

City Council Introduction: **Monday**, December 12, 2011
Public Hearing: **Monday**, December 19, 2011, at **5:30** p.m.

Bill No. 11R-306

FACTSHEET

TITLE: COMPREHENSIVE PLAN AMENDMENT NO. 11007, by the Director of Planning at the request of Nebco, Inc., to amend the 2040 Lincoln-Lancaster County Comprehensive Plan by changing the Future land Use Plan from Urban Residential to Commercial, on property generally located at Highway 34 and Fallbrook Boulevard.

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: 11/30/11
Administrative Action: 11/30/11

RECOMMENDATION: Approval (9-0: Esseks, Cornelius, Lust, Francis, Sunderman, Gaylor Baird, Hove, Butcher and Weber voting 'yes').

STAFF RECOMMENDATION: Approval

ASSOCIATED REQUESTS: Annexation No. 11003 (11-187) and Change of Zone No. 05085A (11-188)

FINDINGS OF FACT:

1. This proposed Comprehensive Plan Amendment and the associated Annexation No. 11003 and Change of Zone No. 05085A were heard at the same time before the Planning Commission.
2. This is a request to amend the 2040 Future Land Use Plan to change 38.6 acres, more or less, from Urban Density residential to Commercial located at Highway 34 and Fallbrook Boulevard.
3. The staff recommendation of approval is based upon the "Analysis" as set forth on p.3-5 and the "Summary" as set forth on p.5, concluding that, based on the overall development plan for the Fallbrook PUD, the land use amendment is appropriate because the additional commercial serves a local need and the PUD includes desirable mixes of land uses, substantial street and sidewalk connectivity, open space and retention of natural areas. The staff presentation is found on p.7-8.
4. The testimony on behalf of the applicant is found on p.11.
5. There was no testimony in opposition.
6. On November 30, 2011, the Planning Commission agreed with the staff recommendation and voted 9-0 to recommend approval, also finding that this proposal was well into the planning stages prior to commencement of the development and drafting of the new 2040 Comprehensive Plan.
7. On November 30, 2011, the Planning Commission also voted 9-0 to recommend approval of the associated Annexation No. 11003, Change of Zone No. 05085A, an amendment to the Fallbrook Planned Unit Development, and Street & Alley Vacation No. 11011. (The associated street and alley vacation requires the completion of a final plat and thus is not being scheduled for Council hearing at this time).

FACTSHEET PREPARED BY: Jean L. Preister

DATE: December 6, 2011

REVIEWED BY: _____

DATE: December 6, 2011

REFERENCE NUMBER: FS\CC\2011\CPA11007+

LINCOLN /LANCASTER COUNTY PLANNING STAFF REPORT
for November 30, 2011 Planning Commission Meeting

Project #: Comprehensive Plan Amendment #11007

PROPOSAL: Amend the 2040 Future Land Use Plan to change 38.6 acres of land from Urban Density residential to Commercial at Highway 34 and Fallbrook Boulevard.

CONCLUSION: Based on the overall development plan for the Fallbrook Planned Unit Development (PUD), the land use amendment is appropriate because the additional commercial serves a local need and the PUD includes desirable mixes of land uses, substantial street and sidewalk connectivity, open space, and retention of natural areas.

<u>RECOMMENDATION:</u>	Approval of the proposed amendment
-------------------------------	------------------------------------

GENERAL INFORMATION:

LOCATION: Approximately northwest corner of Highway 34 and Fallbrook Boulevard

EXISTING LAND USE: Agricultural land/undeveloped

ASSOCIATED APPLICATIONS: Change of Zone 05085A to amend the Fallbrook PUD, Annexation 11003, and Street and Alley Vacation 11011.

HISTORY:

January 24, 2000	Use Permit #124, Special Permit #1808 Community Unit Plan and Preliminary Plat #99023 for Fallbrook was approved by the City Council.
June 25, 2001	Special Permit #1808A to amend the CUP was approved by City Council.
August 19, 2002	Special Permit #1808B to expand the boundary of the Community Unit Plan was approved by City Council.
November 14, 2004	Use Permit #124A to waive internal side yard setbacks in the O-3 District was approved by City Council.
March 27, 2006	CZ#05085 for the Fallbrook PUD was approved by the City Council.
November 16, 2006	The 2030 Lincoln/Lancaster County Comprehensive Plan showed this area as Urban Density Residential.

