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**Lincoln City - Lancaster County**

**PLANNING COMMISSION  
AGENDA**

**PLANNING COMMISSION**

Chris Hove: Chair  
Dennis Scheer: Vice-Chair  
Thomas Beckius  
Tracy Corr  
Tracy Edgerton  
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Maja V. Harris  
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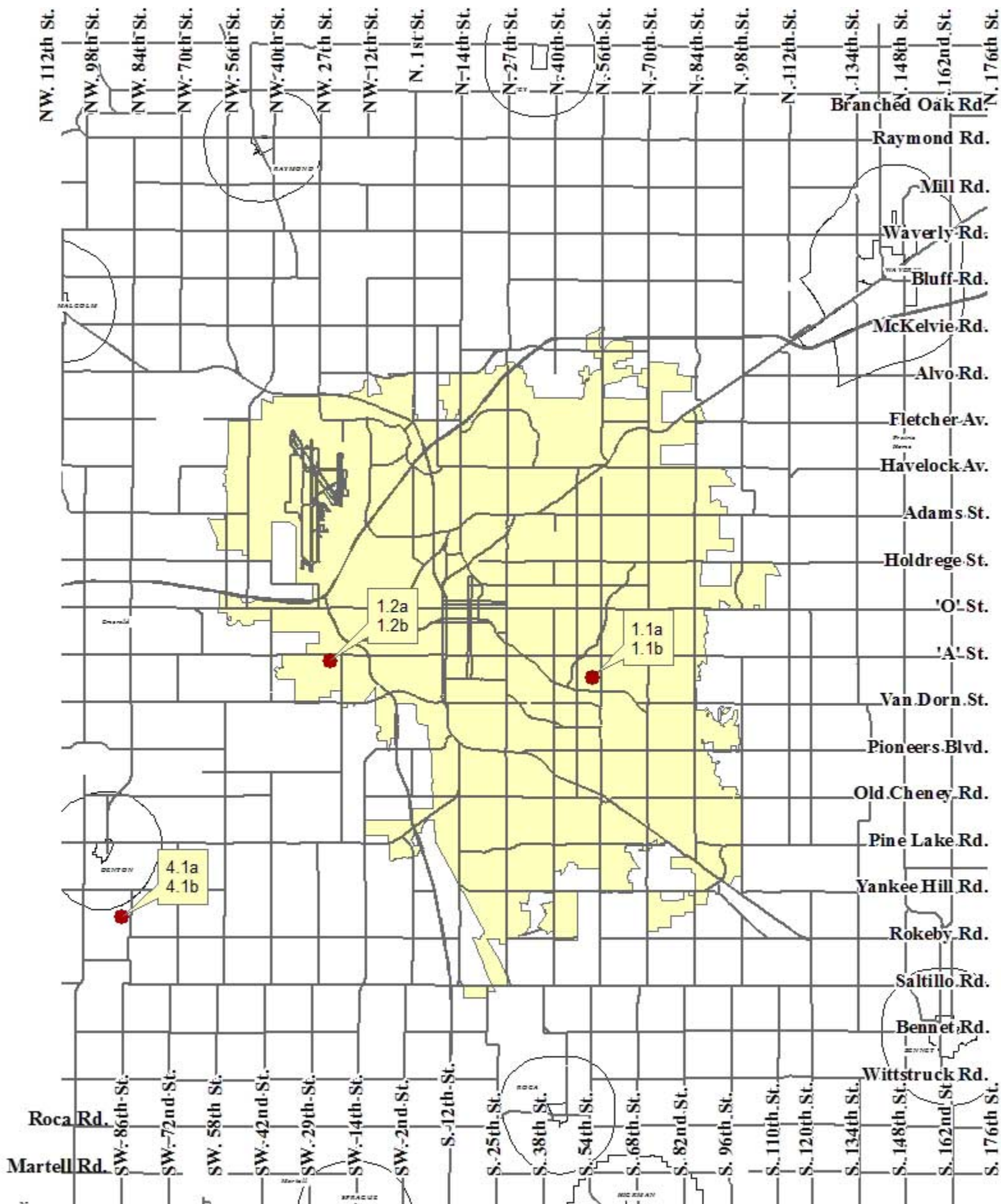
**PLANNING STAFF**

David R. Cary: Director  
Geri Rorabaugh: Administrative Officer  
Amy Huffman: Office Specialist

**April 26, 2017**

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Planning Commission Agenda Item Map

April 26, 2017



**NOTICE:** The Lincoln/Lancaster County Planning Commission will hold a public hearing on Wednesday, April 26, 2017, at 1:00 p.m. in Hearing Room 112 on the first floor of the County-City Building, 555 S. 10<sup>th</sup> St., Lincoln, Nebraska. For more information, call the Planning Department, (402) 441-7491.

The Lincoln/Lancaster County Planning Commission will meet on Wednesday, April 26, 2017, from 12:00 p.m. to 12:55 p.m. in Studio Room 113, Bill Luxford Studio, on the first floor of the County-City Building, 555 S. 10<sup>th</sup> St., Lincoln, Nebraska, to discuss the Proposed New Staff Report Layout and the Community Indicators Report.

**\*\*PLEASE NOTE:** The Planning Commission action is final action on any item with a notation of "FINAL ACTION". Any aggrieved person may appeal Final Action of the Planning Commission to the City Council or County Board by filing a Notice of Appeal with the City Clerk or County Clerk within 14 days following the action of the Planning Commission.

The Planning Commission action on all other items is a recommendation to the City Council or County Board.

## AGENDA

WEDNESDAY, APRIL 26, 2017

Approval of minutes of the regular meeting held April 12, 2017.

1. **CONSENT AGENDA**  
**(Public Hearing and Administrative Action):**

**TEXT AMENDMENT AND RELATED SPECIAL PERMIT:**

Page 01 1.1a Text Amendment No. 17007, amending Sections 27.26.090 and 27.72.130(e) of the Lincoln Municipal Code, by repealing Section 27.26.090 regarding the location of buildings, structures, parking, and access drives and the preservation of required open space in the O-2 Suburban Office District whenever the O-2 district extends further from the street than any abutting B-1, B-3, B-4, H-2, H-3, or I-1 district; amending Section 27.72.130 to delete an identical provision in Subsection (e); and repealing Section 27.72.130 (e) as hitherto existing.

**Staff recommendation: Approval**

**Staff Planner: George Wesselhoft, 402-441-6366, [gwesselhoft@lincoln.ne.gov](mailto:gwesselhoft@lincoln.ne.gov)**

Page 11 1.1b Special Permit No. 450Q, to expand Special Permit No. 450P to include additional properties within the existing Special Permit and thereby allow parking on these sites, on property generally located at 5401 and 5445 South Street, and 2121 South 56th Street. **\*\*FINAL ACTION\*\***

**Staff recommendation: Conditional Approval**

**Staff Planner: George Wesselhoft, 402-441-6366, [gwesselhoft@lincoln.ne.gov](mailto:gwesselhoft@lincoln.ne.gov)**

**CHANGE OF ZONE AND RELATED SPECIAL PERMIT:**

Page 27 1.2a Change of Zone No. 17006, from AGR (Agricultural Residential District) to R-3 (Residential District), on property generally located at SW 27th and West A Streets.

**Staff recommendation: Approval**  
**Staff Planner: Rachel Jones, 402-441-7603, [rjones@lincoln.ne.gov](mailto:rjones@lincoln.ne.gov)**

Page 35 1.2b Special Permit No. 04054B, adding approximately 1.03 acres, more or less, into the boundary associated with 7 new lots along with other minor revisions to the lot layout, on property generally located at SW 27th and West A Streets. **\*\*FINAL ACTION\*\***

**Staff recommendation: Conditional Approval**  
**Staff Planner: Rachel Jones, 402-441-7603, [rjones@lincoln.ne.gov](mailto:rjones@lincoln.ne.gov)**

**2. REQUESTS FOR DEFERRAL:**

2.1 \_\_\_\_\_

2.2 \_\_\_\_\_

**3. ITEMS REMOVED FROM CONSENT AGENDA (Public Hearing and Administrative Action):**

3.1 \_\_\_\_\_

3.2 \_\_\_\_\_

**4. PUBLIC HEARING AND ADMINISTRATIVE ACTION:**

**CHANGE OF ZONE AND RELATED PRELIMINARY PLAT:**

Page 51 4.1a County Change of Zone No. 17005, from AG (Agricultural District) to AGR (Agricultural Residential District), for the addition of 6 single-family lots, on property generally located on SW 98th Street, 1/2 mile south of West Yankee Hill Road.

**Staff recommendation: Denial**  
**Staff Planner: Tom Cajka, 402-441-5662, [tcajka@lincoln.ne.gov](mailto:tcajka@lincoln.ne.gov)**

Page 61 4.1b County Preliminary Plat No. 17003, Tallgrass Hills for the addition of 6 single-family lots, on property generally located on SW 98th Street, 1/2 mile south of West Yankee Hill Road.

**Staff recommendation: Denial**  
**Staff Planner: Tom Cajka, 402-441-5662, [tcajka@lincoln.ne.gov](mailto:tcajka@lincoln.ne.gov)**

**AT THIS TIME, ANYONE WISHING TO SPEAK ON AN ITEM NOT ON THE AGENDA, MAY DO SO**

\* \* \* \* \*

**Adjournment**

**PENDING LIST:**

**Planning Dept. staff contacts:**

David Cary, <i>Director</i> . . . . .	402-441-6364 . . . . .	<a href="mailto:dcary@lincoln.ne.gov">dcary@lincoln.ne.gov</a>
Stephen Henrichsen, <i>Development Review Manager</i> . . .	402-441-6374 . . . . .	<a href="mailto:shenrichsen@lincoln.ne.gov">shenrichsen@lincoln.ne.gov</a>
Paul Barnes, <i>Long Range Planning Manager</i> . . . . .	402-441-6372 . . . . .	<a href="mailto:pbarnes@lincoln.ne.gov">pbarnes@lincoln.ne.gov</a>
Michael Brienzo, <i>Transportation Planner</i> . . . . .	402-441-6369 . . . . .	<a href="mailto:mbrienzo@lincoln.ne.gov">mbrienzo@lincoln.ne.gov</a>
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Andrew Thierolf, <i>Planner</i> . . . . .	402-441-6371 . . . . .	<a href="mailto:athierolf@lincoln.ne.gov">athierolf@lincoln.ne.gov</a>
George Wesselhoft, <i>Planner</i> . . . . .	402-441-6366 . . . . .	<a href="mailto:gwesselhoft@lincoln.ne.gov">gwesselhoft@lincoln.ne.gov</a>
Brian Will, <i>Planner</i> . . . . .	402-441-6362 . . . . .	<a href="mailto:bwill@lincoln.ne.gov">bwill@lincoln.ne.gov</a>
Kellee Van Bruggen, <i>Transportation Planner</i> . . . . .	402-441-6363 . . . . .	<a href="mailto:kvanbruggen@lincoln.ne.gov">kvanbruggen@lincoln.ne.gov</a>
Ed Zimmer, <i>Historic Preservation Planner</i> . . . . .	402-441-6360 . . . . .	<a href="mailto:ezimmer@lincoln.ne.gov">ezimmer@lincoln.ne.gov</a>

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**The Planning Commission meeting  
which is broadcast live at 1:00 p.m. every other Wednesday  
will be rebroadcast on Wednesdays at 7:00 p.m., Thursdays at 12:00 a.m. and  
Sundays at 12:30 p.m. on 5 City TV, Cable Channel 5.**

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**The Planning Commission agenda may be accessed on the Internet at  
<http://www.lincoln.ne.gov/city/plan/pcagenda/index.htm>**

**ACCOMMODATION NOTICE**

The City of Lincoln complies with Title VI of the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973 guidelines. Ensuring the public's access to and participating in public meetings is a priority for the City of Lincoln. In the event you are in need of a reasonable accommodation in order to attend or participate in a public meeting conducted by the City of Lincoln, please contact the Director of Equity and Diversity, Lincoln Commission on Human Rights, at 402 441-7624 as soon as possible before the scheduled meeting date in order to make your request.



## LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

### for April 26, 2017 PLANNING COMMISSION MEETING

**PROJECT #:** Text Amendment No. 17007

**PROPOSAL:** Amend Lincoln Municipal Code by Repealing Sections 27.26.090 and 27.72.130(e) relating to O-2 (Suburban Office District) open space requirements.

**CONCLUSION:** The Zoning Ordinance sections in question are obsolete as they were developed for a set of circumstances which no longer exist. Repealing these sections is consistent with the Comprehensive Plan.

<b><u>RECOMMENDATION:</u></b>	Approval
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#### **GENERAL INFORMATION:**

#### **ASSOCIATED APPLICATIONS:**

Special Permit No. 450Q for Madonna campus parking expansion

#### **COMPREHENSIVE PLAN SPECIFICATIONS:**

P 5.3 - Expansions of existing health care locations are expected and a wide variety of new facilities will likely come forward over time.

P 8.2 - Develop Lincoln as a major network of quality regional health care services at reasonable costs.

P 8.2 - Medical services, including physical and mental health care services, should be integrated and accessible within the community.

P 8.2 - Many of the existing medical facilities are located near existing residential neighborhoods and are expected to remain the vital core of health care services in the county and region.

P 8.6 - Hospitals represent one of the highest and most important community service land uses. Lincoln has a growing number of medical campuses such as Bryan LGH East and West, St. Elizabeth's Regional Medical Center, Madonna Rehabilitation hospital, Veterans Medical Center, Lincoln Surgical Hospital and the Nebraska Heart Institute.

P 8.7 - Provide for accessible physical and mental health care services in appropriate areas in and around residential neighborhoods.

P 8.7 - Plan for further construction on medical campuses.

**ANALYSIS:**

1. This is a request to amend the Zoning Ordinance to repeal Sections 27.26.090 and 27.72.130(e), identical text provisions, which pertain to open space requirements in the O-2 Zoning District. These specific sections of the Zoning Ordinance only pertain to the O-2 Zoning District and only when the circumstance exists where the parcel in question projects further from the street than the adjacent boundary line that is parallel to the street of the abutting B-1, B-3, B-4, H-2, H-3, or I-1 district. In these instances, that portion of the O-2 district further from the street than those adjoining districts are required to be maintained as open space with landscaping improvement such as trees, shrubs, grasses, paths, fountains or benches.
2. The Zoning Ordinance text in question was specifically designed for two office buildings at S. 56<sup>th</sup> and South Streets (See attached map exhibit). At the time the text was adopted, the two office buildings were privately owned and not associated with Madonna. They also shared an odd lot line. The text amendment established a rear setback and rear open space along the diagonal lot line.
3. The Zoning Ordinance text was also developed at a time when there was an adjacent house, which is now removed, and Madonna's campus was further away. The circumstances for the text have been eliminated since Madonna bought both office buildings and are now incorporating them into their health care campus.
4. The text in question was crafted for one circumstance in the entire City, which no longer exists, and has not been used elsewhere.
5. The proposed text amendments will remove an obsolete set of requirements which no longer serve the purpose they were intended for and would otherwise only prevent Madonna from expanding their campus parking behind the two office buildings which they now own.
6. Repealing the text amendments in question will not negatively affect the adjacent B-1 property owner which is Cornhusker Bank. The proposed Madonna campus parking expansion would be located behind and on the opposite side of the two existing office buildings relative to the bank building.
7. The recommended approval of associated Special Permit No. 450Q for Madonna campus parking expansion is conditioned upon approval of this text amendment application.
8. The proposed text amendments to repeal Sections 27.26.090 and 27.72.130(e) of the Lincoln Municipal Code are consistent with the current ownership of parcels and

the development pattern in the area as it pertains to Madonna's growing health care campus. This request is consistent with the Comprehensive Plan.

Prepared by:

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George Wesselhoft, Planner  
(402-441-6366, [gwesselhoft@lincoln.ne.gov](mailto:gwesselhoft@lincoln.ne.gov))

April 13, 2017

**OWNER:** Madonna Centers  
5401 South Street  
Lincoln, NE 68506  
Email: [rsicinski@madonna.org](mailto:rsicinski@madonna.org)

**APPLICANT:** Trevor Hill - Erickson Sullivan Architects  
1401 O Street, Suite 200  
Lincoln, NE 68508  
Email: [trevor@ericksonsullivan.net](mailto:trevor@ericksonsullivan.net)

**CONTACT:** Robert Sicinski  
5401 South Street  
Lincoln, NE 68506  
Email: [rsicinski@madonna.org](mailto:rsicinski@madonna.org)

F:\DevReview\TX\17000\TX17007 O-2 Open Space Requirements.gjw.wpd

## ORDINANCE NO. \_\_\_\_\_

1 AN ORDINANCE amending the Zoning Ordinance, Title 27 of the Lincoln Municipal  
 2 Code, by repealing Section 27.26.090 regarding the location of buildings, structures, parking,  
 3 and access drives and the preservation of required open space in the O-2 Suburban Office  
 4 District whenever the O-2 district extends further from the street than any abutting B-1, B-3, B-4,  
 5 H-2, H-3, or I-1 district; amending Section 27.72.130 to delete an identical provision in  
 6 Subsection (e); and repealing Section 27.72.130 as hitherto existing.

7 NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Lincoln,  
 8 Nebraska:

9 Section 1. That Section 27.26.090 of the Lincoln Municipal Code be and the same is  
 10 hereby repealed:

11 ~~27.26.090 — Extension Beyond Abutting Business or Industrial District; Open Space~~  
 12 ~~Requirement.~~

13 ~~Whenever an O-2 zoning district extends further from the street than an abutting B-1, B-~~  
 14 ~~3, B-4, H-2, H-3, or I-1 district, then no building, structure, parking, nor access drive shall be~~  
 15 ~~permitted further from the street than the adjacent boundary line that is parallel to the street of~~  
 16 ~~the abutting B-1, B-3, B-4, H-2, H-3, or I-1 district. That portion of the O-2 district further from~~  
 17 ~~the street than the B-1, B-3, B-4, H-2, H-3, or I-1 districts shall be maintained as open space and~~  
 18 ~~have landscaping improvements, such as trees, shrubs, grasses, paths, fountains, or benches. If~~  
 19 ~~the B-1, B-3, B-4, H-2, H-3, or I-1 district is located on a corner and the O-2 district completely~~  
 20 ~~bounds the B-1, B-3, B-4, H-2, H-3, or I-1 district, the open space may be included as part of the~~  
 21 ~~required rear yard even though each owner of the open space may not have the required depth for~~  
 22 ~~the required rear yard; provided, there is joint agreement between the property owners, satis-~~

1 ~~factory to the Director of Building and Safety, for the development and maintenance of the open~~  
2 ~~space.~~

3 Section 2. That Section 27.72.130 of the Lincoln Municipal Code be amended to read as  
4 follows:

5 **27.72.130 Open Space Requirements.**

6 (a) In the R5, R-6, R-7, R-8, O-1, O-2, O-3, B-1, B-2, B-3 and B-5 zoning districts, a  
7 minimum amount of usable and accessible open space must be provided for each  
8 residential use. This requirement shall be as follows:

9 125 square feet for the first dwelling, except in the R-8 district which is  
10 zero feet;

11 In the R5, R-6, R-7 and R-8 districts: 80 square feet per unit for each  
12 additional dwelling beyond one.

13 In the O-1, O-2, O-3, B-1, B-2, B-3 and B-5 districts:

14 80 square feet per unit for the next four dwelling units;

15 25 square feet per unit for the next four dwelling units;

16 20 square feet per unit for each additional dwelling unit beyond nine.

17 (b) This open space requirement may be met in the following manner:

18 (1) In the R-5 zoning district, the required rear yard may be counted; however, the  
19 required front and side yards may not be counted toward the fulfillment of said  
20 open space requirement; except for ground level or first floor level porches,  
21 patios, and terraces as permitted in Section 27.72.060(f);

- 1 (2) In the R-6, R-7, and R-8 zoning districts, the required rear yard may be counted;  
2 however, the required front and side yards may not be counted toward the  
3 fulfillment of said open space requirement except as follows:
- 4 (i) Ground level or first floor porches, patios, and terraces located in front and  
5 side yards as permitted in this chapter and in Section 27.72.060(f) may be  
6 counted.
- 7 (ii) The required front yard and side yard may be counted where the distance  
8 between the main building and said lot line exceeds the required yard by  
9 more than seven feet.
- 10 (3) In the O-2, O-3, B-1, B-2, B-3 and B-5 zoning districts the required rear yard may  
11 be counted; however, the required front and side yards may not be counted toward  
12 the fulfillment of said open space requirement except for porches, terraces and  
13 balconies as permitted in this Chapter.
- 14 (4) In the O-1, O-2, O-3, B-1, B-2, B-3 and B-5 zoning districts, required open space  
15 may be provided either on a balcony four or more feet in depth or on a rooftop;  
16 provided, the roof is designed and surfaced in such a manner that it may be  
17 developed with areas of planting, open space, recreation, and other uses that are  
18 consistent with similar uses in ground-level side and rear yards for dwellings.  
19 Such rooftop areas may not be occupied by structures such as vents, exhaust  
20 intakes, or other mechanical devices, except where they do not interfere with the  
21 usable nature of the open space.
- 22 (c) In the R5, R-6, R-7, R-8, O-1, O-2, O-3, B-1, B-2, B-3 and B-5 zoning districts, parking  
23 spaces, and land occupied by any building or structure may not be counted toward  
24 fulfillment of this open space requirement.

1 (d) In the R5, R-6, R-7, R-8, O-1, O-2, O-3, B-1, B-2, B-3 and B-5 zoning districts, the  
2 depth-to-width ratio of any area used to fulfill the open space requirement may not  
3 exceed three to one, if the smallest dimension of the open space is twelve feet or less.

4 ~~(e) Whenever an O-2 zoning district extends further from the street than an abutting B-1, B-~~  
5 ~~3, B-4, H-2, H-3, or I-1 district, then no building, structure, parking, nor access drive~~  
6 ~~shall be permitted further from the street than the adjacent boundary line that is parallel to~~  
7 ~~the street of the abutting B-1, B-3, B-4, H-2, H-3, or I-1 district. That portion of the O-2~~  
8 ~~district further from the street than the B-1, B-3, B-4, H-2, H-3, or I-1 districts shall be~~  
9 ~~maintained as open space and have landscaping improvements, such as trees, shrubs,~~  
10 ~~grasses, paths, fountains, or benches. If the B-1, B-3, B-4, H-2, H-3, or I-1 district is lo-~~  
11 ~~cated on a corner and the O-2 district completely bounds the B-1, B-3, B-4, H-2, H-3, or~~  
12 ~~I-1 district, the open space may be included as part of the required rear yard even though~~  
13 ~~each owner of the open space may not have the required depth for the required rear yard;~~  
14 ~~provided, there is joint agreement between the property owners, satisfactory to the~~  
15 ~~Director of Building and Safety, for the development and maintenance of the open space.~~

16 Section 3. That Section 27.72.130 of the Lincoln Municipal Code as hitherto existing be  
17 and the same are hereby repealed.

