

Lincoln City - Lancaster County

PLANNING COMMISSION AGENDA

PLANNING COMMISSION

Tracy Corr: Chair

Tom Beckius: Vice-Chair

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Cristy Joy

Cindy Ryman Yost

Dennis Scheer

PLANNING STAFF

David R. Cary: Director

Geri Rorabaugh: Administrative Officer

Rhonda Haas: Office Specialist

February 19, 2020

NOTICE: The Lincoln/Lancaster County Planning Commission will hold a public hearing on Wednesday, February 19, 2020, at 1:00 p.m. in Hearing Room 112 on the first floor of the County-City Building, 555 S. 10th St., Lincoln, Nebraska. For more information, call the Planning Department, (402) 441-7491.

****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, February 19, 2020

Approval of minutes of the regular meeting held February 5, 2020.

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

ANNEXATION AND RELATED CHANGE OF ZONE:

1.1a ANNEXATION 19011, to annex approximately 10.55 acres, on property generally located at NW 56th and West Holdrege Streets.
Page **Staff recommendation: Conditional Approval**
01 **Staff Planner: Rachel Jones, 402-441-7603, rjones@lincoln.ne.gov**

1.1b CHANGE OF ZONE 07063D, from AG (Agriculture District) to R-3 (Residential District) PUD (Planned Unit Development), on property generally located at NW 56th and West Holdrege Streets.
Page **Staff recommendation: Conditional Approval**
01 **Staff Planner: Rachel Jones, 402-441-7603, rjones@lincoln.ne.gov**

SPECIAL PERMIT:

1.2 SPECIAL PERMIT 15019B, to allow for the sale of alcohol for consumption on and off the premises, on property generally located at 321 Victory Lane. *****FINAL ACTION*****
Page **Staff recommendation: Conditional Approval**
15 **Staff Planner: Brian Will, 402-441-6362, bwill@lincoln.ne.gov**

STREET & ALLEY VACATION:

- 1.3 STREET & ALLEY VACATION 20001, to vacate a portion of an alley between Lots 1-12, Block 1 of College View, generally located at S. 52nd & Calvert Streets.

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Staff recommendation: Conditional Approval
Staff Planner: Dessie Redmond, 402-441-6373, dredmond@lincoln.ne.gov

2. REQUESTS FOR DEFERRAL:

3. ITEMS REMOVED FROM CONSENT AGENDA:

4. PUBLIC HEARING AND ADMINISTRATIVE ACTION:

ANNEXATION AND RELATED ITEMS:

- 4.1a ANNEXATION 20002, to annex approximately 11.15 acres, on property generally located at 9500 Adams Street.

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33

Staff recommendation: Approval
Staff Planner: Rachel Jones, 402-441-7603, rjones@lincoln.ne.gov

- 4.1b CHANGE OF ZONE 20003, from AG (Agriculture District) to R-3 (Residential District), on property generally located at 9500 Adams Street.

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33

Staff recommendation: Approval
Staff Planner: Rachel Jones, 402-441-7603, rjones@lincoln.ne.gov

- 4.1c SPECIAL PERMIT 20002, to allow for the development of a CUP (Community Unit Plan) with up to 77 multi-family dwellings, with requested waivers, on property generally located at 9500 Adams Street. *****FINAL ACTION*****

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43

Staff recommendation: Conditional Approval
Staff Planner: Rachel Jones, 402-441-7603, rjones@lincoln.ne.gov

- 4.2a ANNEXATION 20003, to annex approximately 71.83 acres, and adjacent rights-of-way, on property generally located at NW 48th and West Holdrege Streets.

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57

Staff recommendation: Conditional Approval
Staff Planner: Rachel Jones, 402-441-7603, rjones@lincoln.ne.gov

- 4.2b CHANGE OF ZONE 07063E, from AG (Agricultural District) and H-3 PUD (Planned Unit Development) to R-3 PUD, with updates to site layout, on property generally located at NW 48th and West Holdrege Streets.

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57

Staff recommendation: Conditional Approval
Staff Planner: Rachel Jones, 402-441-7603, rjones@lincoln.ne.gov

PRELIMINARY PLAT:

- 4.3 PRELIMINARY PLAT 20001, to allow for the development of 36 additional single-family lots and 1 additional outlot on 12.08 acres, with associated waivers, on property generally located at North 103rd Street and Shore Front Drive.
Page *****FINAL ACTION*****
 79 **Staff recommendation: Conditional Approval**
Staff Planner: George Wesselhoft, 402-441-6366, gwesselhoft@lincoln.ne.gov

SPECIAL PERMIT:

- 4.4 SPECIAL PERMIT 20003, to allow for a CUP (Community Unit Plan) for up to 192 dwelling units, with waivers to setbacks, lot area and, lot width, on property generally located at the SE Corner of Old Cheney Road and South 93rd Street.
Page *****FINAL ACTION*****
 95 **Staff recommendation: Conditional Approval**
Staff Planner: Brian Will, 402-441-6362, bwill@lincoln.ne.gov

PRE-EXISTING SPECIAL PERMIT:

- 4.5 PRE-EXISTING SPECIAL PERMIT 23I, to expand the area of the special permit to add parking, on generally located at 5034 Madison and 5043 Huntington Avenues. *****FINAL ACTION*****
Page **Staff recommendation: Conditional Approval**
 107 **Staff Planner: Tom Cajka, 402-441-5662, tcajka@lincoln.ne.gov**

5. CONTINUED PUBLIC HEARING AND ADMINISTRATIVE ACTION:

SPECIAL PERMIT:

- 5.1 SPECIAL PERMIT 15062A, to allow for the expansion of the sale of alcohol for consumption on and off the premises, on property, generally located at 925 Robbers Cave Road. *****FINAL ACTION***** (Applicant request to place on pending)
Staff recommendation: Conditional Approval
Staff Planner: Brian Will, 402-441-6362, bwill@lincoln.ne.gov

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

* * * * *

Adjournment

PENDING LIST: None.

Planning Department Staff Contacts:

| | | |
|---|--------------------|--|
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| Ed Zimmer, <i>Historic Preservation Planner</i> . | 402-441-6360.. | ezimmer@lincoln.ne.gov |

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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 COMMISSION STAFF REPORT

FROM THE LINCOLN/LANCASTER COUNTY PLANNING DEPARTMENT, 555 S. 10TH STREET, SUITE 213, LINCOLN, NE 68508

| | | |
|--|--|--|
| APPLICATION NUMBER Annexation #19011 and Change of Zone #07063D | FINAL ACTION? No | DEVELOPER/OWNER Ringneck Development, LLC |
| PLANNING COMMISSION HEARING DATE February 19, 2020 | RELATED APPLICATIONS Annexation #20003 and Change of Zone #07063E | PROPERTY LOCATION NW 56 th and W. Holdrege Streets |

**RECOMMENDATIONS: CONDITIONAL APPROVAL - ANNEXATION
CONDITIONAL APPROVAL - CHANGE OF ZONE**

BRIEF SUMMARY OF REQUEST

This is a combined staff report for an annexation and change of zone for the I-80 West Lincoln Business Center Planned Unit Development (PUD).

The proposed annexation and change of zone includes one irregular tract lot approximately 10.55 acres in size. The parcel is identified in the PUD for single family residential lots similar to those platted to the east. A change of zone is requested from AG Agriculture District to R-3 Residential District PUD. Site and grading plan details have already been approved for this area under a previous PUD amendment.

Related items Annexation #20003 and Change of Zone #07063E were submitted separately and cover proposed changes south of W. Holdrege Street within the same PUD.

JUSTIFICATION FOR RECOMMENDATION

This property is contiguous to the City limits on the north and east. It is located in the Tier I, Priority A Growth Area. The proposed zoning is appropriate based on the Future Land Use Map in the Comprehensive Plan and matches the land use identified on the approved PUD.

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The requested annexation and change of zone are consistent with the 2040 Comprehensive Plan, which identifies future urban density residential land uses and classifies this site within Growth Tier I, Priority A. Priority A includes areas that are not yet annexed but which have approved preliminary plans such as PUDs. Priority A serves as the "future urban area" for purposes of annexation per state statute.



APPLICATION CONTACT

Brandon Biba, (402) 458-5914 or bbiba@olsson.com

STAFF CONTACT

Rachel Jones, (402) 441-7603 or rjones@lincoln.ne.gov

KEY QUOTES FROM THE 2040 COMPREHENSIVE PLAN

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

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.

Pg. 1.10 - This site is shown in Tier I, Priority A on the Growth Tier Map.

The ANNEXATION POLICY- page 12.14-12.15 of the 2040 Comprehensive Plan.

Annexation policy is a potentially powerful means for achieving many of the goals embodied in the Plan's Vision. Annexation is a necessary and vitally important part of the future growth and health of Lincoln. The annexation policies of the City of Lincoln include but are not limited to the following:

The provision of municipal services must coincide with the jurisdictional boundaries of the City - in short, it is not the intent of the City of Lincoln to extend utility services (most notably, but not necessarily limited to, water and sanitary sewer services) beyond the corporate limits of the City.

The extension of water and sanitary sewer services should be predicated upon annexation of the area by the City. City annexation must occur before any property is provided with water, sanitary sewer, or other potential City services.

The areas within Tier I Priority A that are not annexed serve as the future urban area for purposes of annexation per state statute and are appropriate for immediate annexation upon final plat. These areas have approved preliminary plans.

Annexation generally implies the opportunity to access all City services within a reasonable period of time. Voluntary annexation agreements may limit or otherwise outline the phasing, timing or installation of utility services (e.g., water, sanitary sewer), and may include specific or general plans for the private financing of improvements to the infrastructure supporting or contributing to the land uses in the annexed area. The annexation of large projects may be done in phases as development proceeds.

The character of existing residential areas should be respected as much as possible during the annexation process. When low density "acreage" areas are proposed for annexation due to the City's annexation policy, additional steps should be taken to ease the transition as much as possible, such as public meetings, advance notice and written explanation of changes as a result of annexation. In general, many aspects of acreage life may remain unchanged, such as zoning or covenants. However, any annexation of existing residential areas will include some costs which must be the responsibility of property owners.

Annexation to facilitate the installation of improvements and/or possible assessment districts is appropriate if it is consistent with the annexation policies of the Plan listed above.

Plans for the provision of services within the areas considered for annexation shall be carefully coordinated with the Capital Improvements Program of the City and the County.

ANALYSIS

1. The I-80 West Lincoln Business Center PUD is generally located between NW 48th and NW 56th Streets on either side of W. Holdrege Street. This request is to annex 10.55 acres north of W. Holdrege and east of NW 56th Street, and a change of zone from AG to R-3 PUD over the same area.
2. The annexation area is contiguous to the City limits on the north and east. The approved PUD shows single family residential uses on this parcel. The proposed change of zone is in conformance with the future land use map in the Comprehensive Plan which designates this area for urban density residential uses.
3. A PUD site plan was not included with the submittal because no changes to the PUD are proposed from what was approved with the most recent amendment, Administrative Amendment #19019 to Change of Zone #07063C. The change of zone is strictly a revision to the zoning boundary. Details of grading, street profiles, and lot layout have already been approved for the application area.
4. The following describes the availability of utilities and services in this area:
 - a. Water and sewer are available in the adjacent local streets abutting the application area.
 - b. A conditional zoning and annexation agreement was approved in 2011. An amendment to the agreement will accompany these items at City Council. The updated agreement will address the paving and timing of improving W. Holdrege and NW 56th Streets, traffic signals, and cost sharing between the developers. W. Holdrege Street is currently a gravel road. NW 56th Street is also a gravel road with a paved taper that extends from the north edge of the PUD down to the entrance on W. Lonesome Dove Drive. Prior to these applications being scheduled at City Council, the developer is required to sign the revised agreement.
 - c. A future trail is planned on the north side of W. Holdrege Street and the west side of NW 56th Street.
 - d. Emergency Services: This area in the Southwest Rural Fire District. After annexation, fire protection will be provided by Lincoln Fire and Rescue (LFR). There is no necessary reimbursement in order for the city fire department to serve this area after annexation. The nearest Lincoln Fire and Rescue Station is located at NW 36th and W. Luke Streets.
5. Growth Tier I reflects the "Future Service Limit" where urban services and inclusion in the City limits is anticipated within the 30-year planning period. Tier I includes three Priority Areas for phasing development. Priority A is comprised of undeveloped land within the City limits, as well as areas that are not yet annexed but which have approved preliminary plans such as preliminary plats, use permits, community unit plans, or planned unit developments. Priority A serves as the "future urban area" for purposes of annexation per state statute, and these areas are appropriate for immediate annexation upon final plat approval.

CONDITIONS OF APPROVAL: See attached.

EXISTING LAND USE & ZONING: Vacant; AG

SURROUNDING LAND USE & ZONING

North: Single family residential; R-3

South: Agriculture; AG

East: Single family residential and vacant; R-3 PUD

West: Agriculture; AG

APPROXIMATE LAND AREA: 10.55 acres (both Change of Zone and Annexation)

PROPOSED CITY COUNCIL DISTRICT ASSIGNMENT: District #4

LEGAL DESCRIPTIONS: See attached.

Prepared by

Rachel Jones, Planner

Date: February 13, 2019

Applicant: Mike Preston
11904 Arbor Street, Suite 200
Omaha, NE 68144
(402) 330-2274 or mpreston@mffi.com

Contact: Brandon Biba
Olsson
601 P Street, Suite 200
Lincoln, NE 68508
(402) 458-5914 or bbiba@olsson.com

Owner: Ringneck Development, LLC
11904 Arbor Street, Suite 200
Omaha, NE 68144

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APPLICATION HISTORY

- Jan. 2005 Airport West Subarea Study adopted by City Council. This PUD is within the plan boundaries.
- Feb. 2008 Change of Zone #07063 was recommended for approval by Planning Commission.
- Annexation #07005 was recommended for approval by Planning Commission pending completion of an Annexation Agreement.
- Comprehensive Plan Amendment #07003 was recommended for approval by Planning Commission. The 2010 Comprehensive Plan update made the amendment irrelevant and the application was never heard by the City Council.
- Nov. 2011 Change of Zone #07063 and Annexation #07005 were approved by City Council for approximately 448 dwelling units, 1.5 million square feet of commercial, office, and industrial floor area, and up to 200 hotel/motel rooms. Also included was approval of the I-80 West Lincoln Business Center Conditional Annexation and Zoning Agreement.
- Feb. 2017 Change of Zone #07063A and Annexation #16014 were approved by City Council for approximately 41 dwelling units in the northern portion of the PUD.
- Feb. 2018 Annexation #17023 and Change of Zone #07063B were approved by City Council for approximately 20 acres north and south of W. Holdrege Street.
- Jun. 2018 Annexation #18002 and Change of Zone #07063C was approved by City Council for approximately 33 acres corresponding to a portion of the residential area north of W. Holdrege Street.
- Nov. 2018 Administrative Amendment #18063 to Change of Zone #07063C was approved by the Planning Director to update the lot layout and show details for the multifamily area adjacent to NW 48th Street.
- Sept. 2019 Administrative Amendment #19019 to Change of Zone #07063C was approved by the Planning Director to finalize the details for the commercial and residential areas northeast of NW 48th & W. Holdrege Streets, and update the airport height permit information.

CONDITIONS OF APPROVAL - ANNEXATION #19011

Before the City Council approves the annexation:

The applicant signs an amendment to the Conditional Annexation and Zoning Agreement.

CONDITIONS OF APPROVAL - CHANGE OF ZONE #07063D

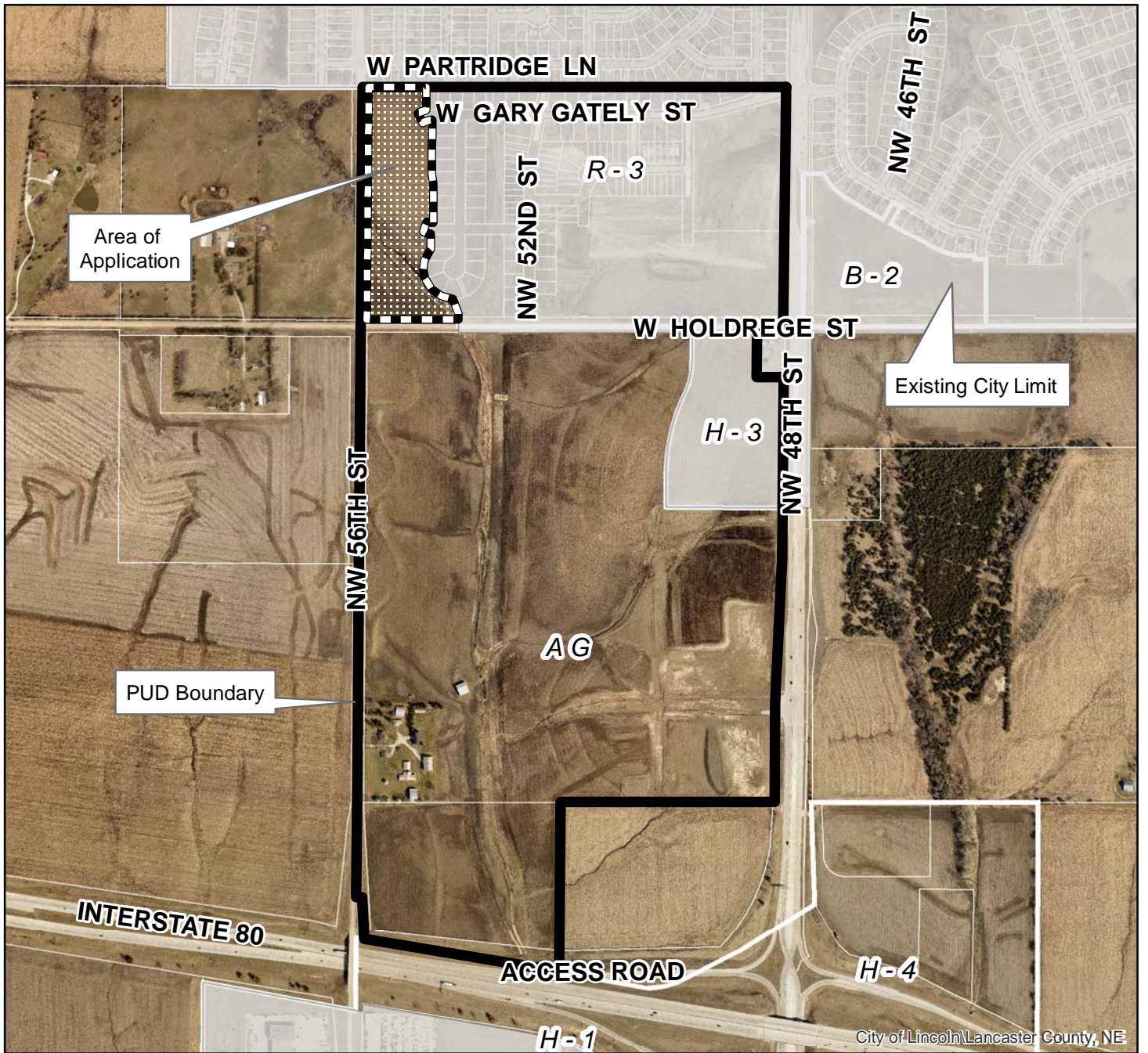
This approval permits a Change of Zone from AG to R-3 PUD over approximately 10.55 acres.

Site Specific Conditions:

1. The Developer signs an amendment to the Conditional Annexation and Zoning Agreement before the City Council approves the change of zone.
2. The City Council approves associated request:
 - 2.1 Annexation No. 19011
3. Before receiving building permits, the developer shall provide the following documents to the Planning Department:
 - 3.1 Verification from the Register of Deeds that the letter of acceptance as required by the approval of the planned unit development has been recorded.
 - 3.2 Verification that an avigation and noise easement to the Lincoln Airport Authority on all or that part of the land located within the Airport Environs Noise District has been received by the Lincoln Airport Authority.
4. Before issuance of building permits, final plat(s) shall be approved by the City.

Standard Conditions:

5. The following conditions are applicable to all requests:
 - 5.1 Before occupying the dwelling units/buildings all development and construction shall substantially comply with the approved plans.
 - 5.2 All privately-owned improvements shall be permanently maintained by the owner or an appropriately established homeowners association approved by the City Attorney.
 - 5.3 The physical location of all setbacks and yards, buildings, parking and circulation elements, and similar matters must be in substantial compliance with the location of said items as shown on the approved site plan.
 - 5.4 The terms, conditions, and requirements of the ordinance shall run with the land and be binding upon the developer, its successors and assigns.
 - 5.5 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, filing fees therefore to be paid in advance by the applicant. Building permits will not be issued unless the letter of acceptance has been filed.
 - 5.6 The site plan as approved with this ordinance voids and supersedes all previously approved site plans, however all ordinances approving previous permits remain in full force and effect unless specifically amended by this ordinance.

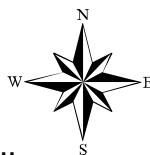


**Change of Zone #: CZ07063D (AG - R-3) and
Annexation #: AN19011
I-80 West Lincoln Business Center
NW 56th St & W Holdrege St**

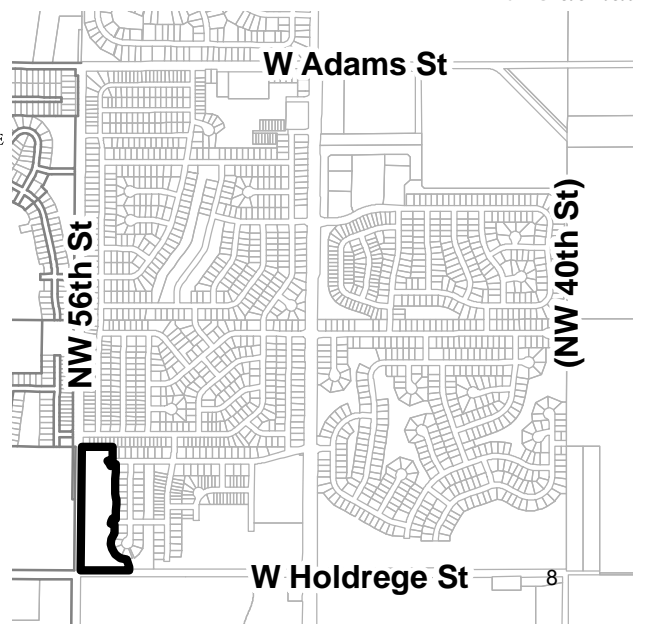
Zoning:

- 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.18 T10N R06E

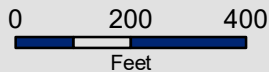


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|--|-------------------------------|
| | Area of Application |
| | Zoning Jurisdiction Lines |
| | Lancaster County Jurisdiction |





City of Lincoln/Lancaster County, NE



Lincoln Transportation & Utilities I-80 WEST LINCOLN BUSINESS CENTER

AN19011
Jan 02, 2020



LEGAL DESCRIPTION
CHANGE OF ZONE AND ANNEXATION

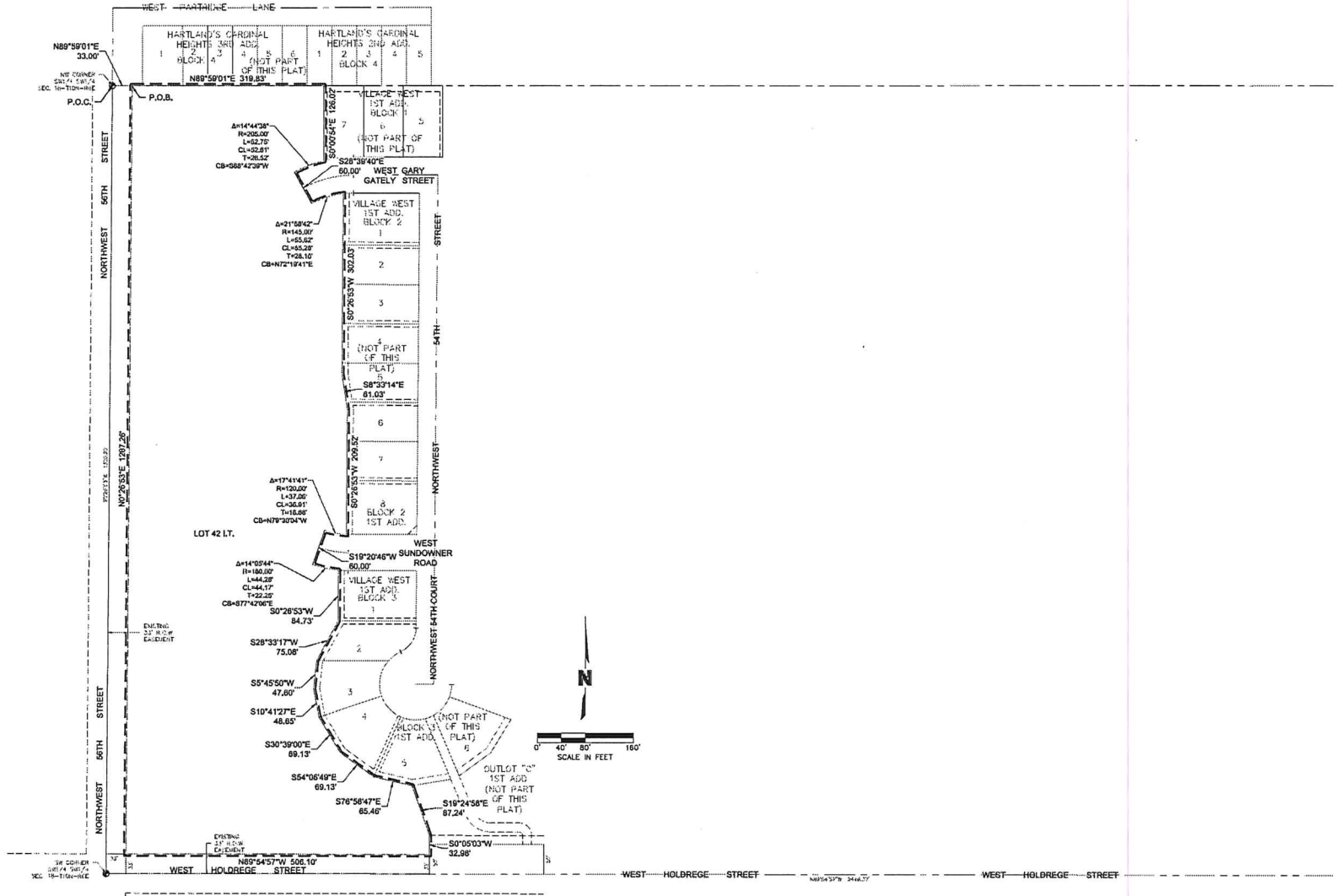
A TRACT OF LAND COMPOSED A PORTION OF LOT 42 I.T., LOCATED IN THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 10 NORTH, RANGE 6 EAST OF THE 6TH P.M., LANCASTER COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 10 NORTH, RANGE 6 EAST OF THE 6TH P.M., SAID POINT BEING THE NORTHWEST CORNER OF LOT 42 I.T.; THENCE EASTERLY ON THE NORTH LINE OF SAID SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER ON AN ASSUMED BEARING ON N89°59'01"E, A DISTANCE OF 33.00', TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING N89°59'01"E ON SAID LINE, SAID LINE ALSO BEING THE SOUTH LINE OF HARTLAND'S CARDINAL HEIGHTS 3RD ADDITION, AND HARTLAND'S CARDINAL HEIGHTS 2ND ADDITION A DISTANCE OF 319.83' TO THE NORTHWEST CORNER OF LOT 7, BLOCK 1, VILLAGE WEST 1ST ADDITION; THENCE S00°00'54"E, ON THE WEST LINE OF SAID LOT 7, A DISTANCE OF 126.02' TO THE SOUTHWEST CORNER OF SAID LOT 7, SAID POINT BEING ON A NORTH RIGHT-OF-WAY LINE OF WEST GARY GATELY STREET, SAID POINT BEING A POINT OF CURVATURE FOR A NON-TANGENT CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 14°44'38", A RADIUS OF 205.00', AN ARC LENGTH OF 52.75' ON A NORTH LINE OF SAID RIGHT-OF-WAY, A CHORD LENGTH OF 52.61', A TANGENT LENGTH OF 26.52', AND A CHORD BEARING OF S68°42'39"W TO A NORTHWEST CORNER OF SAID RIGHT-OF-WAY; THENCE S28°39'40"E, ON A WEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 60.00' TO A SOUTHWEST CORNER OF SAID RIGHT-OF-WAY, SAID POINT BEING A POINT OF CURVATURE FOR A NON-TANGENT CURVE IN A CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 21°58'42", A RADIUS OF 145.00', AN ARC LENGTH OF 55.62' ON A SOUTH LINE OF SAID RIGHT-OF-WAY, A CHORD LENGTH OF 55.28', A TANGENT LENGTH OF 28.16', AND A CHORD BEARING OF N72°19'41"E TO THE NORTHWEST CORNER OF LOT 1, BLOCK 2, VILLAGE WEST 1ST ADDITION; THENCE S00°26'53"W, ON A WEST LINE OF SAID BLOCK 2, VILLAGE WEST 1ST ADDITION, A DISTANCE OF 302.03' TO A WEST CORNER OF LOT 5, BLOCK 2 VILLAGE WEST 1ST ADDITION; THENCE S08°33'14"E, ON A WEST LINE OF SAID BLOCK 2, VILLAGE WEST 1ST ADDITION, A DISTANCE OF 61.03' TO A WEST CORNER OF LOT 6, BLOCK 2, VILLAGE WEST 1ST ADDITION; THENCE S00°26'53"W, ON A WEST LINE OF SAID BLOCK 2, VILLAGE WEST 1ST ADDITION, A DISTANCE OF 209.52' TO THE SOUTHWEST CORNER OF LOT 8, BLOCK 2, VILLAGE WEST 1ST ADDITION, SAID POINT BEING ON THE NORTH RIGHT-OF-WAY LINE OF WEST SUNDOWNER ROAD, SAID POINT BEING A POINT OF CURVATURE FOR A NON-TANGENT CURVE IN A CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 17°41'41", A RADIUS OF 120.00', AN ARC LENGTH OF 37.06' ON A NORTH LINE OF SAID RIGHT-OF-WAY, A CHORD LENGTH OF 36.91', A TANGENT LENGTH OF 18.68', AND A CHORD BEARING OF N79°30'04"W TO A NORTHWEST CORNER OF SAID RIGHT-OF-WAY; THENCE S19°20'46"W, ON A WEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 60.00' TO A SOUTHWEST CORNER OF SAID RIGHT OF

WAY, SAID POINT ALSO BEING A POINT OF CURVATURE FOR A NON-TANGENT CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 14°05'44", A RADIUS OF 180.00', AN ARC LENGTH OF 44.28' ON A SOUTH LINE OF SAID RIGHT-OF-WAY, A CHORD LENGTH OF 44.17', A TANGENT LENGTH OF 22.25', AND A CHORD BEARING OF S77°42'06"E TO A NORTHWEST CORNER OF LOT 1, BLOCK 3, VILLAGE WEST 1ST ADDITION; THENCE S00°26'53"W, ON A WEST LINE OF SAID LOT 1, A DISTANCE OF 84.73' TO A SOUTHWEST CORNER OF SAID LOT 1, SAID POINT BEING THE NORTHWEST CORNER OF LOT 2, BLOCK 3, VILLAGE WEST 1ST ADDITION; THENCE S28°33'17"W, ON A WEST LINE OF SAID LOT 2, A DISTANCE OF 75.08' TO THE SOUTHWEST CORNER OF SAID LOT 2, SAID POINT BEING THE NORTHWEST CORNER OF LOT 3, BLOCK 3, VILLAGE WEST 1ST ADDITION; THENCE S05°45'50"W, ON A WEST LINE OF SAID LOT 3, A DISTANCE OF 47.60' TO A WEST CORNER OF SAID LOT 3; THENCE S10°41'27"E, ON A WEST LINE OF SAID LOT 3, A DISTANCE OF 48.65' TO THE SOUTHWEST CORNER OF SAID LOT 3, SAID POINT BEING THE NORTHWEST CORNER OF LOT 4, BLOCK 3, VILLAGE WEST 1ST ADDITION; THENCE S30°39'00"E, ON A WEST LINE OF SAID LOT 4, A DISTANCE OF 69.13' TO A WEST CORNER OF SAID LOT 4; THENCE S54°06'49"E, ON A SOUTH LINE OF SAID LOT 4, A DISTANCE OF 69.13' TO THE SOUTHWEST CORNER OF SAID LOT 4, SAID POINT BEING A SOUTHWEST CORNER OF LOT 5, BLOCK 3, VILLAGE WEST 1ST ADDITION; THENCE S76°56'47"E, ON A SOUTH LINE OF SAID LOT 5, A DISTANCE OF 65.46' TO A SOUTH CORNER OF SAID LOT 5, SAID POINT BEING A NORTHWEST CORNER OF OUTLOT "C", VILLAGE WEST 1ST ADDITION; THENCE S19°24'58"E, ON A WEST LINE OF SAID OUTLOT "C", A DISTANCE OF 87.24' TO A WEST CORNER OF SAID OUTLOT "C"; THENCE S00°05'03"W, ON A WEST LINE OF SAID OUTLOT "C", AND IT EXTENSION, SAID LINE BEING AN EAST LINE OF SAID LOT 42 I.T., A DISTANCE OF 32.98' TO A POINT 33.00' NORTH OF THE SOUTH LINE OF SAID SOUTHWEST QUARTER; THENCE N89°54'57"W, ON A LINE OF 33.00' NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 506.10' TO A POINT 33.00' EAST OF THE WEST LINE OF SAID SOUTHWEST QUARTER; THENCE N00°26'53"E, ON A LINE 33.00' EAST OF THE WEST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 1,287.26', TO THE POINT OF BEGINNING, SAID TRACT CONTAINS A CALCULATED AREA OF 459,699.37 SQUARE FEET OR 10.55 ACRES, MORE OR LESS.

