City Council Introduction: **Monday**, February 6, 2012
Public Hearing: **Monday**, February 13, 2012, at **3:00** p.m. Bill No. 12-10

FACTSHEET

TITLE: **CHANGE OF ZONE NO. 11043,** from R-3 Residential District to O-2 Suburban Office District, requested by Nebraska Nurseries, Inc., on property generally located southwest of the intersection of South 80th Street and Pioneers Blvd.

STAFF RECOMMENDATION: Approval, subject to a conditional zoning agreement.

ASSOCIATED REQUESTS: Conditional Zoning Agreement (12R-19)

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: 01/11/12
Administrative Action: 01/11/12

RECOMMENDATION: Approval, subject to a conditional zoning agreement (8-0: Gaylor Baird, Butcher, Cornelius, Esseks, Hove, Lust, Sunderman and Weber voting 'yes'; Francis absent).

FINDINGS OF FACT:

1. This is a request to change the zoning from R-3 to O-2 on a lot located within The Preserve on Antelope Creek Community Unit Plan for a dental office, which requires office or commercial zoning.

2. The staff recommendation of approval, subject to a conditional zoning agreement, is based upon the "Analysis" as set forth on p.3-5, concluding that, based upon the land use and zoning pattern in this area, a change of zone to O-2 is appropriate and will be compatible with the surrounding properties. A conditional zoning agreement is recommended to provide that access to Pioneers Boulevard be relinquished and an access easement across the site be granted. As such, this request complies with the Zoning Ordinance and the Comprehensive Plan. The staff presentation is found on p.6.

3. The applicant's presentation is found on p.6.

4. Testimony in opposition is found on p.6-8 with concerns about the appropriateness of the O-2 zoning and being in conflict with the surrounding residential zoning and the designation of urban residential land uses; traffic issues; continued participation in homeowner association dues; commercial creep; and property valuations.

5. The Planning Commission discussion with staff and the applicant's response are found on p.8-9.

6. On January 11, 2012, the Planning Commission agreed with the staff recommendation and voted 8-0 to recommend approval, subject to a conditional zoning agreement as set forth in the staff report (Francis absent).

FACTSHEET PREPARED BY: Jean L. Preister **DATE**: January 30, 2012

REVIEWED BY:_____ **DATE**: January 30, 2012

REFERENCE NUMBER: FS\CC\2011\CZ11043+

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for January 6, 2012 PLANNING COMMISSION MEETING

PROJECT #: Change of Zone No. 11043

PROPOSAL: Change the zoning from R-3 Residential to O-2 Suburban Office

LOCATION: Southwest of the intersection of South 80th Street and Pioneers Blvd

LAND AREA: Approximately 0.62 acres.

EXISTING ZONING: R-3 Residential

PROPOSED ZONING: O-2 Suburban Office

CONCLUSION: Based upon the land use and zoning pattern in this area, a change of zone to O-2 is appropriate and will be compatible with the surrounding properties. Provided access to Pioneers Blvd is relinquished and an access easement across the site is granted, this request complies with the Zoning Ordinance and the Comprehensive Plan.

RECOMMENDATION: Conditional Approval

GENERAL INFORMATION:

LEGAL DESCRIPTION: Lot 1, The Preserve on Antelope Creek Addition, Lancaster County, Nebraska.

EXISTING LAND USE: Vacant

SURROUNDING LAND USE AND ZONING:

North:	Single-family Residential	R-1
South:	Vacant	R-3
East:	Retirement Housing	R-3
West:	Single-family Residential	R-3

2040 COMPREHENSIVE PLAN SPECIFICATIONS:

Pg 1.9 - The Future Land Use Map designates this area for urban residential land uses.

Pg 5.2 - Guiding Principles

-Seek to efficiently utilize investments in existing and future public infrastructure to advance economic development opportunities.

-Provide flexibility to the marketplace in siting future commercial and industrial locations.
-Strive for predictability for neighborhoods and developers.
-Encourage and provide incentives for mixed uses in future developments.
-Encourage commercial centers to encompass a broad range of land uses with the integration of compatible land use types.

Pg 5.5 - Commercial and Industrial Development

-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 existing underdeveloped or redeveloping commercial and industrial areas in order to remove blighted conditions and to more efficiently utilize existing infrastructure.
-In areas accessible by various modes of transportation (i.e. automobile, bicycle, transit, and pedestrian).

Pg 5.14 - Commercial Infill - Strategies

-Discourage auto-oriented strip commercial development and seek opportunities for residential mixed use redevelopment and/or transit oriented development of existing commercial strips.
-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.
-Ensure the priority in older areas is on retaining areas for residential development. Prior to approving the removal of housing in order to provide for additional parking to support existing centers.

Pg 6.3 - Mixed Use Redevelopment Approach

-To provide flexibility to the marketplace in siting future mixed use redevelopment locations.
-To offer existing neighborhoods, present and future residents, developers, other businesses, and infrastructure providers a level of predictability as to where such mixed use redevelopment concentrations might be located.
-To encourage and provide incentives for residential mixed use in redeveloping commercial and industrial areas.

ANALYSIS:

1. This is a request to change the zoning from R-3 to O-2. Most recently the site was developed with a temporary sales office for the adjacent The Preserve on Antelope Creek development, but the building has been removed and the site is now vacant.

2. This lot is currently included within the boundary of The Preserve on Antelope Creek Community Unit Plan (CUP), and was conceptually designated as a site for multiple-family dwellings. If this request is approved, the boundary of the CUP should be amended to exclude this lot.

3. The applicant is proposing to build a dental office on the lot. Considered medical office, it is not an allowed use in the R-3 zoning district and requires office or commercial zoning.

4. There is a commercial use permit associated with The Preserve on Antelope Creek development. UP#125 covers a small neighborhood commercial center (approx. 67,000 sq. ft.) at the intersection of Lucile Drive and Pioneers Blvd which is zoned B-2, and also covers a smaller tract located southeast of Lucile Drive and Preserve Lane zoned O-3 and approved for an additional 15,000 square feet of office floor area. Either O-3 or B-2 would allow medical office as a permitted use, but the tract must be contiguous to be included in the use permit.