18 Section 4. Pursuant to Article VII, Section 7 of the City Charter, this ordinance shall be  
19 posted on the official bulletin board of the City, located on the wall across from the City Clerk's  
20 office at 555 S. 10th Street, in lieu of and in place of newspaper publication with notice of  
21 passage and such posting to be given by publication one time in the official newspaper by the  
22 City Clerk. This ordinance shall take effect and be in force from and after its passage and  
23 publication as herein and in the City Charter provided.

Introduced by:

\_\_\_\_\_

Approved as to Form & Legality:

\_\_\_\_\_  
City Attorney

Approved this ___ day of _____, 2017:  _____ Mayor
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**Lancaster County/City of Lincoln GIS Map**

**TX17007**



Printed: Apr 14, 2017

DISCLAIMER: The information is presented on a best-efforts basis, and should not be relied upon for making financial, survey, legal or other commitments. If you have questions or comments regarding the data displayed on this map, please email [ags@lincoln.ne.gov](mailto:ags@lincoln.ne.gov) and you will be directed to the appropriate department.



**LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT**

**for April 26, 2017 PLANNING COMMISSION MEETING**

- PROJECT #:** Special Permit No. 450Q
- PROPOSAL:** A request per Section 27.63.080 for expansion of a non residential health care campus to add parking, floor area and to add a residential property which is being used as temporary family housing
- LOCATION:** Generally Located at South Street & South 56<sup>th</sup> Street.
- LAND AREA:** The expansion area of the Special Permit is 2.07 acres bringing the total area of the Special Permit to approximately 26.95 acres.
- EXISTING ZONING:** R-2 Residential District, O-2 Suburban Office District
- CONCLUSION:** The proposed Special Permit expansion is appropriate as a continuation of the existing health care campus and allows Madonna to provide adequate parking for their buildings. The proposal is consistent with the Comprehensive Plan.

<b>RECOMMENDATION:</b>	Conditional Approval
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**GENERAL INFORMATION:**

**ASSOCIATED APPLICATIONS:**

Text Amendment 17007 to repeal Sections 27.26.090 and 27.72.130(e) relating to O-2 (Suburban Office District) open space requirements.

**LEGAL DESCRIPTION:**

Lots 2, 3, 4 and 5, Madonna Centers Subdivision; Lots 1 and 2, Madonna Centers 1st Addition; Lots 1 to 8 inclusive, and the east 40 feet of Lot 10, and all of Lots 11 and 12, and one half of adjacent vacated alley, Block 13, Normal Addition; vacated 53rd Street between Normal Boulevard and Glade Street; Lots 1 through 6 and Lots 11 and 12, Block 14, Normal Addition; Lot 1, Normal 6th Addition; south one-half of vacated Glade Street between South 52nd Street and South 54th Street; Irregular Tracts, Lots 411 SE and 413 SE; and Lots 4-6 except E16.3', and Lots 11-13 and Vacated N-S Alley Adjacent, Block 1, Normal Addition; Section 32, T10N, R7E, all in Lincoln, Lancaster County, Nebraska.

**EXISTING LAND USE:** Non Residential Health Care Facility

**SURROUNDING LAND USE AND ZONING:**

North:	Single Family, Commercial	R-2, R-T, B-1
South:	Single Family	R-2
East:	Single Family, Duplex, Commercial	R-2, O-2
West:	Single Family	R-2

**HISTORY:**

- July, 2011 Administrative Amendment #11033 was approved to Special Permit 450P to add parking stalls near the South Street main entrance.
- March, 2004 Special Permit 450P approved to expand the area of Special Permit No. 450O for a health care facility in order to add a single family house for patient's families and to add a lighted ground sign.
- January, 2003 Special Permit 450O approved to construct a four-plex and increase the area of the Special Permit.
- July, 2002 Special Permit 450N approved to construct 16 residential units.
- April, 1999 Special Permit 450M approved which added three assisted living facilities.
- July, 1998 Madonna applied for Special Permit 450L for a temporary parking lot during the construction of the addition to the St. James building. That application was withdrawn and the temporary parking was approved by an administrative amendment by the Planning Director.
- July, 1998 Special Permit 450K approved to allow the construction of a 3 story addition to the St. James Building.
- April, 1994 Special Permit 450J was approved to add a new research and education wing.
- March, 1992 Special Permit 450I was approved for temporary parking for employees of a construction company while working at Bryan Memorial.
- December, 1991 Special Permit 450H approved to add Day Care Center for children.
- April, 1989 Special Permit 450G approved for Rehabilitation Therapy Extension.
- July, 1987 Special Permit 450F approved for expansion of Adult Day Care.

- March, 1987 Madonna applied for Special Permit 450E for an expansion of an Ancillary Office Building which was withdrawn.
- July, 1985 Special Permit 450D was approved to add a storage building.
- July, 1984 Special Permit 450C was approved for outpatient rehabilitation addition.
- 1979 The Zoning Update converted this area's zoning from A-2 Single Family to R-2 Residential.
- November, 1974 Special Permit 450B approved to add 120 beds and parking.
- January, 1969 Special Permit 450A approved to increase beds to 132.
- December, 1968 Special Permit 450 approved for 120 bed Madonna Nursing Home.

**COMPREHENSIVE PLAN SPECIFICATIONS:**

P 1.9 - The Lincoln Area Future Land Use Plan identifies this area for Public and Semi-Public use.

P 5.3 - Expansions of existing health care locations are expected and a wide variety of new facilities will likely come forward over time.

P 8.2 - Develop Lincoln as a major network of quality regional health care services at reasonable costs.

P 8.2 - Medical services, including physical and mental health care services, should be integrated and accessible within the community.

P 8.2 - Many of the existing medical facilities are located near existing residential neighborhoods and are expected to remain the vital core of health care services in the county and region.

P 8.6 - Hospitals represent one of the highest and most important community service land uses. Lincoln has a growing number of medical campuses such as Bryan LGH East and West, St. Elizabeth's Regional Medical Center, Madonna Rehabilitation hospital, Veterans Medical Center, Lincoln Surgical Hospital and the Nebraska Heart Institute.

P 8.7 - Provide for accessible physical and mental health care services in appropriate areas in and around residential neighborhoods.

P 8.7 - Plan for further construction on medical campuses.

**UTILITIES:** Public utilities are available.

**TRAFFIC ANALYSIS:** The Comprehensive Plan identifies South Streets and South 56<sup>th</sup> Streets as Minor Arterials.

**ANALYSIS:**

1. This is a request to expand the existing Madonna Special Permit for floor area, parking and a house being used for temporary family housing. The floor area being added consists of 14,300 square feet of office which includes two existing office buildings which are located on parcels zoned O-2 Office. These include a physician's outpatient facility which is 5,067 square feet in size and a children's outpatient facility which is 9,233 square feet in size. The remainder of the site is zoned R-2 Residential. The house property being added includes 1,704 square feet of floor area with the house and garage. The house and garage property along the south side of the campus adjacent Normal Boulevard was not previously included in Special Permit 450P but has since been acquired by Madonna and is proposed as part of the Special Permit expansion. The area proposed for parking is currently green space.
2. Lincoln Municipal Code (LMC) §27.63.080 Permitted Special Use: Health Care Facilities, Non-Residential, requires the following:

**(a) Parking. Parking shall be in conformance with Chapter 27.67; additional parking requirements may be imposed. Traffic may be required to be discharged into a major street as designated in the Comprehensive Plan, or into a classified collector. No parking shall be permitted in required front or side yards; all parking shall be screened.**

A new parking lot would be installed in the open space behind both existing outpatient buildings and the existing eastern parking lot near South 56<sup>th</sup> Street would be extended to the north. 132 stalls would be added as part of the new parking lot areas while 71 stalls are being added to the Special Permit from the existing two office building parking areas. This brings the total campus parking count to 1068 stalls. 421 stalls are shown to be required but 401 is the minimum Ordinance requirement factoring in the office parking requirement which is 1 space per 300 square feet instead of the 1 space per 225 square feet shown. The proposed parking will be in conformance with Chapter 27.67 as there will be more than double the required parking. The parking expansion areas would connect to the existing Madonna campus parking which includes close access to South Street to the north as well as South 56<sup>th</sup> Street to the east. No parking would be located in the required front yard and the side yards. The parking lots would have to meet Design Standards for screening.

**(b) Yard and area regulations.**

**(1) Buildings shall not occupy over thirty-five percent of the total land area covered by the special permit.**

The existing building coverage relative to the total land area covered by the Special Permit is 19.75%. Previously in the prior Special Permit the buildings occupied 21.35% of the total land area.

**(2) Yards abutting a nonresidential district shall be the same as those required in said abutting district.**

The minimum front and side yard setbacks are the same for the O-2 and B-1 Zoning Districts. Therefore no adjustment or waiver is needed as part of this Special Permit application. The site will comply with setbacks.

**(3) Any yard abutting a residential district or located wholly or partially in a residential district shall be the greater of ten feet or that required in the said abutting district, plus an additional one foot setback for each one foot of height shall be provided between the yard line and the wall nearest the yard line for that portion of the building exceeding twenty feet in height.**

In this case, while Madonna's existing Special Permit area is zoned R-2 Residential there is no abutting residential that is not owned by Madonna. The proposed Special Permit expansion area which is zoned O-2 borders B-1 Zoning which has the same minimum front and side setbacks.

**(4) Required front and side yards shall be landscaped.**

Required landscaping will be provided. Existing and new landscaping will be reviewed as a condition of approval.

**(5) The City Council may increase or decrease these requirements with consideration given to both facilities and adjacent environment.**

No waivers are being requested as part of this Special Permit expansion.

**(c) The proposed non-residential healthcare facility shall conform to all applicable state and federal requirements.**

Madonna will be required to comply with applicable State and Federal requirements for non-residential health care facilities.

**(d) Such facilities should be located on major streets.**

The proposed parking areas would connect to Madonna's existing campus which has closest access to South Street and South 56<sup>th</sup> Street, which are minor arterial streets.

3. The Madonna campus has continued to expand since Special Permit 450 was approved in 1968. The current Special Permit expansion request would allow for additional parking as part of two office building properties more recently acquired near South Street and South 56<sup>th</sup> Street and would serve these outpatient facilities along with extending existing campus parking.
4. Associated Text Amendment No.17007 amends current Lincoln Municipal Code by repealing Sections 27.26.090 and 27.72.130(e), identical text provisions, which pertain to open space requirements in the O-2 Zoning District. The proposed text amendment will remove an obsolete set of requirements which no longer serve the purpose they were intended for and would otherwise prevent Madonna from expanding their parking behind the two office buildings which they now own.
5. The Comprehensive Plan recognizes that hospitals represent one of the highest and most important community service land uses. Lincoln has a growing number of medical campuses including Madonna Rehabilitation hospital. The parking improvements will help Madonna meet the needs of their facility and remain viable at this location as recommended by the Comprehensive Plan.

**CONDITIONS OF APPROVAL:**

Per Section 27.63.080 this approval permits a Non-Residential Health Care Facility in the R-2 and O-2 zoning districts for expansion of Madonna campus parking and the inclusion of a residential property being used as temporary family housing. The approval of this Special Permit is conditioned on the approval of associated Text Amendment 17007.

**Site Specific Conditions:**

1. Before receiving building permits the developer shall cause to be prepared and submitted to the Planning Department a revised and reproducible final plot plan including **3** copies with all required revisions and documents as listed below:
  - 1.1 Update Parking table to show the current Zoning Ordinance requirement of 1 parking space per 300 square feet for office instead of the 1 parking space per 225 square feet. Adjust required parking numbers accordingly.
  - 1.2 Remove driveway shown west of the main South Street entrance.
  - 1.3 Amend the northwest part of the plan to clarify how many units are in the existing structure and how many assisted living units could be built in the adjacent area to the east which was previously labeled as 24 assisted living units.

- 1.4 Show existing sidewalk along the west side of the main South Street entrance and connecting campus sidewalk to west.
- 1.5 Amend northeast part of plan to show existing setbacks distances from parking lots to the adjacent B-1 Zoning District.
- 1.6 Amend northeast part of plan to show new sidewalk connection along south side of Children's Outpatient parcel from South 56<sup>th</sup> Street to new parking lot.
- 1.7 Clarify whether there is existing parking for the bank to the north of 2121 South Street on Madonna owned property and/or whether there is an agreement in place for this parking.
- 1.8 Remove the landscaping from the cover sheet and provide a separate landscaping plan to the satisfaction of the Planning Director. Amend northeast part of plan to show existing and proposed new landscaping to meet City design standards for Children's Outpatient parcel facing South 56<sup>th</sup> Street.
- 1.9 Include mature height and spread added to the planting schedule for the new shrubs shown for screening.
- 1.10. Add screening for the existing parking lot being added to the Special Permit facing South 56<sup>th</sup> Street.
- 1.11 Retain existing easements as required by Lincoln Electric System.
- 1.12 Submit Water Quality Control Volume form, maintenance plan, draft maintenance agreement, calculations and plans to the satisfaction of Public Works- Watershed Management for Redevelopment Project.
2. Before receiving building permits provide the following documents to the Planning Department:
  - 2.1 Verification from the Register of Deeds that the letter of acceptance as required by the approval of the special permit has been recorded.
3. Prior to the issuance of a building permit:
  - 3.1 The construction plans must substantially comply with the approved plans.

**Standard Conditions:**

4. The following conditions are applicable to all requests:

- 4.1 Before occupying the buildings all development and construction shall substantially comply with the approved plans.
- 4.2 All privately-owned improvements, including landscaping and recreational facilities, shall be permanently maintained by the owner or an appropriately established homeowners association approved by the City.
- 4.3 The physical location of all setbacks and yards, buildings, parking and circulation elements, and similar matters be in substantial compliance with the location of said items as shown on the approved site plan.
- 4.4 The terms, conditions, and requirements of this resolution shall run with the land and be binding upon the Permittee, its successors and assigns.
- 4.5 The applicant shall sign and return the letter of acceptance to the City Clerk. This step should be completed within 60 days following the approval of the special permit. The City Clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filling fees therefore to be paid in advance by the applicant. Building permits will not be issued unless the letter of acceptance has been filed.
- 4.6 The site plan as approved with this resolution voids and supersedes all previously approved site plans, however all prior resolutions approving this permit remain in full force and effect as specifically amended by this resolution.

Prepared by

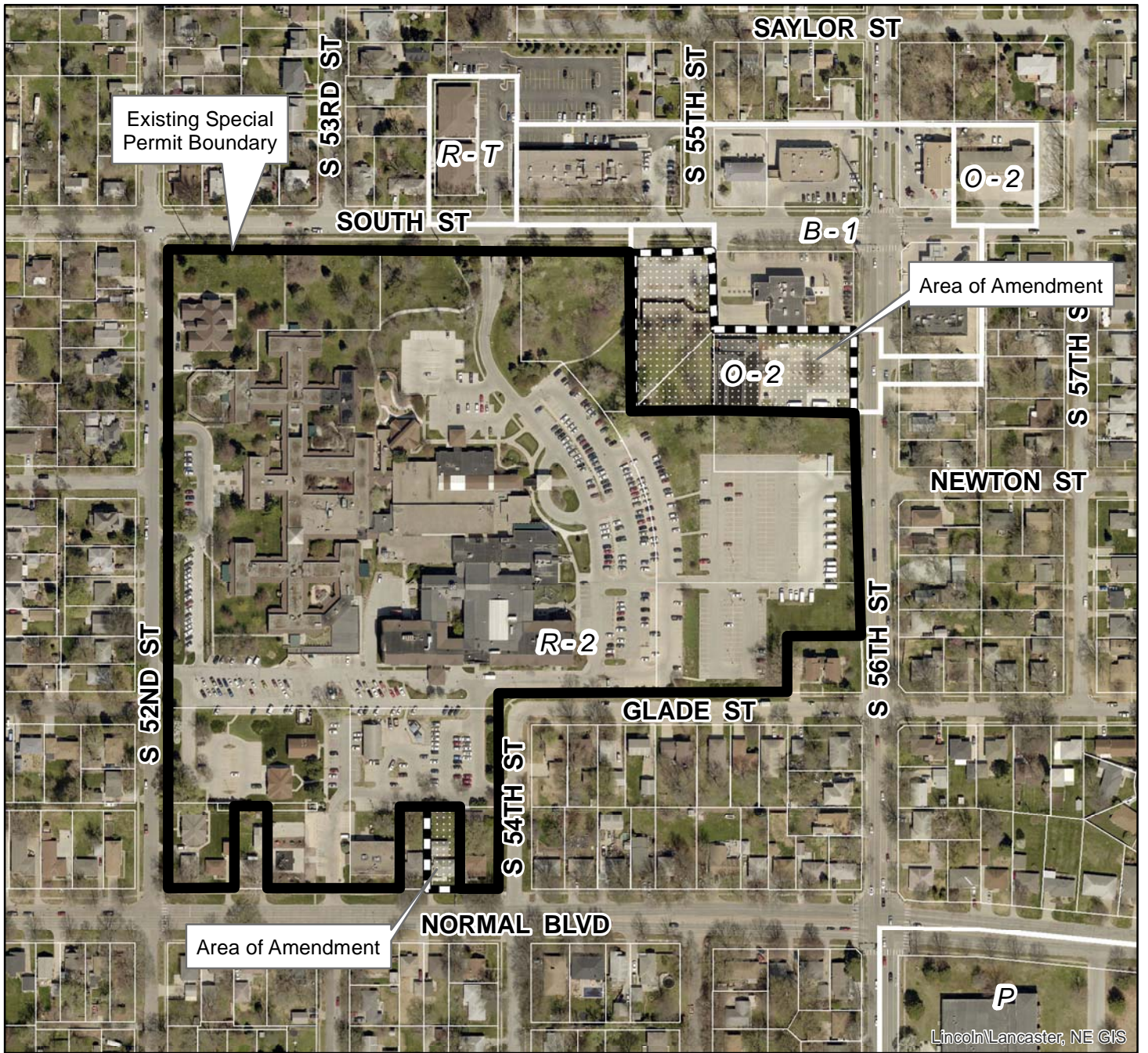
George Wesselhoft, Planner  
(441-6366, [gwesselhoft@lincoln.ne.gov](mailto:gwesselhoft@lincoln.ne.gov)) April 13, 2017

**OWNER:** Madonna Centers  
5401 South Street  
Lincoln, NE 68506 Email: [rsicinski@madonna.org](mailto:rsicinski@madonna.org)

**APPLICANT:** Trevor Hill - Erickson Sullivan Architects  
1401 O Street, Suite 200  
Lincoln, NE 68508 Email: [trevor@ericksonsullivan.net](mailto:trevor@ericksonsullivan.net)

**CONTACT:** Robert Sicinski  
5401 South Street  
Lincoln, NE 68506 Email: [rsicinski@madonna.org](mailto:rsicinski@madonna.org)

F:\DevReview\SP\SP450Q Madonna 2121 Project.gjw.wpd



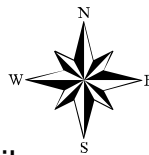
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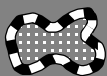


2016 aerial

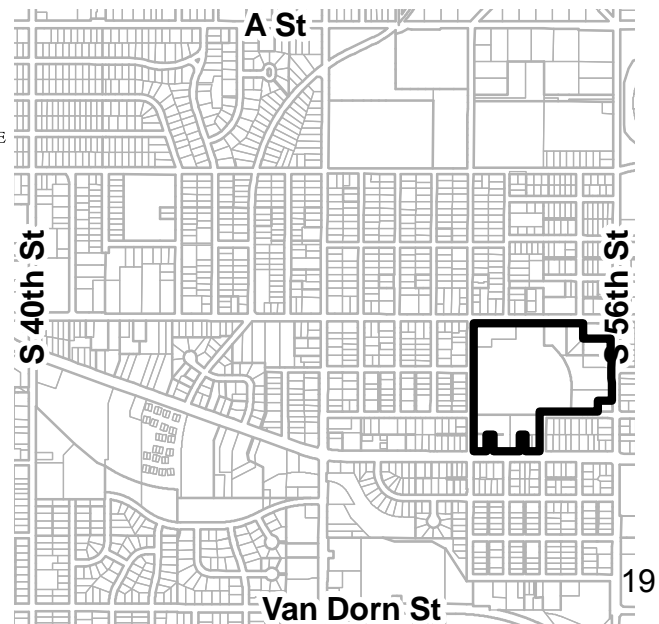
**Special Permit #: SP450Q**  
**Madonna**  
**S 56th St & South St**  
**Zoning:**

- 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

One Square Mile:  
 Sec.32 T10N R07E



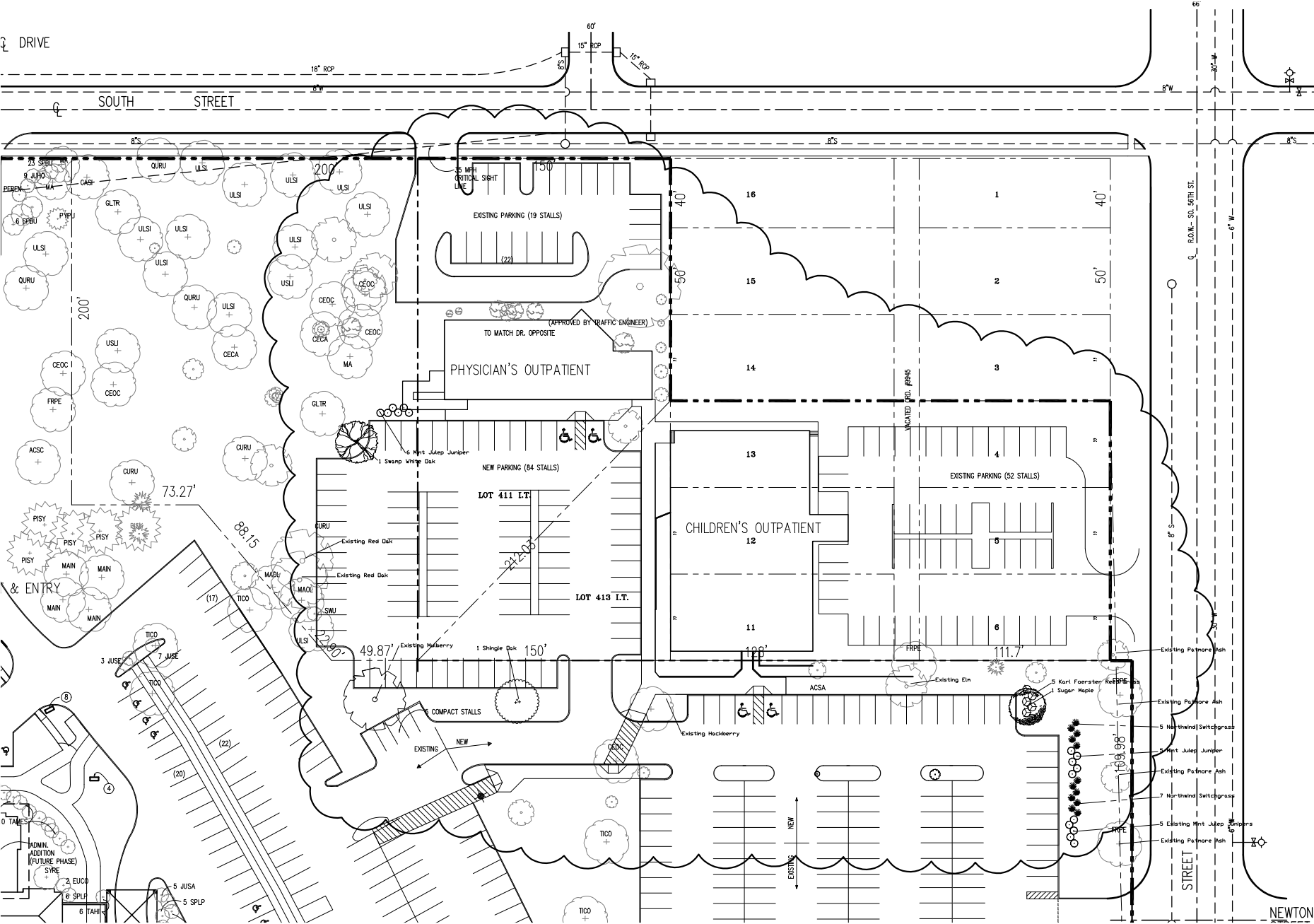
	Area of Application
	Zoning Jurisdiction Lines
	Lancaster County Jurisdiction