FEBRUARY 10, 2020
F:\2019\3501-4000\019-3507\40-DESIGN\SURVEY\SRVY\FINAL PLAT\DOCUMENTS\CHANGE OF ZONE AND ANNEX..DOCX

DWG: F:\2019\3501-4000\019-3507\01-Design\Survey\SVY\Find Plat\Wzmpa\019-3507_COZ_WWP.dwg USER: dcozmar
 DATE: Dec 30, 2019 3:05pm



olsson
 801 F Street, Suite 200
 P.O. Box 84608
 Lincoln, NE 68508
 TEL 402-471-6311 www.olson.com

| REV. NO. | DATE | REVISION DESCRIPTION |
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CHANGE OF ZONE AND ANNEXATION EXHIBIT
 VILLAGE WEST 4TH ADDITION
 LINCOLN, NEBRASKA

Drawn by: _____
 checked by: _____
 designed by: _____
 DWG by: _____
 project no.: 019-3507
 drawing no.: 12-30-19
 date: _____

SHEET
 1 of 1



December 17, 2019

Mr. David Cary
Planning Department, City of Lincoln
555 S. 10th Street, Ste 213
Lincoln, Nebraska 68508

Re: I-80 West Lincoln Business Center H-3 Planned Unit Development
Applications for Annexation and Change of Zone

Dear Mr. Cary:

On behalf of the Owner, Ringneck Development, LLC ("Ringneck"), we are requesting an application for Annexation and Change of Zone. Ringneck Development, LLC is a party to the Conditional Annexation and Zoning Agreement ("Agreement") approved by the City on November 9, 2011 that master planned the infrastructure to provide the future annexation of the property.

Ringneck is requesting to annex and change of zone an area totaling 10.55 acres and is legally described as shown on Exhibits "A" enclosed herein. Exhibit "A" describes the area seeking to annex and change zone from AG to R-3 Planned Unit Development ("R-3 Property").

Ringneck's request for annexation and change of zone for the Properties to entitle and zone the property to prepare it for the next stage of development. The PUD plans show conceptual uses and street layouts for the unannexed areas of the Property.

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

1. Application for Change of Zone and Annexation
2. Application Fees (\$988)
3. Exhibit and Legal Descriptions

If you require further information or have any questions, please do not hesitate to contact me at bbiba@olsson.com or (402) 458-5914.

Sincerely,

Brandon D. Biba, PE

enclosures

cc: Mike Preston
File

F:\2019\3501-4000\019-3507\20-Management\Communication\2019-12-17_GNCV_Cary.doc

LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT

FROM THE LINCOLN/LANCASTER COUNTY PLANNING DEPARTMENT, 555 S. 10TH STREET, SUITE 213, LINCOLN, NE 68508

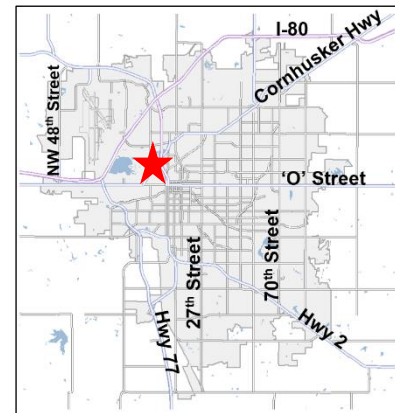
| | | |
|---|------------------------------|---|
| APPLICATION NUMBER Special Permit #15019B | FINAL ACTION? Yes | DEVELOPER/OWNER Red Strike, Inc. |
| PLANNING COMMISSION HEARING DATE February 19, 2020 | RELATED APPLICATIONS None | PROPERTY ADDRESS/LOCATION 321 Victory Lane |

RECOMMENDATION: CONDITIONAL APPROVAL

BRIEF SUMMARY OF REQUEST

This is a request for a special permit to allow for an expansion of both the sale of alcohol for consumption of alcohol on and off the premises. The applicant, Sun Valley Lanes bowling alley, is proposing to add a 1.16 acre lot to the south to allow for an expansion of the facility. The added lot will allow for indoor mini golf in an existing 5,300 square foot building, three outdoor sand volleyball courts, and additional parking.

The sale of alcohol has existed at this location in the 29,000 square foot bowling alley prior to the adoption of the alcohol regulations in 1994. However, the subsequent expansions in 2015 and 2019 were both subject to the special permit requirements for the sale of alcohol, as is this proposed addition.



JUSTIFICATION FOR RECOMMENDATION

Provided the existing lease agreement with a neighboring property is amended to help satisfy the off-street parking requirement, this request otherwise complies with all applicable criteria for special permits for the sale of alcohol for consumption both on and off the premises.

APPLICATION CONTACT

Nate Burnett
(402)-484-7342
nate@regaeng.com

STAFF CONTACT

Brian Will
(402) 441-6362
bwill@lincoln.ne.gov

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

This allows a well-established use in an industrially-zoned center to expand in an effort to provide better services to its customers. It is located in an area which is properly zoned for the proposed use. The siting criteria of the special permit seek to locate such uses in areas like this, and away from neighborhoods and residential areas. Siting in this area is consistent with the goals of the Comprehensive Plan.

KEY QUOTES FROM THE 2040 COMPREHENSIVE PLAN

Pg 1.9 - The Future Land Use Map of the Comprehensive Plan designates commercial land uses for this site.

Pg. 5.14 - Strategies for Commercial Infill

-Discourage auto-oriented strip commercial development and seek opportunities for residential mixed use -- redevelopment and/ or transit oriented development of existing commercial strips.
-Develop infill commercial areas to be compatible with the character of the area.

-Maintain and encourage businesses that conveniently serve nearby residents, while ensuring compatibility with adjacent neighborhoods.
-Avoid encroachment into existing neighborhoods during expansion of existing commercial and industrial uses, and take steps to ensure expansions are in scale with the adjacent neighborhood, are properly screened, fulfill a demonstrated need and are beneficial to health and safety.
-Ensure the priority in older areas is on retaining areas for residential development. Prior to approving the removal of housing in order to provide for additional parking to support existing centers, alternatives such as reduced parking requirements, shared parking, additional on-street parking, or the removal of commercial structures should be explored.

ANALYSIS

The subject property is located off of Sun Valley Blvd at 321 Victory Lane, approximately three blocks north of West O Street. The subject lots, and all those surrounding it, are zoned either I-1 Industrial or H-3 Highway Commercial. Surrounding land uses are all commercial or light industrial in nature.

This request seeks special permits for both on and off-sale alcohol to include the area of the proposed expansion. The criteria for both permits are addressed individually below.

1. SPECIAL PERMIT REQUIREMENTS PER LINCOLN MUNICIPAL CODE (LMC) 27.63.680: The sale of alcoholic beverages for consumption on the premises may be allowed in the B-1, B-3, H-1, H-2, H-3, H-4, I-1, I-2, and I-3 zoning districts and on the premises of a restaurant in the O-3 district upon the approval of a special permit subject to the requirements of the respective districts, all applicable ordinances, and the following conditions:

(a) Parking shall be in conformance with Chapter 27.67 Parking.

Parking must be provided at the rate specified in the Zoning Ordinance. The required parking for on-sale alcohol is higher than that of bowling alley/indoor recreation. Parking must be provided at the rate of one space per 100 square feet of floor area for any enclosed areas where alcohol will sold and/or consumed.

The parking calculations shown on the site plan are correct with one exception. The area for mini golf will need to be calculated at the higher rate of 1:100 for alcohol sales and not the rate for indoor recreation. The mini-golf area is in the area to be licensed for alcohol so it must comply with 1:100. This will require an additional 12 parking spaces being added to the overall total.

A lease with a neighboring property for additional parking was required with the 2019 expansion, as the total number of required number of spaces could not be accommodated on site. As before, if additional parking required by this amendment cannot be fully accommodated onsite, the lease for additional parking with the neighboring property owner will need to be amended.

Evidence of the executed lease is included as a condition of approval, and will be required prior to issuance of building permits.

(b) The sale of alcoholic beverages for consumption off the premises shall not be permitted without issuance of a permit under LMC Section 27.63.685 of this code.

This is a request for both the sale of alcohol for consumption on and off the premise. The criteria for off-sale alcohol are addressed later in this report.

(c) The designated area specified in a license issued under the Nebraska Liquor Control Act of any building approved for such activity must be located no closer than (i) 100 feet from the property line of a premises used in whole or in part for a first-floor residential use, day care facility, park, church, or state mental health institution, or (ii) 100 feet from a residential district (except where such use is accessory to a golf course or country club).

None of these criteria are within 100' of the licensed premises. The nearest of the criteria is R-2 Residential zoning located approximately 950' feet away to the west.

(d) Any lighting on the property shall be designed and erected in accordance with all applicable lighting regulations and requirements.

Most facilities are already existing, but any new construction will require building permits and all lighting is reviewed at the time of building permits for compliance with the lighting Design Standards.

(e) Vehicle stacking for a drive-through window used as any part of the permitted business operation shall not be located in any required building setback from a residential district.

A drive-through window is not a part of this application.

(f) The use shall not have any amplified outside sound or noise source, including bells, buzzers, pagers, microphones, or speakers within 150 feet of any residential district. This shall not apply to sound sources audible only to the individual to whom they are directed, such as personal pagers, beepers, or telephones.

No such devices are shown as part of this application.

(g) No access door to the business, including loading or unloading doors, shall face any residential district if such doors are within 150 feet of the residential district. This shall not apply to emergency exit doors required by building or safety codes. No door facing a residential district shall be kept open during the operation of the establishment.

There is no residential zoning district within 150' of the business.

(h) Vehicular ingress and egress to and from the property shall be designed to avoid, to the fullest extent possible, disruption of any residential district. Particular attention shall be given to avoiding designs that encourage use of residential streets for access to the site instead of major streets.

This property is accessed by Victory Lane and West P Street, both of which serve multiple commercial and industrial uses and neither is not considered a residential street at this location.

(i) All other regulatory requirements for liquor sales shall apply, including licensing by the state.

(j) The City Council may consider any of the following as cause to revoke the special permit approved under these regulations:

(1) Revocation or cancellation of the liquor license for the specially permitted premises; or

(2) Repeated violations related to the operation of the permittee's business.

(3) Repeated or continuing failure to take reasonable steps to prevent unreasonable disturbances and anti-social behavior on the premises related to the operation of the permittee's business including, but not limited to, violence on site, drunkenness, vandalism, solicitation, or litter.

2. SPECIAL PERMIT REQUIREMENTS PER LINCOLN MUNICIPAL CODE (LMC) 27.63.685: Alcoholic beverages may be sold for consumption off the premises in the B-1, B-3, H-1, H-2, H-3, H-4, I-1, and I-3 zoning districts upon the approval of a special permit. A special permit for such use may be granted subject to the requirements of the respective districts, all applicable ordinances, and the following conditions:

(a) Parking shall be in accordance with Section 27.67.020 of the Lincoln Municipal Code.

The parking requirement for off-sale is as per the zoning district rather than 1:100 for on-sale, and so the parking calculation using this standard is much lower than what is required for on-sale. As a result, meeting the requirement for on-sale will exceed the off-sale requirement.

(b) The sale of alcoholic beverages for consumption on the premises shall not be permitted without issuance of a permit under LMC Section 27.63.680 of this code.

This request is for both on and off-sale alcohol, as noted and addressed previously in this report.

(c) The licensed premises of any building approved for such activity must be located no closer than (i) 100 feet from the property line of a premises used in whole or in part for a first-floor residential use, day care facility, park, church, or state mental health institution, or (ii) 100 feet from a residential district.

The proposed licensed premises is located in an industrial park zoned I-1 and developed with a variety of commercial uses which ranges from office to light industrial. The nearest of any of the location criteria to the licensed premises is the residential zoning over Capitol Beach neighborhood, in excess of 950' away to the west.

(d) Any lighting on the property shall be designed and erected in accordance with all applicable lighting regulations and requirements.

Most facilities are already existing, but any new construction will require building permits and all lighting is reviewed at the time of building permits for compliance with the lighting Design Standards.

(e) Vehicle stacking for a drive-through window used as any part of the permitted business operation shall not be located in any required building setback from a residential district.

A drive-through window is not being proposed on the site plan.

(f) The use shall not have any amplified outside sound or noise source, including bells, buzzers, pagers, microphones, or speakers within 150 feet of any residential district. This shall not apply to sound sources audible only to the individual to whom they are directed, such as personal pagers, beepers, or telephones.

No such devices are proposed as part of this application.

(g) No access door to the business, including loading or unloading doors, shall face any residential district if such doors are within 150 feet of the residential district. This shall not apply to emergency exit doors required by building or safety codes. No door facing a residential district shall be kept open during the operation of the establishment.

There is no residential zoning district within 150' of the facility.

(h) Vehicular ingress and egress to and from the property shall be designed to avoid, to the fullest extent possible, disruption of any residential district. Particular attention shall be given to avoiding designs that encourage use of residential streets for access to the site instead of major streets.

This property is accessed by Victory Lane and West P Street, both of which serve multiple commercial and industrial uses and neither is not considered a residential street.

(i) All other regulatory requirements for liquor sales shall apply, including licensing by the state.

(j) The City Council may consider any of the following as cause to revoke the special permit approved under these regulations:

- (1) Revocation or cancellation of the liquor license for the specially permitted premises; or**
- (2) Repeated violations related to the operation of the permittee's business.**
- (3) Repeated or continuing failure to take reasonable steps to prevent unreasonable disturbances and anti-social behavior on the premises related to the operation of the permittee's business including, but not limited to, violence on site, drunkenness, vandalism, solicitation, or litter.**

3. The lease for the additional off-site parking will need to be amended to account for the additional spaces and the additional property being added. Also, due to the shared parking arrangement among separate lots, a Transfer of Ownership Restriction Agreement (TORA) needs to be executed and filed with the Register of Deeds. Subject to the recommended conditions of approval, this request for the sale of alcohol for consumption on and off the premises complies with all applicable requirements of the Zoning Ordinance, and is consistent with the Comprehensive Plan. It is compatible with surrounding uses and is an appropriate use of land at this location.

CONDITIONS OF APPROVAL: See attached.

EXISTING LAND USE & ZONING: Commercial

I-1

SURROUNDING LAND USE & ZONING

North: Industrial I-1
South: Commercial H-3, I-1
East: Vacant, Commercial I-1
West: Parking, Commercial I-1

LEGAL DESCRIPTION: Lots 1 and 2, Block 1, Westgate Park for Business & Industry 2nd Addition, and Lot 1, Westgate Park for Business & Industry 6th Addition, located in the SE 1/4 of Section 22-1-6, Lincoln, Lancaster County, Nebraska, generally located at 321 Victory Lane

Prepared by

Brian Will
bwill@lincoln.ne.gov or at
402-441-6362
February 6, 2020

Applicant/
Contact: Nate Burnett
REGA Engineering
601 Old Cheney Road
Lincoln, NE 68512
402-484-7342

Owner: Red Strike, Inc.
321 Victory Lane
Lincoln, NE 68521
402-475-3469

CONDITIONS OF APPROVAL - SPECIAL PERMIT #15019B

This approval permits the sale of alcohol for consumption on and off the premises per LMC Section 27.63.680 and 27.63.685.

Conditions:

Site Specific

1. The applicant shall cause to be prepared and submitted to the Planning Department a revised final plot plan including 2 copies with all required revisions and documents as listed below.
 - 1.1 Modify the parking summary table to show the indoor mini golf area calculated at the rate of one space per 100 square feet of floor area.
2. Prior to building permits and occupying the area of expansion:
 - 2.1 Provide the City with a copy of the executed lease agreement for the required minimum number of parking spaces.
 - 2.2 Provide evidence that a Transfer of Ownership Restriction Agreement (TORA) has been approved by the City and recorded with the Register of Deeds.

General

3. The following conditions are applicable to all requests:
 - 2.1 Before the sale of alcohol for consumption on the premises, all development and construction is to substantially comply with the approved plans.
 - 2.2 The physical location of setbacks, yards, buildings, parking and circulation elements, and similar matters must be in substantial compliance with the location of said items as shown on the approved site plan.
 - 2.3 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
 - 2.4 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, filling fees therefore to be paid in advance by the applicant. The sale of alcohol is not authorized unless the letter of acceptance has been filed.



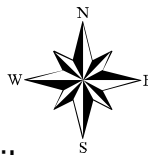
2018 aerial




Special Permit #: SP15019B
Sun Valley Lanes
Sun Valley La & Victory La

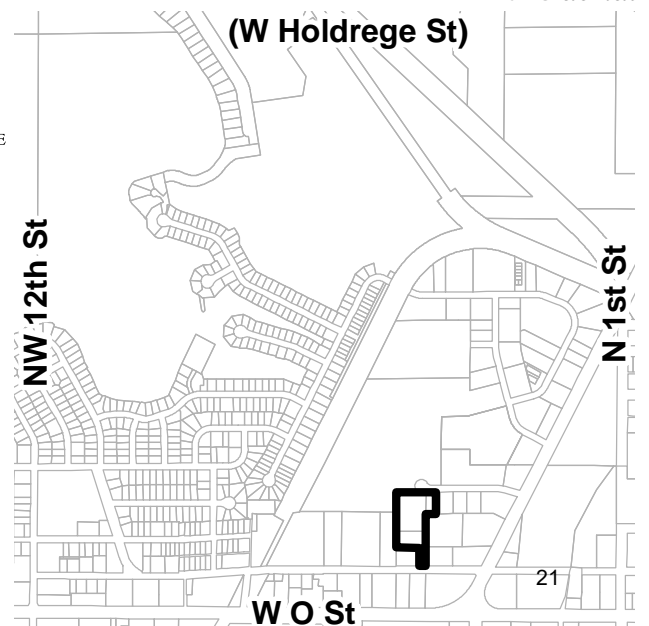
Zoning:

- 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.22 T10N R06E



| | |
|---|-------------------------------|
|  | Area of Application |
|  | Zoning Jurisdiction Lines |
|  | Lancaster County Jurisdiction |



January 22, 2020

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

RE: SUN VALLEY LANES
SPECIAL PERMIT #15091B APPLICATION

Dear David,

On behalf of Sun Valley Lanes of Lincoln, we are submitting an amendment to the Special Permit for the properties at 321 Victory Lane and 320 West P Street. This amendment includes adding 320 West P Street in to the special permit. The proposed work consists of a remodel within the existing 320 West P Street building envelope as well as showing minor building additions (62 sf and 216 sf), proposed patio/pedestrian area (1,800 sf) and proposed sand volleyball courts (12,050 sf). The previously approved 1,000 sf Mezzanine area is removed with this amendment.

General Note #5 on the Site Plan (Sheet 1 of 2) has been included to show that the sale of alcohol is permitted on or off premises provided it meets the requirements of 27.63.680 and 27.63.685.

The existing uses for 321 Victory Lane structure are bowling, arcade and lounge, all currently licensed for the sale of alcohol. The proposed outdoor patio area(s) are intended to offer the sale of alcohol. The proposed remodel and additions to the 320 West P Street structure will have multiple uses; currently planned for outdoor sand volleyball, indoor mini-golf and lounge.

Parking Calculations are shown on the Site Plan (Sheet 1 of 2). A previous written agreement between the property owner and adjacent property owner (Speedway Properties / B & J Partnership LTD) has resulted in a written parking agreement to utilize parking for overflow as needed as the two uses are typically non-concurrent. This agreement was filed earlier this year as instrument number #2019016947.

The existing properties are within the floodplain. The Grading Plan (Sheet 2 of 2) shows the proposed grades with the building addition, patio areas and other adjacent grades. All existing or proposed interior floor elevations are above the Base Flood Elevation of 1152.20. Calculations are also included for the 40% Salt Creek Storage Area.

REGA

ENGINEERING
GROUP, INC.

Page 2

Please contact me if you have any questions or comments.

Sincerely,



Nathaniel Burnett, PE

Cc: Red Strike Inc.

Enclosures: Application Form
Legal Description
Application Fee of \$988.00

LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT

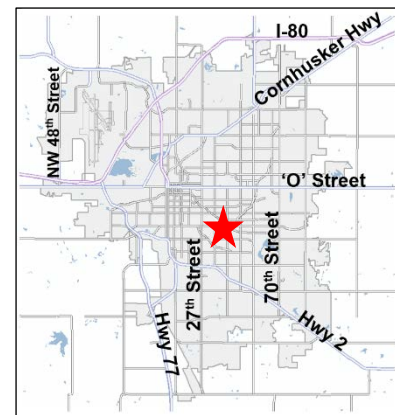
FROM THE LINCOLN/LANCASTER COUNTY PLANNING DEPARTMENT, 555 S. 10TH STREET, SUITE 213, LINCOLN, NE 68508

| | | |
|---|------------------------------|--|
| APPLICATION NUMBER Street and Alley Vacation 20001 | FINAL ACTION? No | DEVELOPER/OWNER Union College |
| PLANNING COMMISSION HEARING DATE February 19, 2020 | RELATED APPLICATIONS None | PROPERTY ADDRESS/LOCATION S. 52 nd & Calvert Streets |

RECOMMENDATION: CONFORMS TO THE COMPREHENSIVE PLAN SUBJECT TO CONDITIONS

BRIEF SUMMARY OF REQUEST

Union College is requesting the vacation of a portion of an alley located in the College View Addition. The petitioner owns all the properties adjacent to the alley being vacated (Lots 1-12, Block 1) and intends to locate portions of some new parking stalls and driving aisles over the vacated alley to access a new building and parking areas.



JUSTIFICATION FOR RECOMMENDATION

Union College owns the properties abutting this alley. This public right-of-way is not being used for the general public as it is not built. Therefore, there is no benefit to the general public to retain this as part of the transportation system.

APPLICATION CONTACT

Rick Onnen, E&A Consulting Group, Inc.
(402) 420-7217
ronnen@eacg.com

STAFF CONTACT

Dessie E. Redmond, Planner
(402) 441-6373
dredmond@lincoln.ne.gov

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

Vacation of this portion of public right-of-way will not negatively impact the transportation system and subject to the conditions of approval, this request is in conformance with the Comprehensive Plan.

KEY QUOTES FROM THE 2040 COMPREHENSIVE PLAN

P. 10.14 - Local streets and alleys are not shown on the Functional Street and Road Classification plan.

P. 10.14 - Local streets and alleys are not included in the functional classification.

ANALYSIS

1. This is a request to vacate a portion of an alley located in the College View Addition. The area to be vacated includes approximately .11 acres.
2. Union College intends to locate portions of some new parking stalls and driving aisles over the vacated alley to access a new building and parking areas. The new building is not proposed to be built over top of this alley.
3. There are existing utilities in this alley including sanitary sewer, storm sewer, a water main and overhead utilities. Relocation of the water main and storm sewer will be done under Executive Order with a final plat.
4. The sanitary sewer will remain in place and a utility easement shall be retained over the entire alley. Additional easements shall be given from the west end of alley being vacated, to the west across vacated 51st Street to the alley to the west.
5. There are existing overhead utilities in the alley. If overhead utilities need to be relocated, coordination with LES is required and LES will need to retain an easement.
6. A final plat eliminating lots without frontage to a public street shall be submitted, executed and in final form to be recorded prior to approval of the alley vacation.
7. Lincoln Municipal Code Chapter 14.20 requires the City to establish the proper price to be paid for the right-of-way, as well as any amounts necessary to guarantee required reconstruction within the right-of-way. These values must be established and deposited with the City Clerk prior to scheduling the vacation request with the City Council.
8. Vacation of the right-of-way will not affect the transportation system and is consistent with the Comprehensive Plan.

CONDITIONS OF APPROVAL: see attached

EXISTING LAND USE & ZONING: unbuilt alley; R-6 and R-4

SURROUNDING LAND USE & ZONING:

North: vacant; R-4
 South: vacant; R-6
 East: S. 52nd Street; R-2
 West: driveway; R-4

APPLICATION HISTORY: none

APPROXIMATE LAND AREA: .11 acres

LEGAL DESCRIPTION: An alley vacation located in part of Block 1, College View, A subdivision located in part of the SE ¼ of Section 05, Township 09 North, Range 07, Lincoln, Lancaster County, Nebraska.

Prepared by:

Dessie E. Redmond, Planner
(402) 441-6373

Date: February 11, 2020

Owner: Union College
3800 S. 48th Street
Lincoln, NE 68506

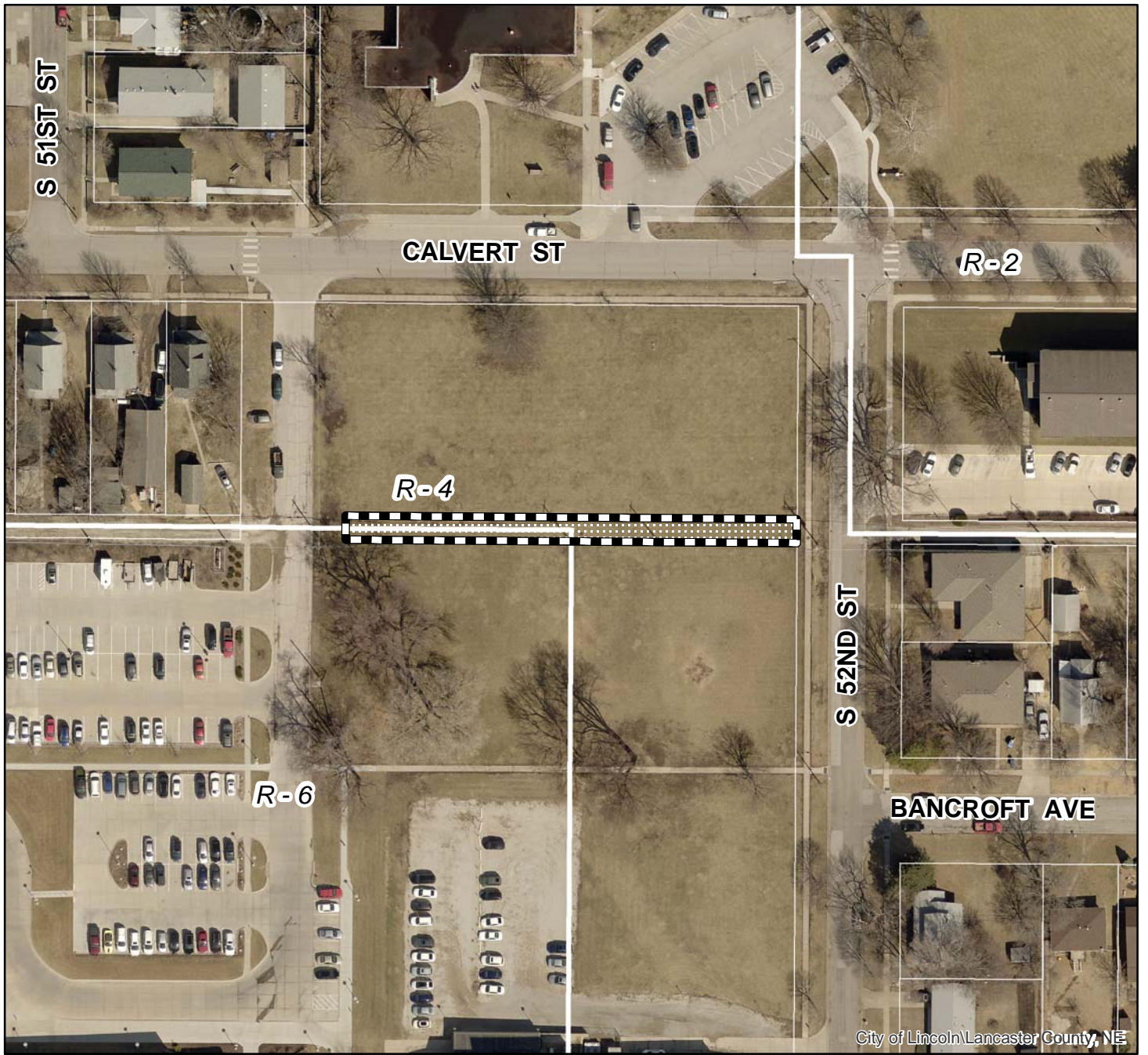
Contact: Rick Onnen
7130 S. 29th Street
Lincoln, NE 68516

F:\DevReview\SAV\20001\SAV20001 Union College.dr.docx

CONDITIONS OF APPROVAL - STREET AND ALLEY VACATION 20001

BEFORE THE VACATION REQUEST IS SCHEDULED ON THE CITY COUNCIL AGENDA THE FOLLOWING MUST BE COMPLETED:

- 1.1 The provisions of Chapter 14.20 of the Lincoln Municipal Code are met.
- 1.2 The owners must submit a final plat that will create lots that front on and have access to public streets or private roadways and all requirements of the final plat have been completed except the transfer of ownership of the vacated street to the subdividers.
- 1.3 At time of final plat an Executive Order to relocate the water main and storm sewer shall be required.
- 1.4 Include retention of utility easements over the alley being vacated and from the west end of the alley, to the west across vacated 51st Street to the alley to the west, by City with deed transfer.



