Lincoln City - Lancaster County

PLANNING COMMISSION AGENDA

PLANNING COMMISSION

Tracy Edgerton: Chair
Cindy Ryman Yost: Vice Chair
Lorenzo Ball
Dick Campbell
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Maribel Cruz
Gloria Eddins
Cristy Joy
Richard Rodenburg

PLANNING STAFF

David R. Cary: Director
Shelli Reid: Administrative Officer
Jennifer McDonald: Administrate Aide
Alexis Longstreet: Office Specialist

September 21, 2022

NOTICE: **The Lincoln/Lancaster County Planning Commission will hold a public hearing on Wednesday, September 21, 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, SEPTEMBER 21, 2022

Approval of minutes of the regular meeting held September 07, 2022.

1. CONSENT AGENDA
(Public Hearing and Administrative Action)

COMPREHENSIVE PLAN CONFORMANCE:

1.1 COMPREHENSIVE PLAN CONFORMANCE 22016, to review as to conformance with the 2050 Lincoln-Lancaster County Comprehensive Plan, adding a new Urban
Page 1 Development housing enhancement project to the CIP (Capital Improvement Program). The Planning Commission action is final, unless appealed to the Lincoln City Council.
*****FINAL ACTION*****
Staff recommendation: In General Conformance with the Comprehensive Plan
Staff Planner: Andrew Thierolf, 402-441-6371, athierolf@lincoln.ne.gov

1.2 COMPREHENSIVE PLAN CONFORMANCE 22017, to declare surplus City owned property generally located at North 70th Street and Colfax Avenue.
Page 7 **Staff recommendation: In General Conformance with the Comprehensive Plan with Conditions**
Staff Planner: Emma Martin, 402-441-6369, emartin@lincoln.ne.gov

ANNEXATION AND RELATED ITEMS:

1.3a ANNEXATION 22011, to annex approximately 16.62 acres, more or less, on property generally located at 9305 Adams Street

Page 19

Staff recommendation: Conditional Approval
Staff Planner: Ben Callahan, 402-441-6360, bcallahan@lincoln.ne.gov

1.3b CHANGE OF ZONE 22027, from AG (Agricultural District) to R-3 (Residential District), on property generally located at 9305 Adams Street.

Page 19

Staff recommendation: Conditional Approval
Staff Planner: Ben Callahan, 402-441-6360, bcallahan@lincoln.ne.gov

1.3c SPECIAL PERMIT 22031, for the Stevens Creek Villas First Addition CUP (Community Unit Plan), for up to 116 dwelling units with associated waivers to the zoning ordinance and design standards, on property generally located at 9305 Adams Street. The Planning Commission action is final, unless appealed to the Lincoln City Council.

Page 31

*****FINAL ACTION*****
Staff recommendation: Conditional Approval
Staff Planner: Ben Callahan, 402-441-6360, bcallahan@lincoln.ne.gov

1.4a ANNEXATION 22010, to annex approximately 7.02 acres, more or less, on property generally located at NW 18th Street and West Beartooth Drive.

Page 47

Staff recommendation: Approval
Staff Planner: Emma Martin, 402-441-6369, emartin@lincoln.ne.gov

1.4b CHANGE OF ZONE 22026, from AG (Agricultural District) to R-3 (Residential District), on property generally located at NW 18th Street and West Beartooth Drive.

Page 47

Staff recommendation: Approval
Staff Planner: Emma Martin, 402-441-6369, emartin@lincoln.ne.gov

COUNTY SPECIAL PERMIT:

1.5 SPECIAL PERMIT 04041A, for an amendment to an existing CUP (Community Unit Plan), to add one lot, on property generally located at NW 27th Street and West Mill Road. The Planning Commission action is final, unless appealed to the Lancaster County Board. *****FINAL ACTION*****

Page 59

Staff recommendation: Conditional Approval
Staff Planner: Tom Cajka, 402-441-5662, tcajka@lincoln.ne.gov

SPECIAL PERMIT:

1.6 SPECIAL PERMIT 22030, to allow for an Expansion of Nonconforming and Nonstandard Uses to add a front entry, on property generally located at 6250 South 112th Street. The Planning Commission action is final, unless appealed to the Lincoln City Council.

Page 67

*****FINAL ACTION*****
Staff recommendation: Conditional Approval
Staff Planner: Tom Cajka, 402-441-5662, tcajka@lincoln.ne.gov

2. REQUESTS FOR DEFERRAL

3. **ITEMS REMOVED FROM CONSENT AGENDA**

4. **PUBLIC HEARING AND ADMINISTRATIVE ACTION**

COMPREHENSIVE PLAN AMENDMENT:

4.1 COMPREHENSIVE PLAN AMENDMENT 22005, to amend the 2050 Lincoln-Lancaster County Comprehensive Plan to add the Comprehensive Watershed Master Plan.

Page 77

Staff recommendation: Approval
Staff Planner: Andrew Thierolf, 402-441-6371, athierolf@lincoln.ne.gov

COMPREHENSIVE PLAN CONFORMANCE:

4.2 COMPREHENSIVE PLAN CONFORMANCE 22015, to review the proposed One- and Six-Year Lancaster County Road and Bridge Construction Program, Fiscal Year 2022 and 2023-2028, as to conformance with the 2050 Lincoln-Lancaster County Comprehensive Plan.

Page 93

Staff recommendation: In General Conformance with the Comprehensive Plan
Staff Planner: Rachel Christopher. 402-441-7603, rchristopher@lincoln.ne.gov

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

CHANGE OF ZONE AND RELATED ITEMS:

5.1a CHANGE OF ZONE 22013, from AG (Agricultural District) to R-3 (Residential District), on property generally located at 8451 Eagle Crest Road.

Page 119

Staff recommendation: Approval
Staff Planner: George Wesselhoft, 402-441-6366, gwesselhoft@lincoln.ne.gov

5.1b SPECIAL PERMIT 22015, to approve the Peregrine Townhome CUP (Community Unit Plan) with up to 29 dwelling units, with associated waivers, on property generally located at 8451 Eagle Crest Road. The Planning Commission action is final. ***FINAL ACTION***

Page 127

Staff recommendation: Conditional Approval
Staff Planner: George Wesselhoft, 402-441-6366, gwesselhoft@lincoln.ne.gov

SPECIAL PERMIT:

5.2 SPECIAL PERMIT 21037, for the West Van Dorn Ridge CUP (Community Unit Plan), for up to 10 dwelling units with associated waivers, on property generally located at Southwest 70th Street and West Van Dorn Street. The Planning Commission action is final. ***FINAL ACTION***

Page 147

Staff recommendation: Conditional Approval
Staff Planner: Tom Cajka, 402-441-5662, tcajka@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: *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.*

Planning Department Staff Contacts:

David Cary, *Director*	402-441-6364	dcary@lincoln.ne.gov
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Brian Will, *Planner*	402-441-6362	bwill@lincoln.ne.gov

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The Planning Commission meeting which is broadcast live at 1:00 p.m. every other Wednesday will be 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 Lincoln Commission on Human Rights at 402-441-7624, or the City Ombudsman at 402-441-7511, 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	FINAL ACTION?	DEVELOPER/OWNER
Comprehensive Plan Conformance #22016	Yes	N/A
PLANNING COMMISSION HEARING DATE	**RELATED APPLICATIONS**	**PROPERTY ADDRESS/LOCATION**
September 21, 2022	None	Citywide

RECOMMENDATION: IN CONFORMANCE WITH THE COMPREHENSIVE PLAN

BRIEF SUMMARY OF REQUEST

This request is for a new project to be added to the Capital Improvement Program (CIP). The project includes funding to support the installation of high efficiency in-home heating and cooling systems. The project was not included in the initial draft of the CIP reviewed by the Planning Commission on April 27th but was added by the City Council as part of the approved budget on August 22nd. Comprehensive Plan conformity review by the Planning Commission is needed in order to add this project to the CIP.

JUSTIFICATION FOR RECOMMENDATION

The project is consistent with the Comprehensive Plan and Climate Action Plan.

APPLICATION CONTACT

David Cary, Planning Director
(402) 441-6364
dcary@lincoln.ne.gov

STAFF CONTACT

Andrew Thierolf, Planner
(402) 441-6371
athierolf@lincoln.ne.gov

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The project is compatible with the Comprehensive Plan, specifically Policies 48 and 49 which recommend incentive programs to support residential energy efficiency.

COMPREHENSIVE PLAN

Elements Section

E8: Energy and Utilities

Energy

The Lincoln Climate Action Plan offers a bold and ambitious vision to reduce net greenhouse gas emissions 80% by 2050.

To remain competitive as the global economy expands and puts greater strain on traditional fuel supplies, energy costs rise, and supplies remain unpredictable, Lincoln must develop a comprehensive strategy of fuel diversity and encourage conservation, alternative forms of energy, and modern energy technologies.

As shown in the Figure E8.c, the Residential sector had the largest energy use in 2020 at 51%, followed by the Commercial sector at 43% and the Industrial sector at 6%

Policies Section

P48 Renewable Energy: Make renewable energy/low-carbon generation and consumption a key element to the community's sustainable future.

6. Continue incentive-based (residential, commercial, or industrial) programs promoting the installation of renewable energy systems. Incentives may include offering rebates on purchasing equipment, attractive net metering pricing, tax incentives, height allowances, setback, and area-based incentives, expedited permitting, and others.

P49 Conservation of Energy: Promote the conservation and efficient use of energy in all areas.

3. Buildings and Landscaping
   f. Continue and expand incentive-based programs to promote energy-efficiencies in commercial and residential buildings, such as those by the City (Tax-Increment Financing (TIF) and Property Assessed Clean Energy (PACE)) and LES (Sustainable Energy Program (SEP)).
   i. Explore incentives for energy efficiency improvements for businesses, residences and non-profits.

CLIMATE ACTION PLAN

Key Initiatives

1. Continue incentive-based (residential, commercial, or industrial) programs promoting the installation of renewable energy systems. Incentives may include offering rebates on purchasing equipment, attractive net metering pricing, tax incentives, height allowances, setback, and area-based incentives, expedited permitting, and others.
2. City (via Tax-Increment Financing (TIF) and Property Assessed Clean Energy (PACE)) and Lincoln Electric System (LES) (via Sustainable Energy Program (SEP)) will continue and expand incentive-based programs to promote energy-efficiencies in commercial and residential buildings.

14. Convene City, LES, Community Action and other resource providers to develop a joint plan to address energy efficiency in low income and multi-family housing stock. Research federal, state, local, and private funding sources for low-income energy efficiency programs.

48. Continue to provide grants and incentives to developers, homeowners, and business owners for the emplacement of green infrastructure.

49. Continue to encourage installation of green infrastructure strategies where appropriate, to include grants and incentives. Examples of green infrastructure strategies include rain gardens, bioswales, and permeable pavement to reduce stormwater runoff. Expand guidance/resources, incentives, and implementation.

ANALYSIS

1. This is an amendment request for the FY 2022/23 – 2027/28 CIP to add a new project to the Urban Development program. The new project is named "Housing Enhancements" and provides funding to educate and incentivize homeowners to install high efficiency heating and cooling systems. It includes $250,000 general revenue funding in each of the first two fiscal years. The full text is attached to this staff report.
2. On August 22, 2022 the City Council added the "Housing Enhancements" project to the approved 2022-2024 budget. Per the City Charter, Comprehensive Plan conformity review by the Planning Commission is needed in order to add this project to the Urban Development section of the Capital Improvement Program (CIP).
3. This project is consistent with the Comprehensive Plan, specifically Policies 48 and 49 which recommend incentive programs to support residential energy efficiency. Action steps within these policies are also included as Key Initiatives in the Climate Action Plan.

Prepared by

_____

Andrew Thierolf, AICP
Planner
(402) 441-6371; athierolf@lincoln.ne.gov

September 12, 2022

https://linclanc.sharepoint.com/sites/PlanningDept-DevReview/Shared Documents/DevReview/CPC/22000/CPC22016 Urban Development CIP Amendment.docx

Project: Housing Enhancements							
Description:							
Funding utilized to enhance housing programs and neighborhood revitalization with a focus on items 1, 2, 14, 48 and 49 in the Lincoln Climate Action Plan. These funds may be used to educate and incentivize individuals, who are in the process of replacing heating and cooling systems, of the value and benefit of considering a high efficiency system as a replacement option.				Budget Outcome:		Strong and Resilient City	
				Date Anticipated:		NA	
				Rating:		B	
				Status:		New	
				Comp Plan Conformity:		In Conformance with Plan	
Prior Appropriations:							
6 yr appropriations							
Funding Source	2022/2023	2023/2024	2024/2025	2025/2026	2026/2027	2027/2028	6 yr Total
General Revenue	$ 250,000	$ 250,000	$ -	$ -	$ -	$ -	$ 500,000
6 yr estimated cost by activity							
Activity type	2022/2023	2023/2024	2024/2025	2025/2026	2026/2027	2027/2028	
Other Services & Charges	X	X					

MEMORANDUM

TO: Planning Commission

FROM: Andrew Thierolf, Long Range Planner

SUBJECT: CIP Urban Development Update

DATE: August 24, 2022

CC: file

The purpose of this application is to provide Planning Commission conformance review for the CIP updates approved by City Council on August 22, 2022 as part of the budget process. The proposed amendment adds a new project for the Urban Development department CIP program.

Per the City Council approved budget:

Transfer $250,000 in FY22-23 and $250,000 in FY23-24 from General Fund reserves to the Urban Development budget to enhance housing programs and neighborhood revitalization with a focus on items 1, 2, 14, 48 and 49 in the Lincoln Climate Action Plan. These funds may be used to educate and incentivize individuals, who are in the process of replacing heating and cooling systems, of the value and benefit of considering a high efficiency system as a replacement option.

LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT

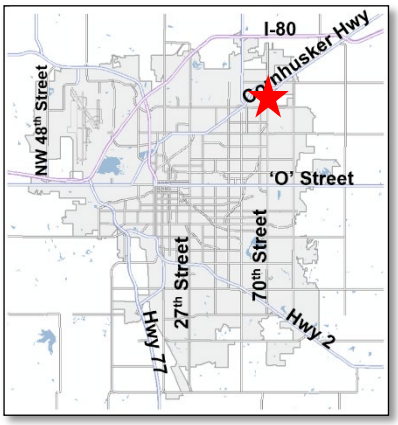
FROM THE LINCOLN/LANCASTER COUNTY PLANNING DEPARTMENT, 555 S. 10TH STREET, SUITE 213, LINCOLN, NE 68508

APPLICATION NUMBER	FINAL ACTION?	DEVELOPER/OWNER
Comprehensive Plan Conformance #22017	No	City of Lincoln
PLANNING COMMISSION HEARING DATE	**RELATED APPLICATIONS**	**PROPERTY ADDRESS/LOCATION**
Sept. 21, 2022	None	North 70th St. and Colfax Ave.

RECOMMENDATION: IN CONFORMANCE WITH THE COMPREHENSIVE PLAN WITH CONDITIONS

BRIEF SUMMARY OF REQUEST

This is a request to find in conformance with the Comprehensive Plan a declaration of surplus property for the City owned parcel known as Outlots B – R, Hubbard Place 1st Addition. The property is located along North 70th Street and Colfax Avenue. The property is approximately 1.74 acres in area and is currently zoned R-2 Residential.



APPLICATION/STAFF CONTACT

Michelle Backemeyer
Urban Development Dept
(402) 441-8617 or
mbackemeyer@lincoln.ne.gov

JUSTIFICATION FOR RECOMMENDATION

The property is former railroad right-of-way previously converted to become part of the bike trail system. It is wider than normal for a trail corridor and some neighboring property owners misinterpreted where their rear lot line ended. As a result, some owners are using the city owned property. The property when declared surplus will be for sale only to those who own the adjacent properties. There has been no opposition to the sale of the property by any department or public agencies.

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

This surplus will help facilitate development of this property by getting it in private ownership and is consistent with the Comprehensive Plan for neighborhood compatibility.

KEY QUOTES FROM THE 2050 COMPREHENSIVE PLAN

Introduction Section: Growth Framework

Figure GF.b: 2050 - This site is shown as future Green Space on the 2050 Future Land Use Plan.

Land Use Plan – Green Space is public or privately-owned space predominantly used for recreation and many green space areas also serve as buffers between incompatible uses.

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.

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.

E6: Placemaking
Corridors
Other important resources for providing community identity and orientation are entryway corridors, parks, trails, and open spaces… The community's strong network of trails offers recreation and transportation alternatives, knitting together established and new neighborhoods.

P2: Existing Neighborhoods – Continue our commitment to strong, diverse, and complete neighborhoods.

Action Steps
11. Encourage public and private investment in neighborhood infrastructure and services to support economic diversity that improves the quality of life for all residents.

G13: Community Appearance – Lincoln and Lancaster County will have a high-quality physical environment that creates a strong sense of place and community pride

ANALYSIS

1. This is a request to find in conformance with the Comprehensive Plan the surplus of approximately 1.74 acres, generally located at N. 70th Street and Colfax Avenue, described as Outlots B thru R, Hubbard Place 1st Addition, located in the NW ¼ of Section 10-10-7, Lincoln, Lancaster County, Nebraska.
2. The property is currently zoned R-2 Residential.
3. The City of Lincoln owns the property proposed for surplus declaration. There has been no opposition to the sale of the property by any departments or public agencies.
4. This sale will benefit the community by providing residents along the surplus property the ability to purchase the additional excess right-of-way for their homes and increase their yards. The City held a meeting with adjacent property owners and 15 of the 17 owners expressed an interest in purchasing the adjacent outlot. If an outlot is purchased it will benefit the City by reducing maintenance obligations.

5. LES noted the need for an additional 10 feet of utility easement south of the existing platted utility easement on all lots. Wastewater has requested an additional five feet of easement along the east property line of Outlot R, and need for a sanitary main easement on the 1.74 acres was noted by LTU – Engineering Services (see attached).

EXISTING LAND USE & ZONING: Single Family Detached, Park Land; R-2

SURROUNDING LAND USE & ZONING

North:	Single Family Detached, Park Land	R-2 Residential
South:	Single Family Detached	R-2 Residential
East:	Single Family Detached	R-2 Residential
West:	Single Family Detached	R-2 Residential

APPROXIMATE LAND AREA: 1.74 acres

LEGAL DESCRIPTION: Outlots B thru R, Hubbard Place 1st Addition, located in the NW 1/4 of Section 10-10-7, Lincoln, Lancaster County, Nebraska, generally located at North 70th Street and Colfax Avenue.

Prepared by

_____
Emma Martin, Planner

Date: Sept. 8, 2022

Applicant/ Contact: Michelle Backemeyer
Urban Development Department
555 S 10th Street, Suite 205
Lincoln, NE 68508
(402) 441-8617 or
mbackemeyer@lincoln.ne.gov

Owner: City of Lincoln & Lancaster County
555 South 10th Street
Lincoln, NE 68508

https://linclanc.sharepoint.com/sites/PlanningDept-DevReview/Shared Documents/DevReview/CPC/22000/CPC22017 N 70th Street and Colfax Avenue.edm.docx

CONDITIONS OF APPROVAL – COMPREHENSIVE PLAN CONFORMANCE #22017

1.1 Include retention of the additional 10 foot utility easements by City with deed transfer.

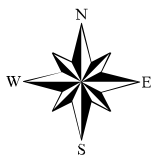
1.2 Include the retention of a 10 foot sanitary sewer easement on the east lot line of Outlot R by City with deed transfer.

2020 aerial

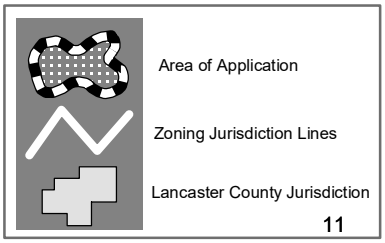
Comp Plan Conformance #: CPC22017
N 70th St & Colfax Av

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.10 T10N R07E



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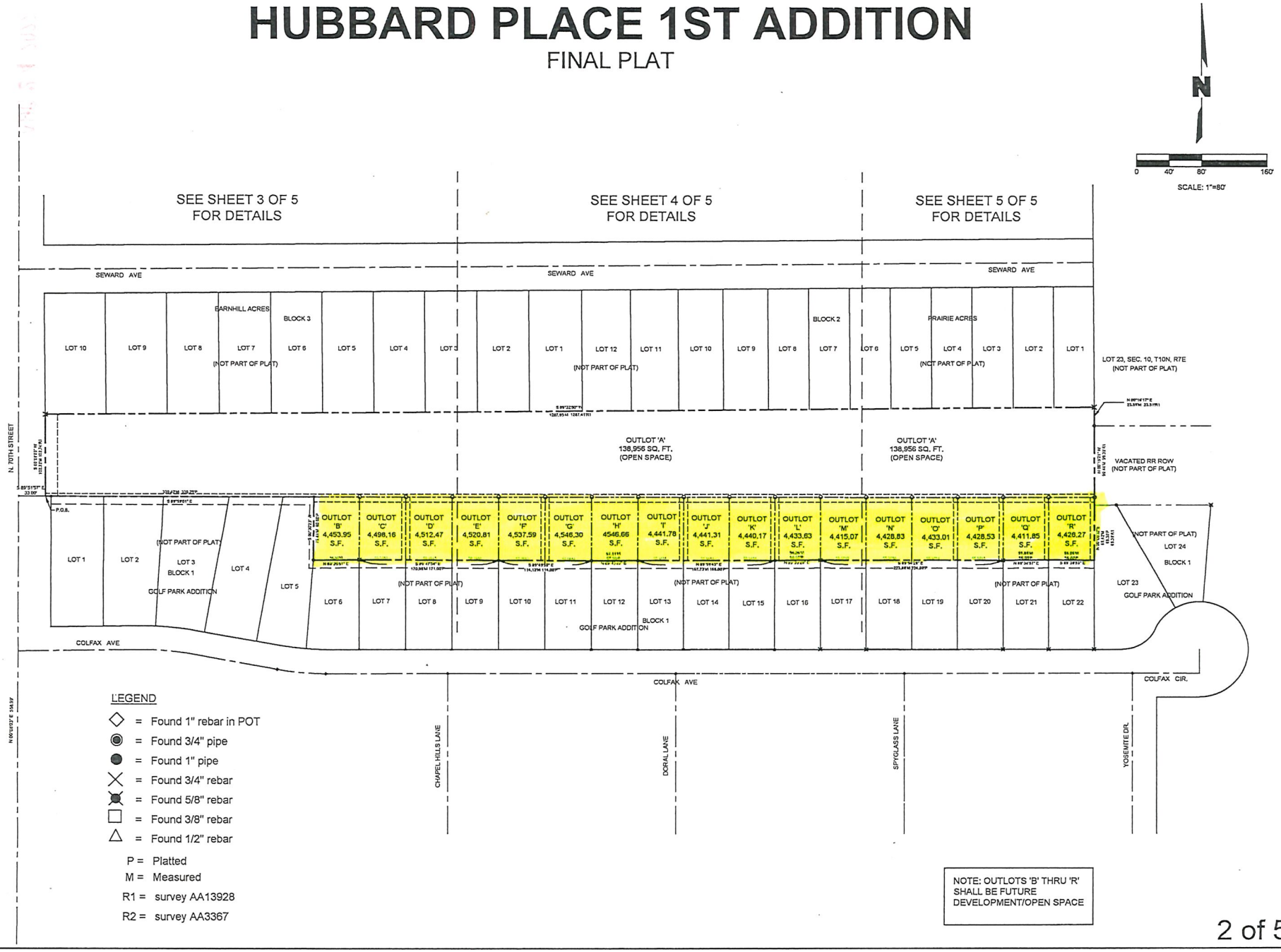
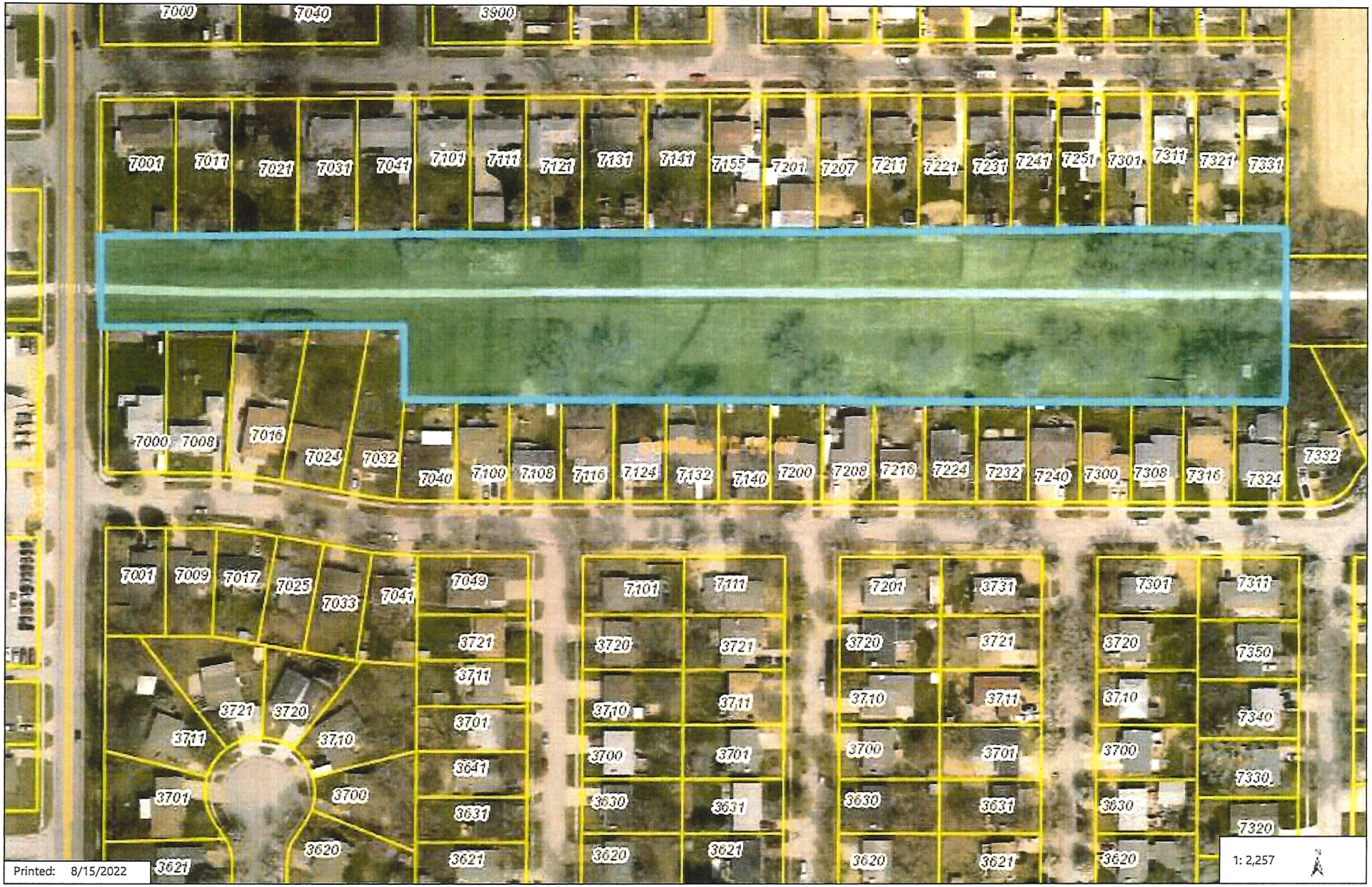
HUBBARD PLACE 1ST ADDITION

FINAL PLAT

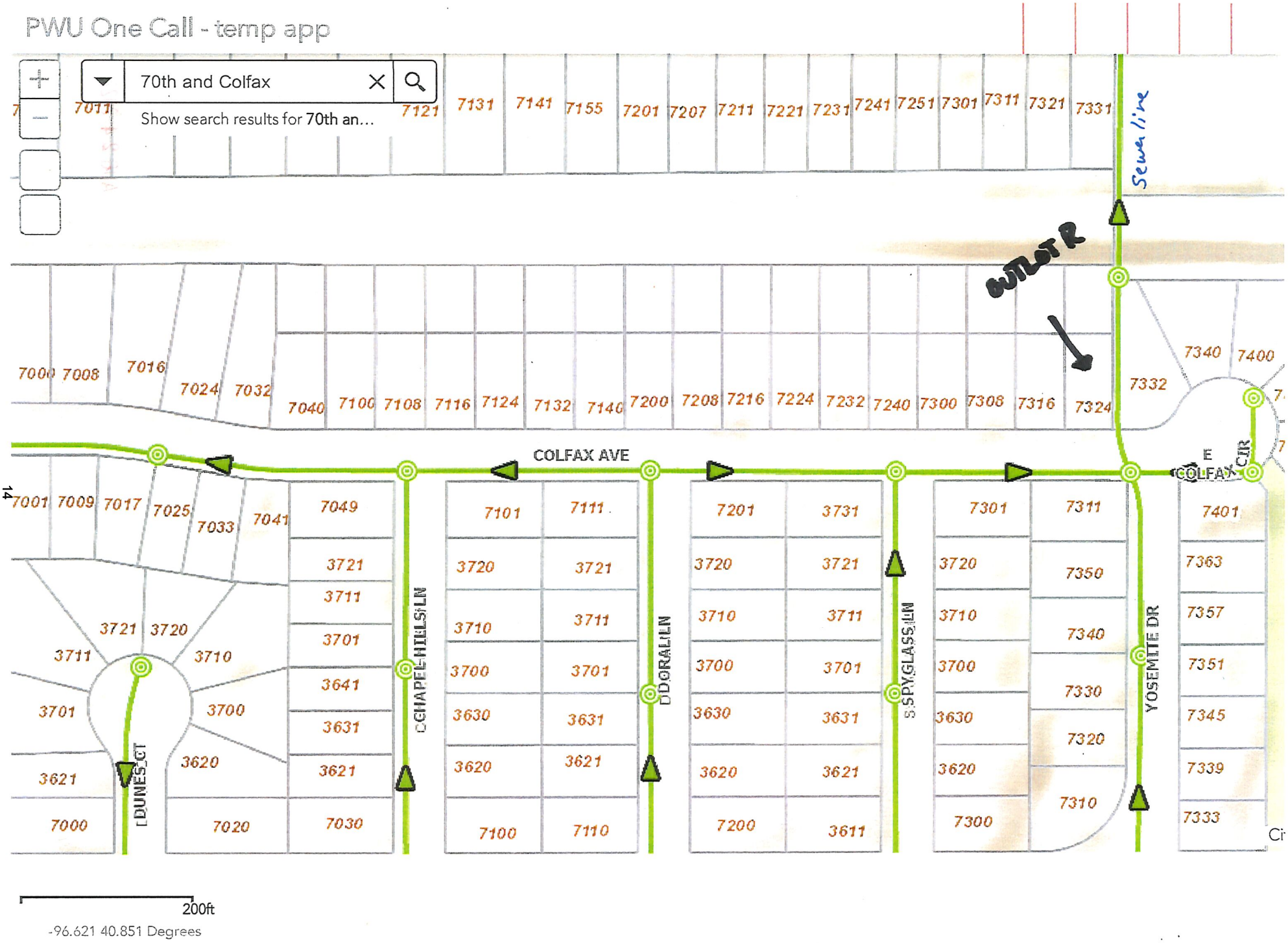


GIS Viewer
CITY OF LINCOLN - LANCASTER COUNTY, NE

City of Lincoln\Lancaster County GIS Map



Disclaimer: The information is presented on a best-efforts basis, and should not be relied upon for making financial, survey, legal or other commitments. If you have questions or comments regarding the data displayed on this map, please email assessor@lancaster.ne.gov and you will be directed to the appropriate department.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200ft
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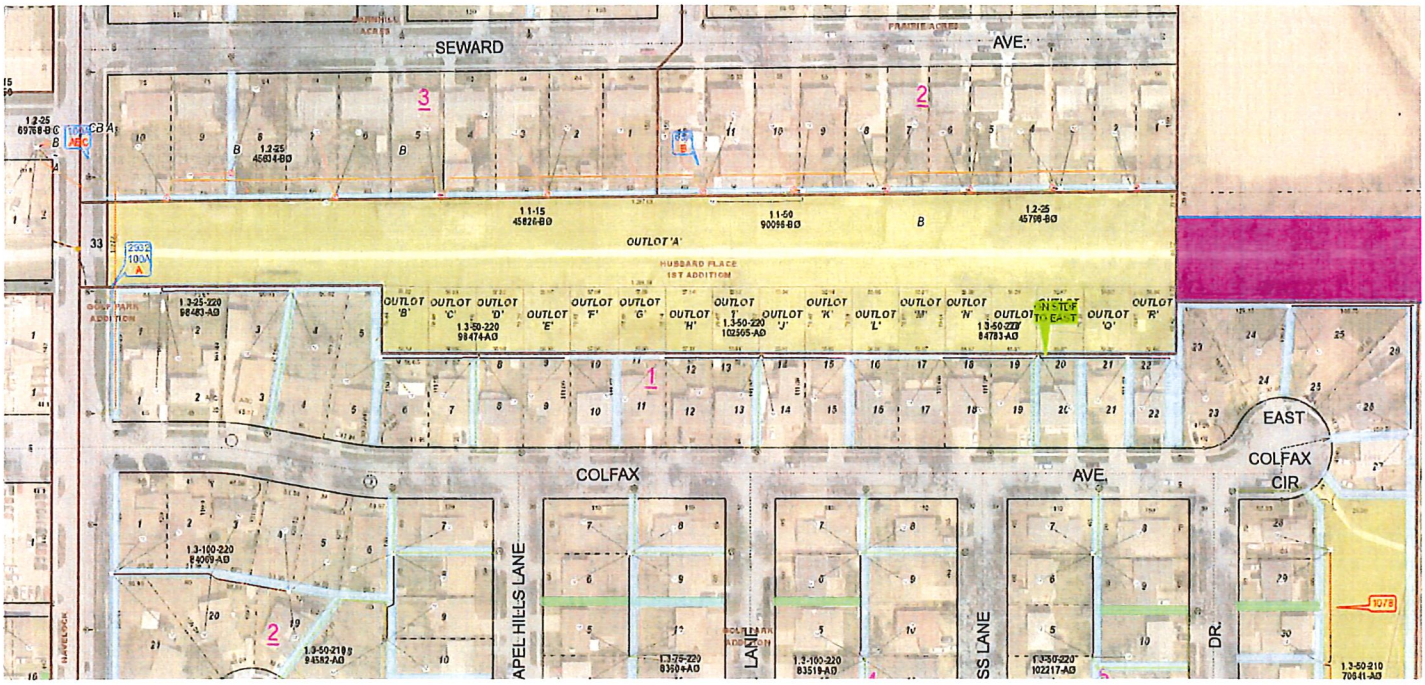
Michelle R. Backemeyer

From: Shana Sprackling <ssprackling@les.com>
Sent: Wednesday, August 24, 2022 11:01 AM
To: Michelle R. Backemeyer
Subject: RE: Surplus property - Hubbard Place 1st Addition
Attachments: mfp@les.com_20220823_085419.pdf

Michelle – LES will need to retain an existing 10.0' easement along the rear lot lines of these Outlots but it will need to be adjacent to and south of the existing 10.0' Utility Easement noted since that is strictly for fiber optic communication systems. This was not caught during the final plat review due to the labeling on this plat indicating a 10.0' Utility Easement, which we usually mark up. We should've reviewed the instrument number on file and the plat probably should've called that out to avoid confusion to other utility partners. I've attached that document for you as well. Please let us know what you will need from us as we would want a standard LES document signed for that. Thank you and let me know if you have any questions😊



Shana Sprackling | Manager, Land Management

Office: 402-473-3252
Mobile: 402-309-3455

LES.com | 9445 Rokeby Road | Lincoln, NE 68526

CONNECT

From: Michelle R. Backemeyer <MBackemeyer@lincoln.ne.gov>
Sent: Monday, August 15, 2022 8:08 AM
To: Chad E. Blahak <cblahak@lincoln.ne.gov>; 'swieska@lps.org' <swieska@lps.org>; 'john.jensen@unl.edu' <john.jensen@unl.edu>; David R. Cary <dcary@lincoln.ne.gov>; 'Paul Zillig' <pzillig@lpsnrd.org>; Wayne B. Mixdorf <WMixdorf@lincoln.ne.gov>; Shana Sprackling <ssprackling@les.com>; jason.jackson@nebraska.gov; Elizabeth D. Elliott <Elizabeth.Elliott@lincoln.ne.gov>; Patrick V. Borer <PBorer@lincoln.ne.gov>; Brian Jackson <LPD742@cjis.lincoln.ne.gov>; Maggie J. Stuckey-Ross <MStuckey-Ross@lincoln.ne.gov>
Cc: 'brendon.schmidt@nebraska.gov' <brendon.schmidt@nebraska.gov>; Pat Leach <PLeach@lincoln.ne.gov>; Daniel K. Marvin <dmarvin@lincoln.ne.gov>; Steve R. Owen <sowen@lincoln.ne.gov>; David_A_Derbin <dderbin@lancaster.ne.gov>; Bennett, Alison <alison.bennett@nebraska.gov>
Subject: [EXTERNAL] RE: Surplus property - Hubbard Place 1st Addition

CAUTION: This is an external email. Do you know mbackemeyer@lincoln.ne.gov?

See attached memo and maps on interest in City property at approximately 70th and Colfax Avenue. If anyone has an interest in the property or would like easements retained, please contact me within the next 10 days. Thank you.

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

August 24, 2022

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

Dear David:

Enclosed is an application to declare surplus the recently platted City property known as Hubbard Place 1st Addition, Outlots B thru R, located east of North 70th Street and north of Colfax Avenue. The City acquired the property as part of the Murdock Trail project, and this area is excess property outside of the area used and maintained for the bike trail. Lincoln Parks and Recreation Foundation approved the surplus, and we are requesting to surplus for the eventual sale of the outlots to the adjacent property owners. There has been no opposition to the sale of the property by any other departments or public agencies as noted in the attached response other than requests to retain easements as noted on the plat, LES needs an additional 10 feet south of the platted utility easement on all lots, and Wastewater has requested an additional five feet of easement along the east property line of Outlot R.

Please forward the request to the Planning Commission for their earliest consideration for Comprehensive Plan conformance. My understanding is that the request should be on the September 21, 2022, agenda.

If you have questions or need additional information, please contact me at 441-8617or at mbackemeyer@lincoln.ne.gov. Thank you.

Sincerely,

Michelle R. Backemeyer

Michelle R. Backemeyer
Real Estate and Relocation
Assistance Agent

CITY OF LINCOLN NEBRASKA

LINCOLN PARKS & RECREATION DEPARTMENT
3131 "O" Street, Suite 300, Lincoln, NE 68510-1514
402-441-7847 fax: 402-441-9249 lincoln.ne.gov

David Cary, Director
Lincoln Lancaster Co. Planning Dept.
555 S. 10th St.
Lincoln, NE 68508

Dear David,

Please find attached an application for the surplus of property known as Hubbard Place 1st Addition, Outls B through R. This property was formerly a portion of the trail ROW between N. 70th Street and Yosemite Dr., north of dwellings along Colfax Ave. This former ROW was wider than what is normally seen for a trail corridor. It was also wider than the ROW either east or west, making it an odd jog in the property line which can be difficult to manage. As seen on the City aerial photography, neighboring property owners often misinterpret where their rear lot line is located, attempting to line it up with adjacent landowners, and inadvertently placing improvements on Park property.

Residents along this section have been in contact with our department and the great majority of them (15 of 17) wish to purchase the additional ROW behind their homes. This is desirable for the Department in that it provides a consistent south border and reduces our maintenance obligations. Although two property owners are not currently interested in purchasing this property, we are committed to maintaining the current level of maintenance on those outlots until they are purchased by the current or a subsequent landowner.

The property has been divided into outlots (Final Plat Hubbard Place 1st Addition, approved)), one behind each residential lot, for sale only to those lot owners, should they choose. Discussions with the City Attorney, Urban Development, and Planning have resulted in a plan to move forward with property transfers that would restrict the deeds on these outlots so that each may only be owned by the adjacent residential lot owner and so that all access shall be through those adjacent lots, unless approved through the Department's Waiver and Access Agreement process.

Please let me know if you have any questions or would like any additional information.

Sincerely

Maggie Stuckey-Ross

Maggie Stuckey-Ross, Director
Parks and Recreation Department

Enc.

Lincoln Parks & Recreation

LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT

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

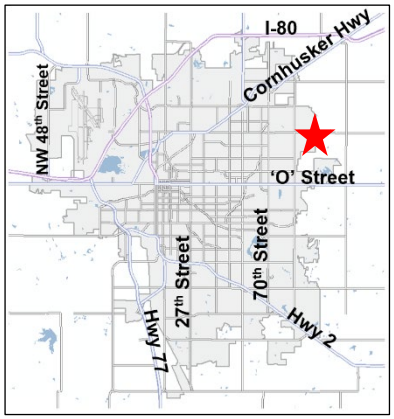
APPLICATION NUMBER	FINAL ACTION?	DEVELOPER/OWNER
Annexation #22011 Change of Zone #22027	No (both applications)	9305 LLC
PLANNING COMMISSION HEARING DATE	**RELATED APPLICATIONS**	**PROPERTY ADDRESS/LOCATION**
September 21, 2022	SP#22031	9305 Adams Street

RECOMMENDATION: ANNEXATION #22011 **CONDITIONAL APPROVAL**
CHANGE OF ZONE #22027 **CONDITIONAL APPROVAL**

BRIEF SUMMARY OF REQUEST

This is a combined staff report for two related applications associated with the Stevens Creek Villas First Addition Community Unit Plan (CUP), located southwest of Adams Street and North 98th Street. The applicant is requesting annexation along with the change of zone from AG, Agriculture to R-3, Residential. The total area of the request for both the annexation and change of zone is 16.62 acres.

The associated Special Permit #22031 for the Stevens Creek Villas First Addition CUP proposes the development allowing up to 116 dwelling units, currently comprised of 50 multifamily units and one single family unit, with 65 available units remaining. The site is proposed to be accessed from one private drive entrance off Adams Street. The associated Special Permit includes a site plan with grading and drainage plans that addresses the existing floodplain area located on the property.



