

Lincoln City - Lancaster County

PLANNING COMMISSION AGENDA

PLANNING COMMISSION

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April 13, 2022

NOTICE: The Lincoln/Lancaster County Planning Commission will hold a public hearing on Wednesday, April 13, 2022, 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.

The Planning Commission will be allowing testimony on agenda items by videoconferencing. For those who wish to testify by video, you must register with the Planning Department Office to participate by calling 402-441-7491 or emailing Plan@lincoln.ne.gov by 10:00 a.m. the day of the meeting. You will be asked to provide your name, address, phone number and the agenda item(s) you wish to speak on, and your position on this item. On the day of the hearing, you will receive a link via email, which will be needed to join the hearing to provide your testimony.

AGENDA

WEDNESDAY, April 13, 2022

Approval of minutes of the regular meeting held March 30, 2022.

1. CONSENT AGENDA (Public Hearing and Administrative Action)

COMPREHENSIVE PLAN CONFORMANCE

- 1.1 COMPREHENSIVE PLAN CONFORMANCE 22004, to review as to conformance with the 2050 Lincoln-Lancaster Comprehensive Plan, for Bishop Heights Redevelopment Plan, a proposed guide for redevelopment activities within the Redevelopment Plan Area, including mixed use commercial and residential uses, on property generally located at the Bishop Heights Shopping Center at South 27th Street and Highway 2.

Staff recommendation: In Conformance with Comprehensive Plan

Staff Planner: Benjamin Callahan, 402-441-6360, bcallahan@lincoln.ne.gov

ANNEXATION AND RELATED ITEMS:

- 1.2a ANNEXATION 22005, to annex approximately 2.65 acres, more or less, and adjacent rights-of-way, on property generally located at South 88th Street and Pioneers Boulevard.

Staff recommendation: Conditional Approval

Staff Planner: Brian Will, 402-441-6362, bwill@lincoln.ne.gov

- 1.2b CHANGE OF ZONE 22008, from AGR (Agricultural Residential District) to R-1 (Residential District), on property generally located at South 88th Street and Pioneers Boulevard.

Staff recommendation: Approval

Staff Planner: Brian Will, 402-441-6362, bwill@lincoln.ne.gov

- 1.2c Special Permit 22007, to allow for a CUP (Community Unit Plan) over approximately 2.65 acres for up to 8 dwelling units with associated waivers to: sidewalks and sidewalk location; sanitary sewer flow opposite street grade, location, and depth; yard setbacks; local street standard; and storm water detention, on property generally located at South 88th Street and Pioneers Boulevard. *** **FINAL ACTION** ***
Staff recommendation: Conditional Approval
Staff Planner: Brian Will, 402-411-6362, bwill@lincoln.ne.gov

2. **REQUESTS FOR DEFERRAL**

3. **ITEMS REMOVED FROM CONSENT AGENDA**

4. **PUBLIC HEARING AND ADMINISTRATIVE ACTION**

5. **CONTINUED PUBLIC HEARING AND ADMINISTRATIVE ACTION**

PRELIMINARY PLAT:

- 5.1 PRELIMINARY PLAT 04011A, for a preliminary plat amendment to show a revised street layout, with associated waiver, on property generally located at Waterford Estates Drive and Linwood Lane. *** **FINAL ACTION** ***
Staff recommendation: Conditional Approval
Staff Planner: George Wesselhoft, 402-441-6366, gwesselhoft@lincoln.ne.gov

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

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Adjournment

PENDING LIST: *CHANGE OF ZONE 21024, from B-1 (Local Business District) to H-2 (Highway Business District), on property generally located at 4615 Vine Street.*

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The Planning Commission meeting which is broadcast live at 1:00 p.m. every other Wednesday will be available for viewing on LNK City TV at <https://lnktv.lincoln.ne.gov/CablecastPublicSite/watch/3?channel=1>

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The Planning Commission agenda may be accessed on the Internet at <https://app.lincoln.ne.gov/city/plan/boards/pc/pc.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

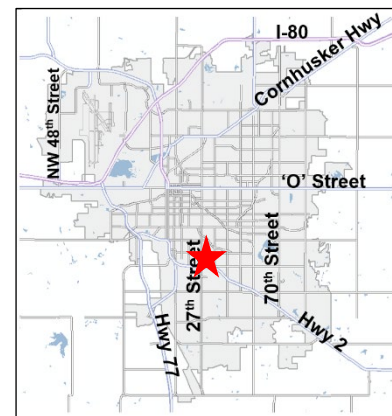
FROM THE LINCOLN/LANCASTER COUNTY PLANNING DEPARTMENT, 555 S. 10TH STREET, SUITE 213, LINCOLN, NE 68508

APPLICATION NUMBER Comprehensive Plan Conformance 22004 Bishop Heights Redevelopment Plan	FINAL ACTION? No	DEVELOPER/OWNER RED Bishop Heights JV LLC
PLANNING COMMISSION HEARING DATE April 13, 2022	RELATED APPLICATIONS None	PROPERTY ADDRESS/LOCATION Generally located at the northeast corner of Highway 2 and S 27 th Street

RECOMMENDATION: IN CONFORMANCE WITH THE COMPREHENSIVE PLAN

BRIEF SUMMARY OF REQUEST

Review as to conformance with the 2050 Lincoln-Lancaster County Comprehensive Plan, the Bishop Heights Redevelopment Plan. The plan encompasses 22.18 acres of land comprised of commercial and residential uses, along with adjacent streets and trail. Redevelopment activities in the Plan are focused on eliminating the existing urban blight through urban rehabilitation and redevelopment of the site. The Project includes the future proposal of a Planned Unit Development including retail, office, and multifamily uses.



JUSTIFICATION FOR RECOMMENDATION

The project is consistent with the Comprehensive Plan. It will promote economic growth, remove blighted condition, and provide new residential use opportunities through encouragement of mixed-use infill redevelopment with new buildings, associated parking and connecting streetscape and trail enhancements. The development will look to increase existing trail and pedestrian connectivity within the area.

APPLICATION CONTACT

Ernie Castillo, (402) 441-7855 or ecastillo@lincoln.ne.gov

STAFF CONTACT

Ben Callahan, (402) 441-6360 or bcallahan@lincoln.ne.gov

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The project is consistent with the goals in the Comprehensive Plan; specifically, the guiding principle for infill development in existing areas of the city and addition of new residential units within the existing city limits. The property is shown primarily as future commercial land uses and small portion as urban residential on the Future Land Use Map. This designation of Commercial includes areas of retail, office, service, and residential mixed uses that may vary widely in their intensity. Urban residential designation allows for residential uses with varying densities, and it is appropriate to have more than fifteen dwellings per acre.

COMPREHENSIVE PLAN SPECIFICATIONS:

Introduction Section: Growth Framework

Figure GF.b: 2050 - This site is shown as future Commercial and Urban Residential on the 2050 Future Land Use Plan.

The Community in 2050

The following assumptions provide the framework for growth in the 2050 plan.

25 percent of all new dwelling units in Lincoln will be infill, meaning they will be located within the existing city. This equates to roughly 12,000 infill units over the next 30 years.

Elements Section

E2: Infill and Redevelopment

Infill and Redevelopment Approach

PlanForward identifies the potential for 12,000 new dwelling units to be located within the existing built-out portion of the City, roughly 25 percent of the projected 48,000 new dwelling units to be built citywide by 2050.

Mixed Use Redevelopment Nodes and Corridors

The City's primary strategy for residential infill and redevelopment outside of the Greater Downtown is to encourage the redevelopment and reuse of sites and buildings in underutilized commercial and industrial areas.

Location Criteria

Mixed Use Redevelopment Nodes and Corridors should be located based on the following criteria:

- In areas where there is a predominance of commercial or industrial zoning and/or development, focusing on non-residential areas.
- In proximity to planned or existing neighborhoods and community services, to facilitate access to existing community services or to address a deficiency by providing services such as grocery stores, childcare centers, and restaurants.
- Where there is existing or potential for good access to transit, to enhance the public transit system by making it accessible to residents and to facilitate the development of neighborhood multimodal hubs where residents can drive, bike, or walk to a transit stop, go to work, and then shop for their daily needs before they return home.
- On at least one arterial street to help provide for traffic and utility capacity and access to transit.
- Outside of areas with existing or potential industrial use to avoid conflicts with health and safety.
- In areas that minimize floodplain and other environmental impacts. Areas within the floodplain that already have buildings and fill are appropriate for redevelopment; projects that receive public assistance should meet a higher standard to preserve flood storage. This criterion encourages redevelopment while protecting sensitive environmental areas. Preservation or restoration of natural resources within or adjacent to mixed use redevelopment areas should be encouraged

Figure E2.b: Design Strategies for Mixed Use Nodes and Corridors

1. Maintain existing vehicular access, relocate drives as needed, share access where possible, and discourage additional vehicular access to an arterial street.
2. Encourage a higher Floor Area Ratio for commercial redevelopment.
3. Encourage a wide variety of commercial tenants.
4. Face existing residential uses with new residential uses rather than the backs of buildings, unless existing residential faces the opposite direction such as along an alley.
5. Align commercial driveways with existing streets where possible.
6. Discourage commercial driveways that interrupt the blockface of a residential street, especially when residences face the street.

7. Encourage shared driveways and interconnected parking lots where possible.
8. Orient buildings to the street, especially corners.
9. Maintain or adaptively reuse existing structures (especially historic structures) where possible.
10. Incorporate a variety of residential price ranges and use types such as rowhouses, apartment buildings, apartments in mixed use buildings, live-work units, and group housing. These buildings could also serve as a transition to the existing neighborhood.
11. Encourage a vertical mix of residential and commercial use types.
12. Encourage shared parking between land uses with different peak demand periods.
13. Create public/semi-public green or open spaces such as parks, plazas, or community gardens.
14. Establish or re-establish an internal public or private street network within the node that has substantial connectivity to adjacent neighborhoods to maximize access and mobility options.
15. Encourage public/semi-public uses.
16. Encourage supermarkets or specialty grocery stores to locate within nodes.
17. Encourage substantial connectivity and convenient access to neighborhood services (stores, schools, parks) from nearby residential areas.
18. Promote activities of daily living within walking distance, and provide sidewalks on both sides of all streets, or in alternative locations as allowed through design standards or review process.

E3: Business, Economy, and Workforce

Commercial Infill

Figure E3.f: Commercial Infill Design Strategies

1. Encourage additional vehicular access to an arterial street.
2. Encourage a Floor Area Ratio that exceeds to existing/previous commercial uses on the site.
3. Face existing residential uses with new residential uses rather than the backs of commercial buildings unless existing residential faces the opposite direction such as along an alley.
4. Discourage commercial driveways that interrupt the blockface of a residential street, especially when residences face the street.
5. Encourage shared driveways and interconnected parking lots where possible.
6. Orient buildings to the street, especially corners.
7. Maintain or adaptively reuse existing structures (especially historical structures) where possible.
8. Encourage a vertical mix of residential and commercial use types.
9. Encourage shared parking between land uses with different peak demand periods.
10. Maintain or enhance on-street parking resources, especially in established/historic commercial districts

Policies Section

P8: Infill and Redevelopment - Encourage infill and redevelopment in appropriate locations throughout the community in order to meet the assumption for 25% of all new dwelling units being infill.

Action Steps

1. Encourage redevelopment of aging and underutilized commercial centers, along with other large sites in existing areas such as former schools and residential acreages, to add a variety of housing types that are affordable to diverse income levels. A mix of residential and commercial uses is desirable in locations with good visibility and access, such as most existing commercial centers, but in some cases redevelopment sites are more suited for exclusively residential uses.
2. Encourage redeveloped commercial centers to incorporate a variety of medium and high-density housing affordable to diverse income levels that could serve as a transitional use to less intensive residential development and benefit from walkable access to the commercial area and transit.
4. Provide a mechanism for adjustments in older zoning districts to lot area, height, setbacks, and parking standards, similar to the provisions already available for newer districts.
5. Strive for predictability for neighborhoods and developers for residential development and redevelopment.

6. Encourage efforts to find new uses for abandoned, under-utilized or “brownfield” sites that are contaminated, through redevelopment and environmental mitigation.
7. Environmentally sensitive areas (i.e. floodplains, wetlands, native prairie) may not be appropriate for redevelopment. When redevelopment does occur, environmentally sensitive areas need to be considered and incorporated holistically as part of a redevelopment project.

P14: Commercial Infill - Develop infill commercial areas to be compatible with the character of the area.

Action Steps

1. Implement commercial infill redevelopment principles as discussed in the Business & Economy element.
2. Maintain and encourage businesses that conveniently serve nearby residents, while ensuring compatibility with adjacent neighborhoods.
3. 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, use appropriate screening, fulfill a demonstrated need, and do not hinder health and safety.
4. Prioritize retaining areas for continued residential development in older sections of the community by maintaining existing housing and supporting infill housing. Prior to approving the removal of housing to provide additional parking for existing centers, alternatives such as reduced parking requirements, shared parking, additional on-street parking, and/or the removal of other commercial structures should be explored. Maintain and encourage ethnically diverse commercial establishments that are beneficial to existing neighborhoods.

ANALYSIS

1. This is a request to review as to conformance with the 2050 Lincoln-Lancaster County Comprehensive Plan, the Bishop Heights Redevelopment Plan. The redevelopment area is located at the existing Bishop Heights Shopping Center at the northeast corner of Highway 2 and South 27th Street. The Plan boundary includes the existing and vacant shopping center and US Bank building, Wells Fargo Bank, Arby’s, and a single-family home on the north side of the site along Kucera Drive. The Plan extends to include adjacent right of way along S 27th Street, Highway 2, and the Rock Island Trail abutting the east side of the property.
2. Activities identified in the Redevelopment Plan include:
 - a. Demolition of existing buildings to allow for construction of more viable building and reconfigured layout to provide neighbors with walkable amenities;
 - b. Limiting direct vehicle access between the North Commercial Area and Kucera Drive;
 - c. Creating improved trail connection between South 27th Street and Rock Island Trail;
 - d. Preserving and enhancing landscaped areas along South 27th Street and Kucera Drive, as well as creation of improved landscaping separating the Rock Island and Helen Boosalis trails from adjacent parking areas;
 - e. Construction of restaurants, services, office, multifamily, and retail uses.
3. Redevelopment activities are guided by the Nebraska Community Development Law (§ 18-2101, et. seq.) which requires that the governing body must first declare the project area substandard and blighted in order to prepare a redevelopment plan. The Redevelopment Area was determined as blighted and substandard with the Bishop Heights Shopping Center Environs Redevelopment Area Blight and Substandard Study (MISC 22001). The Study identified four “substandard” and eight “blighted” factors that show a strong presence in the Redevelopment Area. The Blight and Substandard study was approved by Planning Commission on February 16 and by City Council on March 14, 2022.
4. The designation of blight and substandard for the redevelopment area, along with creation of this Redevelopment Plan, makes projects within the redevelopment area potentially eligible for Tax Increment Financing (TIF) that can be applied to public improvements.

5. Redevelopment plans in general, including the Bishop Heights Redevelopment Plan, are intended as a guide to direct private and public resources to:
 - a. Eliminate or prevent the spread of urban blight;
 - b. Encourage urban rehabilitation;
 - c. Provide for the redevelopment of substandard and blighted areas including provisions for the prevention of the spread of blight into areas currently free from blight through diligent enforcement of housing, zoning, and occupancy controls and standards;
 - d. Rehabilitation or conservation of substandard and blighted areas by replanning, removing congestion, providing parks, playgrounds, and other public improvements by encouraging voluntary rehabilitation and by compelling the repair and rehabilitation of deteriorated and deteriorating structures;
 - e. Clear and redevelop substandard and blighted areas or portions thereof.

6. The goal of the project is to revitalize and strengthen the business community in the Bishop Heights neighborhood through development of a new commercial and residential mixed-use area as part of the redevelopment plan. The future intent is for a Planned Unit Development (PUD) approval within the Plan boundary to allow for the development of retail, office, and multifamily uses. The Plan details the PUD area being separated into three separate areas consisting of commercial uses in the north portion which could include office and retail uses. A multi-story, multiple family building is proposed to be located on the east portion of the site, and commercial area in the south that could include restaurants, retail, or office uses. The project will make positive contributions to the continued removal of blight and substandard conditions in the redevelopment area.

