commercial land use will become more centralized within the development in the form of an urban village. The remaining light industrial area will provide adequate land for an employment center on highly visible land near the intersections of North 27th Street with Arbor Road and Interstate 80.
3. The proposed Comprehensive Plan Amendment will beneficially impact the Stone Bridge Creek neighborhood by providing different types of housing within the neighborhood, utilizing the adjacent outlot as recreation space, and taking advantage of the existing infrastructure by increasing the residential density using public facilities. The overall intent of the light industrial use and urban village use will remain, providing a variety of uses for the neighborhood.

4. The proposed Comprehensive Plan Amendment will comply with the community vision by maximizing the use of land, preserving and utilizing open space by increasing the amount of lots per acre in the residential area. The amendment will provide for new businesses within Lincoln by allowing the commercial use as well as maintaining the Light Industrial designation (page F 15 & 16).
5. The proposed Comprehensive Plan Amendment is supported by planning staff. A community meeting was not called since there are currently no existing residents immediately adjacent to the area of the amendment. However, Stone Bridge Creek L.L.C has worked diligently with Planning Staff and has brought forward an innovative residential design that will maximize the use of the existing infrastructure.

If you have any additional questions or concerns please contact me at 438-4014 or at jthiellen@edc-civil.com.

Sincerely,

ENGINEERING DESIGN CONSULTANTS, L.L.C.