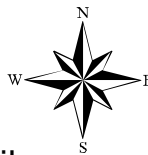
2018 aerial

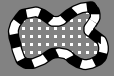


Street and Alley Vacation #: SAV20001
S 52nd St & Calvert St

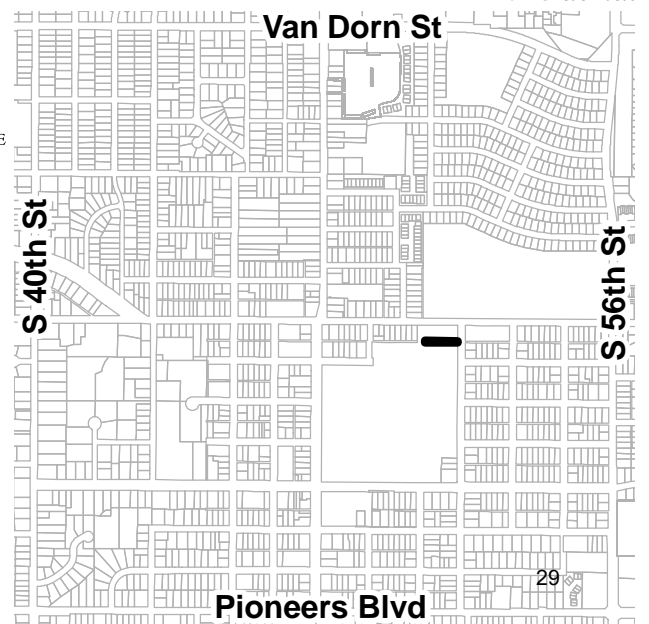
Zoning:

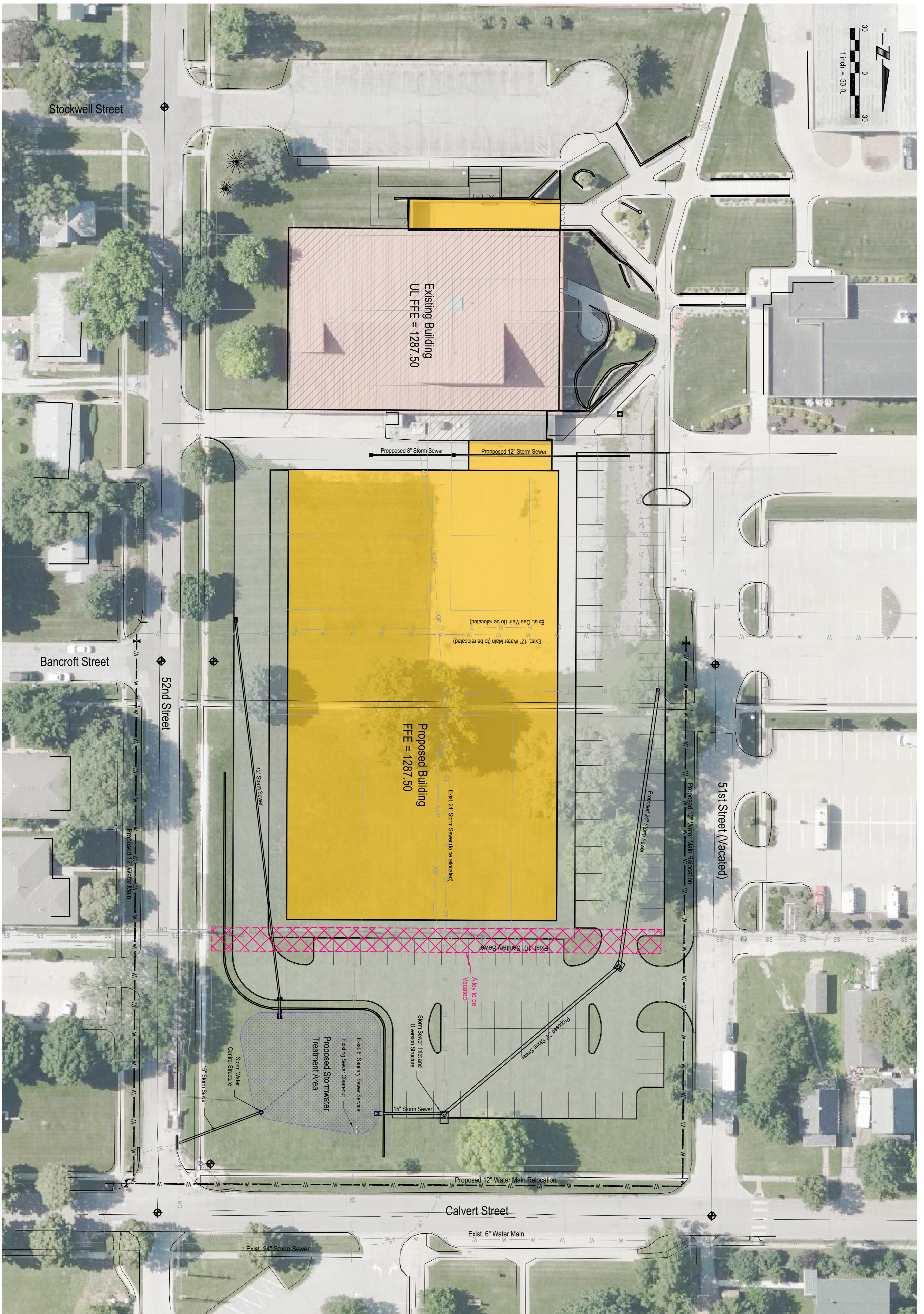
- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- O-1 Office District
- O-2 Suburban Office District
- O-3 Office Park District
- R-T Residential Transition District
- B-1 Local Business District
- B-2 Planned Neighborhood Business District
- B-3 Commercial 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.05 T09N R07E



| | |
|---|-------------------------------|
|  | Area of Application |
|  | Zoning Jurisdiction Lines |
|  | Lancaster County Jurisdiction |





| | | | |
|--------------|--------------|----------|-------------|
| Proj No: | 2019.020.001 | Revision | |
| Date: | 01/09/2020 | Date | Description |
| Designed By: | RPO | | |
| Drawn By: | XXX | | |
| Scale: | AS SHOWN | | |
| Sheet: | ### of 1 | | |

| | |
|-------------------|--|
| Concept Site Plan | |
|-------------------|--|

UNION COLLEGE
ACTIVITIES/ATHLETICS BUILDING
CONCEPT

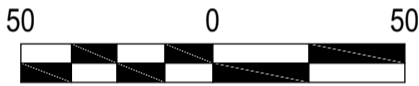
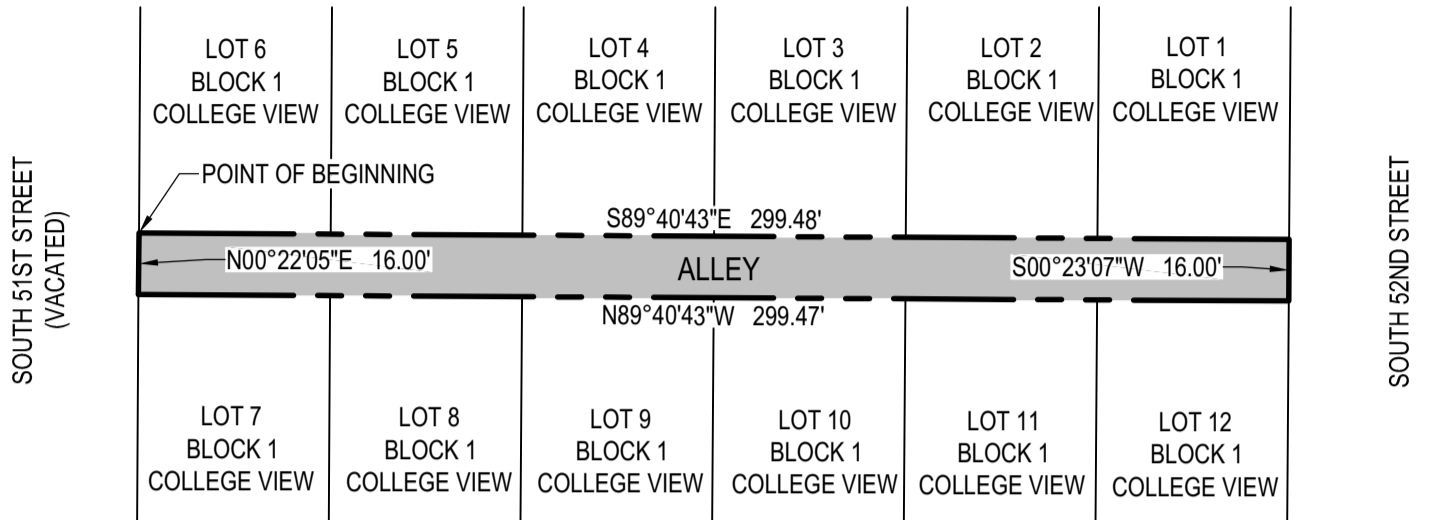
LINCOLN, NE



E & A CONSULTING GROUP, INC.
Engineering • Planning • Environmental & Field Services

7130 South 29th Street, Suite D Lincoln, NE 68516-5841
Phone: 402.420.7217 Fax: 402.420.7218
www.eagc.com

EXHIBIT "A"



1 inch = 50 ft.

LEGAL DESCRIPTION

AN ALLEY VACATION LOCATED IN PART OF BLOCK 1, COLLEGE VIEW, A SUBDIVISION LOCATED IN PART OF THE SE 1/4 OF SECTION 05, TOWNSHIP 09 NORTH, RANGE 07 EAST OF THE 6TH P.M., LANCASTER COUNTY, NEBRASKA. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 6, SAID BLOCK 1, COLLEGE VIEW, SAID POINT ALSO BEING A POINT ON THE EAST RIGHT-OF-WAY LINE OF VACATED SOUTH 51ST STREET, SAID POINT ALSO BEING ON THE NORTH RIGHT-OF-WAY LINE OF SAID ALLEY; THENCE S89°40'43" E ALONG SAID NORTH NORTH RIGHT-OF-WAY LINE OF SAID ALLEY, SAID LINE ALSO BEING THE SOUTH LINE OF LOTS 1 THRU 6, SAID BLOCK 1, COLLEGE VIEW, A DISTANCE OF 299.48 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1, BLOCK 1, COLLEGE VIEW, SAID POINT ALSO BEING ON THE WEST RIGHT-OF-WAY LINE OF SOUTH 52ND STREET; THENCE S00°23'07"W ALONG SAID WEST RIGHT-OF-WAY LINE OF SOUTH 52ND STREET, A DISTANCE OF 16.00 FEET TO THE NORTHEAST CORNER OF LOT 12, SAID BLOCK 1, COLLEGE VIEW, SAID POINT ALSO BEING ON THE SOUTH RIGHT-OF-WAY LINE OF SAID ALLEY; THENCE N89°40'43"W ALONG SAID SOUTH RIGHT-OF-WAY LINE OF SAID ALLEY, SAID LINE ALSO BEING THE NORTH LINE OF LOTS 7 THRU 12, SAID BLOCK 1, COLLEGE VIEW, A DISTANCE OF 299.47 FEET TO THE NORTHWEST CORNER OF SAID LOT 7, BLOCK 1, COLLEGE VIEW, SAID POINT ALSO BEING ON SAID EAST RIGHT-OF-WAY LINE OF VACATED SOUTH 51ST STREET; THENCE N00°22'05"E ALONG EAST RIGHT-OF-WAY LINE OF VACATED SOUTH 51ST STREET, A DISTANCE OF 16.00 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS 4,792 SQUARE FEET OR 0.110 ACRES, MORE OR LESS.

| | | |
|---|--|--|
|  E & A CONSULTING GROUP, INC. <small>Engineering Answers</small> | E & A CONSULTING GROUP, INC. Engineering • Planning • Environmental & Field Services <small>10909 Mill Valley Road, Suite 100 • Omaha, NE 68154 Phone: 402.895.4700 • Fax: 402.895.3599</small> | ALLEY VACATION BLOCK 1, COLLEGE VIEW <small>LANCASTER COUNTY, NEBRASKA</small> |
| | Drawn by: RLS Chkd by: _____ Date: 01/10/2019 Job No.: 2019.020.001 | |



E & A CONSULTING GROUP, INC.

Engineering Answers

7130 South 29th Street, Suite D • Lincoln, NE 68516-5841
P 402.420.7217 • F 402.420.7218
www.eacg.com

January 17, 2020

Mr. David Cary, Director
City of Lincoln Planning Department
555 South 10th Street, Suite 213
Lincoln, NE 68508

RE: College View, Block 1
Alley Vacation Request
E&A Project Number P2019.020.001

Dear David,

On behalf of Union College, please find enclosed a petition to vacate the public alley located in Block 1 of College View. This request is being made in anticipation of a building project for an addition to the college's activities and athletics facility. The college intends for the proposed expanded facility to continue to serve faculty and staff of the college as well as the community.

The following documents are being provided with this submittal:

- Planning Department Application Request Form
- Petition to Vacate Public Way
- Application Fee in the amount of \$ 206.00.
- Exhibit showing the boundary and legal description of the proposed vacation area.
- Exhibit showing a potential concept for the college's planned site improvements.

Please review the proposed documents and notify me of any comments.

Regards,

E & A Consulting Group, Inc.

A handwritten signature in blue ink, appearing to read 'Richard P. Onnen', is written over a white rectangular background.

Richard P. Onnen, P.E.

LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT

FROM THE LINCOLN/LANCASTER COUNTY PLANNING DEPARTMENT, 555 S. 10TH STREET, SUITE 213, LINCOLN, NE 68508

APPLICATION NUMBER
Annexation #20002 and Change of Zone
#20003
PLANNING COMMISSION HEARING DATE
February 19, 2020

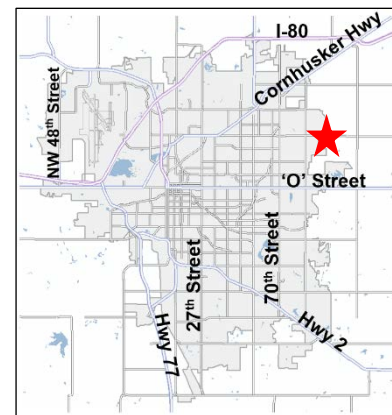
FINAL ACTION?
No
RELATED APPLICATIONS
Special Permit #20002

DEVELOPER/OWNER
Starostka-Lewis, LLC
PROPERTY ADDRESS/LOCATION
9500 Adams Street

RECOMMENDATIONS: APPROVAL - ANNEXATION AND CHANGE OF ZONE

BRIEF SUMMARY OF REQUEST

This is a combined staff report for an annexation and change of zone for the Stevens Creek Villas Community Unit Plan (CUP). The proposed annexation and change of zone comprise a portion of one irregular tract approximately 11.15 acres in size. A change of zone is requested from AG Agriculture District to R-3 Residential District. Site and grading plan details were submitted with related Special Permit #20002 for up to 77 multi-family dwelling units.



JUSTIFICATION FOR RECOMMENDATION

The property is contiguous to the City limits on the west. It is located in the Tier I, Priority B Growth Area which is appropriate for annexation. The proposed zoning conforms to the Future Land Use Map in the Comprehensive Plan.

APPLICATION CONTACT
Mike Eckert, (402) 434-8494 or
meckert@civildg.com

STAFF CONTACT
Rachel Jones, (402) 441-7603 or
rjones@lincoln.ne.gov

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The requested annexation and change of zone are consistent with the 2040 Comprehensive Plan, which identifies future urban density residential land uses and classifies this site within Growth Tier I, Priority B. Priority B includes areas designated for development in the first half of the planning period (to 2026) and generally contiguous to existing development.

KEY QUOTES FROM THE 2040 COMPREHENSIVE PLAN

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

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.

Pg. 1.10 - This site is shown in Tier I, Priority B on the Growth Tier Map.

The ANNEXATION POLICY- page 12.14-12.15 of the 2040 Comprehensive Plan.

Annexation policy is a potentially powerful means for achieving many of the goals embodied in the Plan's Vision. Annexation is a necessary and vitally important part of the future growth and health of Lincoln. The annexation policies of the City of Lincoln include but are not limited to the following:

The provision of municipal services must coincide with the jurisdictional boundaries of the City - in short, it is not the intent of the City of Lincoln to extend utility services (most notably, but not necessarily limited to, water and sanitary sewer services) beyond the corporate limits of the City.

The extension of water and sanitary sewer services should be predicated upon annexation of the area by the City. City annexation must occur before any property is provided with water, sanitary sewer, or other potential City services.

The areas within Tier I Priority A that are not annexed serve as the future urban area for purposes of annexation per state statute and are appropriate for immediate annexation upon final plat. These areas have approved preliminary plans.

To demonstrate the City's commitment to the urbanization of land in Tier I Priority B, the City should annex land that is contiguous to the City and generally urban in character, as well as land that is engulfed by the City. Land that is remote or otherwise removed from the limits of the City of Lincoln will not be annexed. The City should review for potential annexation all property in Priority B for which basic infrastructure is generally available or planned for in the near term.

Annexation generally implies the opportunity to access all City services within a reasonable period of time. Voluntary annexation agreements may limit or otherwise outline the phasing, timing or installation of utility services (e.g., water, sanitary sewer), and may include specific or general plans for the private financing of improvements to the infrastructure supporting or contributing to the land uses in the annexed area. The annexation of large projects may be done in phases as development proceeds.

The character of existing residential areas should be respected as much as possible during the annexation process. When low density "acreage" areas are proposed for annexation due to the City's annexation policy, additional steps should be taken to ease the transition as much as possible, such as public meetings, advance notice and written explanation of changes as a result of annexation. In general, many aspects of acreage life may remain unchanged, such as zoning or covenants. However, any annexation of existing residential areas will include some costs which must be the responsibility of property owners.

Annexation to facilitate the installation of improvements and/or possible assessment districts is appropriate if it is consistent with the annexation policies of the Plan listed above.

Plans for the provision of services within the areas considered for annexation shall be carefully coordinated with the Capital Improvements Program of the City and the County.

ANALYSIS

1. This request is to annex 11.15 acres located at 9500 Adams Street and a change of zone from AG Agriculture to R-3 Residential over the same area.
2. The annexation area is contiguous to the City limits on the west. The proposed change of zone is in conformance with the future land use map in the Comprehensive Plan which designates this area for urban density residential uses.
3. The following describes the availability of utilities and services in this area:
 - a. Water and sewer are available in the adjacent local streets abutting the application area. The sanitary sewer for this lot will be served via a private lift station. The lift station will serve a single entity as allowed by City standards and will allow the lot to connect by gravity into the existing system.
 - b. Emergency Services: This site is in the Waverly Fire District. After annexation, fire protection will be provided by Lincoln Fire and Rescue (LFR). The closest City fire stations are located at Touzalin Avenue and Fremont Street, and near the intersection of N. Cotner Boulevard and Vine Street.
 - c. Adams Street east of N. 90th Street is an unimproved major arterial street constructed as a paved two-lane road with a left turn lane at N. 94th Street.
4. Growth Tier I reflects the "Future Service Limit" where urban services and inclusion in the City limits is anticipated within the 30-year planning period. Tier I includes three Priority Areas for phasing development. Priority A is comprised of undeveloped land within the City limits, as well as areas that are not yet annexed but which have approved preliminary plans such as preliminary plats, use permits, community unit plans, or planned unit developments. Priority B Areas designated for development in the first half of the planning period (to 2026) are generally contiguous to existing development and should be provided with basic infrastructure as they develop. Some of the infrastructure required for development may already be in place.

EXISTING LAND USE & ZONING: Single family detached dwelling, agriculture; AG

SURROUNDING LAND USE & ZONING

North: Agriculture; AG
South: Detached single family residential dwelling; AG
East: Agriculture; AG
West: Detached single family residential dwellings; R-3

APPROXIMATE LAND AREA: 11.15 acres

PROPOSED CITY COUNCIL DISTRICT ASSIGNMENT: District #1

LEGAL DESCRIPTION: See attached.

Prepared by

Rachel Jones, Planner

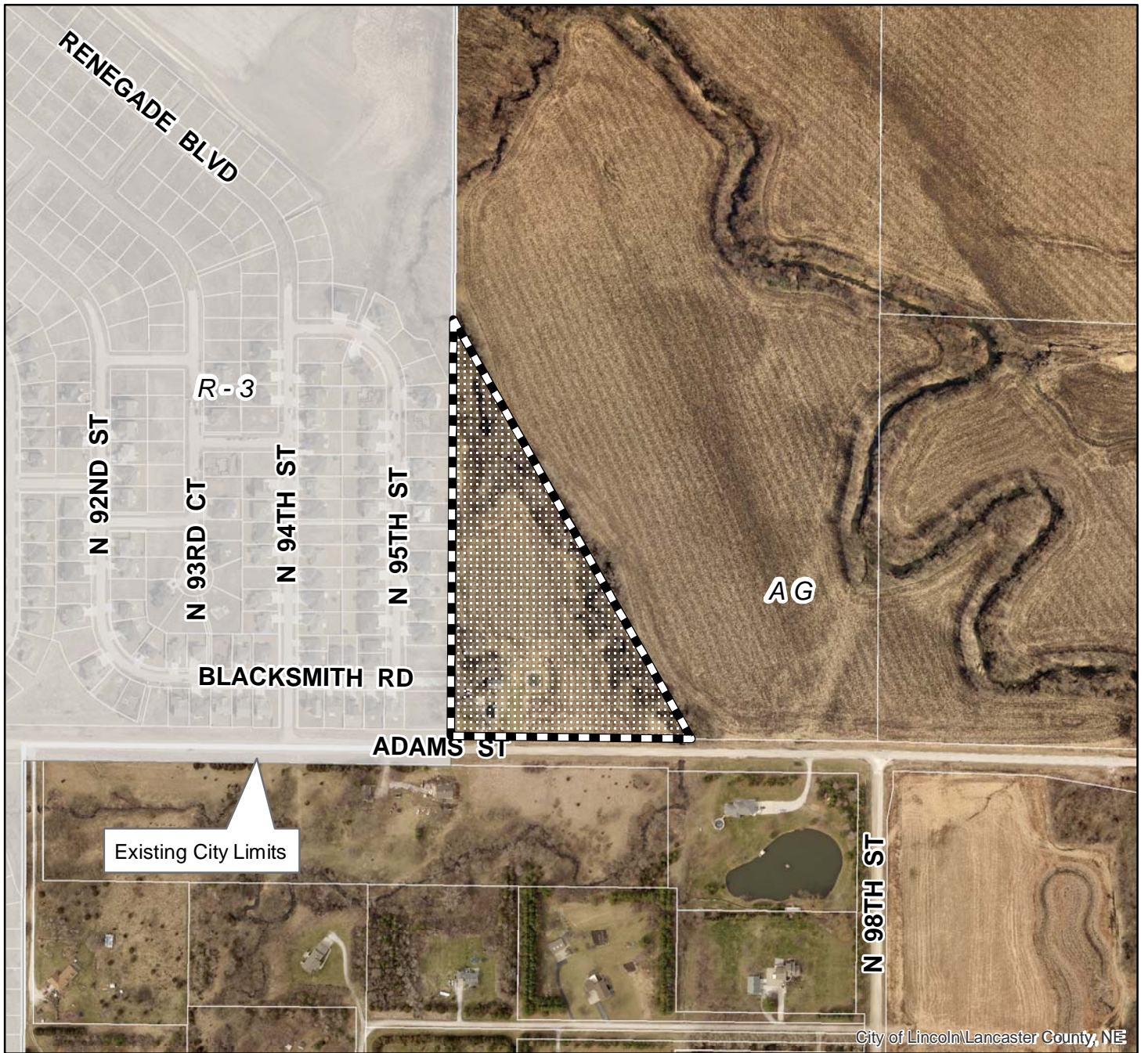
Date: February 13, 2020

Applicant: Starostka-Lewis, LLC
429 Industrial Lane
Grand Island, NE 68803

Contact: Mike Eckert
Civil Design Group, Inc.
8535 Executive Woods Drive, Suite 200
Lincoln, NE 68512
(402) 434-8494 or meckert@civildg.com

Owner: Michael A. Leavitt
12401 Havelock Avenue
Lincoln, NE 68527

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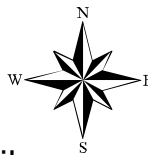


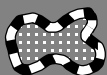


**Annexation #: AN20002, Special Permit#: SP20002
 and Change of Zone #: CZ20003 (AG - R-3)
 Stevens Creek Villas CUP
 N 98th St & Adams St**

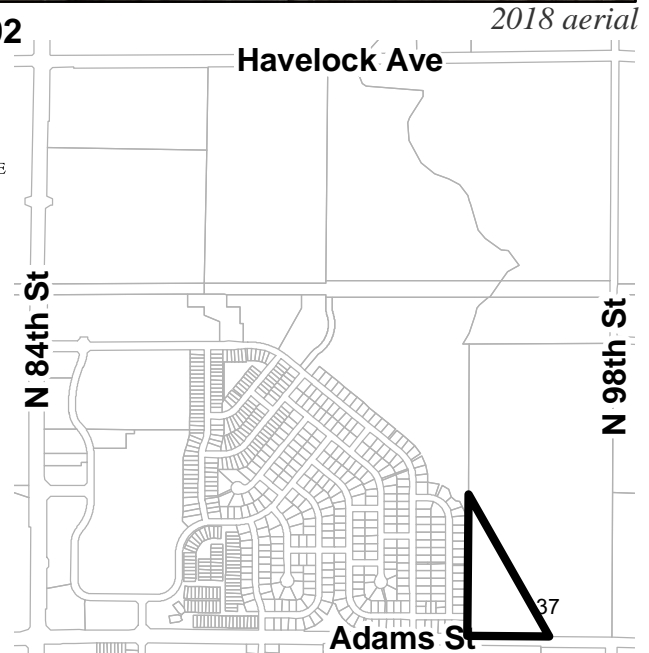
Zoning:

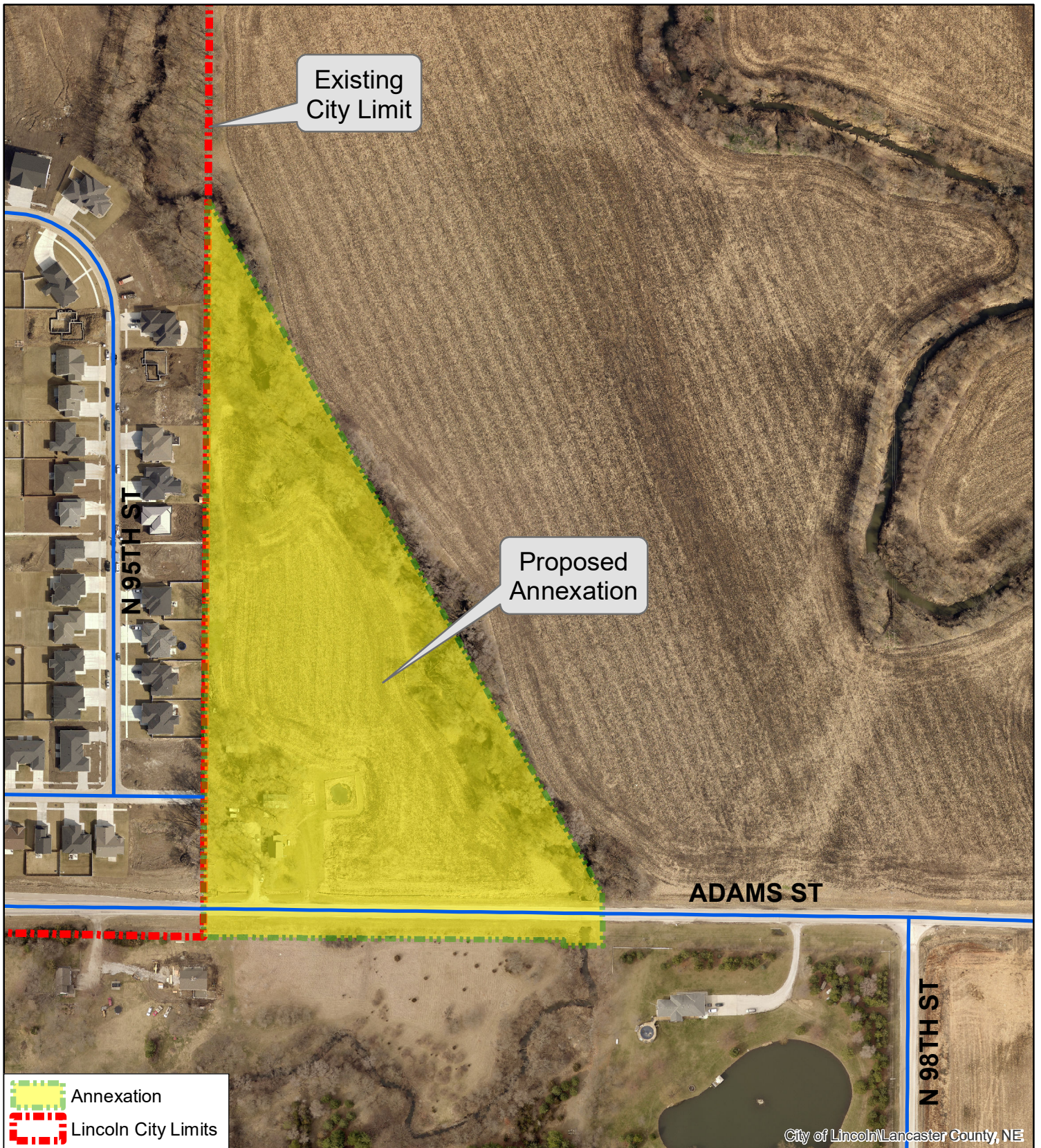
- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- O-1 Office District
- O-2 Suburban Office District
- O-3 Office Park District
- R-T Residential Transition District
- B-1 Local Business District
- B-2 Planned Neighborhood Business District
- B-3 Commercial 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.11 T10N R07E**



| | |
|---|---------------------------|
|  | Area of Application |
|  | Zoning Jurisdiction Lines |
|  | Existing City Limits |





Lincoln Transportation & Utilities

STEVENS CREEK VILLAS CUP

AN20002

Jan 28, 2020



ANNEXATION, CHANGE OF ZONE, AND SPECIAL PERMIT
LEGAL DESCRIPTION

STEVENS CREEK VILLAS

A description of a part of Lot 27 Irregular Tracts, located in the Southeast Quarter of Section 11, Township 10 North, Range 7 East, of the 6th P.M., Lancaster County, Nebraska and more particularly described as follows:

Referring to the Southwest Corner of the East Half of the Southeast Quarter of said Section 11; Thence North on the West Line of the East Half of the Southeast Quarter on an assumed bearing of N 00°22'02" E for a distance of 40.00' to a point on the North Right-of-way Line of Adams Street, said point being the Southwest Corner of Lot 27, said point also being the Point of Beginning:

Thence N 00°22'02" E, on the West Line of the East Half of the Southeast Quarter and on the West Line of Lot 27 Irregular Tracts for a distance of 1295.73'; Thence S 29°36'14" E for a distance of 1500.69' to a point on the North Right-of-way Line of Adams Street, said point also being on the South Line of Lot 27 Irregular Tracts; Thence N 89°18'19" W, on the North Right-of-way Line of Adams Street and on the South Line of Lot 27 Irregular Tracts, for a distance of 749.70' to the Point of Beginning, and having a calculated area of 11.15 acres more or less.