   In this case, there is an intervening lot zoned R-3 between the subject lot and the B-2 zoning further to the west. Therefore, it cannot be included in the existing use permit.

5. The O-2 zoning district is not a use permit district, which is to say that a use permit approved by the City is not required prior to development. Rather, building permits may be approved for any permitted use in the O-2 without any additional zoning approval provided it complies with the applicable requirements.

6. Planning staff has met with the developers of The Preserve several times over the last several years and have discussed options for development for the lots fronting onto Pioneers Blvd between Lucile Drive and South 80th Street. When the original development was approved, two of the lots fronting onto Pioneers were not owned by the developers of The Preserve and so they were not included in the development. This created the practical difficulty of not being able to more fully integrate them into the development to potentially create a layout suitable for residential lots. One of these lots has since been purchased and included into UP#125. The other remains outside the use permit and has a single-family dwelling on it.

   Given that the lots front directly onto Pioneers Blvd but will be required to relinquish direct access to Pioneers and rely on shared access when they redevelop, low density residential is not appropriate for these lots.

7. If this request is approved, the remaining intervening residential lot will be adjacent to B-2 on the west and O-2 on the east. It should be expected that the owner of the lot will attempt to re-zone the property some time in the future to allow uses consistent with adjacent zoning.

8. If this request is approved, Public Works is requesting that direct access to Pioneers Blvd be relinquished. Direct access will be off South 80th Street, a local street adjacent to the east lot line. Use Permit #125 provides common access among the commercial lots within its boundary and required driveways onto Pioneers Blvd to both be consolidated and eliminated. When developed commercially this lot should also provide for common access by granting a public access easement across the lot to allow joint use of the driveway onto South 80th Street, and by relinquishing direct access to Pioneers Blvd.

9. Compared to the multiple dwellings now shown on this lot as part of the CUP, office represents a slightly higher lower overall vehicle trip generation rate, but not significantly so given the small size of the site and that both are only moderate traffic generators. Any impact of increased trip generation is in part mitigated given the limited times as to when

those trips are generated, assuming typical office hours from 8:00 a.m. to 6:00 p.m., Monday through Friday.

10. The uses allowed under O-2 zoning would be appropriate at this location and compatible with surrounding uses including the residences on the north side of Pioneers Blvd as well as those existing and planned within The Preserve.

CONDITIONS:

1. The owner will enter into a zoning agreement with the City of Lincoln relinquishing direct access to Pioneers Blvd and granting a public access easement across the lot from South 80th Street to the west lot line at a location approved by Public Works and Utilities at the time of building permits.

2. Submit an application for an administrative amendment to remove the subject property from The Preserve on Antelope Creek Community Unit Plan.

Prepared by:

Brian Will, 441-6362, bwill@lincoln.ne.gov
Planner
December 21, 2011

APPLICANT/ CONTACT: Tim Gergen
Olsson Associates
1111 Lincoln Mall
Lincoln, NE 68508
402.458.5914

OWNER: Nebraska Nurseries, Inc.
11606 Nicholas Street Suite 100
Omaha, NE 68154

CHANGE OF ZONE NO. 11043

PUBLIC HEARING BEFORE PLANNING COMMISSION: January 11, 2012

Members present: Lust, Butcher, Gaylor Baird, Weber, Hove, Sunderman, Esseks and Cornelius; Francis absent.

There were no ex parte communications disclosed.

Staff recommendation: Approval, subject to a Conditional Zoning Agreement.

This application was removed from the Consent Agenda and had separate public hearing.

Staff presentation: **Brian Will of Planning staff** explained that this is a change of zone from R-3 to O-2 on property located southwest of the intersection of S. 80th Street and Pioneers Boulevard. The Planning staff is recommending approval, conditioned upon a zoning agreement relating to the issue of access to the property. The property is located on Pioneers Boulevard, which is an arterial street. That zoning agreement would require that access to Pioneers Boulevard be relinquished with access taken off 80th Street, and that an access easement be granted across the lot so that access can be granted in the future for the property located further to the west where there is potential for a commercial center.

Proponents

1. Tim Gergen of Olsson Associates appeared on behalf of the potential user of this property. They have worked with the City for quite some time on the best possible way to utilize this property potentially for a small family-owned dental office. After numerous meetings, the decision was made to rezone to O-2. Gergen stated that the applicant agrees with the conditions of approval to relinquish access, providing access to the other parcel to the west. He believes that is best for the overall development in this area.

Opposition

1. Larry Pfeil, 7820 Viburnum Drive, testified in opposition:

1. The conclusion of the staff report contains the statement: "...a change of zone to O-2 is appropriate and will be compatible with the surrounding properties." Pfeil believes that this is in direct conflict in that the staff report shows that lot is surrounded by property zoned for residential.

2. The first item in the Comprehensive Plan specification section of the staff report states this area is "...designated for urban residential land uses." Pfeil believes that the zoning would be in conflict with that.

3. a) the existing median on 80th Street has a cut that does not appear to align with the proposed point of access;

b) this portion of S. 80th is used in part by residents of the Grand Lodge, a retirement facility. Permitting access to a commercial development will lead to confusion due to traffic leaving the lot in question and cutting across this median;

c) traffic sight lines are poor for drivers forced to use the cuts due to the density of trees on the medians; however, removal of the trees would destroy the look and feel of this area;

d) the Grand Lodge is served by multiple providers that use large semi-tractors and trailers to deliver their products. The S. 80th Street median does not allow for easy access to the Grand Lodge. This type of traffic is conducted during the hours that the dental office would be generating traffic.

4. Analysis #2 indicates that the lot in question would be taken out of the community unit plan. Does this mean that the owner of the lot will not be obligated to pay dues and assessments to the homeowners association? If so, the homeowners association would not collect dues and assessments but would remain obligated to continue to maintain South 80th Street. Snow removal, for example, on the streets within the CUP, is the owner's responsibility and not the city's.

5. This request appears to be an attempt to promote commercial creep. The CUP has already experienced this with the nursery at the corner of Lucile and Viburnum Drive. What assurance is there that additional lots of the CUP will not be rezoned? The residents purchased homes based on the understanding of the commercial areas that were delineated at the time of purchase. If zoning changes are allowed which change the character, the result will be loss of value to current owners of residential property and it will forever change the intended purposes of this residential community.

