PROJECT #: Preliminary Plat No. 17001
White Horse

PROPOSAL: 154 single family lots and 5 outlots

LOCATION: South 90th Street & A Street

LAND AREA: 61.91 acres, more or less

CONCLUSION: The requested waivers are reasonable given the site development factors. This proposed preliminary plat with conditions is in conformance with the Zoning Ordinance and Subdivision Regulations.

RECOMMENDATION: Conditional Approval

Waivers and modifications:

Section 26.23.125: Remove the pedestrian way requirement for blocks over 1,000 feet in length for Block 6 Approval
Section 26.23.130: Allow block length to exceed 1,320 feet for Blocks 4, 7, 8 & 9 Approval
Section 26.23.140: Allow lot lines not perpendicular to rights of way Approval
Design Standards, Title 2, Chapter 2.00, Section 3.6: To allow sanitary sewer mains to flow opposite the street grades. Approval
Design Standards, Chapter 2.15, Section 2.2: To allow access separation on arterial streets to be closer than one quarter mile Approval

GENERAL INFORMATION:

LEGAL DESCRIPTION: See Attached

EXISTING ZONING: AG Agricultural

EXISTING LAND USE: Agriculture

SURROUNDING LAND USE AND ZONING:
North: Soccer Fields, Agriculture, Trail AG
South: Residential, Agriculture, Utility R-1, AG, P
East: Agriculture AG
West: Residential R
ASSOCIATED APPLICATIONS:

AN 17002 Annexation
CZ 17002 Change of Zone

COMPREHENSIVE PLAN SPECIFICATIONS:

Page 1.9 The Future Land Use Map designates this site for primarily urban density residential.

Page 7.2 Provide a wide variety of housing types and choices for an increasingly diverse and aging population.

Page 7.4 Encourage substantial connectivity and convenient access to neighborhood services (stores, schools, parks) from residential areas.

Page 7.7 Maintain parks and open space within walking distance of all residences.

HISTORY:

Adjacent Herbert Brothers Indian Hills first addition was approved in 1968. Subsequent additions were platted until the Herbert Brothers Indian Hills Sixth Addition along A Street in 1979. Right of way connectivity was provided for Chaparral Road, Navajo Trail and Sandalwood Drive to connect to the east to the area now proposed for White Horse.

The property has been zoned AG since at least the 1979 Zoning Ordinance update. The use of the property has been agricultural with no structures present on the property.

The Nebraska Trails Foundation and the Great Plains Trails Network purchased the adjacent former Missouri Pacific Railroad corridor to the north in 1991 and deeded the property to become the MoPac East Recreational Trail to the Lower Platte South Natural Resources District (NRD).

UTILITIES: The City of Lincoln will construct a 16" public water trunk line along A Street extended from the west to 94th Street to the east. The developer plans to extend a 6" water line from Chaparral Road in the adjacent Herbert Brothers Indian Hills subdivision which is located about a block north of A Street. The City will extend a 15" public sanitary sewer trunk line from the north from the Lincoln Public Schools (LPS) property crossing the NRD trail. The sanitary sewer extension is subject to LPS approval.

TOPOGRAPHY: The topography slopes generally from southwest to northeast with a change from A Street to the NRD trail property of about forty to fifty feet.

TRAFFIC ANALYSIS: A Street is classified as a minor arterial in the 2040 Comprehensive Plan.
PUBLIC SERVICE: The nearest fire station is Fire Station #12 located at 2201 S. 84th Street.

ANALYSIS:

1. This proposal is to create 154 single-family residential lots on approximately 61.91 acres. All of the site is currently outside but adjacent the City limits and proposed to be annexed and re-zoned R-3 Residential. Annexation No. 17002 and Change of Zone No. 17002 are discussed in the associated staff report.

2. The five proposed outlots include four outlots for pedestrian ways, including Outlots A and C in Block 9 and Outlot B in Block 3 and Outlot E in Block 8 on the north line of the project adjacent the NRD trail. Outlot D is proposed for storm water detention and water quality.