Subject to any and all easements and restrictions of record.



Civil Design Group, Inc.

Consulting Engineers & Land Use Planners
Civil Design • Site Development • Planning & Zoning

January 22, 2020

Mr. David Cary, Director of Planning
City of Lincoln /Lancaster County
555 South 10th Street, Room 213
Lincoln, NE 68508

Re: Special Permit application, Change of Zone to R-3 CUP and Request to Annex 11.15 acres of land to be known as Steven Creek Villas, general located north of Adams Street and west of the Prairie Village North PUD (PVN).

Dear Mr. Cary:

On behalf of Starostka-Lewis, LLC, we submit the enclosed application for the Stevens Creek Villas CUP and the associated change of zone and annexation request for 11.15 acres of land directly east of PVN. The R-3 CUP will contain 77 multifamily units.

Our firm has engaged in extensive discussions with Planning Staff and the adjacent PVN neighborhood to build this project under the density limits of a R-3 CUP. We have integrated several buffering, screening, traffic calming and design elements into the CUP based on the feedback from the PVN neighbors. These design elements are codified in the site plan notes of the CUP.

We are requesting the following waiver:

1. To Design Standards, Title 2, Chapter 2.00, Section 3, 3.6, to allow for sanitary sewer mains to run opposite the street grades. This a common waiver for subdivisions with topographic constraints.
2. To Zoning Code 27.72.020 to revise the yard setbacks to be 0' as Lot 1 abuts Outlot B. Outlot B contains the adjacent floodplain and the standard R-3 setback to Adams, so having a 0' setback will not encroach up any neighbors and removes the floodplain area from the buildable lots.

With this application we submit the following items:

Application for a Community Unit Plan, Change of Zone & Annexation to the City of Lincoln
CUP Special Permit Fee of \$2,827.75
Change of Zone Fee of \$988.00

A change of zone & annexation exhibit
All plan sheets, uploaded via Project Dox

I hope that this letter in conjunction with the plan sets assists you in reviewing these applications. Please feel free to call me at (402) 434-8494 so that I can address any questions you may have.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Eckert". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Mike Eckert, AICP

cc: Staroskta-Lewis, LLC

LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT

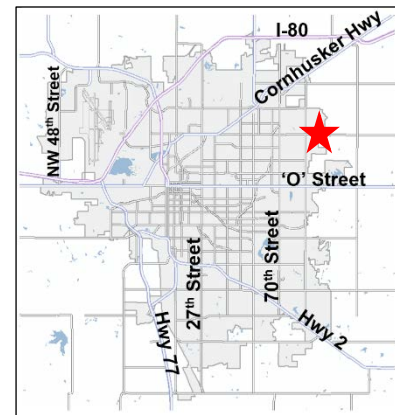
FROM THE LINCOLN/LANCASTER COUNTY PLANNING DEPARTMENT, 555 S. 10TH STREET, SUITE 213, LINCOLN, NE 68508

| | | |
|---|---|--|
| APPLICATION NUMBER Special Permit #20002 | FINAL ACTION? Yes | DEVELOPER/OWNER Starostka-Lewis, LLC |
| PLANNING COMMISSION HEARING DATE February 19, 2020 | RELATED APPLICATIONS Annexation #20002 and Change of Zone #20003 | PROPERTY ADDRESS/LOCATION 9500 Adams Street |

RECOMMENDATION: APPROVAL WITH CONDITIONS

BRIEF SUMMARY OF REQUEST

This is a request for a Community Unit Plan (CUP) to develop up to 77 multi-family dwelling units adjacent to the Prairie Village North neighborhood. The units will take access off Blacksmith Road via a new public cul-de-sac. Related applications for annexation and a change of zone from AG Agriculture District to R-3 Residential District were submitted.



JUSTIFICATION FOR RECOMMENDATION

Multi-family residential is an appropriate land use for this site. Considering that the standard zoning height will not be exceeded along with the conditions agreed upon between the developer and neighbors, the proposal should not have a negative impact on surrounding properties. Subject to the conditions of approval, this proposal is in conformance with the Comprehensive Plan.

APPLICATION CONTACT
Mike Eckert, (402) 434-8494 or
meckert@civildg.com

STAFF CONTACT
Rachel Jones, (402) 441-7603 or
rjones@lincoln.ne.gov

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The request is consistent with the 2040 Comprehensive Plan, which identifies future urban density residential land uses for the site and supports a mix of housing types to serve a diverse population. The proposed development provides for approximately 6.9 dwelling units per acre, which is an appropriate urban density.

WAIVERS

1. Reduce the setback to Outlot B to 0 feet. (Recommend Approval)
2. Allow more than 40 dwelling units on a permanent dead-end street. (Recommend Approval)
3. Allow sanitary sewer mains to run opposite street grades. (Recommend Approval)

KEY QUOTES FROM THE 2040 COMPREHENSIVE PLAN

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

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.

P. 7.2 - Neighborhoods & Housing Guiding Principles

- Encourage public investment in neighborhood infrastructure and services such as parks, pools, libraries, and neighborhood business districts.
- 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.
- Encourage acreages to develop in appropriate areas and preserve farmland.

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.
- 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.

ANALYSIS

1. This is a request for a CUP to develop 77 multi-family dwelling units on one lot on property at 9500 Adams Street. The development would be located adjacent to existing residential lots in the Prairie Village North development. The proposed zoning is R-3 Residential.
2. The Design Standards for Community Unit Plans allow up to 6.96 dwelling units per acre. Under the 11.15 acre application area, a maximum of 77 dwelling units are allowed. The area within Outlot B, which contains the drainage way, is allowed to be counted towards the overall density.
3. Access to this development will be provided off Blacksmith Court, a new public cul-de-sac that will extend from existing Blacksmith Road. The Access Management Policy prohibits a connection to Adams Street due to spacing requirements from other intersections and a deviation request to this standard would not be supported. A street connection to the north and east is not feasible due to a large drainage way and floodplain. Therefore, these units will access Adams Street through the existing residential street network to the west. A temporary construction access from Adams Street will be granted while the units are being constructed but must be removed before they are occupied.
4. The developer worked with neighbors to address traffic concerns in the overall neighborhood by agreeing to install three traffic calming devices in nearby N. 94th Street. The traffic calming devices will be maintained by the City as N. 94th Street is a public street. A condition of approval would require the developer install or post a surety for the work prior to final platting. The details of the traffic calming devices will be approved by the Transportation and Utilities Department.

5. A traffic study was not required for these applications as the development will not exceed the allowed density of the R-3 zoning district under the CUP, no new access points are being created, and the vehicles per hour threshold for requiring a traffic study will not be exceeded. Adams Street east of N. 90th Street is an unimproved major arterial street constructed as a paved two-lane road with a left turn lane at N. 94th Street.
6. There will be a 20-foot wide outlot, Outlot A, behind the existing houses that will run the length of this development and serve as an open space buffer between the existing and new dwellings. It will be maintained permanently by the Prairie Village North Homeowners Association. The buildings would be a maximum of two stories in conformance with the maximum height of the district.
7. Waivers are requested to the Zoning and Subdivision Ordinances and the Design Standards:

Waiver to Section 27.72.020 to reduce the setback to Outlot B to 0 feet.

This property is adjacent to a drainage containing floodplain and floodway shown within Outlot B east of the multifamily buildings. Reducing the zoning setback does not present a concern as it will abut open space.

Waiver to Section 26.23.080 to allow more than 40 dwelling units on a permanent dead-end street.

The Subdivision Ordinance limits the number of dwellings on a dead-end street to provide more than one route of entry and exit from a development. The waiver is appropriate in this case because the development is not allowed a second entrance from Adams Street based on the Access Management Policy and a second connection to the north or east is not feasible due to the drainage way. Lincoln Fire and Rescue recommends approval of this application with the understanding that this location is outside of their travel time goals of four minutes or less.

Waiver to Design Standards Chapter 2, Section 3.6 to allow sanitary sewer mains to run opposite street grades.

This is a commonly-approved waiver based on the topography of the site. Not all of the development on this lot can connect to the gravity-fed sewer system in the adjacent streets. The lot will be served via a privately owned and maintained lift station. It is a single lift station for a single entity as allowed by City standards. Without the lift station, development would be dependent upon the future extension of sewer mains from the east.

8. The parking requirement is 2 stalls per dwelling unit per the R-3 zoning district. The site plan shows a surplus of 44 stalls based on the 77 dwelling units shown.
9. This site is in the Waverly Fire District. After annexation, fire protection will be provided by Lincoln Fire and Rescue (LFR). The closest City fire stations are located at Touzalin Avenue and Fremont Street, and near the intersection of N. Cotner Boulevard and Vine Street.
10. A neighborhood meeting took place on September 17, 2019 to discuss the proposed development. The major concerns voiced by the neighborhood at the meeting related to increased traffic through the neighborhood, traffic speeds on N. 94th Street, and the proposed multi-family use. The developer subsequently worked with the neighbors to help address their concerns. Several of the measures discussed in this report and on the site plan are the result of those negotiations.

CONDITIONS OF APPROVAL: See attached.

EXISTING LAND USE & ZONING: Single family detached dwelling, agriculture; AG

SURROUNDING LAND USE & ZONING

North: Agriculture; AG
 South: Detached single family residential dwelling; AG
 East: Agriculture; AG
 West: Detached single family residential dwellings; R-3

APPROXIMATE LAND AREA: 11.15 acres

LEGAL DESCRIPTION: See attached.

Prepared by

Rachel Jones, Planner

Date: February 13, 2020

Applicant: Starostka-Lewis, LLC
429 Industrial Lane
Grand Island, NE 68803

Contact: Mike Eckert
Civil Design Group, Inc.
8535 Executive Woods Drive, Suite 200
Lincoln, NE 68512
(402) 434-8494 or meckert@civildg.com

Owner: Michael A. Leavitt
12401 Havelock Avenue
Lincoln, NE 68527

F:\DevReview\SP\20000\SP20002 Stevens Creek Villas.rkj.docx

CONDITIONS OF APPROVAL - SPECIAL PERMIT #20002

Per Section 27.63.320 this approval permits a Community Unit Plan for up to 77 dwelling units, with waivers to reduce the setback to Outlot B to 0 feet, allow more than 40 dwelling units on a permanent dead-end street, and allow sanitary sewer mains to run opposite street grades.

Site Specific Conditions:

1. The City Council approves associated requests:
 - 1.1 Annexation #20002
 - 1.2 Change of Zone #20003
2. 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 2 copies with all required revisions and documents as listed below:
 - 2.1 Revise Site Note 2 to read, "A temporary construction access to Adams Street is permitted. All construction traffic shall use only the temporary construction access, which will be closed prior to issuing occupancy permits for any multi-family buildings."
 - 2.2 Change "centralize" to "central" in Site Note 10.
 - 2.3 Revise Site Note 11 regarding traffic calming to state that prior to final plat, the developer shall install the traffic calming devices or post a surety guaranteeing their installation in an amount to be determined by the Transportation and Utilities Department.
 - 2.4 Add to the Site Notes, "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".
 - 2.5 Add a waiver to Section 26.23.080 allowing more than 40 dwelling units on a permanent dead-end street.
 - 2.6 The driveway connection width on the cul-de-sac near Building 7 exceeds the permitted width of 30 feet. The connection point and drives for this building must be redesigned to the satisfaction of the Transportation and Utilities Department.
 - 2.7 Address the attached comments from Watershed Management.
3. Before a final plat is approved provide the following documents to the Planning Department:
 - 3.1 Post a surety in the amount of \$10,000 to guarantee removal of the temporary construction connection to Adams Street.
 - 3.2 Verification from the Register of Deeds that the letter of acceptance as required by the approval of the special permit has been recorded.
4. Final plat(s) is/are approved by the City.

Standard Conditions:

5. The following conditions are applicable to all requests:
 - 5.1 Before occupying the dwelling units all development and construction shall substantially comply with the approved plans.
 - 5.2 All privately-owned improvements, including landscaping and recreational facilities, shall be permanently maintained by the Permittee or an appropriately established homeowners association approved by the City.
 - 5.3 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.
 - 5.4 The terms, conditions, and requirements of this resolution shall run with the land and be binding upon the Permittee, its successors and assigns.
 - 5.5 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, 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.



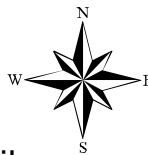
**Annexation #: AN20002, Special Permit#: SP20002
and Change of Zone #: CZ20003 (AG - R-3)
Stevens Creek Villas CUP
N 98th St & Adams St**

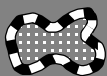


2018 aerial

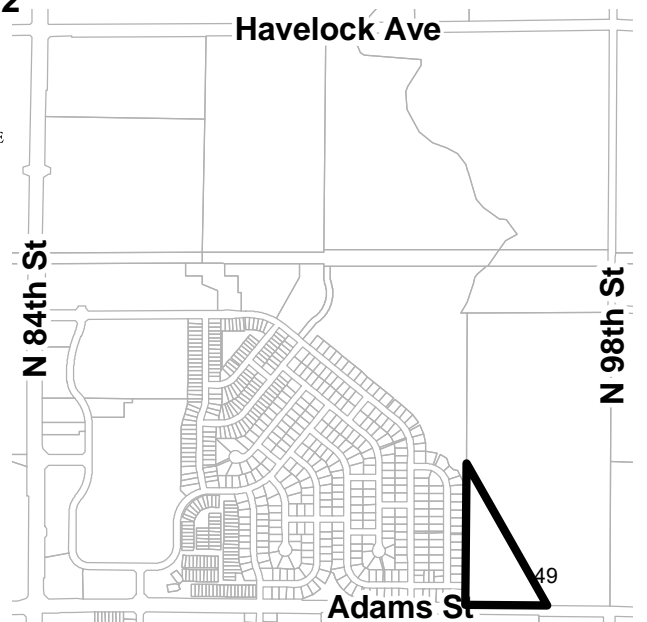
Zoning:

- 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.11 T10N R07E**



| | |
|---|---------------------------|
|  | Area of Application |
|  | Zoning Jurisdiction Lines |
|  | Existing City Limits |



ANNEXATION, CHANGE OF ZONE, AND SPECIAL PERMIT LEGAL DESCRIPTION

STEVENS CREEK VILLAS

A description of a part of Lot 27 Irregular Tracts, located in the Southeast Quarter of Section 11, Township 10 North, Range 7 East, of the 6th P.M., Lancaster County, Nebraska and more particularly described as follows:

Referring to the Southwest Corner of the East Half of the Southeast Quarter of said Section 11; Thence North on the West Line of the East Half of the Southeast Quarter on an assumed bearing of N 00°22'02" E for a distance of 40.00' to a point on the North Right-of-way Line of Adams Street, said point being the Southwest Corner of Lot 27, said point also being the Point of Beginning:

Thence N 00°22'02" E, on the West Line of the East Half of the Southeast Quarter and on the West Line of Lot 27 Irregular Tracts for a distance of 1295.73'; Thence S 29°36'14" E for a distance of 1500.69' to a point on the North Right-of-way Line of Adams Street, said point also being on the South Line of Lot 27 Irregular Tracts; Thence N 89°18'19" W, on the North Right-of-way Line of Adams Street and on the South Line of Lot 27 Irregular Tracts, for a distance of 749.70' to the Point of Beginning, and having a calculated area of 11.15 acres more or less.

Subject to any and all easements and restrictions of record.



Civil Design Group, Inc.

Consulting Engineers & Land Use Planners
Civil Design • Site Development • Planning & Zoning

January 22, 2020

Mr. David Cary, Director of Planning
City of Lincoln /Lancaster County
555 South 10th Street, Room 213
Lincoln, NE 68508

Re: Special Permit application, Change of Zone to R-3 CUP and Request to Annex 11.15 acres of land to be known as Steven Creek Villas, general located north of Adams Street and west of the Prairie Village North PUD (PVN).

Dear Mr. Cary:

On behalf of Starostka-Lewis, LLC, we submit the enclosed application for the Stevens Creek Villas CUP and the associated change of zone and annexation request for 11.15 acres of land directly east of PVN. The R-3 CUP will contain 77 multifamily units.

Our firm has engaged in extensive discussions with Planning Staff and the adjacent PVN neighborhood to build this project under the density limits of a R-3 CUP. We have integrated several buffering, screening, traffic calming and design elements into the CUP based on the feedback from the PVN neighbors. These design elements are codified in the site plan notes of the CUP.

We are requesting the following waiver:

1. To Design Standards, Title 2, Chapter 2.00, Section 3, 3.6, to allow for sanitary sewer mains to run opposite the street grades. This a common waiver for subdivisions with topographic constraints.
2. To Zoning Code 27.72.020 to revise the yard setbacks to be 0' as Lot 1 abuts Outlot B. Outlot B contains the adjacent floodplain and the standard R-3 setback to Adams, so having a 0' setback will not encroach up any neighbors and removes the floodplain area from the buildable lots.

With this application we submit the following items:

Application for a Community Unit Plan, Change of Zone & Annexation to the City of Lincoln
CUP Special Permit Fee of \$2,827.75
Change of Zone Fee of \$988.00

A change of zone & annexation exhibit
All plan sheets, uploaded via Project Dox

I hope that this letter in conjunction with the plan sets assists you in reviewing these applications. Please feel free to call me at (402) 434-8494 so that I can address any questions you may have.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Eckert". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Mike Eckert, AICP

cc: Staroskta-Lewis, LLC

Department Review Status Report

Project Name: AN20002

| Cycle | Department | Reviewer | Email | Status | Reviewer Comments |
|-------|----------------------------|-----------------|----------------------------|----------------------|--|
| | LTU - Watershed Management | Mike Middendorf | MMiddendorf@lincoln.ne.gov | Corrections Required | * Add the following notes to the plans 1 a floodplain development permit is requires prior to any grading or improvements in the floodplain. 2 a Letter of Map Revision from FEMA for any fill in the floodplain is required prior to the initial final plat. * Need to provide overland flow path for 100 yr storm in basin A6 * Show WQV orifice controls in detention A2 * Provide calculations for the minimum corridor width * Need WQV Report form and the Maintenance plan * Minimum slope in all detention cells must be 2% min. |

LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT

FROM THE LINCOLN/LANCASTER COUNTY PLANNING DEPARTMENT, 555 S. 10TH STREET, SUITE 213, LINCOLN, NE 68508

| | | |
|--|--|--|
| APPLICATION NUMBER Annexation #20003 and Change of Zone #07063E | FINAL ACTION? No | DEVELOPER/OWNER Ringneck Development, LLC |
| PLANNING COMMISSION HEARING DATE February 19, 2020 | RELATED APPLICATIONS Annexation #19011 and Change of Zone #07063D | PROPERTY LOCATION NW 48 th and W. Holdrege Streets |

RECOMMENDATIONS: CONDITIONAL APPROVAL - ANNEXATION AND CHANGE OF ZONE

BRIEF SUMMARY OF REQUEST

This is a combined staff report for an annexation and change of zone for the I-80 West Lincoln Business Center Planned Unit Development (PUD).

The proposed annexation and change of zone include portions of several tracts located south of W. Holdrege Street between NW 48th and NW 56th Street. A change of zone is requested from AG Agriculture District and H-3 Highway Commercial District PUD to R-3 Residential District PUD for the future Lincoln Public Schools (LPS) school site. A future commercial area for up to 401,000 square feet of floor area is shown south of W. Vine Street. Site and grading information have been provided.

Related items Annexation #19011 and Change of Zone #07063D were submitted separately for the remaining residential area north of W. Holdrege Street within the same PUD.



JUSTIFICATION FOR RECOMMENDATION

This property is contiguous to the City limits on the north and east. It is located in the Tier I, Priority A Growth Area. The proposed zoning is appropriate based on the Future Land Use Map in the Comprehensive Plan. The proposed land uses generally match the Future Land Use Map and the school site would be changed to a public designation with the update of the Comprehensive Plan.

APPLICATION CONTACT

Erin Bright, (402) 474-3611 or ebright@olsson.com

STAFF CONTACT

Rachel Jones, (402) 441-7603 or rjones@lincoln.ne.gov

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The requested annexation and change of zone are consistent with the 2040 Comprehensive Plan, which identifies future urban density residential and commercial land uses and classifies this site within Growth Tier I, Priority A. Priority A includes areas that are not yet annexed but which have approved preliminary plans such as PUDs. Priority A serves as the "future urban area" for purposes of annexation per state statute.

KEY QUOTES FROM THE 2040 COMPREHENSIVE PLAN

P. 12.3 - this site is shown as future urban residential and commercial on the 2040 Lincoln Area Future Land Use Plan.

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.

P. 12.4 - Commercial. Areas of retail, office, service and residential mixed uses. Commercial uses may vary widely in their intensity of use and impact. Individual areas designated as commercial in the land use plan may not be appropriate for every commercial zoning district.

Pg. 1.10 - This site is shown in Tier I, Priority A on the Growth Tier Map.

The ANNEXATION POLICY- page 12.14-12.15 of the 2040 Comprehensive Plan.

Annexation policy is a potentially powerful means for achieving many of the goals embodied in the Plan's Vision. Annexation is a necessary and vitally important part of the future growth and health of Lincoln. The annexation policies of the City of Lincoln include but are not limited to the following:

The provision of municipal services must coincide with the jurisdictional boundaries of the City - in short, it is not the intent of the City of Lincoln to extend utility services (most notably, but not necessarily limited to, water and sanitary sewer services) beyond the corporate limits of the City.

The extension of water and sanitary sewer services should be predicated upon annexation of the area by the City. City annexation must occur before any property is provided with water, sanitary sewer, or other potential City services.

The areas within Tier I Priority A that are not annexed serve as the future urban area for purposes of annexation per state statute and are appropriate for immediate annexation upon final plat. These areas have approved preliminary plans.

Annexation generally implies the opportunity to access all City services within a reasonable period of time. Voluntary annexation agreements may limit or otherwise outline the phasing, timing or installation of utility services (e.g., water, sanitary sewer), and may include specific or general plans for the private financing of improvements to the infrastructure supporting or contributing to the land uses in the annexed area. The annexation of large projects may be done in phases as development proceeds.

The character of existing residential areas should be respected as much as possible during the annexation process. When low density "acreage" areas are proposed for annexation due to the City's annexation policy, additional steps should be taken to ease the transition as much as possible, such as public meetings, advance notice and written explanation of changes as a result of annexation. In general, many aspects of acreage life may remain unchanged, such as zoning or covenants. However, any annexation of existing residential areas will include some costs which must be the responsibility of property owners.

Annexation to facilitate the installation of improvements and/or possible assessment districts is appropriate if it is consistent with the annexation policies of the Plan listed above.

Plans for the provision of services within the areas considered for annexation shall be carefully coordinated with the Capital Improvements Program of the City and the County.

ANALYSIS

1. The I-80 West Lincoln Business Center PUD is generally located between NW 48th and NW 56th Streets on either side of W. Holdrege Street. This request is to annex and rezone a portion of the PUD area south of W. Holdrege Street for a future LPS school site. Details were also provided for a highway commercial area south of the future extension of W. Vine Street.
2. Approval is requested for up to 401,000 square feet of commercial floor area in the H-3 PUD area, and up to 287 dwelling units in the R-3 PUD area south of W. Holdrege Street. The 287 dwelling units establish a conceptual residential density in the area west of the school site for which the details will be finalized at a later time.
3. The annexation area is contiguous to the City limits on the north and east. The current approved PUD shows residential and business uses on these parcels. The proposal is to revise a large area adjacent to NW 48th and W. Holdrege Streets to reflect the planned school site, shown extending west up to the drainage way. The area west of the drainage is identified for future residential uses. In addition, details are shown for highway commercial development south of W. Vine Street, but the highway commercial area is not being annexed or re-zoned at this time.
4. No new waivers are being requested. LPS is exempt from the zoning height and lot standards; however, they must still comply with the Airport Zoning height restrictions and floodplain regulations.
5. The following describes the availability of utilities and services in this area:
 - a. Water and sewer are generally available. There is a water main in NW 48th Street and wastewater main being constructed along the north-south drainage way, which will drain to the south.
 - b. A conditional zoning and annexation agreement was approved in 2011. An amendment to the agreement will accompany these items at City Council. The updated agreement will address the paving and timing of improving W. Holdrege, NW 48th, and NW 56th Streets, traffic signals, and cost sharing between the developers. W. Holdrege and NW 56th Streets are currently gravel roads and would be built to City standards under the conditions of the agreement. Prior to these applications being scheduled at City Council, the developer is required to sign the revised agreement.
 - c. A future trail is planned on the north side of W. Holdrege Street.
 - d. Emergency Services: The un-annexed area is in the Southwest Rural Fire District. After annexation, fire protection will be provided by Lincoln Fire and Rescue (LFR). There is no necessary reimbursement in order for the city fire department to serve this area after annexation. The nearest Lincoln Fire and Rescue Station is located at NW 36th and W. Luke Streets.
6. A public access easement is required to be shown serving the property at the southwest corner of the intersection at NW 48th & W. Holdrege Streets (Lot 67 I.T.). Lot 67 is adjacent to the school site but is not participating nor within the PUD boundary. Its future land use is commercial and could one day redevelop from its current use as a single family dwelling. In the event it were developed independently of the PUD, it would not be allowed direct access to either arterial street because of its proximity to the intersection. Therefore, an appropriate public driveway access must be shown through the LPS property from the roundabouts at NW 50th and NW 52nd Streets.
7. There is still a large amount of approved commercial land nearby to serve this area despite a portion being dedicated for the school site. This PUD contains 70,000 square feet of approved commercial space north of W. Holdrege Street. The Woodside Village PUD northeast of NW 48th and Holdrege Streets is approved for 12,000 square feet of commercial floor area. There is also a large commercial area designated on the Future Land Use Map on the east side of NW 48th Street.
8. Growth Tier I reflects the "Future Service Limit" where urban services and inclusion in the City limits is anticipated within the 30-year planning period. Tier I includes three Priority Areas for phasing development. Priority A is comprised of undeveloped land within the City limits, as well as areas that are not yet annexed but which have approved preliminary plans such as preliminary plats, use permits, community unit plans, or planned unit developments. Priority A serves as the "future urban area" for purposes of annexation per state statute, and these areas are appropriate for immediate annexation upon final plat approval.

CONDITIONS OF APPROVAL: See attached.

EXISTING LAND USE & ZONING: Vacant; AG and H-3 PUD

SURROUNDING LAND USE & ZONING

North: Single family residential; R-3

South: Agriculture; AG

East: Single family residential, agriculture and vacant; AG

West: Agriculture; AG

APPROXIMATE LAND AREA: 71.83 acres - Annexation and Change of Zone from AG to R-3 PUD
12.19 acres - Change of Zone from H-3 PUD to R-3 PUD

PROPOSED CITY COUNCIL DISTRICT ASSIGNMENT: District #4

LEGAL DESCRIPTIONS: See attached.

Prepared by

Rachel Jones, Planner

Date: February 13, 2019

Applicant: Mike Preston
11904 Arbor Street, Suite 200
Omaha, NE 68144
(402) 330-2274 or mpreston@mffi.com

Contact: Erin Bright
Olsson
601 P Street, Suite 200
Lincoln, NE 68508
(402) 474-6311 or ebright@olsson.com

Owner: Ringneck Development, LLC
11904 Arbor Street, Suite 200
Omaha, NE 68144

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APPLICATION HISTORY

- Jan. 2005 Airport West Subarea Study adopted by City Council. This PUD is within the plan boundaries.
- Feb. 2008 Change of Zone #07063 was recommended for approval by Planning Commission.
- Annexation #07005 was recommended for approval by Planning Commission pending completion of an Annexation Agreement.
- Comprehensive Plan Amendment #07003 was recommended for approval by Planning Commission. The 2010 Comprehensive Plan update made the amendment irrelevant and the application was never heard by the City Council.
- Nov. 2011 Change of Zone #07063 and Annexation #07005 were approved by City Council for approximately 448 dwelling units, 1.5 million square feet of commercial, office, and industrial floor area, and up to 200 hotel/motel rooms. Also included was approval of the I-80 West Lincoln Business Center Conditional Annexation and Zoning Agreement.
- Feb. 2017 Change of Zone #07063A and Annexation #16014 were approved by City Council for approximately 41 dwelling units in the northern portion of the PUD.
- Feb. 2018 Annexation #17023 and Change of Zone #07063B were approved by City Council for approximately 20 acres north and south of W. Holdrege Street.
- Jun. 2018 Annexation #18002 and Change of Zone #07063C was approved by City Council for approximately 33 acres corresponding to a portion of the residential area north of W. Holdrege Street.
- Nov. 2018 Administrative Amendment #18063 to Change of Zone #07063C was approved by the Planning Director to update the lot layout and show details for the multifamily area adjacent to NW 48th Street.
- Sept. 2019 Administrative Amendment #19019 to Change of Zone #07063C was approved by the Planning Director to finalize the details for the commercial and residential areas northeast of NW 48th & W. Holdrege Streets, and update the airport height permit information.

CONDITIONS OF APPROVAL - ANNEXATION #20003

Before the City Council approves the annexation:

The applicant signs an amendment to the Conditional Annexation and Zoning Agreement.

CONDITIONS OF APPROVAL - CHANGE OF ZONE #07063E

This approval permits a Change of Zone from AG to R-3 PUD over approximately 71.83 acres and from H-3 PUD to R-3 PUD over approximately 12.19 acres and allowing up to 401,000 square feet of commercial floor area in the H-3 PUD area and up to 287 residential dwelling units in the R-3 PUD area south of W. Holdrege Street.