7. The total construction and rehabilitation costs for the proposed Bishop Heights Redevelopment Project are estimated to be \$77.6 million. The final project costs will be determined at the conclusion of the completed project design. The public investment may range from \$9.0 to 11.0 million. These public investments will leverage the private investments \$63 million. Upon completion of the project, the assessed value of the property will increase by an estimated \$58,962,109. This will result in an estimated range of \$1,175,124 in Tax Increment Financing (TIF) over 15 years to help fund public improvements. Thus for every City TIF dollar invested, there will be \$6.30 of private investment.

8. The project is consistent with goals in the Comprehensive Plan by encouraging infill and redevelopment of an existing commercial center. The project proposes the addition of higher density residential uses and looks to revitalize for retail and office use opportunities.

EXISTING ZONING: B-1, Commercial and R-1, Residential

EXISTING LAND USES: The existing land uses within the Bishop Heights Redevelopment Plan area are comprised of primarily commercial uses, with much of the commercial space currently vacant. The plan area also includes one single-family residential use on the north portion of the plan boundary.

SURROUNDING LAND USE AND ZONING:

North:	Single-Family & Multifamily Residential	R-1 & R-6
South:	Highway 2 / Star City Shores / Residential	P-Public & R-1
East:	Rock Island Trail / Single-Family Residential	R-1
West:	Single-Family Residential	R-1

APPLICATION HISTORY

March 2022 Miscellaneous #22001 for the Bishop Heights Shopping Center Environs Redevelopment Area Blight & Substandard Determination Study was approved by the City Council.

APPROXIMATE LAND AREA: 22.18 acres

Prepared by

Ben Callahan, Planner
(402) 441-6360 or bcallahan@lincoln.ne.gov

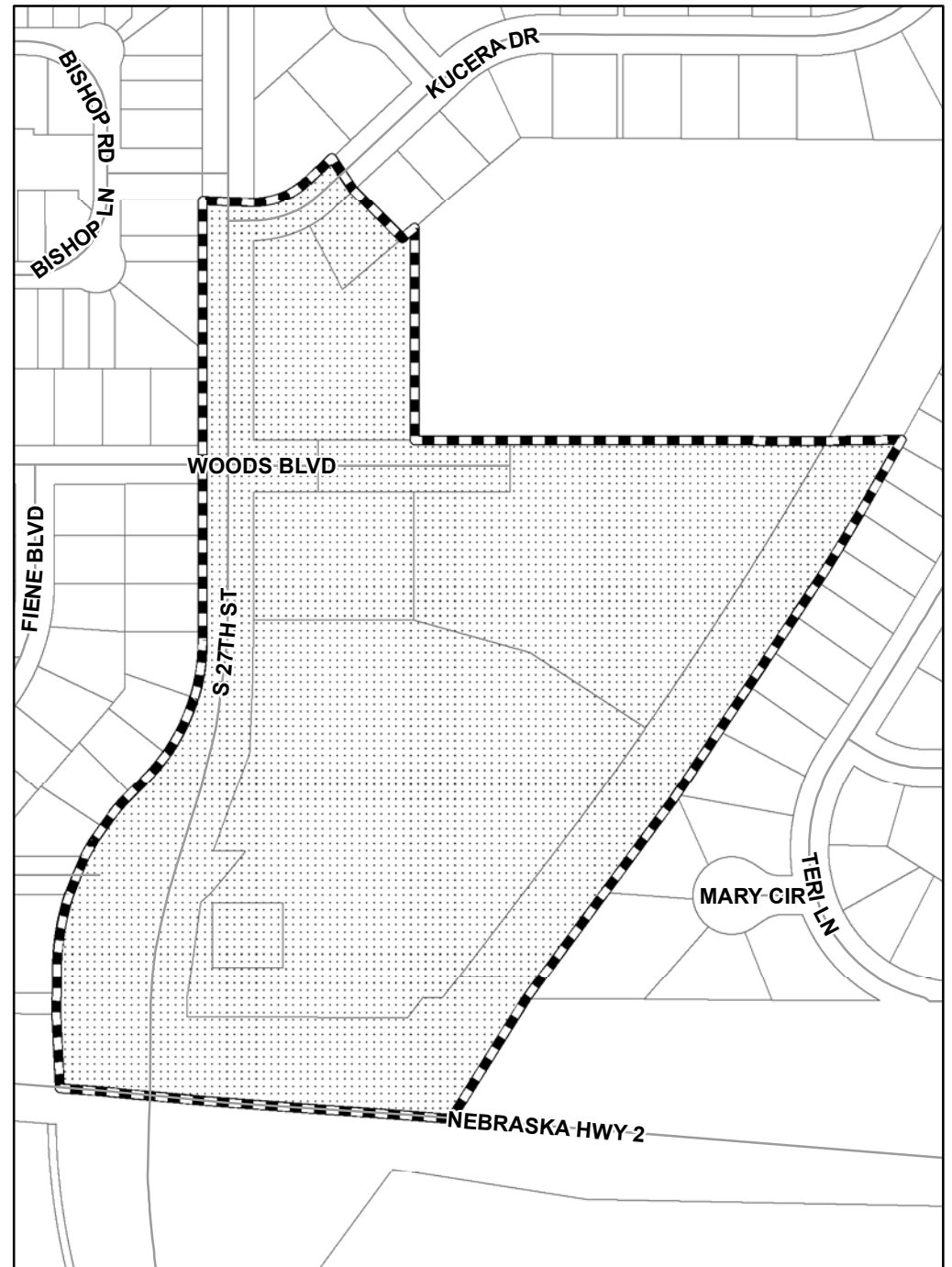
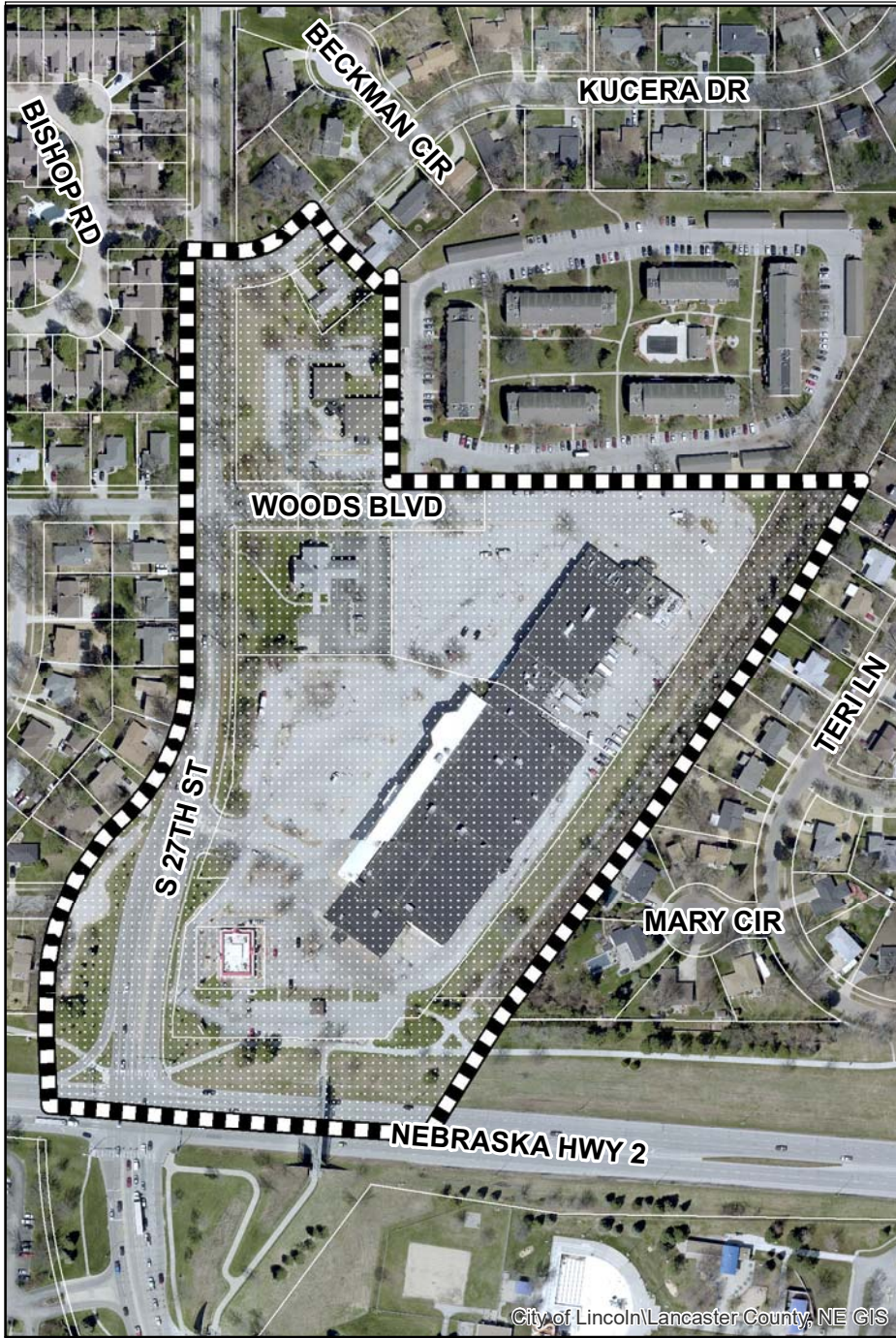
Date: March 31, 2022

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<https://linclanc.sharepoint.com/sites/PlanningDept-DevReview/Shared Documents/DevReview/CPC/22000/CPC22004 Bishop Heights Redevelopment Plan.bmc.docx>



Comprehensive Plan Conformance #22004
Bishop Heights Redevelopment Plan





BISHOP HEIGHTS REDEVELOPMENT PLAN

**Prepared by:
City of Lincoln, Nebraska
Urban Development Department
Leirion Gaylor Baird, Mayor**

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INTRODUCTION

The Bishop Heights Redevelopment Plan is a guide for redevelopment activities within the Redevelopment Plan Area. Sometimes the Redevelopment Plan Area is referred to herein as Redevelopment Area. Exhibit 1 shows the location of the Redevelopment Plan Area within the context of the city of Lincoln. The Rock Island Trail serves as the eastern boundary of the Redevelopment Plan Area, with Kucera Drive as the north boundary, the north portion of State Highway 2 as the south boundary, and South 27th Street as the west boundary.



The Redevelopment Plan Area covers approximately 22.18 acres of land, which is comprised of 14.46 acres of commercial land, 0.26 acres of residential land and 7.46 acres of street and trail rights-of-way. The proposed Redevelopment Plan Area is legally described as: Lots 35 thru 38, Block 1, Lots 1 thru 7, Block 5, Bishop Heights, and all abutting Kucera Drive, S. 27th Street, north portion of Highway 2, and the Rock Island trail rights-of-way; all located in Section 06-T09N-R07E, Lincoln, Lancaster County, Nebraska.

There are several buildings within the Redevelopment Plan Area, including a dilapidated shopping center formerly occupied by Shopko and other commercial tenants (constructed in 1970), an operating Arby's restaurant (constructed in 1979), a Wells Fargo Bank (constructed in 1970), a former U.S. Bank branch (constructed in 1972), and a vacant residence on Kucera Drive (constructed in 1963). The Redevelopment Plan Area has shown signs of decline over the last several years, with Shopko and other tenants vacating the shopping center in 2020 and former U.S. Bank vacating the branch in March 2019. The residence has been vacant since July 2020. Collectively, there are 135,770 square feet of buildings. The Arby's restaurant and Wells Fargo are still in operation and the remaining buildings are vacant.

The shopping center was acquired in 2015 by RED Bishop Heights Joint Ventures. One of the principals of RED Bishop Heights Joint Ventures grew up in the Country Club neighborhood. The former U.S. Bank Branch was acquired by White Development Company in 2020.

The Bishop Heights Redevelopment Project proposes capturing the increase in property taxes within the project site and use the property tax increment to help fund the removal of blight conditions and implement public improvements. The Bishop Heights project site is smaller than the Redevelopment Plan Area and includes the connected Shopko and retail stores (Parcel IDs 1606314006000 and 1606314008000), former US Bank building (1606303036000) and 2711 Kucera Drive (1606303035000). The Arby's and Wells Fargo Bank properties, along with the abutting street and trail rights-of-way in the Redevelopment Plan Area are not included within the Project Site.

Both property owners of the Project Site recognized the value of those pieces of property to the surrounding neighborhoods and have elected to work together in a collaborative fashion to coordinate development efforts. In turn, the two redevelopers, along with the proposed multi-family redeveloper, have held several meetings with neighbors to discuss the future of the Redevelopment Project.

Identifying the need to redevelop this area led to a *Blight and Substandard Determination Study*, which confirmed the number and degree of blighted and substandard factors. The Study was completed by Hanna:Keelan Associates, P.C. in December 2019, and confirmed again by Hanna:Keelan in a letter to the City in October 2021 that the blight and substandard conditions remain and deterioration continues. Furthermore, the Comprehensive Plan encourages new development and when possible utilizing blight studies to facilitate redevelopment and infill.

The City recognizes continuing blight and deterioration as a threat to the stability and vitality of the area. Revitalization efforts cannot reasonably occur without public action. The Bishop Heights Redevelopment Plan provides a guide for the public and private partners as redevelopment efforts move forward.

PLAN REQUIREMENTS

Redevelopment activities are guided by Community Development Law, Neb. Rev. Stat., Section 18-2101, et. seq. (as amended). The statutes indicate the governing body must declare the Project Site substandard and blighted in order to prepare a redevelopment plan.

The City has authorized its Urban Development Department to act as the redevelopment authority under applicable Law. The Urban Development Department has developed this Redevelopment Plan for guiding appropriate private and public resources to:

- eliminate or prevent the development or spread of urban blight;
- encourage urban rehabilitation;
- provide for the redevelopment of substandard and blighted areas including provision for the prevention of the spread of blight into areas of the municipality which are free from blight through diligent enforcement of housing, zoning, and occupancy controls and standards;
- rehabilitation or conservation of substandard and blighted areas or portions thereof by re-planning, removing congestion, providing parks, playgrounds, and other public improvements by encouraging voluntary rehabilitation and by compelling the repair and rehabilitation of deteriorated or deteriorating structures; and
- clear and redevelop substandard and blighted areas or portions thereof.

The Community Development Law Section 18.2111 defines the minimum requirements of a redevelopment plan as follows:

“A redevelopment plan shall be sufficiently complete to indicate its relationship to definite local objectives as to appropriate land uses, improved traffic, public transportation, public utilities, recreational and community facilities and other public improvements, and the proposed land uses and building requirements in the redevelopment project areas...”

Section 18.2111 also outlines six elements that must be included in all redevelopment plans:

1. The boundaries of the redevelopment project area with a map showing the existing uses and condition of the real property area;
2. A land-use plan showing proposed uses of the area;
3. Information showing the standards of population densities, land coverage, and building intensities in the area after redevelopment;

4. A statement of the proposed changes, if any, in zoning ordinances or maps, street layouts, street levels or grades, or building codes and ordinances;
5. A site plan of the area;
6. A statement as to the kind and number of additional public facilities or utilities, which will be required to support the new land uses in the area after redevelopment.

In making the recommendation to approve this Redevelopment Plan, the Urban Development Department has considered the land uses and building requirements of the Bishop Heights Redevelopment Project Area; generally bounded by South 27th Street on the west, Kucera Drive on the north, the Rock Island Trail on the east; and the northern portion of State Highway 2 on the south. The Department has determined the Redevelopment Plan is in conformance with the general plan for redevelopment in the city and represents a coordinated, adjusted, and harmonious development of the city and its environs.

These determinations are in accordance with:

- present and future needs to promote health, safety, morals, order, convenience, prosperity;
- the general welfare; and
- efficiency and economy in the process of development.

Factors considered in the determination included among other things:

- adequate provision for traffic, vehicular parking;
- promotion of fire safety and prevention of other dangers;
- adequate provision for light and air;
- promotion of the healthful and convenient distribution of population;
- provision of adequate transportation, water, sewerage, and other public utilities;
- schools, parks, recreational and community facilities, and other public requirements;
- promotion of sound design and arrangement;
- efficient expenditure of public funds; and
- prevention of unsanitary or unsafe dwelling accommodations or conditions of blight.

1. Implement commercial infill redevelopment principles as discussed in the Business & Economy element.
2. Maintain and encourage businesses that conveniently serve nearby residents, while ensuring compatibility with adjacent neighborhoods.
3. 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, use appropriate screening, fulfill a demonstrated need, and do not hinder health and safety.
4. Prioritize retaining areas for continued residential development in older sections of the community by maintaining existing housing and supporting infill housing.

