

FACTSHEET

TITLE: MISCELLANEOUS NO. 04009, requested by the Director of Planning, amending Chapter 3.35 of the City of Lincoln Design Standards for Community Unit Plans to simplify the density calculation and amend the cluster density; and to delete Chapter 3.70, Design Standards for Corporate Office Park Planned Unit Developments.

STAFF RECOMMENDATION: Approval.

ASSOCIATED REQUESTS: Change of Zone No. 04045 (04-185, 04-186 and 04-187).

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: 09/15/04
Administrative Action: 09/15/04

RECOMMENDATION: Approval (8-0: Carlson, Carroll, Krieser, Larson, Marvin, Taylor, Bills-Strand and Sunderman voting 'yes'; Pearson absent).

FINDINGS OF FACT:

1. This purpose of this application is to simplify and streamline the development process for community unit plans. This application to amend the City of Lincoln Design Standards simplifies the density calculation and amends the cluster density for community unit plans.
2. An explanation of the proposed changes is found in the "Analysis" on p.2-3.
3. The staff recommendation of approval is based upon the "Analysis" as set forth on p.2-3, concluding that the changes do not affect the standard of review and that the spirit and intent of the Comprehensive Plan are maintained.
4. The specific additions, deletions and changes to the text are set forth in the proposed resolution.
5. The minutes of the public hearing before the Planning Commission are found on p.4-5.
6. There was no testimony in opposition.
7. On September 15, 2004, the Planning Commission agreed with the staff recommendation and voted 8-0 to recommend approval.

FACTSHEET PREPARED BY: Jean L. Walker

DATE: September 20, 2004

REVIEWED BY: _____

DATE: September 20, 2004

REFERENCE NUMBER: FS\CC\2004\MISC.04009

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for September 15, 2004 PLANNING COMMISSION MEETING

P.A.S.: Misc #04009

PROPOSAL: To revise the text of Design Standards 3.35 and 3.70

CONCLUSION: In conformance with the Comprehensive Plan.

RECOMMENDATION:

Approval

GENERAL INFORMATION:

COMPREHENSIVE PLAN SPECIFICATIONS:

"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 F 17)

ANALYSIS:

1. This is a request to amend the Chapter 3.35 Design Standards for Community Unit Plans in order to simplify the density calculation and amend the cluster density and to eliminate the Chapter 3.70 Design Standards for Corporate Office Park Planned Unit Developments.
2. The design standards currently uses two methods of calculating density for community unit plans depending on whether development uses public or private streets. The calculation for public streets is cumbersome because it requires the preparer to measure all public right of way and deduct it from the overall area of the project. Planning staff requests the elimination of this calculation, so that all CUPs use the same density calculation. The remaining calculation takes the overall development area and multiplies it by a predetermined density amount which has a built in deduction of right of way (20%). This change will make it easier for developers and staff to verify maximum allowed density.
3. Cluster density is the number of allowed dwelling units per acre. This is used when there are apartment buildings in a CUP. The cluster density is calculated as the density that is meant for one part of the entire project, the overall density is unchanged. For example, a site plan may indicate one lot dedicated for multifamily units. The number of units allowed on that lot is limited by the cluster density. A one acre lot in the R-3 district is presently limited to 15 dwelling units and the R-4 district is limited to 20. Staff requests to increase the R-3 cluster density to 25 and R-4 to 30. The increase is more consistent with the clustering we have seen in recent projects. (Recent projects requested waivers to this provision, staff desires to eliminate the need for waivers in the future).

4. The Design Standards for Corporate Office Park PUDs is no longer necessary. The classification of Corporate Office Park PUDs was removed with the recent PUD ordinance text update and all PUDs will be treated the same.
5. These changes do not affect the standard of review for applications. The spirit and intent of the Comprehensive Plan is maintained.

Prepared by:

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DATE: September 1, 2004

APPLICANT: Marvin S. Krout
Director of Planning
Planning Department

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MISCELLANEOUS NO. 04009

PUBLIC HEARING BEFORE PLANNING COMMISSION:

September 15, 2004

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

Staff recommendation: Approval.

Ex Parte Communications: None

This application was removed from the Consent Agenda and had separate public hearing at the request of Commissioner Bills-Strand.

Proponents

1. Becky Horner of Planning staff explained that the purpose of the proposed amendments are to simplify the development process. Specifically, the revisions to the design standards for community unit plans include eliminating one of the methods for calculating density so that all will be calculated in the same way. The revisions update the cluster density for apartments with what has been occurring over the last 15 years. There will no longer be the need to ask for the waiver to do the cluster density. The design standards for Planned Unit Development Corporate Office Parks are no longer outlined in the PUD ordinance, so that section is being removed entirely.

Bills-Strand inquired as to how many CUP applications do not request setback waivers. Isn't the reason for the CUP to get some waivers? Horner explained that often the reason for the CUP application is to allow private roadways with no setback waivers.

Bills-Strand referred to the elimination of floodplain language. Is this an attempt to set a policy regarding development in the floodplain where we have not seen the committee's work for inside the city limits? Rick Peo of the Law Department explained that the language being deleted dealt with location of utilities which was superseded when the first floodplain regulations for the city were adopted and was therefore obsolete language.

Bills-Strand observed that cluster density is increasing, yet when applied in existing neighborhoods, the neighbors are against the additional density so the Commission and City Council deny it. She is struggling with not enforcing the cluster density. Horner explained that staff discussed increasing the maximum allowable density but was not able to resolve how to do that at this time. Therefore, it is not part of this package. The cluster density amendment just applies to apartments and apartment buildings. This proposal updates that cluster density but it does not affect the overall maximum density.

ADMINISTRATIVE ACTION BY PLANNING COMMISSION:

September 15, 2004

Sunderman moved approval, seconded by Krieser and carried 8-0: Larson, Carroll, Marvin, Carlson, Krieser, Sunderman, Taylor and Bills-Strand voting 'yes'; Pearson absent. This is a recommendation to the City Council.