

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for January 3, 2006 PLANNING COMMISSION MEETING

PROJECT #: Annexation No. 06022
Change of Zone No. 06082

Note: This is a combined staff report for related items. This report contains a single background and analysis section for all items. However, there are separate conditions provided for each individual application.

PROPOSAL: From AGR Agriculture Residential to R-3 Residential

LOCATION: Generally located at S.W. 40th Street and W. A Street

LAND AREA: 15.90 acres more or less

EXISTING ZONING: AGR Agriculture Residential

CONCLUSION: The annexation and change of zone are in conformance with the Comprehensive Plan.

RECOMMENDATION:

| | |
|-----------------------|-----------------------|
| Annexation #06022 | Conditional Approval. |
| Change of Zone #06082 | Approval |

GENERAL INFORMATION:

LEGAL DESCRIPTION: See attached legal description

EXISTING ZONING: AGR, Agricultural Residential

PROPOSED ZONING R-3 Residential

EXISTING LAND USE: Agriculture/undeveloped

SURROUNDING LAND USE AND ZONING:

North: AGR Agricultural residential Single-family dwellings on acreage
South: AGR Agricultural residential Single-family dwellings on acreage
East: R-3 Residential Single family dwellings

West: AGR Agricultural residential Single-family dwellings on acreage

ASSOCIATED APPLICATIONS: PP06011

HISTORY:

December 8, 2004 Woodland View Preliminary Plat was approved by Planning Commission.

August 2, 2004 The Lincoln Airport F.A.R. Part 150 Noise Compatibility Study, 2003 was adopted by City Council.

September 2, 1997 Timber Ridge Preliminary Plat was approved by City Council.

November 8, 1995 High Ridge Estates Final Plat was approved by the Planning Commission.

April 21, 1995 High Ridge Estates Preliminary Plat was approved by City Council.

COMPREHENSIVE PLAN SPECIFICATIONS:

The community continues its commitment to neighborhoods. Neighborhoods remain one of Lincoln's great strengths and their conservation is fundamental to this plan. The health of Lincoln's varied neighborhoods and districts depends on implementing appropriate and individualized policies. The Comprehensive Plan is the basis for zoning and land development decisions. It guides decisions that will maintain the quality and character of the community's established neighborhoods. (6)

The Plan thus commits Lincoln and Lancaster County to preserve unique and sensitive habitats and endorses creative integration of natural systems into developments.

The following principles are based on this Environmental Stewardship statement and describe the desired end state:

Natural and environmentally sensitive areas are preserved and thrive. Wetlands, native prairies and stream (riparian) corridors are preserved to ensure the ecological health of the community.

Other natural features, such as tree masses, in areas for future development, are integrated into new development to provide for green spaces within the built environment. (7)

Lincoln's sense of community has been based on incremental, compact growth built on the foundations of established neighborhoods. Future growth will continue this traditional pattern and be linked to both the level of demand in the market and to the orderly extension of public improvements and services. (9)

Streams, trees, open space, and other environmentally sensitive features should be preserved within new development as design standards allow. The natural topography and features of the land should be preserved by new development to maintain the natural drainageways and minimize land disturbance. (9-10)

Encourage different housing types and choices, including affordable housing, throughout each neighborhood for an increasingly diverse population. (10)

Many activities of daily living should occur within walking distance. Neighborhoods should include homes, stores, workplaces, schools and places to recreate. Interconnected networks of streets, trails and sidewalks should be designed to encourage walking and bicycling, reduce the number and length of automobile trips, conserve energy and for the convenience of the residents. (10-11)

Transit, pedestrian, and bicycle networks should maximize access and mobility to provide alternatives and reduce dependence upon the automobile. (11)

Streets and public spaces should be safe, comfortable, and interesting to the pedestrian. Properly configured, they encourage walking and enable neighbors to know each other and protect their communities. The street network should facilitate calm traffic conditions, provide multiple connections within and between neighborhoods, using neighborhood development aspects such as four way intersections of residential streets, multiple connections to arterial streets, and reduced block lengths. (11)

The Land Use Plan identifies this area as urban residential. (19)

Tier I: Defines the City of Lincoln's near term growth area – a 52 square mile area which could reasonably expect urban services within the next twenty five year period. Land within this area should remain generally in the present use in order to permit future urbanization by the City. (23)

Areas designated for near term development are generally contiguous to existing development and should be provided first with basic infrastructure within 6 years of the adoption of the Plan. Some of the infrastructure required for development may already be in place. This area includes some land already annexed, with City commitments to fund infrastructure improvements, but the land is still undeveloped and without significant infrastructure in place yet. Some infrastructure improvements may be done in the near term while others, such as road improvements that are generally more costly, may take longer to complete. (24)

Affordable housing should be distributed throughout the region to be near job opportunities and to provide housing choices within every neighborhood. Preserve existing affordable housing and promote the creation of new affordable housing throughout the community. (65)

The image is an example of how the principles might work together in a neighborhood, including the following principles:

1. Encourage a mix of housing types, single family, townhomes, apartments, elderly housing all within one area;
2. Similar housing types face each other: single family faces single family, change to different use at rear of lot;
3. Parks and open space within walking distance of all residences;
4. Multi-family and elderly housing nearest to commercial area;
5. Pedestrian orientation; shorter block lengths, sidewalks on both sides of all roads;
6. Public uses (elementary schools, churches) as centers of neighborhood – shared facilities (city parks & school sites);
7. Encourage shopping and employment uses to be at within the neighborhoods and within walking distance to most residences (which may also serve as locations for transit stops.) (66)

To ensure that future developments are aware of their proximity to the airport and the noise issues are appropriately addressed the Airport Environs Noise District ordinance and the recommendations of the Airport Noise Compatibility Study will become very important. In order to ensure that the future development and land

uses are compatible with the existing airport and its functions, following the Airport West Subarea Plan will be necessary. (124)

UTILITIES: Sanitary sewer extensions to S.W. 40th Street need to be shown in both the south and north drainage ways. A 10 inch sanitary sewer line is proposed from S.W. 39th Street to the north east.

TRAFFIC ANALYSIS: S.W. 39th Street and W. Kehn Drive are local streets. S.W. 40th Street is a paved rural cross-section minor arterial. The 2030 Comprehensive Plan shows S.W. 40th to be 4 lanes plus a turn lane.

PUBLIC SERVICE: The nearest fire station is located on Coddington Ave., south of West "A" St. Roper Elementary school is located at Coddington Ave. & West South St.

ANALYSIS:

1. This request is for a change of zone from AGR-Agriculture Residential to R-3 Residential in order to develop 83 residential lots. It is associated with Woodland View preliminary plat.

2. Annexation policy of the Comprehensive Plan:

-To not extend water and sanitary sewer services beyond the city limits. Annexation shall occur before any property is provided water, sanitary sewer, and other city services.

Sanitary sewer extensions to Southwest 40th Street need to be shown in both the south and north drainage ways to provide for the extension of the sewer service to the west.

-Land which is contiguous and generally urban in character may be annexed.

The area is contiguous, and the preliminary plat shows urban-density development.

- Annexation generally implies the opportunity to access all City services.

The area is within the future service limits.

3. This area is designated as urban residential on the Land Use Plan in the 2030 Comprehensive Plan. The area is inside the future service limits.

4. This zoning is an expansion of contiguous existing R-3 zoning.

5. This area is designated as Tier 1, Priority A in the 2025 Comprehensive Plan. The Comprehensive Plan identifies Priority A of Tier I as areas designated for near term development generally contiguous to existing development and should be provided with basic infrastructure within 12 years of the adoption of the Plan. Some of the infrastructure required for development may already be in place.

CONDITIONS

Annexation #06022

1. Prior to City Council approval the developer must provide the City with a cash contribution for the proportionate share of the Southwest Rural Fire District debt.

Prepared by:

Christy Eichorn, Planner
441-7603, ceichorn@lincoln.ne.gov

DATE: December 19, 2006

APPLICANT: ESP on behalf of Hausmann Development
601 Old Cheney Rd, Ste A
Lincoln, NE 68512

OWNER: Hausman Development
601 Old Cheney Rd, Ste C
Lincoln, NE 68512

CONTACT: Marcia Kinning
ESP
601 Old Cheney Rd, Ste A
Lincoln, NE 68512



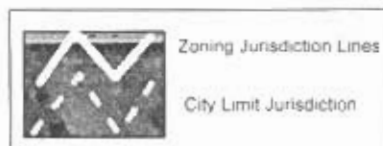
2005 aerial

Annexation #06022 SW 40th & West A Street

Zoning:

| | |
|------------|--|
| R-1 to R-8 | Residential District |
| AG | Agricultural District |
| AGR | Agricultural Residential District |
| R-C | Residential Conservation 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 |

One Square Mile
Sec. 32 T10N R6E





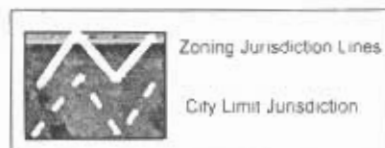
2005 aerial

Change of Zone #06082 SW 40th & West A Street

Zoning:

- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- R-C Residential Conservation 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

One Square Mile
Sec. 32 T10N R6E





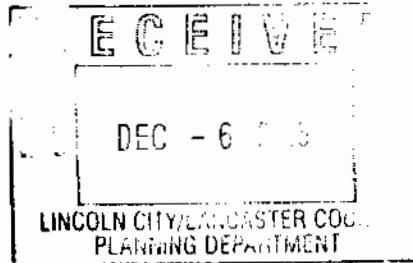
LYLE L. LOTH, P.E./L.S.

Suite A - 601 Old Cheney Road
Lincoln, NE 68512

Phone (402) 421-2500
Fax (402) 421-7096

Email: lyle@espeng.com

December 6, 2006



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

**RE: WOODLAND VIEW 1st ADDITION
S.W. 40TH AND WEST 'A' STREETS
CHANGE OF ZONE/ PRELIMINARY PLAT/ ANNEXATION**

Dear Marvin,

On behalf of Hausmann Development, we are submitting the following applications for your review. Woodland View is a proposed preliminary plat located approximately ¼ mile south of the corner of S.W. 40th and West 'A' Streets. The site contains 19.85 acres with 25 single family lots and 4 outlots.