Cost Benefit Analysis

Nebraska Community Development Law (Neb. Rev. Stat. §18-2147) requires the completion of a cost benefit analysis for redevelopment projects. The City’s Law Department has interpreted the requirement to mean that the analysis must be completed in conjunction with the Redevelopment Plan. Since redevelopment projects are not fully developed, the analysis will be cursory; however, more detailed analyses will be completed as projects develop and will be brought before the City Council in conjunction with redevelopment agreements when needed.

As required by Nebraska Community Development Law (Neb. Rev. Stat. §18-2113), the City has analyzed the costs and benefits of the proposed Bishop Heights Redevelopment Project including:

	Multi-Family & South Commercial Area	North Commercial Area	Project Site
2021 Assessed Value	\$3,064,400	\$1,110,100	\$4,174,500
New Estimated Value	\$62,098,104	\$12,555,312	\$74,653,416
Increment Value	\$59,033,704	\$11,445,212	\$70,478,916
Annual TIF Tax Generated	\$1,163,034	223612.36	\$1,386,646
Available TIF Funds	\$10,142,770	\$1,836,506	\$11,979,277

Tax Revenues: Tax Increment Financing Analysis

Upon completion of the Redevelopment Project, the assessed value of the property within the Redevelopment Project Area will increase by an estimated \$58,962,109 as a result of the private investments. This will result in an estimated annual increase of approximately \$1,175,124 in

property tax collections that will be available for the construction of public improvements related to the Redevelopment Project during the 15-year TIF period. The public investment of a projected \$10 million in TIF funds will leverage \$63 million in private sector financing, resulting in a private investment of more than \$6.30 for every City TIF dollar spent. The Available TIF Funds shall be subject to further adjustment as Redevelopment Project costs are defined.

The City will forgo approximately 15.89 percent of these annual collections (estimated at over \$186,000 per year), up to 15 years to support the Redevelopment Project. The tax increment gained from this Project Site would not be available for use as City general fund tax revenues over that time but be used toward bond repayment. After the 15-year period or the debt has been retired, the increase in annual taxes paid will be split among the taxing jurisdictions according to the tax levy shown below.

Description:	Tax Rate
AG SOCIETY	0.0012890%
AG SOCIETY JPA	0.0021730%
CITY OF LINCOLN	0.2775500%
EDUC SERV UNIT 18	0.0150000%
JAIL JPA COUNTY	0.0061440%
JAIL JPA LINCOLN	0.0076890%
LANCASTER COUNTY	0.2640760%
LINCOLN AIRPORT AUTHORITY	0.0076320%
LINCOLN PUBLIC SCHOOL	1.0500000%
LOWER PLATTE NRD	0.0272240%
PUBLIC BLDG COMM	0.0170000%
RAILROAD SAFE DIST	0.0222170%
SE COMM COLLEGE	0.0937000%
*CITY POLICE FIRE PENSION	0.0403800%
*LPS 1999 BOND	0.0000000%
*LPS 2006 BOND	0.0446530%
*LPS 2014 BOND	0.0225460%
*LPS 2020 BOND	0.0756100%
*LPS CAPITAL PURPOSE	0.0181330%
Total Tax Rate:	1.9930160%

- ***Public Infrastructure and Community Public Service Needs Impacts***

It is not anticipated that the Redevelopment Project will have an adverse impact on existing public infrastructure. Tax Increment Financing toward the Redevelopment Project will result in removal of blighted and substandard buildings, burying power lines, sidewalk, new trail connections, relocating and updating other public infrastructure, improving public access and landscaping to the City trail network, public façade enhancements and addressing the South 27th Street access median and providing a connection from South 27th Street to Rock Island Trail, and other eligible public improvements.

It is not anticipated that the Redevelopment Project will have any adverse impact on City services but will generate additional revenue providing support for those services.

- ***Employment within the Project Site***

The Redevelopment Project is estimated to create approximately 50 new FTE jobs in Lincoln. The Redevelopment Project will not have an adverse impact on employers and employees of firms locating or expanding within the boundaries of the area of the Redevelopment Project.

- ***Employment in the City outside the Redevelopment Project Area***

Approximately 145,299 persons were employed in 8,684 total establishments in Lancaster County, according to the 2019 Census. The 2019 median household income for Lancaster County was \$60,527, according to the 2015 – 2019 American Community Survey 5-Year estimates.

The Redevelopment Project is not expected to adversely affect employment in the City. Instead, the reuse and increase building density will help address blight and substandard conditions at the Project Site and help encourage further redevelopment of property within the Redevelopment Project Area.

- ***Impacts on the Student Populations of School Districts within the City***

There is not expected to be a major increase in the student population for the immediate schools, nor the school district. To the extent that job opportunities may encourage the relocation of families with school-age students to the City, these students would likely be located across attendance areas and would have the benefit of the property taxes paid toward residential units in the district. Additionally, Lincoln Public Schools would have the additional benefit of property taxes paid after the TIF period.

- ***Other Impacts***

While the use of tax increment financing will defer the majority of the incremental ad valorem real property taxes generated by the Redevelopment Project for up to 15 years, there will be additional revenue generated by the Redevelopment Project. For example, income taxes paid by those working in the Project Site, as well as sales tax paid by new construction, employees and neighbors dining and shopping in the Project Site. Upon completion of the 15-year TIF period, the Redevelopment Project will benefit the community through higher property tax revenue. The Redevelopment Project should have a positive impact on the neighborhood and the local private business sector by offering enhanced site location options for new or existing businesses. The Redevelopment Project will also increase the tax base without an adverse effect on either public or private entities.

Finding of Need for TIF

Section 18-2116 of the Nebraska Community Development Law requires the City Council to make the following findings before authorizing the use of Community Development Financing:

- the redevelopment project and plan as proposed would not be economically feasible without the use of Tax Increment Financing; and,
- the redevelopment project as proposed would not occur in the Community Development area without the use of Tax Increment Financing.

The Urban Development Department believes that the private and public improvements proposed in this Redevelopment Plan would not occur “but for” the utilization of tax increment financing in the Redevelopment Project Area. It would not be economically feasible for the redeveloper to construct the Redevelopment Project improvements without tax increment financing because the existing site conditions constitute a barrier to development that cannot be adequately remedied without the use of tax increment financing.

Redevelopment Project Schedule and Implementation

Following the approval of the Redevelopment Plan, the following steps will occur in the implementation of the Redevelopment Project:

- The City will negotiate a redevelopment agreement with the redeveloper(s) and submit to City Council for approval.
- Following agreement approval, the City may issue and sell Community Improvement Financing bonds or notes to fund the public improvements related to the Redevelopment Project.
- Construction drawings of public and private improvements will be reviewed.
- TIF-funded public improvements will be competitively bid, as needed and required by the Purchasing Department.
- The private and public improvements and enhancements will be constructed. Reimbursement for eligible public improvements and enhancements will occur when invoices have been approved and increment is received.



URBAN DEVELOPMENT
555 South 10th Street, Suite 205 | Lincoln, NE 68508
402-441-7606 | F: 402-441-8711 | urbandev@lincoln.ne.gov

March 14, 2022

David Cary, Planning Director
City of Lincoln-Lancaster County Planning Department
555 S. 10th
Lincoln, NE 68508

Dear David:

Enclosed is the Bishop Heights Redevelopment Plan. This document serves as a guide for future redevelopment activities within the area. The plan area is generally located at the Bishop Heights Shopping Center, 27th & Hwy 2.

Please forward this redevelopment plan to the Planning Commission for their earliest consideration for Comprehensive Plan compliance. My understanding is that this should be on the April 13, 2022, agenda.

If you have questions or need additional information, please contact me at 402-441-7855 or at ecastillo@lincoln.ne.gov.

Sincerely,

A handwritten signature in black ink that reads "Ernie Castillo".

Ernie Castillo

Cc: Dan Marvin, Director, Urban Development Department
Dallas McGee, Urban Development Department
Steve Henrichsen, Planning Department

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 #22005
Change of Zone #22008

FINAL ACTION?
No (both applications)

DEVELOPER/OWNER
David and Doreen Miller

PLANNING COMMISSION HEARING DATE
April 13, 2022

RELATED APPLICATIONS
SP#22007 Lacy Addition Community
Unit Plan

PROPERTY ADDRESS/LOCATION
South 88th Street and Pioneers Blvd

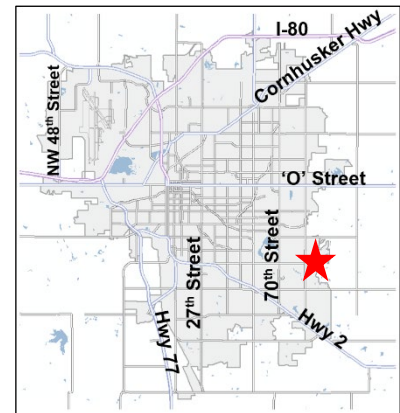
**RECOMMENDATIONS: ANNEXATION #22005
CHANGE OF ZONE #22008**

**CONDITIONAL APPROVAL
APPROVAL**

BRIEF SUMMARY OF REQUEST

This is a combined staff report for two related applications associated with the Lacy Addition Community Unit Plan (CUP), located northwest of the intersection of South 88th Street and Pioneers Blvd. The first is a request for annexation, and the second is a request for rezoning from AGR to R-1. The area of the requests is approximately 2.65 acres, but the annexation also includes the adjacent right-of-way in South 88th Street.

The associated Special Permit #22007 for the Lacy Addition CUP proposes an overall site layout for the development. That plan shows 8 lots for single-family dwellings. There are several waivers requested as part of the CUP and those are discussed as part of the separate review for the special permit.



JUSTIFICATION FOR RECOMMENDATION

The subject property is adjacent to the city limit, and the full range of municipal services can be provided if annexed. A change of zone to R-1 is consistent with the Future Land Use Map and compatible with the development in the area. Both requests comply with the Zoning Ordinance and are consistent with the Comprehensive Plan.

APPLICATION CONTACT

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

STAFF CONTACT

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

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The site is designated for future urban density residential land uses on the Future Land Use Map, and these requests comply with the requirements of the Zoning Ordinance and Comprehensive Plan.

KEY QUOTES FROM THE 2050 COMPREHENSIVE PLAN

Introduction Section: Growth Framework

Figure GF. b: 2050 - This site is designated for future urban residential land uses on the 2050 Future Land Use Plan.

Fundamentals of Growth in Lancaster County

The City of Lincoln's present infrastructure investment should be maximized by planning for well-designed and appropriately-placed residential and commercial development in existing areas of the city with available capacity. This can be accomplished by redeveloping underutilized commercial centers into areas that include a mix of uses and encouraging higher-density residential redevelopment in appropriate locations, including missing middle housing. New infrastructure investments to serve growth areas can be maximized by encouraging a higher density of both residential and commercial uses in these areas.

New commercial and industrial development should be located in Lincoln and other incorporated communities. Lincoln has ample land area and infrastructure availability for commercial and industrial development. The situation is similar in most incorporated communities in the county. Rural areas of the county do not have access to urban infrastructure, and commercial or industrial development can add significant traffic and maintenance responsibilities to county roads.

Natural and environmentally sensitive areas should be preserved within and between neighborhoods. Conservation areas and open lands should be used to define and connect different neighborhoods. The natural topography and features of the land should be preserved by new development to maintain the natural drainageways and minimize land disturbance.

Elements Section

E2: Infill Development - Existing Neighborhoods

Infill of housing in existing neighborhoods should respect the existing pattern of development. Infill redevelopment should include housing for a variety of incomes and households and should complement the character of the existing neighborhood by including appropriate transitions, scale, and context.

Examples of infill redevelopment in existing neighborhoods includes:

- Replacement of blighted and deteriorating structures.
- Conversion of single-family homes, or vacant single-family parcels, to duplexes or other low-to-moderate density options when allowed by zoning.
- Adding an accessory dwelling unit (ADU) to a single family home.
- Redevelopment of large parcels, including former school sites, church sites, and acreage homes.
- Residential conversion of small-scale legacy commercial uses.

Goals Section

G1: Safe, Affordable, and Accessible Housing. Lincoln and Lancaster County will support the development of safe, affordable, and accessible quality housing that meets the diverse needs of the community. PlanForward understands the ongoing need for affordable housing and supports development of 5,000 affordable units by the year 2030.

G2: Complete Neighborhoods. Lincoln and Lancaster County will support complete neighborhoods within both developing and redeveloping areas of Lincoln. A complete neighborhood is one where residents are able to get the goods and services to meet daily needs within 15 minutes of their residence including a variety of housing options, grocery stores and other commercial services, quality public schools, public open spaces and recreational facilities, affordable active transportation options, and civic amenities. Housing variety should include townhomes, senior living facilities, low/no maintenance condominiums, accessory dwelling units, multi-family development, and even small lot single-family.

P80 - Annexation: Annexation should be utilized to provide municipal services in a fair and efficient manner.

The City of Lincoln requires that properties receiving municipal services be located within city limits. City annexation should occur before any property is provided with water, sanitary sewer, or other potential City services. In most cases this also means that annexation must occur prior to a property receiving an urban zoning designation. The City routinely annexes land at the request of a developer or landowner as part of the regular development process. This allows properties to be supplied with City services when they are needed, and the City benefits from the property taxes, utilities, and other fees that City residents pay. Some properties along the City's edge may not be interested in further development and thus will not request annexation. In some cases, it is necessary for the City to initiate annexation of adjacent properties that are already developed and require a minimal public investment to serve.

Action Steps

1. Regularly evaluate for potential annexation all property along the city's edge for which basic infrastructure is generally available or planned for in the near term. The City should annex land in Tier 1 Priorities A and B that is contiguous to city limits and generally urban in character. All land that is engulfed by the City should be annexed.
2. Provide advance notice to properties that may be subject to city-initiated annexation.
3. Properties within the Tier 1 Priority A growth area should be annexed upon approval of final plat.
4. Coordinate the provision of services for areas considered for annexation with the Capital Improvement Program.

UTILITIES & SERVICES:

A. Sanitary Sewer: Public sanitary sewer is available to in the development in Pioneers Blvd and can be extended to serve this development.

B. Water: Public water is available in South 88th Street and can be extended as well.

C. Roads: All internal streets are public local streets and will be constructed by the developer.

South 88th Street is an asphalt county road and a waiver is requested to leave it as-is except for the addition of sidewalks.

Pioneers Blvd is an arterial street is paved to county standards but has not been improved to City standards adjacent to this development. The intersection with South 88th Street is existing and no improvements are required associated with this development.

D. Fire Protection: After annexation, fire protection will be provided by Lincoln Fire Rescue (LFR). A new fire/police station has been constructed near South 84th Street and Pioneers Blvd and will provide coverage to this development.

ANALYSIS

1. These are related requests for both annexation and a change of zone. They are associated with Special Permit #22007 which is proposing an 8-lot CUP for single-family dwellings. The annexation request seeks annexation of the entire 2.65-acre parcel along with the adjacent right-of-way in South 88th Street as required by State Statute. The change of zone seeks a change of zone from AGR to R-1 for the entire parcel.
2. The area to be annexed is located within Tier I, Priority B of the Comprehensive Plan. All utilities, including public water and sewer, exist adjacent to the area of these requests and can be extended to serve this development. The development can be served by the full range of city services.

As noted in the PlanForward 2050 Growth Framework section, Priority B areas move to Priority A upon approval of development plans. Following approval of this proposal, the 2050 Priority Growth Areas Map will be updated to show this area as Priority A.

3. The subject property is located within the Southeast Rural Fire District #1. Under State law, the District can petition for compensation from the annexing municipality for lost revenue based upon the amount of service area annexed. For voluntary annexations such as this one, any costs due to the district are to be borne by the developer. In this case however, staff has conducted the financial analysis and there should be no funds due to the District.

4. It is also the developer's responsibility to reach an agreement regarding any compensation due the Rural Water District #1 (RWD#1) as a result of the proposed annexation. The subject property lies within the boundary the RWD#1. As a result, this developer will need to demonstrate that all the property within the boundary of the proposed annexation has been released by the RWD and that there will be no additional claim of reimbursement as a result of this annexation prior to consideration of this request by the City Council.
5. The site is designated for future urban density residential land uses on the Future Land Use Map and is consistent with the associated special permit for the Lacy Addition CUP. These requests comply with the requirements of the Zoning Ordinance and Comprehensive Plan.

EXISTING LAND USE & ZONING: Vacant; AGR

SURROUNDING LAND USE & ZONING

North: Residential	AGR
South: Residential	R-3
East: Residential	AGR
West: Church	AGR

APPROXIMATE LAND AREA:

Annexation #22005 - Approximately 2.65 acres plus adjacent rights-of-way in South 88th Street and Pioneers Blvd.

Change of Zone #22008 - Approximately 2.65 acres.