JUSTIFICATION FOR RECOMMENDATION

The subject property is adjacent to the city limit, and full range of municipal services can be provided if annexed. A change of zone to R-3, Residential is consistent with the abutting and developing neighborhoods within city limits to the north and west, as they are also zoned R-3. The proposed site layout also works with the extensive area of floodplain and drainage requirements on this property to provide residential units where appropriate.

APPLICATION CONTACT
9305 LLC
mlewishomes@gmail.com

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

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The request for annexation and change of zone are compatible with the Comprehensive Plan as this area is designated for future urban residential land uses along with green space and environmental resources, as the property has land within the floodplain that will remain. The designation for future urban residential allows for residential uses with varying densities and appropriate to have more than fifteen dwellings per acre.

KEY QUOTES FROM THE 2050 COMPREHENSIVE PLAN

Introduction Section: Growth Framework

Figure GF.b: 2050 - This site is shown as future urban residential and environmental resource on the 2050 Future Land Use Plan.

Figure GF.c - This site is shown in Tier 1, Priority Area B on the 2050 Priority Growth Area Map.

Fundamentals of Growth in Lancaster County

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.

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.

Multi-directional contiguous growth. Lincoln's future urban growth should generally occur in multiple directions around the existing city. Lincoln will continue to have managed and contiguous growth, including strengthening our Downtown core. Lincoln's sense of community has been based on incremental, compact growth built on the foundations of established neighborhoods. Future growth will continue this traditional pattern and be linked to both the level of demand in the market and to the orderly extension of public improvements and services. Gravity flow wastewater. The City of Lincoln's wastewater collection system, in general, will continue to be a gravity flow system that is designed to use gravity as the main energy source to convey wastewater from the community to the water resource recovery facilities. This means that drainage basin boundaries are a primary guiding factor when determining availability of urban wastewater services and other infrastructure. This provides for contiguous growth, efficient long range planning, and cost-effective construction and management of the system.

Urban infrastructure availability. The City of Lincoln will provide water and wastewater service only to properties located within the corporate limits of the city.

One public school district. Lincoln Public Schools is the only public school district within the City of Lincoln, and the Lincoln Public School boundary will continue to expand as the city limits of Lincoln expand.

Concurrency
The key to a successful community is the concurrent development of infrastructure proportionate to the development and need of the community — a balance between the need for infrastructure and the need to conserve resources.

The Community in 2050

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

Lancaster County is projected to add approximately 53,000 households by 2050, with 48,000 of those new households in Lincoln (roughly 1,600 new households per year).

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.

New growth areas will have an average gross residential density of 4.0 du/acre.

The population age 65 and above is projected to increase from 45,600 (14.2 percent of total) in 2020 to 74,900 (17 percent of total) in 2050.

Benefits of Well-Planned Growth

Continued investment within the city ensures that our existing neighborhoods and commercial areas remain vibrant and desirable locations. More "rooftops" near existing commercial areas help to support continued commercial investment.

Policies Section

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.

Policies Section

P3: Developing Neighborhoods - Accommodate and encourage growth that aligns with PlanForward's growth scenario and provides a mix of housing options with convenient access to parks, schools, shopping, jobs, and other community resources.

Action Steps

1. Provide for an adequate supply of land and timely infrastructure improvements that meet the demands of growth.
2. Structure incentives to encourage higher densities to make greater use of the community's infrastructure.
3. Encourage new development to achieve densities greater than five dwelling units per gross acre by zoning at least 20% of residentially zoned land in developing areas to allow greater than five dwelling units per acre by right.
4. Develop new design standards or zoning tools that encourage density, optimize infrastructure costs, and help lower the overall cost of property development.
5. Implement elements of Complete Neighborhoods for Developing Areas.
6. Develop and utilize a measurement tool to evaluate neighborhoods in terms of how well they achieve PlanForward's goals for design, sustainability, and Complete Neighborhoods goals.
7. Encourage public and private investment in neighborhood infrastructure and services to support economic

diversity that improves the quality of life for all residents.

8. Include housing for a variety of incomes and households throughout the community that is integrated into neighborhoods and provides appropriate transitions, scale, and context.
9. Promote mixed-income neighborhoods.
10. Preserve areas designated for multi-family, and group living housing in approved plans to support a distributed choice in affordable housing.
11. Support addition of higher density development in existing multi-family development.
14. Promote neighborhood and community design that supports healthy and active lifestyles, such as the benefits of street trees.
16. Encourage a variety of housing types including townhomes, senior living facilities, low/no maintenance condominiums, accessory dwelling units, multi-family development, and small lot single-family units.

P17: Predictability - Strive for predictability for neighborhoods and developers.

Action Steps

1. Continue to make updates as needed to zoning and subdivision ordinances, along with design standards, to support economic development, complete neighborhoods, and other PlanForward initiatives.
2. Support timely and efficient implementation of the growth tiers framework through the Capitol Improvement Program and other coordinated infrastructure enhancements.

UTILITIES & SERVICES

A. Sanitary Sewer: Public sanitary sewer is available along Adams Street.

B. Water: Public water is also available along Adams Street and can be extended.

C. Roads: The development proposed one internal street which will be a private driveway. The adjacent arterial street, Adams Street, is within city limits and not included within this annexation request. A deviation request will be required to allow a private drive to access off a minor arterial.

D. Parks and Trails: A future commuter and recreation trail is proposed along the south side of Adams Street and will require an additional 6 feet of right-of-way to be dedicated to accommodate the future location.

E. Fire Protection: After annexation, fire protection will be provided by Lincoln Fire Rescue (LFR) and police protection by the Lincoln Police Department.

ANALYSIS

1. These are two associated requests for both annexation and a change of zone from AG, Agriculture to R-3, Residential. They are associated with SP#22031 for the Stevens Creek Villas First Addition Community Unit Plan (CUP) development allowing up to a maximum of 116 dwelling units, with the current site plan showing up to 51 dwelling units planned within the CUP. Of the 51 shown units, 50 are multifamily units and one single family unit.
2. The request for annexation and change of zone to allow residential development is consistent with the goals set by the Comprehensive Plan as this site is designated as Future Urban Residential. This is also consistent with the surrounding and developing neighborhoods within the city limits to the north and west of the site, as they are also R-3, Residential.
3. The site has extensive areas of floodplain along the southern portion. The associated request, SP#22031 addresses the proposal for the CUP along with grading and drainage plans to address floodplain concerns and buildable area for future development.
4. 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 site and can be extended to serve this development. The site is proposing one private drive to serve as access for the site from Adams Street, which is not included in the annexation area as it was previously annexed with developing neighborhood on the north side of Adams Street. 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.

5. The property is located within the Waverly Rural Fire District. 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, staff has conducted the financial analysis and there should be no funds due to the District.
6. The annexation agreement will accompany the annexation request to City Council for their consideration.

CONDITIONS OF APPROVAL: See attached.

EXISTING LAND USE & ZONING: Agriculture, AG **PROPOSED ZONING:** R-3 Residential

SURROUNDING LAND USE & ZONING

North:	Residential under development	R-3
South:	Acreage residential	AG
East:	Acreage residential/farm ground	AG
West:	Residential	R-3

APPROXIMATE LAND AREA: Annexation #22011 & Change of Zone #22027 both approximately 16.62 acres, more or less.

PROPOSED CITY COUNCIL DISTRICT ASSIGNMENT: District #1

LEGAL DESCRIPTION:

Annexation #22011 & Change of Zone #22027: Lots 91 and 92, I. T., located in the NE 1/4 of Section 14-10-7, Lancaster County, Nebraska.

Prepared by

_____
Ben Callahan, Planner

Date: September 8, 2022

Applicant/
Owner: 9305 LLC
429 Industrial Lane
Grand Island, NE 68803
mlesishomes@gmail.com

Contact: Civil Design Group, Inc.
8535 Executive Woods Drive
Suite 200
Lincoln, NE 68512
meckert@civildg.com

https://linclanc.sharepoint.com/sites/PlanningDept-DevReview/Shared Documents/DevReview/AN/22000/AN22011 CZ22027 Stevens Creek.bmc.docx

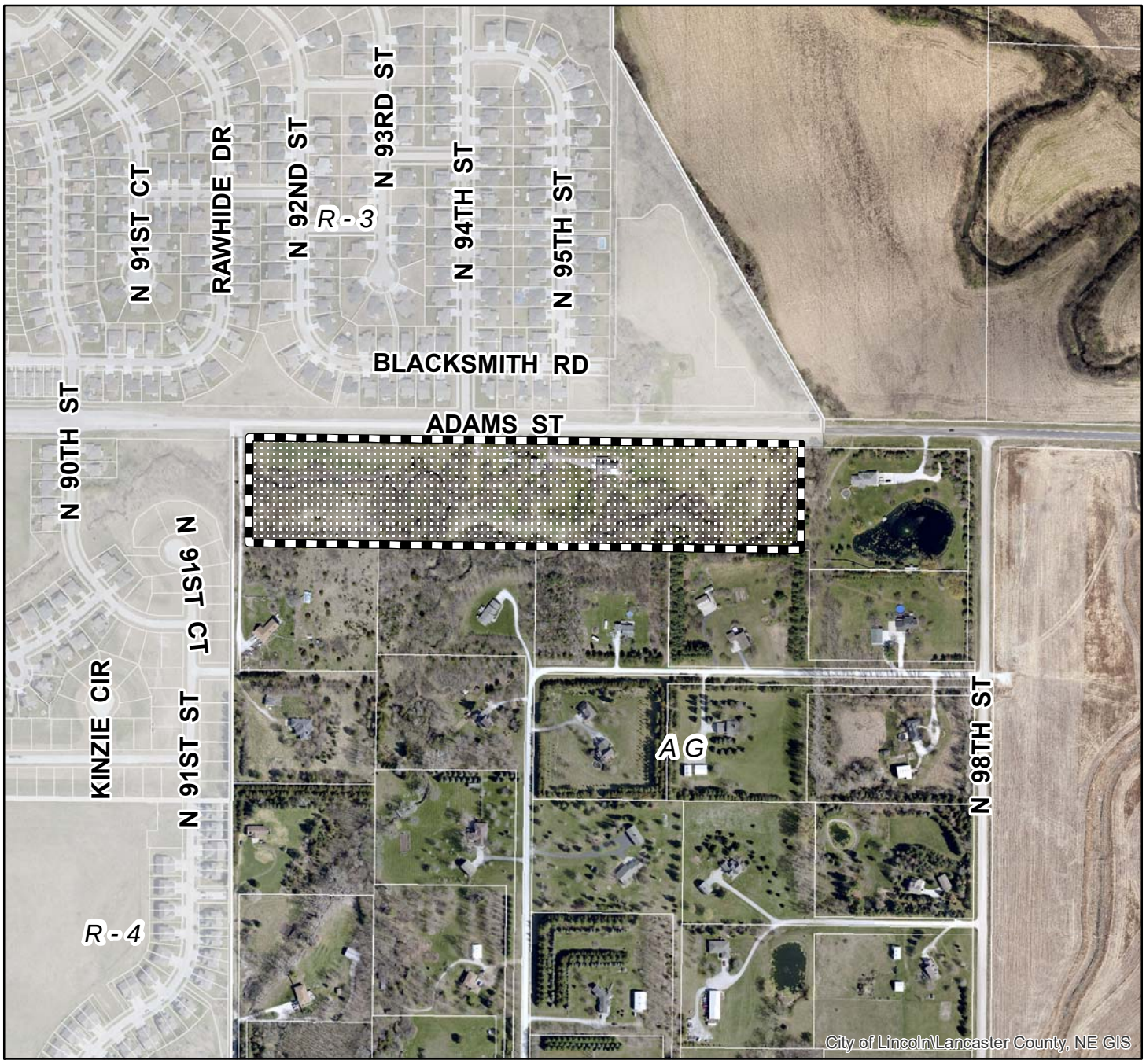
CONDITIONS OF APPROVAL – ANNEXATION #22011

ANNEXATION #22011

1. Before these requests are scheduled for City Council consideration, the owner(s) will enter into an annexation agreement with the City of Lincoln.

CHANGE OF ZONE #22027

1. AN#21009 is approved prior to this request

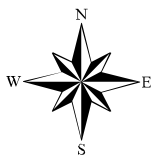


2020 aerial

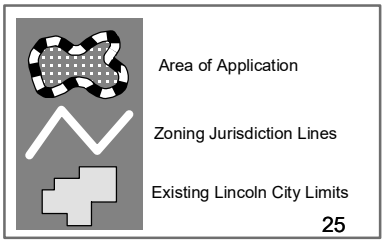
Change of Zone #: CZ22027 (AG to R-3),
Annexation #: AN22011 & Special Permit #: SP22031
Stevens Creek Villas 1st Addition
N 98th St & Adams St

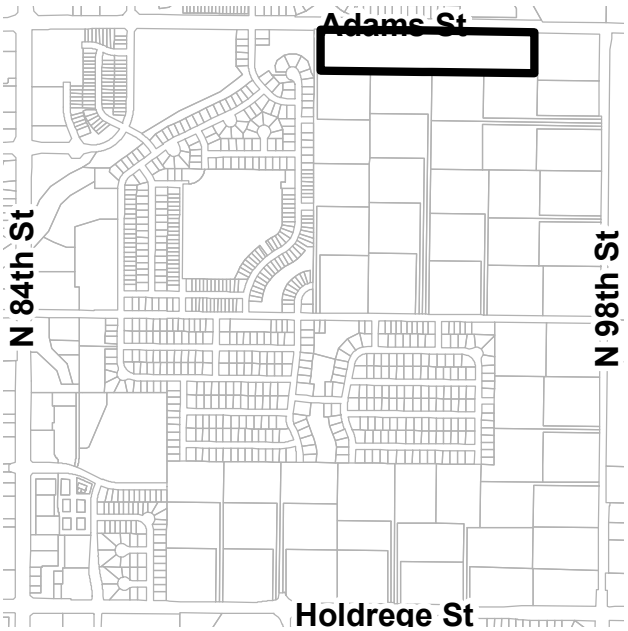
Zoning:

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District



One Square Mile:
Sec.14 T10N R07E





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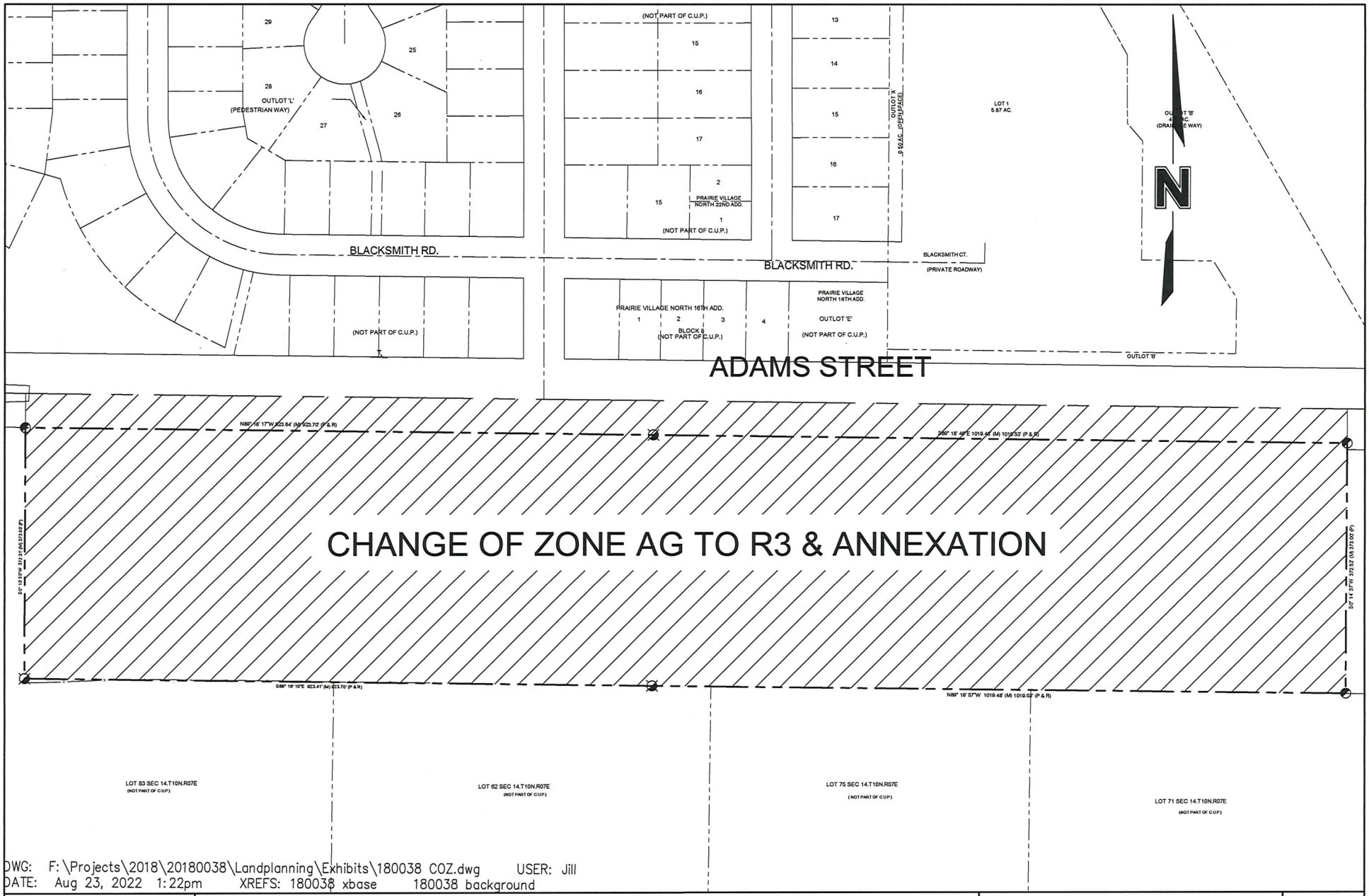

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DATE: Aug 23, 2022 1:22pm XREFS: 180038 xbase 180038 background

drawn by:	CAO
checked by:	-
project no.:	2018-0038
date:	08/16/2022

CHANGE OF ZONE & ANNEXATION EXHIBIT
STEVENS CREEK VILLAS FIRST ADDITION
LINCOLN, NEBRASKA

Civil Design Group, Inc.
8535 EXECUTIVE WOODS, DR., SUITE 200
Lincoln, Nebraska 68512
Ph. 402-434-8494 Fax 866-215-8747
www.civildg.com

CONSULTING ENGINEERS• LAND USE PLANNERS
CIVIL DESIGN• SITE DEVELOPMENT• PLANNING AND ZONING

EXHIBIT

1

STEVENS CREEK VILLAS FIRST ADDITION

SITE NOTES

1. THE EXISTING ZONING IS AG, THE PROPOSED ZONING IS R-3 CUP.
2. PERMANENT DIRECT ACCESS TO ADAMS STREET IS HEREBY RELINQUISHED EXCEPT AS SHOWN.
3. ALL CONFORMING TANDEM PARKING STALLS SHALL COUNT TOWARDS THE REQUIRED PARKING REQUIREMENTS.
4. EXISTING AND PROPOSED EASEMENTS ARE TO BE IDENTIFIED AND SHOWN AT TIME OF FINAL PLATTING.
5. ALL TOPOGRAPHICAL ELEVATIONS ARE BASED ON NAVD 1988.
6. MINIMUM OPENING ELEVATIONS SHALL BE ESTABLISHED ON FINAL PLATS.
7. THE PARKING AND LANDSCAPING TO BE APPROVED AT THE TIME OF BUILDING PERMITS AND SHALL BE IN COMPLIANCE WITH LINCOLN MUNICIPAL CODE AND THE DESIGN STANDARDS.
8. AREA BOUNDARIES ARE APPROXIMATE AND MAY BE ADJUSTED BY ADMINISTRATIVE AMENDMENT.
9. EVES, OVERHANGS, WINDOW SWINGS, DOOR SWINGS, AIR CONDITIONER UNITS ETC. MAY ENCROACH OVER THE SETBACK LINES. ENCROACHMENTS ARE NOT ALLOWED OVER PROPERTY LINES AND MUST CONFORM TO BUILDING AND LIFE SAFETY CODES.
10. 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 THE BUILDING & SAFETY DEPARTMENT PRIOR TO INSTALLATION.
11. A FLOODPLAIN DEVELOPMENT PERMIT IS REQURIED PRIOR TO COMMENCING ANY GRADING OR IMPROVEMENTS IN THE FLOODPLAIN.

C.U.P., ANNEXATION & CHANGE OF ZONE LEGAL DESCRIPTION

A LEGAL DESCRIPTION OF LOTS 91 AND 92 IRREGULAR TRACTS, LOCATED IN THE NORTHEAST QUARTER OF SECTION 14, TOWNSHIP 10 NORTH, RANGE 7 EAST, OF THE 6TH P.M., LINCOLN, LANCASTER COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

REFERRING TO THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SECTION 14: THENCE EAST, ON THE NORTH LINE OF THE NORTHEAST QUARTER, ON AN ASSUMED BEARING OF S 89°18'19" E FOR A DISTANCE OF 59.86'; THENCE S 00°10'50" W FOR A DISTANCE OF 50.07' TO THE NORTHWEST CORNER OF LOT 91 IRREGULAR TRACTS, SAID POINT BEING THE **POINT OF BEGINNING**:

THENCE S 00°10'50" W, ON THE WEST LINE OF LOT 91 IRREGULAR TRACTS, FOR A DISTANCE OF 372.31' TO THE SOUTHWEST CORNER OF SAID LOT 91; THENCE S 89°16'10" E, ON THE SOUTH LINE OF LOT 91 IRREGULAR TRACTS, FOR A DISTANCE OF 923.41' TO THE SOUTHWEST CORNER OF LOT 92 IRREGULAR TRACTS; THENCE S 89°19'57" E, ON THE SOUTH LINE OF LOT 92 IRREGULAR TRACTS, FOR A DISTANCE OF 1019.48' TO THE SOUTHEAST CORNER OF SAID LOT 92; THENCE N 00°14'37" E, ON THE EAST LINE OF LOT 92 IRREGULAR TRACTS, FOR A DISTANCE OF 372.52' TO THE NORTHEAST CORNER OF SAID LOT 92; THENCE N 89°18'46" W, ON THE NORTH LINE OF LOT 92 IRREGULAR TRACTS, FOR A DISTANCE OF 1019.46' TO THE NORTHEAST CORNER OF LOT 91 IRREGULAR TRACTS; THENCE N 89°18'17" W, ON THE NORTH LINE OF LOT 91 IRREGULAR TRACTS, FOR A DISTANCE OF 923.84' TO THE POINT OF BEGINNING, AND HAVING A CALCULATED AREA OF 16.62 ACRES MORE OR LESS.

SUBJECT TO ANY AND ALL EASEMENTS AND RESTRICTIONS OF RECORD.

WAIVERS

1. TO DESIGN STANDARDS, TITLE 2, CHAPTER 2.00, SECTION 3, 3.6, TO ALLOW FOR SANITARY SEWER MAINS TO RUN OPPOSITE THE STREET GRADES.
2. TO ZONING CODE 27.72.020 TO REVISE THE SETBACKS TO OUTLOT 'A' & 'B' SHALL BE 0'.
3. TO L.M.C. 27.67.030 TO ALLOW A DRIVEWAY TO BE PARALLEL TO PUBLIC R.O.W. IN THE FRONT YARD SETBACK AS SHOWN.

PARKING CALCULATIONS:

50 UNITS X 2 PER UNIT = 100 REQUIRED

ACTUAL -

ATTACHED GARAGE STALLS -	40
DETACHED GARAGE STALLS -	9
SURFACE STALLS -	19
TANDEM PARKING STALLS -	40
TOTAL -	108

DENSITY CALCULATIONS

16.62 AC. X 6.96 (R-3) = 116 UNITS PERMITTED

51 UNITS SHOWN

65 UNASSIGNED UNITS

PROPERTY OWNERS

9305 LLC
429 INDUSTRIAL LANE
GRAND ISLAND, NE 68803

DEVELOPER

9305 LLC
429 INDUSTRIAL LANE
GRAND ISLAND, NE 68803

ENGINEER

CIVIL DESIGN GROUP, INC.
8535 EXECUTIVE WOODS DRIVE
SUITE 200
LINCOLN, NE 68512
(402) 434-8494

SURVEYOR

ALLIED SURVEYING & MAPPING
8535 EXECUTIVE WOODS DRIVE
SUITE 200
LINCOLN, NE 68512
(402) 434-2686

SHEET INDEX

SITE PLAN	SHEET 1
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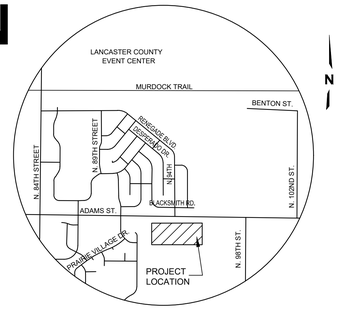
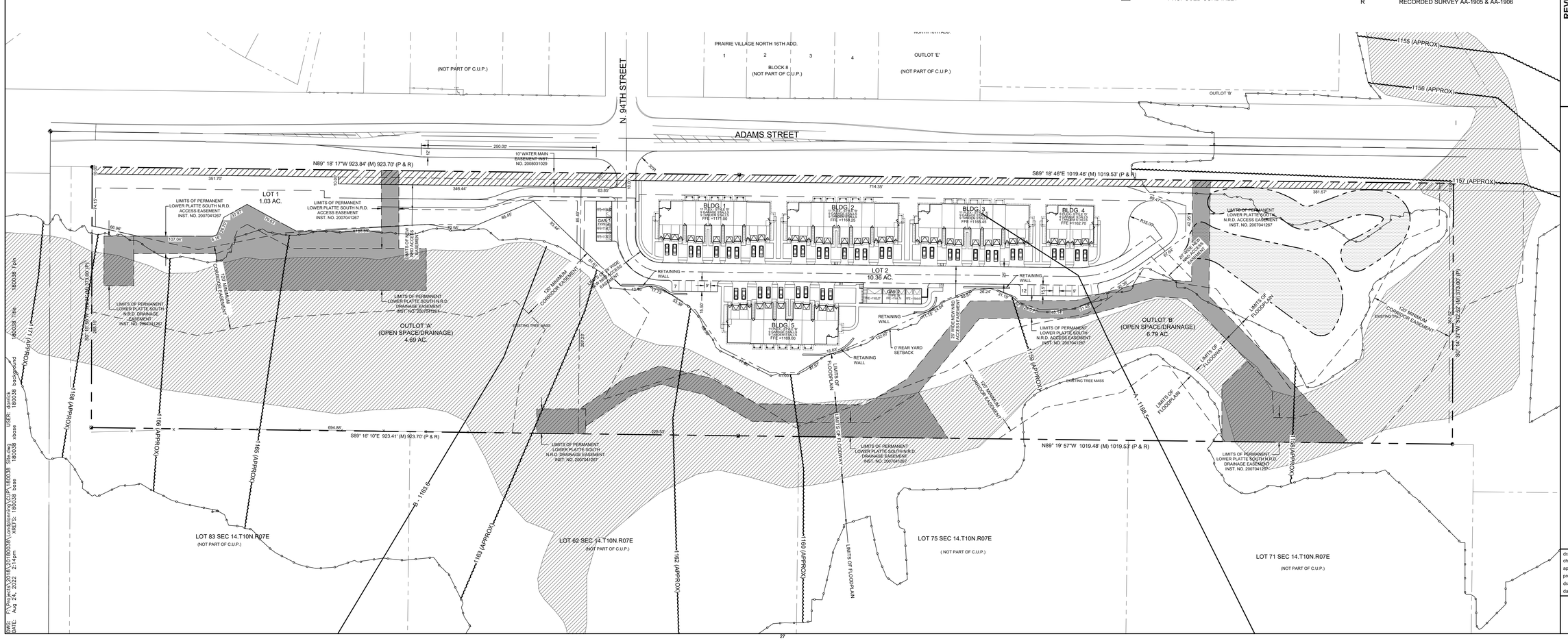


VICINITY MAP

NO SCALE

LEGEND

- C.U.P. BOUNDARY
- PROPOSED LOT LINE
- PROPOSED STREET CENTERLINE
- PROPOSED SETBACK
- PROPOSED & EXISTING EASEMENTS
- LIMITS OF NRD EASEMENTS
- EXISTING WATER MAIN
- EXISTING SAN. SEWER
- PROPOSED WATER MAIN
- PROPOSED SANITARY SEWER
- PROPOSED SANITARY SEWER FORCED MAIN
- PROPOSED STORM SEWER
- EXISTING STORM SEWER
- EXISTING CURB INLET
- PROPOSED CURB INLET
- PROPOSED FIRE HYDRANT
- PROPOSED SANITARY MANHOLE
- EXISTING TREE MASS
- EXISTING TREE MASS (TO BE REMOVED)
- DETENTION / WATER QUALITY
- LIMITS OF FEMA 100 YEAR FLOODPLAIN
- LIMITS OF FEMA FLOODWAY
- RIGHT OF WAY DEDICATION
- FD. 3/4" PIPE
- FD. 3/4" REBAR
- FD. 2" ALUMINUM CAP
- M MEASURED
- P PLATTED
- R RECORDED SURVEY AA-1905 & AA-1906



Civil Design Group, Inc.
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CONSULTING ENGINEERS • LAND USE PLANNERS
CIVIL DESIGN • SITE DEVELOPMENT • PLANNING AND ZONING

REVISIONS

NO	DATE	DESCRIPTION

SITE PLAN

STEVEN CREEK VILLAS FIRST ADDITION
COMMUNITY UNIT PLAN #_____

LINCOLN, NEBRASKA

2022

drawn by:	jds
checked by:	-
approved by:	-
project no.:	2018-0038
drawing no.:	-
date:	08/24/2008

SHEET 1 OF 4

DWG: F:\Projects\2018\2018038\Landdpmmng\CUP\180038 Site.dwg
DATE: Aug 24, 2022 2:14pm
XREFs: 180038 xbase 180038 Title 180038 Fpln
USER: dsmick 180038 hodgboard

CHANGE OF ZONE & ANNEXATION

A legal description of Lots 91 and 92 Irregular Tracts, located in the Northeast Quarter of Section 14, Township 10 North, Range 7 East, of the 6th P.M., Lincoln, Lancaster County, Nebraska and more particularly described as follows:

Referring to the Northwest Corner of the Northeast Quarter of Section 14: Thence East, on the North Line of the Northeast Quarter, on an assumed bearing of S 89°18'19" E for a distance of 59.86'; Thence S 00°10'50" W for a distance of 50.07' to the Northwest Corner of Lot 91 Irregular Tracts, said point being the **Point of Beginning**:

Thence S 00°10'50" W, on the West Line of Lot 91 Irregular Tracts, for a distance of 372.31' to the Southwest Corner of said Lot 91; Thence S 89°16'10" E, on the South Line of Lot 91 Irregular Tracts, for a distance of 923.41' to the Southwest Corner of Lot 92 Irregular Tracts; Thence S 89°19'57" E, on the South Line of Lot 92 Irregular Tracts, for a distance of 1019.48' to the Southeast Corner of said Lot 92; Thence N 00°14'37" E, on the East Line of Lot 92 Irregular Tracts, for a distance of 372.52' to the Northeast Corner of said Lot 92; Thence N 89°18'46" W, on the North Line of Lot 92 Irregular Tracts, for a distance of 1019.46' to the Northeast Corner of Lot 91 Irregular Tracts; Thence N 89°18'17" W, on the North Line of Lot 91 Irregular Tracts, for a distance of 923.84' to the Point of Beginning, and having a calculated area of 16.62 acres more or less.

Subject to any and all easements and restrictions of record.

AND

The adjacent south Right-of-Way of Adams Street.

Civil Design Group, Inc.

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

August 24, 2022

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

Re: Special Permit application, Change of Zone to R-3 CUP and Request to Annex 16.62 acres of land to be known as Stevens Creek Villas First Addition, generally located south of Adams Street at N. 94th Street.

Dear Mr. Cary:

On behalf of 9305 LLC, we submit the enclosed application for the Stevens Creek Villas First Addition CUP and the associated change of zone and annexation request for 16.62 acres of land south of Adams St at N. 94th Street. The R-3 CUP will contain 50 multifamily units and one single-family.

This project is located between the FEMA mapped floodplain & floodway on the south and the ROW of Adams Street. Due to the significant width of the floodplain we are not proposing any connections to the acreage development to the south or to land to the west or east. The project will consist of four 2-story 11-plex multi-familyv buildings, one 2-story 6-plex multi-family buidling and one single family building as shown on the attached site plan.

We are requesting the following waivers:

1. To LMC 27.67.030, to allow a driveway for a single family home to run parallel to the front-yard setback in the location shown on the site plan. Due to the proximity of the bed-and-bank setback requirement this waiver is needed to access the buildable area of the single family lot.

2. To LMC 27.72.020 to revise the yard setbacks to be 0' for Lot 1 and Outlot A' as they abut each other, and Lot 2 and Outlot 'B' as they abut each other. This waiver is needed due to the tight proximity of the floodplain to the buildable lots and the requirements that the mapped floodplain be contained on an unbuildable outlot.

With this application we submit the following items:

Application for a CUP and Change of Zone/Annexation to the City of Lincoln
CUP Special Permit Fee of $3,797.16
Change of Zone Fee of $1,005.00
A change of zone & annexation exhibit
All plan sheets, uploaded via Project Dox

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

Sincerely,

Mike Eckert, AICP

cc: 9305 LLC

LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT

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

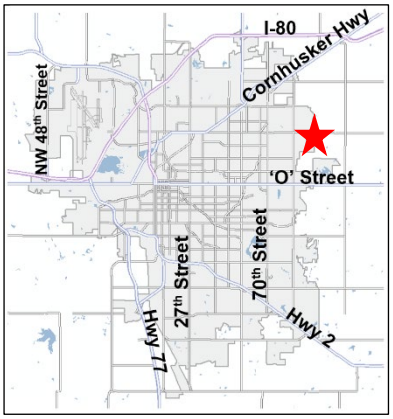
APPLICATION NUMBER	FINAL ACTION?	DEVELOPER/OWNER
Special Permit #22031	Yes	9305 LLC
PLANNING COMMISSION HEARING DATE	**RELATED APPLICATIONS**	**PROPERTY ADDRESS/LOCATION**
September 21, 2022	Annexation #22011 Change of Zone #22027	9305 Adams Street

RECOMMENDATION: CONDITIONAL APPROVAL

BRIEF SUMMARY OF REQUEST

This is a request for a special permit for the Stevens Creek Villas First Addition Community Unit Plan (CUP). The CUP is approximately 16.62 acres and would allow a maximum of 116 dwelling units. The current plan proposed 51 dwelling units, including 50 multifamily units and one single family unit. The submitted concept plan details the layout of the proposed units while addressing the extensive floodplain located along the southern edge of the property.

This application is associated with AN22011 and CZ#22027 which proposes to both annex and re-zone the property from AG to R-3 Residential. The site currently abuts city limits along the north side, as Adams Street is within the city. While this request may be approved by the Planning Commission, the associated requests require City Council approval. As a result, approval is conditional upon the City Council's action on the associated requests.



JUSTIFICATION FOR RECOMMENDATION

The proposed Community Unit Plan (CUP) conforms with the future land use designation within the Comprehensive Plan and allowable density for R-3, Residential. The location will also be annexed into city limits with utility services currently available to extend to this site.

APPLICATION CONTACT
9305 LLC
mlewishomes@gmail.com

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

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The Comprehensive Plan designates this location as Future Urban Residential. This designation is intended to provide more than 15 dwelling units per acre and appropriate for multiple types of housing including singe family dwellings to higher density multi-family.

WAIVERS

1. LMC 27.67.030, to allow a driveway for a single family home to run parallel to the public right-of-way in the front yard setback. (Recommend Approval)
2. LMC27.72.020, to allow setbacks abutting Outlots A & B to be reduced to 0 feet. (Recommend Approval)
3. Chapter 3.35 Design Standards, to allow for sanitary sewer mains to run opposite the street grades. (Approval)

KEY QUOTES FROM THE 2050 COMPREHENSIVE PLAN

Introduction Section: Growth Framework

Figure GF.b: 2050 – This site is shown as future urban residential and environmental resource 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.

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.

The Community in 2050

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

Lancaster County is projected to add approximately 53,000 households by 2050, with 48,000 of those new households in Lincoln (roughly 1,600 new households per year).

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.

New growth areas will have an average gross residential density of 4.0 du/acre.

The population age 65 and above is projected to increase from 45,600 (14.2 percent of total) in 2020 to 74,900 (17 percent of total) in 2050.

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.

Policies Section

P3: Developing Neighborhoods – Accommodate and encourage growth that aligns with PlanForward's growth scenario and provides a mix of housing options with convenient access to parks, schools, shopping, jobs, and other community resources.

Action Steps

1. Provide for an adequate supply of land and timely infrastructure improvements that meet the demands of growth.
2. Structure incentives to encourage higher densities to make greater use of the community's infrastructure.
3. Encourage new development to achieve densities greater than five dwelling units per gross acre by zoning at least 20% of residentially zoned land in developing areas to allow greater than five dwelling units per

acre by right.

4. Develop new design standards or zoning tools that encourage density, optimize infrastructure costs, and help lower the overall cost of property development.
5. Implement elements of Complete Neighborhoods for Developing Areas.
6. Develop and utilize a measurement tool to evaluate neighborhoods in terms of how well they achieve PlanForward's goals for design, sustainability, and Complete Neighborhoods goals.
7. Encourage public and private investment in neighborhood infrastructure and services to support economic diversity that improves the quality of life for all residents.
8. Include housing for a variety of incomes and households throughout the community that is integrated into neighborhoods and provides appropriate transitions, scale, and context.
9. Promote mixed-income neighborhoods.
10. Preserve areas designated for multi-family, and group living housing in approved plans to support a distributed choice in affordable housing.
11. Support addition of higher density development in existing multi-family development.
14. Promote neighborhood and community design that supports healthy and active lifestyles, such as the benefits of street trees.
16. Encourage a variety of housing types including townhomes, senior living facilities, low/no maintenance condominiums, accessory dwelling units, multi-family development, and small lot single-family units.

P17: Predictability – Strive for predictability for neighborhoods and developers.

Action Steps

1. Continue to make updates as needed to zoning and subdivision ordinances, along with design standards, to support economic development, complete neighborhoods, and other PlanForward initiatives.
2. Support timely and efficient implementation of the growth tiers framework through the Capitol Improvement Program and other coordinated infrastructure enhancements.

P18: Conservation Design – Promote conservation design principles with both new growth and redevelopment projects.

Action Steps

1. Encourage conservation design principles as part of the development process. Developments that incorporate conservation design principles should be eligible for greater densities, height, lot, and area adjustments. Examples of conservation design best practices include:
   a. Development setbacks beyond the minimum floodplain corridor in order to help preserve riparian habitat.
   b. Land area within new developments that is designated specifically for trees and/or prairie.
   c. Sustainable landscape design that includes native and drought-tolerant plantings, limited use of turf grass, rain gardens, bioswales, infiltration beds, and constructed wetlands.
   d. Cluster subdivision design that protects flood-prone areas by grouping new development in less-sensitive areas within a subdivision while maintaining a high overall building density.
   e. Dedication of a portion or all of a building's roof space as a green roof.
   f. Minimizing disturbance of the natural topography on a development site.
2. Incorporate conservation design principles into public projects and development projects utilizing public funds (such as TIF) as appropriate.
3. Incorporate conservation design into new subdivisions with the initial steps of completing an inventory of existing and future land uses, natural resource evaluation, and a build out map. Utilize goals of the Lincoln Climate Plan as a guide for developing conservation design recommendations.
4. Promote development of conservation design standards of new subdivisions that maximize open space conservation and interconnected network of such open spaces while being sensitive to overall building density.
5. Develop project approaches which view stormwater as an asset, by working with the natural topography and using wetlands, floodplains, and natural drainage corridors as natural ways to manage flood flows and stormwater runoff.

ANALYSIS

1. This is a request for a special permit for a Community Unit Plan (CUP) to allow up to 116 dwelling units with the initial site plan comprised of 50 multifamily units and one single family dwelling. This would leave 65 additional dwelling units for potential future use. It is associated with AN#22011 and CZ21027 which seek to annex the subject 16.62-acre area and re-zone it to R-3 Residential.
2. For the R-3 zoning district the Design Standards allow a maximum of 6.69 dwelling units per acres in a CUP. For this site a maximum of 115 units would be allowed within the CUP boundary. The initial site plan shows 51 units. The 50 multifamily units are designed to be split between five separate buildings, with four buildings designated for 11 units, and one structure with six units. The site would require 75 parking spaces for the 50 proposed multifamily units with R-3. Currently the plan shows a total of 108 parking spaces provided, with 49 of the total spaces within attached and detached garages, and 59 uncovered spaces.
3. The site will be separated into two lots and two outlots, with Lot 1 serving the one single family dwelling unit on the northwest area of the site. The second lot will be located within the northeast area of the site along Adams Street with 50 multifamily units. Both Lot 1 and 2 will be accessed from a private driveway off Adams Street. A future commuter and recreation trail is shown along the south side of Adams Street and will abut this property. The Parks and Recreation department is requiring an additional 6 feet of right-of-way to be dedicated for the future trial location.
4. The site currently has existing floodplain located primarily within the southern portion stretching from the east to west boundary lines, with most of the developable area located on the northern portion of the site along Adams Street. Outlot A and B will serve as designated open space and drainage, as development will not be allowed within the floodplain.
5. The applicant has requested two waivers to the Lincoln Municipal Code and one to the Design Standards:

    a. Zoning Ordinance, 27.67.030(a) to allow a driveway for a single family home to run parallel to the public right-of-way in the front yard setback.

    This request is needed in relation to the one access point off of Adams Street, as the single family lot will be located on the northwest corner of the site and accessed of the private driveway shared by the multifamily units. Due to the existing floodplain on the property, the driveway for the single family home will extend west from the private driveway and be parallel with Adams Street.

    b. Zoning Ordinance, Table 27.72.020(a) to allow setbacks on Lots 1 and 2 abutting Outlot A and B to be reduced to 0 feet.

    This request is appropriate as Outlot A and B will be designated for drainage and floodplain mitigation and will not have future development or residential uses constructed on them.

    c. Design Standards, Chapter 3.35 to allow for sanitary sewer mains to run opposite the street grades.

    This request is appropriate due to the nature of the site layout along Adams Street and existing floodplain on covering much of the property.