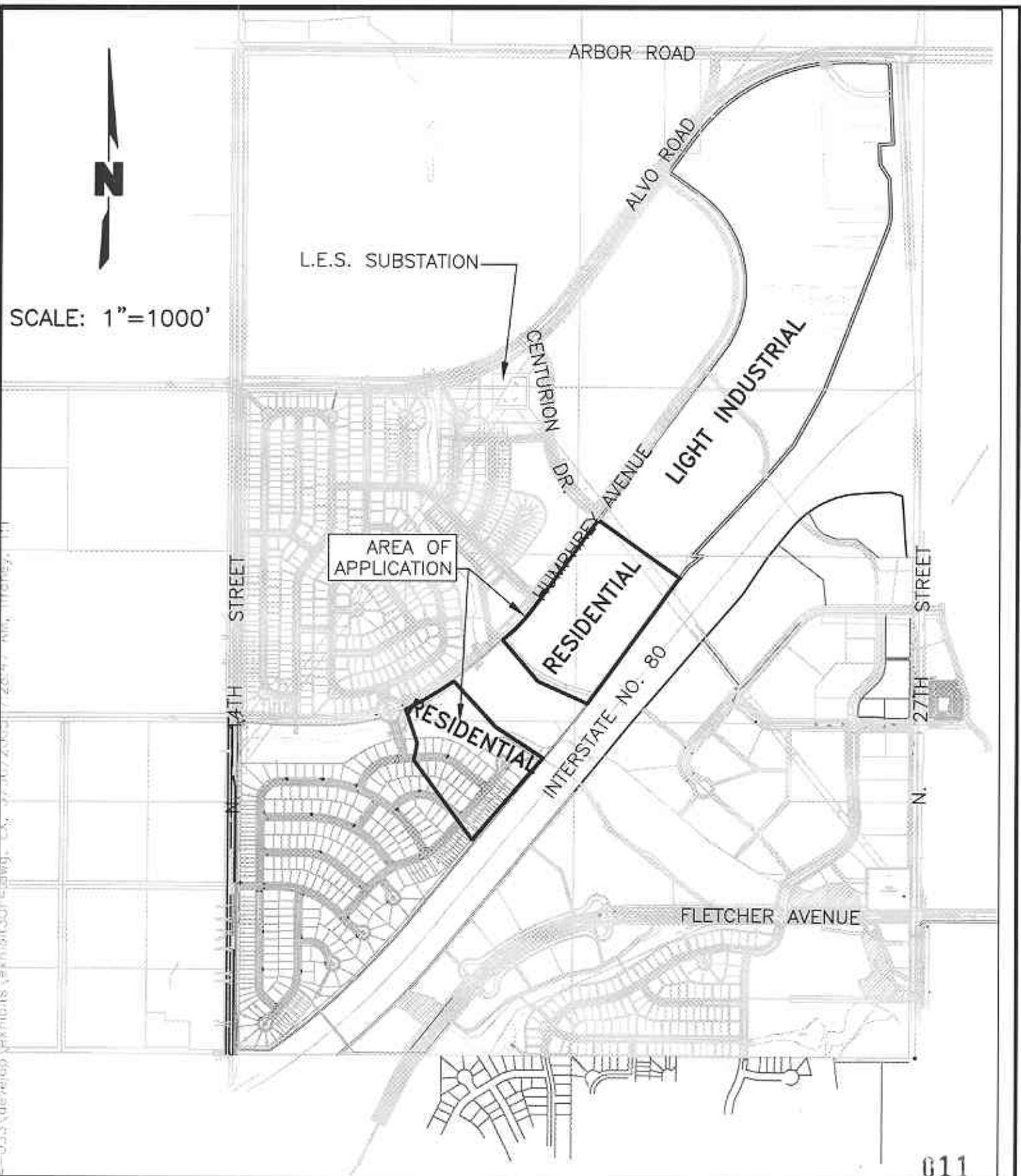
Jason M. Thiellen
Land Planner

c: Bob Lewis

Enclosed
Check for \$250.00
Exhibits A, B, and C



SCALE: 1"=1000'



611



2000 Highway 101, Suite 100, Lynchburg, VA 24502
434-337-4011 • Fax 434-337-4022

STONEBRIDGE CREEK-The Villas
COMP PLAN EXHIBIT 'C'

Proposed Land Use

Drawn By: LEF
Dwg.: exhibit130F4
Date: 3/31/05
Job#: 04-033

SHEET
3 OF 3



SCALE: 1"=1000'



Projects 10



STONEBRIDGE CREEK-The Villas
COMP PLAN EXHIBIT 'A'