October 31, 2011

The 2040 Lincoln/Lancaster County Comprehensive Plan was adopted by City Council. The plan shows this area as Urban Density Residential.

COMPREHENSIVE PLAN SPECIFICATIONS:

The 2040 Comprehensive Plan for the area is shown as Urban Density Residential. The land in this area is shown as Tier One Priority A and Priority B in the 2040 Priority Growth Areas map on page 1.10 of the Plan. Some of the relevant language of the Plan is:

- Provide flexibility to the marketplace in siting future commercial and industrial locations. (P. 5.2)
- In general, commitments to serve the Priority A areas should be met before the annexation of new areas within Priority B. (P. 12.7)
- In certain cases, areas in Priority B have special agreements that include some level of commitment to build future infrastructure. These areas move into Priority A upon approval of preliminary plans. (P. 12.7)
- This area is identified as a Mixed Use Office Center. (P. 5.6)
- Discourage single use centers. Office parks should include supporting retail and residential components, while shopping centers should include supporting office and residential uses. (5.7)
- Locate the most intensive commercial uses, such as restaurants, car washes, grocery stores, gas stations/ convenience stores and drive through facilities nearer to the major street or roadway and furthest from the residential area (unless contained within a mixed use center). Lighting, dumpsters, loading docks and other service areas should be screened from residences. (5.8)
- Mixed Use Office Centers are intended to provide a high quality office environment with some supportive retail, service and residential uses.(p. 5.12)

ANALYSIS:

1. The proposed amendment for Commercial land use is in conjunction with a request for a 38.6 acre expansion to the Fallbrook Planned Unit Development that includes a large commercial area. The Commercial land use designation includes areas of retail, office, service, and residential mixed uses. Commercial uses may vary widely in their intensity of use and impact. Individual areas designated as Commercial on the Land Use Plan may not be appropriate for every commercial zoning district.
2. The area of the proposed amendment is currently identified as Urban Density Residential on the Future Land Use map. Urban Residential allows for multi-family and single-family residential uses in areas with varying densities ranging from more than fifteen dwelling units per acre to less than one dwelling unit per acre. This land area could have accommodated approximately 150 dwelling units at single-family densities.
3. The proposed expansion to the Fallbrook PUD would add 220,000 sq. ft. of commercial floor area to an existing center of 680,000 sq. ft. for a total of 900,000 sq. ft. of commercial floor area for Fallbrook. The proposed expansion to the PUD includes 100,000 sq. ft. of office, 120,000 sq. ft. of retail, and zero dwelling units.
4. There is a significant amount of commercial floor area presently available in the City. Approximately 4.8 million square feet (SF) of existing commercial floor area is estimated to be vacant. In addition, there is an estimated 13.3 million SF of commercial floor area that has been approved in Use Permits and PUDs but not yet built, and 10.6 million SF of commercial floor area is estimated to be available on other undeveloped commercial land

that does not require a Use Permit or PUD. In addition, land already designated for Commercial land use in new growth areas is estimated to represent over 20 million SF of commercial floor area.