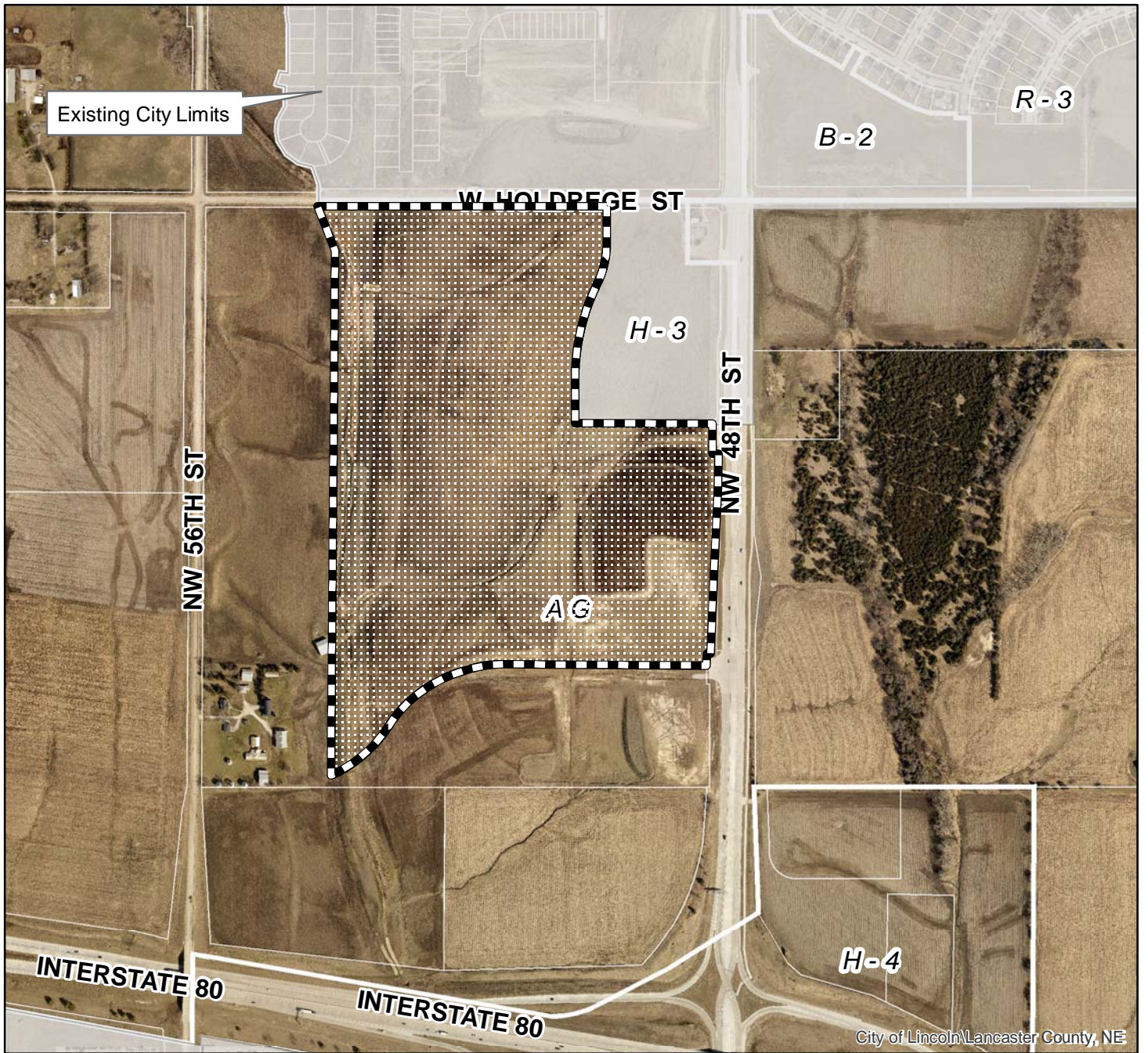
Site Specific Conditions:

1. The Developer signs an amendment to the Conditional Annexation and Zoning Agreement before the City Council approves the change of zone.
2. The City Council approves associated request:
 - 2.1 Annexation No. 20003
3. Before a final plat is approved, the developer shall cause to be prepared and submitted to the Planning Department a revised and reproducible final plot plan including 2 copies with all required revisions and documents upon approval of the planned unit development by the City Council.
 - 3.1 Revise the application letter under "Changes of Zone" to read "From AG and H-3 PUD to R-3 PUD".
 - 3.2 To the satisfaction of the Director of Planning and Lincoln Transportation and Utilities, revise the public access easement to provide access and a driveway to Lot 67 I. T., remove the driveway access from the front yard setback, and locate its connection to NW 50th Street further south to provide for proper stacking and circulation. In addition, grant access through the school site to the NW 52nd Street roundabout so that westbound vehicles on W. Holdrege Street can reach Lot 67 through the one-way school drop-off system. This access is only pertinent if Lincoln Public Schools does not own Lot 67 I.T.
 - 3.3 Show a local public street from W. Vine Street to the south aligning with the west property line of Lot 63 I.T. to be named NW 52nd Street, per the revised Annexation Agreement.
 - 3.4 In the Land Use Table and "*" note under the table, change "Retail" to the more general "Commercial".
 - 3.5 Update the Land Use Table to reflect the requested 401,000 square feet of commercial floor area.
 - 3.6 Combine General Site Notes 24-46 into the following: "The school site is not subject to a parking requirement or other zoning restrictions, except for Floodplain and Airport Height zoning regulations."
 - 3.7 Delete General Site Note 19 as its information is covered in the Land Use Table.
 - 3.8 Update the associated Development Plan as necessary in accordance with the proposed changes.
 - 3.9 Address the attached comments from Watershed Management.
 - 3.10 Submit an updated traffic study to the satisfaction of the Transportation and Utilities Department.
4. Before receiving building permits, the developer shall provide the following documents to the Planning Department:
 - 4.1 Verification from the Register of Deeds that the letter of acceptance as required by the approval of the planned unit development has been recorded.

- 4.2 Verification that an avigation and noise easement to the Lincoln Airport Authority on all or that part of the land located within the Airport Environs Noise District has been received by the Lincoln Airport Authority.
5. Before issuance of building permits, final plat(s) shall be approved by the City.

Standard Conditions:

6. The following conditions are applicable to all requests:
 - 6.1 Before occupying the dwelling units/buildings all development and construction shall substantially comply with the approved plans.
 - 6.2 All privately-owned improvements shall be permanently maintained by the owner or an appropriately established homeowners association approved by the City Attorney.
 - 6.3 The physical location of all setbacks and yards, buildings, parking and circulation elements, and similar matters must be in substantial compliance with the location of said items as shown on the approved site plan.
 - 6.4 The terms, conditions, and requirements of the ordinance shall run with the land and be binding upon the developer, its successors and assigns.
 - 6.5 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, filing fees therefore to be paid in advance by the applicant. Building permits will not be issued unless the letter of acceptance has been filed.
 - 6.6 The site plan as approved with this ordinance voids and supersedes all previously approved site plans, however all ordinances approving previous permits remain in full force and effect unless specifically amended by this ordinance.



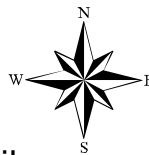
City of Lincoln/Lancaster County, NE

2018 aerial

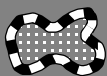


Annexation #: AN20003
I-80 West Lincoln Business Center
NW 48th St & W Holdrege St

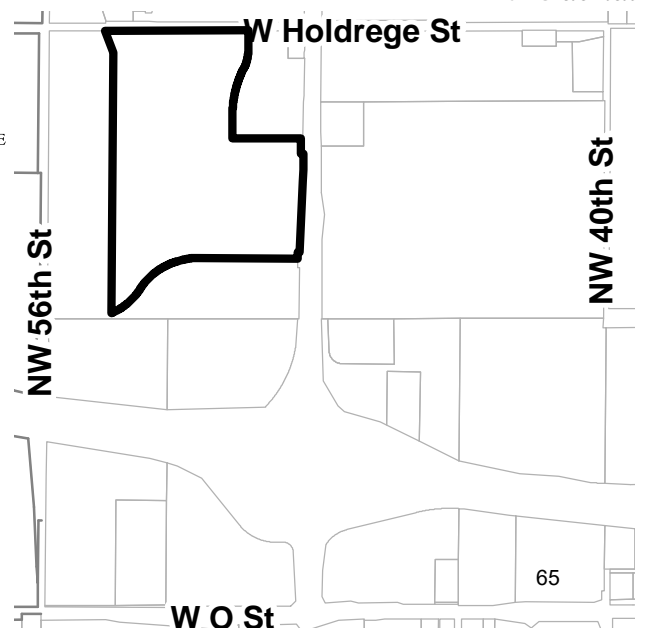
Zoning:

- 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.19 T10N R06E

| | |
|---|---------------------------|
|  | Area of Application |
|  | Zoning Jurisdiction Lines |
|  | Existing City Limits |





City of Lincoln Lancaster County, NE

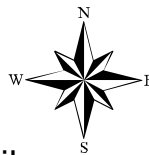
2018 aerial

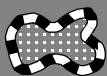


**Change of Zone #: CZ07063E
I-80 West Lincoln Business Center
NW 48th St & W Holdrege St**

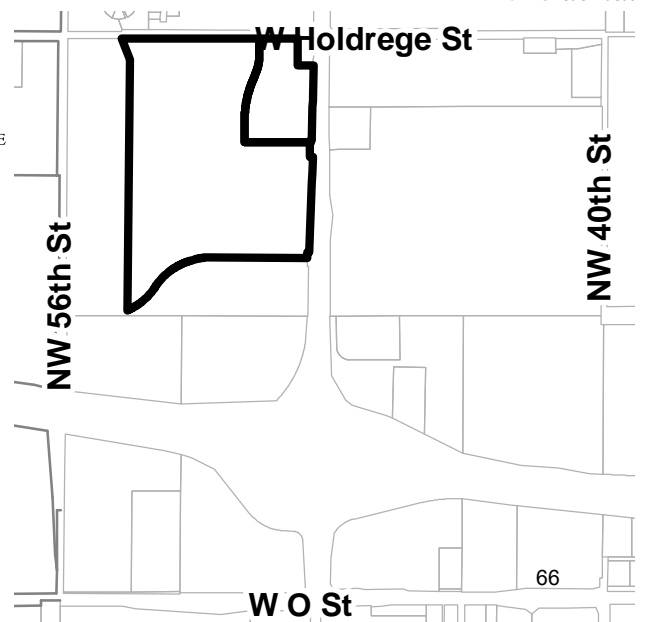
Zoning:

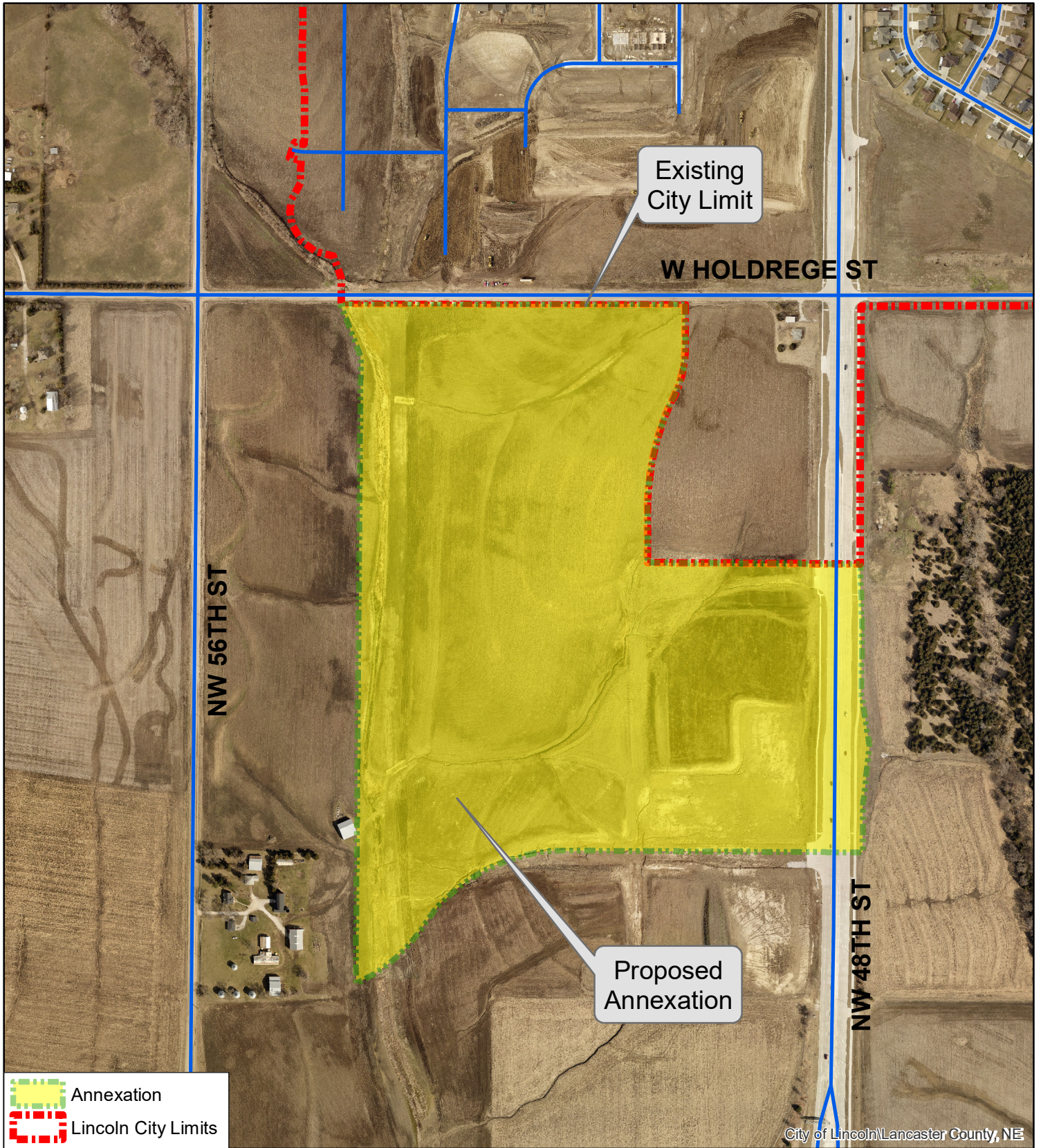
- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- O-1 Office District
- O-2 Suburban Office District
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- H-3 Highway Commercial District
- H-4 General Commercial District
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- I-2 Industrial Park District
- I-3 Employment Center District
- P Public Use District

One Square Mile:
Sec.19 T10N R06E



| | |
|---|---------------------------|
|  | Area of Application |
|  | Zoning Jurisdiction Lines |
|  | Existing City Limits |





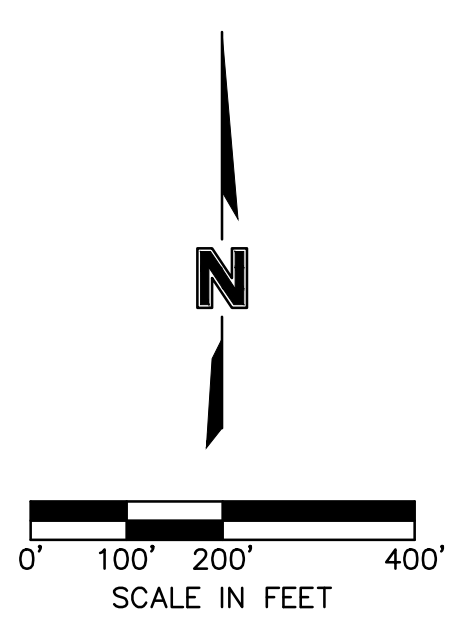
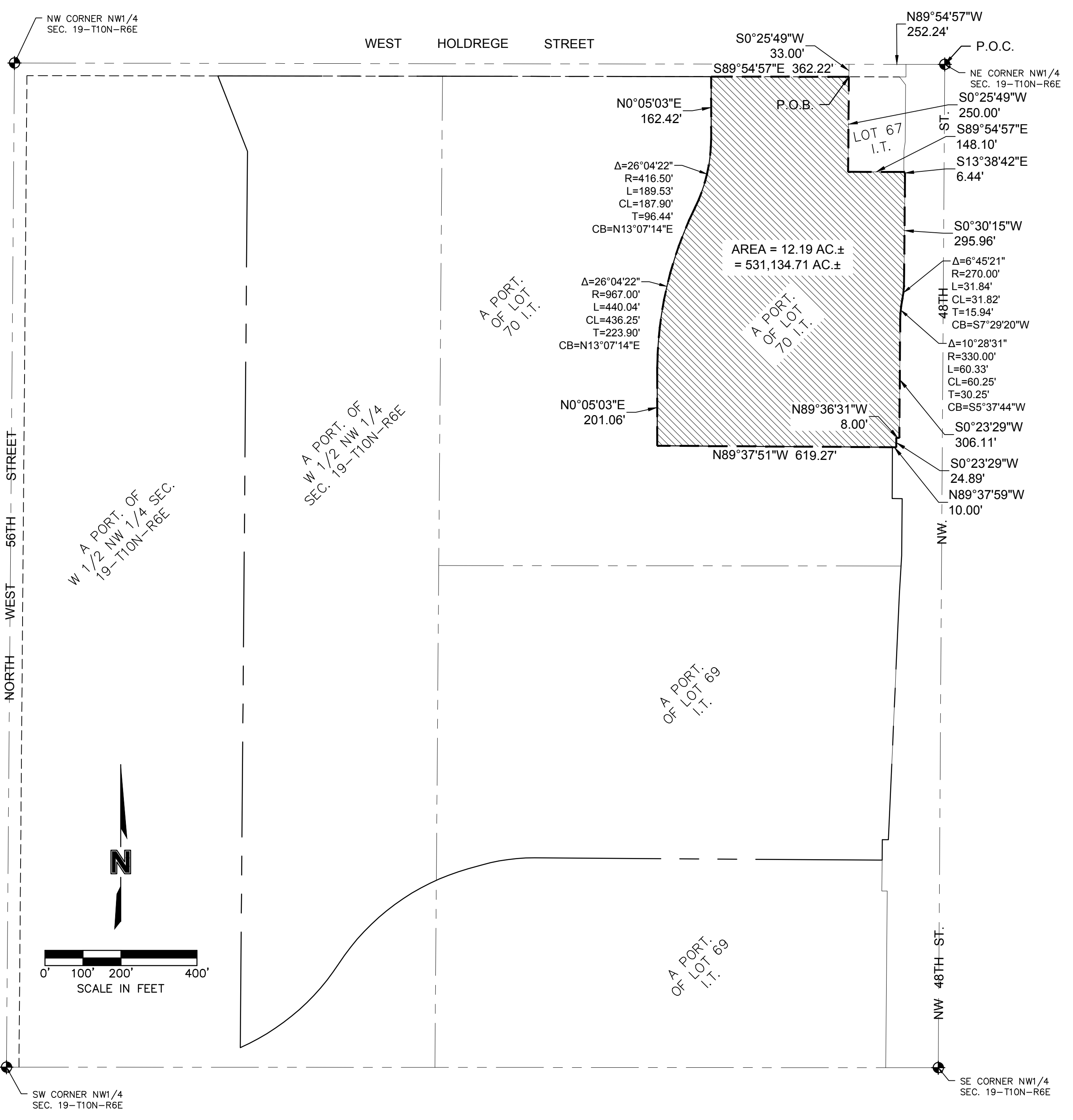
Lincoln Transportation & Utilities

I-80 WEST LINCOLN BUSINESS CENTER

AN20003
Jan 28, 2020



DWG: F:\2019\1501-2000\019-1958\Drawings\019-1958_NWHS-COZ.dwg USER: mjohnson
 DATE: Jan 23, 2020 3:42pm XREFS: 018-2542_DEED BASE GNCV_Annexation Limits NW 48th Street



PROJECT NO: 019-1958
 DRAWN BY: MRJ
 DATE: JANUARY 23RD, 2020

CHANGE OF ZONE H-3 TO R-3

olsson 601 P Street, Suite 200
 P.O. Box 84608
 Lincoln, NE 68508
 TEL 402.474.6311

EXHIBIT
B

**LEGAL DESCRIPTION
ANNEXATION AND AG TO R-3 PUD CHANGE OF ZONE**

A TRACT OF LAND COMPOSED OF A PORTION OF THE WEST ONE HALF OF THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 10 NORTH, RANGE 6 EAST OF THE 6TH P.M., A PORTION OF LOT 69 I.T., AND A PORTION OF LOT 70 I.T., ALL LOCATED IN THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 10 NORTH, RANGE 6 EAST OF THE 6TH P.M., LANCASTER COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 10 NORTH, RANGE 6 EAST OF THE 6TH P.M.; THENCE WESTERLY ON THE NORTH LINE OF SAID NORTHWEST QUARTER ON AN ASSUMED BEARING OF N89°54'57"W, A DISTANCE OF 614.66' TO A POINT; THENCE S00°05'03"W, A DISTANCE OF 33.00' TO THE **TRUE POINT OF BEGINNING**; THENCE S00°05'03"W, A DISTANCE OF 162.42' TO A POINT OF CURVATURE FOR A CURVE IN A CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 26°04'22", A RADIUS OF 416.50', AN ARC LENGTH OF 189.53', A CHORD LENGTH OF 187.90', A TANGENT LENGTH OF 96.44', AND A CHORD BEARING OF S13°07'14"W, TO A POINT OF REVERSE CURVATURE FOR A CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 26°04'22", A RADIUS OF 967.00', AN ARC LENGTH OF 440.04', A CHORD LENGTH OF 436.25', A TANGENT LENGTH OF 223.90', AND A CHORD BEARING OF S13°07'14"W TO A POINT; THENCE S00°05'03"W, A DISTANCE OF 201.06' TO A POINT; THENCE S89°37'51"E, A DISTANCE OF 619.27' TO AN EAST CORNER OF LOT 70 I.T., SAID POINT BEING A WEST RIGHT-OF-WAY CORNER OF NORTHWEST 48TH STREET; THENCE S00°23'29"W, ON AN EAST LINE OF SAID LOT 70 I.T., SAID LINE BEING A WEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 135.00' TO AN EAST CORNER OF SAID LOT 70 I.T., SAID POINT BEING A WEST CORNER OF SAID RIGHT-OF-WAY; THENCE S89°37'59"E, ON A NORTH LINE OF SAID LOT 70 I.T., SAID LINE BEING A SOUTH LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 26.33' TO AN EAST CORNER OF SAID LOT 70 I.T., SAID POINT BEING A WEST CORNER OF SAID RIGHT-OF-WAY; THENCE S00°30'15"W, ON AN EAST LINE OF SAID LOT 70 I.T., SAID LINE BEING A WEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 149.72' TO AN EAST CORNER OF SAID LOT 70 I.T., SAID POINT BEING A WEST CORNER OF SAID RIGHT-OF-WAY; THENCE S03°20'50"W, ON A EAST LINE OF SAID LOT 70 I.T., AND ON THE EAST LINE OF LOT 69 I.T., SAID LINE BEING A WEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 100.15' TO AN EAST CORNER OF SAID LOT 69 I.T., SAID POINT BEING A WEST CORNER OF SAID RIGHT-OF-WAY; THENCE S02°33'03"W, ON AN EAST LINE OF SAID LOT 69 I.T., SAID LINE BEING A WEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 648.76' TO AN EAST CORNER OF SAID LOT 69 I.T., SAID POINT BEING A WEST CORNER OF SAID RIGHT-OF-WAY; THENCE N89°37'59"W, ON A SOUTH LINE OF SAID LOT 69 I.T., SAID LINE BEING A NORTH LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 16.19' TO AN EAST CORNER OF SAID LOT 69 I.T., SAID POINT BEING A WEST CORNER OF SAID RIGHT-OF-WAY; THENCE S00°29'34"W, ON AN EAST LINE OF SAID LOT 69 I.T., SAID LINE BEING A WEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 53.63' TO A POINT; THENCE N89°37'51"W, A DISTANCE OF 914.94' TO A POINT OF CURVATURE FOR A CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 15°59'18", A RADIUS OF 500.00', AN ARC LENGTH OF 139.52', A

CHORD LENGTH OF 139.07', A TANGENT LENGTH OF 70.22', AND A CHORD BEARING OF S82°22'30"W, TO A POINT; THENCE S74°22'51"W, A DISTANCE OF 37.64' TO A POINT OF CURVATURE FOR A CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 41°16'27", A RADIUS OF 600.00', AN ARC LENGTH OF 432.22', A CHORD LENGTH OF 422.94', A TANGENT LENGTH OF 225.97', AND A CHORD BEARING OF S53°44'37"W, TO A POINT OF REVERSE CURVATURE FOR A CURVE IN A CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 32°57'27", A RADIUS OF 600.00', AN ARC LENGTH OF 345.13', A CHORD LENGTH OF 340.39', A TANGENT LENGTH OF 177.49', AND A CHORD BEARING OF S49°35'07"W TO A POINT; THENCE N00°27'38"E, A DISTANCE OF 2,358.64' TO A POINT; THENCE N21°26'16"W, A DISTANCE OF 213.45' TO A POINT; THENCE S89°54'57"E, ON A LINE LOCATED 33.00' SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 1,298.53' TO THE POINT OF BEGINNING, SAID TRACT CONTAINS A CALCULATED AREA OF 3,128,700.91 SQUARE FEET OR 71.83 ACRES, MORE OR LESS.

Friday, January 31, 2020
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Plats\Documents\019-1958_NWHS-Annex-COZ_Legal-REVISED.docx

**LEGAL DESCRIPTION
CHANGE OF ZONE H-3 PUD TO R-3 PUD**

A TRACT OF LAND COMPOSED OF A PORTION OF LOT 70 I.T., LOCATED IN THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 10 NORTH, RANGE 6 EAST OF THE 6TH P.M., LANCASTER COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

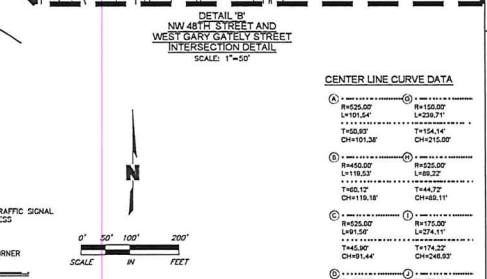
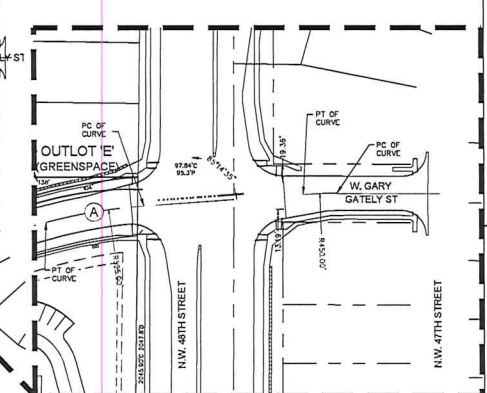
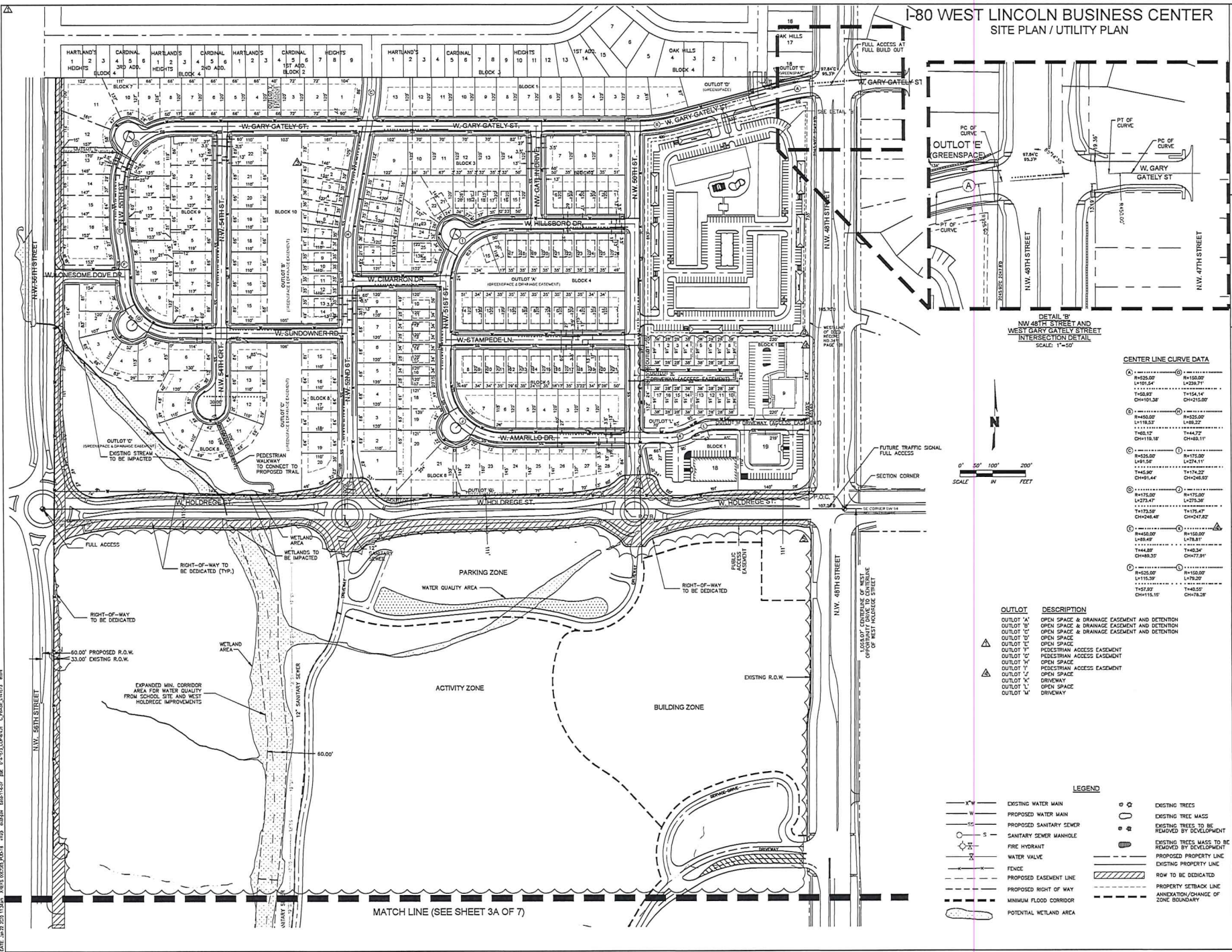
COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 10 NORTH, RANGE 6 EAST OF THE 6TH P.M.; THENCE WESTERLY ON THE NORTH LINE OF SAID NORTHWEST QUARTER, ON AN ASSUMED BEARING OF N89°54'57"W, A DISTANCE OF 252.24' TO A POINT; THENCE S00°25'49"W, A DISTANCE OF 33.00' TO **THE TRUE POINT OF BEGINNING**; THENCE CONTINUING S00°25'49"W ON AN EAST LINE OF SAID LOT 70 I.T., SAID LINE BEING THE WEST LINE OF LOT 67 I.T., A DISTANCE OF 250.00' TO AN EAST CORNER OF SAID LOT 70 I.T., SAID POINT BEING THE SOUTHWEST CORNER OF LOT 67 I.T.; THENCE S89°54'57"E, ON A NORTH LINE OF SAID LOT 70 I.T., SAID LINE BEING A SOUTH LINE SAID LOT 67 I.T., A DISTANCE OF 148.10' TO AN EAST CORNER OF SAID LOT 70 I.T., SAID POINT BEING THE SOUTHEAST CORNER OF SAID LOT 67 I.T., SAID POINT ALSO BEING ON THE WEST RIGHT-OF-WAY LINE OF NORTH WEST 48TH STREET; THENCE S13°38'42"E, ON A NORTH LINE OF SAID LOT 70 I.T., SAID LINE BEING A SOUTH LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 6.44' TO AN EAST CORNER OF SAID LOT 70 I.T.; THENCE S00°30'15"W, ON AN EAST LINE OF SAID LOT 70 I.T., SAID LINE BEING A WEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 295.96' TO A POINT OF CURVATURE FOR A NON-TANGENT CURVE IN A CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 06°45'21", A RADIUS OF 270.00', AN ARC LENGTH OF 31.84' ON A EAST LINE OF SAID LOT 70 I.T., SAID LINE BEING A WEST LINE OF SAID RIGHT-OF-WAY, A CHORD LENGTH OF 31.82', A TANGENT LENGTH OF 15.94', AND A CHORD BEARING OF S07°29'20"W TO AN EAST CORNER OF SAID LOT 70 I.T., SAID POINT BEING A POINT OF REVERSE CURVATURE FOR A CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 10°28'31", A RADIUS OF 330.00', AN ARC LENGTH OF 60.33' ON A EAST LINE OF SAID LOT 70 I.T., SAID LINE BEING A WEST LINE OF SAID RIGHT-OF-WAY, A CHORD LENGTH OF 60.25', A TANGENT LENGTH OF 30.25', AND A CHORD BEARING OF S05°37'44"W TO AN EAST CORNER OF SAID LOT 70 I.T.; THENCE S00°23'29"W, ON AN EAST LINE OF SAID LOT 70 I.T., SAID LINE BEING A WEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 306.11' TO EAST CORNER OF SAID LOT 70 I.T.; THENCE N89°36'31"W, ON A SOUTH LINE OF SAID LOT 70 I.T., SAID LINE BEING A NORTH LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 8.00' TO AN EAST CORNER OF SAID LOT 70 I.T.; THENCE S00°23'29"W, ON AN EAST LINE OF SAID LOT 70 I.T., SAID LINE BEING A WEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 24.89' TO AN EAST CORNER OF SAID LOT 70 I.T.; THENCE N89°37'59"W, ON A SOUTH LINE OF SAID LOT 70 I.T., SAID LINE BEING A NORTH LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 10.00' TO AN EAST CORNER OF SAID LOT 70 I.T.; THENCE N89°37'51"W, A DISTANCE OF 619.27' TO A POINT; THENCE N00°05'03"E, A DISTANCE OF 201.06' TO A POINT OF CURVATURE FOR A CURVE IN A CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 26°04'22", A RADIUS OF 967.00', AN ARC LENGTH OF 440.04', A CHORD LENGTH OF 436.25', A TANGENT LENGTH OF 223.90', AND A CHORD BEARING OF N13°07'14"E, TO A POINT OF REVERSE CURVATURE FOR A CURVE IN A COUNTER CLOCKWISE

DIRECTION HAVING A CENTRAL ANGLE OF $26^{\circ}04'22''$, A RADIUS OF 416.50', AN ARC LENGTH OF 189.53', A CHORD LENGTH OF 187.90', A TANGENT LENGTH OF 96.44', AND A CHORD BEARING OF $N13^{\circ}07'14''E$ TO A POINT; THENCE $N00^{\circ}05'03''E$, A DISTANCE OF 162.42' TO A POINT LOCATED 33.00' SOUTH OF THE NORTH LINE OF SAID NORTHWEST QUARTER; THENCE $S89^{\circ}54'57''E$, ON A LINE LOCATED 33.00' SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 362.22' TO THE POINT OF BEGINNING, SAID TRACT CONTAINS A CALCULATED AREA OF 531,134.71 SQUARE FEET OR 12.19 ACRES, MORE OR LESS.