PROPOSED CITY COUNCIL DISTRICT ASSIGNMENT: District #2

LEGAL DESCRIPTION:

Annexation #19002: Outlot B, Hunter Addition, including the adjacent right-of-way in South 88th Street, located in the SW ¼ of Section 2-9-7, Lancaster County, Nebraska.

Change of Zone #19005: Outlot B, Hunter Addition, located in the SW ¼ of Section 2-9-7, Lancaster County, Nebraska.

Prepared by

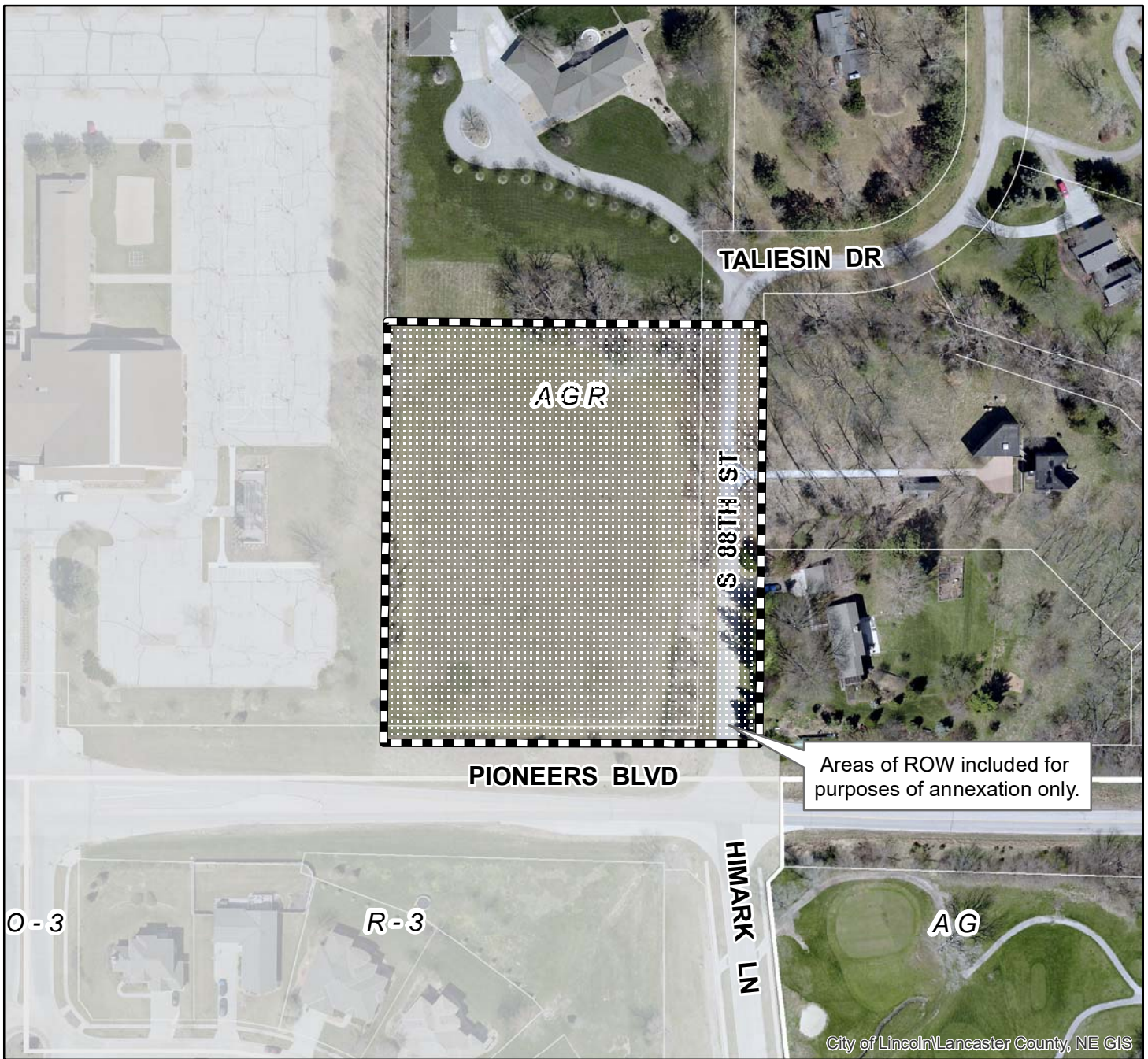
 Brian Will,
 March 30, 2022
bwill@lincoln.ne.gov or 402-441-6362

Applicant/Contact: Nate Burnett
 REGA Consulting Group
 601 Old Cheney Road
 Lincoln, NE 68512
 402-484-7342
nate@regaeng.com

Owner: David and Doreen Miller
 4101 South 88th Street
 Lincoln, NE 68520
 402-560-1634
davidmiller1@msn.com

CONDITIONS OF APPROVAL - ANNEXATION #22005

1. Approval of the release from the Rural Water District #1 prior to consideration by the City Council.



Areas of ROW included for purposes of annexation only.

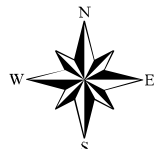
City of Lincoln/Lancaster County, NE GIS

**Annexation #: AN22005, Special Permit #: SP22007
& Change of Zone #: CZ22008 (AGR to R-1)
Lacy Addition CUP
S 88th St & Pioneers Blvd**

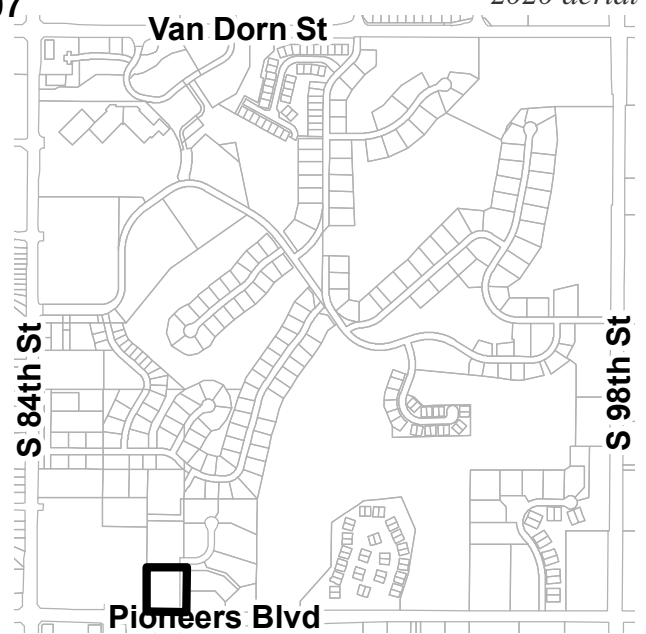
2020 aerial

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.02 T09N R07E



NO.	REVISIONS		
	DESCRIPTION	DATE	BY

PROJECT
201006

REGA
ENGINEERING GROUP, INC.

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

- ENGINEERING
- PLANNING
- LANDSCAPE ARCHITECTURE
- LAND SURVEYING

LEGAL DESCRIPTION:

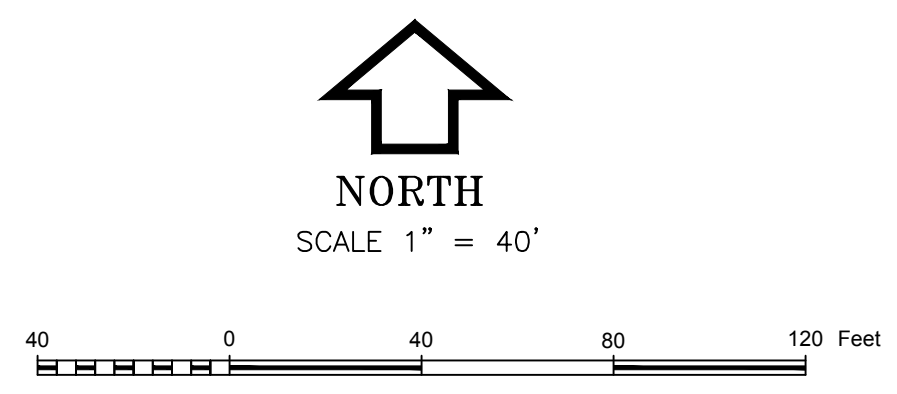
Outlot B, Hunter Addition, located in the Southwest Quarter of Section 2, Township 9 North, Range 7 East of the Sixth Principal Meridian, City of Lincoln, Lancaster County, Nebraska, more particularly described as follows:

BEGINNING at the Southwest corner of said Outlot B,
Thence North on the West line of said Outlot 'B' and on the East line of Lot 42 Irregular Tract in the Southwest Quarter of said Section 2, N00°33'44"E, a distance of 386.27 feet to the Northwest corner of said Outlot 'B' and the Southwest corner of Lot 1, Hunter Addition;
Thence East on the North line of said Outlot 'B' and Lot 1, Hunter Addition, S89°28'00"E, a distance of 299.98 feet to the Northeast corner of said Outlot 'B' and the Southeast corner of Lot 1, Hunter Addition, also being on the West Right-of-Way line of South 88th Street;
Thence South on the East line of said Outlot 'B', also on the West Right-of-Way line of South 88th Street, S00°32'00"W, a distance of 384.03 feet to the Southeast corner of said Outlot B, also being on the North Right-of-Way line of Pioneers Boulevard;
Thence West on the South line of said Outlot 'B', also on the North Right-of-Way line of Pioneers Boulevard, N89°53'33"W, a distance of 300.18 feet to the **POINT OF BEGINNING** and having a calculated area of 115573.79 square feet or 2.653 acres, more or less.

SURVEYOR'S CERTIFICATE:

I hereby certify that this boundary survey was made under my supervision and that I am a licensed land surveyor under the laws of the State of Nebraska.

Date _____ Jeff Boden R.L.S.#825 _____

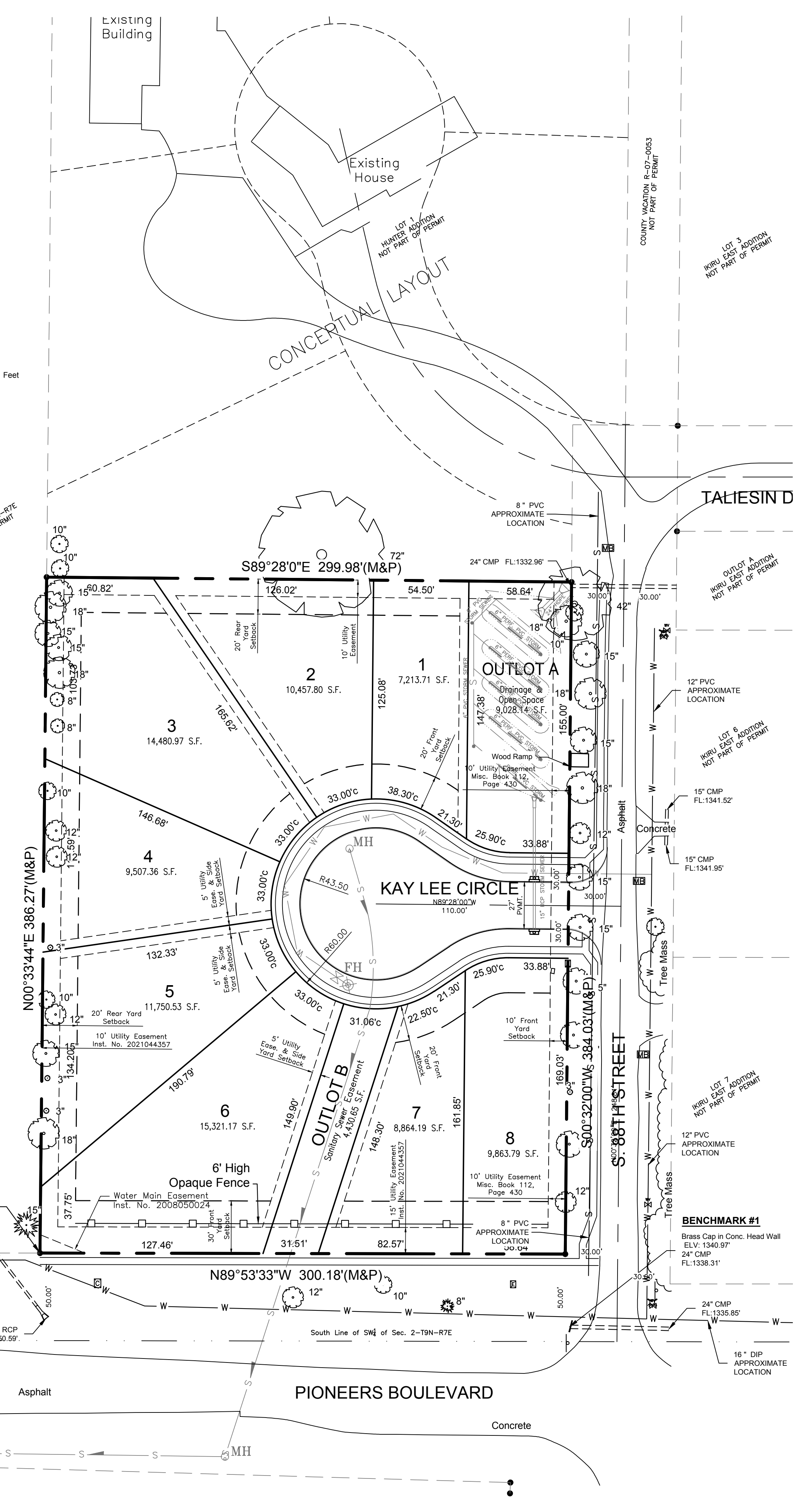


**GENERAL NOTES
COMMUNITY UNIT PLAN**

- THIS SPECIAL PERMIT CONSISTS OF 8 SINGLE FAMILY ATTACHED DWELLING UNITS.
- ZONING IS R-1 WITH THIS C.U.P.
- THE OWNER/DEVELOPER RESERVES THE RIGHT TO BUILD ANYWHERE WITHIN THE SETBACKS AS PER R-1 ZONING DISTRICT WITH EXCEPTION OF APPROVED WAIVERS.
- DIRECT VEHICULAR ACCESS TO PIONEERS BOULEVARD SHALL BE RELINQUISHED.
- CURVILINEAR DIMENSIONS ARE CHORD LENGTHS.
- TOPOGRAPHIC GRADING CONTOURS ARE AT NAVD 1988.
- ALL LOT LINES ARE CONCEPTUAL AND FINAL PLATS MAY SHOW DIFFERENT LOT DIMENSIONS.
- 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.
- ALL OUTLOTS SHALL BE MAINTAINED BY AN ASSOCIATION OF HOMEOWNERS.
- UTILITY EASEMENTS TO BE PROVIDED AS REQUIRED BY L.E.S.
- ALL PUBLIC STREET PAVEMENT RADII TO BE 20' AND PAVEMENT WIDTH TO BE 27' UNLESS NOTED OTHERWISE.
- SIDEWALKS SHALL BE LOCATED ON BOTH SIDES OF PUBLIC STREETS WITH EXCEPTION OF APPROVED WAIVERS. SIDEWALKS SHALL BE A MINIMUM OF 4 FEET IN WIDTH. SIDEWALKS SHALL BE A MINIMUM OF 4 INCHES THICK CONCRETE, 5 INCHES THICK AT DRIVEWAY CROSSINGS.
- SANITARY SEWER AND WATER LINES TO BE 8" AND 6" PIPE RESPECTIVELY UNLESS SHOWN OTHERWISE AND TO BE BUILT TO THE CITY OF LINCOLN SPECIFICATIONS WITH EXCEPTION OF APPROVED WAIVERS.
- LOTS 1 THROUGH 8, SANITARY SEWER EJECTOR PUMPS SHALL BE ALLOWED FOR BASEMENTS ONLY. ALL OTHER FLOORS SHALL GRAVITY DRAIN TO THE PROPOSED PUBLIC SANITARY SEWER. DEVELOPER SHALL NOTIFY FUTURE OWNERS OF SANITARY SEWER LIMITATIONS.