5. The adjacent land area to the east is shown as Commercial on the Future Land Use map, and specifically designated as a Mixed Use Office Center on the “Existing and Proposed Commercial Centers” map on Page 5.6 of the Comprehensive Plan. Mixed Use Office Centers may be 250,000 sq. ft. or more.
6. The area of the proposed land use change will be included as a part of the existing Mixed Use Office Center. In general, Mixed Use Office Centers should have 10-25% of their space in retail uses. This proposal increases the total commercial floor area of Fallbrook to 900,000 sq. ft. with 660,000 sq. ft. of office and 240,000 sq. ft. of retail, which is 26.6% of the total floor area. That ratio is only slightly higher than the goal of 10 to 25% described in the Comprehensive Plan.
7. The 2040 Comprehensive Plan recommends adding a residential component to almost all future commercial centers with the exception of Highway Oriented Commercial Areas, which are primarily along the interstate. The general area of Fallbrook is also identified as an “Additional Commercial Area Appropriate for Dwelling Units/Mixed Use” on Page 6.5 of the Comprehensive Plan, which encourages newer commercial centers that are not yet fully developed to utilize the mixed use redevelopment concept as a guide for amending approved plans to develop as mixed use centers. Similar language is on Page 5.7. The area of the application does not include any dwelling units. However, the overall Fallbrook PUD does include 1,768 dwelling units, 110 of which are in the “Town Center” portion of the plan, just east of the area of application.
8. The Fallbrook Mixed Use Office Center is not adjacent to or across the street from any other commercial center types (Neighborhood, Community, or Regional). The nearest existing commercial center is the Neighborhood Center in the Highlands to the south. There are no existing or proposed Community Centers within five miles and the nearest Regional Centers are Downtown and 27th and Superior.
9. If approved, the size of the Fallbrook commercial center would be larger than a Community Center, which is approximately 250,000-600,000 sq. ft. However, as described above, there is a lack of larger commercial areas within a walking distance, biking distance, or a short drive of the northern neighborhoods such as Fallbrook and the Highlands. A larger commercial center in this area of the city could accommodate a wider variety of daily necessities such as groceries or restaurants and could reduce the number and/or length of automobile trips for such daily needs.
10. The Comprehensive Plan includes guidance to locate the most intensive commercial uses, including grocery stores, nearer to the major street or roadway and furthest from the residential area. This site fronts on Highway 34. While the addition to the PUD is primarily auto-oriented and does not appear to perform as well for pedestrians as the original portions of Fallbrook, the development as a whole maintains desirable mixes of land uses and pedestrian orientation/walkability. In addition, this Mixed Use Office Center is in some ways also functioning as a Community Center for a much larger area. It is therefore expected that there would have to be some accommodations for automobile traffic, circulation, and parking.

11. In the long term, the Plan also calls for an overpass across Highway 34 on NW 12th Street which would provide a desirable connection to the Highlands neighborhood, school, and employment. In addition, there is still a remaining phase for Fallbrook to the north of the application. It is impossible to evaluate the connectivity of this area to the future development, but since it is demarcated by Aster Road, there will be multiple opportunities for north-south streets to connect to this development in a way that would improve the overall walkability of the area.

SUMMARY:

The expansion of the Commercial land use designation for the Fallbrook PUD adds 220,000 sq. ft. to the citywide commercial inventory. While it does not incorporate dwelling units and has minimal pedestrian orientation, it does incorporate reasonable connectivity. The Fallbrook PUD as a whole provides desirable mixes of land uses and housing types, good connectivity and areas of enhanced pedestrian orientation. The amended Fallbrook PUD would also serve as a Community Center in the northern neighborhoods such as the Highlands and Fallbrook.

The impact of providing this general region of the city with expanded commercial opportunities will be a positive one. This is a unique circumstance given the distance these northern neighborhoods have to travel to Regional Centers, Community Centers, and even basic services normally found in Neighborhood Centers. The nearest existing Neighborhood Center is in the Highlands, and the nearest proposed Neighborhood Center is on N. 14th Street north of I-80. Expanded commercial opportunities will give households in this general region opportunities and choices that would be expected to result in fewer and/or shorter automobile trips and perhaps even increased pedestrian and bicycle trips for daily needs.

PROPOSED AMENDMENT:

Amend the 2040 Lincoln/Lancaster County Comprehensive Plan as follows:

1. Amend the Lancaster County Future Land Use plan on pages 1.8 and 12.2 and the Lincoln Area Future Land Use Plan on pages 1.9 and 12.3 to reflect Commercial land use, and all other maps, figures, and plans where the land use map is displayed.

Prepared by:

Brandon M. Garrett, AICP

Planner

402-441-6373 or bgarrett@lincoln.ne.gov

DATE: November 22, 2011

APPLICANT:

Nebco, Inc.

1815 Y Street

Lincoln, NE 68508

CONTACT :

Scott Osterhaus

Olsson Associates

1111 Lincoln Mall, Suite 111

Lincoln, NE 68508

(402) 474-6311

**COMPREHENSIVE PLAN AMENDMENT NO. 11007,
ANNEXATION NO. 11003,
CHANGE OF ZONE NO. 05085A,
AMENDMENT TO FALLBROOK PLANNED UNIT DEVELOPMENT,
and
STREET & ALLEY VACATION NO. 11030**

PUBLIC HEARING BEFORE PLANNING COMMISSION:

November 30, 2011

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

There were no ex parte communications disclosed.

Staff recommendation: Approval of the comprehensive plan amendment and annexation; conditional approval of the amendment to the PUD, and a finding of conformance with the Comprehensive Plan on the street and alley vacation.