CONDITIONS OF APPROVAL: See attached.

EXISTING LAND USE & ZONING: Vacant / AG, Agriculture

SURROUNDING LAND USE & ZONING

North:	Residential under development	R-3
South:	Acreage residential	AG
East:	Acreage residential/farm ground	AG
West:	Residential	R-3

APPROXIMATE LAND AREA: 16.62 acres, more or less

LEGAL DESCRIPTION: Lots 91 and 92, I. T., located in the NE 1/4 of Section 14-10-7, Lancaster County, Nebraska.

Prepared by

_____
Ben Callahan, Planner

Date: September 8, 2022

Applicant/
Owner: 9305 LLC
429 Industrial Lane
Grand Island, NE 68803
mlesishomes@gmail.com

Contact: Civil Design Group, Inc.
8535 Executive Woods Drive
Suite 200
Lincoln, NE 68512
meckert@civildg.com

https://linclanc.sharepoint.com/sites/PlanningDept-DevReview/Shared Documents/DevReview/SP/22000/SP22031 Stevens Creek Village CUP.bmc.docx

CONDITIONS OF APPROVAL – SPECIAL PERMIT #22031

Per Section 27.63.320 this approval permits a Community Unit Plan for up to 116 dwelling units with the following waivers:

1. Lincoln Municipal Code Chapter 27.67.030, to allow a driveway for a single family home to run parallel to the public right-of-way in the front yard setback.
2. Lincoln Municipal Code Chapter 27.72.020, to allow setbacks abutting Outlots A & B to be reduced to 0 feet.
3. Design Standards Chapter 2.00 Section 3, 3.5 to allow for sanitary sewer mains to run opposite the street grades.

Site Specific Conditions:

1. The City Council approves associated request AN#22011 and CZ22027

2. Before receiving building permits a final plat is required. In addition, 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 Show 6 feet of right-of-way dedication along Adams Street for future trail location requested by Parks and Recreation.

   2.2 Update driveway location to access Lot 1 will as it will need to be located at least 25 feet from the intersection on Adams Street.

   2.3 Add a note to the site plan stating: The Adams Street access point and its specific location is subject to an approved Deviation Request by the Director of LTU.

   2.4 Revise plan to show a left turn lane is required of in Adams Street to provide access into the site.

   2.5 Add to the Private drive a common access easement for access to both Lot 1 and Lot 2 from Adams Street.

   2.6 Update parking calculation table as R-3 requires 1.5 spaces per unit.

   2.7 Update distance between water main and wastewater services to reflect 10’ minimum separation.

   2.8 Provide width of existing right-of-way for Adams Street.

   2.9 Provide a sanitary sewer easement for the future extension of services to the satisfaction of LTU Wastewater division.

   2.10 Add sentence at start of Note #7 stating “Apartment layout is conceptual and may be revised at time of building permit without an administrative amendment.”

   2.11 Add a note stating “Prior to building permit a final plat must be approved creating the lot(s) and outlot(s).

   2.12 Add to the General Notes, "Signs need not be shown on this site plan, but need to be in compliance with chapter 27.69 of the Lincoln Zoning Ordinance, and must be approved by Building & Safety Department prior to installation".

3. Before receiving building permits and 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 street paving of the left turn lane on Adams Street shown on the final plat 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 land preparation including storm water detention/retention facilities and open drainageway improvements to serve this plat prior to the installation of utilities and improvements but not more than two (2) years following the approval of the final plat

to complete the 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 Public Works a plan showing proposed measures to control sedimentation and erosion and the proposed method to temporarily stabilize all graded land for approval.

to comply with the provisions of the Land Preparation and Grading requirements of the Land Subdivision Ordinance.

to complete the public 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 condition 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 street trees along the private roadways and landscape screens, including replacement and replanting as reasonably necessary, on a permanent and continuous basis.

to maintain the private facilities which have common use or benefit in good order and condition and state of repair, including the routine and reasonable preventive maintenance of the private facilities, on a permanent and continuous basis.

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

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

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

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

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

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

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

to relinquish the right of direct vehicular access from Lots 1 and 2 to Adams Street except as shown.

Standard Conditions:

5. The following conditions are applicable to all requests:

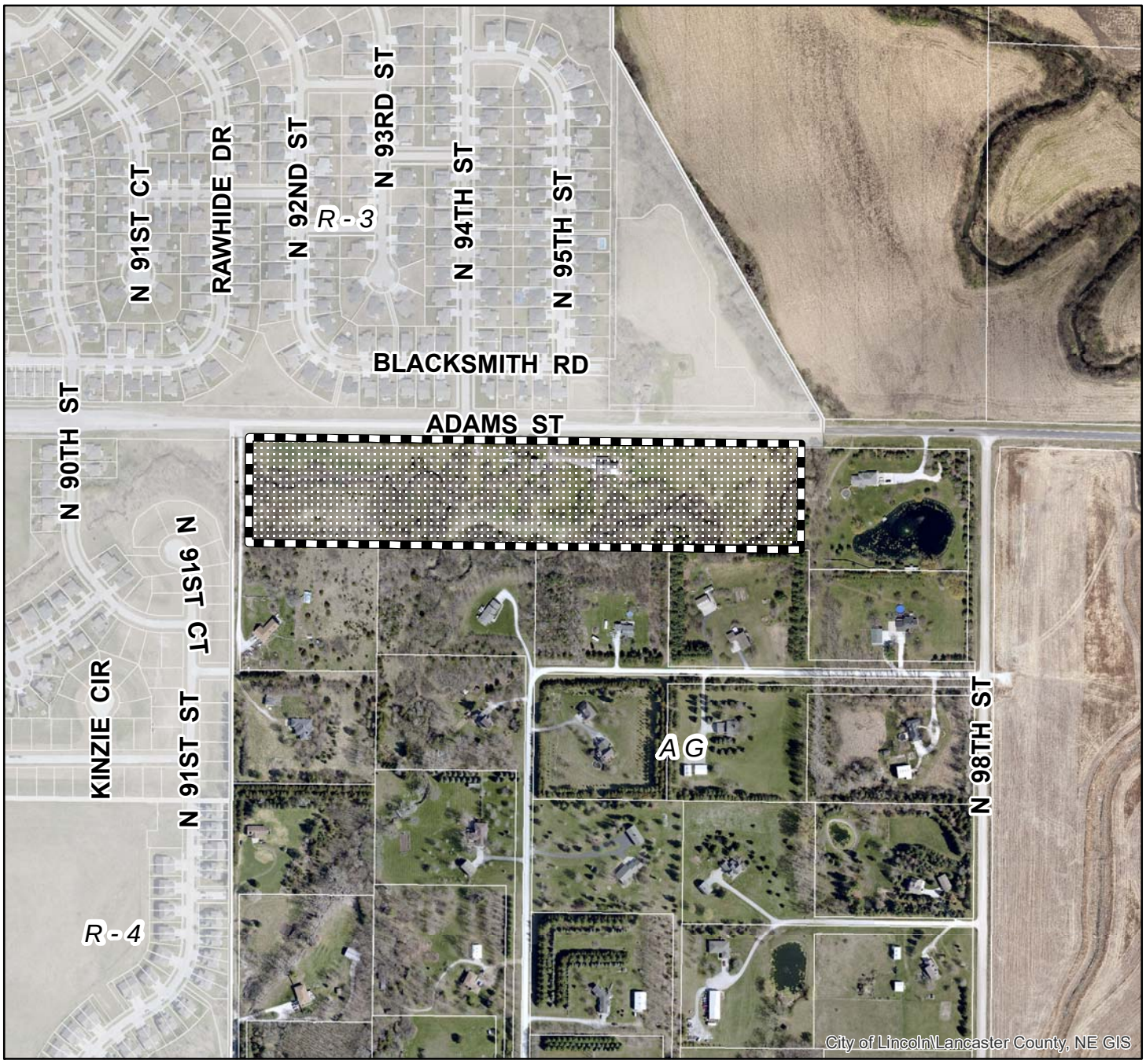
   5.1 Before occupying the dwelling units all development and construction shall substantially comply with the approved plans.

   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.

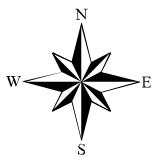


2020 aerial

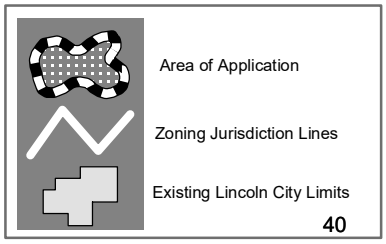
Change of Zone #: CZ22027 (AG to R-3),
Annexation #: AN22011 & Special Permit #: SP22031
Stevens Creek Villas 1st Addition
N 98th St & Adams St

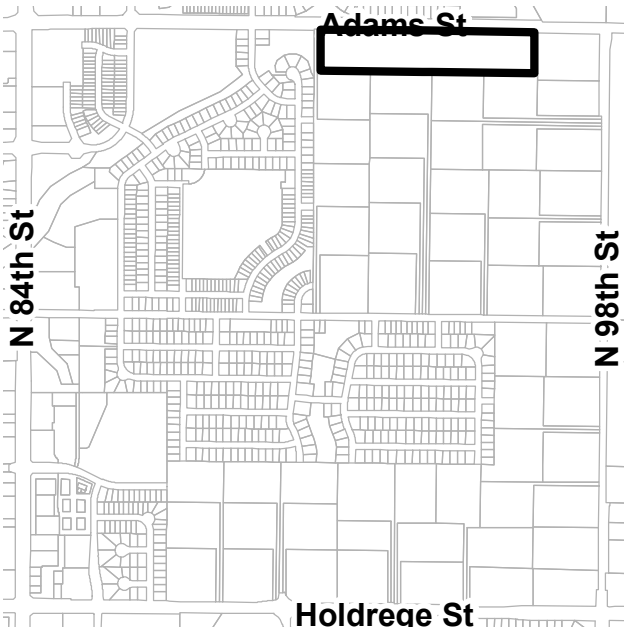
Zoning:

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District



One Square Mile:
Sec.14 T10N R07E





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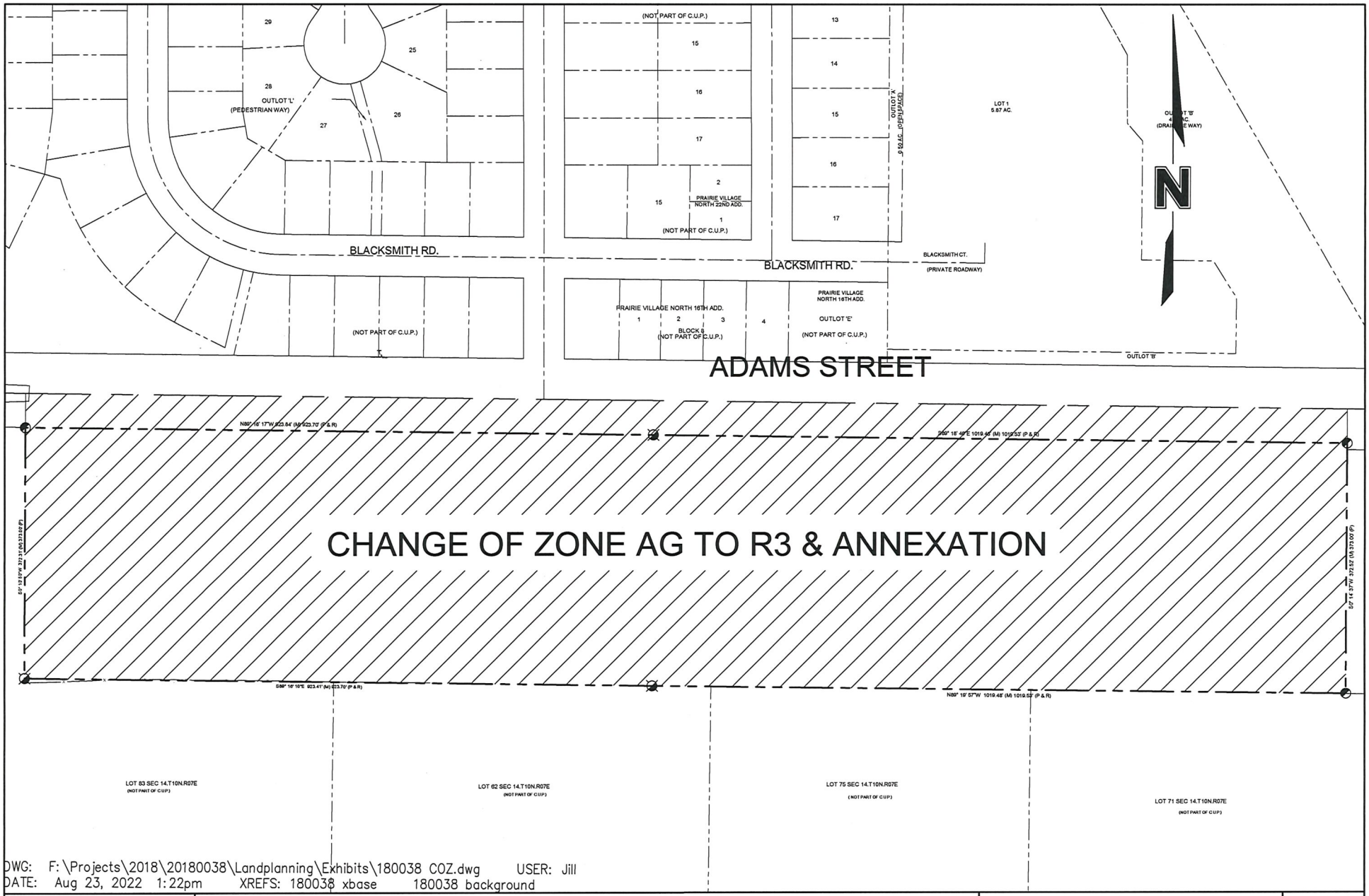

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drawn by:	CAO
checked by:	-
project no.:	2018-0038
date:	08/16/2022

CHANGE OF ZONE & ANNEXATION EXHIBIT
STEVENS CREEK VILLAS FIRST ADDITION
LINCOLN, NEBRASKA

Civil Design Group, Inc.
8535 EXECUTIVE WOODS, DR., SUITE 200
Lincoln, Nebraska 68512
Ph. 402-434-8494 Fax 866-215-8747
www.civildg.com

CONSULTING ENGINEERS• LAND USE PLANNERS
CIVIL DESIGN• SITE DEVELOPMENT• PLANNING AND ZONING

EXHIBIT

1

STEVENS CREEK VILLAS FIRST ADDITION

SITE NOTES

1. THE EXISTING ZONING IS AG, THE PROPOSED ZONING IS R-3 CUP.
2. PERMANENT DIRECT ACCESS TO ADAMS STREET IS HEREBY RELINQUISHED EXCEPT AS SHOWN.
3. ALL CONFORMING TANDEM PARKING STALLS SHALL COUNT TOWARDS THE REQUIRED PARKING REQUIREMENTS.
4. EXISTING AND PROPOSED EASEMENTS ARE TO BE IDENTIFIED AND SHOWN AT TIME OF FINAL PLATTING.
5. ALL TOPOGRAPHICAL ELEVATIONS ARE BASED ON NAVD 1988.
6. MINIMUM OPENING ELEVATIONS SHALL BE ESTABLISHED ON FINAL PLATS.
7. THE PARKING AND LANDSCAPING TO BE APPROVED AT THE TIME OF BUILDING PERMITS AND SHALL BE IN COMPLIANCE WITH LINCOLN MUNICIPAL CODE AND THE DESIGN STANDARDS.
8. AREA BOUNDARIES ARE APPROXIMATE AND MAY BE ADJUSTED BY ADMINISTRATIVE AMENDMENT.
9. EVES, OVERHANGS, WINDOW SWINGS, DOOR SWINGS, AIR CONDITIONER UNITS ETC. MAY ENCROACH OVER THE SETBACK LINES. ENCROACHMENTS ARE NOT ALLOWED OVER PROPERTY LINES AND MUST CONFORM TO BUILDING AND LIFE SAFETY CODES.
10. 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 THE BUILDING & SAFETY DEPARTMENT PRIOR TO INSTALLATION.
11. A FLOODPLAIN DEVELOPMENT PERMIT IS REQURIED PRIOR TO COMMENCING ANY GRADING OR IMPROVEMENTS IN THE FLOODPLAIN.

C.U.P., ANNEXATION & CHANGE OF ZONE LEGAL DESCRIPTION

A LEGAL DESCRIPTION OF LOTS 91 AND 92 IRREGULAR TRACTS, LOCATED IN THE NORTHEAST QUARTER OF SECTION 14, TOWNSHIP 10 NORTH, RANGE 7 EAST, OF THE 6TH P.M., LINCOLN, LANCASTER COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

REFERRING TO THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SECTION 14: THENCE EAST, ON THE NORTH LINE OF THE NORTHEAST QUARTER, ON AN ASSUMED BEARING OF S 89°18'19" E FOR A DISTANCE OF 59.86'; THENCE S 00°10'50" W FOR A DISTANCE OF 50.07' TO THE NORTHWEST CORNER OF LOT 91 IRREGULAR TRACTS, SAID POINT BEING THE **POINT OF BEGINNING**:

THENCE S 00°10'50" W, ON THE WEST LINE OF LOT 91 IRREGULAR TRACTS, FOR A DISTANCE OF 372.31' TO THE SOUTHWEST CORNER OF SAID LOT 91; THENCE S 89°16'10" E, ON THE SOUTH LINE OF LOT 91 IRREGULAR TRACTS, FOR A DISTANCE OF 923.41' TO THE SOUTHWEST CORNER OF LOT 92 IRREGULAR TRACTS; THENCE S 89°19'57" E, ON THE SOUTH LINE OF LOT 92 IRREGULAR TRACTS, FOR A DISTANCE OF 1019.48' TO THE SOUTHEAST CORNER OF SAID LOT 92; THENCE N 00°14'37" E, ON THE EAST LINE OF LOT 92 IRREGULAR TRACTS, FOR A DISTANCE OF 372.52' TO THE NORTHEAST CORNER OF SAID LOT 92; THENCE N 89°18'46" W, ON THE NORTH LINE OF LOT 92 IRREGULAR TRACTS, FOR A DISTANCE OF 1019.46' TO THE NORTHEAST CORNER OF LOT 91 IRREGULAR TRACTS; THENCE N 89°18'17" W, ON THE NORTH LINE OF LOT 91 IRREGULAR TRACTS, FOR A DISTANCE OF 923.84' TO THE POINT OF BEGINNING, AND HAVING A CALCULATED AREA OF 16.62 ACRES MORE OR LESS.

SUBJECT TO ANY AND ALL EASEMENTS AND RESTRICTIONS OF RECORD.

WAIVERS

1. TO DESIGN STANDARDS, TITLE 2, CHAPTER 2.00, SECTION 3, 3.6, TO ALLOW FOR SANITARY SEWER MAINS TO RUN OPPOSITE THE STREET GRADES.
2. TO ZONING CODE 27.72.020 TO REVISE THE SETBACKS TO OUTLOT 'A' & 'B' SHALL BE 0'.
3. TO L.M.C. 27.67.030 TO ALLOW A DRIVEWAY TO BE PARALLEL TO PUBLIC R.O.W. IN THE FRONT YARD SETBACK AS SHOWN.

PARKING CALCULATIONS:

50 UNITS X 2 PER UNIT = 100 REQUIRED

ACTUAL -

ATTACHED GARAGE STALLS -	40
DETACHED GARAGE STALLS -	9
SURFACE STALLS -	19
TANDEM PARKING STALLS -	40
TOTAL -	108

DENSITY CALCULATIONS

16.62 AC. X 6.96 (R-3) = 116 UNITS PERMITTED

51 UNITS SHOWN

65 UNASSIGNED UNITS

PROPERTY OWNERS

9305 LLC
429 INDUSTRIAL LANE
GRAND ISLAND, NE 68803

DEVELOPER

9305 LLC
429 INDUSTRIAL LANE
GRAND ISLAND, NE 68803

ENGINEER

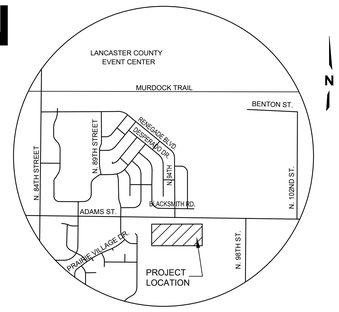
CIVIL DESIGN GROUP, INC.
8535 EXECUTIVE WOODS DRIVE
SUITE 200
LINCOLN, NE 68512
(402) 434-8494

SURVEYOR

ALLIED SURVEYING & MAPPING
8535 EXECUTIVE WOODS DRIVE
SUITE 200
LINCOLN, NE 68512
(402) 434-2686

SHEET INDEX

SITE PLAN	SHEET 1
EXISTING CONDITIONS & EASEMENTS PLAN	SHEET 2
UTILITY PLAN	SHEET 3
PRELIMINARY GRADING AND DRAINAGE PLAN	SHEET 4

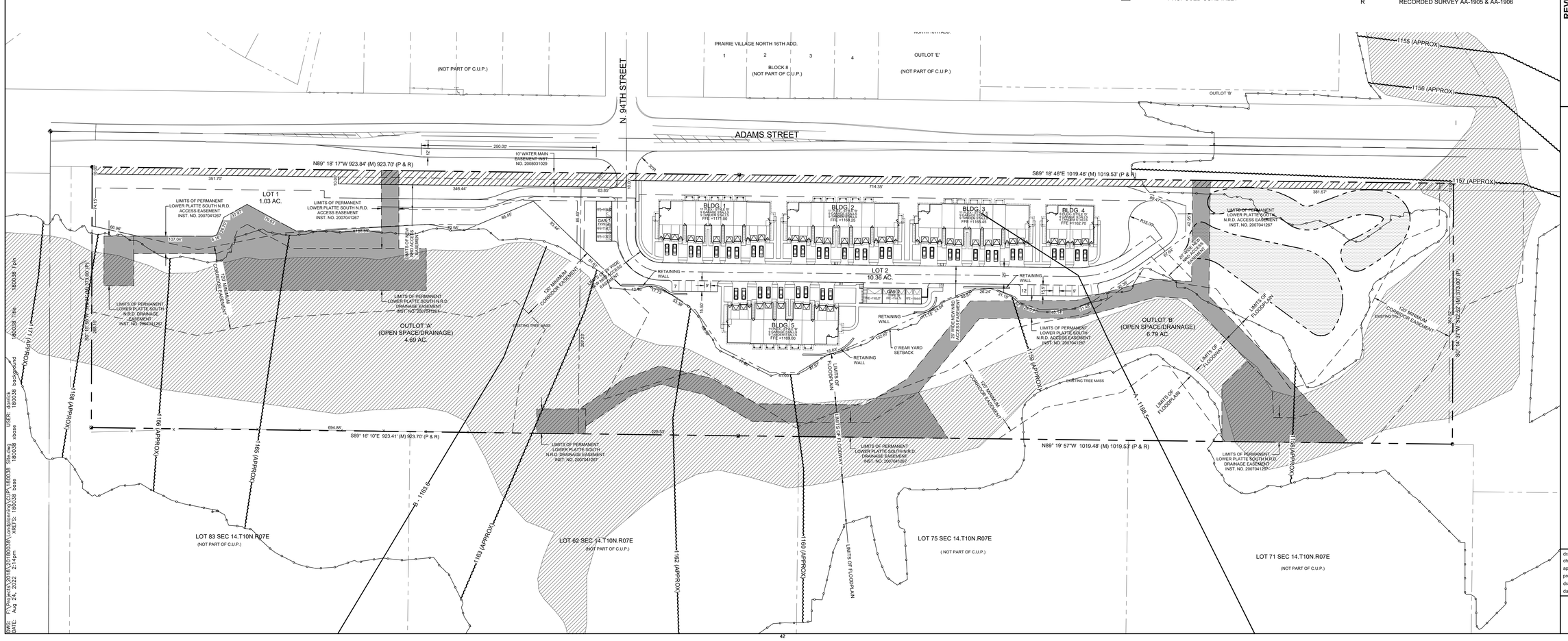


VICINITY MAP

NO SCALE

LEGEND

- C.U.P. BOUNDARY
- PROPOSED LOT LINE
- PROPOSED STREET CENTERLINE
- PROPOSED SETBACK
- PROPOSED & EXISTING EASEMENTS
- LIMITS OF NRD EASEMENTS
- W — EXISTING WATER MAIN
- S — EXISTING SAN. SEWER
- W — PROPOSED WATER MAIN
- S — PROPOSED SANITARY SEWER
- FM — PROPOSED SANITARY SEWER FORCED MAIN
- 12"SS — PROPOSED STORM SEWER
- 12"SS — EXISTING STORM SEWER
- EXISTING CURB INLET
- PROPOSED CURB INLET
- PROPOSED FIRE HYDRANT
- PROPOSED SANITARY MANHOLE
- EXISTING TREE MASS
- EXISTING TREE MASS (TO BE REMOVED)
- DETENTION / WATER QUALITY
- LIMITS OF FEMA 100 YEAR FLOODPLAIN
- LIMITS OF FEMA FLOODWAY
- RIGHT OF WAY DEDICATION
- FD. 3/4" PIPE
- FD. 3/4" REBAR
- FD. 2" ALUMINUM CAP
- M — MEASURED
- P — PLATTED
- R — RECORDED SURVEY AA-1905 & AA-1906



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CIVIL DESIGN • SITE DEVELOPMENT • PLANNING AND ZONING

REVISIONS

NO	DATE	DESCRIPTION

SITE PLAN

STEVEN CREEK VILLAS FIRST ADDITION
COMMUNITY UNIT PLAN #_____

LINCOLN, NEBRASKA

2022

drawn by:	jds
checked by:	-
approved by:	-
project no.:	2018-0038
drawing no.:	-
date:	08/24/2008

SHEET
1 OF 4

CHANGE OF ZONE & ANNEXATION

A legal description of Lots 91 and 92 Irregular Tracts, located in the Northeast Quarter of Section 14, Township 10 North, Range 7 East, of the 6th P.M., Lincoln, Lancaster County, Nebraska and more particularly described as follows:

Referring to the Northwest Corner of the Northeast Quarter of Section 14: Thence East, on the North Line of the Northeast Quarter, on an assumed bearing of S 89°18'19" E for a distance of 59.86'; Thence S 00°10'50" W for a distance of 50.07' to the Northwest Corner of Lot 91 Irregular Tracts, said point being the **Point of Beginning**:

Thence S 00°10'50" W, on the West Line of Lot 91 Irregular Tracts, for a distance of 372.31' to the Southwest Corner of said Lot 91; Thence S 89°16'10" E, on the South Line of Lot 91 Irregular Tracts, for a distance of 923.41' to the Southwest Corner of Lot 92 Irregular Tracts; Thence S 89°19'57" E, on the South Line of Lot 92 Irregular Tracts, for a distance of 1019.48' to the Southeast Corner of said Lot 92; Thence N 00°14'37" E, on the East Line of Lot 92 Irregular Tracts, for a distance of 372.52' to the Northeast Corner of said Lot 92; Thence N 89°18'46" W, on the North Line of Lot 92 Irregular Tracts, for a distance of 1019.46' to the Northeast Corner of Lot 91 Irregular Tracts; Thence N 89°18'17" W, on the North Line of Lot 91 Irregular Tracts, for a distance of 923.84' to the Point of Beginning, and having a calculated area of 16.62 acres more or less.

Subject to any and all easements and restrictions of record.

AND

The adjacent south Right-of-Way of Adams Street.

Civil Design Group, Inc.

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

August 24, 2022

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

Re: Special Permit application, Change of Zone to R-3 CUP and Request to Annex 16.62 acres of land to be known as Stevens Creek Villas First Addition, generally located south of Adams Street at N. 94th Street.

Dear Mr. Cary:

On behalf of 9305 LLC, we submit the enclosed application for the Stevens Creek Villas First Addition CUP and the associated change of zone and annexation request for 16.62 acres of land south of Adams St at N. 94th Street. The R-3 CUP will contain 50 multifamily units and one single-family.

This project is located between the FEMA mapped floodplain & floodway on the south and the ROW of Adams Street. Due to the significant width of the floodplain we are not proposing any connections to the acreage development to the south or to land to the west or east. The project will consist of four 2-story 11-plex multi-familyv buildings, one 2-story 6-plex multi-family buidling and one single family building as shown on the attached site plan.

We are requesting the following waivers:

1. To LMC 27.67.030, to allow a driveway for a single family home to run parallel to the front-yard setback in the location shown on the site plan. Due to the proximity of the bed-and-bank setback requirement this waiver is needed to access the buildable area of the single family lot.

2. To LMC 27.72.020 to revise the yard setbacks to be 0' for Lot 1 and Outlot A' as they abut each other, and Lot 2 and Outlot 'B' as they abut each other. This waiver is needed due to the tight proximity of the floodplain to the buildable lots and the requirements that the mapped floodplain be contained on an unbuildable outlot.

With this application we submit the following items:

Application for a CUP and Change of Zone/Annexation to the City of Lincoln
CUP Special Permit Fee of $3,797.16
Change of Zone Fee of $1,005.00
A change of zone & annexation exhibit
All plan sheets, uploaded via Project Dox

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

Sincerely,

Mike Eckert, AICP

cc: 9305 LLC

LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT

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

APPLICATION NUMBER	FINAL ACTION?	DEVELOPER/OWNER
Annexation #22010 Change of Zone #22026	No	Larry E. England Trust Starostka-Lewis, LLC
PLANNING COMMISSION HEARING DATE	**RELATED APPLICATIONS**	**PROPERTY ADDRESS/LOCATION**
September 21, 2022	AA #22056	NW 18th Street and West Beartooth Drive

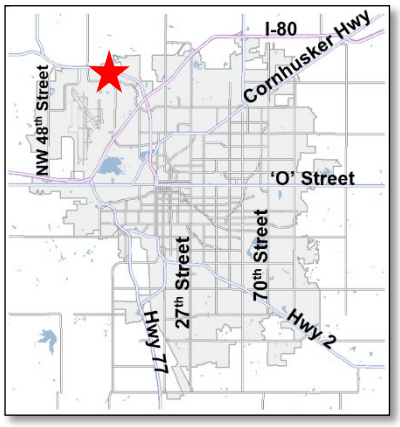
RECOMMENDATION: ANNEXATION #22010 APPROVAL
CHANGE OF ZONE #22026 APPROVAL

BRIEF SUMMARY OF REQUEST

This is a combined staff report for two related applications associated with the Highland View development. The area of the requests is the area located north of the intersection of NW 18th Street and West Beartooth Drive.

The area of these applications is previously shown in concept as part of the Highland View 1st Addition Preliminary Plat.

These requests seek to annex and rezone from AG Agriculture to R-3 Residential 7.02 acres for development consistent with the Highland View Preliminary Plat (PP). If approved, the owner will be able to submit final plats to the City to subdivide the land and create saleable lots.



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-3 will allow for the next phase of the preliminary plat to be platted and developed. The requests are consistent with the Future Land Use Map and comply with the Zoning Ordinance and are consistent with the Comprehensive Plan.

APPLICATION CONTACT
Jill Schuerman, (402)434-8494
jschuerman@civildg.com

STAFF CONTACT
Emma Martin, (402)441-6369 or
emartin@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 shown as future Residential Urban Density land uses on the 2050 Future Land Use Plan.

Figure GF.c - This site is shown in Tier 1 Priority A on the 2050 Priority Growth Area Map.

Fundamentals of Growth in Lancaster County

Multi-directional contiguous growth. Lincoln's future urban growth should generally occur in multiple directions around the existing city. Lincoln will continue to have managed and contiguous growth, including strengthening our Downtown core. Lincoln's sense of community has been based on incremental, compact growth built on the foundations of established neighborhoods. Future growth will continue this traditional pattern and be linked to both the level of demand in the market and to the orderly extension of public improvements and services.

Gravity flow wastewater. The City of Lincoln's wastewater collection system, in general, will continue to be a gravity flow system that is designed to use gravity as the main energy source to convey wastewater from the community to the water resource recovery facilities. This means that drainage basin boundaries are a primary guiding factor when determining availability of urban wastewater services and other infrastructure. This provides for contiguous growth, efficient long range planning, and cost-effective construction and management of the system.

Urban infrastructure availability. The City of Lincoln will provide water and wastewater service only to properties located within the corporate limits of the city.

Natural resource preservation. 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.

One public school district. Lincoln Public Schools is the only public school district within the City of Lincoln, and the Lincoln Public School boundary will continue to expand as the city limits of Lincoln expand.

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 the development of 5,000 affordable units by 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.

Policies Section

P3: Developing Neighborhoods – Accommodate and encourage growth that aligns with PlanForward's growth scenario

and provides a mix of housing options with convenient access to parks, schools, shopping, jobs, and other community resources.

Action Steps

1. Provide for an adequate supply of land and timely infrastructure improvements that meet the demands of growth.
2. Structure incentives to encourage higher densities to make greater use of the community's infrastructure.
3. Encourage new development to achieve densities greater than five dwelling units per gross acre by zoning at least 20% of residentially zoned land in developing areas to allow greater than five dwelling units per acre by right.
4. Develop new design standards or zoning tools that encourage density, optimize infrastructure costs, and help lower the overall cost of property development.
5. Implement elements of Complete Neighborhoods for Developing Areas.
6. Develop and utilize a measurement tool to evaluate neighborhoods in terms of how well they achieve PlanForward's goals for design, sustainability, and Complete Neighborhoods goals.
7. Encourage public and private investment in neighborhood infrastructure and services to support economic diversity that improves the quality of life for all residents.
8. Include housing for a variety of incomes and households throughout the community that is integrated into neighborhoods and provides appropriate transitions, scale, and context.
9. Promote mixed-income neighborhoods.
10. Preserve areas designated for multi-family, and group living housing in approved plans to support a distributed choice in affordable housing.
11. Support addition of higher density development in existing multi-family development.
14. Promote neighborhood and community design that supports healthy and active lifestyles, such as the benefits of street trees.
16. Encourage a variety of housing types including townhomes, senior living facilities, low/no maintenance condominiums, accessory dwelling units, multi-family development, and small lot single-family units

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: Sanitary Sewer is available by way of connecting to infrastructure in the adjacent platted development.

B. Water: Water is available by way of connection to infrastructure in the existing adjacent platted development.

C. Roads: All internal streets will be local streets and will be constructed by the developer as part of the development. Nearby arterial streets include NW 12th Street and W Alvo Road, but no additional improvements in these streets are required in association with these applications.

D. Parks and Trails: There is an existing pedestrian/bicycle path along Aster Road to the southeast of Highland View. A proposed pedestrian/bicycle path will go across Highway 34 on nearby NW 12th Street when a bridge is constructed in the long term.

E. Fire Protection: After annexation, fire protection will be provided by Lincoln Fire & Rescue (LFR). The nearest stations is locatedin the Highlands on NW 1st Street south of Highway 34..

ANALYSIS

1. The Highland View 1st Addition Preliminary Plat #16001 was approved in April 2016 and showed 571 single-family lots. PP#16001 superseded PP#05003, which was approved August 2005. Preliminary Plat #05003 was for the same location as the current Preliminary Plat and allowed the same number of lots.

2. PP#18003 was approved in August 2018 and included a request to amend PP#16001 Site Specific Note No. 13 regarding the timing of the Aster Road connection. Note No. 13 required that no more than 115 lots be platted until the Aster Road connection from Highland View east into Fallbrook was fully constructed. With this amendment, the limit on the number of lots that could be platted until the next street connection is now 400..

3. Currently, approximately 258 lots have been platted, and many have been built on. The Aster Road connection to Fallbrook is at the southeast corner of Highland View. The second connection is a temporary access onto Highway 34. This access will be removed once a second permanent connection is built to NW 12th or to W Alvo Road on the north side of Highland View. It is important that the access to Highway 34 be removed and the second permanent access be established. This access should be addressed prior to any further changes of zone after this application.

4. This is a request for the annexation of 7.02 acres and a change of zone from AG Agricultural to R-3 Residential for 7.02 acres. This property is located in the northern interior of the overall Preliminary Plat. The annexation and change of zone are in accordance with the original conceptual plans.

5. The proposed annexation area is located within Tier 1, Priority A of the Future Growth Tier Map in the 2050 Comprehensive Plan. This includes areas that are not yet annexed but which have approved preliminary plats, similar to as Highland View.

CONDITIONS OF APPROVAL: See attached.

EXISTING LAND USE & ZONING: Vacant, Undeveloped Land and Single Family Detached, Agricultural Production; AG

SURROUNDING LAND USE & ZONING

North: Agricultural, Undeveloped Land; AG
South: Single Family Detached, Open Space, Undeveloped Land; R-3
East: Agricultural, Undeveloped Land; AG
West: Agricultural, Undeveloped Land; AG

APPROXIMATE LAND AREA:

Annexation 22010:	7.02 acres, approximately
Change of Zone 22026:	7.02 acres, approximately

PROPOSED CITY COUNCIL DISTRICT ASSIGNMENT: Northwest City Council District #4

LEGAL DESCRIPTION:
Annexation #22010, Change of Zone #22026: To annex approximately 7.02 acres, more or less, on property legally described as part of Lots 57 – 59, I.T. located in the NE ¼ of Section 33-11-06, Lincoln, Lancaster County, Nebraska, generally located at NW 18th Street and West Beartooth Drive.

Prepared by

_____
Emma Martin, Planner
September 8, 2022

Applicant: Starostka-Lewis, LLC
429 Industrial Lane
Grand Island, NE 68803
mlewishomes@gmail.com

Contact: Jill Schuerman
Civil Design Group
8535 Executive Woods Drive
Lincoln, NE 68512
jschuerman@civildg.com

Owners: Larry E. England Trust
1501 W. Alvo Road
Lincoln, NE 68531

Starostka-Lewis, LLC
429 Industrial Lane
Grand Island, NE 68803
mlewishomes@gmail.com

https://linclanc.sharepoint.com/sites/PlanningDept-DevReview/Shared Documents/DevReview/AN/22000/AN22010, CZ22026 Highland View.edm.docx

APPLICATION HISTORY – AN22010

Sept. 2005	Preliminary Plat #05003 was approved for the Highland View subdivision, which covered approximately 155 acres.
June 2006	Change of Zone #05022 from AG to R-3 was approved for approximately 50 acres in the southern portion of the Highland View subdivision.
	Annexation #05004 was approved for approximately 40 acres in the south and east portions of the Highland View subdivision.
	Conditional Zoning and Annexation Agreement (Bill No. 06R-114) was approved for the entire Highland View subdivision.
July 2008	Final Plat #05111 Highland View Addition was app roved.
May 2015	Administrative Amendment #15012 to Preliminary Plat #05003 Highland View was approved to change the lot layout of two blocks and convert a cul-de-sac to a through street.
Aug. 2015	Final Plat #15036 Highland View 1st Addition was approved.
April 2016	Preliminary Plat #16001 for Highland View 1st Addition was approved to revise the lot layout and grading for a majority of the subdivision.
Mar. 2017	Final Plat #16092 Highland View 2nd Addition was approved.
Aug. 2017	Application for Final Plat #17087 Highland View 3rd Addition was submitted for review.
May 2018	Application for Final Plat #18058 Highland View 4th Addition was submitted for review.
June 2018	Application for Administrative Amendment #18036 to Preliminary Plat #16001 was submitted to update the preliminary plat according to the current airport zoning regulation
	Application for Preliminary Plat #18003 Highland View was submitted to amend Site Specific Note No. 13 to allow more lots to be platted while Aster Road was still under construction
Aug. 2018	Preliminary Plat #18003 Highland View was approved
Sept. 2018	Administrative Amendment #18061 to Preliminary Plat #18003 Highland View was approved to update the overall height permit to show the blanket height permit
Oct. 2020	Administrative Amendment #220060 to Preliminary Plat #18003 Highland View was approved to show the areas where height permits were not necessary, where height permits can be done by a blanket permit, and where individual permits were required
Aug. 2022	Administrative Amendment to Preliminary Plat #18003 Highland View was submitted to make adjustments to lots and add a sanitary sewer route

2020 aerial

Change of Zone #: CZ22026 (AG to R-3) and
Annexation #: AN22010
Highland View
NW 18th St & W Alvo Rd

Zoning:

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

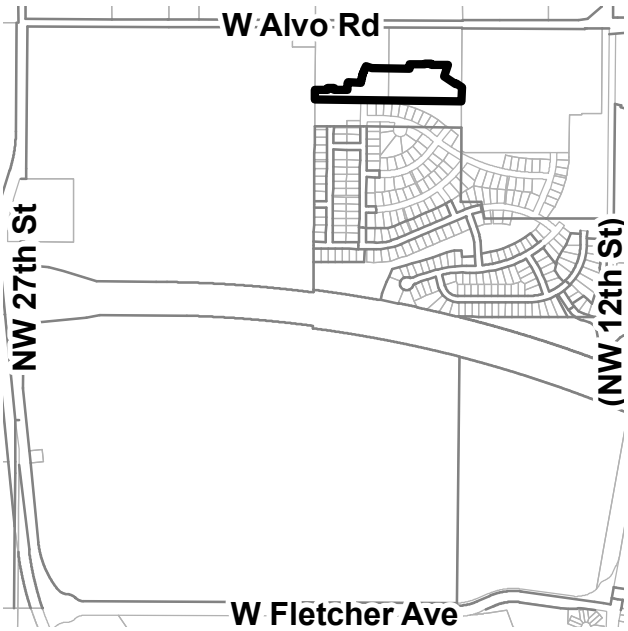
N
W E
S

One Square Mile:
Sec.33 T11N R06E

Area of Application

Zoning Jurisdiction Lines

Existing Lincoln City Limits



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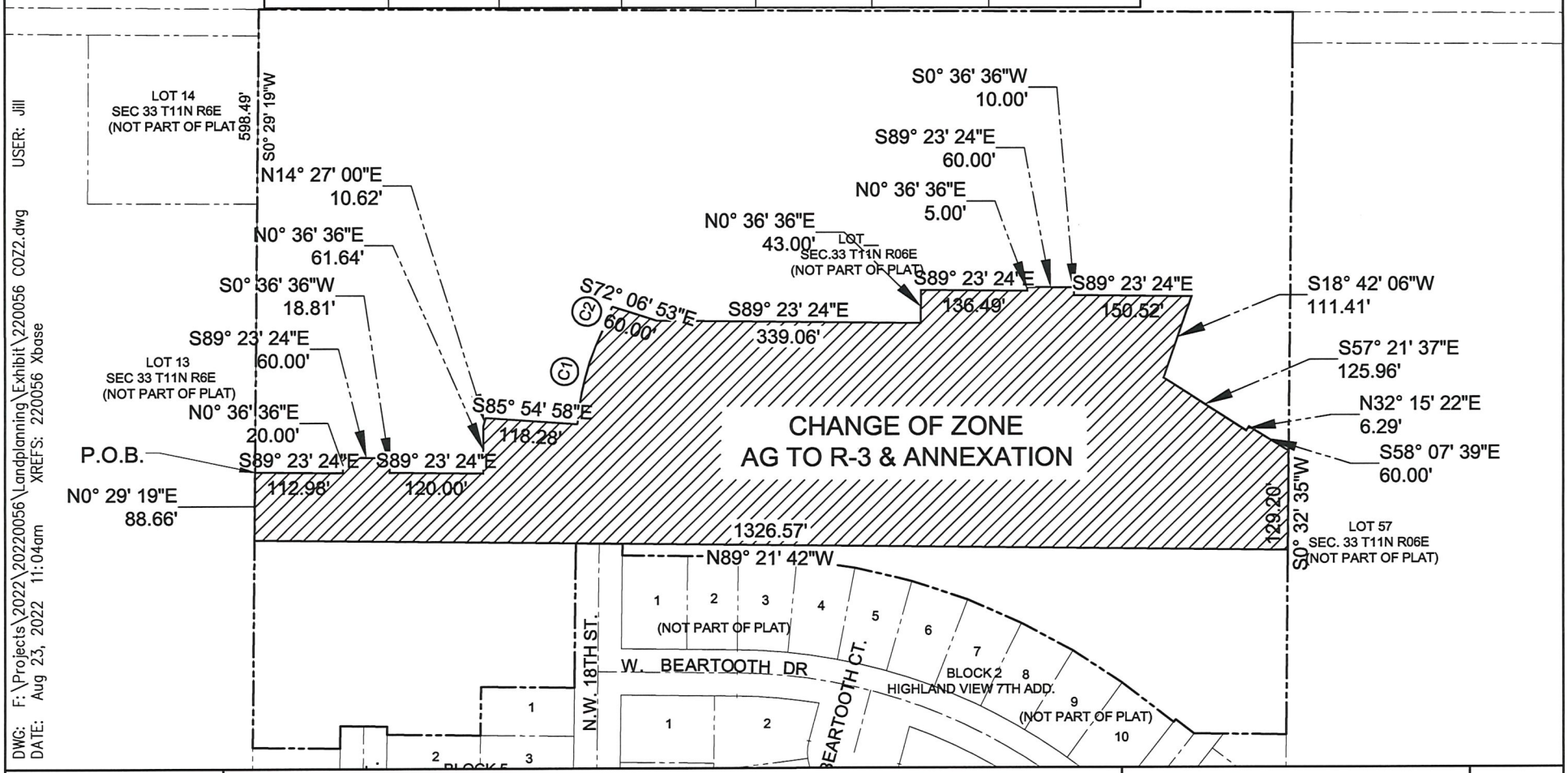
CURVE DATA

CURVE #	RADIUS	ANGLE	TANGENT	LENGTH	CH DIST	CH BRG
C1	330.00'	21°24'07"	62.36'	123.27'	122.55'	N14°47'06"E
C2	270.00'	7°36'03"	17.94'	35.82'	35.79'	N21°41'08"E



DWG: F:\Projects\2022\20220056\Landplanning\Exhibit\220056 COZ2.dwg USER: Jill
DATE: Aug 23, 2022 11:04am XREFS: 220056 Xbase

56

drawn by:	JDS
checked by:	DJR
project no.:	22-0056
date:	8/23/2022

CHANGE OF ZONE & ANNEXATION EXHIBIT
HIGHLAND VIEW
LINCOLN, NEBRASKA

Civil Design Group, Inc.
8535 EXECUTIVE WOODS, DR., SUITE 200
Lincoln, Nebraska 68512
Ph. 402-434-8494 Fax 866-215-8747
www.civildg.com

CONSULTING ENGINEERS• LAND USE PLANNERS
CIVIL DESIGN• SITE DEVELOPMENT• PLANNING AND ZONING

EXHIBIT

1

Civil Design Group, Inc.