WAIVERS:

- SIDEWALK LOCATION FROM PROPERTY LINE ON WEST SIDE OF SOUTH 88TH STREET. (LINCOLN MUNICIPAL CODE CHAPTER 26.23.095)
- SANITARY SEWER RUNNING OPPOSITE STREET GRADE. (DESIGN STANDARDS CHAPTER 2.00 SECTION 3, 3.5)
- SANITARY SEWER LOCATION. (DESIGN STANDARDS CHAPTER 2.00 SECTION 3, 3.4)
- SANITARY SEWER DEPTH TO BE LESS THEN 9 FEET. (DESIGN STANDARDS CHAPTER 2.00 SECTION 3, 3.6)
- FRONT YARD SETBACK ADJACENT TO KAY LEE CIRCLE FROM 30 FEET TO 20 FEET. (ZONING ORDINANCE Table 27.72.020(a))
- SIDE YARD SETBACK FROM 20 FEET TO 5 FEET. (ZONING ORDINANCE Table 27.72.020(a))
- PRE/POST DEVELOPMENT STORM WATER DETENTION (LINCOLN MUNICIPAL CODE CHAPTER 26.11.040)
- RELATION TO ADJACENT STREET SYSTEM. (LINCOLN MUNICIPAL CODE CHAPTER 26.23.030)



LOT DATA:

LOT	AREA (S.F.)	AVERAGE LOT DEPTH	AVERAGE LOT WIDTH
1	7,213.71	136.23'	52.95'
2	10,457.80	145.35'	71.95'
3	14,480.97	156.15'	92.74'
4	9,507.36	139.51'	68.15'
5	11,750.53	161.56'	72.73'
6	15,321.17	170.35'	89.94'
7	8,864.19	155.08'	57.16'
8	9,863.79	165.44'	59.62'
OUTLOT A	9,028.14	NA	NA
OUTLOT B	4,430.65	NA	NA

DENSITY:

Total Project Area 115573.79 s.f.
or 2.653 acres
x 3.87 R-1 Zoning
10.26711 units allowed

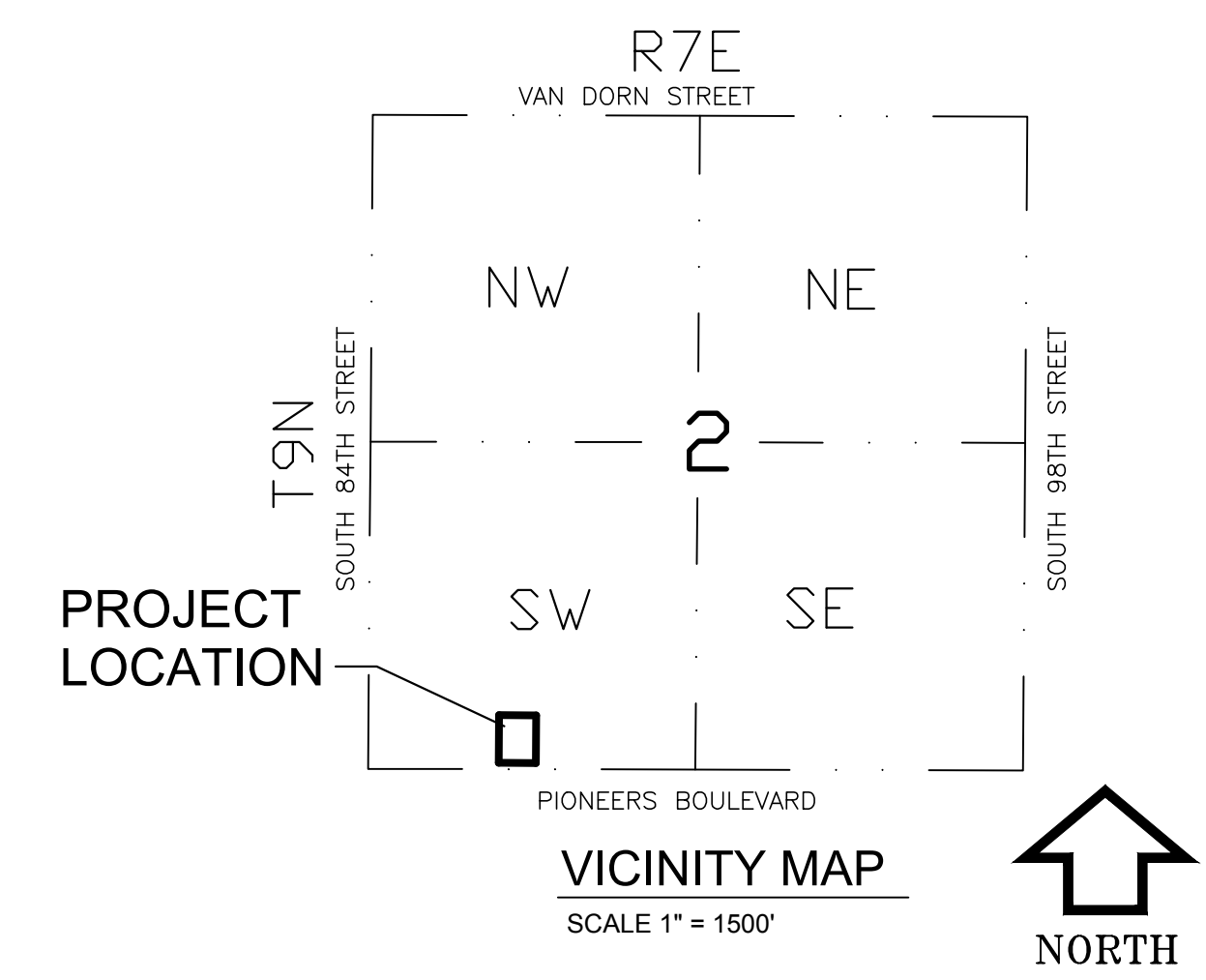
10 Units allowed by Density Calculations
8 Units permitted with this Special Permit

LEGEND

- BOUNDARY OF CUP
- SETBACK/BUILDING ENVELOPE
- EASEMENT
- CENTERLINE
- SECTION LINE
- ADJACENT PROPERTY LINE
- CORNER FOUND (LS 314 CAP)
- CORNER SET (5/8"x24" REBAR W/ LS25 CAP)
- SECTION CORNER
- (M) MEASURED DISTANCE
- (P) PLATTED DISTANCE

SHEET INDEX

- SITE PLAN 1
- UTILITY PLAN 2
- LANDSCAPE PLAN 3
- PRE-DEVELOPMENT PLAN 4
- POST DEVELOPMENT PLAN 5
- POST PLAN DETAILS 6
- GRADING PLAN 7



VICINITY MAP
SCALE 1" = 1500'

LACY ADDITION
 COMMUNITY UNIT PLAN - SPECIAL PERMIT # AN22005
 SITE PLAN
 SOUTH 88TH STREET AND PIONEERS BOULEVARD

DATE: 3/16/2022
DESIGNED BY: MN
DRAWN BY: MN
CHECKED BY: NPB



SHEET NO.
1 of 7

LACY ADDITION
Community Unit Plan/Special Permit
And
Change of Zone from AGR to R-1

Legal Description:

A tract of land composed of Outlot B, Hunter Addition, located in the Southwest Quarter of Section 2, Township 9 North, Range 7 East of the Sixth Principal Meridian, City of Lincoln, Lancaster County, Nebraska, more particularly described as follows:

BEGINNING at the Southwest corner of said Outlot B,

Thence on the common line of said Outlot B and Lot 42 Irregular Tract in the Southwest Quarter of said Section 2, N00°33'44"E, a distance of 386.27 feet to the West common corner of said Outlot B and Lot 1, Hunter Addition;

Thence on the common line of said Outlot B and Lot 1, Hunter Addition, S89°28'00"E, a distance of 299.98 feet to the East common corner of said Outlot B and Lot 1, Hunter Addition;

Thence on the East line of said Outlot B, also the West Right-of-Way line of South 88th Street, S00°32'00"W, a distance of 384.03 feet to the Southeast corner of said Outlot B, also a point on the North Right-of-Way line of Pioneers Boulevard;

Thence on the South line of said Outlot B, also the North Right-of-Way line of Pioneers Boulevard, N89°53'33"W, a distance of 300.18 feet to the POINT OF BEGINNING and having a calculated area of 115573.79 square feet or 2.653 acres, more or less.

REGA

ENGINEERING
GROUP, INC.

File No. 201006
March 16, 2022

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

RE: LACY ADDITION
COMMUNITY UNIT PLAN / SPECIAL PERMIT
ANNEXATION
CHANGE OF ZONE FROM AGR TO R-1
South 88th Street & Pioneers Boulevard

Dear David,

On behalf of David and Doreen Miller, owners and developers, we are submitting an application for Lacy Addition, a Community Unit Plan / Special Permit with a change of zone from AGR to R-1 and requesting for annexation. The current property includes 2.65 acres which is adjacent to existing acreage residential homes on the east and north of the project. St. Mark's United Methodist Church is to the west of the proposed development. Pioneers Boulevard is adjacent on the south and South 88th Street is adjacent to the east of the property.

The development includes 8 single family attached lots with one outlot for water quality and drainage and one outlot for the construction of a public sanitary sewer to provide service to the project. Per the density of the proposed R-1 zoning district, the maximum dwelling units allowed are 10 units.

South 88th Street is currently constructed per county standards with pavement at a width of 22' wide with no curb and gutter. To reduce the impact of developing to the neighbors which utilize South 88th Street to access their homes, we are requesting that this roadway remain as it is constructed today. A sidewalk is being proposed on the west side of South 88th Street to the south of the proposed cul-de-sac to provide pedestrian access. This sidewalk is shown in a location to allow the drainage to flow within the existing ditch along the street.

The sanitary sewer is shown connected to an existing line southwest of the property on the south side of Pioneers Boulevard. Due to the limitations of the existing sanitary sewer depth and location, waivers to the Lincoln Design Standards are being requested. Due to the sewer depth, the proposed dwellings will be either slab on grade or will need to utilize individual ejector pumps.

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The following waivers are being requested as follows:

1. SIDEWALK LOCATION FROM PROPERTY LINE ON WEST SIDE OF SOUTH 88TH STREET
(Lincoln Municipal Code Chapter 26.23.095)
Even though the construction of South 88th Street is a rural design, a sidewalk on the west side of the street can be constructed. However, due to the drainage ditch the sidewalk will need to be constructed approximately 8' from the property line instead of 2.5' as per City Standards.
2. SANITARY SEWER RUNNING OPPOSITE STREET GRADE.
(Design Standards Chapter 2.00 Section 3, 3.5)
Due to the location and depth of the existing public sanitary sewer, the proposed sanitary sewer does run opposite grade.
3. SANITARY SEWER LOCATION.
(Design Standards Chapter 2.00 Section 3, 3.4)
Due to the location and depth of the existing public sanitary sewer, the location of the proposed sanitary sewer main needs to be placed through the development within an outlot and then to the proposed street.
4. SANITARY SEWER DEPTH TO BE LESS THAN 9 FEET.
(Design Standards Chapter 2.00 Section 3, 3.6)
Due to the location and depth of the existing public sanitary sewer, the proposed sanitary sewer is shallow and will require ejector pumps for basements only.
5. FRONT YARD SETBACK ADJACENT TO KAY LEE CIRCLE FROM 30 FEET TO 20 FEET
(Zoning Ordinance 27.72.020(a))
The proposed lots all take access from the proposed street of Kay Lee Circle. With the internal access and with the narrow lot frontage, this waive would allow the dwellings to be constructed without forcing an excessively long driveway to the individual lots.
6. SIDE YARD SETBACK FROM 20 FEET TO 5 FEET
(Zoning Ordinance 27.72.020(a))
Due to the configuration of the lots with the required cul-de-sac size, the lots are limited in width at the front of the lots. With this waiver, the structures can be built closer to the street and will eliminate the need for extremely long driveways to the individual lots.
7. PRE/POST DEVELOPMENT STORM WATER DETENTION
(Lincoln Municipal Code Chapter 26.11.040)
A waiver for stormwater detention is being requested for several reasons. First, there are small increases in the runoff going both to the north and south. This is due to the large size of the proposed residential lots. Post development drainage basin 'B' is relatively unchanged from pre development conditions. Post development drainage basin 'A' has a water quality aspect that helps mitigate post-development drainage. The relatively small increase in runoff also flows to existing drainage facilities. Drainage basin 'A' releases into an existing drainage channel, while basin 'B' releases into Pioneers Boulevard Ditch. This minimizes any impact to neighboring properties since the drainage facilities are already in place.

8. RELATION TO ADJACENT STREET SYSTEM
(Lincoln Municipal Code Chapter 26.23.030)

A waiver for improving the existing S. 88th Street is being proposed for several reasons. There is an existing drainage ditch and trees that exist and provide a rural feel to the existing neighborhood. The developer intends to place the sidewalk just off the existing road due to keeping the existing trees and ensuring the ditch stays in place. If the road were improved, there isn't enough space to place the sidewalk within the ROW, protect the trees and maintain the existing ditch.

To provide the screening required from Pioneers Boulevard, a 6' high opaque fence has been shown within the adjacent proposed lots. Additional plantings have also been shown between the proposed fence and Pioneers Boulevard.

A meeting and/or information of the development will take place and/or be given to the surrounding neighbors and neighborhood associations prior to the Planning Commission meeting.

We look forward to meeting with the Planning Department and other City Departments on this application. Please do not hesitate to contact me if you have any questions, comments or concerns.

Sincerely,



Nathaniel P. Burnett

Cc: David Miller

Enclosed: Application Form
Application Fee – CUP of \$1,450.20
Application Fee – COZ of \$1,005.00
CUP and COZ Description
Waiver List

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 #22007 Lacy Addition Community Unit Plan	FINAL ACTION? Yes	DEVELOPER/OWNER David and Doreen Miller
PLANNING COMMISSION HEARING DATE April 13, 2022	RELATED APPLICATIONS AN#22005 and CZ#22008	PROPERTY ADDRESS/LOCATION NW of South 88 th Street and Pioneers Blvd

RECOMMENDATION: CONDITIONAL APPROVAL

BRIEF SUMMARY OF REQUEST

This is a request for a special permit for a Community Unit Plan (CUP) for up to 8 lots for attached single-family dwellings. The subject parcel is located northwest of the intersection of South 88th Street and Pioneers Blvd.

This application is associated with two related applications, AN#22005 and CZ#22008 which propose to both annex and re-zone the property from AGR to R-1 Residential. While this request may be approved by the Planning Commission, the associated requests require City Council approval. As a result, approval is conditioned upon the City Council’s action on the associated requests.

Several waivers are requested recognizing the existing development conditions in the area. Each waiver is discussed below in this report.

JUSTIFICATION FOR RECOMMENDATION

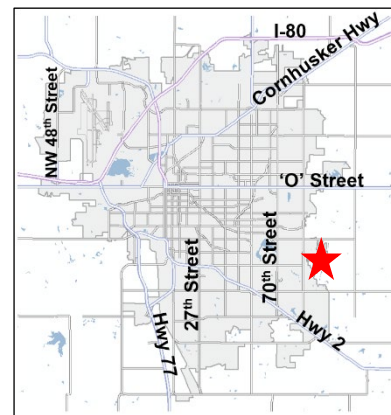
The subject property is adjacent to the city limit, and the full range of municipal services can be provided if annexed. A change of zone to R-1 is consistent with the Future Land Use Map and compatible with the development in the area. This request generally complies with the Zoning Ordinance and is consistent with the Comprehensive Plan.

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The 2050 Comprehensive Plan supports infill redevelopment, especially near existing transportation corridors and where it is compatible with surrounding uses. The proposed land use and density are consistent with surrounding development and comply with the requirements of the Zoning Ordinance.

WAIVERS

1. Subdivision Ordinance, Section 26.23.095 to allow a sidewalk in an alternate location. (Recommend Approval)
2. Subdivision Ordinance, Section 26.11.040 to waive storm water detention. (Recommend Approval)
3. Zoning Ordinance, Section 27.72.020(a) to allow a reduction of the front setback from 30’ to 20’. (Recommend Approval)
4. Zoning Ordinance, Section 27.72.020(a) to allow a reduction of the side setback from 20’ to 5’. (Recommend Approval)



APPLICATION CONTACT

Nate Burnett 402-484-7342 or nate@regaeng.com

STAFF CONTACT

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

5. Subdivision Ordinance, Section 26.27.010 to allow no additional improvements in South 88th Street. (Recommend Approval).
6. Design Standards Chapter 2.00 Section 3, 3.5 - Allow sanitary sewer to flow opposite street grades. (Approved)
7. Design Standards Chapter 2.00 Section 3, 3.4 - Allow sanitary sewer in an alternate location (in an outlot). (Approved)
8. Design Standards Chapter 2.00 Section 3, 3.6 - Allow sanitary sewer depth to be less than 9'. (Approved)

COMPREHENSIVE PLAN SPECIFICATIONS:

Introduction Section: Growth Framework

Figure GF.b: 2050 - This site is designated for future Urban Density Residential land uses on the 2050 Future Land Use Plan.