3. The applicant is requesting five waivers with this application:
   
   i. Waiver from Subdivision Ordinance 26.23.130(a) to allow block lengths to exceed 1,320 feet for Blocks 4, 7, 8 & 9. Blocks 4 and 7 are limited by the existing Herbert Brothers Indian Hills subdivision to the west as far as street connection points while Blocks 8 and 9 are limited by the NRD trail with only one street crossing of the trail likely to be permitted.

   ii. Waiver from Subdivision Ordinance 26.23.125 to remove the pedestrian way requirement when a block exceeds 1,000 feet in length and where needed for pedestrian traffic. This would be for the pedestrian way in Block 6. Block 6 has a block length of 1,025.74 feet. The required length to eliminate the requirement for a pedestrian way could be reached if the depth of the lots on the northeast side of Sandalwood Drive would be increased. The overall configuration of the lots and other connecting streets would be affected negatively if the shift of Sandalwood Drive would take place.

   iii. Waiver from Subdivision Ordinance 26.23.140 c. to remove the requirement that the lot lines be radial and perpendicular to street right of way. This waiver is requested in order to accomplish the desired width and frontage throughout the development.

   iv. Waiver from Design Standards, Title 2, Chapter 2.00, Section 3, 3.6 to allow sanitary sewer mains to flow opposite the street grades. This is a common waiver request within developments. The minimum and maximum sewer depth requirements will still be met.
v. Waiver from Design Standards, Chapter 2.15, Section 2.2 to allow access separation on arterial streets to be closer than one quarter mile apart. Public Works & Utilities have agreed to consider the location of the roundabout on A Street as a quarter mile location even though it does not fall exactly at that location. This is due in part to negotiation between the City, developer and the two property owners on the south side of A Street to find a mutually acceptable location for the roundabout access point.

4. Twelve lots in the southeast area of the development would not be serviced by sanitary sewer until property to the east is developed and sanitary sewer becomes available.

5. Street access to the development will include a new roundabout at South 90th Street and A Street that the developer will pay for but be reimbursed through the use of impact fee funding as part of the Conditional Annexation and Zoning Agreement that is associated with Annexation #17002. In addition, three street connections will be provided to the west with the adjacent Herbert Brothers Indian Hills subdivision, including connections at Chaparral Road, Navajo Trail and Sandalwood Drive. There will also be a street connection to the north via Appaloosa Lane which the developer will establish an escrow to cover the cost of the south half where it crosses the NRD trail property. This escrow will be one of the conditions of the Conditional Annexation and Zoning Agreement. There will also be a connection to the east via White Horse Way for when the adjacent property is developed in the future.

6. The developer will be required to extend sidewalks in Navajo Trail and Chaparral Road from Smokey Hill Road to connect to the subdivision as ordinances were previously approved which allowed for installation to be delayed until those roads are opened. Also, the developer will be required to provide sidewalk connection from Smokey Hill Road on Sandalwood Drive to connect to the subdivision.

7. The sidewalk will be constructed as lots abutting A Street are final platted. The developer as one of the conditions of approval will be required to revise the grading plan to show the construction of the sidewalk on the north side of A Street. A Street is not planned for improvements in the 2040 Comprehensive Plan.

8. The developer will provide a pedestrian way as part of Outlot E to connection with the NRD trail and a sidewalk in Appaloosa Lane will also connect to the bike trail once the property to the north is developed.

9. There is a 60' wide electrical transmission corridor along the east property line. Lincoln Electric System (LES) notes that all building envelopes will need to remain outside of this transmission corridor. Also, LES requests easements.
10. Public Works & Utilities - Watershed Management Division indicates that there is the potential for the loss of lots due to the need to further address storm water drainage as part of the development.

11. Public Works & Utilities - Wastewater Division notes that sanitary sewer will need to extend through the LPS property in order to serve this area by gravity.

12. Public Works & Utilities - Water Division notes that the water main in Appaloosa Lane east of Sandalwood Drive is not identified as to size and should be a 12" main to allow feeder connection to the north and east of this intersection.

13. The US Postal Service requires that deliveries must be established in Centralized Box Units which are purchased and installed at the developers expense at a location mutually agreed upon by the US Postal Service and the developer.

CONDITIONS OF APPROVAL:

Approval of the following waivers:

1. 26.23.125 to remove the pedestrian way requirement when a block exceeds 1,000 feet in length for Block 6.