Staff presentation: **Brandon Garrett of the Planning staff** addressed the Comprehensive Plan Amendment which deals with the urban land use designation on the Future Land Use map in the 2040 Comprehensive Plan. The proposal is a change from urban density residential to commercial at the northwest corner of Fallbrook Blvd. and Hwy 34/Purple Heart Highway. The associated applications for the expansion of the PUD will cover the site plan and zoning issues.

As for the land use designation change, Garrett explained that the area of Fallbrook generally, and these northern neighborhoods are generally under-served in terms of commercial opportunities more related to one's daily needs, such as groceries. This center is designated as a mixed use office center which provides largely for an office environment but also accommodates some retail. This series of proposals would increase the square footage to about 900,000 square feet of commercial/retail. This proposal brings the percentage of retail to about 26%, which is roughly what is recommended for mixed use office centers.

Garrett also pointed out that the nearest community sized center is at 84th & Adams Streets, which is in development at this time. Beyond that, the nearest two larger types of shopping centers would be the two regional centers, i.e. Downtown and the 27th & Superior area (WalMart, HyVee, Sam's, etc.). In order to serve this entire northern neighborhood area better, additional retail in this mixed use type of center would be appropriate given the nature of the neighborhood centers that are established there. There is a neighborhood center somewhat nearby in the Highlands but it is small and does not include a grocery store.

The staff is supportive of this amendment because by having more daily needs met, there would be fewer and shorter vehicular trips and an increased likelihood for pedestrian and bicycle trips within that general area. In the future, there are plans for an extension of N.W. 12th Street across Purple Heart Highway that would create an even better connection between the Highlands neighborhood to the south and to Fallbrook. The staff is recommending approval of the comprehensive plan amendment.

Garrett further explained that community centers are larger than neighborhood centers. There should be more community centers spread throughout the community. In this northern area of the city there seems to be a shortage of that type of opportunity.

Gaylor Baird commented that the Commission has spent the past year working diligently on a community wide process for updating the Comprehensive Plan for the year 2040. A lot of emphasis was placed on pedestrian orientation and reviewing what part of the city should be commercial versus residential, and we looked at mixed use. Gaylor Baird asked the Planning Director to talk about this proposal in terms of its conflicts with the newly adopted Comprehensive Plan.

Marvin Krout, Director of Planning, acknowledged that this comprehensive plan amendment was discussed in a workshop preceding this hearing. He repeated for the record that overall, this is a very exemplary project that meets many of the principles and policies in the new Comprehensive Plan, including the new emphasis on mobility and mixed use development. If you look at the commercial development to the east, it is very much “new urbanism” type of design with very walkable streets. The whole development is laid out in a way that makes bicycle and walking attractive, desirable and convenient. However, the original commercial development in this PUD was laid out without a lot of regard to large commercial uses (big boxes). So when the opportunity came to consider the possibility of expansion for that area, including a new grocery store, the developers looked to the west. These discussions began over two years ago, well before we launched the process on the new Comprehensive Plan and before we began to talk about these new principles and more priority on the design of buildings, etc. We did not know what the outcome of those discussions was going to be when we began discussions on this proposal.

Krout further advised that the staff was supportive of this project to encourage a grocery store for this area as an anchor and neighborhood service for the community. There is a mix of uses that is insured by the PUD so there will be that kind of potential for reduction of traffic and walkability. But, because the development plans were underway well before the LPlan 2040 discussions, and because of the nature of the site, the size of the buildings, and the grading in this area (which is somewhat difficult), the staff took the position that the most important thing was to encourage the grocery store to happen. It would be a very complementary use. We have to find a way to integrate large commercial uses – just like cars are going to be part of our future, larger uses are going to be a part as well and we have to find a way to integrate them as much as possible. Krout acknowledged that part of our charge is the design standards – we know the arrangement of parking to buildings and buildings to other buildings is important. But this project was just too far along in the process. We basically considered it a grandfathered use. If we were starting from scratch, we might have planned it somewhat differently.

Gaylor Baird confirmed that if this project were starting today, maybe some of these same concessions would not be up for consideration. Krout agreed.