Fundamentals of Growth in Lancaster County

The City of Lincoln’s present infrastructure investment should be maximized by planning for well-designed and appropriately-placed residential and commercial development in existing areas of the city with available capacity. This can be accomplished by redeveloping underutilized commercial centers into areas that include a mix of uses and encouraging higher-density residential redevelopment in appropriate locations, including missing middle housing. New infrastructure investments to serve growth areas can be maximized by encouraging a higher density of both residential and commercial uses in these areas.

Goals Section

G1: Safe, Affordable, and Accessible Housing. Lincoln and Lancaster County will support the development of safe, affordable, and accessible quality housing that meets the diverse needs of the community. PlanForward understands the ongoing need for affordable housing and supports development of 5,000 affordable units by the year 2030.

G2: Complete Neighborhoods. Lincoln and Lancaster County will support complete neighborhoods within both developing and redeveloping areas of Lincoln. A complete neighborhood is one where residents are able to get the goods and services to meet daily needs within 15 minutes of their residence including a variety of housing options, grocery stores and other commercial services, quality public schools, public open spaces and recreational facilities, affordable active transportation options, and civic amenities. Housing variety should include townhomes, senior living facilities, low/no maintenance condominiums, accessory dwelling units, multi-family development, and even small lot single-family.

Elements Section

E1: Complete Neighborhoods and Housing

A complete neighborhood is more than housing - great neighborhoods combine all the elements of parks, education, commercial areas, environmental resources, and housing together in one place.

A complete neighborhood is one where residents have safe and convenient access to goods and services needed for daily life activities.

Figure E1.a: Strategies for Design, Sustainability and Complete Neighborhoods in Developing Areas

1. Encourage a mix of compatible land uses to develop more complete neighborhoods:
 - a. Similar uses on the same block face: residential faces residential.
 - b. Similar housing densities developed near each other: single-family and “missing middle” residential (3-12 units) scattered throughout with higher density residential (more than 12 units) near the neighborhood edge or clustered near commercial centers.
 - c. Non-residential uses, including parking lots, should be screened from residential areas.
 - d. Locate Commercial Centers so as residents can safely access essential goods and services (i.e. not located across arterial streets) and no more than a 15-minute walk from all residences.

2. Require sidewalks on both sides of all streets.
3. Encourage locations within neighborhoods to grow local food.
4. Plan for residences to be located within 1 mile to an existing or planned multi-use trail.
5. Plan for residences to be located within 1/2 mile to an existing or planned neighborhood park.
6. Integrate transit stops into developing neighborhoods and within a 1/2 mile distance from residences.
7. Encourage employment areas to be within a 15-minute walking distance to residences.
8. Plan for elementary or middle schools to be within a 15-minute walking distance to residences.
9. Encourage pedestrian orientation with parking at rear of residential and neighborhood commercial uses.
10. Develop shorter block lengths to provide multiple connections across residential and commercial areas.
11. Provide pedestrian connections when maximum block lengths are exceeded.
12. Encourage shared City and School facilities (aka SPARKS).
13. Provide adequate curb space to allow for on-street parking.
14. Encourage alley access and shared driveways to reduce interruptions to pedestrians, to preserve on street parking capacity, and to reduce automobile conflict points.
15. Support preservation or restoration of natural areas, and limit stream or drainageway crossings.

Policies Section

P1 - Housing Affordability: Make available a safe residential dwelling for all residents.

Action Steps

1. Implement the housing and neighborhood strategies as embodied in the Affordable Housing Coordinated Action Plan, City of Lincoln Consolidated and Annual Action Plans and subsequent housing and neighborhood plans. These plans provide the core for affordable housing and neighborhood preservation actions for public and private agencies.
2. Distribute and preserve affordable housing throughout the community to be near job opportunities and public transit and to provide housing choices within existing and developing neighborhoods.
3. Encourage public/private partnerships with housing entities such as Lincoln Housing Authority, Affordable Housing Initiatives, Habitat for Humanity, and NeighborWorks Lincoln.
4. Provide for more education of the public about affordable housing and code enforcement.
5. Promote the preservation, maintenance and renovation of existing housing and neighborhoods throughout the city, with special emphasis on low and moderate income neighborhoods.
6. Preserve the existing affordable housing stock, increase the supply of affordable owner and renter units, and add more variety in housing types.

ANALYSIS

1. This is a request for a special permit for a Community Unit Plan (CUP) for up to 8 dwelling units for detached single family homes. It is associated with AN#21009 and CZ#21051 which seek to annex the subject 2.65-acre parcel and re-zone it to R-1 Residential.
2. The special permit can be approved by the Planning Commission, however that action is subject to the approval of the annexation and change of zone which must be approved by the City Council.
3. For the R-1 zoning district the Design Standards allow a maximum of 3.87 dwelling units per acre in a CUP. For this site that equates to a maximum of 10 units. The site plan proposed shows 8 units and is below the maximum allowed.
4. This would be considered an infill development as the land to the west (church), north (single-family dwelling), and east (single-family dwellings) are all developed. Access is via South 88th Street which was a paved county road that was originally built in the mid 1960's to serve the Ikiru Addition development to the east. Direct access to Pioneers Blvd is not requested nor allowed.
5. If annexed, the full range of city services can be provided. Sanitary sewer will be extended in Pioneers Blvd to serve the lots; water service exists in South 88th Street from which a line can be extended; all other services including police and fire/rescue can also be provided.

6. The applicant has requested 8 waivers to the Lincoln Municipal Code:
- a. **Subdivision Ordinance, Section 26.23.095 to allow a sidewalk in an alternate location.** This development is coming to an area that has been developed for many years and where there are existing conditions. South 88th Street was originally built as a county road with no curb and gutter but ditches instead. Located west of the ditch on the west side of the road is a line of mature trees which the developer wants to save. Given the existing conditions the location of the sidewalk in alternate location is appropriate.
 - b. **Subdivision Ordinance, Section 26.11.040 to waive storm water detention.** LTU/Watershed Management approves this waiver but notes that additional information and corrections are required to otherwise meet the applicable requirements. The requirement to make these corrections to the satisfaction of Watershed Management is a recommended condition of approval.
 - c. **Zoning Ordinance, Section 27.72.020(a) to allow a reduction of the front setback from 30' to 20'.** This adjustment is similar to that approved as part of the larger Firethorn CUP. That is, the Firethorn residential areas are zoned R-1, the setbacks were adjusted to match those of the R-3 zoning district. Zoning this development R-1 maintains a consistent zoning pattern throughout the area, but with R-3 setbacks allow for more efficient of new lots created.
 - d. **Zoning Ordinance, Section 27.72.020(a) to allow a reduction of the side setback from 20' to 5'.** This development proposes attached single-family dwellings, where the side yard setback (opposite the common wall lot line) in the R-1 is 20'. As for the front setback waiver above, applying the R-3 setbacks results in a 5' side yard setback and is appropriate.
 - e. **Subdivision Ordinance, Section 26.27.010 to allow no additional improvements in South 88th Street.** The waiver request states a waiver to Section 26.23.030 but the correct section is 26.27.010. South 88th Street was originally built in the 1960's, and while paved it is not built to city street standards. The Subdivision Ordinance requires all streets within and adjacent to the development be built or brought up to city standards per Section 26.27.010. Given it is paved and the owners on the east side of South 88th Street are not participating in the improvements, it would be hardship to require development on one side to bear all the cost of improvement. Waiving the requirement to improve South 88th to full city standards is appropriate.
 - f. **Design Standards Chapter 2.00 Section 3, 3.5 - Allow sanitary sewer to flow opposite street grades.** LTU/Wastewater did not object and approves this waiver.
 - g. **Design Standards Chapter 2.00 Section 3, 3.4 - Allow sanitary sewer in an alternate location (in an outlet).** LTU/Wastewater did not object and approves this waiver.
 - h. **Design Standards Chapter 2.00 Section 3, 3.6 - Allow sanitary sewer depth to be less than 9'.** It is acknowledged that this is the extent of the lots that can be served in this area by gravity sanitary sewer flow, but a reduced sewer depth can be approved and still create developable lots. LTU/Wastewater did not object and approves this waiver.
7. As noted in the associated report for the annexation request, this tract is in the Lancaster County Rural Water District #1 boundary. Prior to consideration of this and the associated requests the owner will need to provide proof of release from the District. It is also noted the owner would typically be made responsible for any potential compensation due to the Rural Fire District #1 as a result of annexation. However, RFD#1 Currently has no debt so there would be no potential liability.
8. Infill development is encouraged by the Comprehensive plan where appropriate. Higher density residential uses that help provide a range of housing types are also encouraged where appropriate. Several waivers are associated with this request, but that is not unusual for an infill development which must adapt to existing conditions, often conditions which do not meet current city standards.
9. The proposed community unit plan is consistent with the R-1 zoning district and surrounding land uses. The waivers are appropriate given the existing conditions associated with infill development. Subject to the recommended conditions of approval this request complies with the Zoning Ordinance and is consistent with the Comprehensive Plan and is an appropriate use of land at this location.

CONDITIONS OF APPROVAL: See attached.

EXISTING LAND USE & ZONING: Vacant; AGR

SURROUNDING LAND USE & ZONING

North: Residential	AGR
South: Residential	R-3
East: Residential	AGR
West: Church	AGR

APPROXIMATE LAND AREA: 2.65 acres more or less.

LEGAL DESCRIPTION: Outlot B, Hunter Addition, located in the SW ¼ of Section 2-9-7, Lancaster County, Nebraska, more particularly described in the attached legal description.

Prepared by

Brian Will,
March 30, 2022
bwill@lincoln.ne.gov or 402-441-6362

Applicant/Contact: Nate Burnett
REGA Consulting Group
601 Old Cheney Road
Lincoln, NE 68512
402-484-7342
nate@regaeng.com

Owner: David and Doreen Miller
4101 South 88th Street
Lincoln, NE 68520
402-560-1634
davidmiller1@msn.com

CONDITIONS OF APPROVAL - SPECIAL PERMIT #22007

Per Section 27.63.320 this approval permits a Community Unit Plan for up to 8 dwelling units with waivers to allow a sidewalk in an alternate location; to waive storm water detention; to allow a reduction of the front setback from 30' to 20'; to allow a reduction of the side setback from 20' to 5'; to require no additional improvements in South 88th Street except sidewalks on the west side; to allow sanitary sewer to flow opposite street grades; to allow sanitary sewer in an alternate location; and to allow sanitary sewer depth to be less than 9'.

Site Specific Conditions:

1. City Council approves associated requests AN#22005 and CZ#22008.
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 Make the following revisions:
 - 2.1.1 Revise Waiver Note #8 to describe the waiver to allow a street not improved to city standards and to reference Section 26.27.010.
 - 2.1.2 Propose a new name for Kay Lee Circle which is too phonetically similar to existing street names.
 - 2.1.3 Show the sidewalk in South 88th Street north of Kay Lee Circle to the northern extent of the development in a location satisfactory to the Planning Department.
 - 2.1.4 Revise the legal description per the comments from the County Assessor and County Engineer.
 - 2.1.5 Indicate the disposition of the old private sewer main in Pioneers Blvd per LTU.
 - 2.1.6 Make the corrections noted by the LTU/Watershed Management in their 3/25/22 comments
3. Before a final plat is approved 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 special permit has been recorded.
4. 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 public street and private roadway paving within two (2) years following the approval of the final plat.

to complete the installation of sidewalks 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 and private 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 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 Transportation and Utilities Department 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 maintain the landscape screens, 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.

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.

LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT

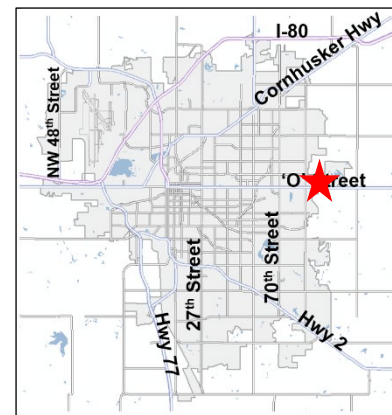
FROM THE LINCOLN/LANCASTER COUNTY PLANNING DEPARTMENT, 555 S. 10TH STREET, SUITE 213, LINCOLN, NE 68508

APPLICATION NUMBER Preliminary Plat #04011A	FINAL ACTION? Yes	DEVELOPER/OWNER Southeast Community College
PLANNING COMMISSION HEARING DATE February 16, 2022	RELATED APPLICATIONS CZ #22001, CPA #22003	PROPERTY ADDRESS/LOCATION Waterford Estates Dr. and Linwood Lane

RECOMMENDATION: CONDITIONAL APPROVAL

BRIEF SUMMARY OF REQUEST

This is a request to amend the preliminary plat layout for PP0411 Waterford Estates, which is located east of the Southeast Community College campus at Waterford Estates Drive and Linwood Lane. This would include private roadway connections from Waterford Estates Drive and an additional east-west private road on the south side of the property. These would provide connections to the Southwest Community College campus to the west. In addition, a proposed access to O Street is being amended by moving west so it aligns with Anthony Lane and is out of the floodway.



JUSTIFICATION FOR RECOMMENDATION

The preliminary plat amendment is justified to allow for the further future growth of Southeast Community College while taking into consideration the adjoining street network. The waiver to delay installation of water service along Waterford Estates Drive until needed for building construction is justified as future final platting and building permits will be required. At the time of building permit, they would be required to have water service in place.

APPLICATION CONTACT

Erin Bright, (402) 474-6311 or ebright@olsson.com

STAFF CONTACT

George Wesselhoft, (402) 441-6366 or gwesselhoft@lincoln.ne.gov

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The proposal subject to the conditions of approval is consistent with the Comprehensive Plan which recognizes the various colleges, trade schools and universities in the community and encourages planning and connectivity with surrounding neighborhoods.

WAIVERS

- 1) 26.23.100 Utility Installations to delay the installation of water service along the proposed Waterford Estates Drive private roadway until the Outlot A is final platted with building permit that would require water service. (Recommend Approval)

KEY QUOTES FROM THE 2050 COMPREHENSIVE PLAN

Introduction Section: Growth Framework

[Figure GF.b: 2050](#) - This site is shown as future commercial on the 2050 Future Land Use Plan. Related CPA22003 is the Comprehensive Plan Amendment to amend the future land use from commercial and urban residential to public, semi-public to reflect the ownership and intended future uses of Southeast Community College. A very minor part of the 34.69 acres site near Waterford Estates Drive is shown as urban residential, and a small part is also designated for green space and environmental resources along O Street.

Land Use Plan (Existing)

- 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.

-Urban Residential. Residential uses in areas with varying densities ranging from more than fifteen dwelling units per acre to less than one dwelling per acre. All types of housing are appropriate here, from detached single family, duplex and missing middle, to higher density multi-family. Undeveloped areas shown as Urban Residential may also include neighborhood-scale commercial and other compatible uses that will be added to the map after approval of development plans.

Land Use Plan (Proposed Amendment)

Public and Semi-Public. Areas of public or semi-public land use and/or structures that serve the general public. Only the largest facilities are shown on the land use plan. Highways and interstates are also included in this category.

Fundamentals of Growth in Lancaster County

The City of Lincoln's present infrastructure investment should be maximized by planning for well-designed and appropriately-placed residential and commercial development in existing areas of the city with available capacity. This can be accomplished by redeveloping underutilized commercial centers into areas that include a mix of uses, and encouraging higher-density residential redevelopment in appropriate locations, including missing middle housing. New infrastructure investments to serve growth areas can be maximized by encouraging a higher density of both residential and commercial uses in these areas.

Goals Section

G2: Complete Neighborhoods. Lincoln and Lancaster County will support complete neighborhoods within both developing and redeveloping areas of Lincoln. A complete neighborhood is one where residents are able to get the goods and services to meet daily needs within 15 minutes of their residence including a variety of housing options, grocery stores and other commercial services, quality public schools, public open spaces and recreational facilities, affordable active transportation options, and civic amenities. Housing variety should include townhomes, senior living facilities, low/no maintenance condominiums, accessory dwelling units, multi-family development, and even small lot single-family.

G4: Economic Opportunity. Lincoln and Lancaster County will have high-quality jobs in an economic environment that supports business creation, innovation, and expansion. Quality-of-life attributes, such as diverse and accessible housing, good shopping, restaurants and entertainment, quality schools and healthcare, a sense of safety, and amenities such as parks and trails are important to ensuring that skilled individuals want to remain or relocate to our community.

Elements Section

E7: Community Colleges, Trade Schools, and Universities

Lincoln is home to a community college and several technical and trade schools providing a comprehensive array of higher education and vocational opportunities. These public and private facilities are dispersed throughout the community.