We are requesting a change of zone from 'AGR' to 'R-3' which is in conformance with the Comprehensive Plan. We are also requesting 'annexation' of that portion which is not annexed already into the City of Lincoln at this time.

We are proposing a preliminary plat on the entire parcel. The area to the east of the proposed preliminary plat was developed by Hausmann Development as Woodland View. Our application is continuing the development further to the west with lots ranging from 60 feet to 70 feet in width and 120 feet deep.

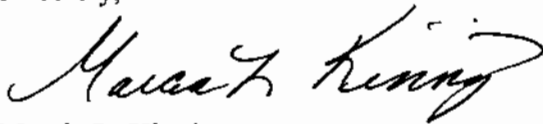
Please refer to the Storm Water Calculations previously submitted with the Woodland View Preliminary Plat #04027. The calculations submitted previously included the area in the current application.

The sanitary sewer will be flowing to the north and east of the project. The owners of the property which the sanitary sewer will be crossing outside of the development have been contacted. Easement agreements will be acquired and filed with the adjacent neighbors prior to sanitary sewer installation.

Two waivers are being requested. Both waivers address the Lincoln Design Standards in Chapter 2, Section 3.6. We are requesting a waiver to allow sanitary sewer to run against street grade. A waiver to allow the sanitary sewer to be deeper than 15 feet is also being requested at the intersection of SW 39th Street and West Kehn Drive. The standard slope requirements will not be violated with these requests.

Please feel free to contact me if you have any further questions or comments

Sincerely,



Marcia L. Kinning

cc. Joey Hausmann
Mark Hunzeker

Enclosures: 24 copies of sheet 1 of 5
8 copies of sheets 2 through 5 of 5
Application for a Preliminary Plat
Applicants Technical Checklist
Legal Description for Preliminary Plat
Application for a Change of Zone
Change of Zone Exhibit
Legal Description for Change of Zone
Certificate of Ownership
Preliminary Soils Map
Application Fees of \$2,220.00
8-1/2" x 11" Reductions of the Plans

WOODLAND VIEW 1ST ADDITION

ANNEXATION & C.O.Z. FROM 'AGR' TO 'R-3'

LEGAL DESCRIPTION

A survey of Lot 77 Irregular Tract, located in the Northwest Quarter of Section 32 Township 10 North Range 6 East of the Sixth Principal Meridian, Lancaster County, Nebraska; More particularly described by metes and bounds as follows.

Commencing at the Southeast corner of said Lot 77 Irregular Tract;

Thence North 24°28'20" East along the East line of said Lot 77 Irregular Tract, a distance of 47.47 feet;

Thence continuing along the East line of said Lot 77 Irregular Tract, a bearing of North 58°38'08" West, a distance of 81.60 feet;

Thence North 44°51'05" West, a distance of 81.60 feet;

Thence North 31°04'02" West, a distance of 81.60 feet;

Thence North 17°16'59" West, a distance of 81.60 feet;

Thence North 03°29'55" West, a distance of 81.60 feet;

Thence North 10°20'34" East, a distance of 82.97 feet;

Thence continuing along the East line of said Lot 77 Irregular Tract, on a bearing of North 16°07'56" East, a distance of 403.16 feet;

Thence along the South line of said Outlot 'A', a bearing of North 73°52'04" West, a distance of 131.28 feet;

Thence on a curve to the left having a radius of 330.00 feet, a central angle of 10°27'45", a chord bearing of North 79°06'29" West, and a chord distance of 60.18 feet;

Thence North 04°18'14" East, a distance of 53.19 feet;

Thence North 23°40'38" West, a distance of 89.01 feet;

Thence North 63°46'32" West, a distance of 76.24 feet;

Thence North 38°46'22" West, a distance of 170.93 feet;

Thence North 67°04'31" East, a distance of 164.70 feet;

Thence North 44°51'38" East, a distance of 231.91 feet;

Thence South 50°36'42" East, a distance of 361.80 feet;

Thence North 50°29'44" East, a distance of 18.35 feet;

Thence North 62°43'17" East, a distance of 85.69 feet;

Thence North 67°56'01" East, a distance of 130.00 feet;

Thence North 69°17'44" East, a distance of 68.46 feet;

Thence North 77°59'30" East, a distance of 78.67 feet;

Thence North 87°31'55" East, a distance of 72.47 feet;

Thence South 89°51'31" East, a distance of 60.00 feet;

Thence North 00°08'26" East, a distance of 141.94 feet;

Thence South 89°17'32" West, a distance of 1271.88 feet;

Thence South 00°27'41" West, a distance of 1111.59 feet;

Thence North 89°54'14" East, a distance of 343.02 feet;

Thence South 00°27'41" West, a distance of 350.02 feet;

Thence North 89°52'11" East, a distance of 305.41 feet to the POINT OF BEGINNING, and containing a calculated area of 15.90 acres more or less.