Esseks clarified with Mr. Pfeil that his concern is that if there is access allowed through an easement, then this puts all of the area currently zoned residential into play for rezoning to commercial. Pfeil agreed. Esseks inquired whether there are any natural barriers between where Pfeil lives and the property which he is afraid would become the subject of commercial creep. Pfeil stated, "no, nothing to speak of," i.e. no trees, no hills.

Esseks inquired as to the amount of the homeowner association dues currently being paid by the owner of the subject parcel. Pfeil did not know; however, the residential owners pay $135 per month to the homeowners association. He does not know what they do with the money but part of it goes for snow removal, trash pickup, maintaining the common area, etc.

Hove observed that this location is at the intersection of two fairly busy streets and inquired of Pfeil whether he believes the use should be residential. Would a home be built at that location? Pfeil responded stating that the Grand Lodge is located at the same corner, which is residential and built on that same intersection.

2. Larry Rennecker, 7831 Viburnum Drive, testified in opposition, adding that the potential easement lends itself to other commercial property in the area, which gives him further alarm. The R-3 property is owned by the Grand Lodge and whether they develop it or not, it was intended to

be residential. When Rennecker purchased his property in 2006, he came down to City Hall and he talked with the Grand Lodge. There were certain areas defined for commercial at that time. They agreed to the change for the nursery property only. Part of that condition in working with the developer was that there be no traffic coming in on Preserve Lane. There is an office building that previously exists. This change of zone will diminish the value if the remainder of the property is converted later.

Staff questions

Esseks observed that this is a conflict between residential and non-residential uses. Is this property being considered for rezoning inappropriate for residential use? Are there some obstacles there? Will advised that the property is at an intersection adjacent to Pioneers Boulevard, which is an arterial street. As part of the CUP for The Preserve, the subject site is shown as apartments. Part of the thought process in reviewing this application is the impact of what is approved versus what is being requested. Looking at trip generation, it is slightly more for an office use, but we could probably argue that the operating characteristics of the typical office setting provide an offset to that trip generation with the typical office use of 8:00 a.m. to 5:00 p.m., Monday through Friday. It would be considered a transitional use to the residential. Will also recalled that many of the members of the Planning Commission have previously heard a lot from the public indicating that they would prefer office to multi-family residential. When considering the impact upon the neighboring properties, the staff takes the position that O-2 doesn't really represent a significant detrimental increase as far as impact.

In addition, Will observed that as you look on to the west, there is a B-2 neighborhood center. We are asking that direct access to Pioneers Boulevard be relinquished, with an access easement from wherever the driveway is located (somewhere across the property) to the western property line to facilitate the future potential office zoning for the adjoining property. We want to eliminate the need for additional driveways on Pioneers Boulevard.

Relative to the median opening, Will did not claim that to be a bona fide or permitted median crossing. But it is concrete and does look like it is used. In any event, traffic could come down 80th Street to the existing median opening.

Will also clarified that the staff is not talking about an access easement to the property to the south. The staff would not make the same findings to support a change to O-2 zoning for that larger property to the south. It is currently designated for some sort of elderly retirement housing as part of the larger CUP. We view that to be an appropriate use and that would be our position if some sort of further zoning action were requested.

Cornelius asked Will to describe the differences that apply to the property to the south that make it different from the subject corner property. Will stated that part of it relates to the built environment – Grand Lodge across the street; to the west there are existing attached single-family dwellings; the lots to the south are platted and several have been built. As far as compatibility and consistency, he does not see how you make a case for appropriateness on some commercial zoning for that property to the south. The character between the two

properties are different – one fronts on an arterial street and lends itself to some sort of shared access to the larger commercial center versus the larger lot to the south surrounded by residential development.

Esseks wondered why someone would want to locate a store or commercial use there (south) because there would not be much visibility from Pioneers. Will stated that he hesitates to predict the market factors, but he agreed that the visibility for the subject site at the intersection will be important for the business and its customers. You would not have that visibility on the tract to the south.

Butcher inquired about the property located directly to the west. Will stated that it is currently zoned R-3 and occupied by a single-family dwelling. Butcher then inquired about the aerial map with regard to development of the B-2 to the west. Will agreed that the map is out of date because there is an aquatic facility being built there. The two lots immediately to the west were originally left out of the CUP and use permit because they are occupied by separate owners and dwellings. One has since been purchased by the developers of The Preserve. They front on Pioneers but they have shared access through the larger center as opposed to access on Pioneers.

Butcher wondered whether there would be any future potential if that residential use is converted that access on 80th would be closed to allow more commercial flow. Will explained that the attempt is to lay the groundwork for the property to the west. Then we have shared access to the entire center from 80th Street, using the existing drives off Lucile. It is anticipated that the residential driveway could potentially be eliminated in the future.

Butcher inquired whether the 80th Street access could be eliminated. Will's response was, "perhaps."

Response by the Applicant

Gergen explained that the homeowners association dues are not necessarily tied to the CUP. They are usually two separate legal documents. Being removed from the CUP does not necessarily relieve them of the homeowners association responsibility.