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

August 22, 2022

Project No. 2022-0131

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

Re: Highland View Addition, requests for Annexation and Change of Zone for 7.02 acres Amendment.

Dear Mr. Cary:

On behalf of the Larry E. England trust and Starostka-Lewis, LLC we submit the enclosed applications for a change of zone from AG to R-3 for 7.02 acres of land within the Highland View Preliminary Plat. We are also requesting the continguous annexation of the area as shown on the enclosed exhibits. These items are requested for the future platting and development of single family lots per the preliminary plat.

With this aplication we submit the following items:

Application for a Change of Zone (AG to R-3) & Change of Zone fee of $1,005.00
Change of Zone exhibit and legal description
All plan sheets, uploaded via Project Dox

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

Sincerely,

Mike Eckert, AICP

cc: Larry E. England Trust
Starostka-Lewis, LLC

LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT

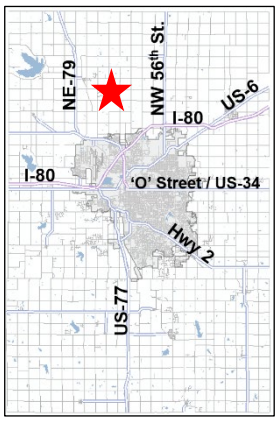
FROM THE LINCOLN/LANCASTER COUNTY PLANNING DEPARTMENT, 555 S. 10TH STREET, SUITE 213, LINCOLN, NE 68508

APPLICATION NUMBER	FINAL ACTION?	DEVELOPER/OWNER
Special Permit #04041A	Yes	Tyrol and Kit Ehlers
PLANNING COMMISSION HEARING DATE	**RELATED APPLICATIONS**	**PROPERTY ADDRESS/LOCATION**
September 21, 2022	None	NW 27th St and W. Mill Rd.

RECOMMENDATION: CONDITIONAL APPROVAL

BRIEF SUMMARY OF REQUEST

This is a request to amend a Community Unit Plan (CUP) to add one lot. The overall CUP is on approximately 162 acres. The new lot is 3.66 acres and will require a well and waste-water system.



JUSTIFICATION FOR RECOMMENDATION

The proposal meets the intent of a rural cluster subdivision under the AG zoning. The preservation of open space and clustering of lots meet the goals of development in the agricultural area of the County. The waivers are acceptable due to the location of the lot.

APPLICATION CONTACT

Marcia Kinning, E&A Consulting Group
402-420-7217 mkinning@eacg.com

STAFF CONTACT

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

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The special permit for a Community Unit Plan is in conformance with the 2050 Comprehensive Plan. The clustering of lots to preserve open space is a goal of the Comprehensive Plan.

WAIVERS

1. Section 4.08d of the Lancaster County Subdivision Regulations for width to depth ratio

   (Recommend Approval)

2. Section 4.08c of the Lancaster County Subdivision Regulations for average lot width.

   (Recommend Approval)

KEY QUOTES FROM THE 2050 COMPREHENSIVE PLAN

Introduction Section: Growth Framework

Figure GF.b: 2050 - This site is shown as future Agriculture on the 2050 Future Land Use Plan.

Land Use Plan – Agricultural. Land principally in use for agricultural production and compatible industries like solar and wind energy production. Agricultural land may be in transition to more diversified agribusiness ventures such as growing and marketing of products (e.g., horticulture, silvaculture, aquaculture) on site. Some land in the Agricultural category may be enrolled in voluntary preservation programs such as the USDA Conservation Reserve Program (CRP).

Fundamentals of Growth in Lancaster County

The Rural Environment
Focus on Agriculture. Rural areas should be preserved for agriculture, a limited supply of low density residential, and other compatible land uses. Acknowledge the fundamental "right to farm" in agriculture districts.

The Community in 2050

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

Lancaster County is projected to add approximately 53,000 households by 2050, with 48,000 of those new households in Lincoln (roughly 1,600 new households per year).

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.

G11: Rural Environment
Demand remains for additional acreage development in rural areas. The Future Land Use Plan currently includes area for about 23 years of additional acreage development in rural areas. Acreages must be located in appropriate locations in order to reserve land resources for efficient future urban development, agriculture, and the natural environment, while preserving the rural quality of life for existing and future residents.

Elements Section

Rural Housing
New acreage development is not encouraged in any of the Growth Tiers except for areas already platted, zoned, or designated for low density residential development.

All proposals for acreages, whether designated on the future land use map for low density residential or not, should be evaluated based on factors such as paved roads, adequate water quality and quantity, soil conditions for on-site wastewater management, availability of emergency services, agricultural productivity, land parcelization, the pattern of existing acreages, and plans for future urban development. Applications for acreage designation on the future land use map or rezoning to AGR, if planned for on-site wells, should be accompanied by information on water quality and quantity.

Policies Section

P4: Rural Housing. Allow for acreage development in appropriate areas of Lancaster County while preserving land resources for efficient future urban development, continued agricultural uses, and natural open spaces.

Action Steps
Support acreage development within areas with development approvals, on areas designated as low-density residential in the County and on areas designated as low-density residential in the village and smaller city

ANALYSIS

1. This request is for a Special Permit to amend a Community Unit Plan to add one lot of 3.66 acres. The lot, Lot 1, Block 3, will have individual waste-water system and well. The lot will take access to West Masek Drive and will relinquish access to NW 27th Street.
2. AG-Agricultural zoning allows one dwelling unit per 20 acres. Through the provisions of the Community Unit Plan, bonus lots can be granted when a minimum of 70% of the development area is preserved as open space. These bonuses can be granted for a 25% increase of the allowable density. With the bonus, 10 dwelling units are allowed.
3. The original CUP was approved in October 2004. It was approved for 9 acreage lots with associated waivers. At the time this was the maximum density allowed.
4. The density calculations for CUP's have changed since this was originally approved. Previously the density bonus was 20 percent and rounding up was not allowed. The density bonus now is 25% and rounding up is allowed.
5. Density Calculation:

   161.85 acres divided by 20 = 8.09 dwelling units

   With the 25% density bonus the density is 8.09 x 1.25 = 10.11 dwelling units.

   Open space required: 161.85 acres x 70% = 113.295 acres required for bonus. There are 120.24 acres shown for open space.
6. The applicant has requested a waiver to average lot width. The required average lot width is 220 feet. This lot has an average lot width of 195 feet. This is due to the location of the lot being adjacent to NW 27th St. W. Masek Dr. and an existing lot. Due t these constraints the waiver is acceptable.
7. The applicant has requested a waiver to the width to depth ratio. The subdivision regulations does not allow the depth of a lot to be more than 3 times the average lot width. For the proposed lot the depth cannot be more than 585 feet. The depth of the proposed lot is 817 feet. To make the rear lot line even with the other lots this waiver is needed. The waiver is appropriate.
8. The Comprehensive Plan states that proposals for acreage development should be evaluated on factors such as:
   a. Paved roads: the site is located adjacent NW 27th St. and W. Mill Rd. Both NW 27th and W. Mill are county gravel roads. The nearest paved road is one mile to the north. Gravel roads are allowed in the county when the average lot size is 3 acres or more.
   b. Adequate water quality and quantity: A well report was not required for the one lot. Seven of the lots are built on and there is no known problem with water quantity or quality. With treatment technologies available today water quality should not be an issue. Lincoln-Lancaster County Health Department recommended approval for this amendment and had no comment regarding water.
   c. Soil conditions for on-site wastewater; LLCHD did not comment regarding soils. The waste-water system can be either a septic or lagoon. The minimum lot size for a lagoon is 3 acres.
   d. Emergency services: like all rural developments emergency services are provided by the Lancaster County Sheriff and Southwest Rural Fire District.
   e. Pattern of existing acreages; The existing CUP has 9 lots with 8 of them built on.

9. The proposed development meets the goals of the Comprehensive Plan of clustering lots while preserving farmland and grouping acreages together

CONDITIONS OF APPROVAL: See attached.

EXISTING LAND USE & ZONING: Agriculture AG-Agriculture

SURROUNDING LAND USE & ZONING

North: Agriculture and acreage lots	AG-Agriculture
South: Acreage development Valley Home Farms	AG-Agriculture
East: Agriculture	AG-Agriculture
West: Agriculture	AG-Agriculture

APPROXIMATE LAND AREA: 161.85 acres, more or less

LEGAL DESCRIPTION: Lots 1-4, Block 1; Lots 1-2, Block 2, Lots 1-2, Block 3 and Lot 1, Block 4 and Outlot A all in Masek's First Addition along with Lot 14 and 15 IT. All located in Section 9-11-6, Lancaster County, NE

Prepared by

_____
Tom Cajka, Planner

Date: September 6, 2022

Applicant: E & A Consulting Group
701 "O" St. Suite 400
Lincoln, NE 68508
402-420-7217

Contact: Marcia Kinning
E & A Consulting Group
701 "O" St. Suite 400
Lincoln, NE 68508
402-420-7217
mkinning@eacg.com

Owner: Tyrol and Kit Ehlers
2385 W. Mill Rd.
Raymond, NE 68428
402-429-3979
tyrol.chf@gmail.com

CONDITIONS OF APPROVAL – SPECIAL PERMIT #04041A

Per Article 14 this approval permits a Community Unit Plan for 10 dwelling units with associated waivers. All waivers approved with SP04041 are still in effect.

Site Specific Conditions:

1. Final plat(s) is/are approved by the County.

   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 county may require that a new community unit plan be submitted, pursuant to all the provisions of Article 14. A new community unit plan may be required if the subdivision ordinance, the design standards, or the required improvements have been amended by the county; 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, land preparation and grading, sediment and erosions control measures, temporary turnaround and barricades, and street name signs, must be completed

Standard Conditions:

3. The following conditions are applicable to all requests:

   3.1 Before occupying the dwelling units all development and construction shall substantially comply with the approved plans.

   3.2 All privately-owned improvements shall be permanently maintained by the Permittee or an appropriately established homeowners association approved by the City.

   3.3 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.

   3.4 The terms, conditions, and requirements of this resolution shall run with the land and be binding upon the Permittee, its successors and assigns.

   3.5 The applicant shall sign and return the letter of acceptance to the County Clerk. This step should be completed within 60 days following the approval of the special permit. The Permittee shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds. Building permits will not be issued unless the letter of acceptance has been filed.

2020 aerial

Special Permit #: SP04041A
Masek's First Addition CUP
NW 27th St & W Mill Rd

Zoning:

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

N
W E
S

One Square Mile:
Sec.09 T11N R06E

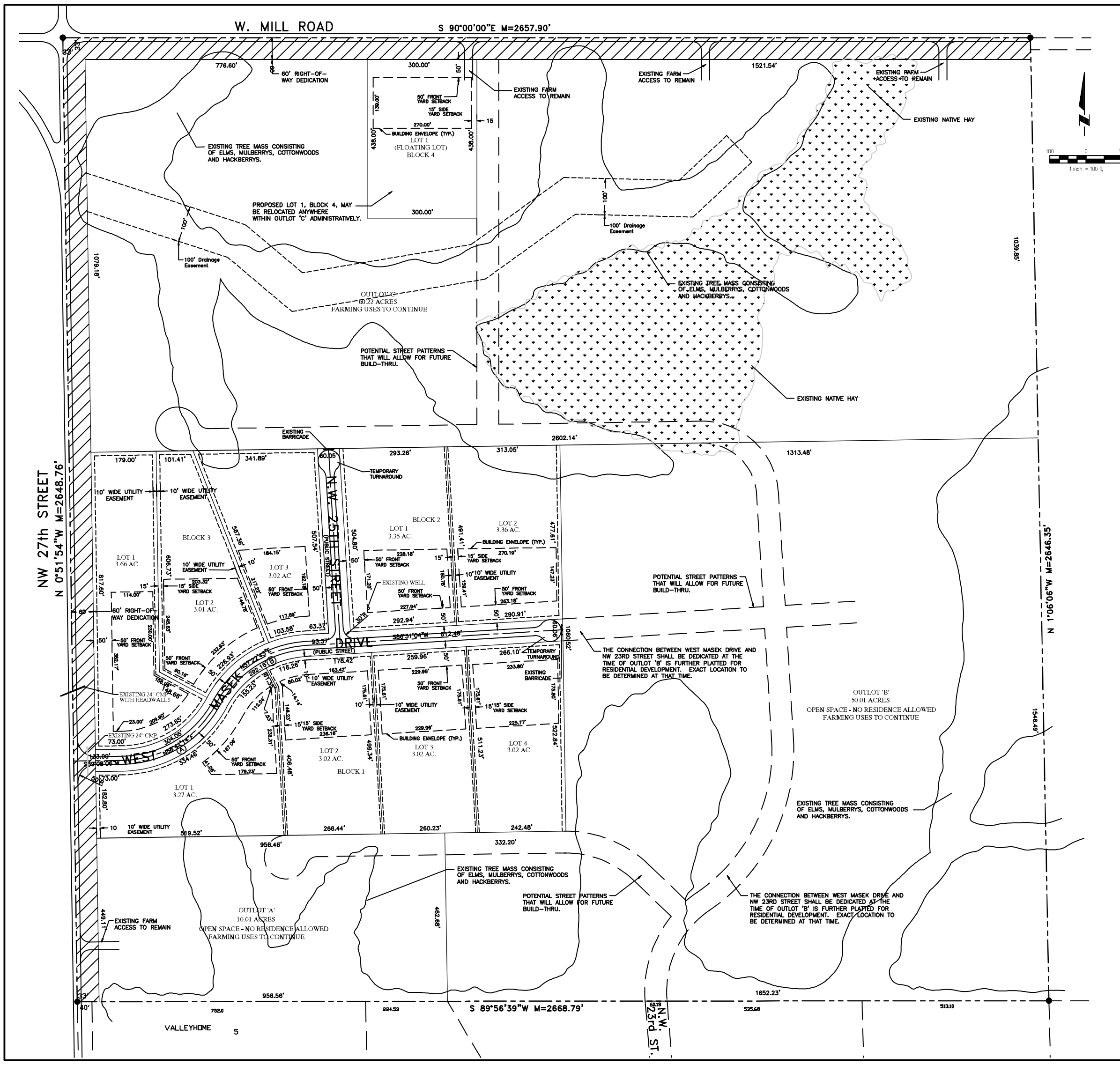
Area of Application

Zoning Jurisdiction Lines

Lancaster County Jurisdiction

PDF: F:\Boards\PC\Internet\out\

File: C:\GIS\Projects\DevelopmentReview\AgendaDrawings\mxd\Agendadrawings.mxd (SP04041A)



LEGAL DESCRIPTION:

LOTS 1 THROUGH 4, BLOCK 1, LOTS 1 & 2, BLOCK 2, LOTS 1 & 2, BLOCK 3, LOT 1, BLOCK 4, AND OUTLOT A, MASEK'S FIRST ADDITION; IRREGULAR TRACT LOTS 14 AND 15 NORTHWEST QUARTER; AND ADJACENT RIGHT-OF-WAY OF WEST MILL ROAD AND N.W. 27TH STREET, ALL LOCATED IN THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 11 NORTH, RANGE 6 EAST OF THE 6th P.M., LANCASTER COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER; THENCE NORTHERLY ON THE WEST LINE OF SAID NORTHWEST QUARTER ON AN ASSIGNED BEARING OF N 0°51'54"W A DISTANCE OF 2648.76', TO THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER; THENCE EASTERLY ON THE NORTH LINE OF SAID NORTHWEST QUARTER, N 90°00'00"E 2657.90', TO THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER; THENCE SOUTHERLY ON THE EAST LINE OF SAID NORTHWEST QUARTER, S 1°06'06"E 2646.35', TO THE SOUTHEAST CORNER OF SAID NORTHWEST QUARTER; THENCE WESTERLY ON THE SOUTH LINE OF SAID NORTHWEST QUARTER, S 89°56'39"W 2668.79', TO THE POINT OF BEGINNING, SAID TRACT CONTAINING AN AREA OF 161.85 ACRES, MORE OR LESS.

GENERAL NOTES

1. THIS PRELIMINARY PLAT/ C.U.P. CONTAINS 161.85 ACRES MORE OR LESS.
2. THIS PRELIMINARY PLAT/C.U.P. PERMITS 10 SINGLE FAMILY LOTS AND 3 OUTLOTS. EACH LOT SHALL CONTAIN A MAXIMUM OF ONE SINGLE FAMILY RESIDENCE AND OUT BUILDINGS, ALL LOCATED WITHIN THE BUILDING ENVELOPES AS SHOWN AND/ OR NOTED.
3. THE CURRENT ZONING IS 'AG' & THE PROPOSED ZONING IS 'AG' WITH C.U.P WITH A 25% DENSITY BONUS.
4. THE MAXIMUM BUILDING HEIGHT SHALL NOT EXCEED 35 FEET, AS PER 'AG' ZONING.
5. THE DEVELOPER / OR OWNER RESERVES THE RIGHT TO BUILD ANYWHERE WITHIN THE BUILDING ENVELOPES SHOWN.
6. THE DEVELOPER PROPOSES THE USE OF WELLS FOR POTABLE WATER SUPPLY.
7. THE DEVELOPER PROPOSES THE USE OF INDIVIDUAL WASTE WATER SYSTEMS. IF PERCOLATION TEST DO NOT PERMIT SUB SURFACE FIELDS, LAGOONS SHALL BE INSTALLED. WASTE WATER SYSTEMS SHALL BE APPROVED BY THE LANCASTER COUNTY HEALTH DEPARTMENT.
8. DEVELOPER SHALL INSTALL STREET IDENTIFICATION SIGNS, ONE 25 MPH SPEED LIMIT SIGN AND ONE "NO OUTLET" SIGN, ALL JUST EAST OF N.W. 27TH STREET ON WEST MASEK DRIVE AND ONE STOP SIGN.
9. ONLY ONE SUBDIVISION GROUND SIGN SHALL BE PERMITTED FOR THIS DEVELOPMENT.
10. ALL CURVILINEAR DIMENSIONS ARE CHORD LENGTHS.
11. PUBLIC STREETS SHALL BE DEDICATED ON THE FINAL PLAT TO THE PUBLIC.
12. DIRECT VEHICULAR ACCESS TO N.W. 27TH STREET IS HEREBY RELINQUISHED EXCEPT TO WEST MASEK DRIVE AND ONE EXISTING FARM. DIRECT VEHICULAR ACCESS TO WEST MILL ROAD IS HEREBY RELINQUISHED EXCEPT TO TWO EXISTING FARM ACCESSES AND ONE DRIVEWAY ACCESS TO LOT 1, BLOCK 4.
13. ALL TOPOGRAPHIC CONTOURS ARE AT NAVD 88 DATUM.
14. THE FOLLOWING WAIVERS ARE APPROVED WITH THIS PRELIMINARY PLAT NO. 04019 AND SPECIAL PERMIT NO. 04041: SIDEWALKS, STREET TREES, STREET LIGHTING, LANDSCAPE SCREENING, BLOCK LENGTH AND CONNECTING TO AN EXISTING PLATTED STREET (N.W. 23RD STREET).
15. THE DEVELOPER SHALL CONSTRUCT AND SURFACE THE PUBLIC STREETS WITH 3" OF CRUSHED ROCK AND 1" OF GRAVEL IN ACCORDANCE WITH THE LANCASTER COUNTY STANDARDS. THE COUNTY SHALL BE NOTIFIED PRIOR TO THE LAYING OF THE GRAVEL. INTERIOR INTERSECTION RADII SHALL BE 30 FEET AND THE INTERSECTION RADII AT NW 27TH STREET SHALL BE 50 FEET.
16. ONLY ONE RESIDENTIAL ACCESS SHALL BE PERMITTED PER LOT AND THIS SHALL BE IN ALL DEDICATIONS OF ANY FINAL PLATS.
17. 'JUNK CARS' SHALL BE PROHIBITED IN THIS DEVELOPMENT AS NOTED IN PROTECTIVE COVENANTS.
18. FUTURE LOT OWNERS WILL BE ADVISED THAT THIS IS IN A RURAL FARM AREA AND THAT NORMAL AND CUSTOMARY FARM ACTIVITIES ARE NOT A NUISANCE.
19. FARM ACCESSES ARE FOR AGRICULTURAL USES ONLY. ANY OTHER USE WILL FORFEIT AND RELINQUISH THAT ACCESS.
20. ALL PRIVATE IMPROVEMENTS SHALL BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION.
21. THE DEVELOPER AGREES TO COMPLY WITH THE DESIGN STANDARDS AS IDENTIFIED IN THE LAND SUBDIVISION ORDINANCE FOR EROSION CONTROL AND SEDIMENTATION DURING AND AFTER LAND PREPARATION.
22. THE CONNECTION BETWEEN WEST MASEK DRIVE AND NW 23RD STREET SHALL BE DEDICATED AT THE TIME OF OUTLOT 'B' IS FURTHER PLATTED FOR RESIDENTIAL DEVELOPMENT. EXACT LOCATION TO BE DETERMINED AT THAT TIME.

REQUESTED WAIVERS

1. THE 3:1 DEPTH TO WIDTH RATIO. (COUNTY SUBDIVISION REGULATIONS, CHAPTER 4, SECTION 4.08d)
2. LOT WIDTH. (COUNTY SUBDIVISION REGULATIONS, CHAPTER 4, SECTION 4.08c) (COUNTY ZONING REGULATIONS, ARTICLE 5, SECTION 5.015a)

DEVELOPER/OWNER:

TYROL & KIT EHLERS
2385 W. MILL ROAD
RAYMOND, NE 68428
(402) 429-3979

PETITIONER:

E & A CONSULTING GROUP, INC.
701 O STREET, SUITE 400
LINCOLN, NE 68508
(402) 420-7217

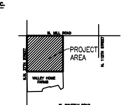
DENSITY CALCULATION:

BOUNDARY ACREAGE –	161.85 AC.
25% BONUS	+40.46 AC.
	202.31 AC./20.00 AC.
	= 10.11 UNITS
	10 UNITS

CURVE DATA:

(A) R = 300.00' Δ = 60°53'44" T = 176.35' L = 318.85' ChDist = 304.05' ChBrg = N58°40'14"E

(B) R = 300.00' Δ = 58°16'42" T = 167.25' L = 305.14' ChDist = 292.16' ChBrg = N57°22'43"E



VICINITY MAP
SCALE: NONE

E & A CONSULTING GROUP, INC.
Engineering • Planning • Environmental & Field Services
701 O Street, Suite 400 Lincoln, NE 68508
Phone: 402.420.7217 Fax: 402.420.7218
www.eacg.com

E & A CONSULTING GROUP, INC.
Engineering Answers

MASEK'S FIRST ADDITION
COMMUNITY UNIT PLAN
COUNTY SPECIAL PERMIT #04041A
LANCASTER COUNTY, NEBRASKA

SITE PLAN

Revisions	
Date	Description

Proj No:	2022.215.001
Date:	08/23/2022
Designed By:	MLK
Drawn By:	MLK
Scale:	1" = 100'
Sheet:	1 of 2

E & A CONSULTING GROUP, INC.
Engineering Answers

701 O Street, Suite 400 • Lincoln, NE 68508-1433
P 402.420.7217
www.eacg.com

August 23, 2022

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

RE: Masek's First Addition – County Community Unit Plan
Special Permit 04041A
E & A File: P2022.215.001

Dear Mr. Cary,

On behalf of Tyrol and Kit Ehlers, we are submitting an amendment to the existing County Community Unit Plan of Masek's First Addition Special Permit 04041 for review. The boundary and acreage of the development remains as previously approved with 161.85 acres. However, with the modification of the density bonus within the county, the number of dwelling units can be increased from 9 units to 10 units. Currently, a related final plat of Masek's 2nd Addition is under review which conforms with this application.

This application is proposing that additional dwelling unit This application is proposing to include 10 single family acreage lots, which contain a minimum of 3 acres, and 2 outlots that will continue with agricultural uses. The additional dwelling unit being proposed is shown at the west end of West Masek Drive adjacent to NW 27th Street (Lot 1, Block 3). Each lot has or shall have individual water wells and septic systems.

The existing waivers previously approved shall remain with this application and include: sidewalks, street trees, street lighting, landscape screening, block length and connecting to an existing platted street (N.W. 23rd Street). The following additional waivers are being requested at this time:

1. The 3:1 depth to width ratio. (County Subdivision Regulations, Chapter 4, Section 4.08d)
   The proposed lot is shown within the open space between an existing residential lot and NW 27th Street. The space is narrow but does allow adequate space for a single-family residence. A building envelope has been shown at the south portion of the lot adjacent to West Masek Drive. The north line of the proposed lot matches the existing lots to the east.
2. Lot width. (County Subdivision Regulations, Chapter 4, Section 4.08c) & (County Zoning Regulations, Article 5, Section 5.015a)
   Although the width of the proposed lot does not meet the lot width requirement, there is ample buildable width to place a residential home. The placement of the additional lot utilizes the frontage to an existing street and simplifies the configuration of the farming property.

Existing drainage flows through the development, however, does not encroach within the proposed acreage lots. A proposed drainage easement has been shown centered on the existing drainage way within Outlot B.

If you have any questions regarding the application, please contact me at 402-420-7217 or by email at mkinning@eacg.com.

Sincerely,
E & A Consulting Group, Inc.

Marcia L. Kinning
Cc: Ty Ehlers
Enclosed: Application Form Application Fee of $1,173.00 Legal Description Waiver List

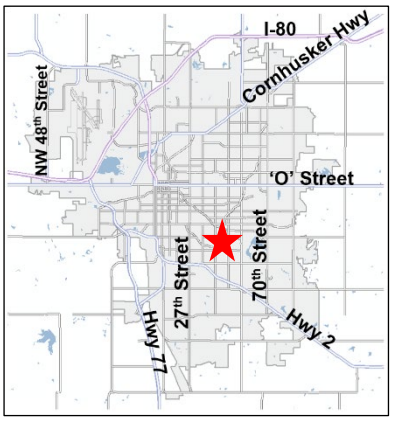
LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT

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

APPLICATION NUMBER	FINAL ACTION?	DEVELOPER/OWNER
Special Permit #22030	Yes	Bryan & Jennifer Thomas
PLANNING COMMISSION HEARING DATE	**RELATED APPLICATIONS**	**PROPERTY ADDRESS/LOCATION**
September 21, 2022	None	6250 S. 112th St.

RECOMMENDATION: CONDITIONAL APPROVAL

BRIEF SUMMARY OF REQUEST
A request per Section 27.63.280 for Expansion of Nonconforming and Nonstandard Use to accommodate a front entry addition for a single-family home. The front entry is within the front yard setback.



JUSTIFICATION FOR RECOMMENDATION
The nonconforming condition is caused by the existing house within the front yard setback. The addition, although in the front yard setback, is setback further than the existing house.

APPLICATION CONTACT
Mike Eckert, Civil Design Group
meckert@civildg.com

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

COMPATIBILITY WITH THE COMPREHENSIVE PLAN
The Comprehensive Plan encourages maintaining appropriate density and a variety of housing types. This proposal permits the expansion of an existing house.

WAIVERS

1. Reduction of the front yard from 50' to 20' for the front entry addition. (Recommend Approval)

Introduction Section: Growth Framework

Figure GF.b: 2050 - This site is shown as future urban residential on the 2050 Future Land Use Plan.

Land Use Plan –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.

Elements Section

E1: Complete Neighborhoods and Housing

Existing Neighborhoods
The diversity of architecture, housing types and sizes are central to what make existing neighborhoods great places to live. New construction should continue the architectural variety, but in a manner that is sensitive to the existing neighborhoods.

P2: Existing Neighborhoods - Continue our commitment to strong, diverse, and complete neighborhoods.

Action Steps
6. Promote the continued use of residential dwellings and all types of buildings, to maintain the character of neighborhoods and to preserve portions of our past. Building code requirements for the rehabilitation of existing buildings should protect the safety of building occupants, while recognizing the need for flexibility that comes with rehabilitating existing buildings.

ANALYSIS

1. This is an application to allow a front entry addition to an existing single-family home. The new front entry/foyer will replace an existing concrete front porch and steps. The existing house is non-conforming because it is within the front yard setback. The property is located on S. 112th St. south of Old Cheney Rd.

2. The special permit is needed due to the front entry being within the front yard setback. In the AG district the front yard setback is the lesser of 50 feet from the lot line or 80 feet from the center of the street. In this case the setback is 80 feet from the center of the street, which establishes a setback of 30 feet from the lot line. The house is 64.9 feet from the center of the street.

3. The proposed front entry would be setback approximately 20 feet from the lot line or 70 feet from the center of the street. The addition will be set back further from the lot line than the house. The front entry is approximately 92 square feet.

4. A nonstandard use is defined by LMC §27.02.150 as a lot or use that existed prior to the effective date of the zoning ordinance or due to a change in the zoning ordinance or district boundaries and no longer complies with the minimum requirements for the district in which it is located. This house was built in 1978 and became nonstandard when the City adopted revised zoning regulations in 1979.

5. S.112th St. has a building line district. A building line district establishes areas where no building, sign, or parking is allowed that may exceed the setbacks per the district. For this parcel the building line district is 50 feet from center line of the street, which is the same as the right-of-way width. The setback is measured form the building line district/lot line. The front yard setback is 30 feet from the front lot line, since that is 80 feet from the centerline.

6. LMC §27.63.280 provides the following criteria shall be given specific consideration:

   (a) Effects on adjacent property, traffic, city utility service needs;

There will be no significant impact. The addition will setback further than the house.

(b) Density of land use zoning for the subject property and adjacent property;

There will be no significant impact. No additional buildings or dwellings are proposed with this application. All current building codes would apply with the proposed addition.

(c) The degree of hardship upon the applicant which would be caused by failure to grant.

This addition would allow for a new front entry on an existing home. If the special permit were not approved, the property owner could not proceed with the improvements as proposed.

CONDITIONS OF APPROVAL: See attached.

EXISTING LAND USE & ZONING: Single family dwelling; AG-Agriculture

SURROUNDING LAND USE & ZONING:

North:	Acreage lots and farm ground	AGR Agriculture Residential and AG Agriculture
South:	Acreage lots	AGR Agriculture Residential
East:	Acreage lots	AGR Agriculture Residential
West:	Acreage lots and farm ground	AGR Agriculture Residential and AG Agriculture

APPROXIMATE LAND AREA: 2.51 acres, more or less

LEGAL DESCRIPTION: Lot 15 I.T. located in Section 18-9-8, Lancaster County, Nebraska.

Prepared by

_____
Tom Cajka, Planner

Date: September 6, 2022

Applicant/Owner: Bryan and Jennifer Thomas
6250 S. 112th St.
Walton, NE 68461
402-202-4887
Cthomas.atthomas@gmail.com

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

CONDITIONS OF APPROVAL – SPECIAL PERMIT #22030

Per Section 27.63.280 this approval permits the expansion of the existing single-family home, with waivers to reduce the front yard to 20 feet for the front entry addition.

Site Specific Conditions:

1. Before receiving building permits the permittee shall cause to be prepared and submitted to the Planning Department a revised and reproducible final plot plan including **2** copies.

    1.1 Add the special permit number after Special Permit

    1.2 Add a note, "The front yard setback is reduced to 20 feet for the front entry addition."

Standard Conditions:

2. The following conditions are applicable to all requests:

    2.1 Before occupying the buildings all development and construction shall substantially comply with the approved plans.

    2.2 The physical location of all setbacks and yards, buildings, parking and circulation elements, and similar matters be in substantial compliance with the location of said items as shown on the approved site plan.

    2.3 The terms, conditions, and requirements of this resolution shall run with the land and be binding upon the Permittee, its successors and assigns.

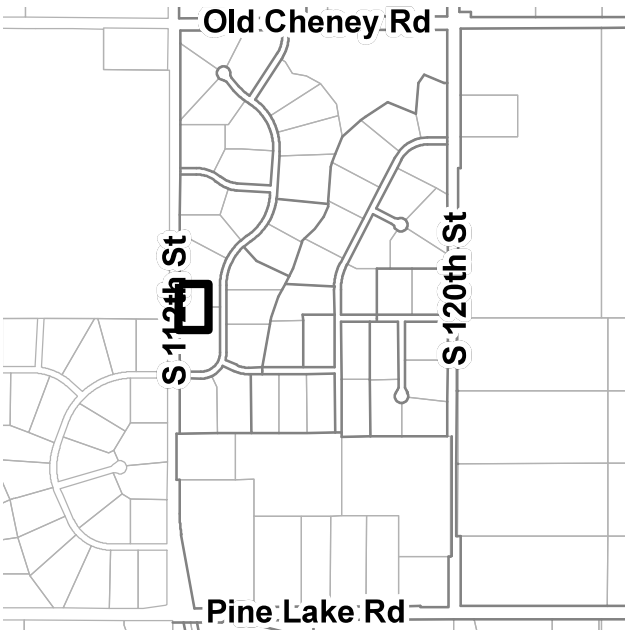
    2.4 The applicant shall sign and return the letter of acceptance to the City Clerk. This step should be completed within 60 days following the approval of the special permit. The City Clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, 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.

2020 aerial

Special Permit #: SP22030
S 112th St & Old Cheney Rd

N
W E
S

One Square Mile:
Sec.18 T09N R08E



Zoning:

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

Area of Application

Zoning Jurisdiction Lines

Lancaster County Jurisdiction

PDF: F:\Boards\PC\Internet\out\

File: C:\GIS\Projects\DevelopmentReview\AgendaDrawings\mxd\Agendadrawings.mxd (SP22030)

LOT 2, BLOCK 4
WHISPERING CREEK ADDITION
(NOT PART OF SPECIAL PERMIT)

50'

S89°56'19"E
263.93' R&M

15' SIDE YARD SETBACK

80' FRONT YARD SETBACK

GAS WARNING POST

CLOSET ADDITION

WATER METER

PROPANE TANK

AC UNIT

TEL PED

FIBER VAULT

GAS METER

(6250)

14.9'

21.1'

FRONT ENTRY ADDITION

EXISTING HOUSE

SEPTIC?

S 112TH ST

N00°02'19"E
315.56' R&M

GARAGE ADDITION

TEL PED

ROCK DRIVE

LOT 15
SEC. 18, T9N, R8E
2.51± Ac.