Thursday, January 23, 2020

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I-80 WEST LINCOLN BUSINESS CENTER SITE PLAN / UTILITY PLAN



CENTER LINE CURVE DATA

| STATION | CH | PT. OF CURVE | STATION | CH |
|---------|--------|--------------|---------|--------|
| 1+00.00 | 151.38 | 1+15.00 | 1+15.00 | 151.38 |
| 1+15.00 | 151.38 | 1+20.00 | 1+20.00 | 151.38 |
| 1+20.00 | 151.38 | 1+25.00 | 1+25.00 | 151.38 |
| 1+25.00 | 151.38 | 1+30.00 | 1+30.00 | 151.38 |
| 1+30.00 | 151.38 | 1+35.00 | 1+35.00 | 151.38 |
| 1+35.00 | 151.38 | 1+40.00 | 1+40.00 | 151.38 |
| 1+40.00 | 151.38 | 1+45.00 | 1+45.00 | 151.38 |
| 1+45.00 | 151.38 | 1+50.00 | 1+50.00 | 151.38 |
| 1+50.00 | 151.38 | 1+55.00 | 1+55.00 | 151.38 |
| 1+55.00 | 151.38 | 1+60.00 | 1+60.00 | 151.38 |
| 1+60.00 | 151.38 | 1+65.00 | 1+65.00 | 151.38 |
| 1+65.00 | 151.38 | 1+70.00 | 1+70.00 | 151.38 |
| 1+70.00 | 151.38 | 1+75.00 | 1+75.00 | 151.38 |
| 1+75.00 | 151.38 | 1+80.00 | 1+80.00 | 151.38 |
| 1+80.00 | 151.38 | 1+85.00 | 1+85.00 | 151.38 |
| 1+85.00 | 151.38 | 1+90.00 | 1+90.00 | 151.38 |
| 1+90.00 | 151.38 | 1+95.00 | 1+95.00 | 151.38 |
| 1+95.00 | 151.38 | 2+00.00 | 2+00.00 | 151.38 |

OUTLET DESCRIPTION

| OUTLET | DESCRIPTION |
|------------|--|
| OUTLET 'A' | OPEN SPACE & DRAINAGE EASEMENT AND DETENTION |
| OUTLET 'B' | OPEN SPACE & DRAINAGE EASEMENT AND DETENTION |
| OUTLET 'C' | OPEN SPACE & DRAINAGE EASEMENT AND DETENTION |
| OUTLET 'D' | OPEN SPACE |
| OUTLET 'E' | PEDESTRIAN ACCESS EASEMENT |
| OUTLET 'F' | PEDESTRIAN ACCESS EASEMENT |
| OUTLET 'G' | PEDESTRIAN ACCESS EASEMENT |
| OUTLET 'H' | PEDESTRIAN ACCESS EASEMENT |
| OUTLET 'I' | OPEN SPACE |
| OUTLET 'J' | DRIVEWAY |
| OUTLET 'K' | DRIVEWAY |
| OUTLET 'L' | DRIVEWAY |

LEGEND

| | | | |
|--|-------------------------|--|--|
| | EXISTING WATER MAIN | | EXISTING TREES |
| | PROPOSED WATER MAIN | | EXISTING TREE MASS |
| | PROPOSED SANITARY SEWER | | EXISTING TREES TO BE REMOVED BY DEVELOPMENT |
| | SANITARY SEWER MANHOLE | | EXISTING TREES MASS TO BE REMOVED BY DEVELOPMENT |
| | FIRE HYDRANT | | EXISTING PROPERTY LINE |
| | WATER VALVE | | PROPOSED PROPERTY LINE |
| | FENCE | | EXISTING SETBACK LINE |
| | PROPOSED EASEMENT LINE | | PROPERTY SETBACK LINE |
| | PROPOSED RIGHT OF WAY | | ANNEXATION/CHANGE OF ZONE BOUNDARY |
| | MINIMUM FLOOD CORRIDOR | | |
| | POTENTIAL WETLAND AREA | | |

osson
601 P Street, Suite 200
P.O. Box 89003
Lincoln, NE 68508
TEL: 402.724.6311
www.osson.com

REVISIONS

| NO. | DATE | REVISION DESCRIPTION |
|-----|----------|----------------------|
| 1 | 03/13/17 | ISSUE FOR PERMITTING |
| 2 | 03/13/17 | ISSUE FOR PERMITTING |
| 3 | 03/13/17 | ISSUE FOR PERMITTING |
| 4 | 03/13/17 | ISSUE FOR PERMITTING |
| 5 | 03/13/17 | ISSUE FOR PERMITTING |

SITE PLAN
I-80 BUSINESS CENTER P.U.D.
I-80 WEST LINCOLN BUSINESS CENTER P.U.D.
LINCOLN, NE

drawn by: [Name]
checked by: [Name]
project no.: [Number]
drawing no.: [Number]

SHEET 2A OF 9



January 21, 2020

Rachel Jones
City of Lincoln Planning Department
555 South 10th St., Suite 213
Lincoln, NE 68508

RE: I-80 West Lincoln Business Center PUD Amendment

Dear Rachel:

On behalf of property owner and applicant, Ringneck Development LLC, Olsson is submitting application for amendment to the I-80 West Lincoln Business Center PUD. The proposed amendment includes: change of proposed zoning, site layout updates to R-3 PUD and H-3 PUD project areas, and annexation of a portion of the PUD area. The proposed annexation and PUD zoning requests are described on the attached legal descriptions.

Olsson has prepared engineering documentation for the proposed grading, drainage, street profiles and site plan information associated with the R-3 PUD project area located between W. Holdrege Street and W. Vine Street, and the H-3 PUD commercial area located south of W. Vine Street. In accordance with the drainage report, the R-3 PUD project area and H-3 PUD project area will provide stormwater detention on-site before discharging into the existing drainage channel. Further drainage details are included in PUD drainage plans and drainage report.

Ringneck Development is making the following applications and requests:

1. Annexation. Of a portion of Parcel 109100004000, for a total of 72.81 acres.
2. Changes of Zone. From AG to R-3 PUD as shown on the attached PUD site plan.

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

1. City Application Form
2. Application fees in the amount of \$4,283.00
3. Legal Descriptions for Annexation and R-3 PUD Zoning
4. I-80 West Lincoln Business Center revised PUD site and grading/drainage plans (via ProjectDox)

Olsson will submit the site plan documentation to ProjectDox upon notification from the Planning Staff.

We appreciate your consideration of the above requests and look forward to continuing to work with you on this amendment. If you require further information or have any questions, please do not hesitate to contact me at 402.458.5608 or ebright@olsson.com or the undersigned.

Regards,

Erin Bright, PE
Olsson

cc: Scott Wieskamp, Lincoln Public Schools
Mike Preston, Ringneck Development LLC
Danay Kalkowski, Seacrest & Kalkowski

AN20003 - LPS NW High School
Rachel Jones
Review #1
Received 1/23/2020, Reviewed by Tim Zach 1/30/2020

Corrections Required

Prior to final approval of these plans, the following details need to be provide and corrections made:

1. Provide the proposal to meet the water quality requirement for the LPS site. This should include Water Quality Control Volume (WQCV) calculations, the treated volume calculations, and the approximate location of where the water quality treatment volume will be met. It should be clearly stated how much of the WQCV will be accounted for with the extended minimum corridor, and how much will be met with onsite BMPs. The final water quality details may be submitted with the building permit.
2. There are a number of corrections that need to be made to the drainage report which may result in a larger culvert needed at the West Vine St. crossing:
 - a. The drainage report uses "iuntermim" flows from north of West Holdrege St. Need to use flows for full buildout, which may be higher than the "interim" flows.
 - b. The tailwater for the Vine St culvert is set lower than the water surface elevation of the I-80 detention cell. Need to revise the drainage analysis to account for the actual tailwater condition.
 - c. Design the Vine St culvert with a low flow barrel to eliminate sedimentation in the culvert barrels. This is typically done by sizing the main barrel to convey the 1-year storm event, and then setting the overflow barrels flowline at the depth of the 1-year storm event.
 - d. Provide the 50-year drainage analysis to show that the Vine St. culvert meets the requirements for 1 ft of freeboard from the 50-year WSE to the roadway overtopping elevation.
3. The I-80 detention cell is shown in the minimum corridor. The following items need to be provided to show that the minimum corridor requirements are being met:
 - a. Provide sequencing documentation for the I-80 detention cell crossing the floodplain. This should show an evaluation of the alternatives for avoidance, minimization, and mitigation.
 - b. The I-80 detention cell appears to show grading for the bottom of the cell in the minimum corridor. Need to leave the min corridor alone, and only grade outside of the corridor. At all points, the bottom of the cell needs to be at least 2%.
4. Provide the drawdown calculations for the I-80 Detention water quality volume
5. The Central detention cell is shown on the plans with a permanent pool at 1227.4, yet the drainage report shows storage volume below this point being used for detention. Need to verify that the drainage report is modeling this cell correctly to match the plans.
6. The following details need to be shown on the plans for final approval:
 - a. The final grading of the detention cells needs to be shown to verify the required storage volume is provided.
 - b. Overland flow paths needs to be shown to verify 100-year does not impact any structures.
 - c. Add the following to Note 27: "... along with the Water Quality Maintenance Agreement"
 - d. Set minimum opening elevations for the lots adjacent to the I-80 detention cell

LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT

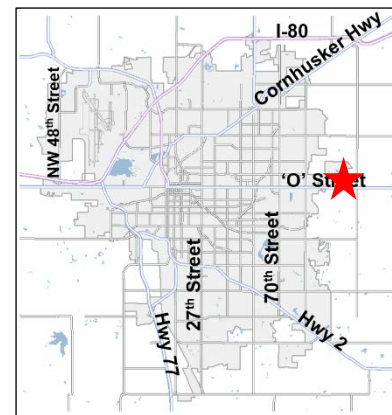
FROM THE LINCOLN/LANCASTER COUNTY PLANNING DEPARTMENT, 555 S. 10TH STREET, SUITE 213, LINCOLN, NE 68508

| | | |
|---|------------------------------|--|
| APPLICATION NUMBER Preliminary Plat 20001 | FINAL ACTION? Yes | DEVELOPER/OWNER Waterford Estates, LLC |
| PLANNING COMMISSION HEARING DATE February 19, 2020 | RELATED APPLICATIONS None | PROPERTY LOCATION N. 103 rd Street & Shore Front Drive |

RECOMMENDATION: CONDITIONAL APPROVAL

BRIEF SUMMARY OF REQUEST

This is a request for an amendment to the Waterford Estates 1st Addition preliminary plat. This amendment will allow for the development of 36 additional single family lots on approximately 12.08 acres. This area is located north of O Street between Boathouse Road and Short Front Drive just west of N. 104th Street. Waivers requested include lot lines being radial and perpendicular to street right-of-way, sanitary sewer running opposite of street grade, street and right of way widths and sidewalk requirement.



JUSTIFICATION FOR RECOMMENDATION

The proposed preliminary plat as modified by the proposed conditions is in conformance with the 2040 Lincoln-Lancaster County Comprehensive Plan, zoning and subdivision regulations. The requested waivers for sanitary sewer running opposite street grades and sidewalk installation along the east side of N. 102nd Street are justified. The requested waivers for street and right of way width reduction for N. 102nd Street are not justified as the adjacent lots can be redesigned in a way that meets both lot and street requirements.

APPLICATION CONTACT

Matt Langston, Olsson
(402) 474-6311
m-langston@olsson.com

STAFF CONTACT

George Wesselhoff, Planner
(402) 441-6366
gwesselhoff@lincoln.ne.gov

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The site is within the City limits with urban services and is designated for future urban density residential land uses on the Future Land Use Map. These requests comply with the Zoning Ordinance and Comprehensive Plan.

WAIVERS

1. Subdivision Ordinance 26.23.140(c) to allow lot lines not radial to street ROW. (Not Required)
2. Subdivision Ordinance 26.11.040(e) to allow sidewalk installation waiver for the east side of N. 102nd Street between Shore Front Drive and Boathouse Road. (Recommend Approval)
3. Design Standards, Title 2, Chapter 2, Section 3.3.6, to allow for sanitary sewer mains to run opposite the street grades. (Recommend Approval)
4. Design Standards, Title 2, Chapter 2,15, Section 3.5, to allow local residential street roadway width reduction from 27 to 24 feet. (Recommend Denial)
5. Subdivision Ordinance 26.23.040 right of way reduction from 60 feet to 57 feet. (Recommend Denial)

KEY QUOTES FROM THE 2040 COMPREHENSIVE PLAN

P. 1.9 - This site is shown as future Residential - Urban Density on the 2040 Lincoln Area Future Land Use Plan.

P. 7.2 - Neighborhoods & Housing Guiding Principles:

- Make available a safe residential dwelling for all citizens.
- Provide flexibility to the marketplace in siting future residential development locations.
- Strive for predictability for neighborhoods and developers for residential development and redevelopment.

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 an amendment to the Waterford Estates 1st Addition preliminary plat. This preliminary plat proposes approximately 36 additional single-family detached lots and one addition outlot on approximately 12.08 acres. The area in question includes property that is currently designated as conceptual single family residential on the preliminary plat between Boathouse Road and Short Front Drive just west of N. 104th Street. The property is zoned R-3 and R-4 Residential.
2. The property included in the amendment is bounded by the developing single family attached residential development of Waterford Estates Townhomes Addition to the south, Waterford Estates 1st Addition to the west, and developing single family detached residential of Dominion at Stevens Creek Addition to the north and Waterford Estates 22nd Addition to the east.
3. This preliminary plat was originally approved in February, 2007. The area of amendment was part of an out lot for future multi-family (R-4 zoning). Administrative Amendment 18029 approved in November, 2018 updated the eastern portion of the development to match the Dominion at Stevens Creek CUP and identified the area of amendment as part of a conceptual layout.
4. All streets in the preliminary plat will be constructed as public streets. The proposed new streets include N. 102nd Street and N. 103rd Street which will connect Shore Front Drive to Boathouse Road. N. 104th Street was included in the final plat for Waterford Estates 22nd Addition. Also, a trail is planned along the south side of Shore Front Drive. As a condition of approval, a note will be added to the plat such that that corner lots where there is a planned trail shall relinquish vehicle access on the trail side of the lot.
5. The applicant has requested the following waivers to the Lincoln Municipal Code and to Design Standards:
 - a) Subdivision Ordinance, 26.23.140(c) states: The side lines of any lot shall be at right angles to the street or radial, if the street is curved, *except where a variation will provide a better street and lot layout*. This request is not uncommon in developments with curved streets. None of the lots with lot lines not parallel to the ROW are so unusually shaped as to create lots that are not suitable for development, and the lots shown result in a better overall layout. Under these circumstances LMC allows for an exception to the standard, and in such cases a waiver is not required.
 - b) Subdivision Ordinance 26.11.040(e) to allow sidewalk installation waiver for the east side of N. 102nd Street between Shore Front Drive and Boathouse Road. In this case, the east side of North 102nd Street is an outlot (Outlot M) for utilities and water quality. There will be no homes on the east side, so since sidewalk will still be required on the west side of N. 102nd Street there will be pedestrian connectivity between Boathouse Road to the south and Shore Front Drive to the north.
 - c) Design Standards, Title 2, Chapter 2.00, Section 3.3.6, to allow for sanitary sewer mains to run opposite the street grades. This is a typical waiver request and is justified to allow for sewer service to the lots due to grade considerations.
 - d) Design Standards, Title 2, Chapter 3.5, Section 3.5, to allow local residential street roadway width reduction from 27 to 24 feet. The proposed lot depths exceed the minimum of 90 feet along the west side of North 102nd Street. If the street width were reduced this could negatively impact guest parking along N. 102nd Street due to narrow street which then would require a ban on parking on one side. Such parking bans are problematic in

the long term to enforce. The applicant can modify lot depths and still meet both lot requirements and street right of way requirements.

- e) Subdivision Ordinance 26.23.040 right of way reduction from 60 feet to 57 feet for North 102nd Street. This requested waiver is not justified. The proposed lot depths exceed the minimum of 90 feet along the west side of North 102nd Street. The applicant can modify lot depths and still meet both lot requirements and street right of way requirements.

Other waivers previously approved as part of PP17001 Waterford Estates 1st Addition included waivers to allow the transfer of sewerage from one basin to another by lift station, minimum flood corridor and maximum block length.

- 6. LES noted in their review that utility easements will be obtained during the final platting process with additional easements required for the lots on the west side of North 102nd Street.
- 7. LTU-Watershed Management identified no concerns with this preliminary plat as both water quality and detention have been provided and approved with SP18041 Waterford Estates Townhomes Addition. Outlot M is designated for drainage and the water quality structure.
- 8. A final plat for Waterford Estates 24th Addition was submitted which will include 9 single family lots on the west side of N. 104th Street. This final plat cannot be approved until after this preliminary plat is approved.
- 9. The approval of this preliminary plat is in conformance with the Comprehensive Plan and the Zoning Ordinance and will allow for additional single family residential dwellings an area zoned and intended for such use as part of the larger Waterford Estates development.

CONDITIONS OF APPROVAL: See attached

EXISTING LAND USE & ZONING: Vacant R-3 Residential, R-4 Residential

SURROUNDING LAND USE & ZONING

North: Vacant & R-3
South: Vacant & R-3 and R-4
East: Vacant & R-3
West: Vacant, Single Family Attached & B-2 and R-4

APPLICATION HISTORY: See attached

APPROXIMATE LAND AREA: 12.08 acres

LEGAL DESCRIPTION: Outlot K, Dominion at Stevens Creek Addition and Outlot A, Waterford Estates 22nd Addition, located in the SW 1/4 of Section 24-10-7, Lincoln, Lancaster County, Nebraska

Prepared by:

George Wesselhoft, Planner
(402) 441-6366

Date: February 6, 2020

Contact: Matt Langston
 Olsson
 601 P Street, Suite 200
 Lincoln, NE 68508

Owner: Waterford Estates LLC
7211 S 27th Street
Lincoln, NE 68512

F:\DevReview\PP\20000\PP20001 Waterford Estates 1st Addition.gjw.docx

APPLICATION HISTORY - PRELIMINARY PLAT 20001

| | |
|----------------|---|
| March, 2005 | Waterford Estates Preliminary Plat 04011 was approved by Planning Commission. |
| April, 2006 | Annexation 04003 and Change of Zone 04019 were approved by City Council. |
| June, 2006 | Waterford Estates conditional annexation and zoning agreement signed by Mayor's Office. |
| February, 2007 | Waterford Estates 1 st Addition Preliminary Plat 07001 was approved by Planning Commission. |
| April, 2007 | Annexation 07001 was approved by City Council which included the property as part of 122.2 acres annexed into the City. |
| April, 2007 | Change of Zone 07002 was approved by City Council. This change of zone included the property as part of approximately 123.63 acres and rezoned the property from AG Agricultural to R-3 and R-4 Residential. |
| November, 2018 | Administrative Amendment 18029 to Preliminary Plat 07001 was approved to update the eastern portion of the development to match the approved Dominion at Stevens Creek CUP. |
| November, 2018 | Final Plat 18056 Dominion at Stevens Creek Addition was approved which included the area of amendment as part of Outlots K and I for future development. |
| December, 2018 | Final Plat 18110 Waterford Estates 22 nd Addition was approved which included part of the area of amendment on the west side of N. 104 th Street as Outlot A for future development. |
| February, 2019 | Change of Zone 18032 was approved by City Council. This change of zone straightened the zoning district boundary line between the R-4 and R-3 zoning districts. This included a small part of the amendment area at Boathouse Rd. and 104 th Street. |

CONDITIONS OF APPROVAL - PRELIMINARY PLAT 20001

Approval of the following waivers: sanitary sewer running opposite of street grade, and sidewalk requirement along the east side of North 102nd Street between Shore Front Drive and Boathouse Road.

Site Specific Conditions:

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 Clearly indicate the area of amendment.
 - 1.1.2 Add note that Lot 52, Block 2, Lot 1, Block 3 and Lots 1 and 18, Block 4 shall relinquish access to Shore Front Drive.
 - 1.1.3 Widen Shore Front Drive right of way to add 6 feet for trail or in the alternative provide a 6 foot outlot for the trail.
 - 1.1.4 Show North 102nd Street as 60 foot wide right of way with 27' street width.
 - 1.1.5 Amend Note 11 to indicate that Outlot H is a channel easement, drainage, and blanket easement.
 - 1.1.6 Update Note 19 to reference Lincoln Transportation & Utilities instead of Public Works.
2. Final Plats will be approved by the Planning Director after:
 - 2.1 The required improvements are completed or a surety is posted to guarantee the completion of the public streets, private roadway improvements, sidewalks, sanitary sewer system, water system, drainage facilities, land preparation and grading, sediment and erosions control measures, storm water detention/retention facilities, drainageway improvements, street lights, landscaping screens, street trees, temporary turnaround and barricades, and street name signs. 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.

The subdivider has signed an agreement that binds the subdivider, its successors and assigns:

to complete the street paving of public streets, and temporary turnarounds and barricades located at the temporary dead-end of the streets shown on the final plat within two (2) years following the approval of this final plat.

to complete the installation of sidewalks along both sides of streets and along as shown on the final plat except for the east side of N. 102nd Street adjacent Outlot M within four (4) years following the approval of this final plat.

to construct the sidewalk in the pedestrian way easements at the same time as the adjacent streets are paved and to agree that no building permits shall be issued for construction on the adjacent lots until such time as the sidewalk in the pedestrian way easement is constructed.

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

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

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

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

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

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

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

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

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

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

to submit to the Director of Lincoln Transportation and Utilities 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 and private improvements shown on the preliminary plat and Community Unit Plan and Use Permit.

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

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

to maintain the street trees along the streets and private roadways and landscape screens on a permanent and continuous basis.

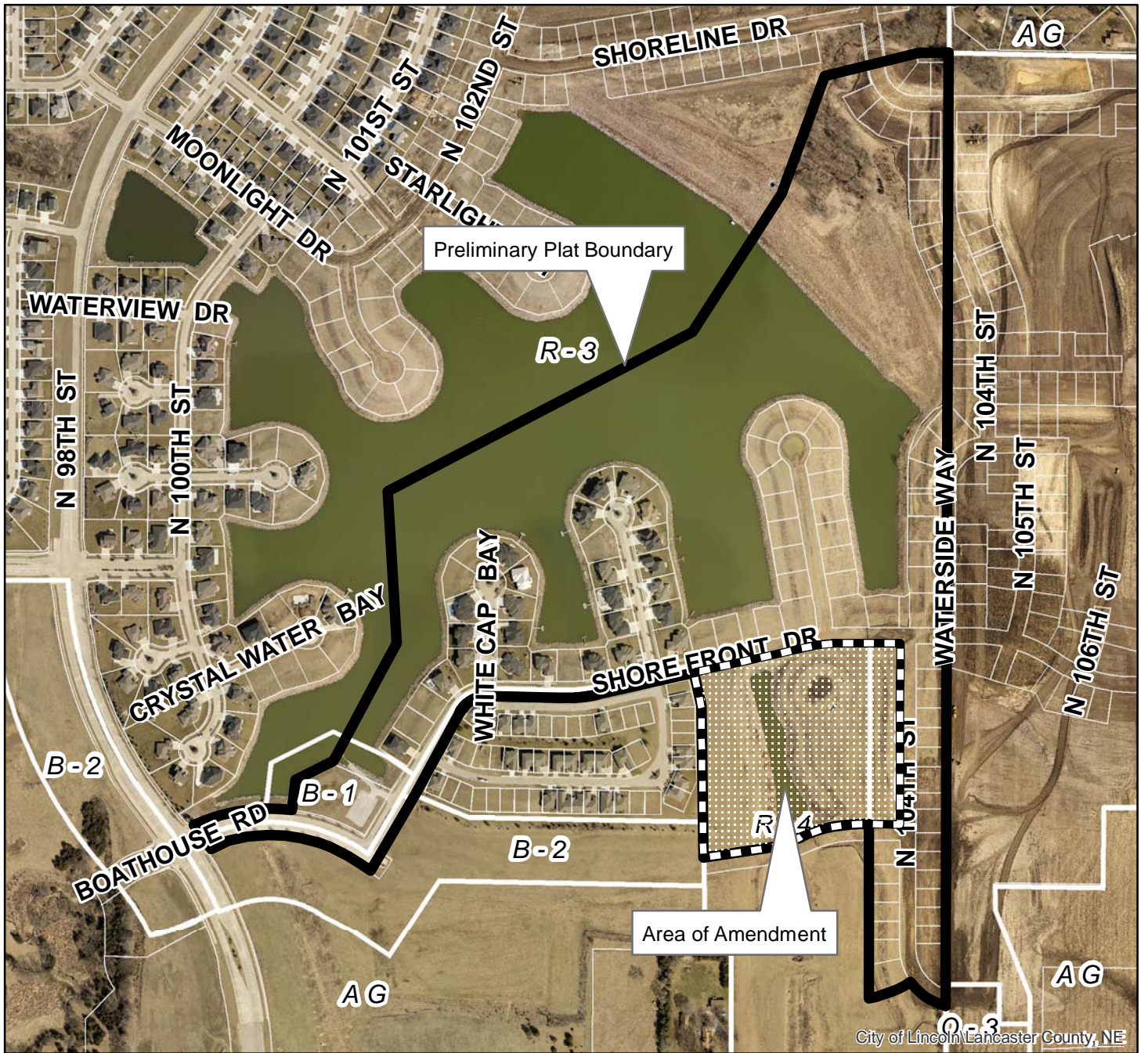
to maintain the sidewalks in the pedestrian way easements on lots and all of its elements in a condition as near as practical to the original or as constructed condition in order to provide the user with a safe and convenient facility on a permanent and continuous basis.

to maintain and supervise the private facilities which have common use or benefit in a condition as near as practical to the original construction on a permanent and continuous basis, and to recognize that there may be additional maintenance issues or costs associated with providing for the proper functioning of storm water detention/retention facilities as they were designed and constructed within the development and that these are the responsibility of the land subdivider.

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

- (1) Subdivider shall not be relieved of Subdivider's maintenance obligation for each specific private improvement until a registered professional engineer or nurseryman who supervised the installation of said private improvement has certified to the City that the improvement has been installed in accordance with approved plans.
- (2) The maintenance agreements are incorporated into covenants and restrictions in deeds to the subdivided property and the documents creating the association and the restrictive covenants have been reviewed and approved by the City Attorney and filed of record with the Register of Deeds.

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



City of Lincoln Lancaster County, NE

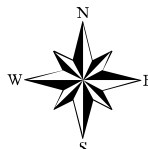
2018 aerial




**Preliminary Plat #: PP20001
Waterford Estates 1st Addition
N 103rd St & Shore Front Dr**

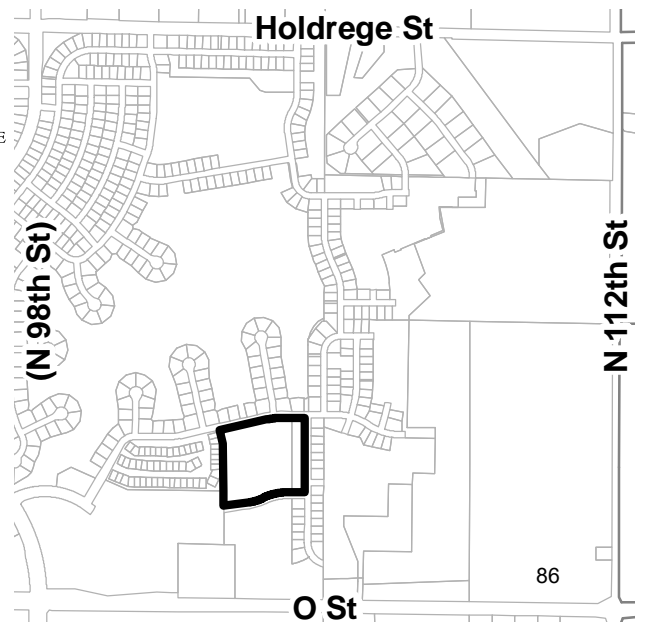
Zoning:

- 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.24 T10N R07E



| | |
|---|-------------------------------|
|  | Area of Application |
|  | Zoning Jurisdiction Lines |
|  | Lancaster County Jurisdiction |



**WATERFORD ESTATES
1ST ADDITION
PRELIMINARY PLAT**

LEGEND

- PROPOSED RIGHT-OF-WAY CENTERLINE
- EXISTING RIGHT-OF-WAY CENTERLINE
- EXISTING SECTION LINE
- EXISTING PROPERTY LINE
- PROPOSED EASEMENT
- EXISTING EASEMENT
- EXISTING SANITARY SEWER
- PROPOSED SANITARY SEWER
- EXISTING WATER MAIN
- PROPOSED WATER MAIN
- PROPOSED 10' BIKE TRAIL
- PROPOSED MAJOR CONTOUR
- PROPOSED MINOR CONTOUR
- FUTURE MAJOR CONTOUR
- FUTURE MINOR CONTOUR
- EXISTING MAJOR CONTOUR
- EXISTING MINOR CONTOUR
- PROPOSED STORM SEWER DRAINAGE AREAS

MINIMUM OPENING ELEVATION FOR LOTS 1-16, BLOCK 1 = 1004.1

OUTLOT 'G'
NRD LAKE/SPILLWAY,
GREENSPACE &
BLANKET UTILITY EASEMENT

OUTLOT 'G'
NRD LAKE/SPILLWAY,
GREENSPACE &
BLANKET UTILITY EASEMENT

OUTLOT 'G'
NRD LAKE/SPILLWAY,
GREENSPACE &
BLANKET UTILITY EASEMENT

OUTLOT 'G'
NRD LAKE/SPILLWAY,
GREENSPACE &
BLANKET UTILITY EASEMENT

WATERFORD SEC 216

WATERFORD SEC 204

NOTE:
MINIMUM OPENING ELEVATIONS FOR OUTLOTS 'G' AND 'C' SHALL BE ASSIGNED WITH THE FUTURE SPECIAL PERMIT.