2. 26.23.130(a) to allow block lengths to exceed 1,320 feet for Blocks 4, 7, 8 & 9.

3. 26.23.140 c. to remove the requirement that the lot lines be radial and perpendicular to street right of way.

4. Design Standards, Title 2, Chapter 2.00, Section 3, 3.6 to allow sanitary sewer mains to flow opposite the street grades.

5. Design Standards, Chapter 2.15, Section 2.2 to allow access separation on arterial streets to be closer than one quarter mile apart.

Site Specific:

1. The subdivider shall complete the following instructions and submits the documents and plans and 3 copies to the Planning Department office:

   1.1 Submit preliminary plat with corrections and additional information as required to the satisfaction of the Lincoln Electric System concerning easements that are needed for electric facilities.
Preliminary Plat #17001
White Horse

1.2 Address comments from Public Works - Survey Check to the satisfaction of Survey Check.

1.3 Submit preliminary plat with corrections and revised drainage information to the satisfaction of the Public Works & Utilities - Watershed Management Division.

1.4 Revise the preliminary plat to show the water main in Appaloosa Lane east of Sandalwood Drive as a 12" main.

1.5 Sheet 2 of 7: Delete notes 3 and 7 concerning setbacks.

1.6 Sheet 2 of 7: Delete notes 13, 16, and 17.

1.7 Revise Note 19. to state that the sidewalk will be constructed as lots abutting A Street are final platted.

1.8 Sheet 2 of 7: Amend note 21 to reflect sidewalk installation as responsibility of the developer.

1.9 Revise the grading plan to show the construction of the sidewalk on the north side of A Street.

2. The City Council approves associated request:

2.1 Annexation No. 17002

2.2 Change of Zone No. 17002

3. Final Plats will be approved by the Planning Director after:

3.1 The required improvements are completed or a surety is posted to guarantee the completion of the public streets, private roadway improvements, sidewalks, sanitary sewer system, water system, drainage facilities, land preparation and grading, sediment and erosions control measures, storm water detention/retention facilities, drainageway improvements, street lights, landscaping screens, street trees, temporary turnaround and barricades, and street name signs.

3.2 The subdivider has signed an agreement that binds the subdivider, its successors and assigns:
to complete the street paving of public streets, and temporary turnarounds and barricades located at the temporary dead-end of the streets shown on the final plat within two (2) years following the approval of this final plat.

to complete the installation of sidewalks along both sides of streets within the final plat within four (4) years following the approval of this final plat.

to complete the public water distribution system to serve this plat within two (2) years following the approval of this final plat.

to complete the public wastewater collection system to serve this plat within two (2) years following the approval of this final plat.

to complete the enclosed public drainage facilities shown on the approved drainage study to serve this plat within two (2) years following the approval of this final plat.

to complete land preparation including storm water detention/retention facilities and open drainageway improvements to serve this plat prior to the installation of utilities and improvements but not more than two (2) years following the approval of this final plat.

to complete the installation of public street lights along the streets within this plat within two (2) years following the approval of this final plat.

to complete the planting of the street trees along streets within this plat within six (6) years following the approval of this final plat.

to complete the installation of the street name signs within two (2) years following the approval of this final plat.

to complete the installation of the permanent markers prior to construction on or conveyance of any lot in the plat.

to timely complete any other public or private improvement or facility required by Chapter 26.23 (Development Standards) of the Land Subdivision Ordinance which have not been waived but which inadvertently may have been omitted from the above list of required improvements.

to submit to the Director of Public Works a plan showing proposed measures to control sedimentation and erosion and the proposed method to temporarily stabilize all graded land for approval.
to comply with the provisions of the Land Preparation and Grading requirements of the Land Subdivision Ordinance.

to keep taxes and special assessments on the outlots from becoming delinquent.

to maintain the outlots and private improvements in a condition as near as practical to the original construction on a permanent and continuous basis.

to retain ownership of and the right of entry to the outlots in order to perform the above-described maintenance of the outlots and private improvements on a permanent and continuous basis. However, Subdivider(s) may be relieved and discharged of such maintenance obligations upon creating in writing a permanent and continuous association of property owners who would be responsible for said permanent and continuous maintenance subject to the following conditions:

(1) Subdivider shall not be relieved of Subdivider’s maintenance obligation for each specific private improvement until a register professional engineer or nurseryman who supervised the installation of said private improvement has certified to the City that the improvement has been installed in accordance with approved plans.