Tom Cajka of Planning staff then addressed the annexation, PUD amendment and street vacation. This application is to amend an existing PUD by adding approximately 38.6 acres and 220,000 square feet of commercial floor area. The area of expansion is west of Fallbrook Boulevard coming in the entrance off Hwy 34. Lot 1 is for the proposed 60,000 sq. ft. grocery store. A condition of approval is that 100,000 sq. ft. of the 220,000 sq. ft. of additional

commercial floor area must be set aside for office use, so the maximum retail would be 120,000 square feet. The developer's long range plan is to have the office space in Lot 4, with some smaller retail and office in the other areas.

Cajka pointed out that there will be a bike trail on the north side of Aster Road that will connect up with the existing trails found throughout the development. Nothing else in the existing Fallbrook area changes.

Cajka advised that one area of discussion at length with Public Works involved turn lanes on Fallbrook Boulevard because the turn lanes shown are not as long as what is recommended by the traffic study and by Public Works. At this point, the turn lanes cannot be any longer because of the location of the highway. Planning, Public Works and the developer reached a compromise to add general note #10:

The left-in turn in Fallbrook Boulevard, leading into Lots 1 & 2, Block 34 may be removed by the City if:

- a. Southbound vehicle stacking onto Highway 34 is routinely observed to be blocking the left-in turn to the driveway for Lots 1 & 2, Block 34 or;
- b. Northbound vehicle stacking for a left turn to Waterleaf Drive or to the left-in turn for Lots 1 & 2, Block 34 is observed routinely stacking into a through lane in Fallbrook Boulevard; or
- c. If traffic warrants or vehicle crashes caused by the left-in turn deem the left-in turn movement removal is advisable.

The lot owner of Lot 2, Block 34 will be responsible for posting a \$20,600 bond equal to the cost of removing the left-in turn lane at time of final platting.

Cajka then explained that the area of annexation is 10 acres north of the City Limits which includes Aster Road to N.W. 12th Street.

Cajka pointed out that the changes to the General Notes are bold and underlined in the staff report. The developer has requested several waivers, mostly having to do with the signage. The other waiver requests dealing with setbacks and parking are the same waivers that were granted in the previous approval of this PUD.

Gaylor Baird expressed concern about the number of modifications to the signage since the Commission has recently done a lot of work on the sign ordinance. Is all that work for naught in this situation? Is there some reason why the standards are not working? Or is this an incredibly unique situation? If we are granting this many waivers, are we setting some sort of precedent? Cajka explained that a lot of the modifications to the sign ordinance are carried over from the previously approved PUD. The biggest sign is on the corner of 1st & Hwy 34 – it is their major subdivision sign – 350 sq. ft., 16 feet tall, which was previously allowed to be 700 sq. ft. (The sign area is calculated differently under the new sign ordinance). This sign is next to the highway with a lot of fast-moving traffic. Planning staff takes the position that this sign was no larger than what had been previously approved. Gaylor Baird confirmed that the staff considers the waiver to be acceptable because the sign is no larger than previously approved and is next to a highway so visibility is especially important. Cajka agreed.

Cajka went on to point out that the signs located on the major entrances are 150 sq. ft. Most of the signs in the area set aside for offices meet the existing sign ordinance. There are center

signs a little larger than what is allowed by the sign ordinance along Hwy 34 at three locations. Gaylor Baird confirmed that the waivers are acceptable because these signs are on the highway. Cajka concurred, along with visibility being an issue.

With regard to the street vacation request, Cajka explained that Fallbrook Boulevard is being redesigned. Right now it has a wide median in the middle and they are going to take some of that median out because they do not need the right-of-way to be out that far. They are requesting that a strip of land on the west side be vacated to be used as part of their future lots. They have to reduce the medians in order to construct the left turn lanes.

Esseks was interested in the requirement to set aside 100,000 square feet for office. Is this a guestimate? Cajka indicated that it is based on what was shown in the developer's traffic study. Cajka believes that the only committed tenant at this time is the grocery store. But, based on the traffic study submitted, the developer has agreed to add the stipulation for the 100,000 sq. ft. of office. Esseks wondered about the impact should anything change in the future and the market does not support the office use. Cajka indicated that the developer could always come back and request an amendment.

Lust inquired how the traffic study determines what is going into the development? Cajka explained that the traffic study has to do with the impact on the existing road network with different uses having different traffic generators. The developer submits the traffic study based on their projected uses, which, in this case, included the office, retail, grocery, bank, and restaurant, etc. **Dennis Bartels of Public Works** also explained that the initial Fallbrook development had a traffic study so the improvements were built on 1st Street. When they added this new development with more square footage on the west side of Fallbrook, it changed the numbers from what was in the original traffic study. His assumption was that the developer did not want to pay for additional improvements or start redoing existing improvements for what was already built with the initial approval.