EXISTING BARN

EXISTING SHOP

80' FRONT YARD SETBACK

EXISTING BARN

414.85' R&M
S00°03'42"W

50'

100' REAR YARD SETBACK

N00°05'21"E
99.26' R&M

15' SIDE YARD SETBACK

50'

263.85' R&M
N89°55'57"W

LEGEND

- ● = FD. 3/4" REBAR
- M = MEASURED DISTANCE
- R = RECORD DISTANCE
  AA-33148

LOT 1, BLOCK 4
WHISPERING CREEK ADDITION
(NOT PART OF SPECIAL PERMIT)

Scale: 1"=40'

DWG: F:\Projects\2022\20220035\Landplanning\Base\2022-0035 Special Permit.dwg USER: Jill
DATE: Aug 23, 2022 11:21am XREFS:

drawn by:	jds
checked by:	-
project no.:	2022-0035
date:	08/23/2022

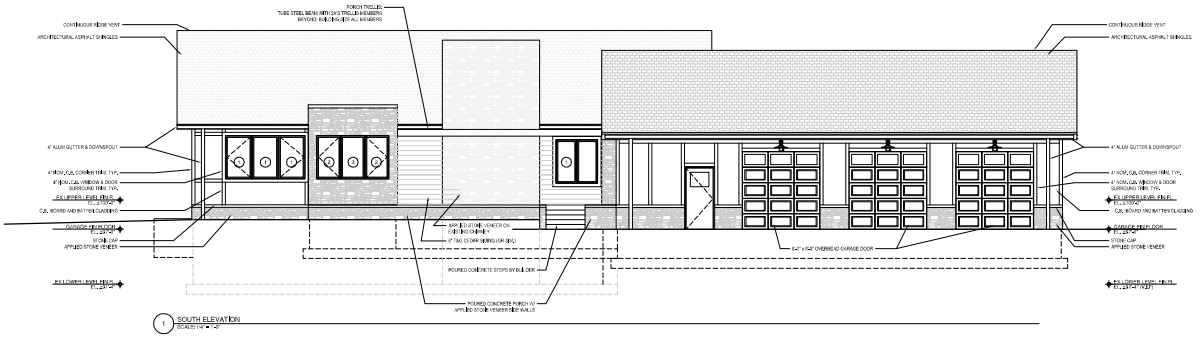
SITE PLAN - SPECIAL PERMIT
6250 S. 112TH STREET
LINCOLN, NEBRASKA

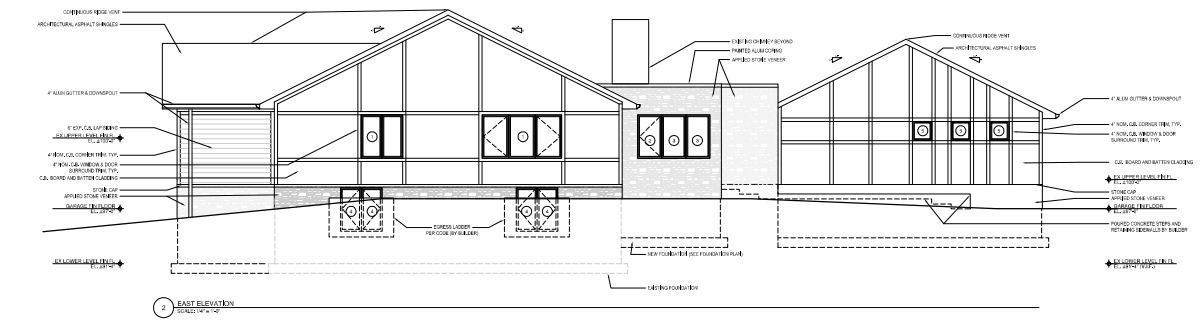
Civil Design Group, Inc.
8535 EXECUTIVE WOODS, DR., SUITE 200
Lincoln, Nebraska 68512
Ph. 402-434-8494 Fax 866-215-8747
www.civildg.com

CONSULTING ENGINEERS●LAND USE PLANNERS
CIVIL DESIGN●SITE DEVELOPMENT●PLANNING AND ZONING

EXHIBIT

1





DOOR & WINDOW SCHEDULE (SEE PLAN & ELEVATIONS FOR LOCATION)

NO.	DESCRIPTION	WIDTH	HEIGHT	ROUGH WIDTH	ROUGH HEIGHT	NOTES
WINDOWS						
1	CASEMENT	1'-11"	4'-8"	1'-11 1/4"	4'-8 3/4"	EXISTING WINDOW OPENINGS TO BE VERIFIED FOR WINDOW SELECTION BY BUILDER
2	CASEMENT	3'-0"	4'-8"	3'-0 1/4"	4'-8 3/4"	BASIS OF DESIGN = PELLA LIFESTYLE
3	FIXED	3'-0"	1'-6"	3'-0 1/4"	1'-6 1/4"	BASIS OF DESIGN = PELLA LIFESTYLE
4	CASEMENT	2'-0"	4'-8"	2'-0 1/4"	4'-8 3/4"	WINDOW IS MOTOR, TEMPERED GLASS
5	FIXED	1'-4 1/2"	1'-4 1/2"	1'-4 3/4"	1'-4 3/4"	
6	FIXED	2'-0"	1'-4 1/2"	2'-0 1/4"	1'-4 3/4"	
7	FIXED	1'-0"	6'-0"	1'-0 3/4"	6'-0 3/4"	SIDELITE, TEMPERED GLASS

CADRE
ARCHITECTURE + DESIGN

Codie A.I.D. — Architect

Project Status
Issue Date
SCHEMATIC DESIGN 04.11.2022
PERMIT SET 05.02.2022

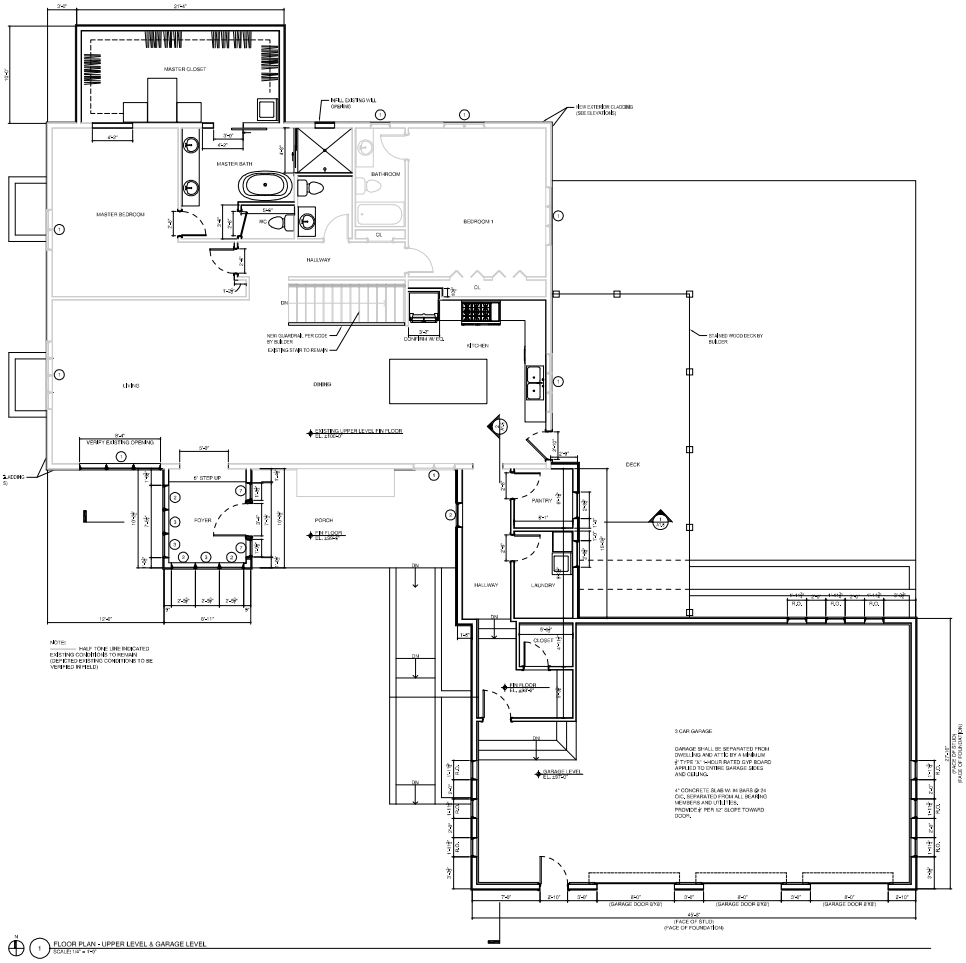
THOMAS RESIDENCE
RENOVATION / ADDITION
0325 S. 1121 E STREET
LAYTON, UT 84041

22-110

BUILDING ELEVATIONS

A1.1

05.04.2022



1 FLOOR PLAN - UPPER LEVEL & GARAGE LEVEL
SCALE: 1/4" = 1'-0"

CADRE
ARCHITECTURE + DESIGN

Architect

Project Status
Issue Date
SCHEMATIC DESIGN 04.11.2022
PERMIT SET 05.02.2022

THOMAS RESIDENCE
RENOVATION / ADDITION

22-110

UPPER LEVEL FLOOR PLAN

A1.3

05.04.2022

Civil Design Group, Inc.

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

August 23, 2022

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

Re: Special Permit Application for an Expansion of Nonconforming and Nonstandard Uses located at 6250 S. 112th Street, Lancaster County. CDG Project 2022-0035.

Dear Mr. Cary:

On behalf of Bryan & Jennifer Thomas, we submit the enclosed application for an Expansion of Nonconforming and Nonstandard Uses located at 6250 S. 112th Street in Lancaster County. The special permit will all allow them to put a new front entry addition on the existing house within the front yard setback. We request to adjust the front yard setback to be 20 feet for the new front front entry addition.

With this application we submit the following items:

Application for a Special Permit for an Expansion of Nonconforming and Nonstandard Uses
Special Permit Fee of $1,005.00
Site plan

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

Sincerely,

Mike Eckert GDS

Mike Eckert, AICP

cc: Chris Thomas
Daniel Siedhoff

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	FINAL ACTION?	APPLICANT
Comprehensive Plan Amendment #22005 Comprehensive Watershed Master Plan	No	Lincoln Transportation and Utilities – Watershed Management / Lower Platte South Natural Resources District
PLANNING COMMISSION HEARING DATE	**RELATED APPLICATIONS**	**PROPERTY ADDRESS/LOCATION**
September 21, 2022	None	Lincoln and surrounding growth areas

RECOMMENDATION: APPROVAL

BRIEF SUMMARY OF REQUEST

Proposal to amend the 2050 Lincoln-Lancaster County Comprehensive Plan to add the Comprehensive Watershed Master Plan. The Comprehensive Watershed Master Plan will replace the 14 separate watershed master plans currently referenced in the Comprehensive Plan.

The draft Comprehensive Watershed Master Plan is available for review at:
https://www.lincoln.ne.gov/City/Departments/LTU/LTU-Projects/WSM/Comprehensive-Watershed-Master-Plan

JUSTIFICATION FOR RECOMMENDATION

Formal adoption of the Comprehensive Watershed Master Plan and inclusion into the Comprehensive Plan by reference follows the established procedure for approving watershed plans.

Adopting watershed master plans into the Comprehensive Plan allows for projects and recommendations in the watershed plans to be considered during the review of specific development proposals. Watershed master plans also provide guidance in the preparation of future capital improvement projects.

APPLICATION CONTACT

Tim Zach
Public Works & Utilities – Watershed Management, (402) 441-7018
tzach@lincoln.ne.gov

STAFF CONTACT

Andrew Thierolf, (402) 441-6371
athierolf@lincoln.ne.gov

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The importance of watershed planning is discussed throughout the Comprehensive Plan. Element 8 and Policy 55 specifically mention the creation of a Comprehensive Watershed Master Plan to unify the separate watershed plans currently in use.

KEY QUOTES FROM THE 2050 COMPREHENSIVE PLAN

Element 8: Energy & Utilities

Watershed Management

Comprehensive Watershed Management

The City of Lincoln Watershed Management program combines previously separate floodplain and stormwater management initiatives. This approach recognizes that floodplains, tributaries, and upland areas are all part of a comprehensive, integrated watershed system. A comprehensive approach to watershed planning is crucial as development expands into new basins around the Lincoln city limits and as redevelopment occurs within the existing urban area. A comprehensive watershed management program needs to incorporate a range of strategies including land use planning, conservation design for new subdivisions, conservation efforts, appropriate standards for floodplains and stormwater, flood warning system development/expansion, stream stabilization, stormwater storage basins, and other structural flood control efforts.

As part of the overall watershed management program, the City, in cooperation with the LPSNRD, is developing a unified master watershed management plan. This plan will be a compendium of previously approved Watershed Master Plan Studies and is to be used as a planning tool to be referenced in conjunction with proposed developments and as a guide in the preparation of future capital improvement projects. Individual Watershed Plans for several watersheds in Lincoln and the surrounding area have already been completed and are adopted as subarea plans in this document (see Implementation section). These plans evaluate and propose projects to address a wide range of water resources, and they are formulated in cooperation with other local, state and federal agencies. Ideally, additional watershed plans are completed and adopted prior to urban development occurring within a new basin. This allows projects and recommendations in the plan to be considered during the review of specific development proposals.

Policy 55: Watershed Planning

Continue comprehensive watershed management planning efforts to address both new growth and redevelopment within the existing city.

The City of Lincoln Watershed Management program combines previously separate floodplain and stormwater management initiatives. This approach recognizes that floodplains, tributaries, and upland areas are all part of a comprehensive, integrated watershed system. A comprehensive approach to watershed planning is crucial as development expands into new basins around the Lincoln city limits and as redevelopment occurs within the existing urban area. A comprehensive watershed management program needs to incorporate a range of strategies including land use planning, conservation design for new subdivisions, conservation efforts, appropriate standards for floodplains and stormwater, flood warning system development/expansion, stream stabilization, stormwater storage basins, and other structural flood control efforts.

1. Develop and utilize watershed plans during the review and evaluation of proposed developments and as a guide in the preparation of future capital improvement projects.
2. Unify individual plans into a Comprehensive Watershed Management Master Plan for Lincoln and future growth areas.
3. Seek broad public participation in the location and design of specific watershed management projects, and evaluate the relative benefits as they relate to flood hazard reduction, water quality, channel integrity, natural character, bridges, culverts, and existing public and private structures.
4. Consider the creation of a stormwater utility to provide for a steady revenue source to address the growing needs of the stormwater and watershed management system.
5. Continue to designate stormwater bond dollars to flood control, streambank stabilization, erosion, and sediment control projects, until a new funding source becomes available.
6. Continue implementing green infrastructure strategies such as rain gardens, bioswales and permeable pavement to reduce stormwater runoff. Expand guidance/resources, incentives, and implementation.

ANALYSIS

1. This is a proposal to amend the 2050 Lincoln-Lancaster County Comprehensive Plan to add the Comprehensive Watershed Master Plan. The Comprehensive Watershed Master Plan will replace the 14 separate watershed master plans currently referenced in the Comprehensive Plan.
2. Element 8 and Policy 55 of the Comprehensive Plan specifically support the development of a Comprehensive Watershed Master Plan.
3. Between 2000 and 2018 the City of Lincoln and Lower Platte South Natural Resources District (NRD) developed watershed master plans for all watersheds in the City of Lincoln and its future growth areas, including portions of Lancaster County. The plans for these 14 watersheds have been used to identify and evaluate watershed management projects and recommendations consistent with City and NRD priorities. The watershed master plans focus on the City and NRD mission and watershed management focus areas, including flood risk reduction (water quantity), stream stability, and water quality.
4. The 14 watershed master plans resulted in the identification of 209 watershed management projects to be implemented as part of the City of Lincoln Capital Improvement Program (CIP). Since 2000, 60 projects have been completed, 106 remain proposed, and the remaining have either been combined or were determined to be no longer necessary. The total value of completed projects to date is $23 million (in 2021 dollars).
5. The proposed Comprehensive Watershed Master Plan provides a unified list of prioritized projects to be implemented with the Watershed Management CIP. The Plan also includes a review of selected watershed management activities to support implementation of CIP projects. The list of proposed projects is included in the attached Executive Summary.
6. A Technical Advisory Committee (TAC) of city and agency staff and partners was created to aid with development of the plan. In addition, there was an open house on August 9th that was attended by 21 members of the public.
7. The Comprehensive Watershed Master Plan will be at the Lower Platte South NRD Board of Directors meeting on September 14 for review and action.

PROPOSED AMENDMENTS:
Amend the 2050 Lincoln-Lancaster County Comprehensive Plan as follows:

E8: Energy & Utilities, Watershed Management

Comprehensive Watershed Management
As part of the overall watershed management program, the City, in cooperation with the LPSNRD, ~~is developing~~ has developed a unified master watershed management plan. This plan is ~~will be~~ a compendium of previously approved Watershed Master Plan Studies and is to be used as a planning tool to be referenced in conjunction with proposed developments and as a guide in the preparation of future capital improvement projects. ~~Individual Watershed Plans for several watersheds in Lincoln and the surrounding area have already been completed and are adopted as subarea plans in this document (see Implementation section). These plans evaluate and propose~~ The Comprehensive Watershed Master Plan evaluates and proposes projects to address a wide range of water resources, and ~~they are~~ is formulated in cooperation with other local, state and federal agencies. ~~Ideally, additional watershed plans are completed and adopted prior to urban development occurring within a new basin. This allows projects and recommendations in the plan to be considered during the review of specific development proposals.~~

Implementation Section, On-Going Comprehensive Plan Activities

Subarea plans considered part of this Comprehensive Plan include:

- Wilderness Park Subarea Plan; February 2000
- NRGIS Greenprint Challenge, August 2001
- City of Lincoln Strategic Plan for HUD Entitlement Programs; FY 2013-2017, Urban Development
- Lincoln Water System Facilities Master Plan; June 2014
- Lincoln Wastewater Facilities Master Plan; November 2015
- Comprehensive Watershed Master Plan; (adoption date)

~~Watershed Master Plans:~~

- ~~Beal Slough Stormwater Master Plan, May, 2000~~
- ~~Southeast Upper Salt Creek Watershed Stormwater Master Plan, 2003~~
- ~~Stevens Creek Watershed Master Plan, 2005~~
- ~~Cardwell Branch Watershed Master Plan, 2007~~
- ~~Deadmans Run Watershed Master Plan, 2007~~
- ~~Little Salt Creek Watershed Master Plan, 2009~~
- ~~Antelope Creek Watershed Basin Management Plan, 2012~~
- ~~South Salt Creek Watershed Master Plan, 2014~~
- ~~Haines Branch Watershed Master Plan, 2014~~
- ~~Middle Creek Watershed Master Plan, 2014~~
- ~~Upper Wagon Train Watershed Master Plan, 2017~~
- ~~Lynn Creek Watershed Master Plan, 2018~~
- ~~North Salt Creek Watershed Master Plan, 2018~~
- ~~Oak Creek Watershed Master Plan, 2018~~

Prepared by

_____
Andrew Thierolf, AICP
Planner

September 12, 2022

Applicant: City of Lincoln Public Works & Utilities Department – Watershed Management
Lower Platte South Natural Resources District (NRD)

Contact: Tim Zach
Transportation and Utilities Department – Watershed Management
555 S 10th Street, Suite 203
Lincoln, NE 68508

EXECUTIVE SUMMARY

Between 2000 and 2018, the City of Lincoln (City) and the Lower Platte South Natural Resources District (NRD) developed Watershed Master Plans for all watersheds in the City of Lincoln and its future growth areas, including portions of Lancaster County where applicable. An overview of previously master planned areas is shown on Figure ES-1; collectively these represent over 200,000 acres of master planned watershed area within the City of Lincoln and Lancaster County. The plans for these 14 watersheds have been used to identify and evaluate watershed management projects and recommendations consistent with City and NRD priorities. The Watershed Master Plans focus on the City and NRD mission and watershed management focus areas, including flood risk reduction (water quantity), stream stability, and water quality. As a result of these evaluations, the City and NRD have developed a capital improvement project (CIP) program, which is being implemented on an ongoing basis.

The 14 Watershed Master Plans resulted in identification of 209 watershed management CIPs. Since 2000, 60 projects have been completed, 106 remain proposed and the remaining have either been combined or were determined to no longer be necessary. The total value of completed projects to date is $23.0 Million (2021 Dollars). A summary of completed projects by type is included in Table ES-1.

As the number of projects increased with each plan, there became a need to prioritize them based on funding availability and other technical considerations. In 2006 a prioritization methodology was developed, which helped inform project implementation. The prioritization methodology was updated as part of this project and was applied to the remaining projects. This Comprehensive Watershed Master Plan (Plan) focuses on an updated CIP prioritization to support ongoing watershed management priorities and implementation of proposed CIPs.

To support discussions regarding prioritization approach revisions, a Technical Advisory Committee (TAC) was created for the Plan development process. Two meetings with the TAC were held to discuss the various scope tasks, with a focus on the prioritization methodology and project scoring. Existing methodology considerations, as well as those preliminarily discussed within the Plan update process were presented to the group with feedback requested. In addition to the TAC collaboration, a public meeting was held to discuss the planning efforts and project updates, as well as provide an opportunity for the public to provide comment.

The CIP and prioritization review process included the 106 remaining proposed projects. The conceptual costs for each project were updated to reflect 2021 dollars at the time of evaluation. This update was completed based on inflation factors and actual project costs since the original plans. Note, an increase in inflation rates during 2022, and beyond, may impact actual costs.

Table ES- 1 Completed and Proposed Watershed Master Plan Projects

Project Status	Project Type	# of Projects	Cost (2021 Dollars)
Completed	Flood Risk Reduction	15	$4,700,000
	Stream Stability	27	$14,100,000
	Water Quality	18	$4,200,000
	TOTAL	**60**	**$23,000,000**
Proposed	Flood Risk Reduction	5	$19,400,000
	Stream Stability	90	$26,000,000
	Water Quality	10	$1,700,000
	Miscellaneous	1	$80,000
	TOTAL	**106**	**$47,180,000**

A summary of the current proposed projects is provided on Figure ES-1 and in Table ES-2.

The Plan also included a review of selected watershed management activities that support CIP implementation. This review focused on the following items which are integral to the ongoing watershed management approach for the City.

1. Hydrologic and hydraulic analyses – review of best available data and conceptual assessment of how the effective data supports watershed management.
2. Minimum Flood Corridor (MFC) – application and evaluation of MFC mapping impacts based on proposed policies.
3. Stream restoration, including grade control – evaluation of stream management policy and approach recommendations to support effective long term stream corridor management, enhancement, and restoration to promote a sustainability policy rather than reactive projects.
4. NFIP Community Rating System (CRS) – evaluation of additional points opportunities to maintain or improve the City's CRS class, with a focus on activities related to stormwater management.

Summary recommendations were developed regarding CIP Implementation and Watershed Management Activities based on these evaluations. Each recommendation was assigned a relative priority and recommended implementation timeline as described below. The recommendations are summarized in Table ES-3.

Priority is defined as:

1. High – this is a critical action fundamental to maintaining or improving the watershed management programs of the City and NRD.
2. Moderate – this action is beneficial to improving watershed management programs of the City and NRD.
3. Low – this action is beneficial but not of immediate implementation importance.

Timeline is defined as:

1. Short Term – implementation should begin or be completed over the next two years.
2. Mid-Term – implementation should begin or be completed within five years.
3. Long-Term – implementation should begin or be completed within ten years.

For certain recommendations, implementation timelines may be multi-phased due to the scope of the recommendation.

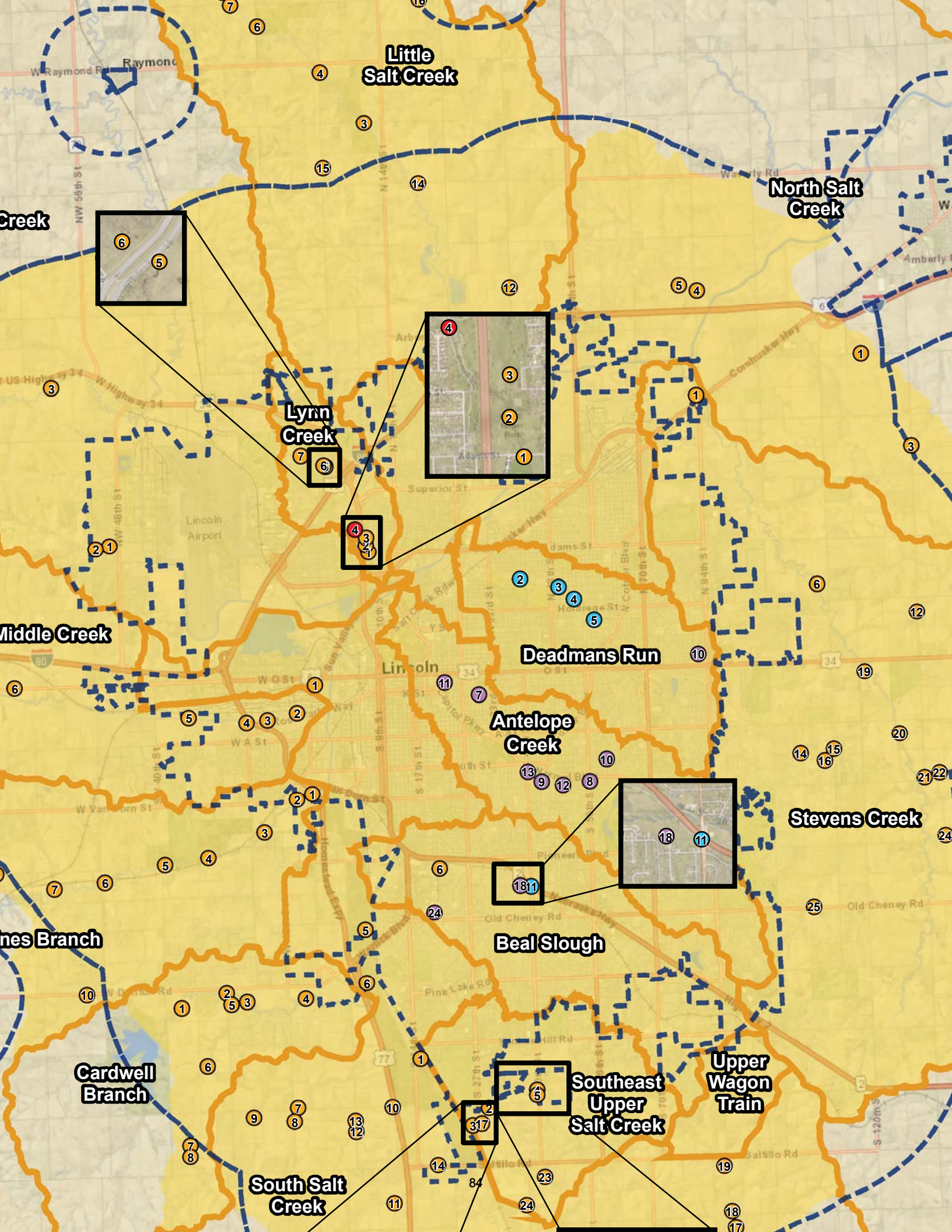

Little Salt Creek
North Salt Creek
Lynn Creek
Middle Creek
Deadmans Run
Antelope Creek
Stevens Creek
Beal Slough
Cardwell Branch
Southeast Upper Salt Creek
Upper Wagon Train
South Salt Creek
Lincoln
Raymond
Lincoln Airport

Table ES-2 - Proposed Project Summary

Project ID	Watershed	Project Type	Project Location	Project Description	Original Cost	2021 Updated Cost*
AC-7	Antelope Creek - March 2012	WQ	Woods Park (West of 33rd St. & J St.)	Bioretention & Hydrodynamic Separators	$ 250,000	$ 291,192
AC-8	Antelope Creek - March 2012	WQ	Gere Library (SE of 56th St. & Normal Blvd.)	Bioretention & Hydrodynamic Separators	$ 95,000	$ 110,653
AC-9	Antelope Creek - March 2012	WQ	Eden Park (North of 44th St. & Antelope Creek Rd.)	Bioretention	$ 45,000	$ 52,414
AC-10	Antelope Creek - March 2012	WQ	NW of 60th St. & South St.	Detention Cell Retrofit	$ 45,000	$ 52,414
AC-11	Antelope Creek - March 2012	WQ	SW of 24th St. & N St.	Antelope Creek Labyrinth Weir Water Quality	$ 625,000	$ 727,979
AC-12	Antelope Creek - March 2012	WQ	Van Dorn Plaza & US Post Office (North of 48th St. & Van Dorn St.)	Bioretention	$ 65,000	$ 75,710
AC-13	Antelope Creek - March 2012	WQ	SE of 40th St. & Normal Blvd.	Bioretention & Hydrodynamic Separators	$ 125,000	$ 145,596
BS-6	Beal Slough - May 2000	SS	South of Hwy 2 East & West of Southwood Dr.	Channel Stabilization & Grade Controls	$ 300,000	$ 442,889
BS-11	Beal Slough - May 2000	FC	40th St. north of Hwy 2	Construct Culvert	$ 1,800,000	$ 2,657,334
BS-18	Beal Slough - May 2000	WQ	Tierra Park: SW of 40th St. & Hwy 2	Wetland Construction	$ 50,000	$ 73,815
BS-24	Beal Slough - May 2000	WQ	SW of 20th St. & King Arthur Ct.	Wetland Construction	$ 70,000	$ 103,341
CB-1	Cardwell Branch - September 2007	SS	SE of W. 40th St. & Denton Rd.	Grade Controls	$ 229,000	$ 290,744
CB-2	Cardwell Branch - September 2007	SS	W. 27th St. South of Denton Rd.	Stepped Grade Controls	$ 350,000	$ 444,368
CB-3	Cardwell Branch - September 2007	SS	North of Cardwell Cir. Cul-de-sac	Grade Controls	$ 276,000	$ 350,416
CB-4	Cardwell Branch - September 2007	SS	SE of W. 12th St. & Denton Rd.	Grade Controls	$ 704,000	$ 893,815
CB-5	Cardwell Branch - September 2007	SS	NE of W. 27th St. & Cardwell Rd.	Grade Controls	$ 238,000	$ 302,170
CB-6	Cardwell Branch - September 2007	SS	NW of W. 27th St. & Rokeby Rd.	Grade Controls	$ 891,000	$ 1,131,234
CB-7	Cardwell Branch - September 2007	SS	NE of W. 40th St. & Saltillo Rd.	Grade Controls	$ 217,000	$ 275,508
CB-8	Cardwell Branch - September 2007	SS	NE of W. 40th St. & Saltillo Rd.	Grade Controls	$ 227,000	$ 288,204
DR-2	Deadmans Run - December 2007	FC	South of Huntington Ave./ Leighton Ave. from 33rd St. to 48th St.	Channel Widening	N/A	N/A
DR-3	Deadmans Run - December 2007	FC	North of Francis St. from 48th St. to 52nd St.	Channel Widening & Bridge Replacements	$ 2,474,000	$ 3,141,047
DR-4	Deadmans Run - December 2007	FC	SE of 52nd St. & Francis St. to NW of 56th St. & Holdrege St.	Channel Widening & Bridge Replacements	$ 7,764,000	$ 9,857,353
DR-5	Deadmans Run - December 2007	FC	Lincoln Lutheran Middle/High School (NE of 56th St. & Mopac Trail)	Dry Detention Construction	$ 2,932,000	$ 3,722,535
DR-10	Deadmans Run - December 2007	WQ	SW of Trail Ridge Rd. & Russwood Blvd.	Detention Pond Retrofit for Water Quality	$ 35,000	$ 44,437
HB-1	Haines Branch - January 2015	SS	East of Folsom St. south of Van Dorn St.	Grade Control & Outlet Protection	$ 195,000	$ 215,505
HB-2	Haines Branch - January 2015	SS	SW of Van Dorn St. & Folsom St.	Bank Stabilization & Grade Controls	$ 480,000	$ 530,473
HB-3	Haines Branch - January 2015	SS	West of W. 16th St. & Calvert St.	Grade Control	$ 124,000	$ 137,039

*Costs are adjusted to 2021 dollars based on inflation since the original master plan was completed

Table ES-2 - Proposed Project Summary

Project ID	Watershed	Project Type	Project Location	Project Description	Original Cost	2021 Updated Cost*
HB-4	Haines Branch - January 2015	SS	South of Pioneers Park	Grade Control	$ 167,000	$ 184,560
HB-5	Haines Branch - January 2015	SS	South of Pioneers Park Nature Center	Bank Stabilization & Grade Control	$ 186,000	$ 205,558
HB-6	Haines Branch - January 2015	SS	NE of W. 56th St. & Claire Ave.	Grade Controls	$ 150,000	$ 165,773
HB-7	Haines Branch - January 2015	SS	West of W. 56th St. between Pioneers Blvd. & Claire Ave.	Bank Stabilization & Grade Controls	$ 224,000	$ 247,554
HB-8	Haines Branch - January 2015	SS	South of Pioneers Blvd. east of W. 84th St.	Bank Stabilization & Grade Control	$ 145,000	$ 160,247
HB-9	Haines Branch - January 2015	SS	NE of W. 84th St. & Pioneers Blvd.	Grade Controls	$ 276,000	$ 305,022
HB-10	Haines Branch - January 2015	SS	SE of W. 60th St. & Denton Rd.	Bank Stabilization & Grade Controls	$ 173,000	$ 191,191
LS-3	Little Salt Creek - June 2009	SS	South of Mill Rd. West of 14th St.	Grade Control	$ 91,000	$ 111,050
LS-4	Little Salt Creek - June 2009	SS	East of 1st St. South of Raymond Rd.	Grade Control	$ 109,000	$ 133,016
LS-6	Little Salt Creek - June 2009	SS	East of W. 12th St. South of Branched Oak Rd.	Grade Control	$ 91,000	$ 111,050
LS-7	Little Salt Creek - June 2009	SS	South of Branched Oak Rd. East of W. 19th St.	Grade Control	$ 71,000	$ 86,644
LS-8	Little Salt Creek - June 2009	SS	East of W. 19th St. North of Branched Oak Rd.	Grade Control	$ 84,000	$ 102,508
LS-9	Little Salt Creek - June 2009	SS	South of Rock Creek Rd. East of W. 40th St.	Grade Control	$ 78,000	$ 95,186
LS-10	Little Salt Creek - June 2009	SS	South of Agnew Rd. East of W. 40th St.	Grade Control	$ 69,000	$ 84,203
LS-12	Little Salt Creek - June 2009	SS	West of 40th St. north of I-80	Stilling Basin	$ 77,000	$ 93,966
LS-14	Little Salt Creek - June 2009	SS	South of Waverly Rd. West of 27th St.	Stilling Basin	$ 75,000	$ 91,525
LS-15	Little Salt Creek - June 2009	SS	West of 1st St. North of Waverly Rd.	Stilling Basin	$ 85,000	$ 103,728
LS-16	Little Salt Creek - June 2009	SS	South of Branched Oak Rd. West of 27th St.	Stilling Basin	$ 95,000	$ 115,932
LS-17	Little Salt Creek - June 2009	SS	South of Davey Rd. West of 1st St.	Stilling Basin	$ 113,000	$ 137,898
LS-18	Little Salt Creek - June 2009	SS	South of Davey Rd. East of 1st St.	Stilling Basin	$ 86,000	$ 104,949
LC-1	Lynn Creek - May 2018	SS	Roper Park East: Adams St. West of N 9th St.	Grade Control & Armored Plunge Pool	$ 372,000	$ 381,450
LC-2	Lynn Creek - May 2018	SS	Roper Park East: SW of N 9th St. & Knox St.	Grade Control	$ 372,000	$ 386,647
LC-3	Lynn Creek - May 2018	SS	Roper Park East: West of N 9th St. between Manatt St. & Judson St.	Grade Control	$ 246,000	$ 255,686
LC-4	Lynn Creek - May 2018	MISC	Roper Park West: NE of N 4th St. Ct.	Stream Stabilization & Trail Relocation	$ 75,000	$ 77,953
LC-5	Lynn Creek - May 2018	SS	West of NW 1st St. & Barons Rd.	Grade Control & Armored Plunge Pool	$ 129,000	$ 134,079
LC-6	Lynn Creek - May 2018	SS	North of NW 1st St. & Barons Rd.	Grade Control	$ 83,000	$ 86,268
LC-7	Lynn Creek - May 2018	SS	South of W. Harvest Dr. between NW Fairway Dr. & NW 5th St.	Grade Control	$ 353,000	$ 366,899

*Costs are adjusted to 2021 dollars based on inflation since the original master plan was completed

Table ES-2 - Proposed Project Summary

Project ID	Watershed	Project Type	Project Location	Project Description	Original Cost	2021 Updated Cost*
MC-2	Middle Creek - January 2015	SS	NW of Rosa Parks Way & Folsom St.	Grade Control	$ 87,000	$ 96,148
MC-3	Middle Creek - January 2015	SS	North of Rosa Parks Way East of Hwy 77	Pipe Outfall Restoration & Erosion Protection	$ 129,000	$ 142,565
MC-4	Middle Creek - January 2015	SS	NE of Coddington Ave. & Millstone Rd.	Bank Stabilization & Grade Controls	$ 175,000	$ 193,402
MC-5	Middle Creek - January 2015	SS	East of W. 40th St. north of W. A St.	Grade Controls	$ 590,000	$ 652,040
MC-6	Middle Creek - January 2015	SS	South of W. O St. East of W. 84th St.	Bank Stabilization & Stilling Basin & Grade Control	$ 287,000	$ 317,179
MC-7	Middle Creek - January 2015	SS	North of I-80 between W. 84th St. & W. 98th St.	Bank Stabilization & Grade Controls	$ 297,000	$ 328,230
NSC-1	North Salt Creek - May 2018	SS	North of Alvo Rd. east of N 120th St.	Armored Plunge Pool	$ 97,000	$ 100,819
NSC-3	North Salt Creek - May 2018	SS	West of N 134th St. between Fletcher Ave. & Havelock Ave.	Armored Plunge Pool	$ 116,000	$ 120,567
NSC-4	North Salt Creek - May 2018	SS	East of N 84th St. north of I-80	Bank Stabilization & Grade Control	$ 275,000	$ 285,828
NSC-5	North Salt Creek - May 2018	SS	NW of McKelvie Rd. & N 70th St.	Grade Control	$ 185,000	$ 192,284
OC-1	Oak Creek - May 2018	SS	325 ft downstream from the W Craw St culvert.	Grade Control & Pipe Outfall	$ 91,000	$ 94,583
OC-2	Oak Creek - May 2018	SS	975 ft upstream of the W Craw St culvert crossing	Grade Control	$ 80,000	$ 83,150
OC-3	Oak Creek - May 2018	SS	1,000 ft south of US Highway 34	Grade Control	$ 526,000	$ 546,711
OC-4	Oak Creek - May 2018	SS	Approximately 2,600 ft south of the intersection of US Highway 34 and NW 70th St to NW 84th St.	Grade Control	$ 1,023,000	$ 1,063,280
SSC-1	South Salt Creek - January 2015	SS	SW of W. O St. & Sun Valley Blvd.	Grade Controls	$ 239,000	$ 264,131
SSC-5	South Salt Creek - January 2015	SS	South of Old Cheney Rd. East of 1st St.	Bank Stabilization & Grade Controls	$ 325,000	$ 359,175
SSC-6	South Salt Creek - January 2015	SS	SE of Warlick Blvd. & Hwy 77	Bank Stabilization & Grade Controls	$ 468,000	$ 517,211
SSC-7	South Salt Creek - January 2015	SS	North of Rokeby Rd. East of W. 12th St.	Bank Stabilization & Stilling Basin & Grade Control	$ 190,000	$ 209,979
SSC-8	South Salt Creek - January 2015	SS	East of W. 12th St. South of Rokeby Rd.	Stilling Basin & Grade Control	$ 162,000	$ 179,035
SSC-9	South Salt Creek - January 2015	SS	South of Rokeby Rd. between W. 12th St. & W. 27th St.	Grade Control	$ 105,000	$ 116,041
SSC-10	South Salt Creek - January 2015	SS	SW of Rokeby Rd. & Hwy 77	Bank Stabilization & Grade Controls	$ 107,000	$ 118,251
SSC-11	South Salt Creek - January 2015	SS	NW of Hwy 77 & Bennet Rd.	Grade Controls & Wetland Construction	$ 201,000	$ 222,136
SSC-12	South Salt Creek - January 2015	SS	East of 1st St. South of Rokeby Rd.	Bank Stabilization & Stilling Basin & Grade Control	$ 197,000	$ 217,715
SSC-13	South Salt Creek - January 2015	SS	East of 1st St. South of Rokeby Rd.	Bank Stabilization & Stilling Basin & Grade Control	$ 156,000	$ 172,404
SSC-14	South Salt Creek - January 2015	SS	North of Saltillo Rd. between 14th St. & 25th St.	Bank Stabilization & Stilling Basin & Grade Control	$ 137,000	$ 151,406
SSC-15	South Salt Creek - January 2015	SS	East of 25th St. North of Wittstruck Rd.	Grade Controls	$ 129,000	$ 142,565
SSC-16	South Salt Creek - January 2015	SS	North of Wittstruck Rd. between 82nd St. & 96th St.	Bank Stabilization & Grade Controls	$ 273,000	$ 301,707

*Costs are adjusted to 2021 dollars based on inflation since the original master plan was completed

Table ES-2 - Proposed Project Summary

Project ID	Watershed	Project Type	Project Location	Project Description	Original Cost	2021 Updated Cost*
SSC-17	South Salt Creek - January 2015	SS	South of Bennet Rd. East of 82nd St.	Grade Control	$ 136,000	$ 150,301
SSC-18	South Salt Creek - January 2015	SS	North of Bennet Rd. East of 82nd St.	Grade Control	$ 78,000	$ 86,202
SSC-19	South Salt Creek - January 2015	SS	South of Saltillo Rd. East of 82nd St.	Grade Control	$ 85,000	$ 93,938
SE-1	Southeast Upper Salt Creek - October 2003	SS	East of 14th St. south of Yankee Hill Rd.	Grade Check	$ 80,500	$ 111,444
SE-2	Southeast Upper Salt Creek - October 2003	SS	South of Rokeby Rd. East of 27th St.	Grade Check	$ 80,500	$ 111,444
SE-3	Southeast Upper Salt Creek - October 2003	SS	West of 27th St. South of Rokeby Rd.	Grade Check	$ 80,500	$ 111,444
SE-4	Southeast Upper Salt Creek - October 2003	SS	West of 40th St. North of Rokeby Rd. (north culvert)	Grade Check	$ 80,500	$ 111,444
SE-5	Southeast Upper Salt Creek - October 2003	SS	West of 40th St. North of Rokeby Rd. (south culvert)	Grade Check	$ 80,500	$ 111,444
SE-17	Southeast Upper Salt Creek - October 2003	SS	West of 27th St. South of Rokeby Rd.	Stream Stabilization	$ 950,000	$ 1,315,177
SE-23	Southeast Upper Salt Creek - October 2003	SS	South of Saltillo Rd. East of 40th St.	Stream Stabilization	$ 80,000	$ 110,752
SE-24	Southeast Upper Salt Creek - October 2003	SS	West of 38th St. north of Bennet Rd.	Stream Stabilization	$ 80,000	$ 110,752
ST-1	Stevens Creek - March 2005	SS	NW of 84th & Hwy 6	Bank Stabilization & Grade Controls	$ 536,000	$ 713,575
ST-6	Stevens Creek - March 2005	SS	NW of 112th St. & Holdrege St.	Bank Stabilization & Grade Controls	$ 464,000	$ 617,721
ST-12	Stevens Creek - March 2006	SS	West of 134th St. South of Holdrege St.	Bank Stabilization & Grade Controls	$ 1,118,000	$ 1,488,389
ST-14	Stevens Creek - March 2005	SS	East of 98th St. between A St. & Van Dorn St.	Bank Stabilization & Grade Controls	$ 393,000	$ 523,199
ST-15	Stevens Creek - March 2005	SS	East & West of 112th St. North of Secretariat Dr.	Bank Stabilization & Grade Controls	$ 536,000	$ 713,575
ST-16	Stevens Creek - March 2005	SS	West of 112th St. South of Secretariat Dr.	Grade Control	$ 43,000	$ 57,246
ST-19	Stevens Creek - March 2005	SS	SE of 120th St. & O St.	Bank Stabilization & Grade Controls	$ 54,000	$ 71,890
ST-20	Stevens Creek - March 2005	SS	SW of 134th St. & A St.	Bank Stabilization & Grade Controls	$ 568,000	$ 756,176
ST-21	Stevens Creek - March 2005	SS	NW of 134th St. & Van Dorn St.	Armored Plunge Pool	$ 187,000	$ 248,952
ST-22	Stevens Creek - March 2005	SS	NE of 138th St. & Van Dorn St.	Bank Stabilization & Grade Controls	$ 450,000	$ 599,083
ST-23	Stevens Creek - March 2005	SS	East of 148th St. South of Van Dorn St.	Bank Stabilization & Longitudinal Weir	$ 97,000	$ 129,136
ST-24	Stevens Creek - March 2005	SS	West of 138th St. North of Pioneers Blvd.	Rock Stilling Basin	$ 187,000	$ 248,952
ST-25	Stevens Creek - March 2005	SS	North of Old Cheney Rd. between 98th St. & 112th St.	Armored Plunge Pool	$ 123,000	$ 163,749
ST-26	Stevens Creek - March 2005	SS	North & South of Old Cheney Rd. West of 148th St.	Bank Stabilization & Grade Controls	$ 275,000	$ 366,106

*Costs are adjusted to 2021 dollars based on inflation since the original master plan was completed

Table ES-3 - Plan Recommendations

Category	Action	Priority	Timeline	Recommendation
CIP Implementation	1) Implement CIP Program	High	Short Term (0-2 years) and Ongoing	Continue to implement the planned CIPs to the extent practicable based on current and future funding. The remaining proposed projects have the same merit, if not more so, than when originally planned. These project areas evolve due to natural and man-made forces and can deteriorate further, creating more impacts and increasing the cost to implement. Opportunities to address the concern in an efficient and expedient manner are also reduced and sometimes eliminated due to these changing conditions. Continued focus on implementation, funding, and permitting strategies are key to ensuring projects are completed and their intent is preserved. Section 6 reports the remaining proposed projects at the time of this Plan.
	2) Periodic Prioritization Review	High	Mid-Term (2-5 years)	Consider strategies to periodically review and assess implementation priorities. This process could be completed in a way similar to the NRD's Long Range Implementation Plan (LRIP). It is recommended that project priorities, scoring, and implementation be more formally planned and evaluated at least annually, or some regular interval that aligns with implementing decision making such as funding programming. This will also allow for consistent prioritization scoring and tracking year over year, as well as a consistent review of funding opportunities or coincident projects that may be applicable and potentially change each year.
	3) Monitor Watershed Conditions	Moderate	Mid-Term (2-5 years); timing dependent on LiDAR data collection timing	Plan for consistently tracking watershed conditions and changes. Recommendations include but are not limited to: - Consistent, periodic LiDAR data collection coupled with a program for consistent and comparable analyses to identify watershed changes. Ideally, this would be supplemented by higher resolution data collection for key stream reaches based on factors such as imminent development or known stability issues and be implemented pre-development for those stream reaches so a focused stream corridor management plan can be developed. - Field verification of those areas identified in this Plan based on the completed change detection analysis would help inform future data collection efforts. - Evaluate stream corridor capacity and management/restoration needs prior to development occurring. The master plans may act as a basis, but implementation requires ongoing monitoring (leveraging LiDAR data collection) and review coupled with stream stability project field visits and updated scoring to ensure priority areas are addressed. Along with this, develop an overall stream restoration and amenity strategy by stream reach, leveraging the MFC as a baseline. - Drone flights of key stream reaches, as needed for priority areas or to supplement LiDAR data. Regular collection of photographic data can help monitor and prioritize activities and project implementation.
	4) Improve GIS Data Tracking	Moderate	Short Term (0-2 years)	Improve GIS tracking of key watershed data, leveraging enterprise data sets to ensure the baseline data used for CIP decision making is as current and accurate as possible.
	5) Complete Updated Prioritization Scoring	High	Short Term (0-2 years)	Complete the prioritization scoring for the proposed projects. Where possible, the scoring sheets were completed based on the prior scoring information, information included in the Watershed Master Plans, and/or information from the City and NRD. There were additional considerations added to the scoring sheet which could not be determined within this scope of work. These items are generally more subjective and are intended to be updated on a more regular basis than the technical criteria.