(2) The maintenance agreements are incorporated into covenants and restrictions in deeds to the subdivided property and the documents creating the association and the restrictive covenants have been reviewed and approved by the City Attorney and filed of record with the Register of Deeds.

Prepared by:

George Wesselhoft; 441-6366; gwesselhoft@lincoln.ne.gov
Planner

February 15, 2017

APPLICANT/OWNER: REGA Engineering Group Inc.
601 Old Cheney Road, Suite A
Lincoln, NE 68512
CONTACT: Jack. A. Herbert Trust & Blue Rock Investments LLC
8410 Navajo Trail
Lincoln, NE 68520
WHITE HORSE
PRELIMINARY PLAT #17001
CHANGE OF ZONE #17002
ANNEXATION #17002

GENERAL NOTES:
1. THIS PRELIMINARY PLAT CONTAINS 61.61 ACRES.
2. THIS PRELIMINARY PLAT SHOWS 154 SINGLE FAMILY LOTS, 1 OUTLOT FOR DETENTION AND WATER QUALITY AND 4 OUTLOTS FOR PERMANENT WATERS.
3. THE GRANT/DEVELOPER RESERVES THE RIGHT TO BUILD ANYWHERE WITHIN THE REQUIRED SETBACKS AS PER THE ZONING AS SHOWN ON THIS PLAN.
4. DIRECT VEHICULAR ACCESS TO "A" STREET IS HEREBY RECLASSED EXCEPT AT SOUTH 30TH STREET AS SHOWN.
5. ALL OUTLOTS SHALL BE MAINTAINED BY AN ASSOCIATION OF HOMEOWNERS.
6. UTILITY EASEMENTS TO BE PROVIDED AS REQUIRED BY R.E.S.
7. FRONT, SIDE AND REAR YARD SETBACKS SHALL BE IN ACCORDANCE WITH THE R-3 ZONING DISTRICT.
8. ALL PAVEMENT MUST BE 20' AND PAVEMENT WIDTH TO BE 27', UNLESS NOTED OTHERWISE.
9. SIDEWALKS SHALL BE LOCATED ON BOTH SIDES OF ALL INTERIOR STREETS. SIDEWALKS SHALL ME A MINIMUM OF 4 F EET IN WIDTH. SIDEWALKS SHALL BE A MINIMUM OF 4 INCHES THICK CONCRETE. 5 INCHES THICK AT STANLEY CROSSINGS.
10. SAINTLY STREET AND WATER LINES TO BE 50' AND AT THE PROPERLY UNLESS SHOWN OTHERWISE AND TO BE BUILT TO THE CITY OF LINCOLN SPECIFICATIONS.
11. TOPOGRAPHIC GRADING CONTOURS ARE AT H(4) 188.
12. ALL LOT LINES ARE CONCEPTUAL AND FINAL PLANS MAY SHOWN DIFFERENT LOT DIMENSIONS.
13. ALL EASEMENT LINES ARE SHOWN L beat.
14. ON ALL EASEMENTS CONTAINING DETENTION FACILITIES AND STRUCTURES, WHERE A PERMANENT UTILITY EASEMENT IS GRANTED, ALL UTILITY LINES TO LOCATE UTILITY LINES OR OTHER IMPROVEMENTS SHALL BE SUCH IMPROVEMENTS APPROVED BY THE OWNER PRIOR TO CONSTRUCTION.
15. ALL SIGNS MAY NOT BE SHOWN ON THE SITE PLAN, BUT MAY BE IN CONFORMANCE WITH THE DEPARTMENT OF PUBLIC WORKS.
16. STREET TREE PLAN SHALL BE SUBMITTED AT TIME OF FINAL PLAT.
17. THE DEVELOPER AGREES TO COMPLY WITH THE ZONING ORDINANCES OF THE CITY OF LINCOLN.
18. ALL EASEMENTS LOCATED AT SOUTH 30TH STREET AND "A" STREET SHALL BE CONSTRUCTED BY THE DEVELOPER PRIOR TO TIME OF FINAL PLAT.
19. THE DEVELOPER SHALL ESTABLISH AN EASY FOR THE CONSTRUCTION OF SIDEWALKS ON THE NORTH SIDE OF A STREET TO BE INSTALLED AT TIME OF A STREET IMPROVEMENTS.
20. THE DEVELOPER SHALL ESTABLISH AN EASY FOR THE CONSTRUCTION OF APPALOOSA LANE IMPROVEMENTS, AT THE SOUTHWEST CORNER OF PROPERTY, ADJACENT TO THE DEVELOPMENT.
21. THE DEVELOPER SHALL ESTABLISH AN EASY FOR THE CONSTRUCTION OF NORTH ST ROAD IMPROVEMENTS, AT THE SOUTHWEST CORNER OF PROPERTY, ADJACENT TO THE DEVELOPMENT.
22. CONSTRUCTION OF STREET, SIDEWALK, AND CHAINMAIL ROAD CONNECTING TO THE STREET PAVEMENT OF SOUTH 30TH STREET SHALL BE THE RESPONSIBILITY OF THE ADJACENT PROPERTY OWNER.