NOTE:
REFERENCE WATERFORD ESTATES HYDROLOGIC AND HYDRAULIC STUDY FOR OFF-SITE DRAINAGE AND RETENTION.

NOTE:
SEE SHEET 6 OF 9 FOR DRAINAGE CALCULATIONS.

olsson

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Lincoln, NE 68504
TEL: 402.442.0211
WWW.OLSSON.COM

REVISIONS

2020

WATERFORD ESTATES FIRST ADDITION
AMENDMENT TO PRELIMINARY PLAT #10701
GRADING AND DRAINAGE PLAN

LINCOLN, NEBRASKA

SHEET
4 OF 10



January 22, 2020

George Wesselhoft
Lincoln Lancaster Planning Department
County-City Building
555 South 10th Street, Suite 213
Lincoln, NE 68508

Re: Waterford Estates First Addition
Preliminary Plat Amendment Application
OA# 019-4078

Dear Mr. Wesselhoft

On behalf of the owner, Waterford Estates, LLC, we are requesting an Amendment to the Preliminary Plat for the property located between Shore Front Drive and Boat House Road at approximately N. 103rd Street, Lincoln, Nebraska.

This Amendment will allow the development of 36 additional single-family detached lots and one additional out-lot. Outlot 'M' will be for drainage and the water quality structure as approved through SP18041. The existing site is comprised of 12.08 acres of undeveloped grassed land and shown as conceptual single family residential in the approved Waterford Estates Preliminary Plat. The property is bound by a developing single family attached residential development 'Waterford Estates Townhomes Addition' to the south and Waterford Estates 1st Addition to the west, and developing single family detached residential developments Dominion at Stevens Creek Addition to the north and Waterford Estates 22nd Addition to the east. On a larger scale the Site is currently surrounded by existing and proposed residential and commercial development as well as agricultural land. The property is zoned R-3 and R-4, with no requested change.

This proposed amended Permit will develop the entirety of what is currently Outlot K, Dominion at Stevens Creek Addition and Outlot A, Waterford Estates 22nd Addition.

We are proposing to construct all streets in this permit as public streets.

The following waivers are being requested as part of this P.U.D.:

1. A waiver to the Lincoln municipal code to allow lot lines not perpendicular to right of way.
2. A waiver to the design standards of Lincoln to allow to allow sanitary sewer mains to flow opposite street grades.
3. A waiver to the design standards of Lincoln to allow to allow a residential street roadway width to be 24 feet wide with a 57 foot wide Right-of-Way.
4. A waiver to the design standards of Lincoln to not require a sidewalk along the east side of North 102nd Street between Shore Front Drive and Boathouse Road.

Please let me know if you have any questions or comments.

Sincerely,



Matt Langston

LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT

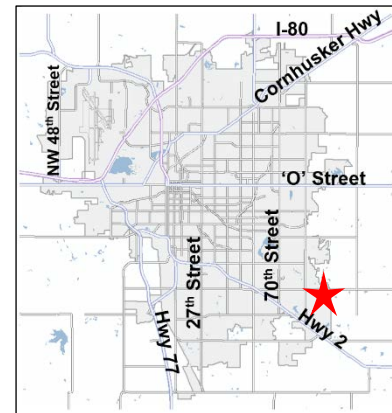
FROM THE LINCOLN/LANCASTER COUNTY PLANNING DEPARTMENT, 555 S. 10TH STREET, SUITE 213, LINCOLN, NE 68508

| | | |
|--|------------------------------|--|
| APPLICATION NUMBER Special Permit #20003 - Garden View at Vintage Heights Community Unit Plan (CUP) | FINAL ACTION? Yes | DEVELOPER/OWNER Bob Hampton Pine Lake Development, LLC |
| PLANNING COMMISSION HEARING DATE February 19, 2020 | RELATED APPLICATIONS None | PROPERTY ADDRESS/LOCATION South 93 rd Street and Old Cheney Road |

RECOMMENDATION: CONDITIONAL APPROVAL

BRIEF SUMMARY OF REQUEST

This is a request for a Community Unit Plan (CUP) located at approximately South 93rd Street and Old Cheney Road. The CUP is approximately 27.59 acres in area and proposes 133 dwelling units. Based upon the land area involved, a maximum density of 192 dwelling units is permitted by the Design Standards, so the remaining 59 allowed dwelling units will be unassigned, and can be used in the future to allow for flexibility in adjusting the layout as the project develops.



JUSTIFICATION FOR RECOMMENDATION

The full range of municipal services can be provided to serve this development. The Comprehensive Plan designates the area of the CUP for future urban density land uses. Infill development such as this which offers a mix of dwelling types is encouraged by the Comprehensive Plan. Minor revisions are required, but with those changes this request complies with the Zoning Ordinance and Comprehensive Plan.

APPLICATION CONTACT

Brad Marshall (402) 458-5672 or bmarshall@olsson.com

STAFF CONTACT

Brian Will, (402) 441-6362 or bwill@lincoln.ne.gov

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The area of the CUP is designated for urban density residential development. The proposed plan shows townhouses and attached and detached single-family units. The mix of dwelling types and the proposed density complies with the Comprehensive Plan land use designation.

WAIVERS

- | | |
|--|--------------------|
| 1. Block length in excess of 1,320' - LMC Sec. 26.23.130(a) - | Not Required |
| 2. Lot lines not to radial street ROW - LMC Sec. 26.23.140(c) | Not Required |
| 3. To internal setbacks - Front to 0'; Side to 0'; Rear to 0' - LMC Sec. 27.72.020 | Recommend Approval |
| 4. To minimum lot width - 50' to 20' - LMC 27.72.020 | Recommend Approval |
| 5. To minimum lot area - 6,000 to 1,500 square feet - LMC 27.72.020 | Recommend Approval |

KEY QUOTES FROM THE 2040 COMPREHENSIVE PLAN

P. 1.8 - This site is designated for future urban density residential land uses in the 2040 Lincoln Area Future Land Use Plan.

P. 7.2 - Neighborhoods and Housing Guiding Principles:

- Provide flexibility to the marketplace in siting future residential development locations.
- Strive for predictability for neighborhoods and developers for residential development and redevelopment.
- 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.

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.

P. 7.4-7.8 - Strategies for Developing Neighborhoods

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

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.

P. 12.4 - Environmental Resources. Land and water masses which are of particular importance for maintenance and preservation, such as saline wetlands, native prairie, and some floodway and riparian corridors.

ANALYSIS

1. This is a request for a Community Unit Plan (CUP) located at approximately South 93rd Street and Old Cheney Road. The CUP is 27.59 acres in area, with the potential for up to 192 dwelling units based upon the allowed density per the Design Standards for the R-3 zoning district. The site is annexed and already zoned R-3, and there are no associated applications.
2. The site is owned by Lincoln Public Schools and was a potential site for a new middle school in this part of Lincoln. It was designated as a potential future school site at the time the larger Vintage Heights development was approved in late 1990's. The new middle school was eventually sited at South 84th and Yankee Hill Road, so there is no need for a middle school in this area. Kloefkorn Elementary School is located three blocks to the south of this location.
3. Based upon the land area involved, a maximum density of 192 dwelling units is allowed, although the site plan layout shows only 133 dwelling units. The remaining 59 allowed dwelling units will be unassigned, and can be used in the future to allow for flexibility in adjusting the layout as the project develops.
4. Internally, the lots are served by public streets which will be constructed to full city standards, including curb and gutter, sidewalks, street trees and street lights. Public sewer and water are both adjacent to the property in either Old Cheney Road or the surrounding development. The property was annexed in 1999, and zoned R-3 Residential no re-zoning is being proposed.
5. The applicant has requested three necessary waivers to Title 26 and one to Title 27. They are as follows:
 - a. Allow block length in excess of 1,320' - Lincoln Municipal Code (LMC) Sec. 26.23.130(a) states: Block lengths shall not exceed 1,320 feet *except where a major street, school, park, or other man-made barrier, lake, or other natural barrier forms one boundary of a block*. Block lengths shall not exceed 1,000 feet in neighborhoods originally platted prior to December 31, 1949.

This site was originally planned as a school site, and the development surrounding it occurred given that possibility. At this point there are no possible street connections to make, so it is an existing condition not of this developers making. The site is already a platted lot and this waiver is not required.

- b. Lot lines not parallel to the street right-of-way line - LMC Section 26.23.140(c) states: The side lines of any lot shall be at right angles to the street or radial, if the street is curved, *except where a variation will provide a better street and lot layout.*

This request is not uncommon in developments with curved streets. In part, the layout of this development is dictated by the natural drainage/topography of the area. None of the lots with lot lines not parallel to the ROW are so unusually shaped as to create lots that are not suitable for development, and the lots shown result in a better overall layout. Under these circumstances LMC allows for an exception to the standard, and in such cases a waiver is not required.

- c. To setbacks - Front to 0'; Side to 0'; Rear to 0' - LMC Sec. 27.72.020

This request to adjust setbacks is to allow the dwellings located on Blocks 1, 3 and 4 (which are primarily internal to the development) to essentially be located on individual pad sites not much larger than the dwellings themselves, but where the units are surrounded by outlots dedicated as common open space. The outlots provide adequate separation between units, and also provide for commonly-maintained open space. A similar lot arrangement is under development at Garden View Addition at North 35th and Superior Streets. This waiver request is appropriate.

- d. To lot width - From 50' to 20'

This waiver will allow the townhouses located at the north and south ends of the development. Such an adjustment to lot width to allow row houses as part of a CUP is typical and appropriate.

- e. To lot area - From 6,000 to 1,500 square feet

Again, this waiver will allow for the townhouses located on the north and south ends of the CUP. 6,000 square feet is the minimum for a detached single-family dwelling in the R-3 zoning district. As with the other adjustments requested, the lot area can also be reduced as part of the CUP to allow for various dwelling types. In this case it is intended to accommodate the townhomes and is appropriate.

- 6. A natural gas pipeline extends across the south end of the site, as a result there is a defined Pipeline Planning Area (PPL) which covers a portion of this site. The City/County Health Department recommends that no dwellings or other sensitive uses be located inside a PPL. The open space at the south end of the the development located in Outlot F is defined by the PPL, and no dwellings are located within it. The features shown are conceptual and will be commonly maintained. The developer noted that the parking lot shown on the west edge of Outlot F may be constructed if the outlot/open space comes under the ownership of the Vintage Heights Homeowners Association (VHHA) . It is not required parking, rather parking to be provided for the use of residents that live further away if the outlot is under VHHA ownership. It is being offered as an option to be built if the outlot comes under VHHA ownership, but likely won't be built if it remains under ownership of this development.
- 7. Old Cheney Road is a two-lane paved street adjacent to this development, but is classified as a minor arterial street. There are no plans to improve it to a four-lane facility and it is not currently shown as part of the Capital Improvements Program. The bike trail plan shows the future bike trail system extending along Old Cheney Road from South 84th Street to South 134th Street. In this area it is be located along the south side of Old Cheney Road. In addition to the 10' right-of-way dedication shown on the site plan, the Parks and Recreation Department has noted that another six feet of right-of-way must be dedicated to accommodate the future trail.
- 8. The lot layout shown provides lots that are wide enough to accommodate on-street parking (i.e. adequate curb space between driveways to park a car), and the townhouses along the south edge of the development have both parking integral to the units in addition to 22 spaces perpendicular to the access driveway at the rear of the units.
- 9. The proposed mix of dwelling types within in a single development is consistent with the Comprehensive Plan which calls for such housing diversity. It helps create neighborhood character, while providing a range of housing choices for the residents of the city. This is the type of infill in terms of both density and variety the Plan encourages with no significant impact upon adjacent residents.
- 10. Lincoln Transportation and Utilities (LTU) concluded that the traffic impact would be less when compared to a middle school, so a traffic study was not required with this proposal.

11. Minor corrections and changes are required on the plans, and these items are listed in the conditions of approval. With those changes to the CUP, this request is consistent with the Zoning Ordinance and Comprehensive Plan, and is an appropriate use of land at this location.

CONDITIONS OF APPROVAL: See attached.

EXISTING LAND USE & ZONING:

Vacant R-3 Residential

SURROUNDING LAND USE & ZONING

| | |
|--------------------|-----|
| North: Residential | R-3 |
| South: Residential | R-3 |
| East: Residential | R-3 |
| West: Residential | R-3 |

APPROXIMATE LAND AREA: 27.59 acres, more or less

LEGAL DESCRIPTION: Lot 1, Block 3, Vintage Heights 4th Addition, located in the NE ¼ of Sec. 14-09-07, Lancaster County, Nebraska.

Prepared by

Brian Will, bwill@lincoln.ne.gov
February 6, 2020

Applicant: Bob Hampton
Pine Lake Development
4089 South 84th Street
Omaha, NE 68127
(402) 450-2255 or sailhampton@yahoo.com

Owner: Lincoln Public Schools
5905 O Street
Lincoln, NE 68510

Contact: Brad Marshall
Olsson
601 P Street
Lincoln, NE 68508
402-458-5672 or bmarshall@olsson.com

CONDITIONS OF APPROVAL - SPECIAL PERMIT #19061

1. Per Section 27.63.320 this approval permits a Community Unit Plan for up to 192 dwelling units with waivers to internal setbacks to 0', to minimum lot width to 20', and to minimum lot area to 1,500 square feet.

Site Specific Conditions:

1. The permittee shall cause to be prepared and submitted to the Planning Department a revised and reproducible final plot plan including 2 copies with all required revisions and documents as listed below:
 - 1.1 Make the following revisions to the CUP plan set:
 - 1.1.1 Correct the density calculation table to show: Total Units Assigned - 133; Total Units Unassigned - 59.
 - 1.1.2 Create typical separation between Lots 37 and 38, Block 1, and Lots 5 and 6, Block 3.
 - 1.1.3 Add a note which states: The parking lot in Outlot F is shown conceptually and could be built if the outlot comes under ownership of the larger Vintage Heights Homeowners Association.
 - 1.1.4 Revise the right-of-way dedication in Old Cheney Road to show an additional 6' to accommodate the City's bike trail system.
 - 1.1.5 Provide a new name for Kunde Drive which is phonetically too similar to the existing Dundee Drive, and for Stone Hill which is too phonetically similar to Stony Hill.
 - 1.1.6 Revise the waiver table by deleting waivers 1-3, and adding waiver Show Outlot B 30' in width with an access easement for park maintenance, and show a 15'-wide pedestrian way easement from Reese Drive to the park to the satisfaction of the Planning Department.
 - 1.1.7 Make the revision and corrections as noted in the written comments and redlines as provided by Watershed Management.
 - 1.1.8 Combine CUP Notes #6 and #63 to state "Single-family detached 'cottage' (which are located on Lots 30-44 and Lots 64-71, Blk 1; Lots 1-17, Blk 3; and Lots 1-15, Blk 4) lot locations may vary, but the dwelling will not encroach into the 20' boundary setback for the CUP.
 - 1.1.9 Add a note which states "For Lots 33, 34, 35, 38, 39, 42, and 43, Blk 1, covered decks and patios may extend up to 10' into the 20'-deep CUP boundary setback. For Lots 65-71, Blk 1, decks and patios may extend to within 10' of the west line of Outlot B."
 - 1.1.10 Correct the note numbering for the CUP notes.
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 installation of sidewalks along both sides of all streets as shown on the final plat within four (4) 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 the installation of public street lights along 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 Lincoln Transportation and Utilities 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 and private improvements shown on the Community Unit Plan.

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

to maintain the outlots on a permanent and continuous basis.

to maintain the private improvements in good order and state of repair, including the routine and reasonable preventive maintenance of the private improvements, on a permanent and continuous basis.

to maintain the plants in the medians and islands, including replacement and replanting as reasonably necessary, on a permanent and continuous basis.

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

- (1) Permittee shall not be relieved of Permittee's maintenance obligation for each specific private improvement until a registered professional engineer or nurseryman who supervised the installation of said private improvement has certified to the City that the improvement has been installed in accordance with approved plans.
- (2) The maintenance agreements are incorporated into covenants and restrictions in deeds to the subdivided property and the documents creating the association and the restrictive covenants have been reviewed and approved by the City Attorney and filed of record with the Register of Deeds

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

to inform all purchasers and users of land is located within the 100 year floodplain that the grading of the lots and outlots within the 100 year floodplain shall be in conformance with the approved grading plan or as amended by the Director of Planning. The volume of fill material brought into each lot and outlot from outside the floodplain shall not exceed that shown on the approved grading plan accompanying the preliminary plat.

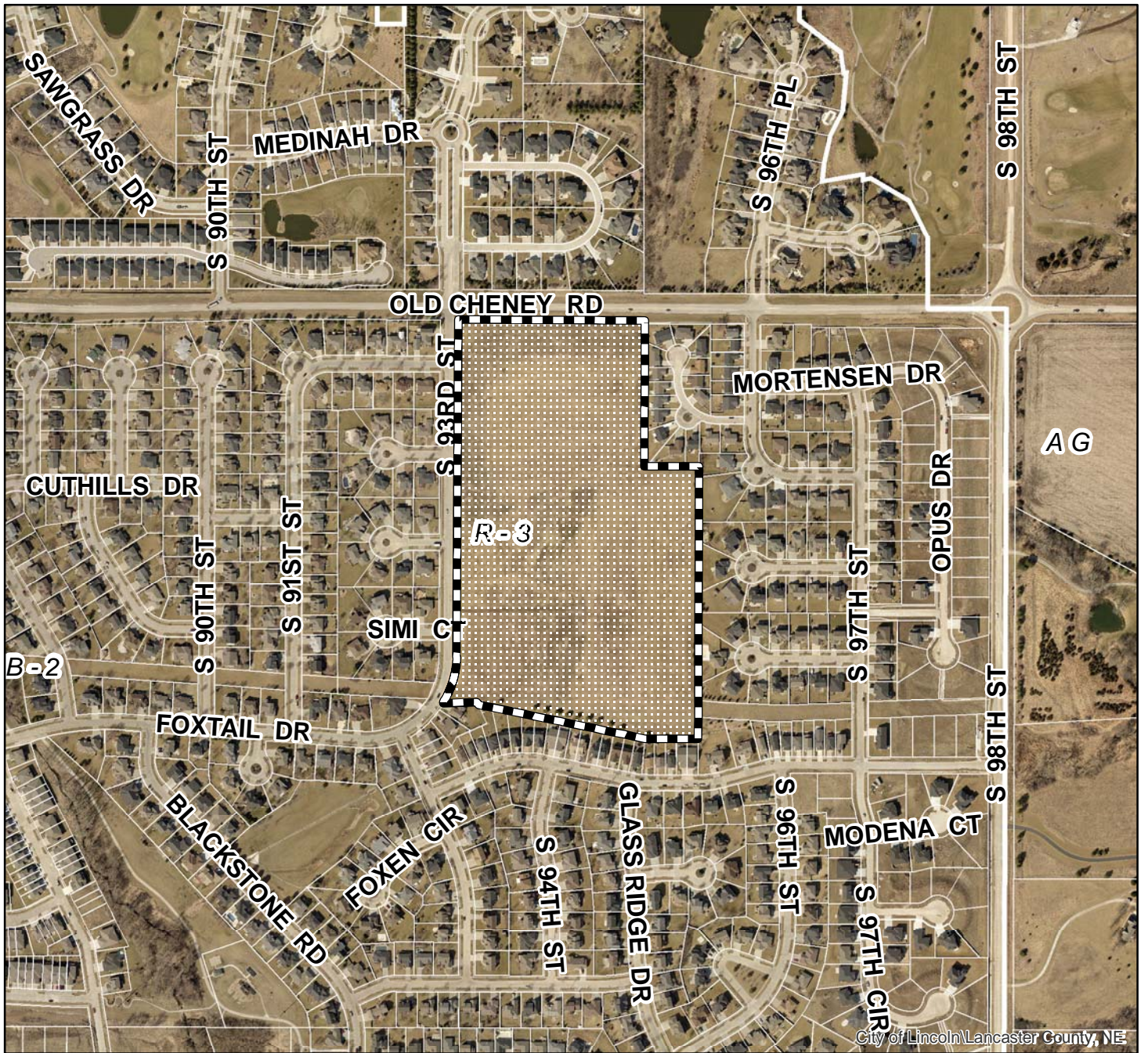
to protect the trees that are indicated to remain during construction and development.

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 All privately-owned improvements, including landscaping and recreational facilities, shall be permanently maintained by the Permittee 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, 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.

F:\DevReview\SP\20000\SP20003 Garden View at Vintage Heights CUP.bjw.docx



City of Lincoln/Lancaster County, NE

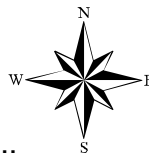
2018 aerial

Special Permit #: SP20003
Garden View at Vintage Heights
S 84th St & Old Cheney Rd

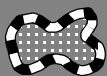


Zoning:

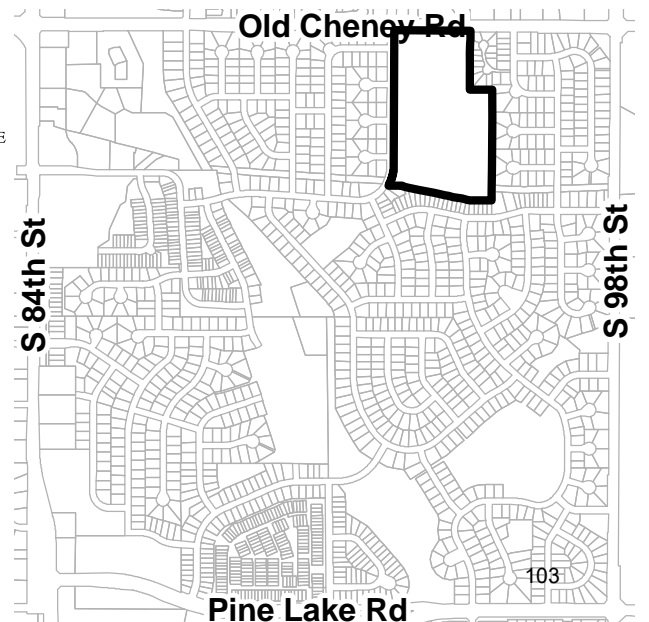
- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- O-1 Office District
- O-2 Suburban Office District
- O-3 Office Park District
- R-T Residential Transition District
- B-1 Local Business District
- B-2 Planned Neighborhood Business District
- B-3 Commercial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

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One Square Mile:
 Sec.14 T09N R07E

| | |
|---|-------------------------------|
|  | Area of Application |
|  | Zoning Jurisdiction Lines |
|  | Lancaster County Jurisdiction |



103



EXISTING LEGEND

- CENTER LINE
- PROPERTY LINE
- SECTION LINE
- EASEMENT LINE
- WOOD FENCE
- CHAIN LINK FENCE
- IRON FENCE
- PLASTIC FENCE
- SANITARY SEWER LINE
- STORM SEWER LINE
- WATER LINE
- UNDERGROUND GAS MAIN
- OVERHEAD POWER
- UNDERGROUND POWER
- UNDERGROUND FIBER OPTIC LINE
- TREE ROW

PROPOSED LEGEND

- RIGHT-OF-WAY/PROPERTY LINE
- EASEMENT
- ROADWAY CENTERLINE
- LIMITS OF CUP
- WATER MAIN
- SANITARY SEWER
- FIRE HYDRANT

DENSITY CALCULATIONS

| | |
|--|----------|
| TOTAL ACRES | 27.59 AC |
| UNITS ALLOWED PER ACRE (R-3) | 8.98 |
| TOTAL ALLOWED UNITS | 192 |
| TOTAL UNITS UNASSIGNED | 151 |
| PROPOSED UNITS | 47.5 |
| TOTAL UNITS ASSIGNED | 61 |
| *PER DESIGN STANDARDS CHAPTER 13.20, DESIGN STANDARDS FOR COMMUNITY UNIT PLANS | |

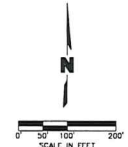
CURVE TABLE

| CURVE ID | RADIUS | DELTA | LENGTH | CHORD LENGTH | TANGENT LENGTH |
|----------|---------|-----------|---------|--------------|----------------|
| C1 | 150.00' | 89°52'52" | 235.33' | 211.84' | 148.73' |
| C2 | 150.00' | 90°02'57" | 235.75' | 212.22' | 150.13' |
| C3 | 150.00' | 83°31'42" | 244.86' | 218.58' | 158.53' |
| C4 | 150.00' | 86°29'22" | 226.25' | 205.41' | 140.92' |

**GARDEN VIEW AT VINTAGE HEIGHTS
R-3 COMMUNITY UNIT PLAN
SITE PLAN**

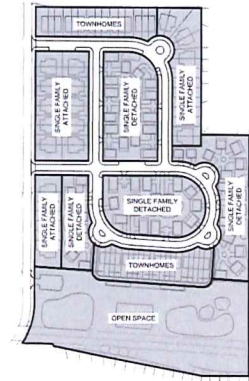
OWNER & DEVELOPER
OSB HARTSON
8101 VILLAGE DR. STE 101
LINCOLN, NE 68516
PHONE: (402) 431-1111

ENGINEER SURVEYOR & PREPARED BY
OLSSON
801 1ST STREET
LINCOLN, NE 68508
PHONE: (402) 474-6311



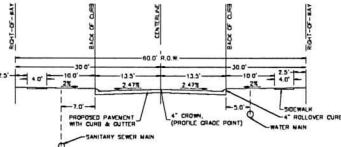
CUP SHEET INDEX

| SHEET NO. | DESCRIPTION |
|-----------|---------------------------|
| 1 | SITE PLAN |
| 2 | PRE-DEVELOPMENT DRAINAGE |
| 3 | POST-DEVELOPMENT DRAINAGE |
| 4 | POST-DEVELOPMENT DRAINAGE |
| 5 | GRADING & DRAINAGE |
| 6 | GRADING & DRAINAGE |
| 7 | PROFILE SHEET |



LOT SETBACKS

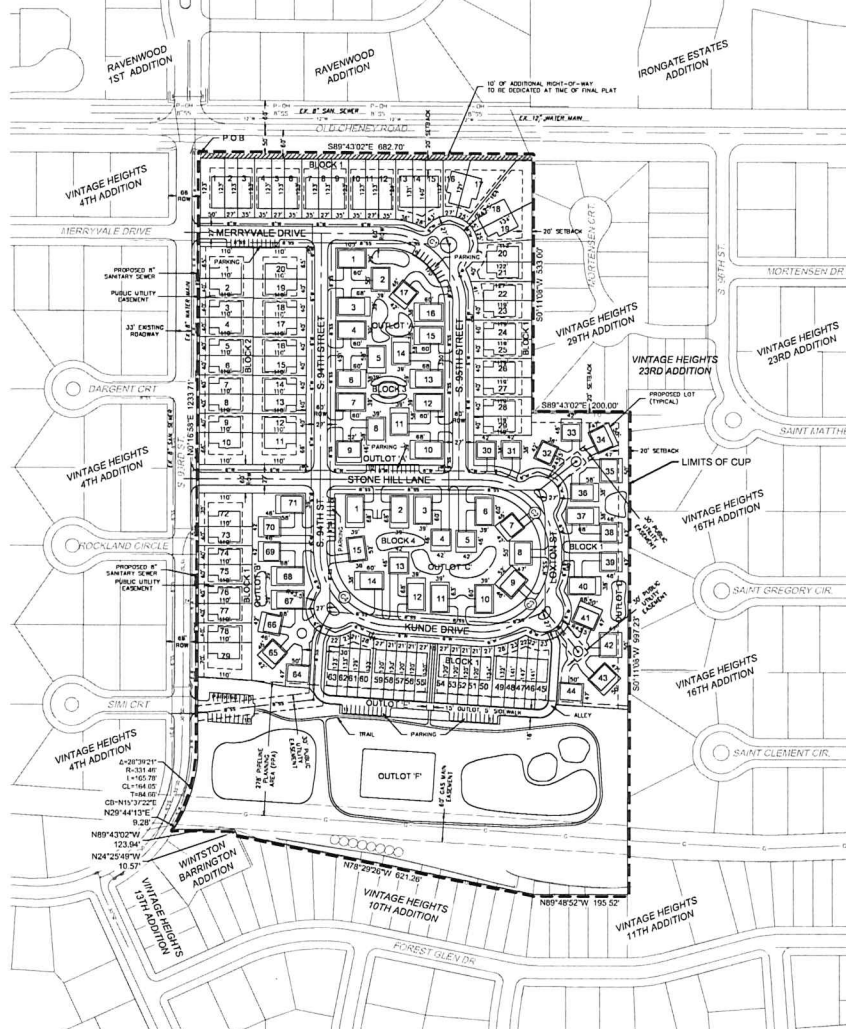
- SINGLE FAMILY DETACHED (COTTAGE)**
LOTS 30-44 & 64-71 BLOCK 1, LOTS 1-18 BLOCK 3, LOT 1-18 BLOCK 4
- FRONT YARD: 0 FEET
 - SIDE YARD: 0 FEET
 - REAR YARD: 0 FEET
- SINGLE FAMILY ATTACHED (TWO-FAMILY)**
LOTS 18-29 & 72-83 BLOCK 4, LOTS 1-20 BLOCK 2
- FRONT YARD: 20 FEET
 - SIDE YARD: 5 FEET, SHARED LOT LINE 0 FEET
 - REAR YARD: 20 FEET
- TOWNHOMES (2-UNIT)**
LOTS 1-15 & 43-63 BLOCK 1
- FRONT YARD: 20 FEET
 - SIDE YARD: 5 FEET, SHARED LOT LINE 0 FEET
 - REAR YARD: 20 FEET



COMMUNITY UNIT PLAN - LEGAL DESCRIPTION

A TRACT OF LAND COMPOSED OF LOT 1, BLOCKS VINTAGE HEIGHTS 4TH ADDITION, LOCATED IN THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 19 NORTH, RANGE 1 EAST OF THE 8TH P.M., CITY OF LINCOLN, LANCASTER COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 1, BLOCK 3, VINTAGE HEIGHTS 4TH ADDITION, SAID POINT BEING ON THE EAST RIGHT-OF-WAY LINE OF OLD CHERRY ROAD, AND ON THE SOUTH RIGHT-OF-WAY LINE OF OLD CHERRY ROAD, THENCE EASTERLY ON THE NORTH LINE OF SAID LOT 1, SAID LINE BEING THE SOUTH LINE OF SAID RIGHT-OF-WAY ON AN ASSUMED BEARING OF 89°02'57", A DISTANCE OF 80.75' TO THE NORTHEAST CORNER OF SAID LOT 1, THENCE S00°10'00" ON AN EAST LINE OF SAID LOT 1, A DISTANCE OF 333.00' TO NORTH CORNER OF SAID LOT 1, THENCE S89°02'57" ON A NORTH LINE OF SAID LOT 1, A DISTANCE OF 200.00' TO AN EAST CORNER OF SAID LOT 1, THENCE S00°10'00" ON AN EAST LINE OF SAID LOT 1, A DISTANCE OF 193.32' TO A SOUTH CORNER OF SAID LOT 1, THENCE S00°10'00" ON A SOUTH LINE OF SAID LOT 1, A DISTANCE OF 451.00' TO SOUTH CORNER OF SAID LOT 1, THENCE N04°29'22" ON A WEST LINE OF SAID LOT 1, A DISTANCE OF 632.00' TO A SOUTH CORNER OF SAID LOT 1, THENCE N89°48'52" ON A SOUTH LINE OF SAID LOT 1, A DISTANCE OF 129.24' TO THE SOUTHWEST CORNER OF SAID LOT 1, SAID POINT BEING ON AN EAST RIGHT-OF-WAY LINE OF SAID RIGHT-OF-WAY STREET, THENCE N04°29'22" ON A WEST LINE OF SAID LOT 1, SAID LINE BEING A PORTION OF SAID RIGHT-OF-WAY, A DISTANCE OF 529.10' TO A WEST CORNER OF SAID LOT 1, SAID POINT BEING ON A NON-TANGENT CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 29°32'11", A RADIUS OF 331.16', AN ARC LENGTH OF 185.18' ON A WEST LINE OF SAID LOT 1, THENCE N04°29'22" ON A WEST LINE OF SAID LOT 1, A DISTANCE OF 164.50', A TANGENT LENGTH OF 84.50' AND A CHORD BEARING OF W122°12'10" TO A WEST CORNER OF SAID LOT 1, THENCE N04°29'22" ON A WEST LINE OF SAID LOT 1, SAID LINE BEING AN EAST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 333.11' TO THE POINT OF BEGINNING, SAID TRACT CONTAINS A CALCULATED AREA OF 1,201,114.12 SQUARE FEET OR 27.59 ACRES, MORE OR LESS.