Table ES-3 - Plan Recommendations (continued)

Category	Action	Priority	Timeline	Recommendation
Watershed Management Activities	6) Update Flood Risk Model Data for All Streams	High	Start Short Term (0-2 years); due to scope and size ongoing Mid-Term (2-5 years)	Develop updated detailed flood risk modeling for all streams, with an initial focus on streams with older flood modeling or immediate development pressure. Complete the updates using gridded precipitation hydrologic models and/or rain on grid, in conjunction with 2D hydraulic modeling which, at the time of this Plan, represent the state of the practice techniques and software that are available and used by most stakeholders. These models can then be used to establish an existing hydrologic and stream condition baseline for future development management; using current surface-based flood model data the City can explicitly track the impact of development throughout the stream system in a way that was not previously possible. This in turn can be used to guide CIP implementation decisions.
	7) Implement Minimum Flood Corridor (MFC) Policy	High	Short Term (0-2 years)	Implement the MFC policy recommendations as identified in the North Salt Creek Watershed Master Plan. The analyses completed in the North Salt Creek Watershed Master Plan, as well as the additional analysis completed in this Comprehensive Watershed Master Plan, indicated a range of drainage areas associated with the identification of a "defined bed and bank"; however, the average continues to approach values included in the MFC policy recommendations. The analysis findings illustrate the fact that watersheds and drainageways are natural systems and their characteristics will vary relative to drainage areas and topographic features. The literature review similarly identifies a range of guidelines for identifying, protecting and preserving these areas as well. The regional guidance included in the literature review aligns with the MFC policy recommendations. There is value in a policy that aligns with regional guidance, provides explicit requirements which reduce ambiguity for stakeholders to work within, while balancing preservation benefits with development processes. Additionally, there are erosion hazards associated with these corridors which have not been evaluated or identified; therefore, this policy will help reduce the risk to the public and infrastructure from these hazards until they can be identified in detail.
	8) Evaluate Stream and Flood Corridor Erosion Hazards	High	Mid-Term (2-5 years)	Evaluate the erosion hazards associated with the stream and flood corridors. The current effective and draft MFC policies acknowledge erosion hazard risks, but they are not quantified. Further evaluation will help identify additional stream degradation and widening potential which can inform future MFC policy. The hazards could be identified based on stable stream profiles, local lateral/bank stability considerations, and lateral migration potential. The evaluation of these erosion hazards can be coupled with development of stream restoration and grade control criteria and policies which can be used alongside the MFC for the public's protection as well as natural amenity development.
	9) Develop Grade Control Criteria and Policies	High	Mid-Term (2-5 years)	Develop grade control criteria and policies. Similar to the MFC, criteria and policy explicitly identifying the requirements would help ensure the stream corridors are protected, limiting erosion and degradation hazards. This could be accomplished with, and at least informed by, the development of erosion hazard information.
	10) Develop Stream Restoration Plan	Moderate	Mid-Term (2-5 years)	Develop an overall stream restoration and amenity strategy by stream reach. With a restoration plan the City and NRD can be prepared to proactively accommodate development while addressing stream grade control, through restoration. Additionally, this would likely align with current and potentially future permitting considerations, hopefully lessening permitting burdens. The MFC could be leveraged in the interim until more detailed plans are developed. This planning may also potentially provide support for funding avenues focused on stream protection and restoration.
	11) Evaluate Alternative CIP Funding Opportunities	High	Mid-Term (2-5 years)	Evaluate funding and planning levels required to implement the CIPs effectively to proactively address issues and avoid further stream degradation in the interim. The City and NRD have a prioritized CIP list allowing for proactive planning. However, there may come a time when development pressure outpaces the ability to fund construction of these features prior to losing opportunities or further degradation. Consider what funding and planning levels might be appropriate to implement these CIPs on a larger, multi-project scale.
	12) Consider CIP Implementation Incentives	Moderate	Long-Term (5-10 years)	Investigate incentive strategies and structures to help facilitate CIP implementation and stream restoration programming. Three potential incentives structures were identified in this Plan for consideration by the City are water quality based, development of a streamlined regional general permit, and maintenance obligation. Adding incentives for stakeholders to help implement policies towards meeting goals would help expedite the program, as well as promote consistency as the City's developed area grows.
	13) Pursue CRS Class Advancement	Moderate	Short Term (0-2 years)	Coordinate with ISO to review selected CRS points categories as well as the Class 4 pre-requisites to determine a path forward for the City regarding possible class advancement.

LTU
CITY OF LINCOLN
TRANSPORTATION
AND UTILITIES

August 24, 2022

David Cary
Lincoln-Lancaster County Planning Department
555 South 10th Street, Suite 213
Lincoln, NE 68508

Dear Mr. Cary:

This is a request by Lincoln Transportation and Utilities (LTU) and the Lower Platte South Natural Resources District (LPSNRD) to place the following item on the September 21, 2022 Planning Commission agenda.

An amendment is requested to the Lincoln-Lancaster County Comprehensive Plan to replace the individual Watershed Master Plans with the Comprehensive Watershed Master Plan on the list of subarea plans in the Implementation Section of the Comprehensive Plan, and also to update the Watershed Management section of Element 8: Energy and Utilities to reference the completion of the Comprehensive Watershed Master Plan.

LTU and the LPSNRD have completed watershed master plans for all 14 watersheds within the City and its extraterritorial jurisdiction, starting in 2000 and finishing in 2018. These plans were developed to provide long term planning tools and guidance for addressing flooding, channel erosion, and water quality issues. The Comprehensive Watershed Master Plan is a compilation of these 14 plans. The Comprehensive Watershed Master Plan will be at the LPSNRD Board for review and approval on September 14, 2022.

Attached is the executive summary for the Comprehensive Watershed Master Plans. The entire Plan can be found online at lincoln.ne.gov/watershed, then click on Watershed Master Plans.

Should you have any questions or need further information, please contact Tim Zach with Lincoln Transportation and Utilities, tzach@lincoln.ne.gov or 402-441-7589.

Sincerely,

Elizabeth Elliott, Director
Lincoln Transportation and Utilities

Paul Zillig, General Manager
Lower Platte South Natural Resources District

cc: Tim Zach, Lincoln Transportation and Utilities

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 #22015

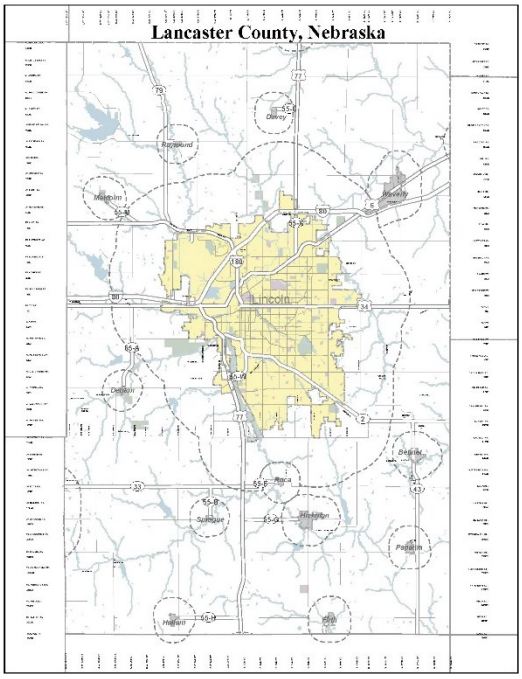
FINAL ACTION?
No

PLANNING COMMISSION HEARING DATE
September 21, 2022

RELATED APPLICATIONS
None

RECOMMENDATION: IN GENERAL CONFORMANCE WITH THE COMPREHENSIVE PLAN

PROPOSAL:
The *Lancaster County Road and Bridge Construction Program*, also called the *One and Six-Year Road and Bridge Construction Program*, is a program of road and bridge projects for Lancaster County. The *Program* includes projects that are completed or in progress for the current fiscal year as well as projects planned for the next six years. The *Program* is updated annually.



Pursuant to Resolution 1521, passed by the Board of County Commissioners on December 30, 1958, the Planning Commission is to review the proposed *Lancaster County Road and Bridge Construction Program, Fiscal Years 2022 and 2023-2028* with regard to its conformity with the current 2050 Lincoln-Lancaster County Comprehensive Plan.

CONCLUSION:
Projects within the proposed amendment to the *Lancaster County Road and Bridge Construction Program, Fiscal Years 2022 and 2023-2028* have been reviewed with regard to their compatibility with the Comprehensive Plan.

The proposed *Program* amendment is found to include projects that are explicitly listed or in general conformance with the Comprehensive Plan. The County Engineer and City of Lincoln are encouraged to continue to cooperate in administering all phases of the road and street programs. Coordination of project operations and construction improves efficiencies and economics and results in a better transition from county roads to city streets.

The overall finding and recommendation is that the Planning Commission find the proposed amendment to the *Lancaster County Road and Bridge Construction Program, FY 2022 and 2023-2028*, to be generally in conformance with the Comprehensive Plan.

APPLICATION CONTACT
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Lincoln-Lancaster Planning Department and Lincoln MPO
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COMPATIBILITY WITH THE COMPREHENSIVE PLAN

PlanForward is the Lincoln-Lancaster County 2050 Comprehensive Plan. The development of PlanForward was coordinated with the formulation of the Lincoln Metropolitan Planning Organization's (MPO) 2050 Long Range Transportation Plan (LRTP). The LRTP supports the Transportation Goal, Element, and Policies of the Comprehensive Plan and is incorporated into the Comprehensive Plan by reference.

> "A balanced transportation system that supports the community's needs and equitable outcomes must include maintenance of the aging infrastructure, efficiencies to allow people to move from place to place without congestion, and availability of a wide variety of safe mobility options such as walking, biking, transit, and driving… The 2050 Lincoln Metropolitan Planning Organization (MPO) Long Range Transportation Plan (LRTP) is one of the primary planning documents that guides the region's transportation investments to accomplish this goal." (2050 Comprehensive Plan, Goals Section, G15)

> "The County prioritizes street resurfacing work to maintain more heavily traveled roads to receive State funding for street resurfacing. State highways are maintained by NDOT. Approximately 88% of interstate segments and 34% of National Highway System non-interstate segments were rated as Good pavement condition in 2019. The City, County, and State also track condition of more than 600 bridges to prioritize the maintenance and possible replacements that may be necessary. Approximately 69%, 39% and 73% respectively were rated to be in Good condition as of 2020." (2050 Comprehensive Plan, Elements Section, E9)

The Rural Road Capital Projects on Figure 5.2 (page 5-16) and Table 5.4 (pages 5-17 through 5-20) of the 2050 LRTP show categories of projects which include paving, intersection improvements, bridge replacement and rehabilitation, and two-lane widening projects. County road improvements beyond the current Lincoln Urban Area are considered candidates for the Fiscally Constrained Rural Road & Bridge Capital Projects analysis, Figure 7.1 (page 7-10) and Table 7.5 (pages 7-8 through 7-9).

The emphasis of the *Lancaster County Road and Bridge Construction Program* is placed on the projects identified as funded/committed paving improvements over the life of the plan. While many of the projects in the *Program* are included in the LRTP Rural Road Capital Projects, additional bridge projects may be needed.

The Comprehensive Plan anticipates many changes over the planning period. Changing demographics and employment patterns will create challenges for provision of transportation services and facilities. At the same time, the Lancaster County Engineer faces significant financial challenges in the care and maintenance of an aging system as well as the changing demand for alternative transportation options.

> "The County manages 1,383 miles of rural roadways that vary greatly in width, alignment, and surface. Approximately 1,052 miles are gravel surfaced, 286 miles are paved, and 45 miles remain dirt roads. In addition, this program includes box culvert and pipe repair and maintenance, and preventative maintenance for bridges." (2050 LRTP, page 5-15)

The Comprehensive Plan recognizes that the needs of Lancaster County outweigh the capital resources that are available during the planning horizon. Improvements to the rural road system will occur throughout the County but the amount of new pavement installed will depend upon the growth in traffic and population, and the fiscal resources available in the future to make the improvements.

County roads identified in the LRTP are identified as priority projects based upon a system wide priority setting analysis for the planning period. These roads function as arterials, collectors, or local roads. The program schedule for improvements depend largely upon the availability of funding and the determination of current system needs. Paving is based on daily vehicle counts, planning considerations, functions of roads, and identified deficiencies of roads.

> "According to the 2018 Lancaster County Transportation Strategy, Lancaster County crews continually work on pavement preservation countywide throughout the year. The County currently does not specify performance measures for roadway condition. Crews are on the roadways with personnel and equipment evaluating existing roads and bridges for upgraded treatments as needed." (2050 LRTP, page 4-24)

"Bridges are inspected at least once every 24 months. Bridges are considered to be in Good condition if all major National Bridge Inspection components (bridge deck, bridge superstructure and bridge substructure or culvert) are in good condition or better (9, 8, 7). Bridges are considered to be in Poor condition if one or more of the major components is in Poor condition or worse (4 or less). Bridges that do not meet the criteria for Good or Poor condition are considered to be in Fair condition (5 or 6)… Using structural ratings complies with federal standards and enables County bridge evaluations." (2050 LRTP, page 4-25)

"Close coordination between the Lancaster County Engineer's Office and MPO staff occurred during the development of the LRTP update to identify a needs based rural roads program. Safety is always a major concern. Population growth and increased recreational demands in the rural areas add to the volume of traffic. Grain trucks and other commercial vehicles are carrying heavier loads than ever before and create additional problems as roads experience greater transport weights. These pressures lead to increased maintenance demands and the demand for improved pavement and modifications to road foundations. This is also true of the rural bridge needs. The decision to make improvements to the road surface is based on several factors including:

- Role of the road in the overall system
- Number of vehicles traveling the road daily
- Increased maintenance or decreased driver safety
- Type of traffic and weight of vehicles on the roadway
- Spacing or proximity to other paved roads" (2050 LRTP, page 5-14)

"Rural road capital projects include paving projects, intersection improvements, major bridge rehabilitation, road rehabilitation, and two-lane widening projects to repair or rebuild currently paved roadways." (2050 LRTP, page 5-15)

The Planning staff analysis provides a recommendation of conformance for each project in the amendment with the 2050 Comprehensive Plan using one of the three following categories: Conformance with Plan, General Conformance with Plan, and Not in Conformance with Plan. Conformance with Plan means that the project or program is explicitly identified in the Plan. General Conformance with Plan means that the project or program is partially in the Plan or meets the intent of the Plan. Not in Conformance with Plan means that the project or program is not supporting a policy in the Plan or does not meet the intent of the Plan.

The following 2050 LRTP figures/tables were used for this review:

- Rural Roads Capital Projects, Figure 5.2 (page 5-16) and Table 5.4 (page 5-17 through 5-20) to review needs-based projects;
- Fiscally Constrained Rural Road & Bridge Capital Projects, Figure 7.1 (page 7-10) and Table 7.5 (page 7-8 through 7-9) to review roadway project programming priorities; and
- Fiscally Constrained Urban Roadway Capital Projects, Figure 7.2 (page 7.17) and Table 7.6 (page 7-14 through 7-16) to coordinate with urban area project programming priorities.

Internet Access to *Lancaster County Road and Bridge Construction Program*

The current program is available at https://www.lancaster.ne.gov/207/County-Engineer. The current program is proposed to be amended with CPC22014. The amendment is available through the Planning Application Tracking System at https://app.lincoln.ne.gov/aspx/city/pats/default.aspx under the Application Number CPC22014. The proposed new program is available under the Application Number CPC22015.

Review of Proposed Road Projects

The road projects contained in the *Lancaster County Road and Bridge Construction Program* include engineering, right-of-way and utilities construction, grading, pavement, 2nd-stage pavement, and pavement maintenance. Outside the City of Lincoln, the Comprehensive Plan specifically identifies potential road paving, two lane widening, and intersection improvements.

The first level of review involved reviewing any road projects proposed for pavement, 2nd-stage pavement, pavement maintenance, and pavement widening. These projects were reviewed with regard to conformity with the Comprehensive

Plan.

2nd-stage pavement

Pavement on existing paved roads deteriorates due to use and weathering and requires regular maintenance to extend its life span. A technique County Engineering uses to add new life to older pavement or asphalt is called *2nd-stage pavement*. This process repairs any flaws in the existing surface and adds a new layer of an asphalt overlay to the top. This gives it a brand-new appearance and adds new life to older asphalt for less cost. With an asphalt overlay, the County Engineer is able to get more service out of the existing pavement or asphalt and avoid costly road rebuilding projects.

Second-stage paving projects are focused on existing paved roads that require an asphalt overlay and are maintenance projects. These are not specifically identified in the Comprehensive Plan but are system maintenance projects considered to be in general conformance with the Plan.

The second level of review involved reviewing all road projects that are scheduled for engineering, right-of-way, or grading and structures. This review was done to assure that county projects and city projects are coordinated and to assure that any improvements being proposed are in conformance with the Long Range Transportation Plan as reflected in the Comprehensive Plan.

Lancaster County Bridge Program

The bridge projects contained in the proposed *Lancaster County Road and Bridge Construction Program* include engineering, construction, repair, and maintenance.

One of the major functions of the Lancaster County Engineer is to build and maintain bridges in the county outside of the City of Lincoln incorporated area. The bridge program is responsible for monitoring the functional and structural integrity of all County bridges through regular inspection and reporting. The County Engineer continually seeks local, state and federal-aid funding to rehabilitate and replace deficient county public bridges.

Twelve (12) bridge projects are identified for improvement in 2023 that include five engineering, one channel repair, one bridge construction, two concrete box culverts, general culvert maintenance engineering and construction at various locations, bridge maintenance at various locations, and concrete box culvert replacement at various locations (page 6 of the One and Six Year Program).

Attached is a summary ***Improvement Projects Listing on New and Existing Paved Roads***, which briefly describes the improvements proposed for existing paved roads and new paving projects on existing gravel roads.

Program Funding Summary

	Completed or In Progress in FY 2022		**FY 2023**	
Funding Source	**Roads**	**Bridges**	**Roads**	**Bridges**
County	$ 2,133,777	$ 4,833,213	$ 5,231,100	$ 6,078,600
State	$ 1,015,000	$ 400,000	$ 0.00	$ 0.00
Federal	$ 1,839,823	$ 0.00	$ 816,300	$ 134,400
Other Sources	$ 613,800	$ 0.00	$0.00	$ 2,500,000
TOTAL	$ 5,602,400	$ 5,233,213	$ 6,047,400	$ 8,713,000

Program Funding is primarily with Lancaster County funds through the County budgeting process. Other funds are obtained through the Nebraska Department of Transportation (NDOT) federal funds purchase program. In this program, the State purchases federal aid transportation funds from the County which allows the County to tailor projects to better meet their highway and bridge needs. Bridge replacement projects are costly, and the County Engineer applies for

federal-aid funding along with local funds to rehabilitate and replace deficient county bridges. Standby projects listed for FY 2023 are on the condition of receiving additional funds or the completion of construction agreements. The City of Lincoln contributes funds when projects are being coordinated with the County. The State may provide partial funding for road safety projects, pavement projects, State Recreation Roads and NEMA Hazard Mitigation for county bridges. Lancaster County may apply for federal funding from the Lincoln Metropolitan Planning Organization for road and bridge projects.

Rural to Urban Transition Project Coordination

The City of Lincoln and Lancaster County implement public street right-of-way (ROW) and construction standards necessary to repair, maintain, and construct streets located within the 3-mile zoning jurisdiction of the City of Lincoln. This mutually beneficial approach produces a longer useful life for County road investments while accommodating future growth of the City. Lancaster County capital project funding should be allocated to support the agreed upon standard when paving rural principal arterial, rural minor arterial, rural major collector, and rural minor collector roads in the Lincoln–Lancaster County Comprehensive Plan. The roadway should be graded to accommodate a functional future width and paved with an alignment to accommodate two lanes of rural paving. This approach allows future widening and urban improvements and extends the useful life of the County's capital investment. The expected result is to improve efficiencies and economics resulting from unified operations and construction and a better transition from county roads to city streets at the time of annexation into the City of Lincoln.

Environmental Compatibility

Environmental reviews need to be considered on all road and bridge projects in the *Lancaster County Road and Bridge Construction Program* to support and promote environmental stewardship. Project development needs to include consultation with local, state and federal environmental regulatory and coordinating agencies to identify potential environmental impacts and consider mitigation measures in the evaluation of alternative system improvements. Federal regulations state that the metropolitan planning organization (MPO) must document in the transportation plan how environmental protection, wildlife management, land management and historic preservation agencies are consulted within the transportation planning process. Agency Consultation needs to include, but not be limited to, the Lancaster County Ecological Advisory Committee, Nebraska Department of Environment and Energy, Nebraska Game and Parks Commission, the Lincoln Watershed Management Division, and the Army Corps of Engineers.

Prepared by:

_____

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Lincoln MPO / Lincoln-Lancaster Planning Department
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Date: September 8, 2022

Applicant: Pam L. Dingman, P.E.
County Engineer
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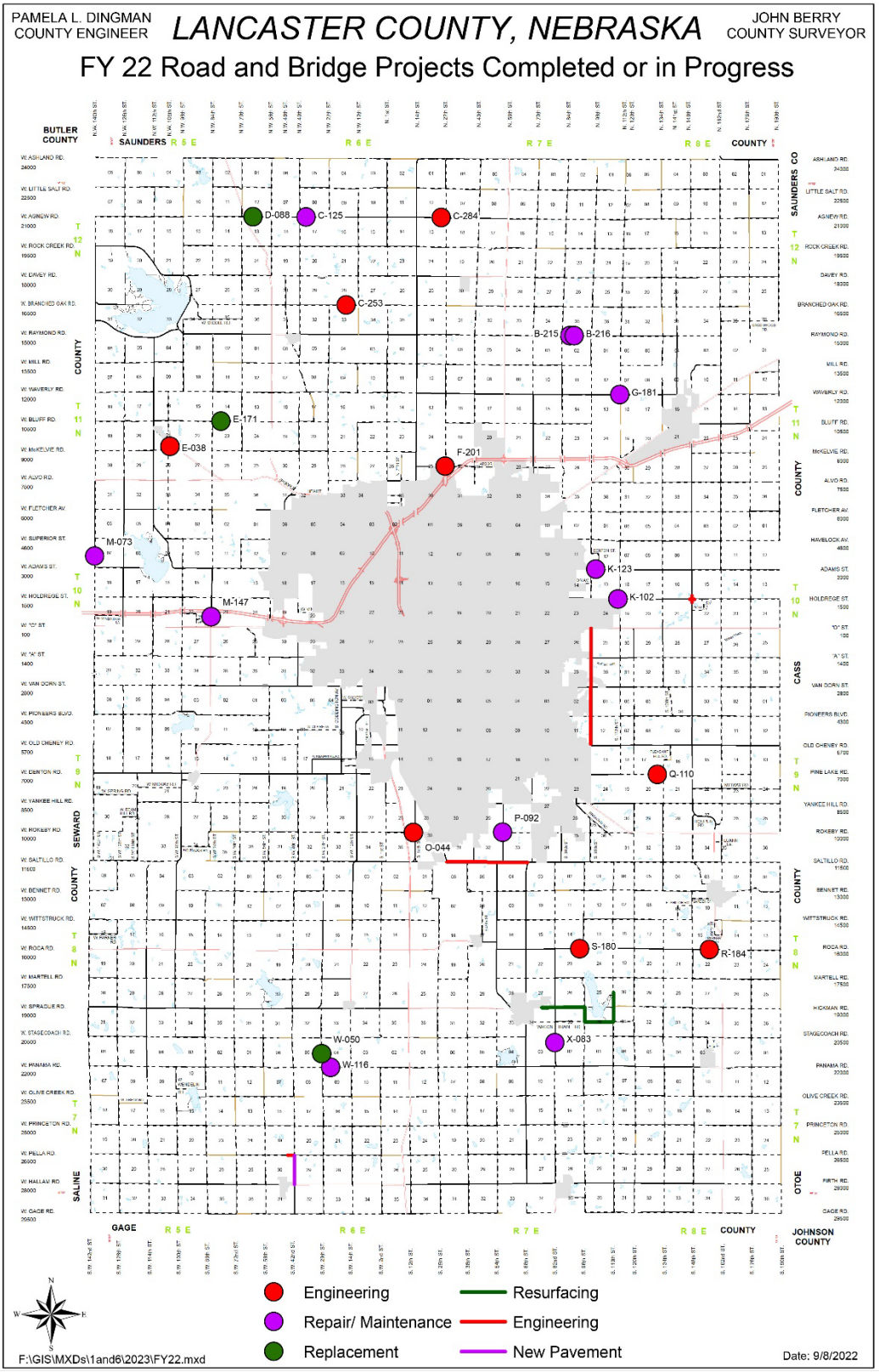

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Improvement Projects Listing on New and Existing Paved Roads

Road Projects Completed or In Progress in FY 2022

Engineering for future road improvements. These projects are in General Conformance with Plan.

- S. 98th Street (Old Cheney Road to A Street), 3.0 miles [Engineering]
- S. 98th Street (A Street to O Street), 1.0 mile [Engineering]
- N. 148th Street and Holdrege Street (Intersection Improvement), 0.5 miles [Engineering]
- Saltillo Road (27th Street to 68th Street), 3.0 miles [Engineering]

Improvement projects for 2nd-stage pavement on an existing paved road. This project is in General Conformance with Plan.

- Hickman City limits on Hickman Road to S 96th Street to Wagon Train Road to S. 110th Street, 4 miles [2nd Stage Pavement]

Engineering and pavement of an existing gravel road. New pavement of an existing gravel road are projects that are specifically programmed in the Comprehensive Plan for paving and require a finding of conformance with the Plan. This project is in General Conformance with Plan (see below comments).

- S.W. 42nd Street and W. Pella Road (S.W. 42nd Street, W. Hallam Road to W. Pella Road & 1200' West on W. Pella Road), 1.0 mile and 0.22 mile [Engineering and Pavement]

  The Rural Road Capital Projects shown in Figure 5.2 (page 5-16) and Table 5.4 (page 5-19) of the LRTP lists concrete construction for the S.W 42nd Street (W. Hallam Road to W. Pella Road) segment of the project. Even though the W. Pella Road (1200' West on W. Pella Road) segment of the project is not shown in the Rural Road Capital Projects, this segment of the W. Pella Road is in General Conformance with Plan because the road improvements of this project support the Plan's transportation goal of maintenance. The S.W. 42nd Street and W. Pella Road project includes state funding through the NDOT Economic Opportunity Program, which demonstrates that this project supports the Plan's transportation goal of economic vitality.

Pavement preservation/maintenance other than an asphalt overlay on an existing paved road are considered maintenance projects. This project is not specifically identified in the Comprehensive Plan but is a system maintenance project and is in General Conformance with Plan.

- Chip Seal (selected sites Countywide) [Pavement Maintenance]

Bridge Projects Completed or In Progress in FY 2022

Engineering for future bridge improvements. These projects are in General Conformance with Plan.

- Pine Lake Road (Q-110) in Stockton Township, S-17 [Engineering]
- Roca Road (R-184) in Nemaha Township, S-15 [Engineering]
- Roca Road (S-180) in Saltillo Township, S-14 [Engineering]
- W. Agnew Road (C-284) in Little Salt Township, C-12 [Engineering]
- Branched Oak Road (C-253) in Little Salt Township, C-28 [Engineering]
- East Street (E-38) in Elk Township, E-12 [Engineering]

Concrete Box Culvert replaced and upgraded. This project is in Conformance with Plan.

- W. Bluff Road (E-171) in Elk Township, S-14 [Concrete Box Culvert]

Bridge replacement and bridge structures. These projects are in Conformance with Plan.

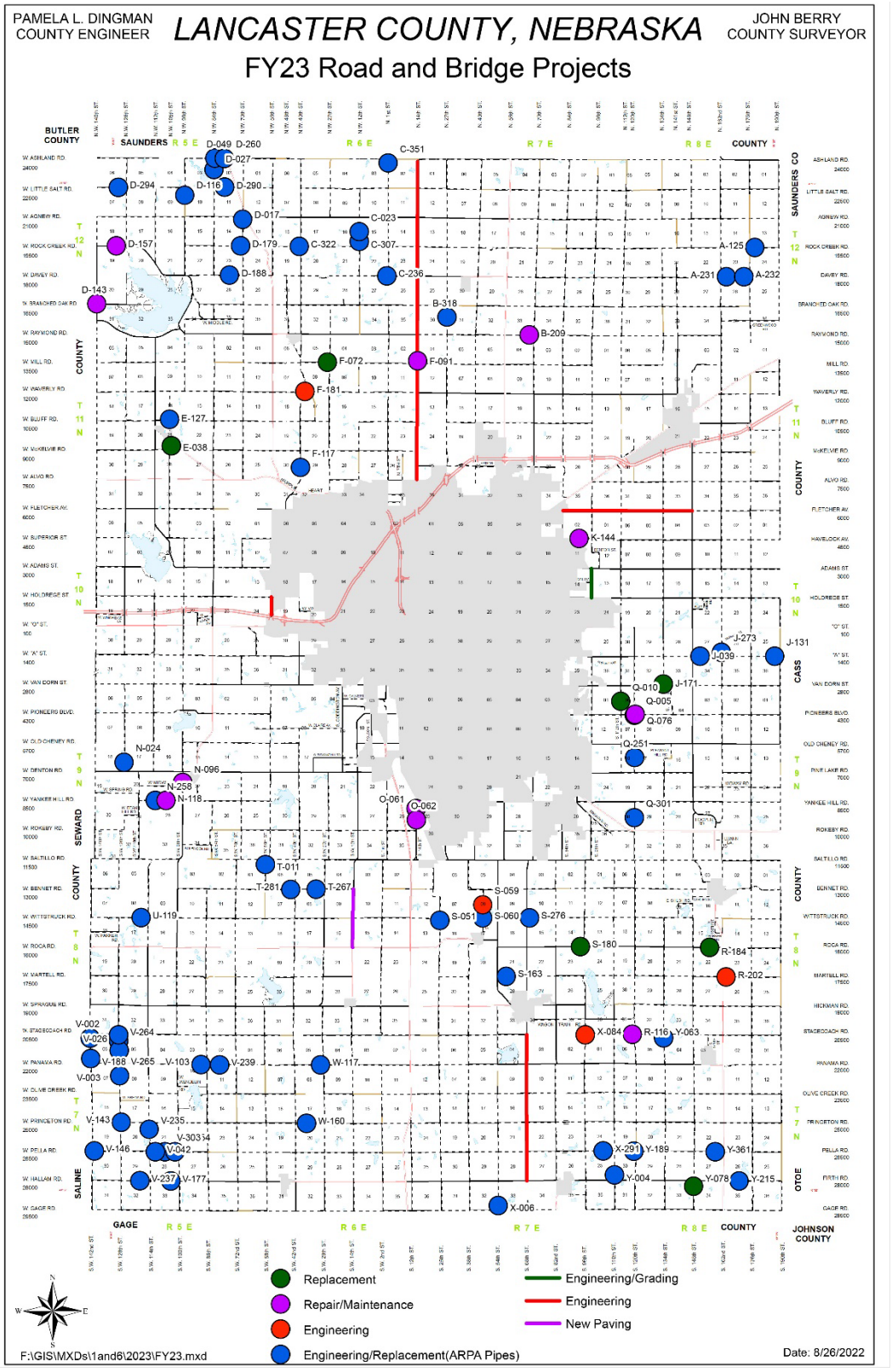
- W. Agnew Road (D-88) in West Oak Township, S-12 [Bridge]
- S.W. 29th Street (W-50) in Buda Township, W-4 [Bridge]

Channel Repair. Bridge structures were maintained with minor and major repairs. These projects are not specifically identified in the Comprehensive Plan but are system maintenance projects and are in General Conformance with Plan.

- Various Locations, B-215, B-216 & M-73 [Channel Repair]

Bridge Maintenance. These projects are not specifically identified in the Comprehensive Plan but are system maintenance projects and are in General Conformance with Plan.

- Various Locations, M-147, G-181, M-10, K-123, C-125, P-92, X-83, W-116, C-284, C-253, & K-102 [Bridge Maintenance]


PAMELA L. DINGMAN
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LANCASTER COUNTY, NEBRASKA
JOHN BERRY
COUNTY SURVEYOR
FY23 Road and Bridge Projects
BUTLER COUNTY
SAUNDERS
COUNTY
SAUNDERS CO
SEWARD COUNTY
CASS COUNTY
SALINE COUNTY
OTOE COUNTY
GAGE
JOHNSON COUNTY
Replacement
Repair/Maintenance
Engineering
Engineering/Replacement(ARPA Pipes)
Engineering/Grading
Engineering
New Paving
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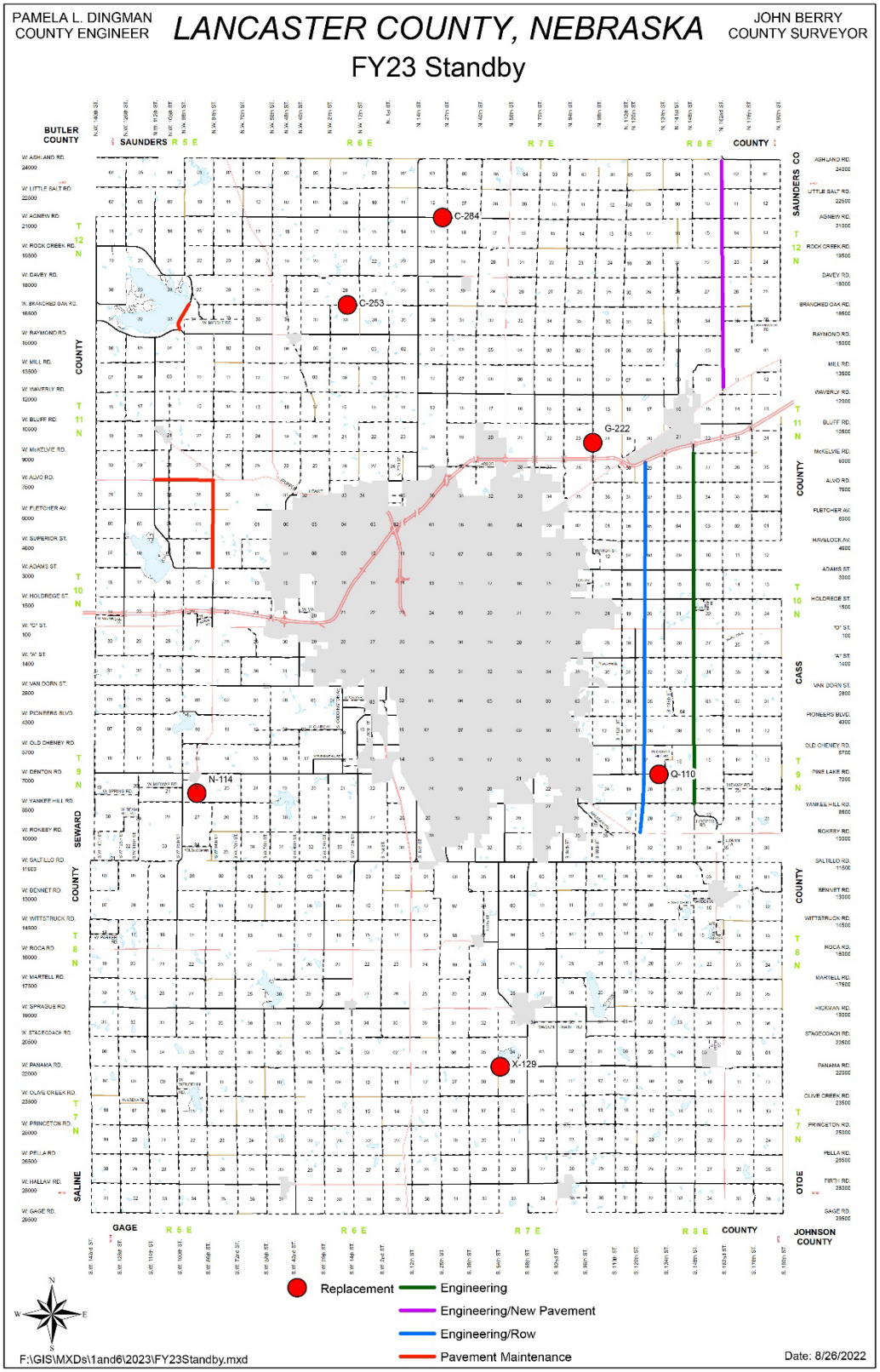
Date: 8/26/2022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FY23 Standby
JOHN BERRY
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C-284
C-253
G-222
N-114
Q-110
X-129
Replacement
Engineering
Engineering/New Pavement
Engineering/Row
Pavement Maintenance
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Road Projects Programmed for FY 2023

Engineering for future road improvements. These projects are in General Conformance with Plan.

- N. 14th Street (Ashland Road to Alvo Road), 11.02 miles [Engineering]
- S. 68th Street (Firth Road to Stagecoach Road), 5.01 miles [Engineering]
- Fletcher Road (N. 84th Street to N. 148th Street), 4.42 miles [Engineering]
- NW 56th Street (I-80 to W. Holdrege Street), 0.7 miles [Engineering]

Engineering and grading of an existing gravel road. This project is not specifically identified in the Comprehensive Plan but is a system maintenance project and is in General Conformance with Plan.

- 98th Street (Holdrege Street to Adams Street), 1.0 mile [Engineering/Grading]

Pavement preservation/maintenance other than an asphalt overlay on an existing paved road are considered maintenance projects. These projects are not specifically identified in the Comprehensive Plan but are system maintenance projects and are in General Conformance with Plan.

- Countywide Pavement Maintenance (Various Locations)

Pavement of an existing gravel road. New pavement of an existing gravel road are projects that are specifically programmed in the Comprehensive Plan for paving require a finding of conformance with the Plan. This project is in Conformance with Plan.

- S.W. 14th Street (W. Bennet Road to N-33), 2.0 miles [Pavement]

Road Projects Programmed as FY 2023 Standby Projects

Engineering for future road improvements. These projects are in General Conformance with Plan.

- S. 148th Street (Yankee Hill Road to O Street), 6.0 miles [Engineering]
- N. 148th Street (O Street to McKelvie Road), 6.33 miles [Engineering]

Engineering and right of way for a future freeway. This project is in Conformance with Plan.

- East Beltway, 13.0 miles [Engineering and Right-of-Way]

Pavement maintenance other than an asphalt overlay on an existing paved road are considered maintenance projects. These projects are not specifically identified in the Comprehensive Plan but are system maintenance projects and are in General Conformance with Plan.

- NW 112th Street (Hwy 34 to NW 84th Street & W Adams Street), 4.51 miles [Pavement Maintenance]
- NW Crounse Road (W. Raymond Road to W. Branched Oak Road), 1.38 miles [Pavement Maintenance]

Engineering and Pavement of an existing gravel road. New pavement of existing gravel roads are projects that are specifically programmed in the Comprehensive Plan for paving require a finding of conformance with the Plan. This project is in Conformance with Plan.

- N. 162nd Street (US-6 to Ashland Road), 8.79 miles [Engineering and Pavement]

Bridge Projects Programmed for FY 2023

Engineering for future bridge improvements. These projects are in General Conformance with Plan.

- W. Waverly Road (F-181) in Oak Township, F-7 [Engineering]
- S. 96th Street (X-84) in Saltillo Township, S-36 [Engineering]
- Arbor Road (F-201) in Oak Township, IN-25 [Engineering]
- Martell Road (R-202) in Nemaha Township, R-23 [Engineering]

Concrete Box Culvert replaced and upgraded. These projects are in Conformance with Plan.

- Roca Road (R-184) in Nemaha Township, S-15 [Concrete Box Culvert]
- Roca Road (S-180) in Saltillo Township, S-14 [Concrete Box Culvert]

Bridge maintenance at various locations. These projects are in General Conformance with Plan.

- Various Locations (D-143, D-157, K-144, N-96, N-118, O-61, O-62, F-91) [Bridge Maintenance]

Bridge replacement and bridge structures. This project is in General Conformance with Plan.