Gaylor Baird returned to the signage issue. She does not believe the staff report sufficiently explains which signs are subject to waivers and how they vary from the sign ordinance. She cannot clearly distinguish what is being waived and whether or not there is something being changed by category. After further discussion, Cajka stated that basically, the center signs and the PUD complex subdivision signs are those that deviate from the sign ordinance and involve waivers. The new signs include three subdivision signs (pointed out on the map) which are the 150 sq. ft. and 16 ft. high signs. That is a new waiver from 32 sq. ft. and 6 ft. tall. Cajka also displayed a rendering of the proposed signage for the MarketPlace.

Lust clarified that the signs involved in the waiver requests are at the corner of 1st & Alvo, N.W. 12th & Alvo, and N.W. 12th & Aster Road. Referring to the sign map, Lust suggested that the Commission is voting on a request for one 1.A.1 sign (already approved). The new signs are the three 1.A.1 signs and two 1.B signs as shown on page 57 of the agenda. Cajka confirmed that there are six new signs included in the waiver requests. Gaylor Baird confirmed that the justification for the waiver is greater visibility at the entrance points. Cajka agreed.

Krout offered that this is a huge scale project – this is a mile of frontage on Hwy 34. For example, picture South Point which has ½ mile of frontage with more signs than what is being shown here. This is a much reduced number of signs from the potential there could be with a different type of development stripping down the highway with potential for free-standing signs and center signs. These signs are all going to be architecturally controlled by the covenants. It ties back to the overall design and architecture of this development, which to date has been very

exemplary. Krout believes there are issues of scale and design that mitigate any increases in area of the signs.

Gaylor Baird explained that she just wanted to understand what the increases in area were and what is being waived.

Proponents

1. Tim Gergen, Olsson Associates, appeared on behalf of Nebco, the developer of Fallbrook. This is a planned neighborhood subdivision which they began working on in 1999, and has slowly matured into a beautiful residential neighborhood in need of amenities. They now have a town center more geared toward a small footprint of boutique shopping, but this part of the community is greatly in need of large scale services of daily needs, such as grocery store and medical services.

Gergen further explained that this phase of Fallbrook is called the MarketPlace, where it gets into more of a large scale footprint shopping where there are pad sites to be sold to landowners for retail, shopping and office use. The office is a conceptual idea for the traffic study, but as they developed the traffic study they realized that northwest Lincoln is in dire need of medical office as well.

With regard to signage, Gergen explained when they first developed Fallbrook, they were cognizant of the desire to retain the natural part of the development. A lot of the buildings were pushed back from the highway, and a lot of those retailers really depend on signage on their buildings to get the users into the development. With setbacks so far from the highway and with 60 mph speed limit on the highway, there is the need to have something to catch the eye of the travelers to bring them into this new shopping center. That is the purpose of the larger signs. This is a planned residential subdivision where we want to dictate the location and users on the signs and not have more signs on the highway. The developer has worked diligently with the city staff for two years on this project and they have come to general consensus on the conditions of approval.

There was no testimony in opposition.

COMPREHENSIVE PLAN AMENDMENT NO. 11007

ACTION BY PLANNING COMMISSION:

November 30, 2011

Lust moved approval, seconded by Francis.

Francis believes this is an excellent location for an office and retail site as opposed to residential.

Cornelius stated that he is sympathetic to the concerns about the new Comprehensive Plan. This is not something that we might expect to come up under the precepts of the new Plan; however, the Plan is very new and we just discussed before this meeting revisions to the plan that we have yet to make that are simply not new information but refinements of the Plan as it stands. Our community is a big ship and it turns slowly, and we don't have all the design standards in place yet to apply to an application like this. Further, this project was underway as we were discussing the new Plan and proposing design standards in the future. For that reason, he will vote in support of this amendment.

Motion for approval carried 9-0: Esseks, Sunderman, Lust, Gaylor Baird, Butcher, Francis, Weber, Hove and Cornelius voting 'yes'. This is a recommendation to the City Council.

ANNEXATION NO. 11003

ACTION BY PLANNING COMMISSION:

November 30, 2011

Lust moved approval, seconded by Francis and carried 9-0: Esseks, Sunderman, Lust, Gaylor Baird, Butcher, Francis, Weber, Hove and Cornelius voting 'yes'. This is a recommendation to the City Council.