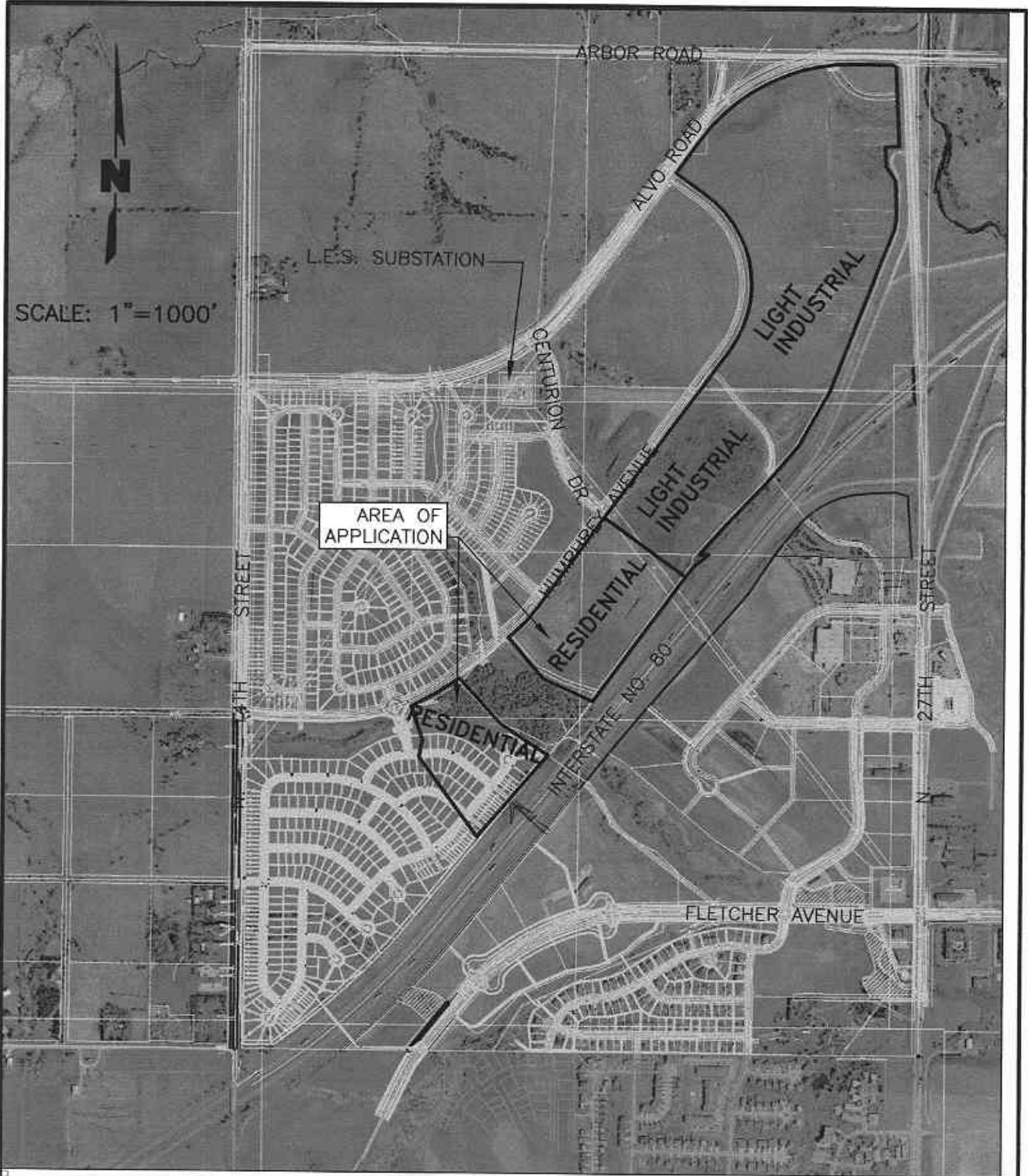
Current Land Use

Drawn By: LEF
 Dwg.: exhibit110F4
 Date: 3/31/05
 Job#: 04-033

SHEET
1 OF 3

N

SCALE: 1"=1000'



Projects



STONEBRIDGE CREEK-The Villas
COMP PLAN EXHIBIT 'B'

Proposed Land Use

Drawn By: LEF
Dwg.: exhibit120F4
Date: 3/31/05
Job#: 04-033

SHEET
2 OF 3



"Bruce Spilker"
<bljspilker@hotmail.com>
06/07/2005 09:21 PM

To plan@lincoln.ne.gov
cc knjspilker@hotmail.com (p.287 - cont'd public hearing -
6/08/05)
bcc

Subject CUP request from Stone Creek-The Villa

Re: CUP request from Stone Bridge Creek - The Villas development located at
Humphrey and Redstone Road.

Lincoln City - Lancaster County Planning Commissioners:

I would like to comment on some upcoming action before the Planning
Commission. Current R-3 zoning requires a minimum lot width of 50 feet and
minimum lot area of 6,000 square feet. The Community Unit Plan submitted by
Stone Bridge Creek - The Villas requests a waiver of these minimums to 34
feet and 3,000 square feet respectively. It is my request that the waiver
be denied.

As an acreage home owner in this area it is exciting to see the new
development that has begun to the north of I-80. The Fallbrook development
is a perfect example of a CUP that breaks the stereotype of north Lincoln
being something less than the neighborhoods "down south", neighborhoods of
small houses, starter homes and small lots. In short lower income living.
Fallbrook, with its large lot size and green space, it has proven to be an
excellent neighbor to the existing acreages. It is proof that north Lincoln
can be and is attractive to all Lincolniters regardless of income level. The
small lot size allowed by the waiver will only continue the negative
stereotype of small home living.

I realize that every residential development in this area is not going to
match the scale of Fallbrook. I do hope that as CUP's come before the
Planning Commission that consideration be given to existing acreage owners
and our desire to see north Lincoln rise above its negative stereotype. By
maintaining the R-3 zone requirements on minimum lot size and area, not only
can Lincoln continue to grow to the north but that growth can add value to
the existing neighborhoods both acreage and residential.

Lincoln is a growing community. I am excited about that growth and support
residential development in this area. While not every development can be
a "Fallbrook", by not allowing the waiver of lot size and area, the Stone
Bridge CUP can be a welcomed addition to the neighborhood. Something the
city of Lincoln and existing acreage owners can be happy about. When this
action comes before the Planning Commission please deny the requested waiver
of lot size and area in this development.

Thank you for your time and attention to this matter.

Sincerely,

Bruce A. Spilker
280 Pennsylvania Avenue
Lincoln, NE 68521

Express yourself instantly with MSN Messenger! Download today - it's FREE!
<http://messenger.msn.click-url.com/go/onm00200471ave/direct/01/>