- East Street (E-38) in Elk Township, E-21 [Bridge]

Channel Repair. Bridge structures were maintained with minor and major repairs. This project is in Conformance with Plan.

- S. 46th Street (S-59) in Saltillo Township, IN-8 [Channel Repair]

Channel repair at various locations. These projects are in General Conformance with Plan.

- Various Locations (R-116, B-209, Q-5, Q-76) in Nemaha Township, S-31 [Channel Repair]

Concrete box culvert replacement at various locations. These projects are in General Conformance with Plan.

- Various Locations (F-72, Y-78, Q-10, J-171) [Concrete Box Culvert Replacements]

Culvert maintenance at various locations. These projects are in General Conformance with Plan.

- General Culvert Maintenance – ARPA pipes (Various Locations) [Engineering and Construction]

Bridge Projects Programmed as FY 2023 Standby Projects

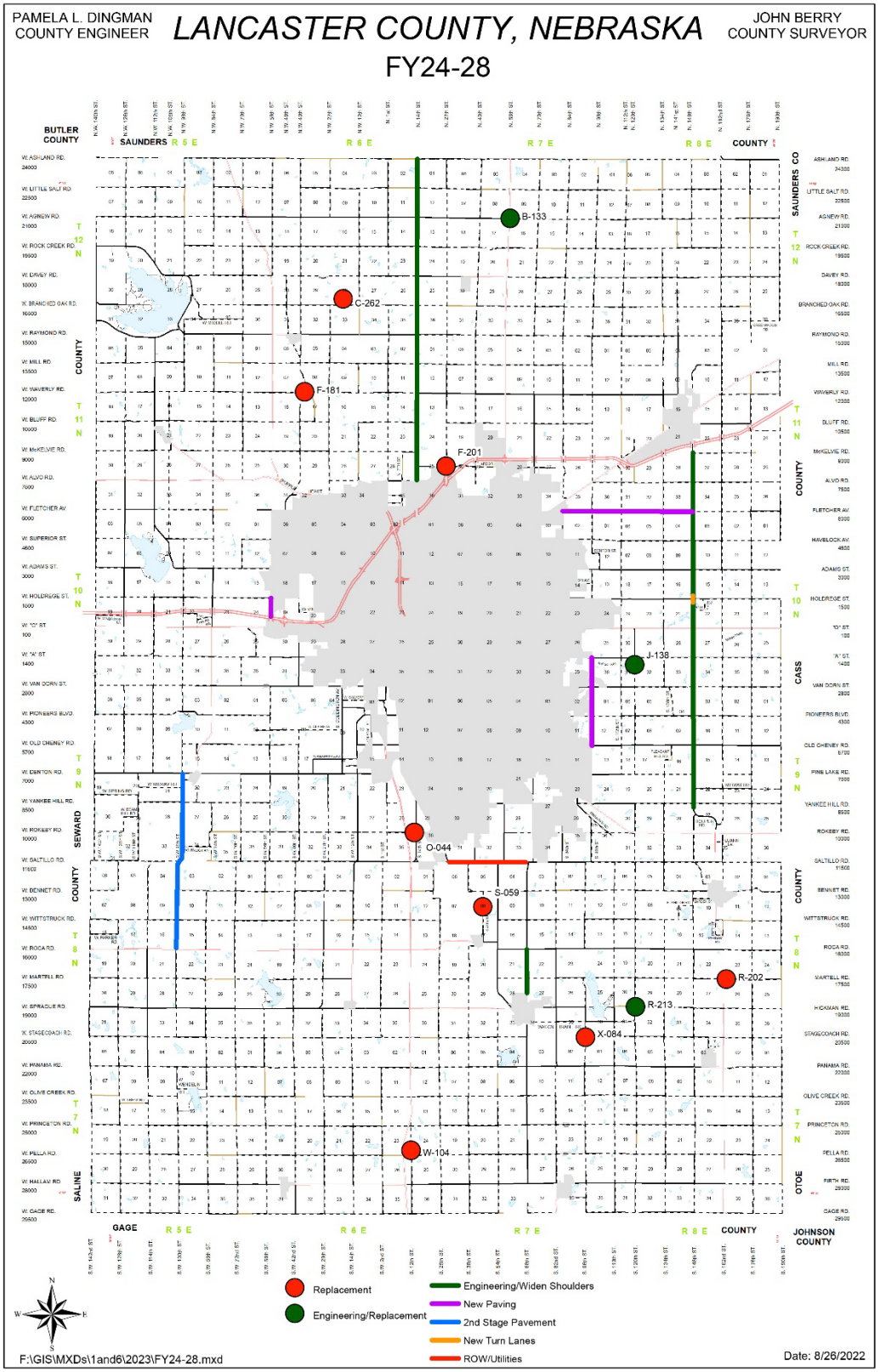
Bridge replacement and bridge structures. These projects are in Conformance with Plan.

- SW 91st Street (N-114) in Denton Township, IN-22 [Bridge]
- N. 98th Street (G-222) in North Bluff Township, W-24 [Concrete Slab Bridge]
- Pine Lake Road (Q-110) in Stockton Township, S-17 [Bridge]
- W. Branched Oak Road (C-253) in Little Salt Township, C-28 [Bridge]

- Panama Road (X-129) in South Pass Township, S-4 [Concrete Slab Bridge]

Concrete Box Culvert replacement. This project is in Conformance with Plan.

- Agnew Road (C-284) in Little Salt Township, S-12 [Concrete Box Culvert]



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Road Projects Programmed for FY 2024-2028

Pavement of an existing gravel road and pavement on no existing road surface. New pavement of an existing gravel road or on no existing road surface are projects that are specifically programmed in the Comprehensive Plan for paving require a finding of conformance with the Plan. These projects are in Conformance with Plan.

- S. 98th Street (A Street to O Street), 1.0 mile [No Existing Road Surface-Pavement]
- S. 98th Street (Old Cheney Road to A Street), 3.0 miles [Gravel-Pavement]
- NW 56th Street (I-80 to W. Holdrege Street), 0.7 mile [Gravel-Pavement]

ROW and utilities improvements on an existing paved road. This project is in Conformance with Plan.

- Saltillo Road (S. 27th Street to S. 68th Street), 3.0 miles [ROW and Utilities Construction]

Improvement Projects as 2nd-stage pavement on an existing paved road. This project is in General Conformance with Plan.

- SW 100th Street / SW 98th Street (Hwy. 33 to W. Denton Road), 6.0 miles [2nd Stage Pavement]

Turn lane improvements on a paved road. This project is in Conformance with Plan.

- N. 148th and Holdrege (Intersection Improvement), 0.5 mile [Pavement Turn Lanes]

Engineering and grading for widened turf shoulders. These projects are in Conformance with Plan.

- S. 148th Street (Yankee Hill Road to O Street), 6.95 miles [Engineering and Grading, Widen Turf Shoulders]
- N. 148th Street (O Street to McKelvie Road), 5.74 miles [Engineering and Grading, Widen Turf Shoulders]
- S. 68th Street (Hickman Village Limits to Roca Road), 1.53 miles [Engineering and Grading, Widen Turf Shoulders]

Engineering and grading for widened turf shoulders. This project is in General Conformance with Plan.

- N. 14th Street (Alvo Road to Ashland Road), 11.02 miles [Engineering and Grading, Widen Turf Shoulders]

Unidentified road improvements at various locations to be determined. These projects are in General Conformance with Plan.

- Various Locations [Improvements To Be Determined]

Bridge Projects Programmed for FY 2024-2028

Engineering and Concrete Box Culvert replaced and upgraded. These projects are in Conformance with Plan.

- Hickman Road (R-213) in Nemaha Township, S-29 [Engineering and Concrete Box Culvert]
- S. 120th Street (J-138) in Stevens Creek Township, J-32W [Engineering and Concrete Box Culvert]

Concrete Box Culvert replaced and upgraded. These projects are in Conformance with Plan.

- S. 46th Street (S-59) in Saltillo Township, IN-8 [Concrete Box Culvert]
- S. 12th Street (W-104) in Buda Township, W-24 [Concrete Box Culvert]

Concrete Box Culvert replaced and upgraded. This project is in General Conformance with Plan.

- Martell Road (R-202) in Nemaha Township, R-23S [Concrete Box Culvert]

Bridge replacement and bridge structures. These projects are in Conformance with Plan.

- NW 19th Street (C-262) in Little Salt Township, IN-28 [Bridge Replacement]
- Arbor Road (F-201) in Oak Township, IN-25 [Bridge]
- Rokeby Road (O-44) in Yankee Hill Township, S-26 [Bridge Replacement]

Bridge replacement and bridge structures. These projects are in General Conformance with Plan.

- W. Waverly Road (F-181) in Oak Township, F-7S [Bridge Replacement]
- S. 96th Street (X-84) in South Pass Township, X-1W [Bridge Replacement]

Concrete Box Culvert replacement repair at various locations. These projects are in General Conformance with Plan.

- Various Locations [Concrete Box Culvert Replacement and Repair]

Pamela L. Dingman, P.E.
County Engineer

John V. Berry, P.L.S.
Deputy County Surveyor

LANCASTER COUNTY ENGINEERING

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Lincoln, Nebraska 68528
Phone: 402-441-7681 Fax: 402-441-8692

August 23, 2022

Lincoln-Lancaster County Planning Department
555 S. 10th Street, Suite 213
Lincoln, NE 68508

To whom it may concern:

Please place the 2023 One and Six-Year Road and Bridge Construction Program on the Planning Commission's agenda for September 21, 2022.

If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

Pamela L. Dingman, P.E.
Lancaster County Engineer

cc: Deb Schorr, Lancaster County Board

LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT

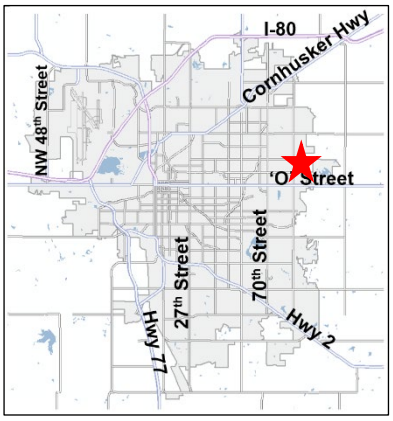
FROM THE LINCOLN/LANCASTER COUNTY PLANNING DEPARTMENT, 555 S. 10TH STREET, SUITE 213, LINCOLN, NE 68508

APPLICATION NUMBER	FINAL ACTION?	DEVELOPER/OWNER
Change of Zone #22013	No	Peregrine Townhomes/Fellowship Church of God
PLANNING COMMISSION HEARING DATE	**RELATED APPLICATIONS**	**PROPERTY ADDRESS/LOCATION**
July 13, 2022	SP22015	Eagle Crest Road and Holredge Street

RECOMMENDATION: APPROVAL

BRIEF SUMMARY OF REQUEST

This is a request for a Change of Zone from AG Agricultural to R-3 Residential over 20.83 acres located southeast of the intersection of Eagle Crest Road and Holdrege Street. The Change of Zone area includes the entire property owned by the Fellowship Church of God. This Change of Zone is being proposed along with related Special Permit 22015 to permit a Community Unit Plan (CUP) with 26 dwelling units.



JUSTIFICATION FOR RECOMMENDATION

The request is consistent with the Comprehensive Plan. The proposal continues the pattern of urban density residential along the south side of Holredge Street in this area. The property is already in the City limits with urban services available.

APPLICATION CONTACT
Nathaniel P. Burnett, (402) 484-7342 or nate@regaeng.com

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

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The proposal is compatible with the Comprehensive Plan as the property is identified for urban density residential with the proposed density of the CUP at 5.2 dwelling units per acre.

KEY QUOTES FROM THE 2050 COMPREHENSIVE PLAN

Introduction Section: Growth Framework

Figure GF.b: 2050 - This site is shown as future urban density residential on the 2050 Future Land Use Plan.

Land Use Plan –
-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.

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.

The Community in 2050

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

Lancaster County is projected to add approximately 53,000 households by 2050, with 48,000 of those new households in Lincoln (roughly 1,600 new households per year).

New growth areas will have an average gross residential density of 4.0 du/acre.

Benefits of Well-Planned Growth

Continued investment within the city ensures that our existing neighborhoods and commercial areas remain vibrant and desirable locations. More "rooftops" near existing commercial areas help to support continued commercial investment.

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.

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.

Developing Neighborhoods
Developing neighborhoods should have a variety of housing types and sizes, plus commercial and employment opportunities.

Policies Section

P3: Developing Neighborhoods - Accommodate and encourage growth that aligns with PlanForward's growth scenario and provides a mix of housing options with convenient access to parks, schools, shopping, jobs, and other community resources.

P17: Predictability - Strive for predictability for neighborhoods and developers.

ANALYSIS

1. This is a request for a change of zone from AG Agricultural to R-3 Residential over 20.83 acres of land. The change of zone area includes the entire property owned by the Fellowship Church of God property at the southeast corner of Eagle Crest Road and Holdrege Street. Related SP22015 is for the south 5.17 acres of this property.

2. The change of zone is requested to allow for the related Special Permit 22015 which will permit a Community Unit Plan (CUP) that will have 26 dwelling units. The lots for these dwellings will be located on the north and south sides of Peregrine Road, a new east-west public street which will connect to the existing Peregrine Road to the East and Peregrine Court to the West. In addition, a connection will be provided to the existing N. 88th Street to the South.

3. A street connection to the north is also provided and will be extended further when the rest of the church property is developed. This area will be shown as future conceptual for purposes of the CUP but will include possible future residential lots along with the retention of a smaller property area for the existing church building.

4. Adjacent subdivisions include a mixture of acreage subdivisions and newer subdivisions established with City services. The adjacent zoning pattern is thus a similar mixture of AGR, R-3 and R-5 for the residential zoned areas along the south side of Holdrege Street. The AGR with existing acreage lots is to the south, R-5 and R-3 with apartments and townhomes is to the east, and R-3 with townhomes is to the west.

5. The proposed R-3 zoning will continue the pattern of urban residential zoning along the south side of Holdrege Street in this area. In time, even parts of the adjacent acreage subdivision could be rezoned to a similar zoning such as R-3 as these properties would develop further as planned for build through with City services extended for subdivisions of existing acreage lots.

6. The future land use map in the 2050 Comprehensive Plan designates this property for urban density residential. This includes residential areas with varying densities ranging from more than fifteen dwelling units per acre to less than one dwelling per acre with all types of housing as appropriate. Therefore, the proposed change of zone is consistent with the Comprehensive Plan.

EXISTING LAND USE & ZONING: Church; AG

SURROUNDING LAND USE & ZONING

North: Church; AG
South: Rural Acreages; AGR
East: Vacant, Apartments (The 8801 CUP); R-3, R-5
West: Single Family Attached, Single Family Detached; R-3

APPLICATION HISTORY:

1979	The area was zoned A-A, Rural and Public Use until 1979 when the zoning was updated to AG Agricultural.
October, 1989	The City Council approved WVR89001 to waive the surfacing requirement for a parking lot.
November, 2017	This property was annexed as part of AN17016 approved by City Council.

APPROXIMATE LAND AREA: 20.83 acres

LEGAL DESCRIPTION: Lot 24, I.T., located in the NW 1/4 of Section 23-10-7, Lincoln, Lancaster County, Nebraska

Prepared by

_____
George Wesselhoft, Planner
Date: June 30, 2022

Owner: Fellowship Church of God
8451 Eagle Crest Road
Lincoln, NE 68505

Applicant: REGA Engineering Group, behalf of Peregrine Townhomes
601 Old Cheney Road
Suite A
Lincoln, NE 68512
(402) 484-7342

Contact: Nathaniel P. Burnett
601 Old Cheney Road
Suite A
Lincoln, NE 68512
(402) 484-7342
nate@regaeng.com

https://linclanc.sharepoint.com/sites/PlanningDept-DevReview/Shared Documents/DevReview/CZ/22000/CZ22013 Peregrine Townhomes.gjw.docx

2020 aerial

Change of Zone #: CZ22013 (AG to R-3)
Peregrine Townhomes
Eagle Crest Rd & Holdrege St

Zoning:

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
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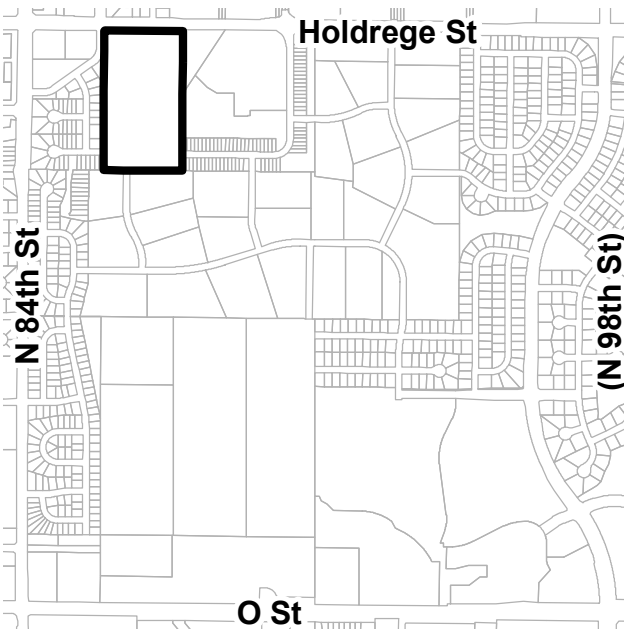
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile:
Sec.23 T10N R07E



Area of Application

Zoning Jurisdiction Lines

Lancaster County Jurisdiction

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File: C:\GIS\Projects\DevelopmentReview\AgendaDrawings\mxd\Agendadrawings.mxd (CZ22013)

REGA
ENGINEERING
GROUP, INC.

File No. 211134
May 25, 2022

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

RE: PEREGRINE TOWNHOMES
COMMUNITY UNIT PLAN / SPECIAL PERMIT
CHANGE OF ZONE FROM AG TO R-3
North 88th Street & Peregrine Road

Dear David,

On behalf of 8801 Peregrine Townhomes LLC, the developer, we are submitting an application for Peregrine Townhomes, a Community Unit Plan / Special Permit with a change of zone from AG to R-3. Currently, the property is owned by Fellowship Church of God. The church will be selling the proposed CUP area to the developer.

The proposed CUP Boundary includes 5.17 acres which is adjacent to R-3 Zoning to the east and west. An associated change of zone request will be over the whole church property. The neighboring property on the east side consists of the recently approved “The 8801” Community Unit Plan and includes both Apartments and single family attached units. West of the property are a combination of single family and single family attached dwelling units. To the south is Acreage Lots

The development includes 26 single family attached lots, 3 outlots for open space/detention and pedestrian connectivity. The development proposes public streets and utilities with street right-of-way.

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.

The following waivers are being requested as follows:

1. SANITARY SEWER RUNNING OPPOSITE STREET GRADE.
(Design Standards Chapter 2.00 Section 3, 3.5)
There is a slight high point where the proposed sanitary sewer will be running opposite the proposed grade.

2. SANITARY SEWER LOCATION
(Design Standards Chapter 2.00 Section 3, 3.4)
The existing sanitary sewer being tied into on the east side of the property is on the north side of Peregrine Road. In discussions with the City of Lincoln Wastewater Department, it was discussed to keep the sanitary sewer location on the north side of this development since it will dead end on with this proposed project.

3. WATER MAIN LOCATION
(Design Standards Chapter 2.10 Section 3, 3.4)
The existing water main being tied into on the east side of the property is on the south side of Peregrine Road. We are proposing the same approach as the sanitary sewer with keeping the water main on the south side and then bringing it over to the north side on the west side of the property.

4. REAR SETBACK FROM 20 FEET TO 15 FEET
(Zoning Ordinance 27.72.020(a))
Due to proposed outlots for detention we are requesting a small reduction in the setbacks to ensure that the proposed residences will have sufficient buildable area.

5. LOT AREA FROM 5,000 SQ. FT. TO 4,200 SQ. FT
(Zoning Ordinance 27.72.020(a))
Due to proposed outlots for detention which reduced the depth of the lots, we are requesting a reduction in the lot area allow for lots on Block 2 and Block 3.

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

Nathaniel P. Burnett, P.E.

Cc: Mitch Linder
Enclosed: Application Form
Application Fee – CUP of $1,451.88
Application Fee – COZ of $1,005.00
CUP and COZ Description
Waiver List
Lot List

LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT

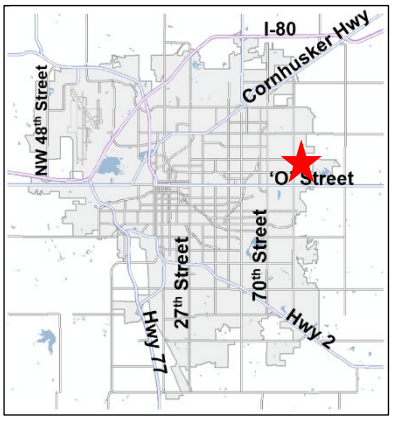
FROM THE LINCOLN/LANCASTER COUNTY PLANNING DEPARTMENT, 555 S. 10TH STREET, SUITE 213, LINCOLN, NE 68508

APPLICATION NUMBER	FINAL ACTION?	DEVELOPER/OWNER
Change of Zone #22013	No	Peregrine Townhomes/Fellowship Church of God
PLANNING COMMISSION HEARING DATE	**RELATED APPLICATIONS**	**PROPERTY ADDRESS/LOCATION**
July 13, 2022	SP22015	Eagle Crest Road and Holredge Street

RECOMMENDATION: APPROVAL

BRIEF SUMMARY OF REQUEST

This is a request for a Change of Zone from AG Agricultural to R-3 Residential over 20.83 acres located southeast of the intersection of Eagle Crest Road and Holdrege Street. The Change of Zone area includes the entire property owned by the Fellowship Church of God. This Change of Zone is being proposed along with related Special Permit 22015 to permit a Community Unit Plan (CUP) with 26 dwelling units.



JUSTIFICATION FOR RECOMMENDATION

The request is consistent with the Comprehensive Plan. The proposal continues the pattern of urban density residential along the south side of Holredge Street in this area. The property is already in the City limits with urban services available.

APPLICATION CONTACT
Nathaniel P. Burnett, (402) 484-7342 or nate@regaeng.com

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

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The proposal is compatible with the Comprehensive Plan as the property is identified for urban density residential with the proposed density of the CUP at 5.2 dwelling units per acre.

KEY QUOTES FROM THE 2050 COMPREHENSIVE PLAN

Introduction Section: Growth Framework

Figure GF.b: 2050 - This site is shown as future urban density residential on the 2050 Future Land Use Plan.

Land Use Plan –
-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.

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.

The Community in 2050

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

Lancaster County is projected to add approximately 53,000 households by 2050, with 48,000 of those new households in Lincoln (roughly 1,600 new households per year).

New growth areas will have an average gross residential density of 4.0 du/acre.

Benefits of Well-Planned Growth

Continued investment within the city ensures that our existing neighborhoods and commercial areas remain vibrant and desirable locations. More "rooftops" near existing commercial areas help to support continued commercial investment.

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.

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.
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ANALYSIS

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3. A street connection to the north is also provided and will be extended further when the rest of the church property is developed. This area will be shown as future conceptual for purposes of the CUP but will include possible future residential lots along with the retention of a smaller property area for the existing church building.

4. Adjacent subdivisions include a mixture of acreage subdivisions and newer subdivisions established with City services. The adjacent zoning pattern is thus a similar mixture of AGR, R-3 and R-5 for the residential zoned areas along the south side of Holdrege Street. The AGR with existing acreage lots is to the south, R-5 and R-3 with apartments and townhomes is to the east, and R-3 with townhomes is to the west.

5. The proposed R-3 zoning will continue the pattern of urban residential zoning along the south side of Holdrege Street in this area. In time, even parts of the adjacent acreage subdivision could be rezoned to a similar zoning such as R-3 as these properties would develop further as planned for build through with City services extended for subdivisions of existing acreage lots.

6. The future land use map in the 2050 Comprehensive Plan designates this property for urban density residential. This includes residential areas with varying densities ranging from more than fifteen dwelling units per acre to less than one dwelling per acre with all types of housing as appropriate. Therefore, the proposed change of zone is consistent with the Comprehensive Plan.

EXISTING LAND USE & ZONING: Church; AG

SURROUNDING LAND USE & ZONING

North: Church; AG
South: Rural Acreages; AGR
East: Vacant, Apartments (The 8801 CUP); R-3, R-5
West: Single Family Attached, Single Family Detached; R-3

APPLICATION HISTORY:

1979	The area was zoned A-A, Rural and Public Use until 1979 when the zoning was updated to AG Agricultural.
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APPROXIMATE LAND AREA: 20.83 acres

LEGAL DESCRIPTION: Lot 24, I.T., located in the NW 1/4 of Section 23-10-7, Lincoln, Lancaster County, Nebraska

Prepared by

_____
George Wesselhoft, Planner
Date: June 30, 2022

Owner: Fellowship Church of God
8451 Eagle Crest Road
Lincoln, NE 68505

Applicant: REGA Engineering Group, behalf of Peregrine Townhomes
601 Old Cheney Road
Suite A
Lincoln, NE 68512
(402) 484-7342

Contact: Nathaniel P. Burnett
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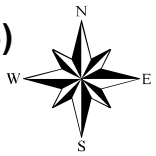
https://linclanc.sharepoint.com/sites/PlanningDept-DevReview/Shared Documents/DevReview/CZ/22000/CZ22013 Peregrine Townhomes.gjw.docx

2020 aerial

Change of Zone #: CZ22013 (AG to R-3)
Peregrine Townhomes
Eagle Crest Rd & Holdrege St



Zoning:

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
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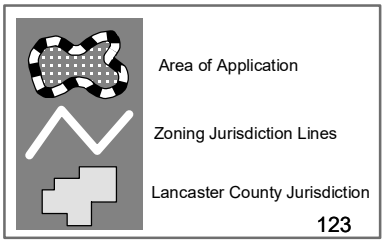
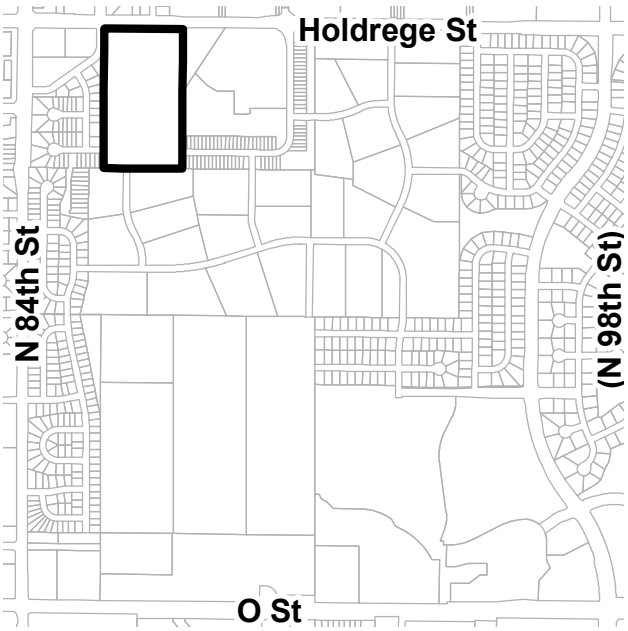
I-3	Employment Center District
P	Public Use District

One Square Mile:
Sec.23 T10N R07E





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File: C:\GIS\Projects\DevelopmentReview\AgendaDrawings\mxd\Agendadrawings.mxd (CZ22013)

REGA
ENGINEERING
GROUP, INC.

File No. 211134
May 25, 2022

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

RE: PEREGRINE TOWNHOMES
COMMUNITY UNIT PLAN / SPECIAL PERMIT
CHANGE OF ZONE FROM AG TO R-3
North 88th Street & Peregrine Road

Dear David,

On behalf of 8801 Peregrine Townhomes LLC, the developer, we are submitting an application for Peregrine Townhomes, a Community Unit Plan / Special Permit with a change of zone from AG to R-3. Currently, the property is owned by Fellowship Church of God. The church will be selling the proposed CUP area to the developer.

The proposed CUP Boundary includes 5.17 acres which is adjacent to R-3 Zoning to the east and west. An associated change of zone request will be over the whole church property. The neighboring property on the east side consists of the recently approved “The 8801” Community Unit Plan and includes both Apartments and single family attached units. West of the property are a combination of single family and single family attached dwelling units. To the south is Acreage Lots

The development includes 26 single family attached lots, 3 outlots for open space/detention and pedestrian connectivity. The development proposes public streets and utilities with street right-of-way.

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.

The following waivers are being requested as follows:

1. SANITARY SEWER RUNNING OPPOSITE STREET GRADE.
(Design Standards Chapter 2.00 Section 3, 3.5)
There is a slight high point where the proposed sanitary sewer will be running opposite the proposed grade.

2. SANITARY SEWER LOCATION
(Design Standards Chapter 2.00 Section 3, 3.4)
The existing sanitary sewer being tied into on the east side of the property is on the north side of Peregrine Road. In discussions with the City of Lincoln Wastewater Department, it was discussed to keep the sanitary sewer location on the north side of this development since it will dead end on with this proposed project.

3. WATER MAIN LOCATION
(Design Standards Chapter 2.10 Section 3, 3.4)
The existing water main being tied into on the east side of the property is on the south side of Peregrine Road. We are proposing the same approach as the sanitary sewer with keeping the water main on the south side and then bringing it over to the north side on the west side of the property.

4. REAR SETBACK FROM 20 FEET TO 15 FEET
(Zoning Ordinance 27.72.020(a))
Due to proposed outlots for detention we are requesting a small reduction in the setbacks to ensure that the proposed residences will have sufficient buildable area.

5. LOT AREA FROM 5,000 SQ. FT. TO 4,200 SQ. FT
(Zoning Ordinance 27.72.020(a))
Due to proposed outlots for detention which reduced the depth of the lots, we are requesting a reduction in the lot area allow for lots on Block 2 and Block 3.

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

Nathaniel P. Burnett, P.E.

Cc: Mitch Linder
Enclosed: Application Form
Application Fee – CUP of $1,451.88
Application Fee – COZ of $1,005.00
CUP and COZ Description
Waiver List
Lot List

CITY OF LINCOLN NEBRASKA

LANCASTER COUNTY NEBRASKA

Revised September 8, 2022

LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT

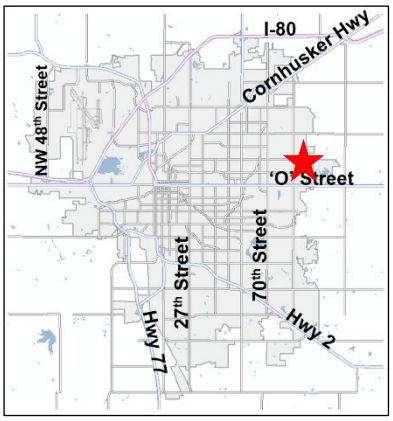
FROM THE LINCOLN/LANCASTER COUNTY PLANNING DEPARTMENT, 555 S. 10TH STREET, SUITE 213, LINCOLN, NE 68508

APPLICATION NUMBER	FINAL ACTION?	DEVELOPER/OWNER
Special Permit 22015 Peregrine Townhomes Community Unit Plan	Yes	Peregrine Townhomes/Fellowship Church of God
PLANNING COMMISSION HEARING DATE	**RELATED APPLICATIONS**	**PROPERTY ADDRESS/LOCATION**
~~July 13, 2022~~ September 21, 2022	CZ22013	Eagle Crest Road and Holdrege Street

RECOMMENDATION: ~~DENIAL~~ CONDITIONAL APPROVAL

BRIEF SUMMARY OF REQUEST

This is a request for a Community Unit Plan (CUP) to include ~~26~~ 28 single family attached dwelling units on approximately 5.17 acres. The CUP is located on the south portion of the Fellowship Church of God property to the southeast of Eagle Crest Road and Holdrege Street. The property is currently zoned AG Agricultural. Related Change of Zone 22013 will rezone the CUP area along with the remainder of the Church property to R-3 Residential. Site access will be from Peregrine Road which will connect to streets to the east and west. Also, there will be a connection to N. 88th Street to the South. A future connection is shown to Eagle Crest Road south of Holdridge Street.



JUSTIFICATION FOR RECOMMENDATION

The Project is consistent with the Comprehensive Plan and the general pattern of urban residential in this area. ~~However, the corrections needed for stormwater management design are major and resubmittal is needed before this project can move forward. Therefore, the recommendation is for denial until the plan is revised and resubmitted so that it conforms to all the requirements.~~ Subject to providing proof of executed agreements for off site storm water management and meeting the other conditions of approval, this proposal meets the requirements.

APPLICATION CONTACT

Nathaniel P. Burnett, (402) 484-7342 or nate@regaeng.com

STAFF CONTACT

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

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The proposed land use and density are in conformance with the Comprehensive Plan, which identifies future urban density residential uses at this location. The proposed ~~26~~ 28 dwelling units on 5.17 acres equates to a land use density of around 5 dwelling units per acre. This is consistent with the Comprehensive Plan for urban density residential.

WAIVERS

1. Design Standards Chapter 2.00 Section 3, 3.4 for sanitary sewer location. (~~Recommend~~ Conditional Approval)
2. Design Standards Chapter 2.00 Section 3, 3.5 to allow sanitary sewer to run opposite the street grade. (Recommend Approval)

3. Design Standards Chapter 2.10, Section 3, ~~3.4~~ 3.2 for water main to location. (~~Recommend~~ Conditional Approval)

4. ~~Zoning Ordinance 27.72.020(a) to reduce the rear yard setback from 20 feet to 15 feet for Blocks 2 and 3. (Recommend Approval)~~

5. ~~Zoning Ordinance 27.72.020(a) to reduce the minimum lot area from 5,000 square feet to 4,200 square feet. (Recommend Approval).~~

KEY QUOTES FROM THE 2050 COMPREHENSIVE PLAN

Introduction Section: Growth Framework

Figure GF.b: 2050 - This site is shown as future urban density residential on the 2050 Future Land Use Plan.

Land Use Plan –
-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.

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.

The Community in 2050

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

Lancaster County is projected to add approximately 53,000 households by 2050, with 48,000 of those new households in Lincoln (roughly 1,600 new households per year).

New growth areas will have an average gross residential density of 4.0 du/acre.

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Continued investment within the city ensures that our existing neighborhoods and commercial areas remain vibrant and desirable locations. More "rooftops" near existing commercial areas help to support continued commercial investment.

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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

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Developing neighborhoods should have a variety of housing types and sizes, plus commercial and employment opportunities.

Policies Section

P3: Developing Neighborhoods - Accommodate and encourage growth that aligns with PlanForward's growth scenario and provides a mix of housing options with convenient access to parks, schools, shopping, jobs, and other community resources.

Action Steps
1. Provide for an adequate supply of land and timely infrastructure improvements that meet the demands of growth.
2. Structure incentives to encourage higher densities to make greater use of the community's infrastructure.
3. Encourage new development to achieve densities greater than five dwelling units per gross acre by zoning at least 20% of residentially zoned land in developing areas to allow greater than five dwelling units per acre by right.
4. Develop new design standards or zoning tools that encourage density, optimize infrastructure costs, and help lower the overall cost of property development.
5. Implement elements of Complete Neighborhoods for Developing Areas.
6. Develop and utilize a measurement tool to evaluate neighborhoods in terms of how well they achieve PlanForward's goals for design, sustainability, and Complete Neighborhoods goals.
7. Encourage public and private investment in neighborhood infrastructure and services to support economic diversity that improves the quality of life for all residents.
8. Include housing for a variety of incomes and households throughout the community that is integrated into neighborhoods and provides appropriate transitions, scale, and context.
9. Promote mixed-income neighborhoods.
10. Preserve areas designated for multi-family, and group living housing in approved plans to support a distributed choice in affordable housing.
11. Support addition of higher density development in existing multi-family development.
14. Promote neighborhood and community design that supports healthy and active lifestyles, such as the benefits of street trees.
16. Encourage a variety of housing types including townhomes, senior living facilities, low/no maintenance condominiums, accessory dwelling units, multi-family development, and small lot single-family units.

P17: Predictability - Strive for predictability for neighborhoods and developers.

Action Steps
1. Continue to make updates as needed to zoning and subdivision ordinances, along with design standards, to support economic development, complete neighborhoods, and other PlanForward initiatives.
2. Support timely and efficient implementation of the growth tiers framework through the Capitol Improvement Program and other coordinated infrastructure enhancements.

ANALYSIS

1. This is a request for a new Community Unit Plan (CUP) to permit ~~26~~ 28 dwellings on approximately 5.17 acres. The

project is located to the southeast of Eagle Crest Road and Holdrege Street intersection on the south part of the existing Fellowship Church of God property. The residential units will be single family attached. The density limit for this CUP in R-3 zoning is 6.96 dwelling units per acre which in this case equates to 35 total dwelling units that would be allowable. Therefore, the proposal is under the density limit.

2. The remainder of the church property not included in the CUP area will be shown as Conceptual Layout on the plan. A proposed connection to Eagle Crest Road is shown along with additional residential lots south of the existing church building.

3. The applicant has requested the following waivers to the Lincoln Municipal Code and to Design Standards:

   a) Design Standards Chapter 2.00 Section 3, 3.4 for sanitary sewer location. The existing sanitary sewer being tied into on the east side of the property is on the north side of Peregrine Road. It was discussed to keep the sanitary sewer location on the north side of this development as it will terminate within this project and is justified.

   b) Design Standards Chapter 2.00 Section 3, 3.5 to allow sanitary sewer to run opposite the street grade. There is a slight high point where the proposed sanitary sewer will be running opposite the proposed grade. This waiver is justifiable and has been approved in other projects.

   c) Design Standards Chapter 2.10, Section 3, ~~3.4~~ 3.2 for water main to location. The existing water main being tied into on the east side of the property is on the south side of Peregrine Road. The proposal for water is the same as sanitary sewer with keeping the water main on the south side and then bringing it over to the north side on the west side of the property. This is justifiable and acceptable to LTU.

   ~~d) Zoning Ordinance 27.72.020(a) to reduce the rear yard setback from 20 feet to 15 feet. Due to proposed detention outlots it is requested to have a small reduction in the setbacks to allow sufficient buildable area. As this reduction is minor and will not negatively affect any neighbors, it is justified.~~

   ~~e) Zoning Ordinance 27.72.020(a) to reduce the minimum lot area from 5,000 square feet to 4,200 square feet. Due to proposed outlots for detention which reduces the depth of the lots, it is requested to have a reduction in the lot area on Blocks 2 and Block 3. Lot area reductions have been approved in other CUP projects and in this case is justified.~~

4. Related CZ22013 is to change the zoning from AG Agricultural to R-3 Residential for the entire Church property to allow for the CUP. The R-3 zoning is consistent with the zoning pattern to the west which is also R-3 and to the east which includes both R-3 and R-5. There is existing AGR zoning to the south with the Sunrise Estates CUP, however, this acreage subdivision was previously established prior to the current availability of City services. Street connections have been provided to Sunrise Estates as adjoining areas have developed, including Waterford Estates and The 8801 CUP.

5. The future land use map identifies the property for urban density residential. This is the identified future land use for the general area on the south side of Holdrege east of the commercial area at N. 84th and extending to the east City limits beyond Waterford Estates. The proposed CUP therefore is appropriate as it will match the land use pattern in this area.

6. It should be noted that as an impact of this project the street name to the west, Peregrine Court, will need to be changed to Peregrine Road. This will need to be done at the time of final plat when the new street is platted and dedicated to the City. This will affect four dwellings east of Talon Road.

7. The site plan has been revised for stormwater management to now include off site drainage through the church property to the north and to the 8801 development to the east. This concept is acceptable, subject to LTU-Watershed corrections and executed agreement documents from the church and the 8801 development. These are required as part of the final approved plan.

8. ~~LTU Watershed has identified issues relative to the design of the stormwater management. These issues are major enough to not recommend this project move forward until significant corrections are made. This is the reason for the recommendation to deny. Specifically, Watershed Management recommends denial to this plan until corrections are made to the grading and drainage to meet City design standards. Multiple meetings and discussions have been had with the engineer, but no significant changes have been made to meet the grading and drainage~~

~~requirements. Lot widths or the number of lots may need to be reduced or grading revised to eliminate walkout lots to meet these requirements. Assurance is needed that this development as shown can meet these requirements before it moves forward. The following must be provided before Watershed Management can recommend approval:~~

- ~~i. Maintenance access needs to be provided along the sides of the detention cell to the outlet structure. The required access is a flat 15 ft wide path along the sides and a 14 ft wide top embankment along the southern property line, but Watershed Management is supportive of reducing these down to 8 ft wide. This has been communicated to the engineer but has not been provided.~~
- ~~ii. Discrepancies between the grading plan and the drainage report need to be rectified. This may result in increased area needed for the detention pond.~~
- ~~iii. There may be more detailed comments once the grading and drainage plan has been revised to address these requirements.~~

9. One of the conditions of approval is to include an outlot on the south side of Peregrine Road next to The 8801 development. This is next to a similar outlot that exists in the latter development. This will benefit both developments in that it will allow the two to be combined and for each development to have one dwelling unit as part of a single family attached home. The 8801 was approved first so this development needs to match the condition of The 8801 which includes the outlot for future development. It should be noted that the developer isn't being required to give this land away. They should be appropriately compensated, or they could buy the adjacent outlot in The 8801 and replat it into a buildable lot. Either way the condition provides benefit to both owners. Further, this change can be made without impacting the overall design as the lot in question is wider than the other lots.
10. In terms of traffic impact, this proposal with the conditions of approval for the outlot on the south side of Peregrine Road includes up to ~~27~~ 29 dwelling units. These will be townhomes that may be built over several years. This is a much different scenario than The 8801 Development to the east which included up to 728 dwelling units including townhomes and apartments. In the case of the latter project, given the larger scale and with apartments the conditions of approval included temporary barricades at Duane Lane and N. 92nd Street until the first multi-family building is occupied. In the case of this CUP, it would not be appropriate to have a similar condition because of the smaller scale of the development which by connecting all the streets will not negatively harm the nearby residents. Street connections are made all the time in developments. Blocking street connections such as N. 88th Street, in this case, would not be fair to the neighbors to the west that may have additional traffic only come and go one direction.
11. The proposed community unit plan subject to conditions of approval is consistent with the Comprehensive Plan and will be at appropriate urban residential density.