DRIVE

SOUTH STREET



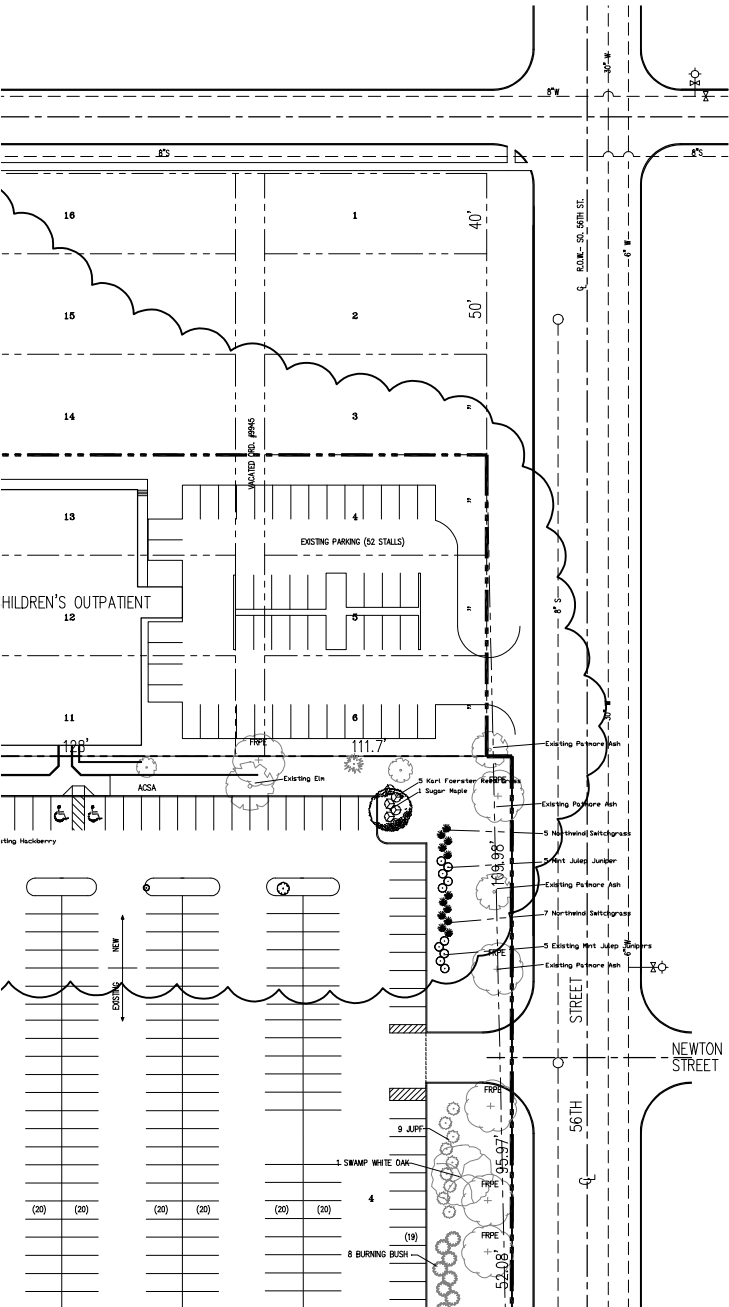
Lots 2, 3, 4  
 1st Addition;  
 11 and 12,  
 vacated 53r  
 and Lots 11  
 one-half of  
 Irregular Tra  
 11-13 and V  
 R7E, all in L

1. EXIS
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3. PAV
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 C) F  
 D) N  
 E) D.

NEWTON



## MADONNA CENTERS

### LEGAL DESCRIPTION

Lots 2, 3, 4 and 5, Madonna Centers Subdivision; Lots 1 and 2, Madonna Centers 1st Addition; Lots 1 to 8 inclusive, and the east 40 feet of Lot 10, and all of Lots 11 and 12, and one half of adjacent vacated alley, Block 13, Normal Addition; vacated 53rd Street between Normal Boulevard and Glade Street; Lots 1 through 6 and Lots 11 and 12, Block 14, Normal Addition; Lot 1, Normal 6th Addition; south one-half of vacated Glade Street between South 52nd Street and South 54th Street; Irregular Tracts, Lots 411 SE and 413 SE; and Lots 4-6 except E16.3', and Lots 11-13 and Vacated N-S Alley Adjacent, Block 1, Normal Addition; Section 32, T10N, R7E, all in Lincoln, Lancaster County, Nebraska.

### GENERAL NOTES

- EXISTING ZONING R-2, O-2
- ADJACENT LAND CLASSIFICATION: R-2, B-1, O-2
- PAVING WITHIN NEW CONSTRUCTION AREA TO HAVE 6" RAISED CURBS.
- USE OF BUILDING:

A). EXISTING BUILDINGS:	
BINGEN HALL (DAYCARE)	4950 SF
CABRINI	1500 SF
ST. JOSEPH	74950 SF
ST. BENEDICT	5936 SF
ST. JAMES	19400 SF
REHABILITATION THERAPY	50000 SF
CHAPEL	4184 SF
POOL	3238 SF
RESEARCH & EDUCATION	6900 SF
OUTPATIENT ENTRY	150 SF
STORAGE BUILDINGS	3240 SF
ST. JAMES ADDITION	21400 SF
ASSISTED LIVING FACILITY (8 BEDROOMS/BUILDING)	5900 SF
2 HOUSES + GARAGE	2073 SF
FAMILY HOUSING (2) 4 PLEX @ 1808 SF	3616 SF
SOUTH ENTRY CANOPY	953 SF
HOUSE + SHED	1377 SF
VAU ADDITION	6135 SF
HOUSE + GARAGE	1704 SF
PHYSICIAN'S OUTPATIENT	5067 SF
CHILDREN'S OUTPATIENT	9233 SF

TOTAL OF EXISTING BUILDINGS	231,906 SF
B). NEW BUILDINGS	
NONE	0 SF
TOTAL BUILDING AREAS	231,906 SF
C) TOTAL LAND AREA	
TOTAL LAND AREA	1,174,128 SF
TOTAL LAND COVERAGE	19.75%

- PARKING: ALL PARKING AND DRIVE AISLES TO COMPLY WITH DESIGN STANDARDS AT THE TIME OF BUILDING PERMITS. CURRENT STALL REQUIREMENTS AS FOLLOWS:

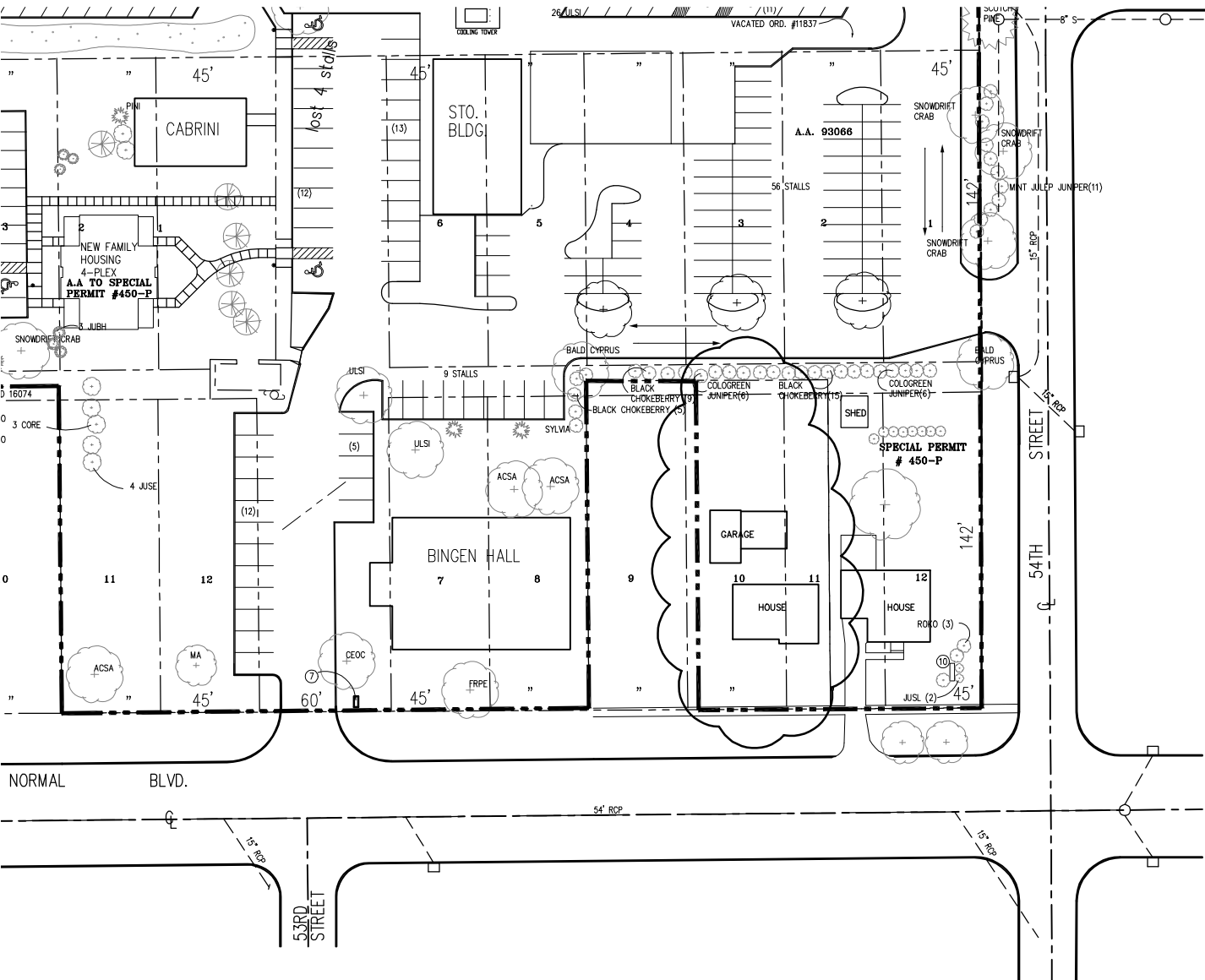
A) MEDICAL:	18044 SF/225 = 81 STALLS
B) CHURCH:	2250 SF/50 = 45 STALLS
C) HOSPITAL:	60 BEDS = 24 STALLS
1) STAFF	152 = 164 STALLS
D) NURSING CARE:	192 BEDS = 64 STALLS
E) DAYCARE & SCHOOL:	150 STUDENTS = 15 STALLS
1) EMPLOYEES:	12 = 12 STALLS
F) 3) ASSISTED LIVING:	24 BEDS = 8 STALLS
G) EXIST. FAMILY HOUSING	8 UNITS = 8 STALLS
TOTAL STALLS REQUIRED	421 STALLS
PREVIOUS TOTAL PARKING STALLS	865 STALLS
ADD 132 STALLS IN NEW PARKING LOT	132 STALLS
ADD 71 STALLS IN EXIST. PARKING LOT	71 STALLS
TOTAL PARKING STALLS	1068 STALLS

- SIGNS: AS PER DRAWING
- 16 SHORT TERM LIVING UNITS (4 FOUR-PLEX BUILDINGS, AS APPROVED BY SPECIAL PERMIT 450N) REMOVED FROM PROPOSED MASTER PLAN

TABLE LIST

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### CONSULTANTS:



EAST PARKING PLANTING SCHEDULE		
Quan.	Scientific Name	Common Name
16	JUNIPERUS CHINENSIS	MINT JULEP JUNIPER
1	QUERCUS IMBRICARIA	SHINGLE OAK
1	QUERCUS BICOLOR	SWAMP WHITE OAK
5	CALAMAGROSTIS ACUTIFLORA	KARL FORESTER WEED
1	ACER SACCHARUM	SUGAR MAPLE
12	PANICUM VIRGATUM	NORTHWIND SWITCHGRASS
4	FRAXINUS PENNSYLVANICA	PATMORE ASH
2	QUERCUS RUBRA	RED OAK
1	MORUS	MULBERRY
1	CELTIS OCCIDENTALIS	HACKBERRY
1	ULMUS	ELM

NORTH PARKING PLANTING SCHEDULE		
Quan.	Scientific Name	Common Name
11	JUNIPERUS CHINENSIS PFITZERIANA	PFITZER JUNIPER
9	EUONYMUS ALATUS	BURNING BUSH
2	ACER RUBRUM	RED SUNSET MAPLE

4-PLEX PLANTING SCHEDULE (SPECIAL PERMIT)			
Quan.	Key	Scientific Name	Common Name
1	ACRT	ACER TRUNCATUM	PACIFIC SUNSET MAPLE
6	ARO	ARONIA MELANOCARPA 'ELATA'	BLACK CHOKEBERRY
6	BUX	BUXUS SPECIES 'GREEN VELVET'	GREEN VELVET BOXWOOD
1	CS	CRATEAGUS SPECIES	WASHINGTON HAWTHORN
4	FRPEAP	FRAXINUS AMERICANA 'AUTUMN PURPLE'	AUTUMN PURPLE ASH
1	EUCO	EUONYMUS ALATUS COMPACTA	BURNING BUSH
5	JUPF	JUNIPERUS CHINENSIS	MINT JULEP JUNIPER
8	KF	CALMAGROSTIS SPECIES 'KARL FORESTER'	KARL FORESTER FEATHERGRASS
8	MIS	MISCANTHUS SINENSIS PURPURASCENS	MIADEN GRASS
3	PIPU	PICEA PUNGENS	COLORADO SPRUCE
2	PYCR	PYRUS CALLERYANA	CHANICLEER PEAR
1	QUBI	QUERCUS BICOLOR	SWAMP WHITE OAK
6	ROKO	ROSA SPECIES 'KNOCKOUT'	KNOCKOUT SHRUBROSE
6	ROFC	ROSA SPECIES 'RED FLOWER CARPET'	RED FLOWER CARPET ROSE
3	SYME	SYRINGA MEYERI	DWARF KOREAN LILAC
6	TAME	TAXUS X MEDIA	DENSIFORMIS YEW
2	VILA	VIBURNUM LANTANA	MOHICAN VIBURNUM

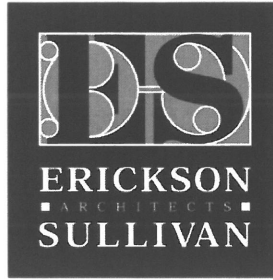


# MASTER SITE PLAN

SCALE: 1" = 50'

April 10, 2017

City Planning Department  
555 South 10<sup>th</sup> Street  
Lincoln, NE 68508



RE: Madonna Rehabilitation Hospital – 2121 Project

On behalf of Madonna Rehabilitation Hospital, I am requesting an expansion of Special Permit #450-N to include three additional properties within the existing Special Permit and thereby allow parking on these sites. The Madonna Rehabilitation Hospital now owns three properties adjacent to their current campus near the intersection of South Street and 56<sup>th</sup> Street. These properties include the buildings at 5445 South Street and 2121 S. 56<sup>th</sup> Street. The property descriptions are as follows:

S32, T10, R7, 6<sup>th</sup> Principal Meridian, Irregular Tracts Lot 411 SE  
S32, T10, R7, 6<sup>th</sup> Principal Meridian, Lot 413 SE  
Lots 4-6 except E16.3' and Lots 11-13 and Vacated N-S Alley Adjacent, Block 1,  
Normal Addition

These properties are currently Zoned O-2, and the buildings are being used as outpatient services, which would fall under the Healthcare Facility – Non Residential use per 27.63.080. Due to the desire to put parking behind these two facilities on all three lots, we are also requesting a Text Amendment to the Zoning Ordinance to revise the provisions pertaining to O-2 open space requirements, referenced in Section 27.26.090 and 27.72.130(e), in order to allow parking as shown on the included site plan. Due to the nature of these sites and the buildings on them, parking in this location should not affect the abutting B-1 Zoned lot at the corner – it will be screened from the street and only abuts Madonna property. A new parking lot would be installed in the open space behind both buildings, and the eastern existing parking lot would be extended to the north. New landscaping as required would be installed as shown. No new signage would be installed at this time.

In addition to these properties and buildings mentioned above, Madonna had previously purchased the property at 5330 Normal Blvd, with a property description as follows:

East 40' of Lot 10 and West 20' of Lot 11, Block 13, Normal Addition

This lot is currently Zoned R-2 similar to the rest of the Madonna Campus. We are requesting that all properties be included in the expanded Special Permit.

#### Parking Count Update

The two new medical buildings included on the campus plan, with a total additional square feet of 14,300 of Medical Office Space, at 225sf per required stall, will add an additional 64 stalls to the required count on the campus. This brings the required parking on campus to 421 Stalls. The previous existing number of stalls counted on the campus plan was 865 stalls. If we include the existing 71 stalls of the two new buildings, plus the requested additional 132 stalls in the parking lot expansion, the total parking stalls on campus would be 1,068 stalls.

Building Floor Area Update

The Campus, with the addition of the properties mentioned in this letter, has an area of approximately 1,174,128 s.f., or 26.95 acres. The area of the new buildings included in this letter brings the total building floor area of the campus to 231,906 s.f., which is approximately 19.75% of the land area.

Legal Description Update

We are updating the legal description for the Madonna Campus to include all of the properties mentioned herein.

As previously submitted, the legal description of the Madonna Campus is as follows:

Lots 2,3,4, and 5, Madonna Centers Subdivision; Lots 1 and 2, Madonna Centers 1st, and Lots 1 to 8 inclusive, and the east 25 feet of lot 11, and all of lot 12, and one half of adjacent vacated alley, Block 13, Normal Addition; one-half of the adjacent vacated alley; vacated 53rd Street between Normal Boulevard and Glade Street; Lots 1 through 6 and Lots 11 and 12, Block 14, Normal Addition; Lot 1, Normal 6<sup>th</sup> Addition; and the south one-half of vacated Glade Street between South 52nd Street and South 54th Street; Section 32, T10N, R7E, all in Lincoln, Lancaster County, Nebraska.

With the addition of these properties, the new legal description would be:

Lots 2, 3, 4 and 5, Madonna Centers Subdivision; Lots 1 and 2, Madonna Centers 1<sup>st</sup> Addition; Lots 1 to 8 inclusive, and the east 40 feet of Lot 10, and all of Lots 11 and 12, and one half of adjacent vacated alley, Block 13, Normal Addition; vacated 53rd Street between Normal Boulevard and Glade Street; Lots 1 through 6 and Lots 11 and 12, Block 14, Normal Addition; Lot 1, Normal 6<sup>th</sup> Addition; south one-half of vacated Glade Street between South 52nd Street and South 54th Street; Irregular Tracts, Lots 411 SE and 413 SE; and Lots 4-6 except E16.3', and Lots 11-13 and Vacated N-S Alley Adjacent, Block 1, Normal Addition; Section 32, T10N, R7E, all in Lincoln, Lancaster County, Nebraska.

Please call if you have any questions.

Thank you,

Trevor L. Hull, AIA  
Associate Architect



**LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT**

**for April 26, 2017 PLANNING COMMISSION MEETING**

**PROJECT #:** Change of Zone No. 17006

**PROPOSAL:** From AGR Agricultural Residential to R-3 Residential

**LOCATION:** S.W. 27<sup>th</sup> and West A Streets

**LAND AREA:** 1.03 acres, more or less

**EXISTING ZONING:** AGR Agricultural Residential

**CONCLUSION:** This property is located south of West A Street adjacent to existing R-3 zoning on the east, west, and south sides. The proposed R-3 zoning district is consistent with the 2040 Future Land Use Plan, which shows this area as urban density residential. The proposed change of zone is consistent with the zoning pattern in the area and is in conformance with the Comprehensive Plan.

**RECOMMENDATION:**

Approval

**GENERAL INFORMATION:**

**LEGAL DESCRIPTION:** Lot 31, I.T. and that portion of Outlot A, Hartland Homes Southwest 7<sup>th</sup> Addition zoned AGR, located in the NE 1/4 of Section 32-10-6, Lincoln, Lancaster County, Nebraska.

**EXISTING LAND USE:** Vacant land

**SURROUNDING LAND USE AND ZONING:**

North: Agriculture and single family residential; AGR and H-4

South: Single family residential and vacant; R-3

East: Single family residential; AGR and R-3

West: Single family residential; R-3

**ASSOCIATED APPLICATIONS:** Special Permit No. 04054B

**HISTORY:**

Aug 1988 Special Permit #1293 was approved by the City Council for soil excavation over this area, permitted for a period of three years, south of West A Street and west of S.W. 27<sup>th</sup> Street.