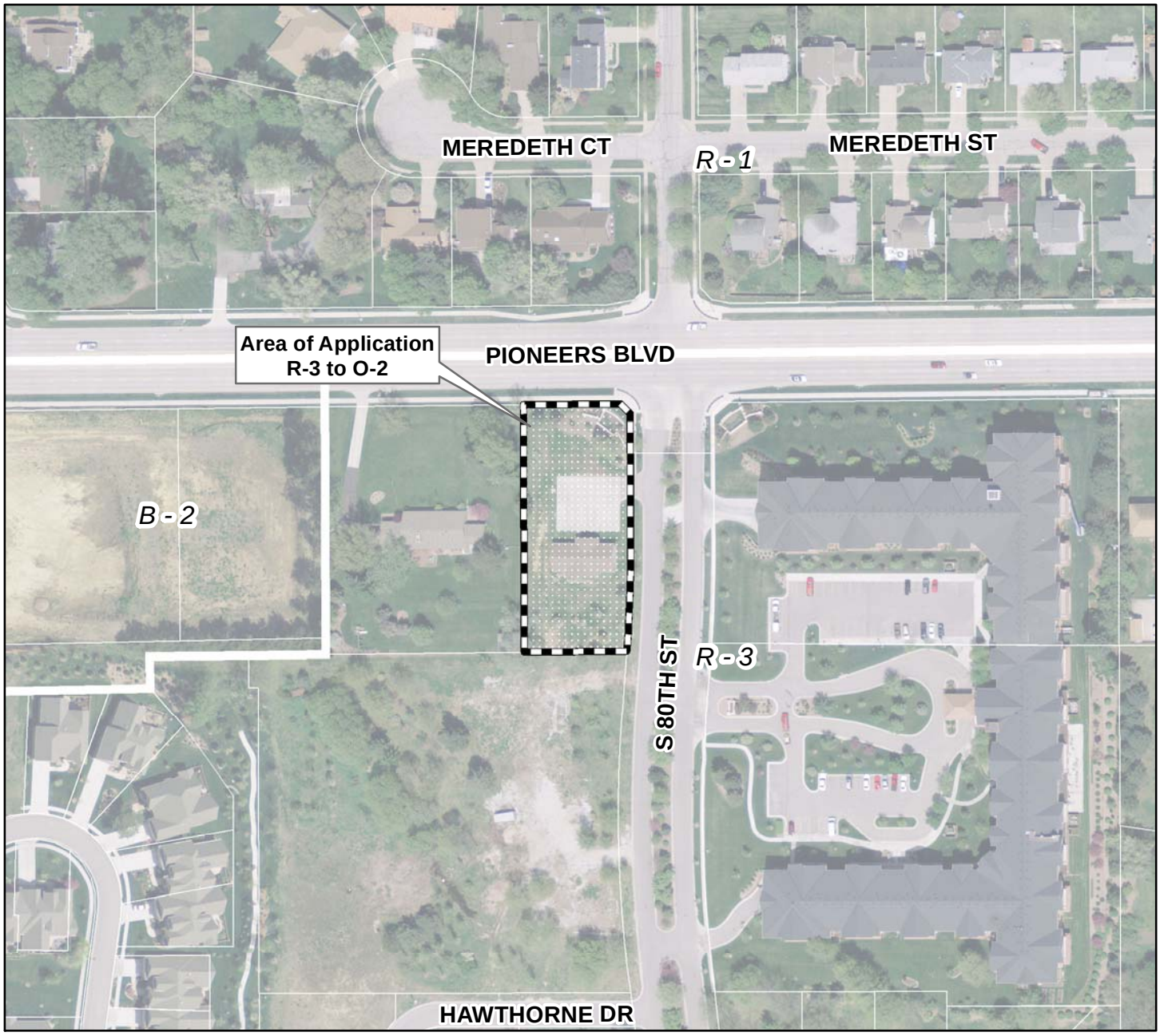
With regard to removal of access to 80th Street, Gergen suggested that the appeal of this lot on the corner is definitely the access quickly from Pioneers onto 80th Street. Connectivity is very important for offices and businesses. Removal of the access point would greatly hinder that lot and the user may not develop that lot if that access is taken away. Providing connectivity to the other commercial lots along Pioneers is mutually beneficial. Connecting to the residential further to the south would not be in this applicant's best interests. Connectivity of all the office and commercial businesses along Pioneers would be beneficial for the project.

ACTION BY PLANNING COMMISSION: January 11, 2012

Lust moved approval, subject to the zoning agreement, seconded by Esseks.

Cornelius observed that this appears to be a change to a relatively low impact commercial district. We have heard the planning principles which indicate that the danger of a higher impact use for the property to the south is minimal. This property is well-suited to a commercial use, which further drives the change from R-3 to O-2. He will support the change of zone.

Motion for approval, subject to a conditional zoning agreement, carried 8-0: Lust, Butcher, Gaylor Baird, Weber, Hove, Sunderman, Esseks and Cornelius voting 'yes'; Francis absent. <u>This is a recommendation to the City Council.</u>



2010 aerial

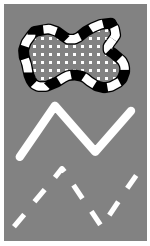
Change of Zone #11043
S 80th St & Pioneers Blvd

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

m:\plan\arcview\Agendadrawings.mxd (CZ11043)