PLAN
AND "A" STREET

HORSE
OF ZONE #17002 - ANNEXATION #17002

REGA
ENGINEERING GROUP, INC.
601 OLD CHENEY RD., SUITE A
LINCOLN, NEBRASKA 68502
- ENGINEERING
- PLANNING
- LAND SURVISING

NO.  REVISIONS  DESCRIPTION  DATE  BY

PROJECT  161083
REGA File No. 161083
February 1, 2017

Mr. David Cary
Director of Planning
George Wesselhoft, Planner
City of Lincoln/ Lancaster County
555 South 10th Street
Lincoln, NE  68508

RE: WHITE HORSE
PRELIMINARY PLAT, ANNEXATION & CHANGE OF ZONE FROM 'AG' TO 'R-3'
South 90th Street & 'A' Street

Dear David,

On behalf of Jack A Herbert Trust and Blue Rock Investments, LLC, we submit the above mentioned applications for your review. We are requesting annexation of the entire development along with a change of zone from 'AG' to 'R-3'.

White Horse is a proposed preliminary plat located on the North side of 'A' Street, from approximately Smoky Hill Road to the north/south center line of Section 26, Township 10 North, Range 7 East, and south of the NRD bike trail. The site contains approximately 61.91 acres and consists of 154 single family lots. The site is shown as urban residential and Tier 1, Priority B, in the Comprehensive Plan.

With the existing bike trail directly north of the development, a pedestrian way has been shown within Outlot 'E' on the north line of the project to connect with the bike trail. Also, a sidewalk in Appaloosa Lane will also connect with the bike trail once the property to the north is developed. Through communication with City staff, a park containing approximately 4.0 acres is conceptually shown in the west area of the property to the north of this development. The sidewalks provided will allow the existing development of Indian Hills to the west of this development to access the future park.

This development is being served with sanitary sewer from the north. Our zoning applications are submitted at this time with the understanding that the City of Lincoln will construct the trunk sewer to the north line of White Horse within this year of 2017, with no cost to the White Horse developer.
To construct the south half of Appaloosa Lane with the NRD property to the north, the developer agrees to establish an escrow to cover the cost. This will alleviate the developer from constructing that portion of the street at final plat time of the adjacent area within the development.

Discussions between the City of Lincoln and the developer has provided an understanding on the roundabout shown in ‘A’ Street. It is our understanding that the City of Lincoln is requiring the developer to pay for the installation of the single lane roundabout at South 90th Street and ‘A’ Street. The City of Lincoln stated that the cost of the roundabout will be reimbursed/refunded to the developer through the use of impact fee funding/reimbursement. The location of said roundabout is shown at a location in ‘A’ Street that has been negotiated between City Staff and the two property owners directly south of ‘A’ Street. Currently, a design for future improvements of ‘A’ Street have not been developed by the City of Lincoln. The design of the roundabout and adjacent South 90th Street will be designed at time of Executive Orders.

We are requesting waivers of the following zoning and subdivision regulations at this time. Some waivers may never be used, however, requesting these waivers now, saves staff review time, as well as the overall timeline for the approval of the preliminary plat.