- Aug 1994 Special Permit #1293A was approved by the Planning Commission extending the soil excavation special permit for three additional years with administrative yearly extensions thereafter.
- June 1999 Special Permit #1293B was approved by the Planning Commission to again extend the soil excavation permit for three additional years with yearly extensions.
- May 2001 Special Permit #1907 was approved by the Planning Commission allowing expansion of a non-conforming use to add a sunroom to the home that formerly occupied Lot 31 I.T.
- Feb 2005 Change of Zone #04067 was approved by the City Council for a change of zone from H-4 General Commercial to R-3 Residential for the proposed Hartland Homes Southwest 1<sup>st</sup> Addition Community Unit Plan that was approved concurrently (see below).
- Feb 2005 Special Permit #04054 was approved by the City Council creating the Hartland Homes Southwest 1<sup>st</sup> Addition Community Unit Plan for 382 single family dwelling units, with waivers to lot dimensions and block length.
- Sept 2005 Administrative Amendment #05102 to Special Permit #04054 was approved to revise the lot layout on two blocks.
- July 2015 Special Permit #04054A was approved by the Planning Commission to allow for two-family dwelling lots, reduce the minimum lot width and area for two-family lots.

**COMPREHENSIVE PLAN SPECIFICATIONS:**

P. 12.3 - this site is shown as future Urban Density Residential on the 2040 Lincoln Area Future Land Use Plan.

P. 1.2 - Lincoln and Lancaster County: One Community Vision Statements:

- An important relationship exists between the urban, rural, and natural landscapes. Urban and rural development maximize the use of land in order to preserve agriculture and natural resources.
- Policies of managing urban growth, maintaining an "edge" between urban and rural land uses, and preserving prime agricultural land form a distinctive and attractive built environment for Lincoln and Lancaster County.

P. 1.2 - Quality of Life Assets:

- The community continues its commitment to strong, diverse 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.

- LPlan 2040 is the basis for zoning and land development decisions. It guides decisions that will maintain the quality and character of the community's new and established neighborhoods.
- P. 1.6 - Approximately 20% of new dwelling units will be built within the existing City, with about 3,000 in the Downtown and Antelope Valley areas, 1,000 in existing neighborhoods, and 4,000 in mixed use redevelopment nodes and corridors.
- P. 7.2 - Neighborhoods & Housing Guiding Principles
- Promote sustainability and resource conservation by preserving and improving housing in existing neighborhoods.
  - Distribute and preserve affordable housing throughout the community to be near job opportunities and to provide housing choices within existing and developing neighborhoods.
  - Make available a safe residential dwelling for all citizens.
  - Provide a wide variety of housing types and choices for an increasingly diverse and aging population.
  - Provide flexibility to the marketplace in siting future residential development locations.
  - Strive for predictability for neighborhoods and developers for residential development and redevelopment.
  - Provide safe and decent affordable and special needs housing for low- and moderate-income households.
- P. 7.4 - Strategies for Neighborhoods and Housing
- Discourage residential development in areas of environmental resources such as endangered species, saline wetlands, native prairies, and in floodplain corridors.
  - Encourage preservation or restoration of natural resources within or adjacent to development.
  - Provide adequate spacing from pipelines and areas where hazardous chemicals could be used and stored; notify property owners and residents along the pipeline about hazards and emergency actions.
  - Encourage substantial connectivity and convenient access to neighborhood services (stores, schools, parks) from residential areas.
  - Incorporate interconnected networks of streets, transit, trails, and sidewalks with multiple connections within and between neighborhoods and commercial centers to maximize access and mobility to provide alternatives to and reduce dependence upon the automobile.
  - Provide sidewalks on both sides of all streets, or in alternative locations as allowed through design standards or review process.
- P. 7.4-7.8 - Strategies for Developing Neighborhoods
- Encourage new development to achieve densities greater than five dwelling units per gross acre.
- P. 7.8 - 1,000 well-designed and appropriately-placed dwelling units are projected for neighborhoods in the existing city — a one percent increase to the existing housing stock—on vacant lots, expansions of existing apartment complexes with undeveloped land, and through accessory dwelling units. Residential redevelopment in existing neighborhoods tends to occur naturally without public intervention over a long period of time, as individual properties become obsolete or are acquired piecemeal by private or nonprofit developers.
- P. 7.8 - Currently, there are roughly 333 acres of vacant residentially-zoned land in the existing built-out portion of the City. Some of the land is in the floodplain and lots scattered throughout the City. The Plan envisions a portion of this land will be utilized by 2040 since it has access to urban services today.
- P. 12.4 - Urban Residential. 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 per acre.

**ANALYSIS:**

1. This is a request to re-zone an area south of West A Street adjacent to the existing boundary of the Hartland Homes Southwest 1<sup>st</sup> Addition Community Unit Plan (CUP) from AGR Agricultural Residential District to R-3 Residential District. The area will be included within the boundary of the CUP and is shown for 7 new single family lots on the associated Special Permit #05054B site plan.
2. The current CUP boundary is approximately 90.44 acres. The area to be re-zoned and added into the CUP comprises approximately 1.03 acres. The site was formerly occupied by a single family dwelling that was torn down approximately 10 years ago.
3. The proposed R-3 zoning will match the current zoning of the CUP, and is appropriate at this location. The proposed zoning and land use pattern will be similar to the existing neighborhood. The Comprehensive Plan identifies this property for future urban density residential land uses. This change of zone application is consistent with the Comprehensive Plan and the character of development south of West A Street in this area.

Prepared by

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Rachel Jones, Planner

**DATE:** April 18, 2017

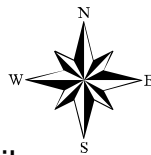
**APPLICANT/CONTACT:** Marcia Kinning  
REGA Engineering  
601 Old Cheney Road, Suite 'A'  
Lincoln, NE 68512  
(402) 484-7342 or marcia@regaeng.com

**OWNER:** Hartland Homes, Inc.  
P.O. Box 22787  
Lincoln, NE 68542



2016 aerial

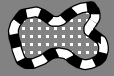


**Change of Zone #: CZ17006 (AGR to R-3)  
Hartland Homes Southwest 1st Addition  
SW 27th St & W A St**

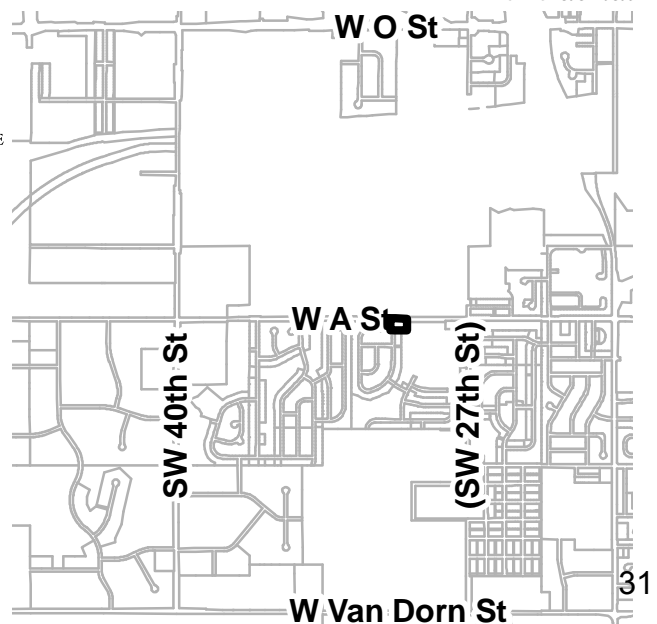


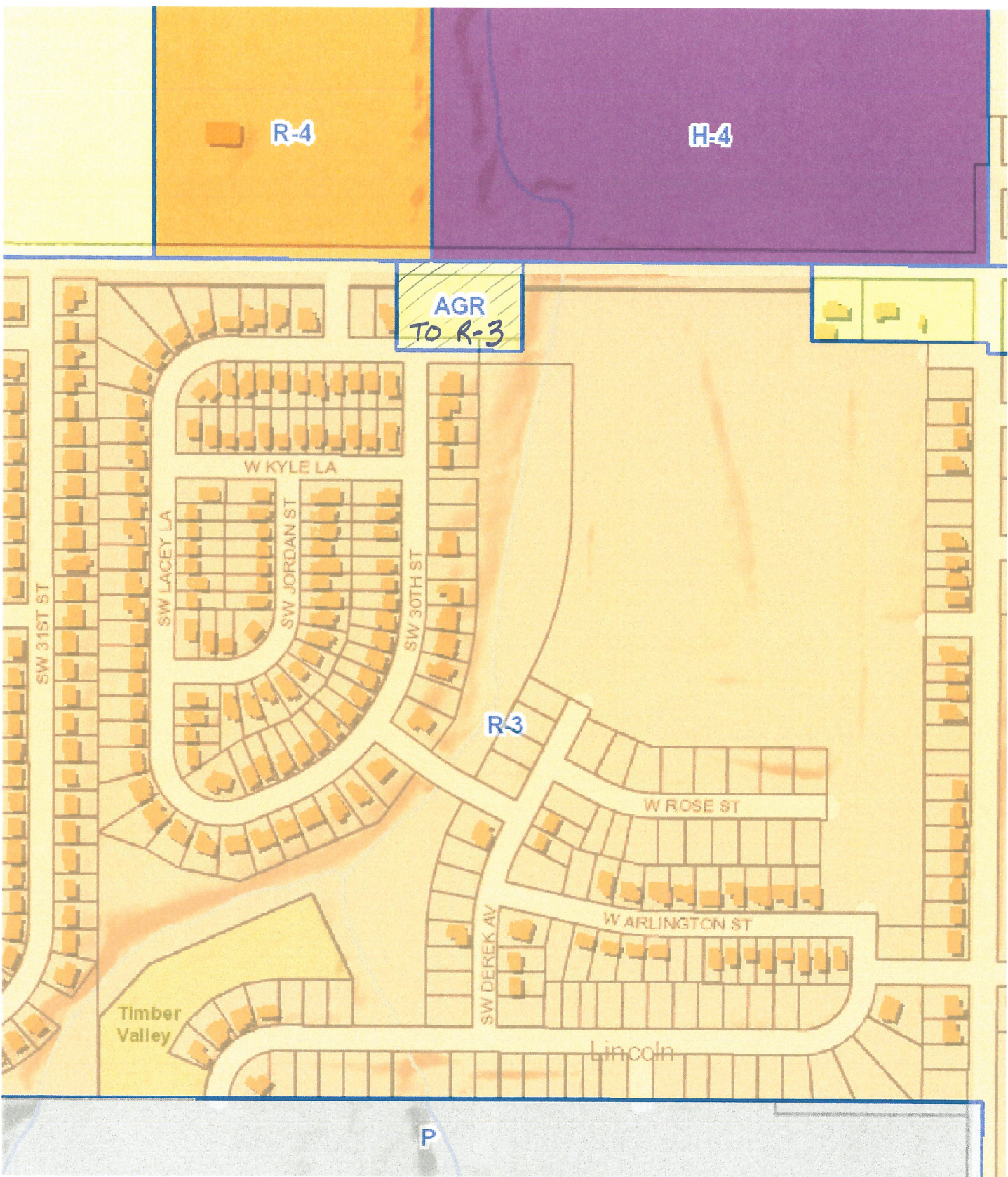
**One Square Mile:  
Sec.32 T10N R06E  
Sec.29 T10N R06E**

**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

	Area of Application
	Zoning Jurisdiction Lines
	Lancaster County Jurisdiction





## Lancaster County/City of Lincoln GIS Map

CHANGE OF ZONE FROM 'AGR' TO 'R-3'



Printed: Apr 04, 2017

DISCLAIMER: The information is presented on a best-efforts basis, and should not be relied upon for making financial, survey, legal or other commitments. If you have questions or comments regarding the data displayed on this map, please email [ags@lincoln.ne.gov](mailto:ags@lincoln.ne.gov) and you will be directed to the appropriate department.

**HARTLAND HOMES SOUTHWEST 1<sup>ST</sup> ADDITION  
CHANGE OF ZONE FROM 'AGR' TO 'R-3'**

**LEGAL DESCRIPTION**

Lot 31 of Irregular Tracts, and that portion of Outlot A, Hartland Homes Southwest 7<sup>th</sup> Addition zoned AGR, all located in the Northeast Quarter of Section 32 Township 10 North Range 6 East of the Sixth Principal Meridian, Lincoln, Lancaster County, Nebraska.

# REGA

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## ENGINEERING GROUP, INC.

File No. 171038  
March 29, 2017  
April 4, 2017 Revised

Mr. David Cary  
Director of Planning  
Rachel Jones, Planner  
City of Lincoln/ Lancaster County  
555 South 10<sup>th</sup> Street  
Lincoln, NE 68508

RE: HARTLAND HOMES SOUTHWEST 1<sup>ST</sup> ADDITION  
COMMUNITY UNIT PLAN/SPECIAL PERMIT #04054B  
CHANGE OF ZONE FROM 'AGR' TO 'R-3'  
S.W. 27<sup>th</sup> Street & West 'A' Street

Dear David,

On behalf of Hartland Homes, Inc., we are submitting an amendment to the Special Permit of Hartland Homes Southwest 1<sup>st</sup> Addition. This amendment is adding 1.03 acres into the boundary of said community unit plan. We are also requesting a change of zone on that parcel from 'AGR' to 'R-3'. The additional area is currently Lot 31 of Irregular Tracts located along West A Street. Seven additional lots are being added to the development with this amendment. Also, at this time, Block 9 has been revised which reduces the number of lots by 3 lots. The total number of lots shown within the development is 376 lots. The total number of dwelling units shown are 384 dwelling units. This includes single family, duplex and single family attached lots.

Over half of this development is currently improved and final platted. The area being added doesn't require any additional street or utilities to the development since the proposed streets were already shown adjacent to the proposed addition.

The developer will be mailing to the adjacent neighbors, adjacent associations as well as all the property owners within the current development an informational letter and exhibit. This mailing will be sent weeks before the Planning Commission public meeting.

The following are waivers approved through the previous Special Permit #04054A and remain with this application:

1. Block Length of Block 10 and 11.
2. The preliminary plat process.
3. Single family lot width from 50 feet to 41 feet.
4. Single family lot area from 6,000 s.f. to 4,500 s.f.
5. Two-family lot width from 40 feet to 31 feet.
6. Single family attached lot area from 5,000 square feet to 3,650 square feet.

We would greatly appreciate notification of any possible delays in the review and application process. Please contact me if you have any questions or need additional information for review.

Sincerely,



Marcia L. Kinning  
Cc: Andy Hartman

Enclosures: Application  
Application Fee of \$988.00 for CUP and \$988.00 for COZ  
Legal Description

## LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for April 26, 2017 PLANNING COMMISSION MEETING

- PROJECT #:** Special Permit No. 04054B
- PROPOSAL:** A request per Section 27.63.320 to expand an existing Community Unit Plan by approximately 1.03 acres for 7 new lots and minor revisions to the existing lot layout.
- LOCATION:** S.W. 27<sup>th</sup> and West A Streets
- LAND AREA:** New area: 1.03 acres, more or less  
Total area: 91.47 acres, more or less
- EXISTING ZONING:** R-3 Residential and AGR Agricultural Residential
- CONCLUSION:** No new waivers are proposed with this application. The 2040 Comprehensive Plan designates urban density residential land uses for this site. The proposed expansion of the Hartland Homes Southwest 1<sup>st</sup> Addition CUP would be consistent with the existing zoning pattern and approved site plan. This request for a special permit for a CUP is consistent with the Comprehensive Plan and complies with the requirements of the Zoning Ordinance.

<b>RECOMMENDATION:</b>	Conditional Approval
------------------------	----------------------

### GENERAL INFORMATION:

**LEGAL DESCRIPTION:** See attached.

**EXISTING LAND USE:** Vacant land

### **SURROUNDING LAND USE AND ZONING:**

North: Agriculture and single family residential; AGR and H-4  
South: Single family residential and vacant; R-3  
East: Single family residential; AGR and R-3  
West: Single family residential; R-3

**ASSOCIATED APPLICATIONS:** Change of Zone No. 17006

**HISTORY:**

- Aug 1988 Special Permit #1293 was approved by the City Council for soil excavation over this area, permitted for a period of three years, south of West A Street and west of S.W. 27<sup>th</sup> Street.
- Aug 1994 Special Permit #1293A was approved by the Planning Commission extending the soil excavation special permit for three additional years with administrative yearly extensions thereafter.
- June 1999 Special Permit #1293B was approved by the Planning Commission to again extend the soil excavation permit for three additional years with yearly extensions.
- May 2001 Special Permit #1907 was approved by the Planning Commission allowing expansion of a non-conforming use to add a sunroom to the home that formerly occupied Lot 31 I.T.
- Feb 2005 Change of Zone #04067 was approved by the City Council for a change of zone from H-4 General Commercial to R-3 Residential for the proposed Hartland Homes Southwest 1<sup>st</sup> Addition Community Unit Plan that was approved concurrently (see below).
- Feb 2005 Special Permit #04054 was approved by the City Council creating the Hartland Homes Southwest 1<sup>st</sup> Addition Community Unit Plan for 382 single family dwelling units, with waivers to lot dimensions and block length.
- Sept 2005 Administrative Amendment #05102 to SP04054 was approved to revise the lot layout on two blocks.
- July 2015 Special Permit #04054A was approved by the Planning Commission to allow for two-family dwelling lots, reduce the minimum lot width and area for two-family lots.

**COMPREHENSIVE PLAN SPECIFICATIONS:**

P. 12.3 - this site is shown as future Urban Density Residential on the 2040 Lincoln Area Future Land Use Plan.

P. 1.2 - Lincoln and Lancaster County: One Community Vision Statements:

- An important relationship exists between the urban, rural, and natural landscapes. Urban and rural development maximize the use of land in order to preserve agriculture and natural resources.
- Policies of managing urban growth, maintaining an "edge" between urban and rural land uses, and preserving prime agricultural land form a distinctive and attractive built environment for Lincoln and Lancaster County.

P. 1.2 - Quality of Life Assets:

- The community continues its commitment to strong, diverse 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.
- LPlan 2040 is the basis for zoning and land development decisions. It guides decisions that will maintain the quality and character of the community's new and established neighborhoods.

P. 1.6 - Approximately 20% of new dwelling units will be built within the existing City, with about 3,000 in the Downtown and Antelope Valley areas, 1,000 in existing neighborhoods, and 4,000 in mixed use redevelopment nodes and corridors.

P. 7.2 - Neighborhoods & Housing Guiding Principles

- Promote sustainability and resource conservation by preserving and improving housing in existing neighborhoods.
- Distribute and preserve affordable housing throughout the community to be near job opportunities and to provide housing choices within existing and developing neighborhoods.
- Make available a safe residential dwelling for all citizens.
- Provide a wide variety of housing types and choices for an increasingly diverse and aging population.
- Provide flexibility to the marketplace in siting future residential development locations.
- Strive for predictability for neighborhoods and developers for residential development and redevelopment.
- Provide safe and decent affordable and special needs housing for low- and moderate-income households.

P. 7.4 - Strategies for Neighborhoods and Housing

- Discourage residential development in areas of environmental resources such as endangered species, saline wetlands, native prairies, and in floodplain corridors.
- Encourage preservation or restoration of natural resources within or adjacent to development.
- Provide adequate spacing from pipelines and areas where hazardous chemicals could be used and stored; notify property owners and residents along the pipeline about hazards and emergency actions.
- Encourage substantial connectivity and convenient access to neighborhood services (stores, schools, parks) from residential areas.
- Incorporate interconnected networks of streets, transit, trails, and sidewalks with multiple connections within and between neighborhoods and commercial centers to maximize access and mobility to provide alternatives to and reduce dependence upon the automobile.
- Provide sidewalks on both sides of all streets, or in alternative locations as allowed through design standards or review process.

P. 7.4-7.8 - Strategies for Developing Neighborhoods

- Encourage new development to achieve densities greater than five dwelling units per gross acre.

P. 7.8 - 1,000 well-designed and appropriately-placed dwelling units are projected for neighborhoods in the existing city — a one percent increase to the existing housing stock—on vacant lots, expansions of existing apartment complexes with undeveloped land, and through accessory dwelling units. Residential redevelopment in existing neighborhoods tends to occur naturally without public intervention over a long period of time, as individual properties become obsolete or are acquired piecemeal by private or nonprofit developers.

P. 7.8 - Currently, there are roughly 333 acres of vacant residentially-zoned land in the existing built-out portion of the City. Some of the land is in the floodplain and lots scattered throughout the City. The Plan envisions a portion of this land will be utilized by 2040 since it has access to urban services today.

P. 12.4 - Urban Residential. 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 per acre.

**UTILITIES:** All utilities are available.

**TRAFFIC ANALYSIS:** West A Street is classified as a minor arterial in the Access Management Policy. West A Street is a two-lane asphalt road. Improvements to West A Street from the West City Limits to Folsom Street are listed in the Capital Improvement Program for construction of two permanent through lanes and left and right turn lanes as appropriate. No new connections to West A Street are proposed with this development.

**PUBLIC SERVICE:** The nearest fire station is located at 1700 South Coddington Avenue.

**ANALYSIS:**

1. A change of zone application from AGR Agricultural Residential to R-3 Residential is associated with this request. The area proposed to be rezoned is the same area proposed to be added into the Hartland Homes Southwest 1<sup>st</sup> Addition CUP boundary.
2. This CUP includes detached single family, attached single family, and duplex lots. This request proposes to expand the existing CUP by 1.03 acres to accommodate 7 single family lots fronting on West Washington Street and backing onto West A Street (see attached detail of area of change). West Washington Street is already partly constructed and would be extended to the east to serve these lots. The current CUP boundary includes the area immediately to the east, west, and south of the proposed expansion area.
3. In addition, the layout of Block 9 has also been revised, reducing the number of overall lots by 3 lots. The total number of lots within the CUP would be increased from 372 to 376 with this amendment. The total number of dwelling units would be increased from 380 to 384, which is well under the maximum allowable density that would be possible within the CUP based on the R-3 zoning.
4. 27 feet of right-of-way for West A Street will be dedicated with a future final plat for the expansion area. The required right-of-way on either side of the expansion area was already dedicated as part of earlier final plats associated with the CUP.
5. A future trail is planned for the south side of West A Street. The adjacent plats designated a 6-foot wide outlot with easement along the north side of the lots for the trail. The same accommodation will be required at the point the 7 new lots adjacent to West A Street are platted.

6. No new waivers are proposed with this application. All previously approved waivers will be carried forward, which include block length waivers for Blocks 10 and 11, and waiver of the minimum lot width and area for single family and two-family lots.

**CONDITIONS OF APPROVAL:**

Per Section 27.63.320 this approval permits a Community Unit Plan with an overall increase of 4 dwelling units. (NOTE: this Special Permit will supersede Special Permit #1907.)

**Site Specific Conditions:**

1. Before a final plat is approved the permittee shall cause to be prepared and submitted to the Planning Department a revised and reproducible final plot plan including **3** copies.
2. Before a final plat is approved provide the following documents to the Planning Department:
  - 2.1 Verification from the Register of Deeds that the letter of acceptance as required by the approval of the special permit has been recorded.
3. Final plat(s) is/are approved by the City.