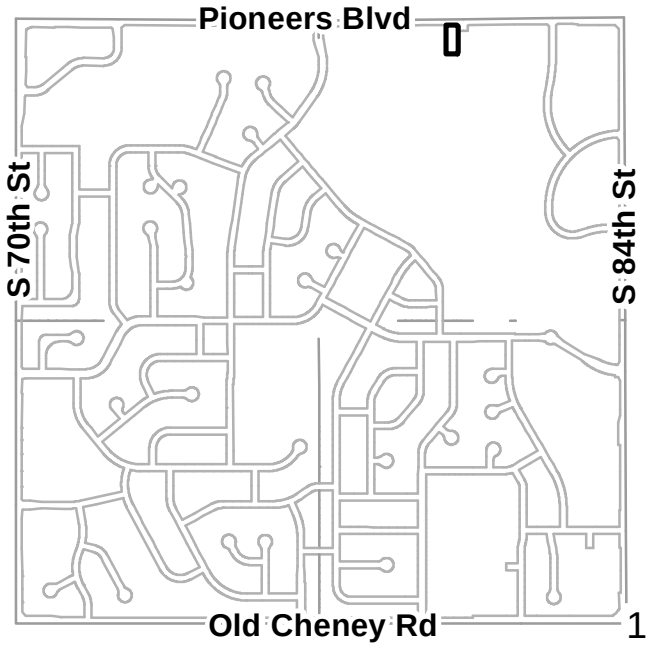
One Square Mile
Sec. 10 T09N R07E



Area of Application

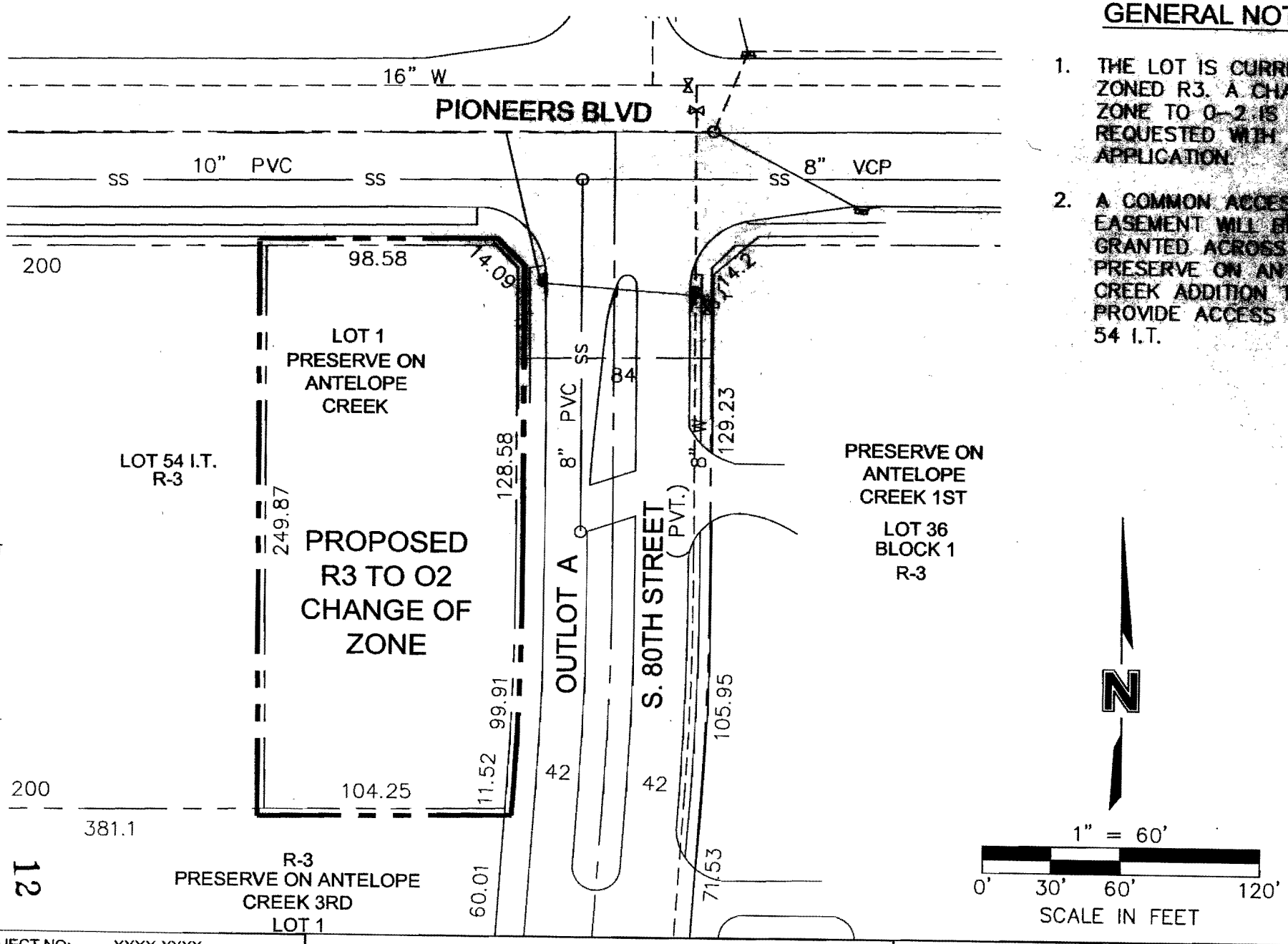
Zoning Jurisdiction Lines

City Limit Jurisdiction



GENERAL NOTES

1. THE LOT IS CURRENTLY ZONED R3. A CHANGE OF ZONE TO O-2 IS REQUESTED WITH THIS APPLICATION.
2. A COMMON ACCESS EASEMENT WILL BE GRANTED ACROSS LOT 1, PRESERVE ON ANTELOPE CREEK ADDITION TO PROVIDE ACCESS TO LOT 54 I.T.



DWG: G:\Admin\TEAMS\L\SOsterhaus\80th & Pioneers\site-plan.dwg USER: sosterhaus
DATE: Nov 30, 2011 1:08pm XREFS: 11xxxx_pbase

12

PROJECT NO: XXXX-XXXX	LOT 1, PRESERVE ON ANTELOPE CREEK, CHANGE OF ZONE	OLSSON ASSOCIATES	EXHIBIT
DRAWN BY: SO		1111 Lincoln Mall, Suite 111 P.O. Box 84608 Lincoln, NE 68501-4608 TEL 402.474.6311 FAX 402.474.5160	1
DATE: 11-30-11			

RIGHT-OF-WAY – LINE TABLE		
LINE	LENGTH	BEARING
[illegible]	[illegible]	[illegible]

RIGHT-OF-WAY – CURVE TABLE					
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]

CENTER LINE – LINE TABLE		
LINE	LENGTH	BEARING
[illegible]	[illegible]	[illegible]

CENTER LINE – CURVE TABLE					
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]

LOT LINE – CURVE TABLE					
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]

LOT LINE – LINE TABLE		
LINE	LENGTH	BEARING
[illegible]	[illegible]	[illegible]

LEGAL DESCRIPTION: PROPOSED (R3) ZONING

A TRACT OF LAND BEING LOT 51 AND A PORTION OF LOT 57 IRREGULAR TRACTS LOCATED IN THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 9 NORTH, RANGE 7 EAST OF THE 6TH P.M., LANCASTER COUNTY, NEBRASKA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 54 OF SAID QUARTER SECTION, THENCE [illegible] ALONG THE SOUTH LINE OF SAID LOT 54, A DISTANCE OF 200.19 FEET TO THE EAST LINE OF SAID LOT 54; [illegible] ... THE ABOVE DESCRIBED TRACT OF LAND CONTAINS 2,525,002 SQUARE FEET OR 57.96 ACRES MORE OR LESS.