1. Sanitary sewer running opposite the street grades. (Design Standards, Title 2, Chapter 2.00, Section 3.3.6) This is a common waiver request within developments. The minimum and maximum sewer depths will not be violated.

2. Access separation on arterial streets to be closer than one quarter mile apart. (Design Standards, Chapter 2.15, Section 2.2) The City Staff has reviewed the location of South 90th Street and have agreed to treat the location as a quarter location even though it doesn’t fall at that exact location. South 90th Street has been shifting east and west along ‘A’ Street however the location shown has been agreed to by the two property owners to the south of ‘A’ Street.

3. Block length for Blocks 4, 7, 8 & 9. (Subdivision Ordinance 26.23.130(a)) Blocks 4 and 7 are adjacent to an existing residential development with the street locations already established. Blocks 8 and 9 are adjacent to the NRD bike trail. Discussions with the NRD has determined that one street access will be acceptable crossing the bike trail. If Sandalwood Drive would be shown continuing through Block 9 to White Horse Way, it would create a racetrack through the development. Acknowledgement of that from the Planning Department as well as providing the connecting street, White Horse Way, to the east property line, has provided a beneficial explanation for the overage of block length. Also, Block 9 is providing pedestrian ways between the cul-de-sacs of Sandalwood Court, Buckskin Court and White Horse Way.
4. Pedestrian way in Block 6. (Subdivision Ordinance 26.23.125) Block 6 has a block length of 1,025.74 feet. The required length to eliminate the requirement for a pedestrian way could be reached if the depth of the lots on the northeast side of Sandalwood Drive would be increased. The depth of those lots are already 130 feet. The overall configuration of the lots and other connecting streets would be affected negatively if the shift of Sandalwood Drive would take place.

5. Lot lines being radial and perpendicular to street right-of-way. (Subdivision Ordinance (26.23.140(c)) To accomplish the desired width and frontage throughout the development, the lot lines need to have flexibility.

We are excited about this project, as we have been working with Planning and other City staff for several months.

Please do not hesitate to contact me if you have additional questions.

Sincerely,

Marcia L. Kinning
Cc: Vicki Cox
      John Herbert
      Pam Barger
      Kay Drwal
      Lynne Nash

Enclosures: Application
            Application Fee $5,271.00
            Legal Descriptions
            COZ Exhibit
            Annexation Exhibit
Lot 30 of Irregular Tracts located in the West Half of Section 26, Township 10 North, Range 7 East of the 6th P.M., Lancaster County, Nebraska, more particularly described as follows:

Commencing at the South Quarter Corner of said Section 26; Thence on the east line of the Southwest Quarter of said Section 26, N00°10'41"E a distance of 50.00 feet to the POINT OF BEGINNING;

Thence N89°25'21"W, along the north right-of-way line of A Street a distance of 1493.85 feet:

Thence N00°48'43"E, a distance of 831.08 feet;
Thence N20°48'43"W, a distance of 301.67 feet;
Thence N00°45'14"E, a distance of 862.37 feet;
Thence N11°09'48"W, a distance of 214.71 feet;
Thence N03°34'55"E, a distance of 105.80 feet;
Thence N32°37'08"E, a distance of 169.91 feet;
Thence N57°41'03"W, a distance of 120.26 feet;
Thence N32°55'23"E, a distance of 162.33 feet to a circular curve to the right having a radius of 1810.08 feet, a central angle of 1°40'43" and whose chord (53.03 feet) bears S48°39'28"E;

Thence on the arc of said circular curve 53.03 feet;
Thence S89°17'48"E, a distance of 74.24 feet to a circular curve to the right having a radius of 1860.08 feet, a central angle of 8°51'30" and whose chord (287.30 feet) bears S41°40'31"E;

Thence on the arc of said circular curve 287.58 feet;
Thence S37°14'46"E, a distance of 406.62 feet;
Thence S52°45'14"W, a distance of 40.00 feet;
Thence S37°14'46"E, a distance of 1681.15 feet;
Thence S00°10'41"W, a distance of 713.55 feet to the POINT OF BEGINNING, containing a calculated area of 2,696,877.43 square feet or 61.91 acres.