If any final plat on all or a portion of the approved community unit plan is submitted five (5) years or more after the approval of the community unit plan, the city may require that a new community unit plan be submitted, pursuant to all the provisions of section 26.31.015. A new community unit plan may be required if the subdivision ordinance, the design standards, or the required improvements have been amended by the city; and as a result, the community unit plan as originally approved does not comply with the amended rules and regulations.

Before the approval of a final plat, the public streets, private roadway improvements, sidewalks, public sanitary sewer system, public 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, must be completed or provisions (bond, escrow or security agreement) to guarantee completion must be approved by the City Law Department. The improvements must be completed in conformance with adopted design standards and within the time period specified in the Land Subdivision Ordinance. A cash contribution to the City in lieu of a bond, escrow, or security agreement may be furnished for sidewalks and street trees along major streets that have not been improved to an urban cross section. A cash

contribution to the City in lieu of a bond, escrow, or security agreement may be furnished for street trees on a final plat with 10 or fewer lots.

No final plat shall be approved until the Permittee, as subdivider, enters into an agreement with the City whereby Permittee agrees:

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 the final plat.

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

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

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

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

to complete the planting of the landscape screen within this plat within two (2) years following the approval of the final plat.

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

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

to complete any other public or private improvement or facility required by Chapter 26.23 (Development Standards) of the Land Subdivision Ordinance in a timely manner 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 complete the public improvements shown on the Community Unit Plan.

to recognize that there may be additional maintenance issues or costs associated with the proper functioning of storm water detention/retention facilities as they were designed and construction within the development and that these additional maintenance issues or costs are the responsibility of the Permittee.

to pay all design, engineering, labor, material, inspection, and other improvement costs.

to inform all prospective purchasers and users of land located within the Airport Environs Noise District, that the land is subject to an aviation and noise easement granted to Lincoln Airport Authority, and that the land is potentially subject to aircraft noise levels which may affect users of the property and interfere with its use.

**Standard Conditions:**

4. The following conditions are applicable to all requests:
  - 4.1 Before occupying the dwelling units all development and construction shall substantially comply with the approved plans.
  - 4.2 The physical location of all setbacks and yards, buildings, parking and circulation elements, and similar matters be in substantial compliance with the location of said items as shown on the approved site plan.
  - 4.3 The terms, conditions, and requirements of this resolution shall run with the land and be binding upon the Permittee, its successors and assigns.
  - 4.4 The applicant shall sign and return the letter of acceptance to the City Clerk. This step should be completed within 60 days following the approval of the special permit. The City Clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the applicant. Building permits will not be issued unless the letter of acceptance has been filed.

- 4.5 The site plan as approved with this resolution voids and supersedes all previously approved site plans, however all prior resolutions approving this permit remain in full force and effect as specifically amended by this resolution.

Prepared by

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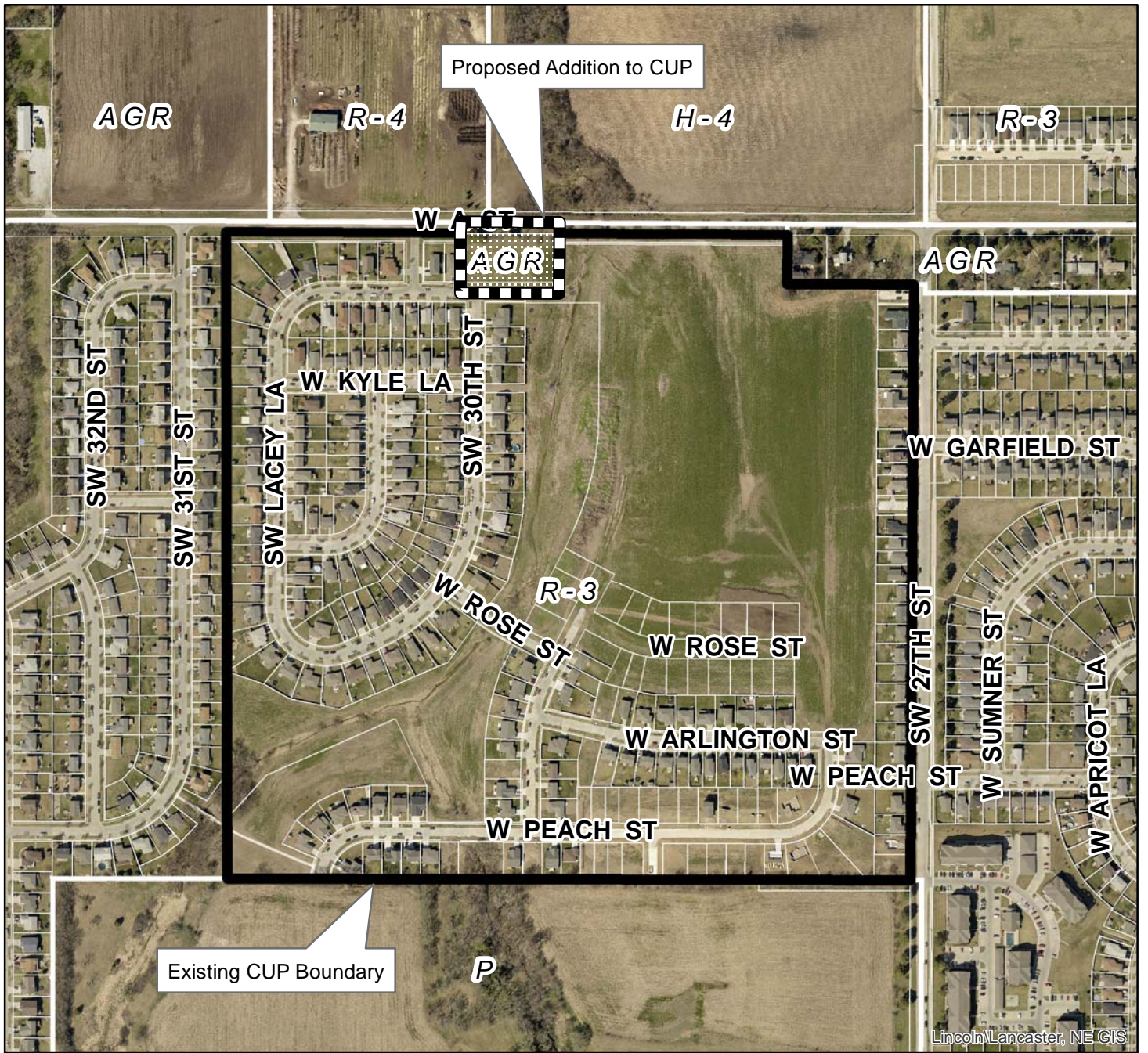
Rachel Jones, Planner

**DATE:** April 18, 2017

**APPLICANT/CONTACT:** Marcia Kinning  
REGA Engineering  
601 Old Cheney Road, Suite 'A'  
Lincoln, NE 68512  
(402) 484-7342 or marcia@regaeng.com

**OWNER:** Hartland Homes, Inc.  
P.O. Box 22787  
Lincoln, NE 68542

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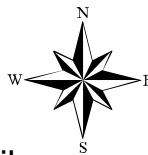


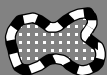


**Special Permit #: SP04054B**  
**Hartland Homes Southwest 1st Addition CUP**  
**SW 27th St & W A St**

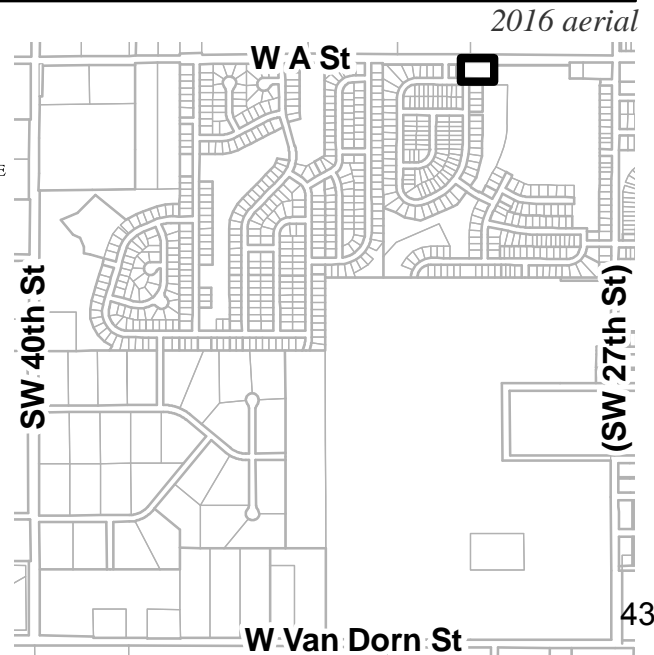
**Zoning:**

- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- O-1 Office District
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One Square Mile:  
 Sec.32 T10N R06E

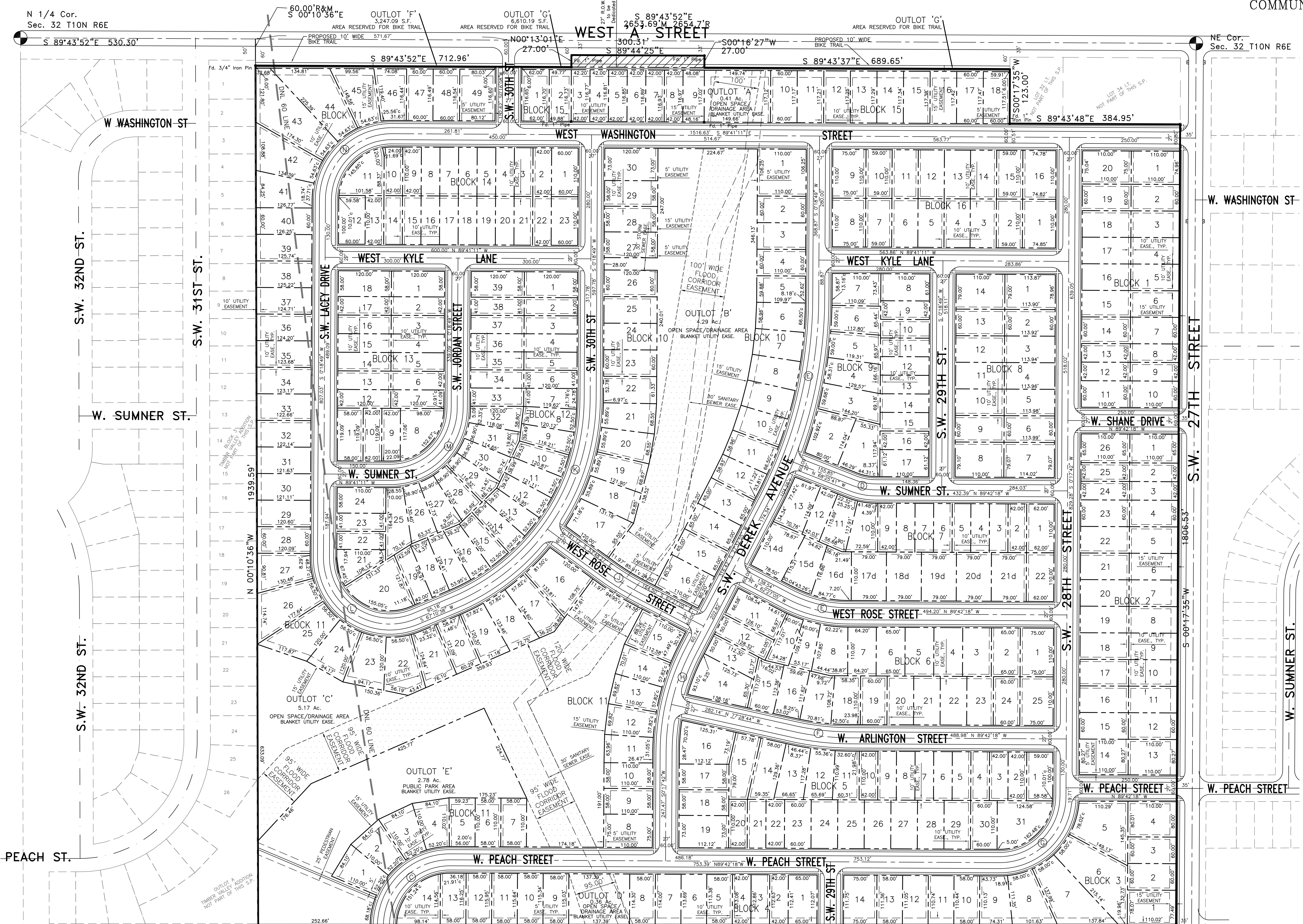


	Area of Application
	Zoning Jurisdiction Lines
	Lancaster County Jurisdiction



# HARTLAND HOMES SOUTHWEST 1ST ADDITION

COMMUNITY UNIT PLAN/SPECIAL PERMIT #04054B



### LEGAL DESCRIPTION:

A survey of Lot 31 of Irregular Tracts; Lots 1-34, Block 1, Lots 1 & 2, Block 2, Lots 1-23, Block 3, Lots 1-18, Block 4, Lots 1-39, Block 5, Lots 1-14, Block 6, and Outlots B, C & D, Hartland Homes Southwest 4th Addition; Lots 1-10, Block 1, Lots 1-14, Block 2, Lots 1-5, Block 3, Lots 1-19, Block 4, Lots 1-10, Block 5, Lots 1-15, Block 6, Lot 1, Block 7, Lots 1-13, Block 8, and Outlots A, B, & E, Hartland Homes Southwest 5th Addition; Lots 1-12, Block 1, Lots 1-4, Block 2, Lots 1-9, Block 3, Hartland Homes Southwest 6th; Lots 1-3, Block 1, Lots 1-8, Block 2, Lots 1-10, Block 3, and Outlots A & B, Hartland Homes Southwest 7th Addition; and the adjacent right-of-way of S.W. 29th Street, S.W. 30th Street, W. Arlington Street, S.W. Derek Street, W. Jordan Street, W. Kyle Lane, S.W. Lacey Lane, W. Peach Street, W. Rose Street, W. Shane Street, W. Sumner Street and W. Washington Street, all located in the Northeast Quarter of Section 32 Township 10 North Range 6 East of the Sixth Principal Meridian, Lincoln, Lancaster County, Nebraska, more particularly described as follows:

Commencing at the North 1/4 Corner of Section 32 Township 10 North Range 6 East of the Sixth Principal Meridian; Thence S89°43'52"E (on assumed bearing) on the North line of the Northeast Quarter of said Section 32, a distance of 530.30 feet; Thence S00°10'36"E, a distance of 60.00 feet, to the POINT OF BEGINNING;  
 Thence S89°43'52"E, on the South right-of-way line of West A Street, a distance of 712.96 feet, to a point on the west line of Lot 31 Irregular Tract;  
 Thence N00°13'01"E, on the west line of Lot 31 Irregular Tract, a distance of 27.00 feet, to the Northwest Corner of said Lot 31 Irregular Tract;  
 Thence S89°44'25"E, on the north line of Lot 31 Irregular Tract, a distance of 300.31 feet, to the Northeast Corner of said Irregular Tract Lot 31 Irregular Tract;  
 Thence S00°16'27"W, on the east line of Lot 31 Irregular Tract, a distance of 27.00 feet, to a point on the south right-of-way of West A Street;  
 Thence S89°43'37"E, on the said right-of-way line of West A Street, a distance of 689.65 feet, to a point on the west line of Lot 32 Irregular Tract;  
 Thence S00°17'35"W, on the west line of Lot 32 Irregular Tract, a distance of 123.00 feet;  
 Thence S89°43'48"E, on the south line of Lots 32 and 34 Irregular Tracts, a distance of 384.95 feet, to a point on the west right-of-way of S.W. 27th Street;  
 Thence S00°17'35"W, on the said west right-of-way, a distance of 1806.53 feet, to a point on the north line of vacated Maple Street;  
 Thence S89°59'33"W, on the north line of vacated Maple Street, Lot 23, and Lot 18, Irregular Tracts, a distance of 2071.98 feet, to the Southeast corner of Outlot A, Timber Valley Addition;  
 Thence N00°10'36"W, on the east line of Timber Valley Addition, a distance of 1939.59 feet to the POINT OF BEGINNING, and containing a calculated area of 3,984,459.70 Square feet or 91.47 acres.

### SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY DIRECT SUPERVISION AND THAT I AM A LICENSED SURVEYOR UNDER THE LAWS OF THE STATE OF NEBRASKA.  
 LYLE L. LOTH, L.S. #314

### GENERAL NOTES:

- THIS C.U.P. SHOWS 376 LOTS WITH 384 DWELLING UNITS, CONSISTING OF 366 SINGLE FAMILY LOTS, 2 SINGLE FAMILY ATTACHED LOTS AND 8 DUPLEX LOTS. 4 OUTLOTS FOR DETENTION AREA & OPEN SPACE, 2 OUTLOTS FOR BIKE TRAIL AND 1 OUTLOT FOR PUBLIC PARK.
- THE OWNER/DEVELOPER RESERVES THE RIGHT TO BUILD ANYWHERE WITHIN THE REQUIRED SETBACKS AS PER R-3 ZONING DISTRICT.
- ZONING IS R-3 WITH A C.U.P.
- BUILDING HEIGHT SHALL NOT EXCEED 35 FEET.
- PUBLIC WATER AND PUBLIC SEWER LINES SHALL BE INSTALLED THROUGH EXECUTIVE ORDERS AND DESIGNED AS REQUIRED BY THE CITY OF LINCOLN.
- PUBLIC SIDEWALKS SHALL BE LOCATED 9 FEET FROM THE BACK OF CURB ALONG PUBLIC ROADWAYS AND THE WEST SIDE OF S.W. 27TH STREET AND THE SOUTH SIDE OF WEST 'A' STREET. SIDEWALKS SHALL BE 4 FEET IN WIDTH AND SHALL BE 4" THICK, AND 5" THICK AT DRIVEWAY CROSSINGS.
- ALL CURVILINEAR DIMENSIONS ARE CHORD LENGTHS.
- DIRECT VEHICULAR ACCESS TO WEST 'A' STREET IS HEREBY RELINQUISHED EXCEPT AT S.W. 30TH STREET.
- EXISTING TOPOGRAPHICAL CONTOURS ARE IN NORTH AMERICA VERTICAL DATUM (NAVD) 1988.
- THE DEVELOPER AGREES TO COMPLY WITH THE DESIGN STANDARDS OF THE CITY OF LINCOLN FOR EROSION CONTROL AND SEDIMENTATION DURING AND AFTER LAND PREPARATION AND TO SUBMIT A SEEDING AND MAINTENANCE SCHEDULE BEFORE SITE GRADING IS DONE. THE DEVELOPER WILL BE RESPONSIBLE FOR CONTROLLING OFF-SITE DUST EMISSIONS IN ACCORDANCE WITH LINCOLN-LANCASTER COUNTY AIR POLLUTION REGULATIONS AND STANDARDS ARTICLE 2, SECTION 32.
- ANY RELOCATION OF EXISTING FACILITIES WILL BE AT THE OWNER/DEVELOPER'S EXPENSE.
- THE GRANT OF AN AVIGATION AND NOISE EASEMENT TO THE LINCOLN AIRPORT AUTHORITY IS A CONDITION OF APPROVAL AS ALL OR PART OF THE LAND IS LOCATED WITHIN THE AIRPORT ENVIRONS NOISE DISTRICT AN POTENTIALLY SUBJECTS THE LAND TO AIRCRAFT NOISE LEVELS WHICH MAY AFFECT USERS OF THE PROPERTY AND INTERFERE WITH ITS USE.
- THE STORM WATER DETENTION/RETENTION FACILITIES FOR THE AREA SHALL BE DESIGNED TO NOT CREATE AN ATTRACTION TO WATERFOWL.
- ALL PRIVATE IMPROVEMENTS SHALL BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION.
- ON ALL OUTLOTS CONTAINING DETENTION FACILITIES AND STRUCTURES, WHERE A BLANKET UTILITY EASEMENT IS GRANTED, ALL UTILITIES DESIRING TO LOCATE UTILITY LINES OR OTHER IMPROVEMENTS SHALL HAVE SUCH IMPROVEMENTS APPROVED BY THE OWNER PRIOR TO CONSTRUCTION.
- SIGNS NEED NOT BE SHOWN ON THIS SITE PLAN, BUT NEED TO BE IN COMPLIANCE WITH CHAPTER 27.69 OF THE LINCOLN ZONING ORDINANCE, AND MUST BE APPROVED BY BUILDING & SAFETY DEPARTMENT PRIOR TO INSTALLATION.

### REQUESTED WAIVERS:

- BLOCK LENGTH OF BLOCK 10 & 11.
- THE PRELIMINARY PLAT PROCESS.
- SINGLE FAMILY LOT WIDTH FROM 50 FEET TO 41 FEET.
- SINGLE FAMILY LOT AREA FROM 6,000 S.F. TO 4,500 S.F.
- TWO-FAMILY LOT WIDTH FROM 40 FEET TO 31 FEET.
- TWO-FAMILY LOT AREA FROM 5,000 S.F. TO 3,650 S.F.