LEGAL DESCRIPTION: PROPOSED (B2) ZONING

A TRACT OF LAND BEING A PORTION OF LOT 57 AND ALL OF LOT 55 IRREGULAR TRACTS LOCATED IN THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 9 NORTH, RANGE 7 EAST OF THE 6TH P.M., LANCASTER COUNTY, NEBRASKA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF LOT 54 OF SAID QUARTER SECTION, [illegible] ... THE ABOVE DESCRIBED TRACT OF LAND CONTAINS 240,170 SQUARE FEET OR 5.500 ACRES MORE OR LESS.

LEGAL DESCRIPTION: PROPOSED (O3) ZONING

A TRACT OF LAND BEING A PORTION OF LOT 57 IRREGULAR TRACT LOCATED IN THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 9 NORTH, RANGE 7 EAST OF THE 6TH P.M., LANCASTER COUNTY, NEBRASKA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF LOT 54 OF SAID QUARTER SECTION, [illegible] ... THE ABOVE DESCRIBED TRACT OF LAND CONTAINS 95,529 SQUARE FEET OR 2.193 ACRES MORE OR LESS.

PRELIMINARY PLAT GENERAL NOTES

1. SUBJECT PROPERTY IS CURRENTLY ZONED O-3. REQUESTED ZONING IS R-3, B-2 AND O-3.
2. FLOOD ZONE INFORMATION SHOWN ON THIS PLAT IS PER CITY OF LINCOLN FLOOD INSURANCE RATE MAP COMMUNITY PANEL NUMBER [illegible]
3. ALL INTERIOR ROADWAYS [illegible] AND ARE FOR PUBLIC USE.
4. THE DEVELOPER AGREES TO COMPLY WITH PROVISIONS OF THE LAND SUBDIVISION ORDINANCE REGARDING LOTS PREPARATION.
5. TOTAL LAND USES: [illegible]
6. ALL OUTLOTS [illegible] ARE FOR ACCESS BY THE HOMEOWNERS AND UTILITY OCCUPATION. [illegible]
7. NOT USED.
8. NOT USED.
9. LOT 1, BLOCK 3 WILL NOT BE PERMITTED DIRECT ACCESS TO LUCILE DRIVE.
10. [illegible]
11. THE DEVELOPER WILL PROVIDE A 4-FOOT HIGH BERM WITH A LANDSCAPE SCREEN ON THE EAST PROPERTY LINE OF THE DEVELOPMENT [illegible]
12. THE DEVELOPER WILL PROVIDE A 3-FOOT HIGH BERM WITH A LANDSCAPE SCREEN IN FRONT OF THE PARKING LOT ALONG [illegible]
13. A PORTION OF THE 21" SANITARY OUTFALL SEWER IS TO BE ABANDONED AND REPLACED AT THE EXPENSE OF THE DEVELOPER. [illegible]
14. ALL LOTS ADJACENT TO OR WITHIN THE 100-YEAR FLOOD PLAIN WILL HAVE MINIMUM BUILDING OPENINGS ONE FOOT ABOVE THE FLOOD PLAIN ELEVATION [illegible]
15. SEE GRADING PLAN FOR FURTHER NOTES SPECIFIC TO GRADING AND DRAINAGE ISSUES.
16. SEE SITE IMPROVEMENTS AND EASEMENTS PLAN FOR FURTHER NOTES SPECIFIC TO SITE IMPROVEMENT ISSUES.
17. OUTLOT AREAS, CUL-DE-SAC AND BOULEVARD PLANTING AREAS ARE TO BE MAINTAINED BY THE DEVELOPER [illegible]
18. DIRECT VEHICLE ACCESS TO PIONEERS BLVD. FROM LOTS 39, 40, 41, 42 & 43 IS RELINQUISHED EXCEPT AS SHOWN.
19. SHARED PARKING WITH A PUBLIC ACCESS EASEMENT GRANTED OVER LOTS 38, 39, 40, 41, 42, 43 AND 44, BLOCK 4, AND TO LOT 54 I.T. [illegible]
20. OFF-STREET PARKING WILL COMPLY WITH THE REQUIREMENTS OF THE LINCOLN MUNICIPAL CODE.
21. [illegible]
22. ANY USER OF LOT 43, BLOCK 4 OR ANY PORTION THEREOF SHALL:
  a. NOT BE ALLOWED TO OPERATE A BUSINESS, ORGANIZATION, OR OTHERWISE BETWEEN THE HOURS OF 12:00 A.M. (MIDNIGHT) AND 6:00 A.M. [illegible]
  b. [illegible]
  c. [illegible]
  d. NOT ALLOW ANY SEATING AREA [illegible] PAST THE HOUR OF 11:00 P.M.
23. SIGNS NEED NOT BE SHOWN ON THIS PLAN BUT WILL BE REVIEWED AT THE TIME OF SIGN PERMITS IN COMPLIANCE WITH LMC.
24. [illegible]
25. THE PARKING AND VEHICULAR ACCESS POINTS FOR THE GARDEN CENTER PERMITTED ON LOT 44, BLOCK 4, SHALL BE CONTROLLED BY USE PERMIT 125.

TYPICAL SETBACKS

R3

FRONT YARD – LOTS 19–24 BLOCK 1 – 20'; ALL OTHER LOTS – 25'

EXCEPT – LOT 20 BLOCK 3 (NORTH SIDE) – 20'; LOT 1 BLOCK 3 (NORTH SIDE) – 20'

SIDE YARD ON SIDE NEXT TO COMMON AREA OR EASEMENT – [illegible]

INTERIOR SIDEYARD – [illegible]

ALL OTHER LOTS, THE SETBACK @ 7.5'

REAR YARD – [illegible]

ALL LOTS BLOCK 1 – 30' OR [illegible]

ALL LOTS BLOCK 3 – 20' [illegible]

ALL LOTS BLOCK 4 – 20', EXCEPT LOTS 15–20 – 0'; [illegible]