- REQUESTED WAIVERS**
- BLOCK LENGTH FOR BLOCKS 1
 - LOT LINES BEING RADIAL AND PERPENDICULAR TO STREET RIGHT-OF-WAY.
 - LOT LINE MAY SHARE RIGHT-OF-WAY LINE.
 - RESIDENTIAL:
 - a. LOTS 30-44 & 64-71 BLOCK 1, LOTS 1-17 BLOCK 2, LOT 1-15 BLOCK 4
 - SINGLE FAMILY DETACHED (COTTAGE)
 - FRONT YARD: 0 FEET
 - SIDE YARD: 0 FEET
 - REAR YARD: 0 FEET
 - LOT AREA (MIN): 1,500 SF
 - b. LOTS 1-15 & 43-63 BLOCK 1
 - TOWNHOMES (2+ UNITS)
 - LOT AREA (MIN): 2,500 SF
 - LOT WIDTH: 20 FEET (MIN)
 - REAR YARD: 20 FEET
- GENERAL SITE NOTES**
- SANITARY SEWER AND WATER LINES TO BE 8" AND 6" PIPE DIAMETER RESPECTIVELY AND TO BE CONSTRUCTED TO OTHER CITY OF LINCOLN SPECIFICATIONS, UNLESS OTHERWISE SHOWN.
 - ALL SANITARY SEWERS AND WATER MAINS TO BE PUBLIC.
 - ALL DIMENSIONS ALONG CURVES ARE CHORD DISTANCES.
 - ALL PAVING RADI TO BE 20' UNLESS OTHERWISE NOTED.
 - ALL ELEVATIONS ARE TO BE ON NAVD 1988.
 - LOT, OUTLOT, AND BLOCK DIMENSIONS SHOWN ARE APPROXIMATE AND MAY VARY.
 - ALL STREET DIMENSIONS ARE TO BACK OF CURB OR EDGE OF PAVEMENT.
 - THE YARD SETBACKS REGULATE STRUCTURAL WALLS ONLY AND DO NOT RESTRICT OVERHANGS, PATIOS, DOORS, SWINGS, WINDOW SHUTTERS, ETC. FROM ENCRACHING INTO THE SETBACKS.
 - DETAILS OF ALL SIGNS, INCLUDING TYPE, HEIGHT, AND SIZE, WILL BE SUBMITTED SEPARATELY FOR REVIEW WITH A SIGN PERMIT AND NEED NOT BE SHOWN ON THE CUP PLANS.
 - ALL STREETS WITHIN THIS CUP ARE PUBLIC LOCAL STREETS UNLESS DESIGNATED OTHERWISE ON THE PLAN.

- COMMUNITY UNIT PLAN NOTES**
- THIS COMMUNITY UNIT PLAN CONTAINS 27.59 ACRES.
 - ALL REGULATIONS OF THE UNDERLYING ZONING DISTRICT SHALL APPLY, EXCEPT AS PROVIDED HEREIN.
 - THE "R-3" ZONING REGULATIONS APPLY THROUGHOUT THIS CUP WITH THE FOLLOWING EXCEPTIONS:
 - a. PER THE APPROVED WAIVERS AS LISTED IN THE REQUESTED WAIVERS' TABLE.
 - ALL LAYOUT IS CONCEPTUAL. ACTUAL LAYOUT WILL BE DETERMINED AT THE TIME OF FINAL PLAT SUBJECT TO COMPLIANCE WITH L.M.C. TITLE 26.
 - LOTS MAY BE CREATED WITHOUT FRONTAGE TO A PUBLIC STREET IF THEY HAVE ACCESS TO A PUBLIC OR COMMON ACCESS EASEMENT.
 - SINGLE FAMILY DETACHED (COTTAGES) LOT LOCATIONS MAY VARY, BUT MUST NOT ENCRACH A 20' SETBACK FROM THE BOUNDARY OF THIS CUP.
 - ALL OPEN SPACE AND DETENTION AREA MAINTENANCE IS THE RESPONSIBILITY OF THE DEVELOPER AND/OR HOMEOWNER'S ASSOCIATION (HOA) WHEN PROPERTY IS TRANSFERRED TO THE HOA.
 - THE DEVELOPER SHALL CONSTRUCT WETLANDS AS SHOWN ON THE PLANS AT ALL STREET CONNECTIONS TO S. 93RD STREET.
 - DETENTION CELL IN OPEN AREAS SHALL BE INCLUDED IN THE FINAL PLAT FOR AND BUILT IN CONJUNCTION WITH ANY LOTS DRAINING TO THE SAID DETENTION CELL.
 - DWELLINGS ARE NOT ALLOWED IN THE PIPELINE PLANNING AREA (PPA), HOWEVER UNENCLOSED COVERED DECKS, UNENCLOSED COVERED PATIOS AND UNINHABITABLE STRUCTURES WILL BE ALLOWED TO ENCRACH THE PIPELINE PLANNING AREA.
 - AIR CONDITIONING UNITS SHALL BE ALLOWED TO THE REAR LOT LINE FOR SINGLE FAMILY DETACHED (COTTAGE) LOTS. PROVIDED THERE ARE NO FENCES AROUND THE AIR CONDITIONER UNITS AND IT BACKS UP TO COMMON GREEN SPACE.
 - ANY BUILDING CONSTRUCTED IN OUTLOT A, B, C, D SHALL BE AT LEAST SIX FEET FROM ANY PROPERTY LINE. (THE OUTLOTS THAT SURROUND COTTAGE LOTS).
 - DECKS AND PATIOS FOR LOTS 33, 34, 35, 36, 38, 39, 42, 43, 65, 66, 69 & 70 OF BLOCK 1 ARE ALLOWED TO ENCRACH CUP BOUNDARY SETBACK UP TO 10'.
 - LOTS 33-71 OF BLOCK 1 & LOTS 3, 5, 6, 8, 9, 10, 11, 13-17 OF BLOCK 3 & LOTS 2, 4, 7, 8, 9, 12, 14 OF BLOCK 4, ARE UNCHANGED TO ACCOMMODATE DECKS AND PATIOS.
 - ALL LOT DESIGNATION AND USES ARE AS FOLLOWS:
 - OUTLOT A OPEN SPACE
 - OUTLOT B OPEN SPACE
 - OUTLOT C OPEN SPACE
 - OUTLOT D OPEN SPACE
 - OUTLOT E PRIVATE ALLEY, PUBLIC ACCESS/UTILITY EASEMENT
 - OUTLOT F PARKING, OPEN SPACE, DRAINAGE & DETENTION

olsson
601 P Street, Suite 200
P.O. Box 8400
Lincoln, NE 68508
TEL: 402.474.6311 www.olsson.com

REVISIONS

| NO. | DATE | DESCRIPTION |
|-----|------------|-------------------|
| 1 | 01/13/2020 | ISSUED FOR PERMIT |

SITE PLAN

GARDEN VIEW AT VINTAGE HEIGHTS
R-3 COMMUNITY UNIT PLAN

LINCOLN, NEBRASKA

DATE: 01/13/2020

Drawn by: JTB
Checked by: JTB
Designed by: JTB
CADD by: JTB
Reviewed by: JTB
Approved by: JTB

SHEET
1 of 5



SEACREST & KALKOWSKI, PC, LLO

KENT@SK-LAW.COM | DANAY@SK-LAW.COM

January 22, 2020

HAND DELIVERY

David Cary, Director
Planning Department
555 South 10th Street
Lincoln, NE 68508

RE: Garden View at Vintage Heights Community Unit Plan

Dear David:

Our office represents Pine Lake Development, LLC (“Developer”). Developer has a contract interest in Lot 1, Block 3, Vintage Heights 4th Addition, Lincoln, Lancaster County, Nebraska (the “Property”), which is zoned R-3 and contains approximately 27.59 acres. The Property is currently owned by Lincoln Public Schools and was shown as a future school site on the Vintage Heights Preliminary Plat. A gas pipeline runs across the south end of the Property impacting residential development of the Property due to the Pipeline Planning Area.

Developer is requesting a Special Permit for a Community Unit Plan (“CUP”) on the Property permitting a mix of 57 small single family units, 57 single family attached units (duplexes), and 19 rowhomes that will provide a variety of home choices for the Vintage Heights neighborhood. The CUP provides flexibility to distribute the density on the Property under the R-3 zone while keeping open space over the pipeline planning area. The overall density for the proposed project is 4.8 units per acre. The proposed residential use of the Property will generate less daily, A.M. and P.M. trips than a school site.

Enclosed please find the following:

- a. City of Lincoln Zoning Application;
- b. CUP Site Plan; and
- c. Application fees in the amount of \$4,283.00.

Brad Marshall from Olsson will be uploading the CUP plans to project docs once Planning Staff has created the project files and docs.

Several waivers listed on the site plan are being requested to accommodate the development of the Property. A block length waiver is requested for Block 1 which abuts Old Cheney Road to the north and existing homes to the east. The Property does not meet the Access Management Policy standards to allow access to Old Cheney Road east of S. 93rd Street and there is no east/west street connection platted within the developed property to the east. Consequently, a block length waiver is necessary and justified. The remaining waivers are required for the unique layout proposed under the CUP.

Developer representatives hosted a neighborhood meeting on January 16, 2020, to present the proposed CUP site plan and to allow neighbors an opportunity to ask questions and provide feedback.

Garden View at Vintage Heights is a great example of an infill project in an existing neighborhood that is fulfilling the Comprehensive Plan goals of increasing density and providing multiple housing choices within a neighborhood while respecting the character of the neighborhood. This project will draw new people into the Vintage Heights neighborhood and provide options for those already living in the neighborhood who want to downsize but stay in Vintage Heights.

If you have any questions regarding the enclosed or need any additional information, please feel free to contact me or Brad.

Very truly yours,



DANAY KALKOWSKI

For the Firm

Enclosures

LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT

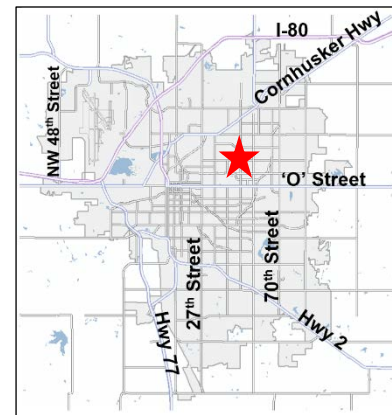
FROM THE LINCOLN/LANCASTER COUNTY PLANNING DEPARTMENT, 555 S. 10TH STREET, SUITE 213, LINCOLN, NE 68508

| | | |
|--|------------------------------|--|
| APPLICATION NUMBER Pre-Existing Special Permit #231 | FINAL ACTION? Yes | DEVELOPER/OWNER Nebraska Wesleyan University |
| PLANNING COMMISSION HEARING DATE February 19, 2020 | RELATED APPLICATIONS None | PROPERTY ADDRESS/LOCATION N. 49 th St. to N 56 th St. Huntington Ave. to Madison Ave. |

RECOMMENDATION: CONDITIONAL APPROVAL

BRIEF SUMMARY OF REQUEST

This is a request for a private school to expand the area of the special permit to accommodate additional off-street parking for Nebraska Wesleyan University, a private school.



JUSTIFICATION FOR RECOMMENDATION

The planned additional parking will help relieve the pressure for on-street parking and should serve to benefit the neighborhood.

APPLICATION CONTACT
Thomas Huston, 402-474-6900 or thuston@cliniwilliams.com

STAFF CONTACT
Tom Cajka, (402) 441-5662 or tcajka@lincoln.ne.gov

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The proposed expansion for parking is in conformance with the Future Land Use Plan in the 2040 Comprehensive Plan and the North 48th Street/University Place Plan.

KEY QUOTES FROM THE 2040 COMPREHENSIVE PLAN

Support the necessary expansion of education facilities while remaining sensitive to surrounding neighborhoods. (p.8.9)

The area of application is shown as Public & Semi-Public in the 2040 Comprehensive Plan. (p.12.3)

The 2004 N 48th Street/University Place Plan includes the Wesleyan Campus as an integral component. The following references are relevant:

The improvement of the residential quality of the University Place neighborhoods is a widely shared goal. One important step in achieving that goal is to provide the neighborhood residents, particularly those in the blocks surrounding the Nebraska Wesleyan University campus, with a plan that helps them feel confident that future University expansion will not have a detrimental impact on their property values and overall quality of life.

This plan should also include provisions, which facilitate collaborative efforts by the University, the neighborhood, and the City to invest in the revitalization of these neighborhoods. (p.4)

A major institution like Wesleyan University generates understandable demands for land, parking and housing that it must address. Yet, these requirements can also affect the quality of the residential environment. (p.5)

An urban university campus adds to these parking problems. NWU, like many colleges, does not meet its parking demand on campus...Universities have difficulty buying the land necessary for surface parking, which in any case can threaten the quality of the campus; but have equal difficulty raising funds to build very expensive parking structures. As a result, a good deal of parking demand is met by the neighborhood's already crowded streets. (p.61)

The overall supply of parking in the neighborhood should be increased, without destroying the character of the area. Parking demand is generated by three sources - the business district, the University, and the residential neighborhood - and each requires somewhat different solutions. Resolving business district parking issues involves increasing both the supply of convenient parking and the ease by which customers find that parking. The University must identify locations for new parking, including the consideration of decks over surface lots. However, it must take care not to harm the neighborhood by expanding opportunistically into the residential fabric. Residential parking issues involve assuring that development has adequate parking to meet demand; and, in some cases, reducing densities to be more consistent with the carrying capacity of local streets and the on-street parking supply. (p.61)

ANALYSIS

1. This application is to expand the boundary of the special permit for Nebraska Wesleyan University (NWU). The area of expansion is owned by NWU.
2. The expanded area includes 5034 Madison Avenue and 5043 Huntington Avenue. The applicant's letter states that the house at 5034 Madison Ave. has been vacant for many years and 5043 Huntington Ave. is dilapidated. Both houses would be removed and the sites used for parking.
3. NWU purchased the property at 5034 Madison Ave. in 1998 and 5043 Huntington Ave in 2000. The house at 5034 Madison Ave had been used as a sorority until 1962.
4. The proposed parking areas contain 22 parking stalls. The Madison Ave parking lot, Area V, will contain 16 stalls and the Huntington Ave. parking lot, Area W, will contain 6 stalls. The new parking areas will need to meet design standards for landscaping and screening.
5. The parking lots will provide off-street parking for students and will help relieve the pressure for on-street parking in the area.
6. The Future Land Use Plan in the 2040 Comprehensive Plan identifies one-half block south of Huntington Ave. and one-half block north of Madison Ave. as Public and Semi-Public. The two subject properties are within this future public and semi-public area.
7. The North 48th Street/University Place Plan adopted in 2004 encourages Wesleyan to provide off street parking. The additional off street parking will help reduce congestion on local streets.

CONDITIONS OF APPROVAL: See attached.

EXISTING LAND USE & ZONING: R-6 Residential Multi-family dwellings

SURROUNDING LAND USE & ZONING

| | | |
|--------|------------------------------|---|
| North: | R-2, R-4 and R-6 Residential | Single-family and multi-family dwellings. |
| South: | R-4 and R-6 Residential | Single-family and multi-family dwellings. |
| East: | R-4 and R-6 Residential | Single-family and multi-family dwellings |
| West: | R-4 and R-6 Residential | Single-family and multi-family dwellings |

APPLICATION HISTORY

| | |
|------------------|---|
| April 13, 1994 | PESP#23A for additional off-street parking and for a new health and fitness center was approved by the Planning Commission. |
| Sept. 8, 1997 | PESP#23B to expand an existing parking lot at N. 53 rd St. and Huntington Ave. was approved by the City Council. |
| Sept. 10, 1997 | PESP#23C to expand the boundary of the campus at N 53 rd Street and Huntington Avenue was approved by the Planning Commission. |
| August 1998 | PESP#23D to expand the boundary of the campus at the northwest corner to include two houses to provide room and board for up to ten students was approved by the Planning Commission. |
| May 6, 2002 | PESP#23E to allow the addition of student housing to accommodate 350 students was approved by the City Council. |
| August 31, 2005 | PESP#23F to expand the boundary of the special permit to accommodate additional off-street parking was approved by the Planning Commission. |
| February 8, 2012 | PESP#23G to expand the boundary of the special permit to accommodate additional off-street parking was approved by the Planning Commission |
| June 13, 2016 | PESP #23H to expand the area of the special permit and build new science building was approved by the Planning Commission. |

APPROXIMATE LAND AREA: Area of existing special permit is approximately 51 acres. Area of expansion is approximately 0.38 acres.

LEGAL DESCRIPTION: See attached

Prepared by

Tom Cajka, Planner

Date: February 10, 2020

Applicant: Nebraska Wesleyan University
5000 Saint Paul Ave.
Lincoln, NE 68504
402-465-2114

Contact: Thomas Huston
233 S. 13th St. Suite 1900
Lincoln, NE 68508
402-474-6900
thuston@clinewilliams.com

Owner: Nebraska Wesleyan University

CONDITIONS OF APPROVAL - SPECIAL PERMIT #23I

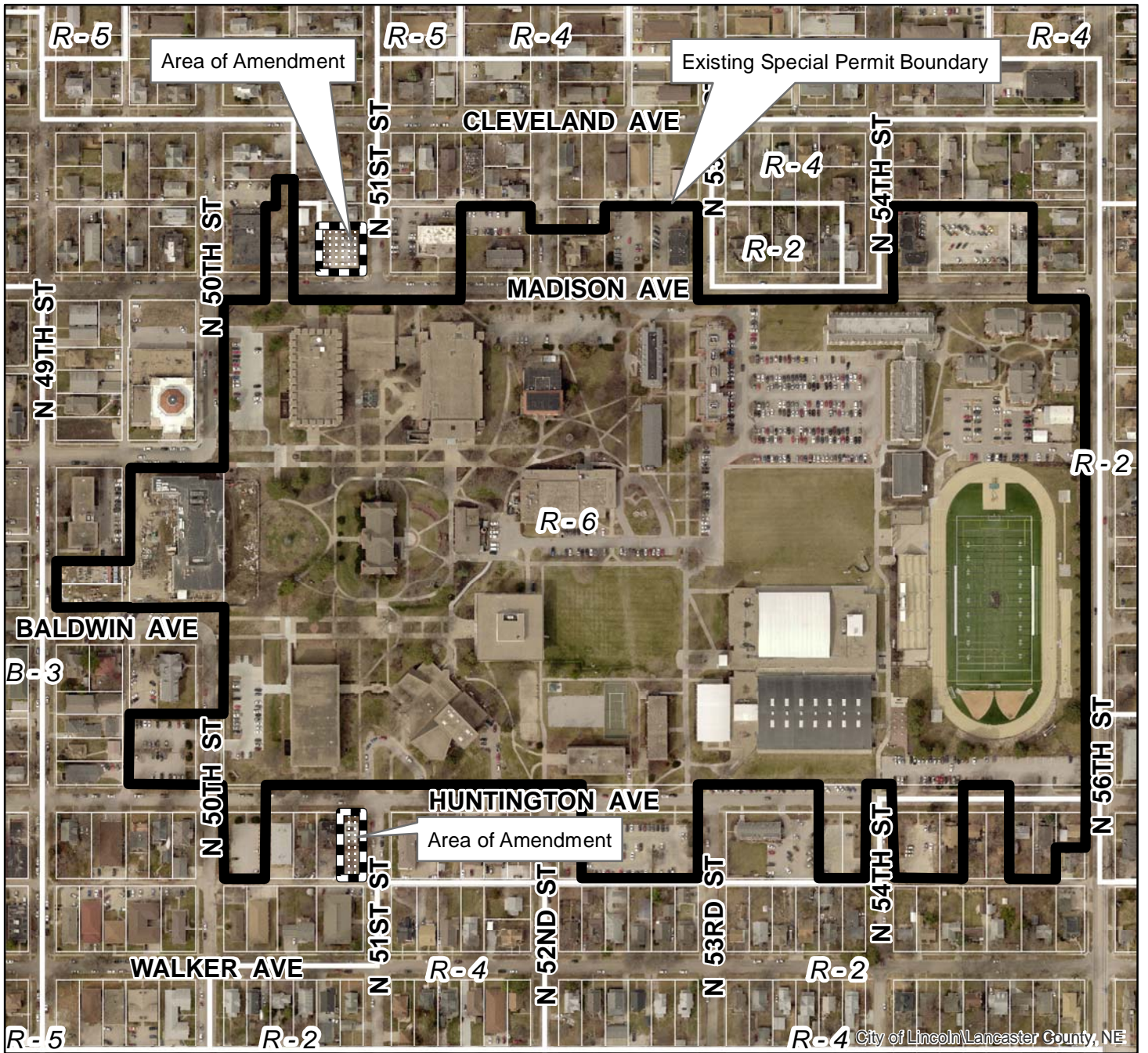
Per Section 27.63.075 this approval permits a private school.

Site Specific Conditions:

1. Before receiving building permits the permittee 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 Identify the boundary of the special permit.
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.

Standard Conditions:

3. The following conditions are applicable to all requests:
 - 3.1 Before starting the operation all development and construction shall substantially comply with the approved plans.
 - 3.2 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.
 - 3.3 The terms, conditions, and requirements of this resolution shall run with the land and be binding upon the Permittee, its successors and assigns.
 - 3.4 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.
 - 3.5 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.

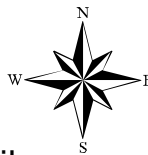


Special Permit #: PES231
Nebraska Wesleyan University
N 50th St & St Paul Ave

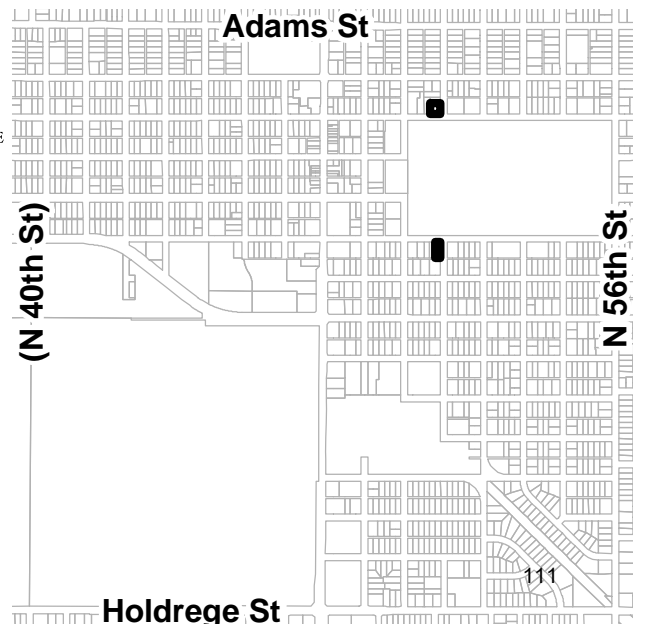
Zoning:

- 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.17 T10N R07E



| | |
|--|-------------------------------|
| | Area of Application |
| | Zoning Jurisdiction Lines |
| | Lancaster County Jurisdiction |



LEGAL DESCRIPTION
Special Permit #23
For Nebraska Wesleyan University

- Parcel 17-17-218-001-000 (5410 Huntington Avenue)

Irregular tract between 50th and 56th Streets and Madison and Huntington Avenues, Section Seventeen (17), Township Ten (10), Range Seven (7), 6th Principal Meridian, City of Lincoln, Lancaster County, Nebraska.
- Parcel 17-17-235-001-000 (4950 Baldwin Avenue)

Lot One (1), Nebraska Wesleyan University Addition, Lincoln, Lancaster County, Nebraska.
- Parcel 17-17-220-010-000 (2517 North 50th Street) (Area “B”)

Lots Four (4), Five (5) and Six (6), Block Eighty Five (85), University Place, Lincoln, Lancaster County, Nebraska.
- Parcels 17-17-211-007-000; 17-17-211-011-000 and 17-17-211-010-000 (5204 and 5240 Madison Avenue) (Area “E”)

Lots Seven (7) through Twelve (12), Block Fifty Three (53), University Place Addition, Lincoln, Lancaster County, Nebraska
- Parcel 17-17-223-05-000 (5007 Huntington Avenue) (Area “J”)

Lots Five (5) and Six (6) except the east Twelve (12) feet, Block Ninety Seven (97), University Place, Lincoln, Lancaster County, Nebraska.
- Parcels 17-17-227-004-000 and 17-17-227-003-000 (5445 and 5451 Huntington Avenue) (Area “K”)

North Seventy Five (75) feet of Lot One (1) and all of Lots Two (2) and Three (3), Block One Hundred One (101), University Place, Lincoln, Lancaster County, Nebraska.
- Parcel 17-17-227-017-000 (No site address) (Area “L”)

Lots Seven (7) and Eight (8), Block One Hundred One (101), University Place, Lincoln, Lancaster County, Nebraska.
- Parcels 17-17-226-002-000 and 17-17-226-001-000 (5335 and 5343 Huntington Avenue) (Area “N”)

Lots One (1) and Two (2), Block One Hundred (100), University Place, Lincoln, Lancaster County, Nebraska.

- Parcel 17-17-225-012-000 (5219 Huntington Avenue) (Area “Q”)

Lots One (1) through Five (5), Block Ninety Nine (99), University Place, Lincoln, Lancaster County, Nebraska.

- Parcels 17-17-213-009-000; 17-17-213-008-000 and 17-17-211-014-000 (5400 to 5448 Madison Avenue) (Area “S”)

Lots Nine (9) through Fourteen (14), Block Fifty Five (55), University Place Addition, Lincoln, Lancaster County, Nebraska

- Parcel 17-17-210-012-000 (5132 Madison Avenue) (Area “T”)

Lots Ten (10), Eleven (11) and Twelve (12), Block Fifty Two (52), University Place, Lincoln, Lancaster County, Nebraska.

- Parcel 17-17-209-006-000 (5034 Madison Avenue) (Area “V”)

Lot Twenty Four (24) Irregular Tract, Northeast Quarter of Section Seventeen (17), Township Ten (10) North, Range Seven (7) East, 6th Principal Meridian, City of Lincoln, Lancaster County, Nebraska.

- Parcel 17-17-223-001-000 (5043 Huntington Avenue) (Area “W”)

Lot One (1), Block Ninety Seven (97), University Place, Lincoln, Lancaster County, Nebraska.

- Parcel 17-17-217-002-000 (2612 North 49th Street)

Lot Eight (8), Block Seventy-Seven (77), University Place, City of Lincoln, Lancaster County, Nebraska.

- Parcel 17-17-217-003-000 (2602 North 49th Street)

Lot Seven (7), Block Seventy-Seven (77), University Place, City of Lincoln, Lancaster County, Nebraska.

- Parcel 17-17-209-004-000 (5018 Madison Avenue)

Lot Twenty Two (22), Irregular Tract, Northeast Quarter of Section Seventeen (17), Township Ten (10) North, Range Seven (7) East of the 6th P.M., Lincoln, Lancaster County, Nebraska.

CLINE WILLIAMS
WRIGHT JOHNSON & OLDFATHER, L.L.P.

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January 21, 2020

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HENRY L. WIEDRICH
DANIEL W. OLDENBURG

VIA HAND DELIVERY

David Cary
Director of Planning
Lincoln City/Lancaster County Planning Department
555 South 10th Street, Suite 213
Lincoln, NE 68508

Re: Nebraska Wesleyan University – Special Permit No. 23
Our File No.: 10892.017

Dear David:

I represent Nebraska Wesleyan University which operates its educational institution under Special Permit No. 23 located, generally, east of 50th Street and south of Madison Avenue. This letter shall serve as a purpose letter and explanation of the request to amend Special Permit No. 23 applicable to the Nebraska Wesleyan University campus.

1. **Special Permit Amendment.** Nebraska Wesleyan University has 2 properties that contain dilapidated improvements which need to be removed. The University desires to add these properties to the Special Permit and convert them to parking uses supporting the University campus. The 2 properties are:

a. 5034 Madison Avenue. This property is on the north edge of campus and the existing house has not been occupied for many years and will be removed. The University intends to demolish the building, grade the lot and convert it to parking for University purposes. The parking lot will comply with the parking lot screening requirements and design standards; and

b. 5043 Huntington Avenue. At this location, the University intends to remove a dilapidated older home which is beyond repair. The University intends to remove the home, grade the lot and convert it to parking

David Cary
January 21, 2020
Page 2

use to support the University. The parking lot will comply with the screening requirements and design standards.

2. **Submittal.** Attached to the Special Permit please find:

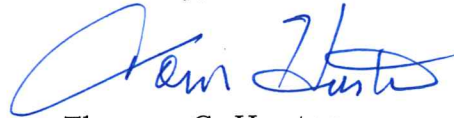
a. The Application signed by Tish Gade-Jones, the Vice President for Finance and Administration of Nebraska Wesleyan University;

b. Application Fee. A check made payable to the City of Lincoln in the amount of \$988.00 as the application fee to amend Special Permit No. 23; and

c. Request Notification. Upon receipt of the application number, please notify myself and Tim Gergen so Mr. Gergen can upload the Site Plan to ProjectDocs.

If there are any questions, please do not hesitate to contact me.

Sincerely,



Thomas C. Huston
For the Firm

Enclosures

cc: Tish Gade-Jones (via email)
Tim Gergen (via email)

4813-4172-3057, v. 1