**OWNER:**  
 HARTLAND HOMES, INC.  
 PO BOX 22787  
 LINCOLN, NE 68542 (402) 477-6668

**DEVELOPER:**  
 HARTLAND HOMES, INC.  
 PO BOX 22787  
 LINCOLN, NE 68542 (402) 477-6668

**ENGINEER:**  
 DAN ROSENTHAL  
 REGA ENGINEERING GROUP INC.  
 601 OLD CHENEY ROAD, SUITE 'A'  
 LINCOLN, NE 68512 (402) 484-7342

**SURVEYOR:**  
 LYLE LOTH  
 REGA ENGINEERING GROUP INC.  
 601 OLD CHENEY ROAD, SUITE 'A'  
 LINCOLN, NE 68512 (402) 484-7342

DESCRIPTION	SHT #
SITE PLAN	1
UTILITY/PHASING PLAN	2
GRADING PLAN	3
STREET PROFILES	4
STREET PROFILES	5
STREET PROFILES	6
STREET PROFILES	7
STREET PROFILES	8

### LOT LEGEND:

d = DUPLEX LOT  
 N = SINGLE FAMILY ATTACHED LOT

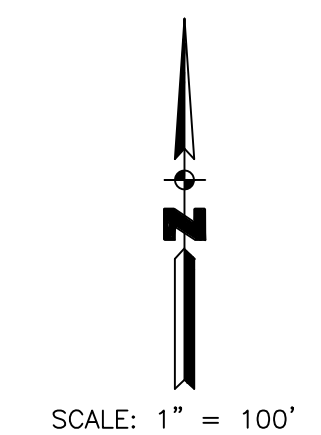
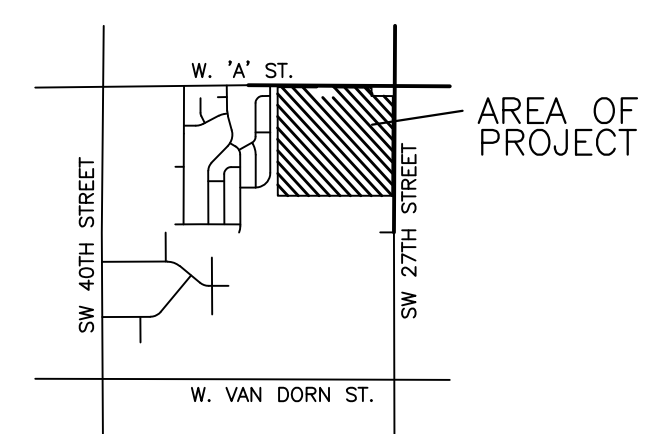
### DENSITY:

Total Project Area 3,984,459.70 s.f.  
 or 91.47 acres  
 x 6.96 R-3 Zoning  
 636.63 units allowed

636 UNITS ALLOWED

DATE: 3/29/2017  
 REVISIONS:

CURVE DATA:	NOT USED	NOT USED	NOT USED	NOT USED	NOT USED	NOT USED	NOT USED	NOT USED	NOT USED				
(A)	(B)	(C) R = 150.00' Δ = 88°56'41" T = 147.26' L = 232.86' Ch = 210.17' ChBrg = N45°49'22"E	(D) R = 150.00' Δ = 21°16'37" T = 28.18' L = 55.70' Ch = 53.38' ChBrg = N79°03'59"W	(E) R = 300.00' Δ = 27°15'13" T = 72.73' L = 142.70' Ch = 141.36' ChBrg = N76°04'41"W	(F) R = 600.00' Δ = 12°13'34" T = 64.26' L = 128.03' Ch = 127.79' ChBrg = N83°35'31"W	(G) R = 150.00' Δ = 90°00'00" T = 150.00' L = 235.62' Ch = 212.13' ChBrg = S45°17'42"W	(H) R = 500.00' Δ = 27°15'13" T = 121.21' L = 237.83' Ch = 235.60' ChBrg = S15°35'19"W	(I) R = 150.00' Δ = 113°08'11" T = 330.09' L = 583.48' Ch = 550.94' ChBrg = S58°07'46"E	(J) R = 600.00' Δ = 8°38'37" T = 45.34' L = 90.52' Ch = 90.43' ChBrg = S58°07'46"E	(K) R = 500.00' Δ = 66°51'49" T = 300.09' L = 583.48' Ch = 550.94' ChBrg = S33°44'44"W	(L) R = 150.00' Δ = 90°00'00" T = 150.00' L = 235.62' Ch = 212.13' ChBrg = S56°15'16"E	(M) R = 150.00' Δ = 90°00'00" T = 150.00' L = 235.62' Ch = 212.13' ChBrg = S45°18'49"W	(N) R = 150.00' Δ = 90°00'00" T = 150.00' L = 235.62' Ch = 212.13' ChBrg = S45°18'49"W



PROJECT  
 171038

**REGA**  
 ENGINEERING GROUP, INC.

601 OLD CHENEY RD., SUITE A  
 LINCOLN, NEBRASKA 68512  
 (402) 484-7342

- ENGINEERING
- PLANNING
- LAND SURVEYING



**GENERAL NOTES:**

1. THIS C.U.P. SHOWS 376 LOTS WITH 384 DWELLING UNITS, CONSISTING OF 366 SINGLE FAMILY LOTS, 2 SINGLE FAMILY ATTACHED LOTS AND 8 DUPLEX LOTS, 4 OUTLOTS FOR DETENTION AREA & OPEN SPACE, 2 OUTLOTS FOR BIKE TRAIL AND 1 OUTLOT FOR PUBLIC PARK.
2. THE OWNER/DEVELOPER RESERVES THE RIGHT TO BUILD ANYWHERE WITHIN THE REQUIRED SETBACKS AS PER R-3 ZONING DISTRICT.
3. ZONING IS R-3 WITH A C.U.P.
4. BUILDING HEIGHT SHALL NOT EXCEED 35 FEET.
5. PUBLIC WATER AND PUBLIC SEWER LINES SHALL BE INSTALLED THROUGH EXECUTIVE ORDERS AND DESIGNED AS REQUIRED BY THE CITY OF LINCOLN.
6. PUBLIC SIDEWALKS SHALL BE LOCATED 9 FEET FROM THE BACK OF CURB ALONG PUBLIC ROADWAYS AND THE WEST SIDE OF S.W. 27TH STREET AND THE SOUTH SIDE OF WEST 'A' STREET. SIDEWALKS SHALL BE 4 FEET IN WIDTH AND SHALL BE 4" THICK, AND 5" THICK AT DRIVEWAY CROSSINGS.
7. ALL CURVILINEAR DIMENSIONS ARE CHORD LENGTHS.
8. DIRECT VEHICULAR ACCESS TO WEST 'A' STREET IS HEREBY REINQUISHED EXCEPT AT S.W. 30TH STREET.
9. EXISTING TOPOGRAPHICAL CONTOURS ARE IN NORTH AMERICA VERTICAL DATUM (NAVD) 1988.
10. THE DEVELOPER AGREES TO COMPLY WITH THE DESIGN STANDARDS OF THE CITY OF LINCOLN FOR EROSION CONTROL AND SEDIMENTATION DURING AND AFTER LAND PREPARATION AND TO SUBMIT A SEEDING AND MAINTENANCE SCHEDULE BEFORE SITE GRADING IS DONE. THE DEVELOPER WILL BE RESPONSIBLE FOR CONTROLLING OFF-SITE DUST EMISSIONS IN ACCORDANCE WITH LINCOLN-LANCASTER COUNTY AIR POLLUTION REGULATIONS AND STANDARDS ARTICLE 2, SECTION 32.
11. ANY RELOCATION OF EXISTING FACILITIES WILL BE AT THE OWNER/DEVELOPER'S EXPENSE.
12. THE GRANT OF AN AVIGATION AND NOISE EASEMENT TO THE LINCOLN AIRPORT AUTHORITY IS A CONDITION OF APPROVAL AS ALL OR PART OF THE LAND IS LOCATED WITHIN THE AIRPORT ENVIRONS NOISE DISTRICT AN POTENTIALLY SUBJECTS THE LAND TO AIRCRAFT NOISE LEVELS WHICH MAY AFFECT USERS OF THE PROPERTY AND INTERFERE WITH ITS USE.
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**REQUESTED WAIVERS:**

1. BLOCK LENGTH OF BLOCK 10 & 11.
2. THE PRELIMINARY PLAT PROCESS.
3. SINGLE FAMILY LOT WIDTH FROM 50 FEET TO 41 FEET.
4. SINGLE FAMILY LOT AREA FROM 6,000 S.F. TO 4,500 S.F.
5. TWO-FAMILY LOT WIDTH FROM 40 FEET TO 31 FEET.
6. TWO-FAMILY LOT AREA FROM 5,000 S.F. TO 3,650 S.F.

**HARTLAND HOMES SOUTHWEST 1<sup>ST</sup> ADDITION  
COMMUNITY UNIT PLAN/SPECIAL PERMIT #04054B**

**LEGAL DESCRIPTION**

A survey of Lot 31 of Irregular Tracts; Lots 1-34, Block 1, Lots 1 & 2, Block 2, Lots 1-23, Block 3, Lots 1-18, Block 4, Lots 1-39, Block 5, Lots 1-14, Block 6, and Outlots B, C & D, Hartland Homes Southwest 4th Addition; Lots 1-10, Block 1, Lots 1-14, Block 2, Lots 1-5, Block 3, Lots 1-19, Block 4, Lots 1-10, Block 5, Lots 1-15, Block 6, Lot 1, Block 7, Lots 1-13, Block 8, and Outlots A, B, & E, Hartland Homes Southwest 5th Addition; Lots 1-12, Block 1, Lots 1-4, Block 2, Lots 1-9, Block 3, Hartland Homes Southwest 6th; Lots 1-3, Block 1, Lots 1-8, Block 2, Lots 1-10, Block 3 and Outlots A & B, Hartland Homes Southwest 7th Addition; and the adjacent right-of-way of S.W. 29th Street, S.W. 30th Street, W. Arlington Street, S.W. Derek Street, W. Jordan Street, W. Kyle Lane, S.W. Lacey Lane, W. Peach Street, W. Rose Street, W. Shane Street, W. Sumner Street and W. Washington Street; all located in the Northeast Quarter of Section 32 Township 10 North Range 6 East of the Sixth Principal Meridian, Lincoln, Lancaster County, Nebraska, more particularly described as follows:

Comencing at the North 1/4 Corner of Section 32 Township 10 North Range 6 East of the Sixth Principal Meridian; Thence S89°43'52"E (an assumed bearing) on the North line of the Northeast Quarter of said Section 32, a distance of 530.30 feet; Thence S00°10'36"E, a distance of 60.00 feet, to the POINT OF BEGINNING;

Thence S89°43'52"E, on the South right-of-way line of West A Street, a distance of 712.96 feet, to a point on the west line of Lot 31 Irregular Tract;

Thence N00°13'01"E, on the west line of Lot 31 Irregular Tract, a distance of 27.00 feet, to the Northwest Corner of said Lot 31 Irregular Tract;

Thence S89°44'25"E, on the north line of Lot 31 Irregular Tract, a distance of 300.31 feet, to the Northeast Corner of said Irregular Tract Lot 31 Irregular Tract;

Thence S00°16'27"W, on the east line of Lot 31 Irregular Tract, a distance of 27.00 feet, to a point on the south right-of-way of West A Street;

Thence S89°43'37"E, on the said right-of-way line of West A Street, a distance of 689.65 feet, to a point on the west line of Lot 32 Irregular Tract;

Thence S00°17'35"W, on the west line of Lot 32 Irregular Tract, a distance of 123.00 feet;

Thence S89°43'48"E, on the south line of Lots 32 and 34 Irregular Tracts, a distance of 384.95 feet, to a point on the west right-of-way of S.W. 27th Street;

Thence S00°17'35"W, on the said west right-of-way, a distance of 1806.53 feet, to a point on the north line of vacated Maple Street;

Thence S89°59'33"W, on the north line of vacated Maple Street, Lot 23, and Lot 18, Irregular Tracts, a distance of 2071.98 feet, to the Southeast corner of Outlot A, Timber Valley, Addition;

Thence N00°10'36"W, on the east line of Timber Valley Addition, a distance of 1939.59 feet to the POINT OF BEGINNING, and containing a calculated area of 3,984,459.70 Square feet or 91.47 acres.

# REGA

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ENGINEERING  
GROUP, INC.

File No. 171038  
March 29, 2017  
April 4, 2017 Revised

Mr. David Cary  
Director of Planning  
Rachel Jones, Planner  
City of Lincoln/ Lancaster County  
555 South 10<sup>th</sup> Street  
Lincoln, NE 68508

RE: HARTLAND HOMES SOUTHWEST 1<sup>ST</sup> ADDITION  
COMMUNITY UNIT PLAN/SPECIAL PERMIT #04054B  
CHANGE OF ZONE FROM 'AGR' TO 'R-3'  
S.W. 27<sup>th</sup> Street & West 'A' Street

Dear David,

On behalf of Hartland Homes, Inc., we are submitting an amendment to the Special Permit of Hartland Homes Southwest 1<sup>st</sup> Addition. This amendment is adding 1.03 acres into the boundary of said community unit plan. We are also requesting a change of zone on that parcel from 'AGR' to 'R-3'. The additional area is currently Lot 31 of Irregular Tracts located along West A Street. Seven additional lots are being added to the development with this amendment. Also, at this time, Block 9 has been revised which reduces the number of lots by 3 lots. The total number of lots shown within the development is 376 lots. The total number of dwelling units shown are 384 dwelling units. This includes single family, duplex and single family attached lots.

Over half of this development is currently improved and final platted. The area being added doesn't require any additional street or utilities to the development since the proposed streets were already shown adjacent to the proposed addition.

The developer will be mailing to the adjacent neighbors, adjacent associations as well as all the property owners within the current development an informational letter and exhibit. This mailing will be sent weeks before the Planning Commission public meeting.

The following are waivers approved through the previous Special Permit #04054A and remain with this application:

1. Block Length of Block 10 and 11.
2. The preliminary plat process.
3. Single family lot width from 50 feet to 41 feet.
4. Single family lot area from 6,000 s.f. to 4,500 s.f.
5. Two-family lot width from 40 feet to 31 feet.
6. Single family attached lot area from 5,000 square feet to 3,650 square feet.

We would greatly appreciate notification of any possible delays in the review and application process. Please contact me if you have any questions or need additional information for review.

Sincerely,



Marcia L. Kinning

Cc: Andy Hartman

Enclosures: Application

Application Fee of \$988.00 for CUP and \$988.00 for COZ

Legal Description

# SUPPORT

**SPECIAL PERMIT NO. 04054A  
Hartland Homes SW 1<sup>st</sup> Addition  
(PUBLIC HEARING/ACTION 4/26/17)**

April 10, 2017

Lincoln/Lancaster County Planning Commission  
c/o Geri Rorabaugh  
555 S 10th Street, Suite 213  
Lincoln, NE 68508

RE: SP04054B

Commissioners,

I could not attend the hearing for SP04054B, but I wanted to write in support of this special permit. As a resident of West A, we welcome continued development in our area, especially the continued build out of the Hartland Homes Southwest neighborhood to full capacity. The proposed single family detached lots are in line with the character of the rest of the neighborhood.

Continued development of this area through this special permit and final plats like Hartland Homes Southwest 8th Addition (FPPL17032) continue to underscore the need for improvement to West A Street west of Coddington Avenue, currently listed in the FY 2016/17 - 2021/22 Capital Improvement Program for construction in 2020/21. As the Commission continues to approve the rapid pace of development along West A Street, we hope the City will maintain its commitment to infrastructure under the current Capital Improvement Program.

Thank you, and please let me know if you have any questions.

Mark Antonson  
1521 SW 30th St  
Lincoln, NE 68522

## Current Project - Agency Review Report

Agency Name	User Name	Review Cycle	Review Status	Comments	Assignment
Airport Authority	jon large	1	In Review	<p>27.58 - This area is within the Airport Environs District. The area is already covered by an avigation easement from an earlier addition.</p> <p>This area is within the 60 and 65 dnl contours and most structures will require acoutical features. See Figure 27.58.050 and Section 27.58.060 for specific information.</p> <p>27.59-This area is in the outer portion of the approach to Runway 18/36. Structures over 75' should have a height permit.</p> <p>Part 77-Unless tall structures are proposed, it does not appear that structures will meet FAA Part 77 criteria for notice.</p> <p>This area is on the extended centerline for Runway 18/36 and will be overflown on a regular basis. See Part 150, Noise Exposure Model, Chapter 2, Figure 2F for flight tracks.</p>	First In Group
Development Review Manager	steve henrichsen	1	Recommend Approval		Individual
LES	les reviews	1	Recommend Approval	<p>4/6/17</p> <p>Easements to be obtained on future plats. SW 8th Addition plat just recently came through.</p> <p>DG</p>	First In Group
Public Works - Watershed Management	ben higgins	1	Recommend Approval	OK	Individual
Public Works & Utilities - Wastewater	brian kramer	1	Recommend Approval	Sanitary sewer is available to connect to.	Individual
Public Works & Utilities - Water	dave beyersdorf	1	Recommend Approval	Water is available.	First In Group
United States Post Office	kerry kowalski	1	Recommend Approval	Recommend approval on the condition all new delivery addresses are established in Centralized Box Units (CBUs) which will be purchased and installed at the developer's expense in a location mutually agreed upon by the developer and the US Postal Service.	First In Group

**LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT**  

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**for APRIL 26, 2017 PLANNING COMMISSION MEETING**

**PROJECT #:** County Change of Zone No.17005

**PROPOSAL:** From AG-Agricultural to AGR Agricultural Residential

**LOCATION:** Southwest 98<sup>th</sup> Street approximately one-half mile south of West Yankee Hill Road

**LAND AREA:** 80 acres, more or less

**EXISTING ZONING:** AG Agricultural

**CONCLUSION:** This is not in conformance with the 2040 Comprehensive Plan. The requested area is not shown as Future Low Density Residential in the Future Land Use Map. This parcel is not near other acreage development and there is a lack of water information. There is sufficient land shown in the Comprehensive Plan for acreage development in Lancaster County and within the area. There is already potential for acreages within Denton's one mile zoning jurisdiction.

Approval of this change of zone to AGR would likely lead to other AGR requests on adjacent or nearby land. This area lacks a Rural Water District and is agricultural in nature. Without careful consideration of the entire area, AGR zoning should not be added.

<b>RECOMMENDATION:</b>	<b>Denial</b>
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**GENERAL INFORMATION:**

**LEGAL DESCRIPTION:** Lot 35 Irregular Tract located in the SE1/4 of Section 28, Township 9 North, Range 5 East, Lancaster County, NE.

**EXISTING LAND USE:** Agricultural

**SURROUNDING LAND USE AND ZONING:**

North:	AG Agricultural	Three single family houses each on parcels of 20 acres or larger.
South:	AG Agricultural	Single family house on 76 acre farm ground.
East:	AG Agricultural	Farm ground. One single family house on 80 acre parcel.

West:           AG Agricultural                           Farm ground on a 30 acre parcel, a 41 acre outlot for open space and west of the outlot an 8 lot AG zoned cluster subdivision.

**ASSOCIATED APPLICATIONS:** Preliminary Plat #17003

**COMPREHENSIVE PLAN SPECIFICATIONS:**

P. 2.7- Acknowledge the fundamental “Right to Farm.” Preserve areas throughout the county for agricultural production by designating areas for rural residential development — thus limiting potential conflicts between farms and acreages.

P. 2.7- Ensure that acreage and rural development preserve and protect environmentally sensitive areas, and maximize the preservation of our nonrenewable resources, such as land and fossil fuels. (P. 2.7)

P. 2.7- Support new commercial, residential, and industrial development within the incorporated towns in the county.

P. 7.12- LPlan 2040 supports the preservation of land in the bulk of the County for agricultural land and natural resource purposes.

P. 7.12- All proposals for acreages should be evaluated based on factors such as paved roads, adequate water quality and quantity, soil conditions for on-site wastewater management, availability of emergency services, agricultural productivity, land parcelization, the pattern of existing acreages, and plans for future urban development.

P. 7.12- Applications for acreage designation on the future land use map or rezoning to AGR, if planned for on-site wells, should be accompanied by information on water quality and quantity.

P. 7.12- Areas not designated for acreages should remain agriculturally zoned and retain the current overall density of 32 dwellings per square mile (1 dwelling unit per 20 acres).

P. 7.12- Grouping acreages together in specific areas will limit the areas of potential conflict between farms and acreages. It also may enable services to be provided more efficiently, by reducing the amount of paved routes, reducing the number and distance of school bus routes, and taking advantage of more effective rural water district service.

P. 7.12- Clustering lots in one portion of a development site, while preserving both farmland and environmental resources on the remainder, should continue to be encouraged in agriculturally-zoned areas. A considerable supply of acreage lots has been platted in recent years in this manner.

P. 12.3 - this site is shown as future agriculture on the 2040 Lincoln Area Future Land Use Plan.

**UTILITIES:** Each lot would need to have a private well and wastewater system.

**TRAFFIC ANALYSIS:** SW 98<sup>th</sup> Street is a paved 2-lane county road. West Yankee Hill road is a county gravel road.

**PUBLIC SERVICE:** The Crete Rural Fire District and Lancaster County Sheriff's serves this area.

**REGIONAL ISSUES:** Increase of acreage lots.

**ANALYSIS:**

1. This request is for a change of zone from AG-Agricultural to AGR-Agricultural Residential on approximately 80 acres.
2. This parcel as well as the land to the south east and west are shown as Future Agricultural in the Lincoln-Lancaster County 2040 Future Land Use Plan. This parcel is approximately 900 feet south of Denton's one-mile extraterritorial jurisdiction (ETJ). Denton's Future Land Use Plan shows the ETJ for acreage development. Denton's RE Residential Estates District requires a minimum lot size of 5 acres.
3. The Comprehensive Plan states that when acreage zoning is requested, whether or not the area is shown for future low density residential, it should be evaluated on factors such as *"paved roads, adequate water quality and quantity, soil conditions for on-site wastewater management, availability of emergency services, agricultural productivity, land parcelization and the pattern of existing acreages. (p. 7.12):*
  - a. *Paved Roads:*  
SW 98<sup>th</sup> Street is a paved road. West Yankee Hill Road is a gravel road.
  - b. *Adequate water quality and quantity:*  
The applicant provided well information from one test well over the 80 acres. The Lancaster County Subdivision Regulations Section 7.01 requires data on the quantity and quality of water from test wells which shall be drilled on the ratio of one to each 10 acres on a grid system. This would require 8 test wells. The Comprehensive Plan states that applications for acreage designation when using on site wells should be accompanied by information on water quality and quantity. The applicant has requested a waiver to the additional test wells.

The Lincoln-Lancaster County Health Department (LLCHD) does not support the waiver. The groundwater information submitted is not sufficient to

determine if there is adequate water quantity and quality for six lots. With AGR zoning there is the potential for over 20 lots on this land in the future.

- c. *Soil conditions for onsite wastewater management:*  
The soils are suitable for either a septic or lagoon treatment system. A minimum lot size of 3 acres provides sufficient land for the wastewater system. LLCHD commented that each lot has adequate area for the installation of onsite wastewater treatment system.
  - d. *Availability of emergency services:*  
The Crete Rural Fire District and the Lancaster County Sheriff's Department provide emergency services for this area.
  - e. *Agricultural productivity:*  
The majority of this parcel is not prime farmland. The applicant's letter states that most of the land has been in Conservation Reserve Program for the last 10 years. There is a small area in the southwest corner and in the northeast corner of the parcel that is designated as prime farmland. The two areas combined are approximately 7 acres.
  - f. *Land parcelization and pattern of existing acreages:*  
The parcels adjacent the subject lot and nearby are all over 20 acres with the lot immediately to the south being 76 acres and the lot to the east being 80 acres. On the east side of SW 98th Street are 4 lots each approximately 10 acres in size. The applicant's letter mistakenly states that the property has acreage developments on three sides. The nearest acreage development is on SW 112<sup>th</sup> Street south of Yankee Hill Road. This development is located approximately one mile to the west.
4. The applicant's letter states that the property has acreage developments on three sides of the property. This is not correct. To the south is a 76 acre parcel, to the north are parcels of 20 acres and 33 acres, to the west are parcels of 30 acres and 41 acres and to the east is a parcel of 157 acres. The only small parcels are located northeast of this property where there are 4 parcels each about 10 acres in size.
  5. An alternative to the change of zone would be a Community Unit Plan (CUP). The CUP would allow 5 lots on the 80 acre parcel. The lots could be as small as 3 acres in size. The density of a CUP is based on one lot per 20 acres with a 25% bonus for preserving open space. This is only one less lot than what is proposed.
  6. Although the applicant is proposing only 6 lots, with AGR zoning this 80 acre parcel could have 20 to 25 lots. Lots 1,2,5 and 6 could be subdivided to add one additional lot to each lot. This would not require a new preliminary plat and could be done by

just submitting a final plat. If the final plat met all subdivision requirements, it would have to be approved. To further subdivide Lots 3 and 4 a new preliminary plat would be required. Per Section 3.08 of the Lancaster County Land Subdivision Regulations if the preliminary plat met all subdivision requirements, the Commission shall approve the preliminary plat.