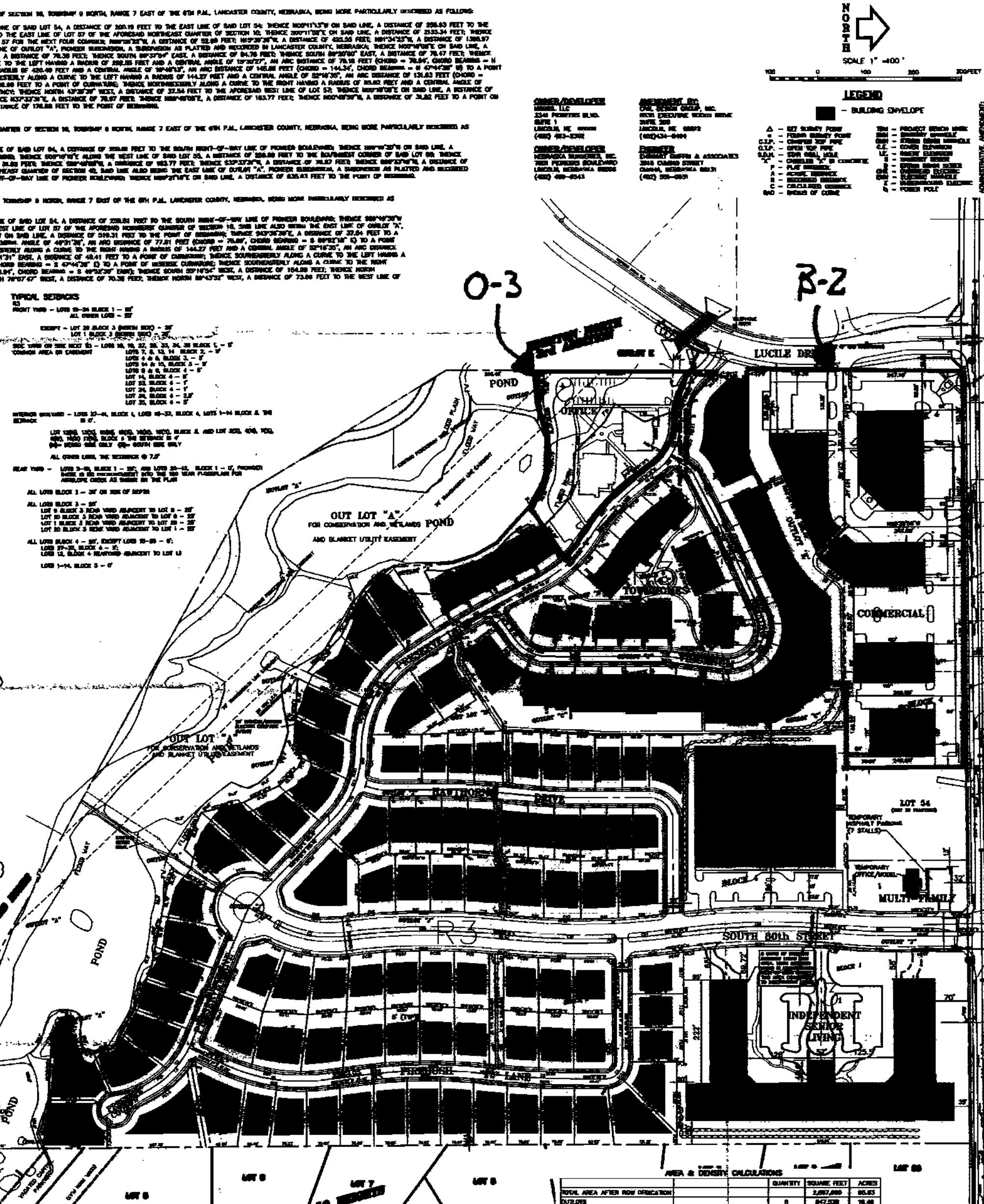
LOTS 1–14, BLOCK 5 – 0'

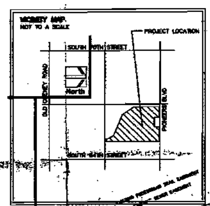
OWNER/DEVELOPER
[illegible], LLC
3341 PIONEERS BLVD.
SUITE 1
LINCOLN, NE [illegible]
(402) 483-[illegible]

OWNER/DEVELOPER
NEBRASKA NURSERIES, INC.
7800 PIONEERS BOULEVARD
LINCOLN, NEBRASKA 68506
(402) 489-6543

AMENDMENT BY:
CIVIL DESIGN GROUP, INC.
[illegible] EXECUTIVE WOODS DRIVE
SUITE 200
LINCOLN, NE 68512
(402)434-8494

ENGINEER
EHRHART GRIFFIN & ASSOCIATES
3552 FARNAM STREET
OMAHA, NEBRASKA 68131
(402) 551-0631





LEGAL DESCRIPTION

LOT 51, IRREGULAR TRACT IN THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 9 NORTH, RANGE 7 EAST OF THE 6th P.M., LANCASTER COUNTY, NEBRASKA

LOT 55, IRREGULAR TRACT IN THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 9 NORTH, RANGE 7 EAST OF THE 6th P.M., LANCASTER COUNTY, NEBRASKA

LOT 57, IRREGULAR TRACT IN THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 9 NORTH, RANGE 7 EAST OF THE 6th P.M., LANCASTER COUNTY, NEBRASKA

DENSITY CALCULATION

R3 USAGE 58.80 AC X 0.8 = 47.04 AC
10% USAGE 0.66 AC
TOTAL AREA FOR DENSITY CALC = 47.70 AC

47.70 AC X 43560 SF/AC / 5000 SF/UNITS = 415 ALLOWABLE UNITS

DEVELOPMENT LAND USES

LOCATION	USE	BLDG AREA SQ. FEET	PARKING PROVIDED	HC PRKG	HEIGHT (ABOVE GRADE)
LOT 1, BLOCK 1	INDEPENDENT LIVING	214,400	172	6	45 MAX
LOT 42, BLOCK 1	OFFICE	18,000	48	3	35 MAX
LOT 1, BLOCK 4	MULTI-FAMILY	22,5??	30	2	35 MAX
LOT 2, BLOCK 4	ASSISTED LIVING	84,000	61	3	35 MAX
LOT 38, BLOCK 4	BUSINESS	18,000	48	2	35 MAX
LOT 39, BLOCK 4	BUSINESS	10,2??	25	1	35 MAX
LOT 40, BLOCK 4	BUSINESS	6,700	45	2	35 MAX
LOT 41, BLOCK 4	BUSINESS	6,000	50	2	35 MAX
LOT 42, BLOCK 4	BUSINESS	15,000	68	4	35 MAX
LOT 43, BLOCK 4	BUSINESS	10,000	43	2	35 MAX