Lincoln has multiple institutions of higher learning, with campuses located throughout the city. These include the University of Nebraska-Lincoln (UNL campuses: Downtown and East), Nebraska Wesleyan University, Union College, Southeast Community College, Purdue University Global, and satellite campuses for Doane College and Bellevue University.

These colleges and universities are actively involved with surrounding neighborhoods and business districts. UNL has been a major partner in the Antelope Valley Project, the West Haymarket Arena development, and the Innovation Campus project on the former State Fair Park site. Wesleyan University was part of the North 48th Street/ University Place project approved in 2004. Union College took a lead role in efforts to increase mobility and improve streetscapes in the South 48th Street College View neighborhood in 2007. These institutions and others should be actively engaged in future planning efforts.

Figure E9.c: Priority Trail Projects: Priority Trail T11 (N. 84th to Stevens Creek) is identified through the property as part of the Waterford Estates segment.

Policies Section

P44: Education

Lancaster County has ten public school districts, the largest being Lincoln Public Schools (LPS), the only public school district in Lincoln. In addition, there are dozens of private and parochial schools in the county, with a majority located in Lincoln. Lincoln is also home to several colleges and universities, including University of Nebraska, Nebraska Wesleyan University, Union College, Southeast Community College and satellite campuses for Doane University and Bellevue University.

Action Step 6. Coordinate neighborhood revitalization and transportation plans for the surrounding areas with University of Nebraska, Nebraska Wesleyan University, Union College, and Southeast Community College.

Action Step 7. Assist educational institutions with being “good neighbors” with surrounding residential areas and ensure that neighborhoods are involved in the discussion of any zoning changes related to campus boundary updates.

ANALYSIS

1. This request is for a Preliminary Plat amendment to PP04011 of Waterford Estates 26th Addition. This property is located east of the Southeast Community College Campus (SCC) generally at Waterford Estates Drive and Linwood Lane. The request is to amend the area previously shown as conceptual in PP04011 Waterford Estates to adjust the street layout and show private roadway connections for west of Waterford Estates Drive and on the south side of the property. This includes Outlot A of Waterford Estates 26th Addition which is approximately 34.69 acres.
2. The property is presently zoned AG Agricultural, B-2 Planned Neighborhood Business District, and R-3 Residential. Related CZ21001 will rezone the entire property to P Public Use District to reflect the ownership and future use by Southeast Community College. Related CPA22003 is the Comprehensive Plan Amendment to change the future land use designation from commercial and urban residential to public, semi-public to reflect the same. At this time, no specific buildings or uses are identified for the property.
3. The proposed private road connections would link the Southeast Community College campus with Waterford Estates to the east including Waterford Estates Drive and Boathouse Road. The alignment of Waterford Estates Drive connection is adjusted from the existing PP04011 preliminary plat in that the proposal is for a straight connection to the west the SCC campus instead of a curved street extension to the south.
4. The amendment also proposes to move the conceptual access to O Street by shifting it to the west to align with Anthony Lane. The property owned by SCC only has limited frontage on O Street and there is floodway, where the proposed O Street connection is presently shown in PP0411. The amendment would move it onto the property to the west which under different ownership. Development of said property would likely involve the requirement for turn lane improvements on O Street with a street connection to O Street. It is possible that this connection will not be made as the cost of the connection and turn lanes may be too high for a single development on the adjoining property. It should be noted the owner of this lot will not be required to connect to O Street, however,

and could take access to the street to the north.

5. The Nebraska Department of Transportation has no objections to the proposal. They are aware of the new access point proposed on O Street and until design geometrics are submitted as part of a Permit for the new access, it will not be reviewed beyond the conceptual level.
6. The Comprehensive Plan identifies a future bike trail that will ultimately extend from 84th Street to Stevens Creek and will extend through the south part of the property in question. An easement area will need to be provided for this bike trail in addition to the private roadway .
7. There is a Pipeline Planning Area (PPA) that includes 205 feet on each side of a natural gas pipeline along O Street. This affects only a small part of the SCC property which is an outlot not identified for future development. Most high-pressure pipelines have a planning area of approximately 150-250 feet from either side of the pipeline. Land uses with vulnerable populations such as residential dwellings, for example, should not be located with this area which is referred to as a PPA.
8. As part of the conditions of approval there will be a north-south street on the east side of the property to connect Waterford Estates Drive to the east-west street on the south side of the property. This is required due to block length. The present plan for the proposed Use Permit (UP21010) for the adjacent property to the east does not show a north-south street on the west side of their property. Therefore, it is required to be shown as part of this preliminary plat amendment. In addition, while it is outside this preliminary plat there is a condition that a future north-south private street be shown on the SCC property to the west. This is intended to provide the planning framework for future named street connection for addressing and emergency services purposes. This will be particularly important as SCC builds future separate buildings.
9. The proposal subject to conditions of approval is consistent with the Comprehensive Plan which recognizes public and educational uses including SCC and encourages planning with adjoining neighborhoods.

CONDITIONS OF APPROVAL: See attached.

EXISTING LAND USE & ZONING: Agriculture, Pasture; AG, B-2, R-3

SURROUNDING LAND USE & ZONING

North: Single Family Residential; R-3
South: Agriculture, Undeveloped; AG, R-3
East: Agriculture, Pasture; AG, B-2
West: Southeast Community College; P

APPLICATION HISTORY: See Attached

APPROXIMATE LAND AREA: 34.69 acres

LEGAL DESCRIPTION: Outlot A, Waterford Estates 26th Addition

Prepared by

George Wesselhoft, Planner
Date: February 3, 2022

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

Owner: Southeast Community College
301 S. 68th Place, Fl 5
Lincoln, NE 68510
(402) 437-2833
aepps@southeast.edu

APPLICATION HISTORY - PRELIMINARY PLAT #04011A

1979	The area was zoned A-A, Rural and Public Use until 1979 when the zoning was updated to AG Agricultural.
March, 2005	Preliminary Plat 04011 was approved, including part of Outlot A. This included 660 residential lots and 1 lot for a future school including the north part of the property zoned B-2 and additional development area all the way to Holdridge Street.
April, 2006	Annexation 04003 was approved which included the part of the property presently zoned B-2.
April, 2006	Change of Zone 04019 was approved which rezoned the part of the Outlot A property that is presently zoned B-2 from AG to B-2. In conjunction with this request, the submittal of the use permit for the B-2 parcels was allowed to be delayed.
October, 2007	Final Plat 07021 Waterford Estates Addition was approved and included the property as part of a larger Outlot D, reserved for future development.
November, 2010	Final Plat 10040 Waterford Estates 3 rd Addition was approved and included the Outlot A property as part of a larger Outlot B, reserved for future development.
October, 2012	Final Plat 12053 for Waterford Estates 8 th Addition was approved and included the Outlot A property as part of Outlot E, reserved for future development.
April, 2013	Final Plat 13020 for Waterford Estates 9 th Addition was approved and included the Outlot A property as part of Outlot C, reserved for future development.
September, 2018	Final Plat 18054 for Waterford Estates 21 st Addition was approved and included the Outlot A property as part of Outlot B, reserved for future development.
October, 2020	Final Plat 20082 for Waterford Estates 26 th Addition was approved, platting the property as Outlot A, reserved for future development.

CONDITIONS OF APPROVAL - PRELIMINARY PLAT #04011A

Approval of the following waivers:

1. Waiver to 26.23.100 Utility Installations to delay the installation of water service along the proposed Waterford Estates Drive private roadway until the Outlot A is final platted with building construction that would require water service.

Site Specific Conditions:

1. The subdivider shall complete the following instructions and submits the documents and plans and 2 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 Delete notes 12-16, 18-22, 26-30, 35-38.
 - 1.1.2 Add utility easement to 60' public access easement and water main easement shown on the north side of the property.
 - 1.1.3 Show private roadway on the adjacent land to the west to connect Waterford Estates Drive to east-west private street on the south side of property.
 - 1.1.4 Show a north-south private or public roadway on east side of property to connect Waterford Estates Drive to east-west private street on south side of property.
 - 1.1.5 Correct title of Sheet 4.
 - 1.1.6 Show 27' wide private, named roadway in 60' Public Access and Utility Easement on south side of property.
 - 1.1.7 Show conceptually how future trail will extend to the west.
 - 1.1.8 Add note for future trail that if street dedicated to the public, then additional 6 feet will be dedicated for the trail or a 6-foot pedestrian easement with a 4-foot sidewalk in the public right of way. Otherwise, if the street is to be a private road, then easement will be provided over the full width of the trail to the satisfaction of the Parks and Recreation Department.
 - 1.1.9 Change Flood Corridor Easement to Minimum Flood Corridor Easement on south side of the property.
 - 1.1.10 Update the site plan shown to the east to match UP21010 if it is approved prior to the Final Approved Plans for this preliminary plat.
 - 1.1.11 Submit corrections per LTU-Watershed 1/25/22 review comments.
 - 1.1.12 For information purposes show the Pipeline Planning Area (PPA) is 205 feet on each side of the pipeline along O Street
 2. The City Council approves associated request:
 - 2.1 Comprehensive Plan Amendment #22003
 - 2.2 Change of Zone #22001
 3. Final Plats will be approved by the Planning Director after:

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

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 paving of private roadway, and temporary turnarounds and barricades located at the temporary dead-end of the private roadway 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 within four (4) years following the approval of this final plat.

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

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

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

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

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

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

to complete the planting of the street trees along (an improved major street) as shown on the final plat within two (2) 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 plants in the medians and islands on a permanent and continuous basis.

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

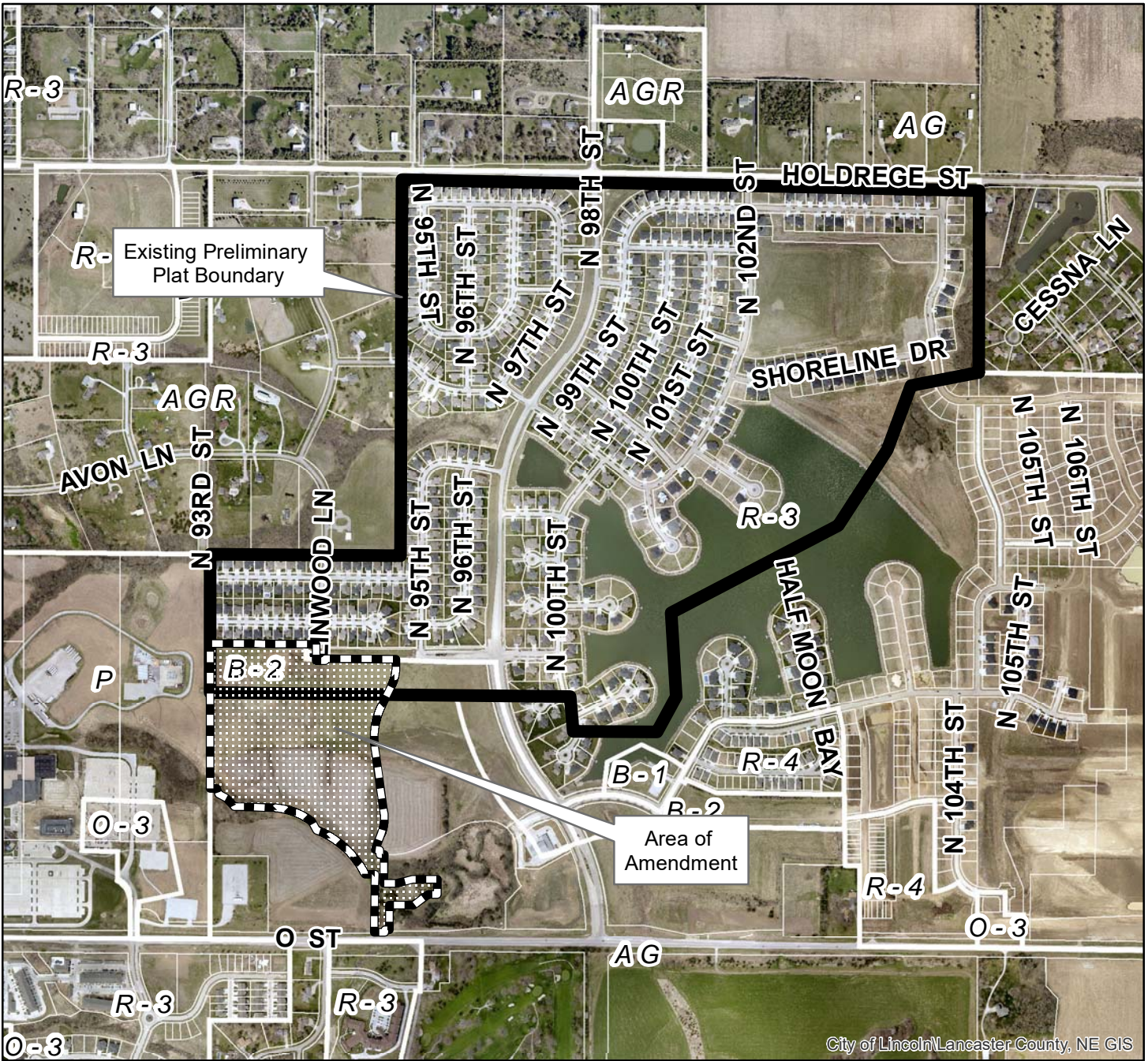
to maintain and supervise the private facilities which have common use or benefit in a condition as near as practical to the original construction on a permanent and continuous basis, and to recognize that there may be additional maintenance issues or costs associated with providing for the proper functioning 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.

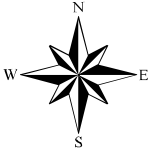
to inform all purchasers and users of land located within the 100 year floodplain that said land is located within the 100 year floodplain and that the grading of the lots and outlots shall be in conformance with the grading plan approved with the Preliminary Plat #04011A or as amended by the Director 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.



City of Lincoln/Lancaster County, NE GIS

2020 aerial




Preliminary Plat #: PP04011A
Waterford Estates
Linwood La & Waterford Estates Dr

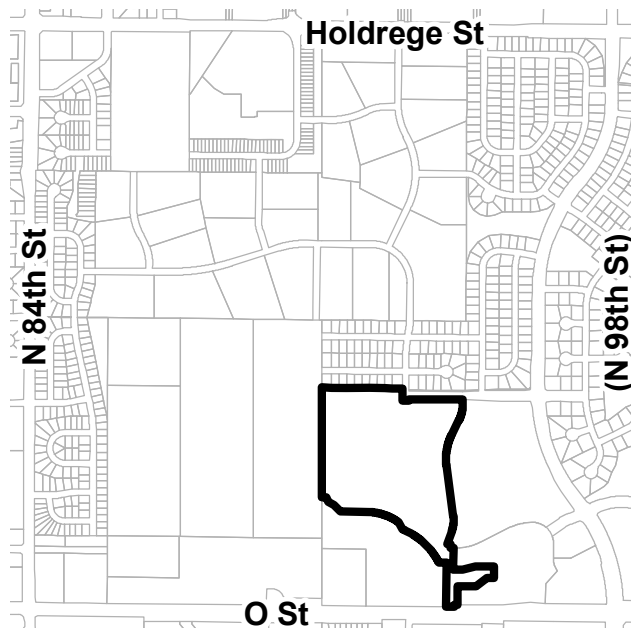


Zoning:

- 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.23 T10N R07E

	Area of Application
	Zoning Jurisdiction Lines
	Lancaster County Jurisdiction

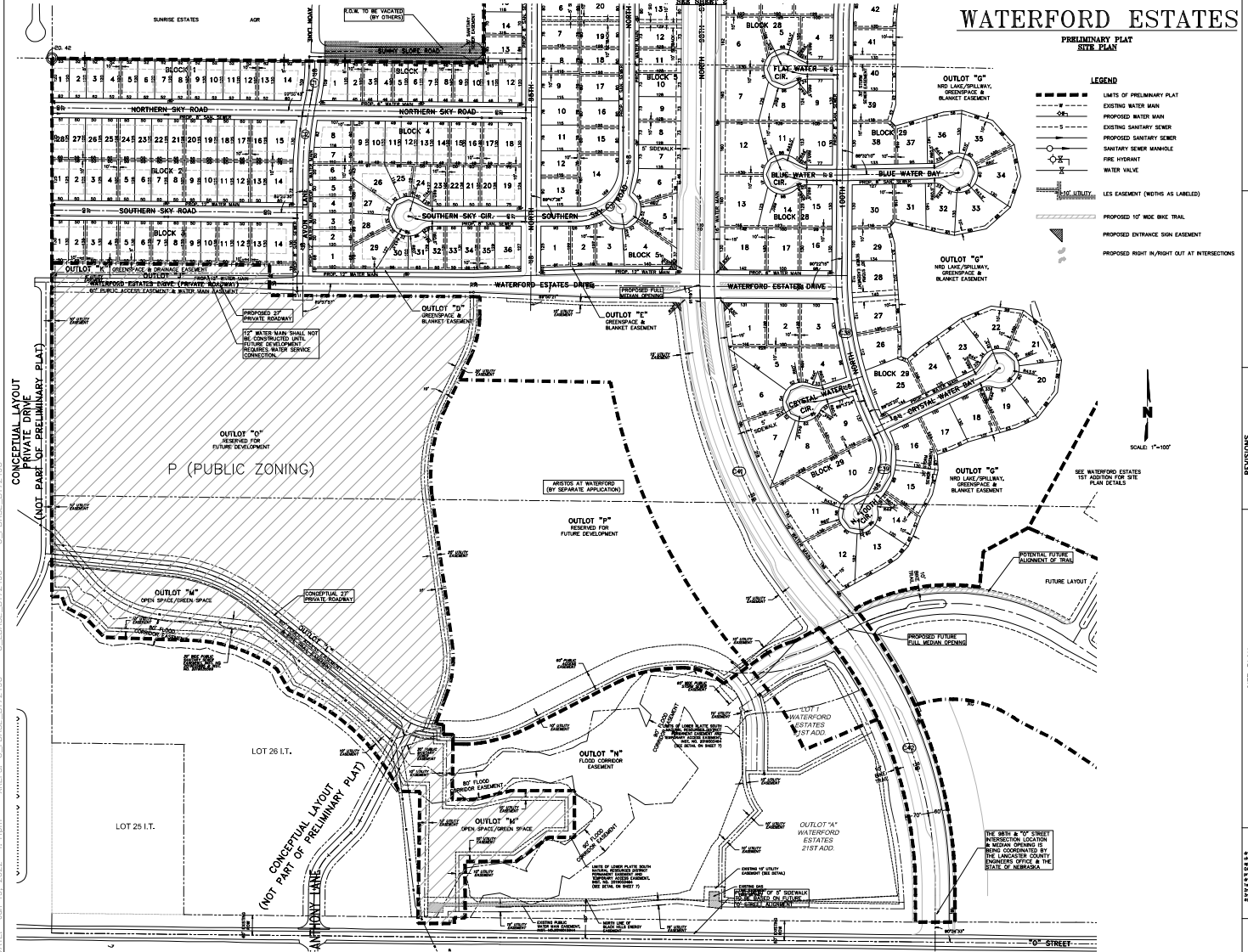


WATERFORD ESTATES

PRELIMINARY PLAT
SITE PLAN

LEGEND

- LIMITS OF PRELIMINARY PLAT
- - - EXISTING WATER MAIN
- - - PROPOSED WATER MAIN
- - - EXISTING SANITARY SEWER
- - - PROPOSED SANITARY SEWER
- - - SANITARY SEWER MANHOLE
- - - FIRE HYDRANT
- - - WATER VALVE
- - - LES EASEMENT (WIDTHS AS LABELED)
- - - PROPOSED 10' WIDE BIKE TRAIL
- - - PROPOSED ENTRANCE SIGN EASEMENT
- - - PROPOSED RIGHT IN/RIGHT OUT AT INTERSECTIONS



disson
 601 S. 16th Street, Suite 200
 Lincoln, NE 68502
 TEL: 402.476.6211
 WWW.DISSON.COM

NO.	DATE	DESCRIPTION
1	01/15/2021	PRELIMINARY PLAT
2	01/15/2021	PRELIMINARY PLAT
3	01/15/2021	PRELIMINARY PLAT
4	01/15/2021	PRELIMINARY PLAT
5	01/15/2021	PRELIMINARY PLAT
6	01/15/2021	PRELIMINARY PLAT
7	01/15/2021	PRELIMINARY PLAT
8	01/15/2021	PRELIMINARY PLAT
9	01/15/2021	PRELIMINARY PLAT
10	01/15/2021	PRELIMINARY PLAT
11	01/15/2021	PRELIMINARY PLAT
12	01/15/2021	PRELIMINARY PLAT
13	01/15/2021	PRELIMINARY PLAT
14	01/15/2021	PRELIMINARY PLAT
15	01/15/2021	PRELIMINARY PLAT
16	01/15/2021	PRELIMINARY PLAT
17	01/15/2021	PRELIMINARY PLAT
18	01/15/2021	PRELIMINARY PLAT
19	01/15/2021	PRELIMINARY PLAT
20	01/15/2021	PRELIMINARY PLAT
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40	01/15/2021	PRELIMINARY PLAT
41	01/15/2021	PRELIMINARY PLAT
42	01/15/2021	PRELIMINARY PLAT

SITE PLAN
 EAST OF 100TH STREET
 WATERFORD ESTATES
 PRELIMINARY PLAT

LINCOLN, NEBRASKA

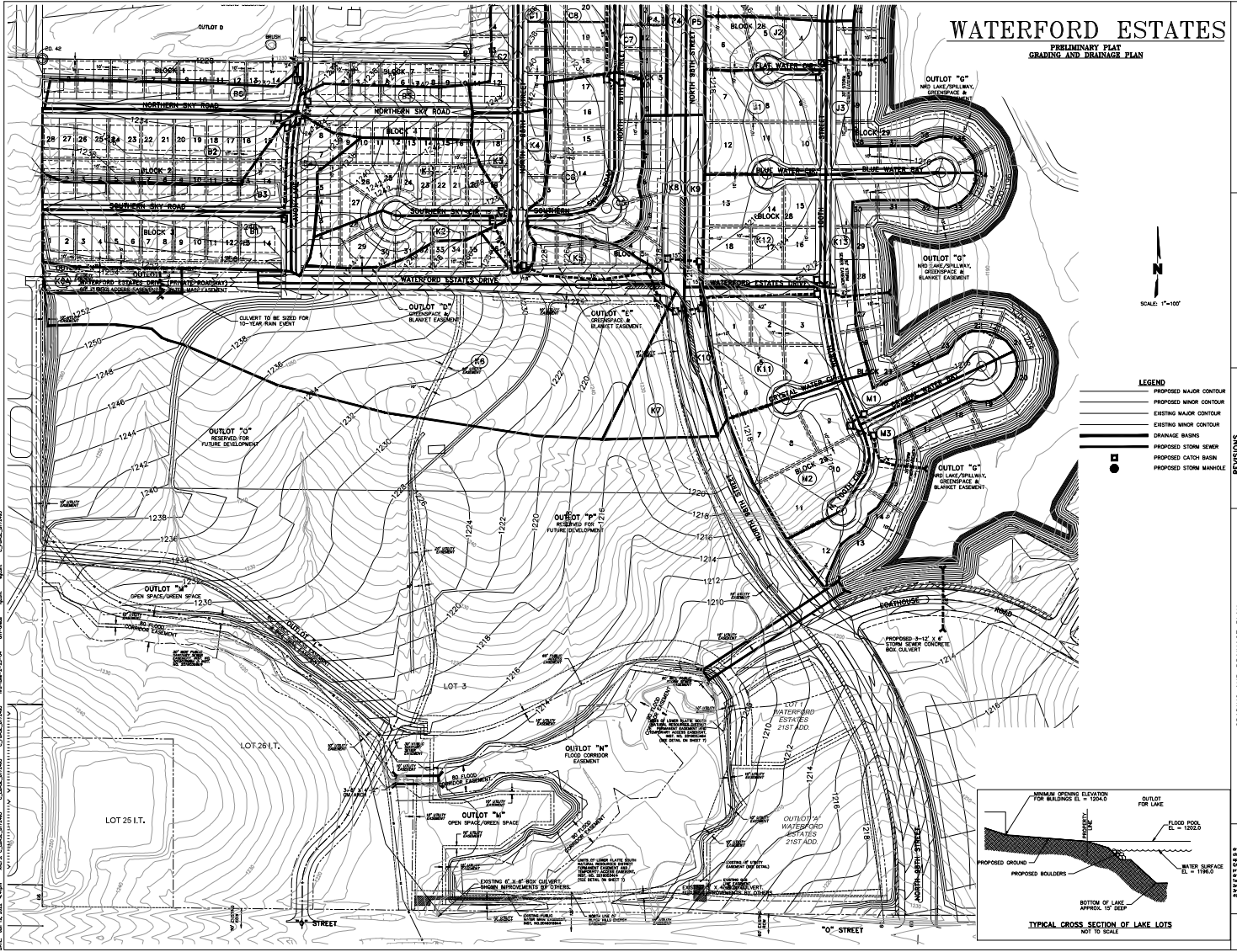
From the
 prepared by
 project no.
 block no.
 sheet no.
 the engineer
 the date
 the plat
 the plat

SHEET
 04 OF 17

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 USER: mgjpmle
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WATERFORD ESTATES

PRELIMINARY PLAT GRADING AND DRAINAGE PLAN



disson
 877 S. 17th Street, Suite 200
 Lincoln, NE 68502
 TEL: 402.474.8311
 WWW.DISSON.COM

NO.	DATE	DESCRIPTION
1	03/07/2007	ISSUED FOR PERMIT
2	03/07/2007	ISSUED FOR PERMIT
3	03/07/2007	ISSUED FOR PERMIT
4	03/07/2007	ISSUED FOR PERMIT
5	03/07/2007	ISSUED FOR PERMIT
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48	03/07/2007	ISSUED FOR PERMIT
49	03/07/2007	ISSUED FOR PERMIT
50	03/07/2007	ISSUED FOR PERMIT

GRADING AND DRAINAGE PLAN
 EAST OF 100TH STREET
 WATERFORD ESTATES
 PRELIMINARY PLAT

LINCOLN, NEBRASKA

Drawn by: [Name]
 Checked by: [Name]
 Project No.: [Number]
 Date: [Date]
 Scale: [Scale]
 Job No.: [Number]
 Job Name: [Name]
 Job Date: [Date]

SHEET
 07 OF 17



January 24, 2022

Mr. David Cary—Planning Director
c/o George Wesselhoft
City of Lincoln Planning Department
555 South 10th St., Suite 213
Lincoln, NE 68508

RE: Waterford Estates Preliminary Plat Amendment and Change of Zone
Waterford Estates 26th Addition, Outlot A

Dear George:

On behalf of property owner and applicant, Southeast Community College, Olsson is submitting application for amendment and change of zone to the Waterford Estates Preliminary Plat including the following changes and requests:

1. Site layout updates to Waterford Estates 26th Addition, Outlot A to show a revised location of Waterford Estates Drive as a private roadway along the north property line.
2. Requested waivers: We are requesting that the 12" public water main in Waterford Estates Drive would not be required to extend along the proposed Waterford Estates Drive private roadway until the outlot reserved for future development south of Waterford Estates Drive is final platted for building construction that would require a water service.
3. Change of zone for Waterford Estates 26th Addition, Outlot A from B-2 and AG to P (Public) zoning.

Olsson has prepared site plan amendments documentation for the proposed street layout and grading associated with the Waterford Estates Drive private roadway. The intent of the proposed private roadway at Waterford Estates Drive will be to provide a private drive connection at the Southeast Community College (SCC) campus, immediately west of the Waterford Estates parcel. The private drives on the SCC campus are proposed to support long term growth of the campus and provide traffic circulation within campus and through Waterford Estates Drive which will provide a secondary connection between campus and East "O" Street, via S. 98th Street. At this time, SCC does not have any proposed uses for development within their Waterford Estates parcel, any future development on this parcel would be submitted as an administrative amendment.

The site plan amendments show a conceptual layout for a private roadway connection along the south side of the SCC parcel which would connect to adjacent development and ultimately extend further east to Boathouse Road. The conceptual layout also shows a potential connection between the south private roadway and East "O" Street, through Lot 26 IT, connecting at Anthony Lane. The layouts for these private roadways are conceptual only, Lot 26 is not within the Waterford Estates Preliminary Plat limits and is privately owned by a separate entity not associated with SCC. At this time, SCC does not have any plans for development or construction of the south private roadway and these layouts will be subject to change via future administrative amendment.

In addition to the amendment and change of zone to Waterford Estates 26th Addition, Outlot A, we are also submitting a change of zone request on portions of IT Lots 15, 16 and 19. This change of zone request from O-3 to P zoning is on the SCC main campus, immediately west of Waterford Estates. The current O-3 zoning on the SCC campus was originally re-zoned in 2009 (Ordinance 19244) for a potential tenant partnership on the campus. The conditions for that zoning change no longer exist on campus and it is appropriate for the zoning to revert back to public zoning (P).

Southeast Community College is making the following applications and requests:

1. Amendment and Change of Zone. Waterford Estates 26th Addition, Outlot A, for a total of 34.69 acres, including Parcel 1723401001000
2. Change of Zone from O-3 to P: Parcels 1723300001000, 1723300008000, 1723300009000 for a total of 7.79 acres.

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

1. City Application Form Waterford Estates (Amendment and Change of Zone)
2. City Application Form: SCC Campus (Change of Zone)
3. Application fees in the amount of \$1,215.00
4. Waterford Estates Preliminary Plat: Site plan and grading plan revisions (via ProjectDox)

Olsson will submit the site plan documentation to ProjectDox upon notification from the Planning Staff. Thank you for your consideration of the above requests. If you require further information or have any questions, please do not hesitate to contact me at 402.458.5608 or ebright@olsson.com.

Regards,



Erin Bright, PE
Olsson

cc: Aaron Epps, Director of Facilities, Southeast Community College, aepps@southeast.edu



Department Review Status Report

Project Name: CZ22001

Workflow Started: 01/20/2022 11:51 AM

Report Generated: 01/31/2022 10:10 AM

Cycle	Department	Reviewer	Email	Status	Reviewer Comments	Applicant Comments
1	LTU - Engineering Services					
	LES	LES Reviews	edreviewer@les.com	Recommend Approval	1/27/2022 No comments on this property. Grading within LES transmission easement on property to the west will need LES review. - TK	
	Development Review Manager	Stephen Henrichsen	shenrichsen@lincoln.ne.gov	Corrections Required		
	Street Name Review	Terry Kathe	tkathe@lincoln.ne.gov	Corrections Required	If the future for this property is to develop it with habitable buildings, naming the driveway or private road would seem to have major benefits for emergency responder's ability to locate the building in the expedited manner.	
	Planner Review	George Wesselhoft	gwesselhoft@lincoln.ne.gov	Corrections Required	1) Correct title block to update and remove "Site Plan East of 100th Street" 2) Add a north-south private or public roadway on east side of property to connect Waterford Estates Drive to east-west private street on south side of property 3) Show private roadway to 27' requirement for the east-west street on the south side of the property 4) Provide street name for all streets 5) Add note for future trail that if street dedicated to the public, then additional 6 feet will be dedicated for the trail or a 6-foot pedestrian easement with a 4-foot sidewalk in the public right of way. Otherwise, if the street is to be a private road, then easement will be provided over the full width of the trail per Parks and Recreation Department	
	LTU - Watershed Management	Mike Middendorf	MMiddendorf@lincoln.ne.gov	Corrections Required	Relocate culvert/ profile Update contours adjust grading in minimum flood corridor	
	Lower Platte South NRD	Tracy Zayac	tzayac@lpsnrd.org	Recommend Approval	Future development should stay outside LPSNRD easement.	

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1	Parks and Recreation	Sara Hartzell	shartzell@lincoln.ne.gov		The trail is shown along the south side of the private drive in Outlot L but it is shown as ending at the T intersection with the north/south drive. This trail is planned to continue across the SCC property and connect to the 84th St Trail. This plan should show, conceptually, how the trail would continue to the west.	
	County Health	Chris Schroeder	cschroeder@lincoln.ne.gov	Corrections Required	The site plan should depict the location of the natural gas pipeline north of O Street and its' accompanying pipeline planning area (PPA). The PPA is 205 feet on each side of the pipeline. In addition, the following noted should be added to the site plan. "Residential dwellings, childcare facilities, schools, retirement facilities, or healthcare facilities are not permitted with the pipeline planning area."	
	DOT - Corridors	Todd Wicken	todd.wicken@nebraska.gov	Recommend Approval	The Department has no objections to the proposed change in zoning	
	DOT - Planning and Projects	Craig Wacker	craig.wacker@nebraska.gov	Recommend Approval		
	Fire Department					
	LTU - Wastewater	Brian Kramer	bakramer@lincoln.ne.gov	Recommend Approval	sanitary service is available.	
	LTU - Water					