7. The Lincoln-Lancaster County Comprehensive Plan was updated in December 2016. As part of the update, land that is either zoned or shown for low density residential (AGR) was evaluated to determine if more area was needed for acreage development. County wide there is the potential for another 2,849 dwelling units on land that is shown for low-density residential in the current comprehensive plan. That total includes approved developments and potential dwelling units on land shown in the Comprehensive Plan as low-density residential, but has no approved development. Based on an average of 106 dwelling units constructed per year in Lancaster County, this is a 26.8 year supply.
8. The region near this proposal was also reviewed to see if there was a need for additional acreages. The subarea was generally bounded by SW142nd St. on the east, SW 12<sup>th</sup> St. On the east, W. Saltillo Rd. on the south and W. "A" St. on the north. The reviews shows that there is the potential for another **973 dwelling units** on land that is shown for low density residential in the 2040 Comprehensive Plan. The dwelling unit number is derived from approved developments and potential on land shown as low-density residential but has no approved development. Currently there are **117 vacant lots** that are ready to be built on within the subarea. In addition there are 281 lots that have preliminary approval, but are not in a final plat.
9. The Comprehensive Plan encourages grouping acreages together in specific areas to limit the potential conflict between farms and acreages. It also encourages areas not designated for acreage development to remain agriculture. This proposed AGR zoning, if approved, could lead to further requests in the area. AGR zoning should not be approved without careful consideration of the impact on the area.

Prepared by:

Tom Cajka  
Planner

**DATE:** April 12, 2017

**APPLICANT:** The Clark Enersen Partners  
1010 Lincoln Mall, Suite 200  
Lincoln, NE 68508

**OWNER:** Tall Grass Hills, LLC  
6021 Rosebud Circle  
Lincoln, NE 68516

**CONTACT:** Tim Gergen, [tim.gergen@clarkenersen.com](mailto:tim.gergen@clarkenersen.com)  
The Clark Enersen Partners  
1010 Lincoln Mall, Suite 200  
Lincoln, NE 68508  
402-477-9291

F:\DevReview\CZ\17000\CZ17005 TAllgrass Hills AG to AGR.tjc.wpd



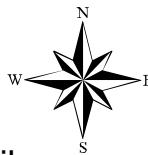
2016 aerial

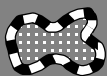


**Change of Zone #: CZ17005 (AG to AGR) &  
Preliminary Plat #: PP17003  
Tallgrass Hills  
SW 98th St & W Yankee Hill Rd**

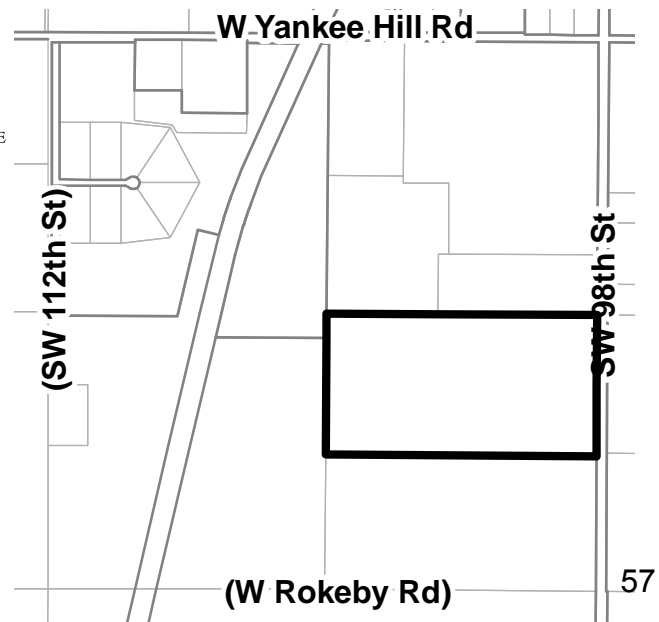
**Zoning:**

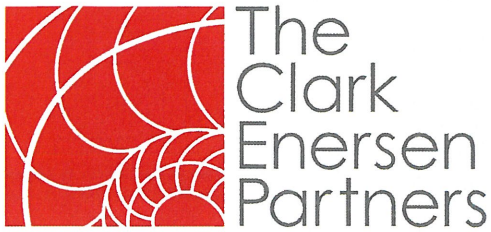
- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- O-1 Office District
- O-2 Suburban Office District
- O-3 Office Park District
- R-T Residential Transition District
- B-1 Local Business District
- B-2 Planned Neighborhood Business District
- B-3 Commercial 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

One Square Mile:  
Sec.28 T09N R05E



	Area of Application
	Zoning Jurisdiction Lines
	Lincoln City Limits





March 15, 2017

Mr. David Cary  
Planning Department, City of Lincoln  
County-City Building  
555 So. 10<sup>th</sup> Street  
Lincoln, NE 68508

RE: Tallgrass Hills  
County Change of Zone and Preliminary Plat

Dear Mr. Cary:

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

1. Application (Change of Zone & Preliminary Plat)
2. Application fee \$2,966.00 (\$988 + \$1,978)
3. Site Plan
4. Grading/Drainage Plan
5. Street Profile

On behalf of the Owner, Tall Grass Hills, LLC, 6021 Rosebud Circle, Lincoln NE 68516, we are requesting a Change of Zone from AG-Agriculture to AGR-Agriculture Residential and a Preliminary Plat to the property approximately located a half mile south of W. Yankee Hill Road on the west side S.W. 98<sup>th</sup> Street. The property is just south of the Village of Denton zoning jurisdiction (approximately 500') and is abutting a paved roadway of S.W. 98<sup>th</sup> Street.

This application is to add 6 single family lots to the county. The proposed lots will be larger than 6 acres and will be served by individual well and individual septic system for each lot. A test well has been drilled on the property showing there is adequate water that is of quality drinking standards. A new private roadway will be created to serve the proposed lots. All driveways will be built onto this new private roadway.

The existing property has a tree-lined vegetated drainage swale thru the middle of the property with the remaining property mostly in Conservation Reserve Program(CRP) for the last decade due to the poor farming suitability. The property has acreage developments on three sides of the property. Due to the existing conditions of the property and the land use of the surrounding properties the change of zone is appropriate.

Architecture + Landscape Architecture + Engineering + Interiors

1010 Lincoln Mall, Suite 200  
Lincoln, NE 68508-2883 402 477.9291 Fax 402 477.6542

[www.clarkenersen.com](http://www.clarkenersen.com)  
Lincoln, NE | Kansas City, MO | Fairway, KS

Sincerely,



Tim Gergen

Architecture + Landscape Architecture + Engineering + Interiors

1010 Lincoln Mall, Suite 200  
Lincoln, NE 68508-2883 402 477.9291 Fax 402 477.6542

[www.clarkenersen.com](http://www.clarkenersen.com)  
Lincoln, NE | Kansas City, MO | Fairway, KS



**LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT**  
 for **APRIL 26, 2017 PLANNING COMMISSION MEETING**

**PROJECT #:** Preliminary Plat #17003 Tallgrass Hills

**PROPOSAL:** A preliminary plat for 6 lots.

**LOCATION:** Southwest 98<sup>th</sup> Street approximately one-half mile south of West Yankee Hill Road

**WAIVER REQUEST:** To Section 7.01(j)(2) of the Lancaster County Land Subdivision Regulations to provide data on the quality and quantity of water from test wells drilled on a ration of one test well per 10 acres.

**LAND AREA:** 80 acres, more or less

**CONCLUSION:** This is not in conformance with the 2040 Comprehensive Plan. The requested area is not shown as Future Low Density Residential in the Future Land Use Map. This parcel is not near other acreage development and there is a lack of water information. There is sufficient land shown for acreage development in Lancaster County.

<b>RECOMMENDATION:</b>	Denial
Waivers	
1. Section 7.01(J)(2) test well information	Denial

**GENERAL INFORMATION:**

**LEGAL DESCRIPTION:** Lot 35 Irregular Tract located in the SE1/4 of Section 28, Township 9 North, Range 5 East, Lancaster County, NE.

**EXISTING ZONING:** AG Agricultural

**EXISTING LAND USE:** Agricultural

**SURROUNDING LAND USE AND ZONING:**

North:	AG Agricultural	Three single family houses each on parcels of 20 acres or larger.
South:	AG Agricultural	Single family house on 76 acre farm ground.
East:	AG Agricultural	Farm ground. One single family house on 80 acre parcel.



**UTILITIES:** Each lot would need to have a private well and wastewater system.

**TRAFFIC ANALYSIS:** SW 98<sup>th</sup> Street is a paved 2-lane county road. West Yankee Hill Road is a county gravel road.

**PUBLIC SERVICE:** The Crete Rural Fire District and Lancaster County Sheriff's serves this area.

**REGIONAL ISSUES:** Increase of acreage lots.

**ANALYSIS:**

1. This application is for 6 single family lots. Four of the lots range in size from 6.25 acres to 8 acres. The other 2 lots are 24.9 acres each. The site is located on SW 98<sup>th</sup> Street approximately one-half mile south of West Yankee Hill Road.
2. Each lot would need to have a private well and wastewater system. The street is proposed to be public and paved.
3. This parcel as well as the land to the south east and west are shown as Future Agricultural in the Lincoln-Lancaster County 2040 Future Land Use Plan. This parcel is approximately 900 feet south of Denton's one-mile extraterritorial jurisdiction (ETJ). Denton's Future Land Use Plan shows the ETJ for acreage development. Denton's RE-Residential Estates District requires a minimum lot size of 5 acres.
4. The Comprehensive Plan states that when acreage zoning is requested, whether or not the area is shown for future low density residential, it should be evaluated on factors such as *"paved roads, adequate water quality and quantity, soil conditions for on-site wastewater management, availability of emergency services, agricultural productivity, land parcelization and the pattern of existing acreages. (p. 7.12):*
  - a. *Paved Roads:*  
SW 98<sup>th</sup> Street is a paved road. West Yankee Hill Road is a gravel road.
  - b. *Adequate water quality and quantity:*  
The applicant provided well information from one test well over the 80 acres. The Lancaster County Subdivision Regulations Section 7.01 requires data on the quantity and quality of water from test wells which shall be drilled on the ratio of one to each 10 acres on a grid system. The applicant has requested a waiver to the additional test wells.

The Lincoln-Lancaster County Health Department (LLCHD) does not support the waiver. The groundwater information submitted is not sufficient to determine if there is adequate water quantity and quality for six lots.

- c. *Soil conditions for onsite wastewater management:*  
The soils are suitable for either a septic or lagoon treatment system. A minimum lot size of 3 acres provides sufficient land for the wastewater system. LLCHD commented that each lot has adequate area for the installation of onsite wastewater treatment system.
  - d. *Availability of emergency services:*  
The Crete Rural Fire District and the Lancaster County Sheriff's Department provide emergency services for this area.
  - e. *Agricultural productivity:*  
The majority of this parcel is not prime farmland. There is a small area in the southwest corner and in the northeast corner of the parcel that is designated as prime farmland. The two areas combined are approximately 7 acres.
  - f. *Land parcelization and pattern of existing acreages:*  
The parcels adjacent the subject lot and nearby are all over 20 acres with the lot immediately to the south being 76 acres and the lot to the east being 80 acres. On the east side of SW 98th Street are 4 lots each approximately 10 acres in size. The applicant's letter mistakenly states that the property has acreage developments on three sides. The nearest acreage development is on SW 112<sup>th</sup> Street south of Yankee Hill Road. This development is located approximately one mile to the west.
5. The applicant's letter states that the property has acreage developments on three sides of the property. This is not correct. To the south is a 76 acre parcel, to the north are parcels of 20 acres and 33 acres, to the west are parcels of 30 acres and 41 acres and to the east is a parcel of 157 acres. The only small parcels are located northeast of this property where there are 4 parcels each about 10 acres in size.
  6. An alternative to the change of zone would be a Community Unit Plan (CUP). The CUP would allow 5 lots on the 80 acre parcel. The lots could be as small as 3 acres in size. The density of a CUP is based on one lot per 20 acres with a 25% bonus for preserving open space. This is only one less lot than what is proposed.
  7. Although the applicant is proposing only 6 lots, with AGR zoning this 80 acre parcel could have 20 to 25 lots. Lots 1,2,5 and 6 could be subdivided to add one additional lot to each lot. This would not require a new preliminary plat and could be done by just submitting a final plat. If the final plat met all subdivision requirements, it would

have to be approved. To further subdivide Lots 3 and 4 a new preliminary plat would be required. Per Section 3.08 of the Lancaster County Land Subdivision Regulations if the preliminary plat met all subdivision requirements, the Commission shall approve the preliminary plat.

8. The applicant is requesting a waiver to providing information on the quantity and quality of water from test wells. The subdivision regulations states "If an individual water well system for each lot is proposed, data on the quantity and quality of the water shall be obtained from test wells which shall be drilled on the ratio of one to each ten (10) acres on a grid system unless each lot area exceeds ten (10) acres, then one (1) test well per lot."

The applicant submitted data on only one well for the entire 80 acre parcel. The Lincoln-Lancaster County Health Department (LLCHD) has determined that information from one well is not sufficient to determine if there is adequate water quality and quantity to serve the proposed development. LLCHD is recommending denial of this application due to insufficient data on water quality and quantity.

Section 9.01 of the Lancaster County Subdivision Regulations states "Whenever the tract to be subdivided is of such unusual size or shape or is surrounded by such development or unusual condition that the strict application of the requirements contained in these regulations would result in real difficulties or substantial hardship or injustice, the Board, after report by the Commission, may vary or modify such requirements so that the subdivider may develop his property in a reasonable manner, but so that, at the same time, the public welfare and interests of the County and surrounding area are protected and the general intent and spirit of these regulations preserved." The applicant has not shown a hardship or injustice.

9. The Lincoln-Lancaster County Comprehensive Plan was updated in December 2016. As part of the update, land that is either zoned or shown for low density residential (AGR) was evaluated to determine if more area was needed for acreage development. County wide there is the potential for another 2,849 dwelling units on land that is shown for low-density residential in the current comprehensive plan. That total includes approved developments and potential dwelling units on land shown in the Comprehensive Plan as low-density residential, but has no approved development. Based on an average of 106 dwelling units constructed per year in Lancaster County, this is a 26.8 year supply.
10. The region near this proposal was also reviewed to see if there was a need for additional acreages. The subarea was generally bounded by SW142nd St. on the east, SW 12<sup>th</sup> St. On the east, W. Saltillo Rd. on the south and W. "A" St. on the north. The reviews shows that there is the potential for another **973 dwelling units** on land that is shown for low density residential in the 2040 Comprehensive Plan.

The dwelling unit number is derived from approved developments and potential on land shown as low-density residential but has no approved development. Currently there are **117 vacant lots** that are ready to be built on within the subarea. In addition there are 281 lots that have preliminary approval, but are not in a final plat.

**If the County Board chooses to recommend conditional approval of the preliminary plat, the following conditions are suggested:**

**CONDITIONS OF APPROVAL:**

Approval of the following waivers:

1. To Section 7.01(j)(2) on well information.

Site Specific:

1. The subdivider shall complete the following instructions and submits the documents and plans and 3 copies to the Planning Department office: (NOTE: These documents and plans are required by ordinance or design standards.)
  - 1.1 Revise the preliminary plat to show:
    - 1.1.1 Change the name of Whitetail Lane. This name already exist.
    - 1.1.2 Delete Notes 9 and 10. They are not necessary.
    - 1.1.3 In Note 1 delete the remainder of the sentence after “individual lots”.
    - 1.1.4 Remove the cul-de-sac from the end of the road. Show the street with a temporary turn around.
    - 1.1.5 Show a conceptual layout for the two 20 acre lots.
    - 1.1.6 Show streets extending to the north and south to lessen the block length.
    - 1.1.7 Make corrections to the satisfaction of the County Engineer. See attached for comments.
    - 1.1.8 Show a 5' easement for Norris PPD on both sides of the lot line between Lots 3 & 4. Also show a 10' easement along both sides of the new road.

2. The County Board of Commissioners approves associated request:

2.1 Change of Zone

Prepared by:

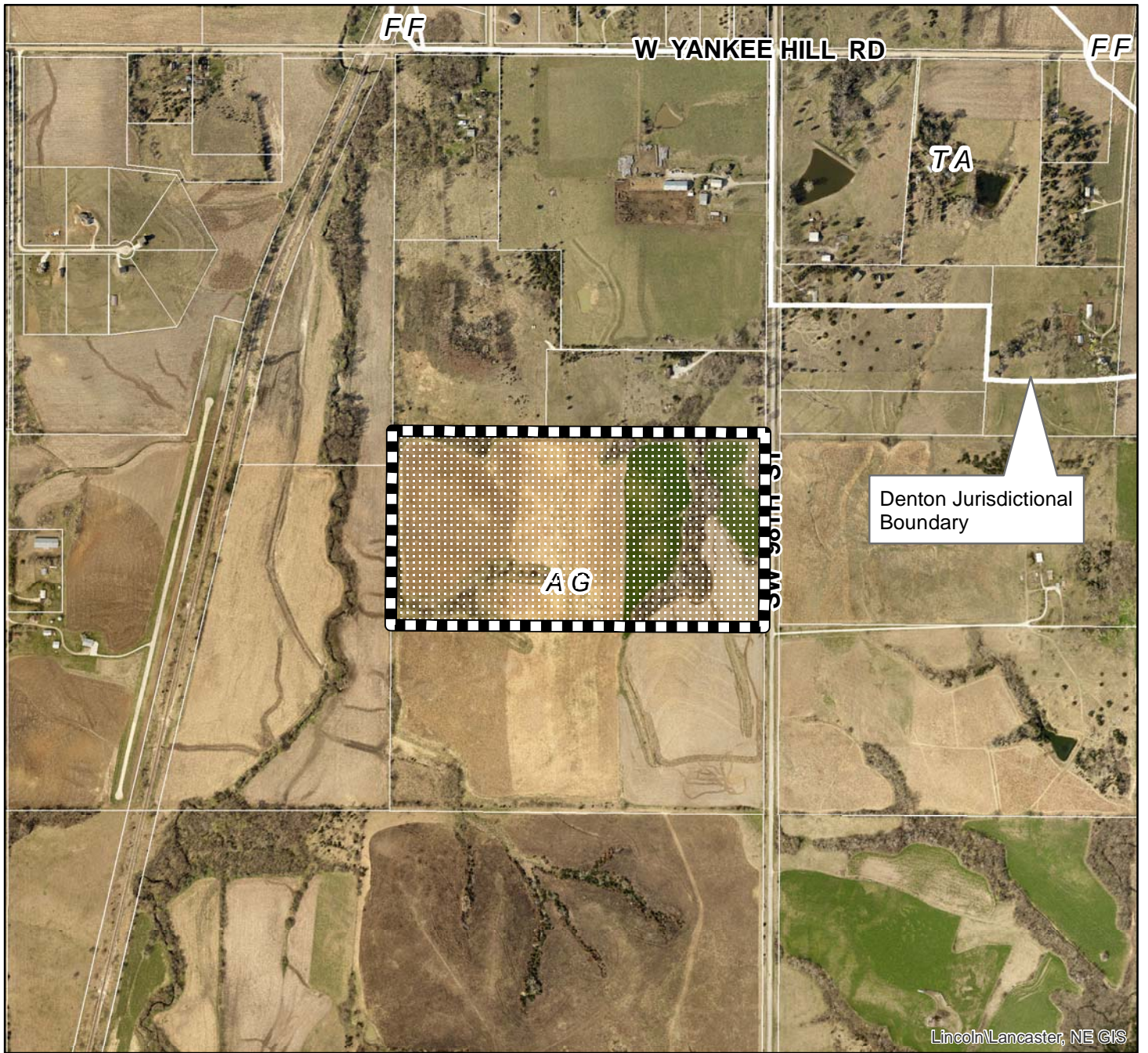
Tom Cajka  
Planner

**DATE:** April 12, 2017

**APPLICANT:** The Clark Enersen Partners  
1010 Lincoln Mall, Suite 200  
Lincoln, NE 68508  
402-477-9291

**OWNER:** Tall Grass Hills, LLC  
6021 Rosebud Circle  
Lincoln, NE 68516

**CONTACT:** Tim Gergen [tim.gergen@clarkenersen.com](mailto:tim.gergen@clarkenersen.com)  
The Clark Enersen Partners  
1010 Lincoln Mall, Suite 200  
Lincoln, NE 68508  
402-477-9291



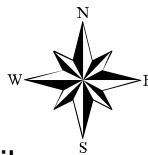
2016 aerial

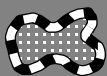


**Change of Zone #: CZ17005 (AG to AGR) &  
Preliminary Plat #: PP17003  
Tallgrass Hills  
SW 98th St & W Yankee Hill Rd**

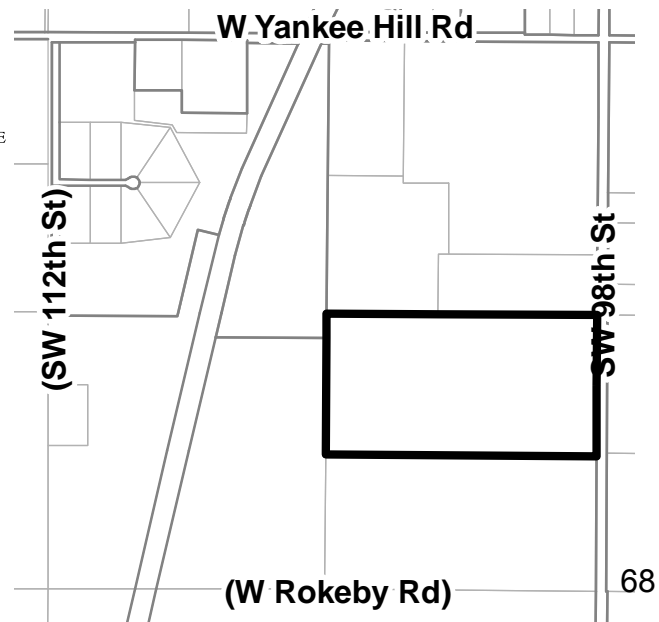
**Zoning:**

- 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
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- H-3 Highway Commercial District
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- I-1 Industrial District
- I-2 Industrial Park District
- I-3 Employment Center District
- P Public Use District

One Square Mile:  
Sec.28 T09N R05E



	Area of Application
	Zoning Jurisdiction Lines
	Lincoln City Limits



# TALLGRASS HILLS

PRELIMINARY PLAT

## OWNERS & DEVELOPERS

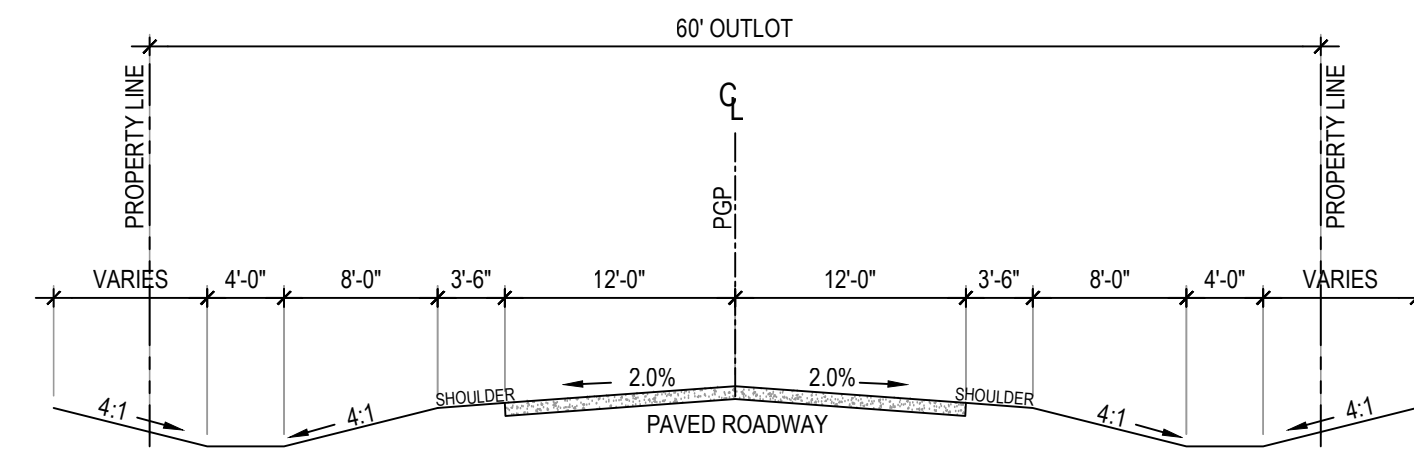
TALL GRASS HILLS, LLC  
 6021 ROSEBUD CIR  
 LINCOLN, NE 68516  
 CONTACT: JAMES B. LUERS  
 PHONE: 402-474-1507

## ENGINEER & PREPARER

THE CLARK ENERSEN PARTNERS  
 1010 LINCOLN MALL, SUITE 200  
 LINCOLN, NE 68508  
 CONTACT: TIM GERGEN  
 PHONE: 402-477-9291

## LEGAL DESCRIPTION

LOT 35 LOCATED IN THE SE 1/4 OF SECTION 28, TOWNSHIP 9 NORTH, RANGE 5 EAST OF THE 6TH PRINCIPAL MERIDIAN, LANCASTER COUNTY, NEBRASKA, CONTAINING A CALCULATED AREA OF 3,484.976 SF OR 80.00 ACRES.