AREA & DENSITY CALCULATIONS

		QUANTITY	SQUARE FEET	ACRES
TOTAL AREA AFTER ROW DEDICATION			2,887,800	65.63
OUTLOTS		8	847,530	19.46
STREET ROW OUTLOTS		4	346,500	7.95
LOTS (INCLUDING OUTLOTS)	TOTAL	160		
	INDEPENDENT LIVING UNITS	120	252,929	5.81
	ASSISTED LIVING UNITS	60	131,875	3.03
	SINGLE FAMILY DWELLINGS	87	833,385	19.13
	TOWNHOME LOTS	34	170,000	4.42
	TWO FAMILY STRUCTURES	4	19,113	0.45
	COMMERCIAL LOTS	6	340,100	7.81
	OFFICE LOTS	1	77,975	1.79
	MULTI-FAMILY	10	28,975	0.62
TOTAL B2 ZONING			240,168	5.51
TOTAL O3 ZONING			95,529	2.19
TOTAL R3 ZONING			2,525,002	57.96
R3 ZONE DENSITY	* UNITS PER ACRE=	4.95		

* NOTE: SINGLE FAMILY LOTS = 87, SINGLE FAMILY DWELLINGS = 87.

Civil Design Group, Inc.
8535 Executive Woods Drive, Suite 200
Lincoln, Nebraska 68512
Ph. 402-434-8494 Fax 866-215-9977
www.cdginc.com

CONSULTING ENGINEERS • LAND USE PLANNERS
CIVIL DESIGN • SITE DEVELOPMENT • PLANNING AND ZONING

ADMINISTRATIVE AMENDMENT:

PROJECT NO. 991117

NO.	REVISION	DATE	BY
1	REVIS. AS PER CITY COMM.	4/19/01	DJD/BRW
2	REVIS. AS PER CITY COMM.	8/12/01	RGB/BRW
3	MODEL HOME	11/02/01	DJD/DJK
4	SETBACK INFORMATION	09/11/02	WAW/BRW
5	LOT 1 BLOCK 1	10/31/02	DJD/BRW
6	ADMIN. AMENDMENT 03017	3/17/03	DJD/BMB
7	ADMIN. AMENDMENT 03061	8/06/03	DJD/BAW
8	ADMIN. AMENDMENT 03088	8/11/03	DJD/SAW
9	REVIS. AS PER CITY COMM.	10/6/03	DJD/SAW
10	DENSITY CALC. REVISION	10/21/03	DJD/BAW
11	PLATTED BLK. 5 & CITY COMM.	4/20/04	DJD/TJR
12	REVIS. PER CITY COMM.	6/4/04	DJD
13	REVIS. PER CITY COMM.	8/10/04	DJD
14	BLK. 4 REVISION/BLOCK 1 LOTS 20-42	9/30/04	DJD
15	5TH & 6TH ADDITION FINAL PLAT	10/8/04	DJD
16	REVISED AS PER CITY COMMENTS	11/20/04	DJD
17	REVISED LIMITS – GRAND LODGE	05/06/05	DJD/BAW
18	REVISED MINIMUM BUILDABLE AREA ELEVATIONS TABLE-SHEET 2	5/17/05	WAW/BAW
19	10TH ADDITION FINAL PLAT	12/15/05	WAW/SAW
20	BLOCK 3 LOT ADJUSTMENTS	12/28/05	WAW/SAW
21	11 ADDITION FINAL PLAT	2/06/06	WAW/SAW
22	REVISION BLOCK 1 LOT 1P	9/15/06	WAW/SAW
24	ADMIN. AMENDMENT BLOCK 4	8/07/07	WAW/SAW
25	REVISED AS PER CITY COMMENTS	8/25/07	WAW/SAW
26	ADMIN. AMENDMENT LOTS 42 & 43, BLOCK 4	12/?2/07	DS-CJD
27	ADMIN. AMENDMENT FOR PARKING ON GARDEN CENTER	12/22/10	DS-CJD

EHRHART GRIFFIN & ASSOCIATES
3552 Farnam Street
Omaha, Nebraska 68131
402 / 551-0631

- ENGINEERING
- PLANNING
- LAND SURVEYING

THE PRESERVE ON ANTELOPE CREEK

ADMINISTRATIVE AMENDMENT #10006 TO PRELIMINARY PLAT NO. 99027, USE PERMIT NO. 125

SITE PLAN, ZONING AND BOUNDARY SURVEY
80th STREET AND PIONEERS BOULEVARD
LINCOLN, NEBRASKA

DATE: 11/19/2008
DESIGNED BY: DJD/WAW
DRAWN BY: BRW
CHECKED BY: DJD
CREW: LAV

THE PLANNING DIRECTOR APPROVES THIS AA#10006 TO UP#125

PLANNING DIRECTOR 12/23/10 DATE

SHEET NO. 1 OF 8

OLSSON ASSOCIATES

November 30, 2011

Mr. Marvin Krout
Planning Department, City of Lincoln
County-City Building
555 So. 10th Street
Lincoln, NE 68508

RE: Change of Zone
80th & Pioneers Dental Office
OA Project No. 011-2651

Dear Mr. Krout:

Enclosed please find the following for the above-mentioned project:

1. Zoning Application
2. Application fee ($440.00)
3. Site Exhibit

On behalf of the Developer, Sonrisas Sanas, L.L.C., we are requesting a change of zone from R3 to O2 for Lot 1, Preserve on Antelope Creek, located at 4301 S. 80th Street, (on the south west corner of South 80th and Pioneers Blvd.).

The purpose of the change of zone is for the operation of a dental office. A common access easement is proposed across lot 1 for access to lot 54 I.T. to the west.

Please contact us if you have any questions or require additional information

Sincerely,

Tim Gergen

cc: Todd Stark
File

F:\Projects\011-2651\Documents\lkrout_11-30-11.doc

1111 Lincoln Mall, Suite 111
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