CHANGE OF ZONE NO. 05085A,

AMENDMENT TO THE FALLBROOK P.U.D.

ACTION BY PLANNING COMMISSION:

November 30, 2011

Lust moved to approve the staff recommendation of conditional approval, seconded by Francis.

Sunderman complimented Fallbrook for the first large scale development which applies the standards of "new urbanism". It is a fabulous concept.

Gaylor Baird commented that with the care taken in the planning with the fewer number of signs, some size accommodation and the architectural nature of the signs, she accepts that these kinds of waivers make sense.

Cornelius agreed, suggesting that the signage was discussed a lot because in the recent past, the Commission has had a lot of discussion about signs and extensive changes to the sign ordinance. It raises a flag for us whenever we see variances from that ordinance because so much work went into it. But, it is clear here that the reasoning for their differentiation from the ordinance is sound – they are attractive additions to the community and they fit in with the overall design of the community – and for that reason he will support it.

Motion for conditional approval carried 9-0: Esseks, Sunderman, Lust, Gaylor Baird, Butcher, Francis, Weber, Hove and Cornelius voting 'yes'. This is a recommendation to the City Council.

STREET & ALLEY VACATION NO. 11011

ACTION BY PLANNING COMMISSION:

November 30, 2011

Lust moved a finding of conformance with the Comprehensive Plan, seconded by Francis and carried 9-0: Esseks, Sunderman, Lust, Gaylor Baird, Butcher, Francis, Weber, Hove and Cornelius voting 'yes'. This is a recommendation to the City Council.



CPA # 11007 : Hwy 34 & Fallbrook

Proposed Future Landuse

- Res Land Use Category
-  Area of Amendment
 -  Future Service Limit
 -  Future Land Use
 -  Ownership Parcels



0 187.5 375 750

013

LINCOLN - LANCASTER COUN
PLANNING DEPARTMI

ITS Information: Engineering Services
203 South 10th Street
Lincoln, Nebraska 68508
Ph: 402.441.7419 Fax: 402.441.6377

DWG: F:\Projects\20010577\prelimPUD-1st Add. Amendment\Prelim-Plans\comp plan amendment.dwg
DATE: Nov 08, 2011 9:45am
USER: sosterhaus
nw12th
LES cable
Lxenf
Highland View
XREFS: ixbase

FUTURE NW 12TH STREET

FUTURE ASTER ROAD

TALLGRASS PKWY

ASTER ROAD

FALLBROOK BLVD

HWY 34

1ST STREET



PROPOSED AREA OF COMP. PLAN AMENDMENT FROM URBAN RESIDENTIAL TO COMMERCIAL

710

RESIDENTIAL 1-FAMILY OR OFFICE USE OR DAYCARE

PROJECT NO:	001-0577
DRAWN BY:	SO
DATE:	11-8-11

PROPOSED FALLBROOK COMPREHENSIVE PLAN AMENDMENT



1111 Lincoln Mall, Suite 111
P.O. Box 84608
Lincoln, NE 68501-4608
TEL 402.474.6311
FAX 402.474.5160

EXHIBIT
1



November 8, 2011

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

RE: Fallbrook MarketPlace Comprehensive Plan Amendment

Dear Mr. Krout:

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

- Exhibit
- Application fee (\$300.00)

On behalf of the Owner/Developer, Nebco, Inc., 1815 Y Street, Lincoln, NE 68508, we are requesting an amendment to the 2040 Comprehensive Plan to revise the Land Use Plan for the proposed Fallbrook MarketPlace area from "urban residential" to "commercial".

An exhibit is attached to this letter that identifies the proposed area of the Comp. Plan amendment. The area identified on the exhibit is also the area for the proposed Fallbrook MarketPlace. In association with this project, applications have also been submitted for a change of zone request from AG to B-2 PUD, annexation, and a request to vacate a portion of Fallbrook Blvd right-of-way.

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

Sincerely,

A handwritten signature in black ink, appearing to read 'Scott Osterhaus', is written over a horizontal line.

Scott Osterhaus

Enclosures

cc: Phil Wenta (Nebco Inc.)
File

F:\Projects\20010577\prelimPUD-1st Add. Amendment\docs\comp-plan\krout_11-8-11_Comp Plan.doc