**TYPICAL RURAL STREET CROSS-SECTION**  
 NOT TO SCALE

## ROADWAY CENTERLINE CURVE DATA

(A)	(B)	(C)
R = 200.00'	R = 400.00'	R = 250.00'
L = 167.68'	L = 562.60'	L = 196.86'
Δ = 48° 02' 13"	Δ = 80° 35' 12"	Δ = 45° 07' 02"
TL = 89.12'	TL = 339.15'	TL = 103.85'
CL = 162.81'	CL = 517.36'	CL = 191.81'

## LEGEND

	PROPERTY LINE
	PRELIMINARY PLAT BOUNDARY
	EASEMENT LINE
	ROADWAY CENTERLINE
	TREE MASS

## GENERAL NOTES

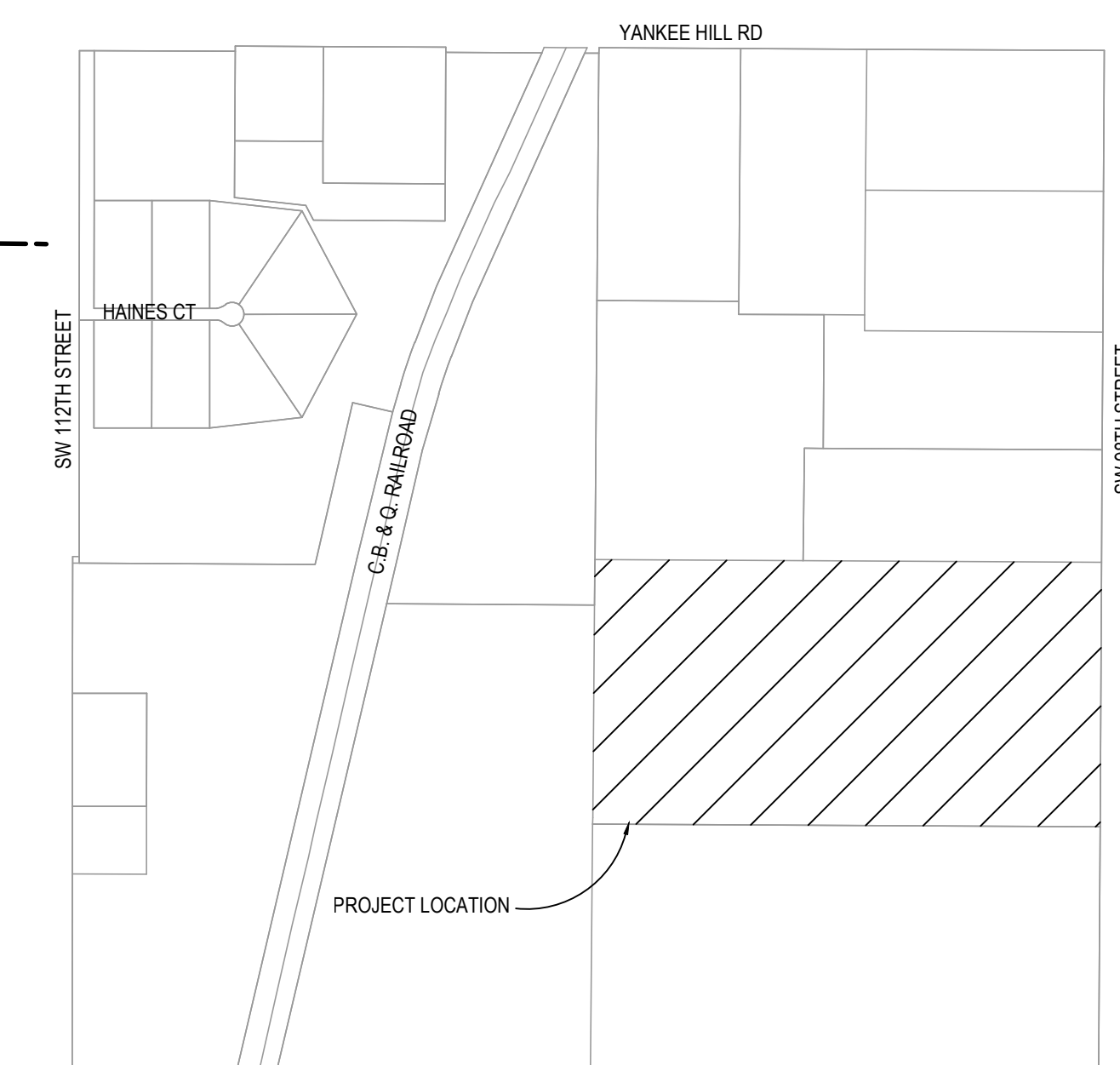
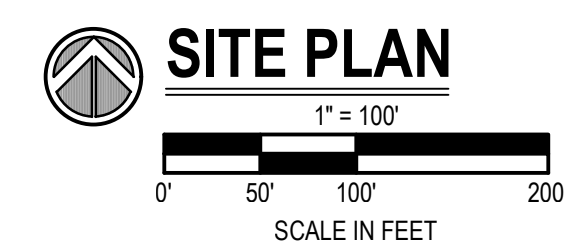
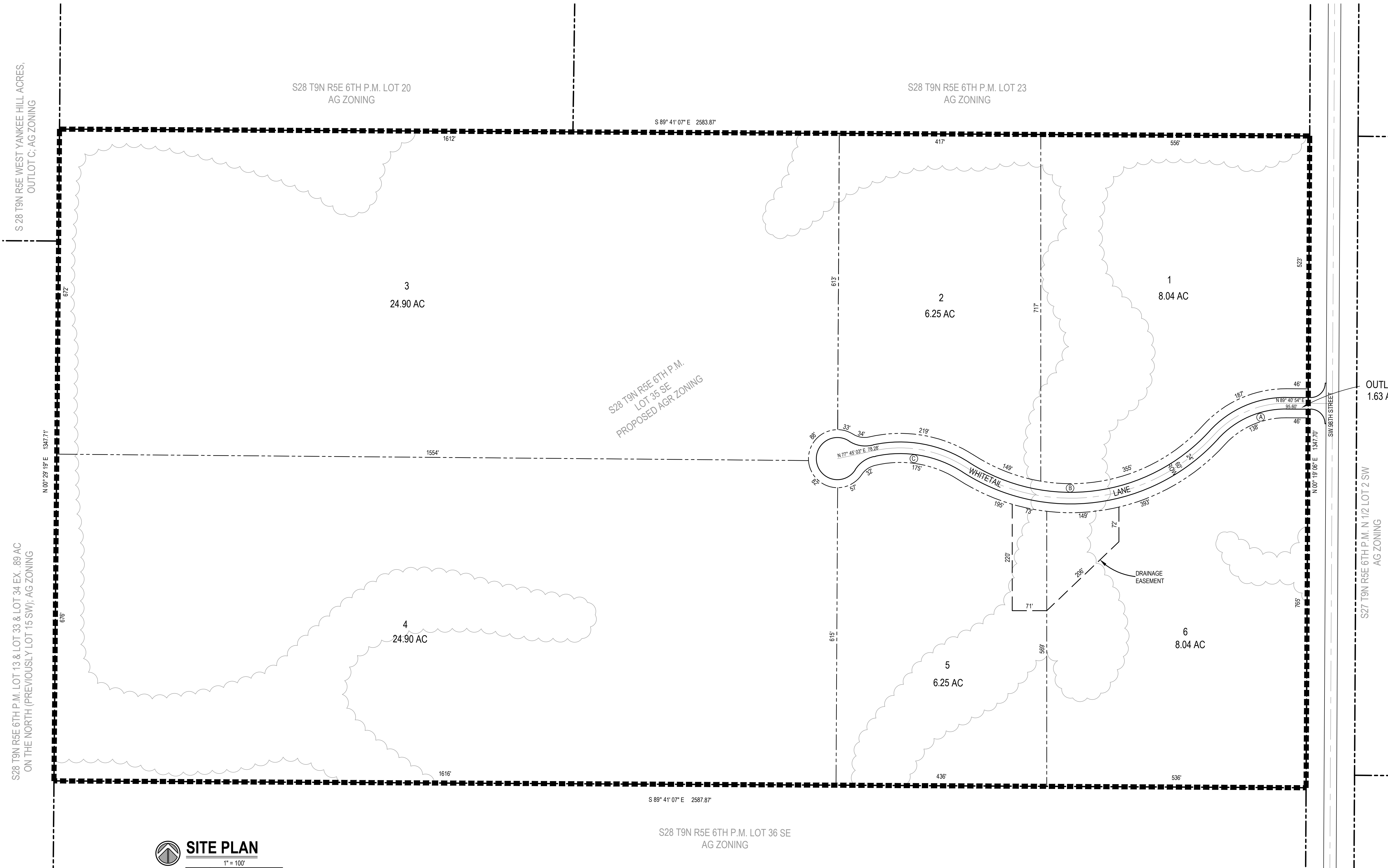
- ALL LOTS TO HAVE THEIR OWN INDIVIDUAL WELL AND SEPTIC SYSTEM TO BE LOCATED ON THE INDIVIDUAL LOTS AND APPROVED TO NEDCO STANDARDS UNTIL SUCH TIME WHEN THOSE LOTS CAN BE CONNECTED TO PUBLIC WATER AND/OR SEWER.
- ALL DIMENSIONS ALONG CURVES ARE CHORD DISTANCES.
- ALL PAVING RADII TO BE 30' UNLESS OTHERWISE NOTED.
- ALL INTERSECTION ANGLES SHALL BE 90° ±10' UNLESS OTHERWISE NOTED.
- THE CURRENT ZONING IS AG. A CHANGE OF ZONE FROM AG TO AGR IS REQUESTED.
- ALL ELEVATIONS ARE BASED ON NAVD 1988.
- LOT DIMENSIONS ARE APPROXIMATE AND MAY VARY AT THE TIME OF FINAL PLAT.
- ALL STREET DIMENSIONS ARE TO EDGE OF PAVEMENT.
- THE YARD SETBACKS REGULATE STRUCTURAL WALLS ONLY AND DOES NOT RESTRICT OVERHANGS, PATIOS, DOOR SWINGS, WINDOW SWINGS, ETC. FROM ENCRDACHING INTO THE SETBACKS.
- INDIVIDUAL LOTS ARE RESPONSIBLE FOR WATER AND SEWER SERVICES.

**ISSUED** 03/16/2017 AS PER C.U.P.

## ENGINEER'S CERTIFICATE

I HEREBY CERTIFY THAT THESE PLANS WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A REGISTERED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF NEBRASKA. THESE PLANS MEET THE REQUIREMENTS OF THE CITY ENGINEER'S OFFICE DESIGN REQUIREMENTS.

3-15-2017  
 DATE  
 TIM GERGEN E-10344



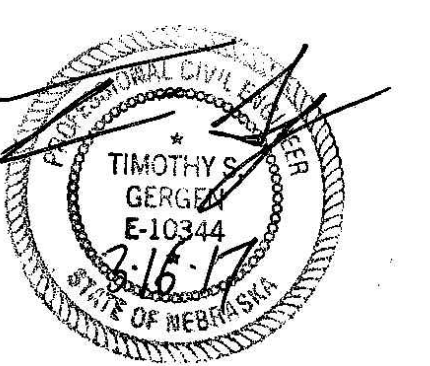
**VICINITY MAP**  
 NOT TO SCALE

## Tallgrass Hills Preliminary Plat

Lincoln, NE

TCEP No.: 103-001-16

March 16, 2017



Cover Sheet

S 28 T9N R5E 6TH P.M. LOT 20  
AG ZONING

S 28 T9N R5E 6TH P.M. LOT 20  
AG ZONING

S 28 T9N R5E 6TH P.M. LOT 20  
AG ZONING

S 89° 41' 07" E 2543.87'

3  
24.90 AC

2  
6.25 AC

1  
8.04 AC

S 28 T9N R5E 6TH P.M.  
LOT 36 SE  
PROPOSED AGR ZONING



S 28 T9N R5E 6TH P.M. LOT 13 & LOT 33 & LOT 34 EX. 49 AC  
ON THE NORTH (PREVIOUSLY LOT 15 S.W.); AG ZONING

4  
24.90 AC

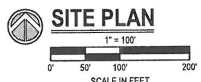
5  
6.25 AC

6  
8.04 AC

S 89° 41' 07" E 2543.87'

S 28 T9N R5E 6TH P.M. LOT 36 SE  
AG ZONING

S 27 T9N R5E 6TH P.M. LOT 2 S.W.  
AG ZONING



## Tom J. Cajka

---

**From:** John J. Chess  
**Sent:** Monday, April 10, 2017 12:53 PM  
**To:** Tom J. Cajka  
**Cc:** Chris M. Schroeder; Doug R. Smith; Scott E. Holmes  
**Subject:** FW: Tallgrass Hills Preliminary Plat Subdivision

Tom:

In accordance with Lancaster County Land Subdivision Regulations, Chapter 7.01 (2) (J) (2), the applicant proposing a preliminary plat must provide data on the quantity and quality of the water from test wells drilled on each proposed lot. The report is required to include:

- chemical quality of the water,
- quantity of water produced by each the well in gallons per minute,
- depth to water,
- pumping well performance records,
- the nature of water-bearing materials,
- the logs of test holes, and
- an inventory of wells on contiguous land.

The regulations require a map or maps which show precise locations of data sites. In addition, this report is required to provide estimates of the demand for water by the proposed subdivision and an evaluation of the adequacy of the quantity and quality of water of the proposed community well or individual wells.

Per the County resolution, in this particular proposed subdivision, data from a total of six test wells (one per each lot) is required since six lots are proposed. A single community well could also serve this subdivision.

The applicant provided data on water quality and quantity from a single well. Information from the single well log indicates adequate water quality and quantity to serve a single family home. In addition, data was not provided on water quantity or quality for contiguous land, nor was an estimate provided on the demand for water by the proposed subdivision. This is not adequate data on water for the proposed subdivision and does not meet the requirements of Lancaster County Land Subdivision Regulations Section 7. The Lincoln-Lancaster County Health Department recommends denial of this proposed subdivision due to lack of data on water quantity and quality.

## LANCASTER COUNTY ENGINEER

Upon review, this office would offer the following comments for “TALLGRASS HILLS” Preliminary Plat PP17003 (V1) submittal dated 3-16-2017 in the SE ¼ of Section 28, T9N, R5E located along SW 98th Street ½ mile south of W. Yankee Hill Road.

1. Need a metes and bounds boundary legal description submitted.
2. Need to show boundary survey corners found and/or set with monument material description listed for same.
3. Need to show adjacent road right-of-way width.
4. Need to submit centerline profile along SW 98th Street to verify compliance that minimum sight distance requirements have been met at location of proposed Whitetail Lane intersection.
5. Need to show the existing field drive located near the NE corner of this development and note on the drawing that the existing field drive to be removed.
6. Revise the “Typical Rural Street Cross-Section” detail shown to comply with Lancaster County design standard cross-section detail.
7. On the drawing, label adjacent lots 13 and 34 and add a typical note to all adjacent lots shown that reads, “Not Part of This Plat”.
8. Need Surveyor’s Certificate to certify boundary survey for this preliminary plat.
9. Add a General Note that reads, “Direct vehicular access along SW 98th Street is hereby relinquished except for Whitetail Lane”.
10. Add a General Note that reads, “The interior lots are limited to no more than two accesses each to public or private roadway”.
11. Add a General Note that reads, “All culverts shall have a flared-end section on the inlet end. Grading shall be constructed to allow for proper drainage through culverts”.
12. General notes 8, 9 and 10 appear to not pertain to this type of development improvements and suggest they be removed.
13. Add a General Note that reads, “Permanent easements shall be shown on final plats for culverts that extend pass the right-of-way”.
14. Add a General Note that reads, “Grading shall extend around all cul-de-sacs. The developer shall notify all purchasers that ditches may not be filled in”.
15. Revise General Note #3 to read, “Interior intersection surfacing radii to be 30’. Surfacing radii at SW 98th Street shall be 50’.”
16. On the drawing, label the intersection radius at SW 98th Street and Whitetail Lane as 50’.
17. On the drawing, list road right-of-way width and cul-de-sac diameter dimensioning along Whitetail Lane.
18. On the drawing, shade or cross-hatch and note the area of tree removal within Whitetail Lane road right-of-way.
19. Add a General Note that reads, “Developer shall install street signs as required by Lancaster County standards”.
20. Add a General Note that reads, “The developer shall construct and surface all streets to meet Lancaster County Engineers design standards for 7” thick asphaltic pavement (NDOR Type ‘SPL’ Mix)”.
21. Add a General Note that reads, “The developer is required to provide all testing related to improvement installation in compliance with Lancaster County design standards and Lancaster

County Engineering Department shall be notified prior to improvement installation for inspection and shall receive reports of all testing results”.

22. Add a General Note that reads, “The developer shall install survey control monument boxes per City of Lincoln standards and have survey pins set at all street centerline control points after acceptance and approval of the pavement”.

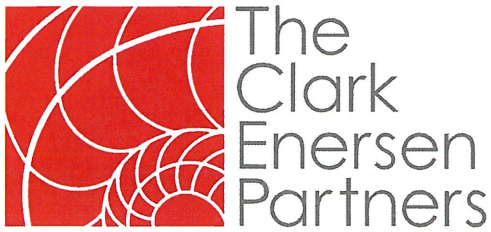
23. It should be noted that the 8.00% proposed centerline grade shown on the profile of Whitetail Lane exceeds Lancaster County design standard maximum allowable grade.

24. It should be noted that the culvert shown across Whitetail Lane along the west side of SW 98th Street does not meet Lancaster County’s minimum culvert diameter of 24”.

25. On the grading and drainage plan sheet, show proposed ditch contouring around cul-de-sac to comply with Lancaster County’s 24” minimum ditch depth design standard to contain the runoff from and around the cul-de-sac.

26. Please check flow calculations and coefficients for sizing of the twin-36”RCP. With our calculation checks, we are coming up with somewhat larger pipe size to meet our design criteria of HW10 elevation not greater than the pipe diameter plus one foot.

March 27, 2017 (kds)



March 15, 2017

Mr. David Cary  
Planning Department, City of Lincoln  
County-City Building  
555 So. 10<sup>th</sup> Street  
Lincoln, NE 68508

RE: Tallgrass Hills  
County Change of Zone and Preliminary Plat

Dear Mr. Cary:

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

1. Application (Change of Zone & Preliminary Plat)
2. Application fee \$2,966.00 (\$988 + \$1,978)
3. Site Plan
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On behalf of the Owner, Tall Grass Hills, LLC, 6021 Rosebud Circle, Lincoln NE 68516, we are requesting a Change of Zone from AG-Agriculture to AGR-Agriculture Residential and a Preliminary Plat to the property approximately located a half mile south of W. Yankee Hill Road on the west side S.W. 98<sup>th</sup> Street. The property is just south of the Village of Denton zoning jurisdiction (approximately 500') and is abutting a paved roadway of S.W. 98<sup>th</sup> Street.

This application is to add 6 single family lots to the county. The proposed lots will be larger than 6 acres and will be served by individual well and individual septic system for each lot. A test well has been drilled on the property showing there is adequate water that is of quality drinking standards. A new private roadway will be created to serve the proposed lots. All driveways will be built onto this new private roadway.

The existing property has a tree-lined vegetated drainage swale thru the middle of the property with the remaining property mostly in Conservation Reserve Program(CRP) for the last decade due to the poor farming suitability. The property has acreage developments on three sides of the property. Due to the existing conditions of the property and the land use of the surrounding properties the change of zone is appropriate.

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Sincerely,



Tim Gergen

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