CONDITIONS OF APPROVAL: See attached.

UTILITIES: City services including water and sanitary sewer are available. There is existing water and sanitary sewer adjacent the CUP site.

TOPOGRAPHY: The existing topography falls approximately 30 feet from the south end of the property to the north end along Holdrege Street.

TRAFFIC ANALYSIS: Holdrege Street is a minor arterial street at this location.

PUBLIC SERVICE: The nearest Lincoln Fire and Rescue Station is Station #16 at N. 98th Street and Boathouse Road.

EXISTING LAND USE & ZONING: Church; AG

SURROUNDING LAND USE & ZONING

North: Church, Single Family Detached; AG, R-3

South: Rural Acreages; AGR
East: Vacant and apartments under construction (The 8801 CUP); R-3, R-5
West: Single Family Detached, Southeast Rural Fire and Rescue Station; R-3, O-3

APPLICATION HISTORY: See Attached.

APPROXIMATE LAND AREA: 5.17 acres

LEGAL DESCRIPTION: See Attached.

Prepared by

_____
George Wesselhoft, Planner
Date: ~~June 30, 2022~~ September 8, 2022

Owner: Fellowship Church of God
8451 Eagle Crest Road
Lincoln, NE 68505

Applicant/
Contact: REGA Engineering Group, behalf of Peregrine Townhomes
Nathaniel P. Burnett
601 Old Cheney Road
Suite A
Lincoln, NE 68512
(402) 484-7342
nate@regaeng.com

https://linclanc.sharepoint.com/sites/PlanningDept-DevReview/Shared Documents/DevReview/SP/22000/SP22015 Peregrine Townhomes CUP Revised.gjw.docx

APPLICATION HISTORY – SPECIAL PERMIT #22015

1979	The area was zoned A-A, Rural and Public Use until 1979 when the zoning was updated to AG Agricultural.
October, 1989	The City Council approved WVR89001 to waive the surfacing requirement for a parking lot.
November, 2017	This property was annexed as part of AN17016 approved by City Council.

CONDITIONS OF APPROVAL – SPECIAL PERMIT 22015

Per Section 27.63.320 this approval permits a Community Unit Plan with up to ~~27~~ 29 single family attached residential dwelling units with the following waivers:

1. Design Standards Chapter 2.00 Section 3, 3.4 for sanitary sewer location~~.~~ subject to LTU approval.
2. Design Standards Chapter 2.00 Section 3, 3.5 to allow sanitary sewer to run opposite the street grade.
3. Design Standards Chapter 2.10, Section 3, ~~3.4~~ 3.2 for water main to location~~.~~ subject to LTU approval.
4. ~~Zoning Ordinance 27.72.020(a) to reduce the rear yard setback from 20 feet to 15 feet.~~
5. ~~Zoning Ordinance 27.72.020(a) to reduce the minimum lot area from 5,000 square feet to 4,200 square feet for Blocks 2 and 3.~~

Site Specific Conditions:

1. Before a final plat is approved the permittee shall cause to be prepared and submitted to the Planning Department a revised and reproducible final plot plan including **2** copies with all required revisions and documents as listed below:

    1.1 Make the following revisions:

    ~~1.1.1 Add label "Conceptual Layout" to the remainder of the church property not in the CUP.~~

    ~~1.1.2 Change Outlot C to 15 feet width and label as pedestrian easement.~~ Clearly identify 15 foot dimension for width of Outlot A.

    1.1.3 Change Note 1. under General Notes to ~~27~~ 29 dwelling units.

    1.1.4 Change Density Table to reflect ~~27~~ 29 dwelling units permitted within this CUP.

    1.1.5 Revise Lot 10 ~~Lots 7 and 8~~, Block 3 so there is at least a 10' wide outlot to the east of Lot 10 ~~8~~.

    ~~1.1.6 Identify the corner front setback for lots which are corner lots.~~

    ~~1.1.7 Make text size consistent throughout the plan.~~

    ~~1.1.8 Revise Note 12. under General Notes to remove mention of any sidewalk waiver.~~

    1.1.9 Delete Note 10. under General Notes.

    ~~1.1.10 Fix overlapping text in southwest area of the CUP.~~

    1.1.11 Revise grading plan to show pedestrian easement meeting ADA for sidewalk.

    ~~1.1.12 Show duplex lots without a 5' side yard setback in between units.~~

    ~~1.1.13 Remove duplex term from all lots.~~

    ~~1.1.14 Correct developer name spelling to Mitch Linder.~~

    1.1.15 Submit revisions per LTU-Watershed Management ~~6/24~~ 9/6/22 comments.

1.1.16 Submit revisions per LTU-Engineering Services 9/1/22 comments.

1.1.17 Provide north-south distance for 30' storm sewer easement to the northeast of the CUP.

1.1.18 Provide proof of executed agreements from the Church and the 8801 development for the off-site drainage proposal.

1.1.19 Update Sheet Numbering.

~~1.1.20 Provide cross section of sidewalk between Lots 6 and 7.~~

~~1.1.21 Show profile information to determine grade for N. 88th Street.~~

~~1.1.22 Show N. 88th Street and N. 89th Street connections to Peregrine Road and call out what existing profiles at each end are in street profile information.~~

~~1.1.23 Add note under General Notes that developer is responsible for extension of N. 88th Street pavement to existing pavement in Sunrise Estates and removal of temporary cul-de-sac.~~

~~1.1.24 Submit CAD corrections for GIS Survey.~~

2. Before a final plat is approved provide the following documents to the Planning Department:

2.1 Verification from the Register of Deeds that the letter of acceptance as required by the approval of the special permit has been recorded.

3. Final plat(s) is/are approved by the City.

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

Before the approval of a final plat, the public streets, private roadway improvements, sidewalks, public sanitary sewer system, public water system, drainage facilities, land preparation and grading, sediment and erosions control measures, storm water detention/retention facilities, drainageway improvements, street lights, landscaping screens, street trees, temporary turnaround and barricades, and street name signs, must be completed or provisions (bond, escrow or security agreement) to guarantee completion must be approved by the City Law Department. The improvements must be completed in conformance with adopted design standards and within the time period specified in the Land Subdivision Ordinance. A cash contribution to the City in lieu of a bond, escrow, or security agreement may be furnished for sidewalks and street trees along major streets that have not been improved to an urban cross section. A cash contribution to the City in lieu of a bond, escrow, or security agreement may be furnished for street trees on a final plat with 10 or fewer lots.

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

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

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

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

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

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

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

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

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

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

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

to complete any other public or private improvement or facility required by Chapter 26.23 (Development Standards) of the Land Subdivision Ordinance in a timely manner which inadvertently may have been omitted from the above list of required improvements.

to submit to the Director of Lincoln Transportation and Utilities 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.

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

Standard Conditions:

4. The following conditions are applicable to all requests:

4.1 Before occupying the dwelling units all development and construction shall substantially comply with the approved plans.

4.2 All privately-owned improvements, including landscaping and recreational facilities, shall be permanently maintained by the Permittee or an appropriately established homeowners association approved by the City.

4.3 The physical location of all setbacks and yards, buildings, parking and circulation elements, and similar matters be in substantial compliance with the location of said items as shown on the approved site plan.

4.4 The terms, conditions, and requirements of this resolution shall run with the land and be binding upon the Permittee, its successors and assigns.

4.5 The applicant shall sign and return the letter of acceptance to the City Clerk. This step should be completed within 60 days following the approval of the special permit. The City Clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the applicant. Building permits will not be issued unless the letter of acceptance has been filed.

2020 aerial

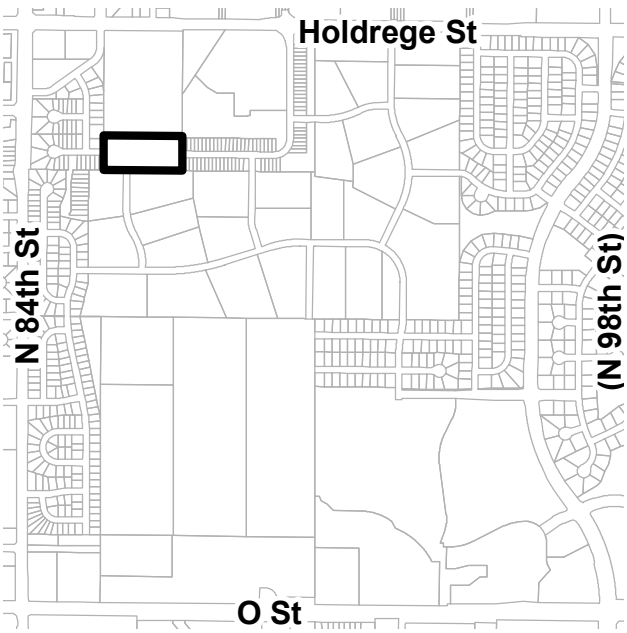
Special Permit #: SP22015
Peregrine Townhomes CUP
Eagle Crest Rd & Holdrege St

Zoning:

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

N W E S

One Square Mile:
Sec.23 T10N R07E



Area of Application

Zoning Jurisdiction Lines

Lancaster County Jurisdiction

PDF: F:\Boards\PC\Internet\out\

File: C:\GIS\Projects\DevelopmentReview\AgendaDrawings\mxd\Agendadrawings.mxd (SP22015)

LEGAL DESCRIPTION:

A parcel of land composed of part of Lot 24 Irregular Tracts, located in the Northwest Quarter of Section 23, Township 10 North, Range 7 East of the 6th P.M., City of Lincoln, Lancaster County, Nebraska and more particularly described as follows:

BEGINNING at the Southwest corner of said Lot 24 Irregular Tracts, thence North on the West line of said Lot 24 Irregular Tracts and on an assumed bearing of N 00° 10' 45" E, for a distance of 312.99 feet;

Thence S 89° 45' 29" E, a distance of 714.71 feet.

Thence South on the East line of said Lot 24 Irregular Tracts, S 00° 10' 30" W, a distance of 316.86 feet to the Southeast corner of said Lot 24 Irregular Tracts;

Thence West on the South line of said Lot 24 Irregular Tracts, N 89° 26' 52" W, a distance of 714.75 feet to the **POINT OF BEGINNING** and having a calculated area of 225,085.36 square feet or 5.17 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

Lyle L. Loth R.L.S.#514

GENERAL NOTES
COMMUNITY UNIT PLAN

1. THIS SPECIAL PERMIT CONSISTS OF 26 DWELLING UNITS.
2. ZONING IS R-3 WITH THIS C.U.P.
3. THE OWNER/DEVELOPER RESERVES THE RIGHT TO BUILD ANYWHERE WITHIN THE SETBACKS AS PER R-3 ZONING DISTRICT WITH EXCEPTION OF APPROVED WAIVERS.
4. DIRECT VEHICULAR ACCESS TO HOLDREGE STREET SHALL BE RELINQUISHED.
5. CURVILINEAR DIMENSIONS ARE CHORD LENGTHS.
6. TOPOGRAPHIC GRADING CONTOURS ARE AT NAVD 1988.
7. ALL LOT LINES ARE CONCEPTUAL AND FINAL PLATS MAY SHOW DIFFERENT LOT DIMENSIONS.
8. 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.
9. ALL OUTLOTS SHALL BE MAINTAINED BY AN ASSOCIATION OF HOMEOWNERS.
10. UTILITY EASEMENTS TO BE PROVIDED AS REQUIRED BY L.E.S..
11. ALL PUBLIC STREET PAVEMENT RADII TO BE 20' AND PAVEMENT WIDTH TO BE 27' UNLESS NOTED OTHERWISE.
12. SIDEWALKS SHALL BE LOCATED ON BOTH SIDES OF PUBLIC STREETS. SIDEWALKS SHALL BE A MINIMUM OF 4 FEET IN WIDTH. SIDEWALKS SHALL BE A MINIMUM OF 4 INCHES THICK CONCRETE, 6 INCHES THICK AT DRIVEWAY CROSSINGS.
13. SANITARY SEWER AND WATER LINES TO BE 8" AND 8" PIPE RESPECTIVELY UNLESS SHOWN OTHERWISE AND TO BE BUILT TO THE CITY OF LINCOLN SPECIFICATIONS WITH EXCEPTION OF APPROVED WAIVERS.
14. DEVELOPER IS RESPONSIBLE FOR EXTENSION FOR N. 88TH STREET PAVEMENT TO EXISTING PAVEMENT IN SUNRISE ESTATES AND REMOVAL OF TEMPORARY CUL DE SAC

WAIVERS:

1. SANITARY SEWER RUNNING OPPOSITE STREET GRADE. (DESIGN STANDARDS CHAPTER 2.00 SECTION 3, 3.5)
2. SANITARY SEWER LOCATION. (DESIGN STANDARDS CHAPTER 2.00 SECTION 3, 3.4)
3. WATER MAIN LOCATION. (DESIGN STANDARDS CHAPTER 2.10 SECTION 3, 3.4)
4. REAR SETBACK FROM 20 FEET TO 15 FEET. (Zoning Ordinance 27.72.120(a))
5. LOT AREA FROM 8,000 SQ. FT. TO 4,200 SQ. FT. (Zoning Ordinance 27.72.020(a))

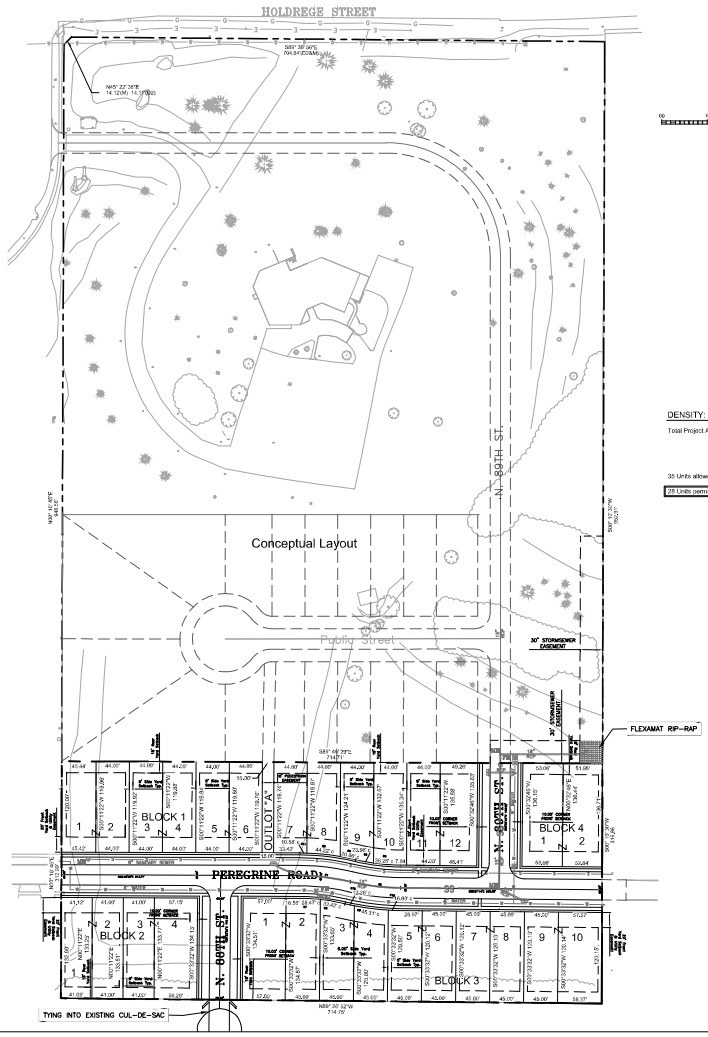
CURVE TABLE					
CURVE #	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	200.00'	66.83'	66.54'	N57°41'51"W	019°08'34"
C2	200.00'	66.83'	66.54'	N38°33'16"E	019°08'34"
C3	200.00'	14.33'	14.33'	S37°46'58"W	004°06'08"
C4	200.00'	20.88'	20.88'	N79°25'43"W	006°23'19"
C5	270.00'	33.61'	33.59'	S79°11'38"E	007°07'56"
C6	270.00'	36.39'	36.36'	S87°31'13"E	007°43'04"
C7	270.00'	25.49'	25.47'	N84°17'58"W	005°24'43"
C8	270.00'	33.45'	33.42'	N76°12'56"W	007°05'56"
C9	330.00'	45.97'	45.93'	N57°43'31"W	007°58'53"
C10	330.00'	18.00'	18.00'	S56°54'43"E	002°47'57"
C11	330.00'	10.68'	10.68'	N59°13'13"W	001°50'18"
C12	330.00'	12.28'	12.28'	N71°45'51"W	002°07'46"

OWNER:
FELLOWSHIP CHURCH OF GOD
8451 EAGLE CREST ROAD
LINCOLN, NE. 68505

DEVELOPER:
8801 PEREGRINE TOWNHOMES, LLC
ATTN: MITCH LINDER
6000 S. 20TH STREET
LINCOLN, NE. 68516

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

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



NORTH
SCALE 1" = 60'

NO.	REVISIONS DESCRIPTION	DATE	BY
	CZ SUBMITAL	04/27/22	REGA
	CZ REVISED SUBMITTAL	05/25/22	REGA
	CZ REVISED SUBMITTAL	06/15/22	REGA
	CZ REVISED SUBMITTAL	07/07/22	REGA
	CZ REVISED SUBMITTAL	07/14/22	REGA
	CZ REVISED SUBMITTAL	08/24/22	REGA

PROJECT 211134

REGA ENGINEERING GROUP, INC.
601 OLD CHENEY RD., SUITE A
LINCOLN, NEBRASKA 68512
(402).484.7342
- ENGINEERING
- PLANNING
- LANDSCAPE ARCHITECTURE
- LAND SURVEYING
- IRRIGATION

LOT DATA:

BLOCK 1 LOT	AREA (S.F.)	AVERAGE LOT DEPTH	AVERAGE LOT WIDTH
1	5,450.40	119.98'	45.43'
2	5,277.26	119.94'	44.00'
3	5,275.48	119.90'	44.00'
4	5,273.74	119.86'	44.00'
5	5,271.99	119.82'	44.00'
6	5,270.19	119.78'	44.00'
7	5,268.42	119.81'	43.97'
8	5,247.90	122.04'	43.55'
9	5,656.54	128.39'	44.06'
10	5,920.81	134.01'	44.18'
11	5,960.19	135.46'	44.00'
12	6,027.34	135.71'	49.83'

BLOCK 2 LOT	AREA (S.F.)	AVERAGE LOT DEPTH	AVERAGE LOT WIDTH
1	5,471.87	133.12'	41.10'
2	5,468.55	133.39'	41.00'
3	5,479.19	133.64'	41.00'
4	7,897.15	133.95'	56.72'

BLOCK 3 LOT	AREA (S.F.)	AVERAGE LOT DEPTH	AVERAGE LOT WIDTH
1	7,677.22	134.68'	57.00'
2	6,061.27	134.28'	45.15'
3	5,857.62	129.73'	45.15'
4	5,518.28	123.15'	44.81'
5	5,407.27	120.31'	44.94'
6	5,405.41	120.12'	45.00'
7	5,405.62	120.13'	45.00'
8	5,405.84	120.13'	45.00'
9	5,406.05	120.14'	45.00'
10	6,994.43	120.15'	57.96'

BLOCK 4 LOT	AREA (S.F.)	AVERAGE LOT DEPTH	AVERAGE LOT WIDTH
1	7,331.82	136.30'	53.06'
2	7,199.90	136.06'	52.39'
OUTLOT A	1,796.28	NA	NA

DENSITY:

Total Project Area 225,031 s.f.
or 5.17 acres
x 6.06 R-3 Zoning

35 Units allowed

35 Units allowed by Density Calculations

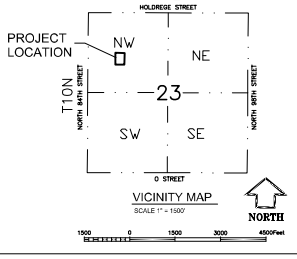
26 Units permitted with this Special Permit

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/ LS625 CAP)
- SUCTION CONNUN
- (M) MEASURED DISTANCE
- (P) PLATTED DISTANCE

SHEET INDEX

SITE PLAN	1
UTILITY PLAN	2
PRE-DEVELOPMENT PLAN	3
POST DEVELOPMENT PLAN	4
GRADING PLAN/STREET PROFILES	5
STREET PROFILES	6



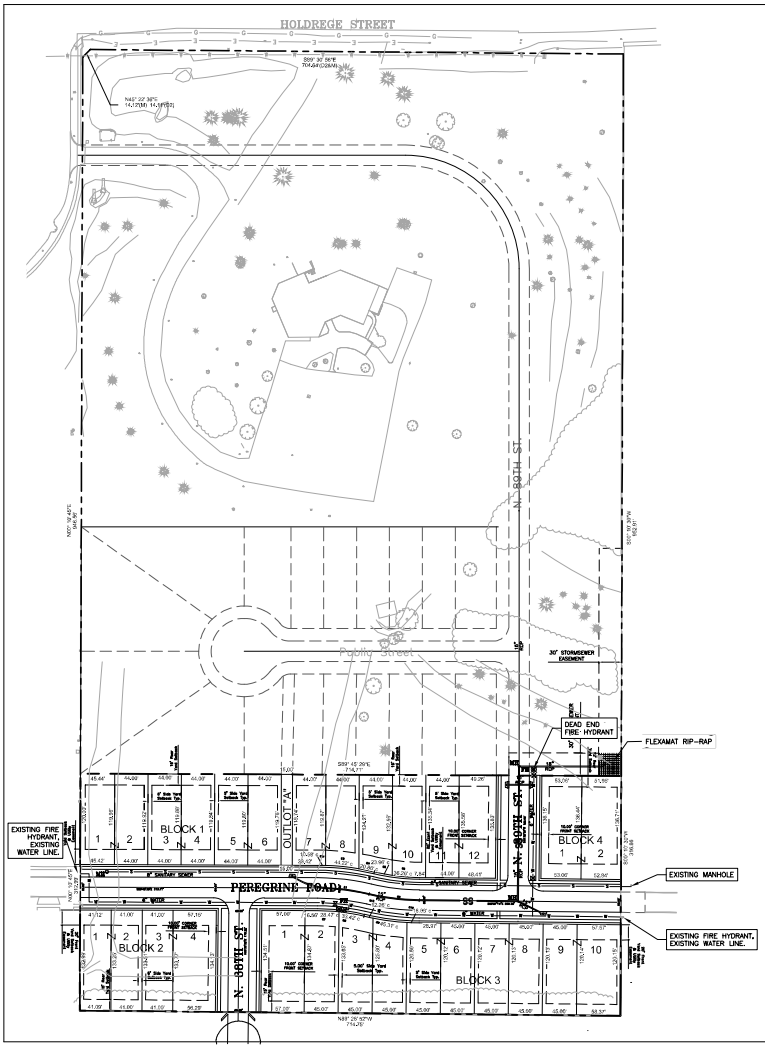
VICINITY MAP
SCALE 1" = 1500'
NORTH

PEREGRINE TOWNHOMES
COMMUNITY UNIT PLAN / SPECIAL PERMIT # CZ22013
SITE PLAN
NORTH 88TH & PEREGRINE ROAD

DATE: 08/24/2022
DESIGNED BY: MN
DRAWN BY: MN
CHECKED BY: NPB

PRELIMINARY NOT FOR CONSTRUCTION

SHEET NO.
1 of 6



NORTH
SCALE 1" = 60'

NO.	REVISIONS		
	DESCRIPTION	DATE	BY
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	CZ REVISED SUBMITTAL	05/25/22	REGA
	CZ REVISED SUBMITTAL	06/15/22	REGA
	CZ REVISED SUBMITTAL	07/07/22	REGA
	CZ REVISED SUBMITTAL	07/14/22	REGA
	CZ REVISED SUBMITTAL	08/24/22	REGA

LEGEND
- BOUNDARY OF CUP
- SETBACK/BUILDING ENVELOPE
- EASEMENT
- CENTERLINE
- SECTION LINE
- ADJACENT PROPERTY LINE
- CORNER FOUND (24" REBAR W/ LS825 CAP)
- CORNER SET (5/8"x24" REBAR W/ LS825 CAP)
- SECTION CORNER
- (M) MEASURED DISTANCE
- (P) PLATTED DISTANCE
- PROPOSED 8" WATER LINE
- PROPOSED 8" SANITARY SEWER LINE
- FIRE HYDRANT
- MANHOLE

PROJECT 211134

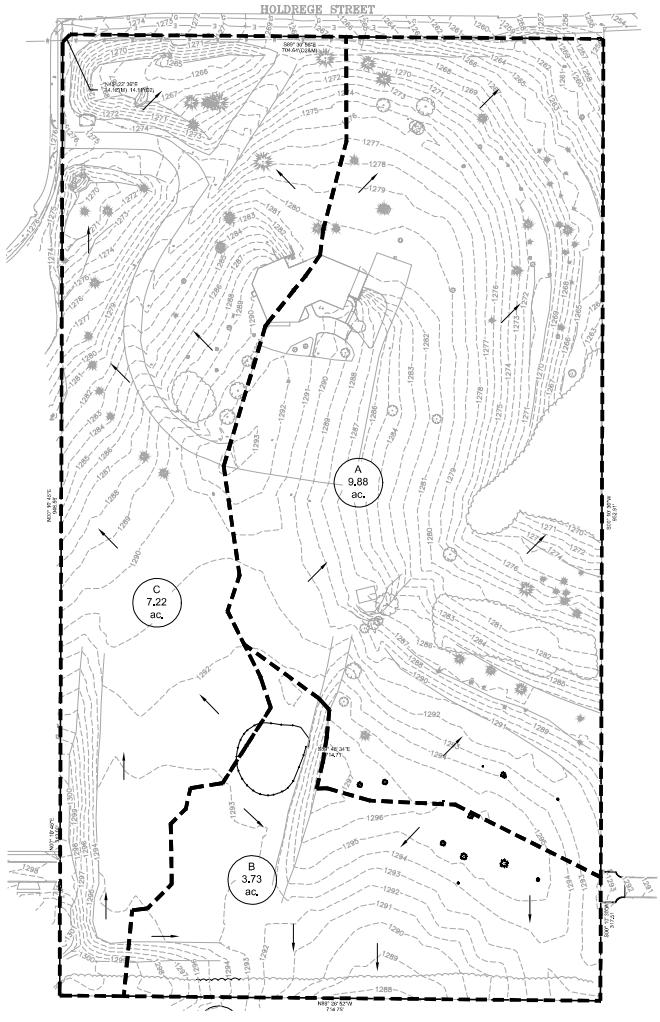
REGA ENGINEERING GROUP, INC.
601 OLD CHENEY RD., SUITE A
LINCOLN, NEBRASKA 68512
(402) 484.7342
- ENGINEERING
- PLANNING
- LANDSCAPE ARCHITECTURE
- LAND SURVEYING
- IRRIGATION

PEREGRINE TOWNHOMES
COMMUNITY UNIT PLAN / SPECIAL PERMIT # CZ22013
UTILITY PLAN
NORTH 88TH & PEREGRINE ROAD

DATE: 08/24/2022
DESIGNED BY: MN
DRAWN BY: MN
CHECKED BY: NPB

PRELIMINARY NOT FOR CONSTRUCTION

SHEET NO. 2 of 6



NORTH
SCALE 1" = 60'

LEGEND
- BOUNDARY OF CUP
- SETBACK/BUILDING ENVELOPE
- EASEMENT
- CENTERLINE
- SECTION LINE
- ADJACENT PROPERTY LINE
- CORNER FOUND (24" REBAR W/ LS825 CAP)
- CORNER SET (5/8"x24" REBAR W/ LS825 CAP)
- SECTION CORNER
- (M) MEASURED DISTANCE
- (P) PLATTED DISTANCE
- WATER PATH

NO.	REVISIONS		
	DESCRIPTION	DATE	BY
	CZ SUBMITAL	04/27/22	REGA
	CZ REVISED SUBMITTAL	05/25/22	REGA
	CZ REVISED SUBMITTAL	06/15/22	REGA
	CZ REVISED SUBMITTAL	07/07/22	REGA
	CZ REVISED SUBMITTAL	07/14/22	REGA
	CZ REVISED SUBMITTAL	08/24/22	REGA

PROJECT
211134

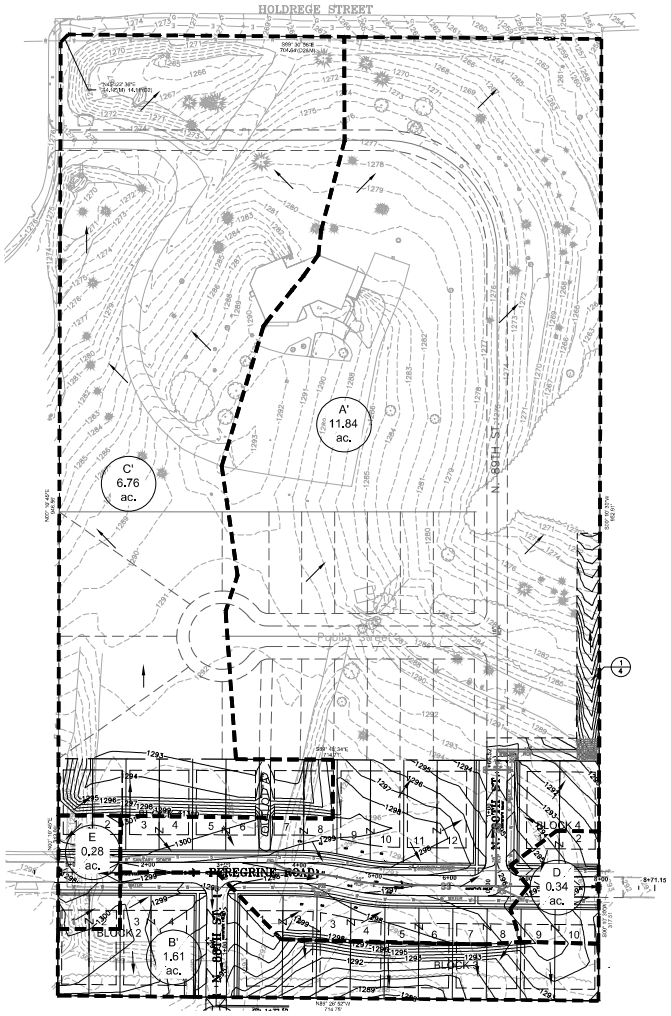
REGA
ENGINEERING GROUP, INC.
601 OLD CHENEY RD., SUITE A
LINCOLN, NEBRASKA 68512
(402).484.7342
- ENGINEERING
- PLANNING
- LANDSCAPE ARCHITECTURE
- LAND SURVEYING
- IRRIGATION

PEREGRINE TOWNHOMES
COMMUNITY UNIT PLAN / SPECIAL PERMIT # CZ22013
PRE-DEVELOPMENT PLAN
NORTH 88TH & PEREGRINE ROAD

DATE: 08/24/2022
DESIGNED BY: MN
DRAWN BY: MN
CHECKED BY: NPB

PRELIMINARY NOT FOR CONSTRUCTION

SHEET NO.
3 of 6



NO.	REVISIONS		
	DESCRIPTION	DATE	BY
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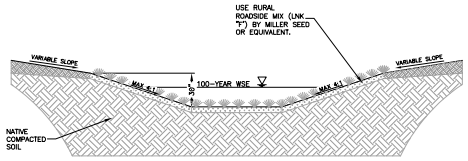
	CZ REVISED SUBMITTAL	05/25/22	REGA
	CZ REVISED SUBMITTAL	06/15/22	REGA
	CZ REVISED SUBMITTAL	07/07/22	REGA
	CZ REVISED SUBMITTAL	07/14/22	REGA
	CZ REVISED SUBMITTAL	08/24/22	REGA

NORTH
SCALE 1" = 60'
60 0 60 120 180 Feet

LEGEND
- BOUNDARY OF CUP
- SETBACK/BUILDING ENVELOPE
- EASEMENT
- CENTERLINE
- SECTION LINE
- ADJACENT PROPERTY LINE
- 1295 EXISTING CONTOURS
- 1295 PROPOSED CONTOURS
- DIRECTION OF FLOW
- G XXXX.XX SPOT GROUND ELEVATION
- CORNER FOUND (24" REBAR W/ LS825 CAP)
- CORNER SET (5/8"x24" REBAR W/ LS825 CAP)
- SECTION CORNER
- (M) MEASURED DISTANCE
- (P) PLATTED DISTANCE



1. CONTRACTOR TO USE STOCKPILED TOP SOIL FOR FINAL DRESSING. IF TOP SOIL DOESN'T EXIST OR ISN'T SUITABLE, CONTACT ENGINEER FOR AMENDING THE IN PLACE SOIL.

2. CONTRACTOR TO IMPLEMENT A TEMPORARY WATERING SCHEDULE UNTIL A MINIMUM VEGETATIVE COVER OF 80% HAS BEEN ESTABLISHED.

3. PRIOR TO BACKFILL ACTIVITIES, THE SOIL MATERIAL SHALL BE REMIXED ON SITE TO ENSURE HOMOGENEOUS CONSISTENCY UNDER THE DIRECTION OF THE ENGINEER. THE BACKFILL SHALL BE PLACED IN 4 INCH LIFTS AND THOROUGHLY WETTED AND ALLOWED TO SETTLE. BACKFILL SOIL SHALL NOT BE COMPACTED. AREA SHOULD BE BACKFILLED TO APPROXIMATELY 3-4 INCHES ABOVE DESIRED FINAL GRADE TO ALLOW FOR NATURAL COMPACTION OF PERMEABLE SOILS.

1/4 GRASS SWALE SECTION
NO SCALE

PROJECT
211134

REGA
ENGINEERING GROUP, INC.
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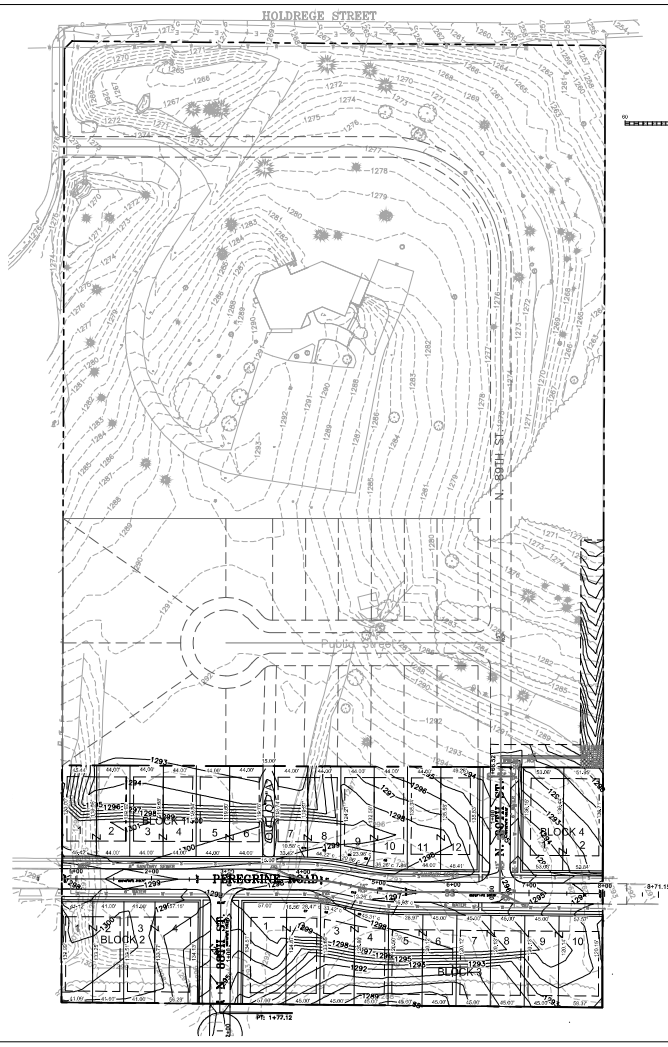
- LAND SURVEYING
- IRRIGATION

PEREGRINE TOWNHOMES
COMMUNITY UNIT PLAN / SPECIAL PERMIT # CZ22013
POST DEVELOPMENT PLAN
NORTH 88TH & PEREGRINE ROAD

DATE: 08/24/2022
DESIGNED BY: MN
DRAWN BY: MN
CHECKED BY: NPB

PRELIMINARY NOT FOR CONSTRUCTION

SHEET NO.
4 of 6



NORTH
SCALE 1" = 60'

NO.	REVISIONS		
	DESCRIPTION	DATE	BY
	CZ SUBMITAL	04/27/22	REGA
	CZ REVISED SUBMITTAL	05/25/22	REGA
	CZ REVISED SUBMITTAL	06/15/22	REGA
	CZ REVISED SUBMITTAL	07/07/22	REGA
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	CZ REVISED SUBMITTAL	08/24/22	REGA

LEGEND
- BOUNDARY OF CUP
- SETBACK/BUILDING ENVELOPE
- EASEMENT
- CENTERLINE
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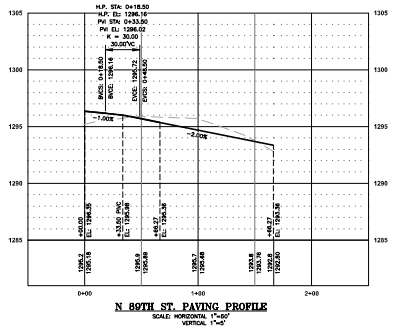
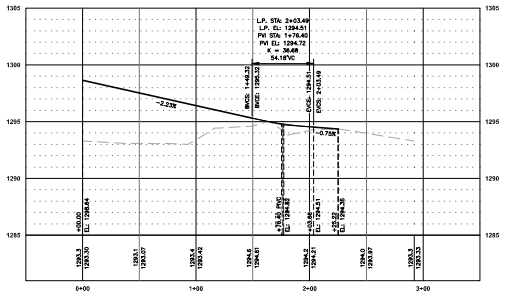
- ADJACENT PROPERTY LINE
- CORNER FOUND (LS 314 CAP)
- CORNER SET (SEE NOTE REBAR W/ LS625 CAP)
- SECTION CORNER
- (M) MEASURED DISTANCE
- (P) PLATTED DISTANCE



N 89TH ST. PAVING PROFILE
SCALE: HORIZONTAL 1"=50'
VERTICAL 1"=5'



N 88TH ST. PAVING PROFILE
SCALE: HORIZONTAL 1"=40'
VERTICAL 1"=4'

PROJECT
211134

REGA
ENGINEERING GROUP, INC.
601 OLD CHENEY RD., SUITE A
LINCOLN, NEBRASKA 68512
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- ENGINEERING
- PLANNING
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- IRRIGATION

PEREGRINE TOWNHOMES
COMMUNITY UNIT PLAN / SPECIAL PERMIT # CZ22013
GRADING PLAN/STREET PROFILES
NORTH 88TH & PEREGRINE ROAD

DATE: 08/24/2022
DESIGNED BY: MN
DRAWN BY: MN
CHECKED BY: NPB

PRELIMINARY NOT FOR CONSTRUCTION

SHEET NO.
5 of 6

REGA
ENGINEERING
GROUP, INC.

File No. 211134
May 25, 2022

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

RE: PEREGRINE TOWNHOMES
COMMUNITY UNIT PLAN / SPECIAL PERMIT
CHANGE OF ZONE FROM AG TO R-3
North 88th Street & Peregrine Road

Dear David,

On behalf of 8801 Peregrine Townhomes LLC, the developer, we are submitting an application for Peregrine Townhomes, a Community Unit Plan / Special Permit with a change of zone from AG to R-3. Currently, the property is owned by Fellowship Church of God. The church will be selling the proposed CUP area to the developer.

The proposed CUP Boundary includes 5.17 acres which is adjacent to R-3 Zoning to the east and west. An associated change of zone request will be over the whole church property. The neighboring property on the east side consists of the recently approved “The 8801” Community Unit Plan and includes both Apartments and single family attached units. West of the property are a combination of single family and single family attached dwelling units. To the south is Acreage Lots

The development includes 26 single family attached lots, 3 outlots for open space/detention and pedestrian connectivity. The development proposes public streets and utilities with street right-of-way.

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.

The following waivers are being requested as follows:

1. SANITARY SEWER RUNNING OPPOSITE STREET GRADE.
(Design Standards Chapter 2.00 Section 3, 3.5)
There is a slight high point where the proposed sanitary sewer will be running opposite the proposed grade.

2. SANITARY SEWER LOCATION
(Design Standards Chapter 2.00 Section 3, 3.4)
The existing sanitary sewer being tied into on the east side of the property is on the north side of Peregrine Road. In discussions with the City of Lincoln Wastewater Department, it was discussed to keep the sanitary sewer location on the north side of this development since it will dead end on with this proposed project.

3. WATER MAIN LOCATION
(Design Standards Chapter 2.10 Section 3, 3.4)
The existing water main being tied into on the east side of the property is on the south side of Peregrine Road. We are proposing the same approach as the sanitary sewer with keeping the water main on the south side and then bringing it over to the north side on the west side of the property.

4. REAR SETBACK FROM 20 FEET TO 15 FEET
(Zoning Ordinance 27.72.020(a))
Due to proposed outlots for detention we are requesting a small reduction in the setbacks to ensure that the proposed residences will have sufficient buildable area.

5. LOT AREA FROM 5,000 SQ. FT. TO 4,200 SQ. FT
(Zoning Ordinance 27.72.020(a))
Due to proposed outlots for detention which reduced the depth of the lots, we are requesting a reduction in the lot area allow for lots on Block 2 and Block 3.

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

Nathaniel P. Burnett, P.E.

Cc: Mitch Linder
Enclosed: Application Form
Application Fee – CUP of $1,451.88
Application Fee – COZ of $1,005.00
CUP and COZ Description
Waiver List
Lot List

PEREGRINE TOWNHOMES
Community Unit Plan/Special Permit

Legal Description:

A parcel of land composed of Lot 24 Irregular Tracts, all located in the Northwest Quarter of Section 23, Township 10 North, Range 7 East of the 6th P.M., City of Lincoln, Lancaster County, Nebraska and more particularly described as follows.

BEGINNING at the Southwest corner of said Lot 24 Irregular Tracts, thence North on the West line of said Lot 24 Irregular Tracts and on as assumed bearing of N 00° 10' 45" E, for a distance of 313.00 feet;

Thence S 89° 48' 34" E, a distance of 714.71 feet;

Thence South on the East line of said Lot 24 Irregular Tracts, S 00° 10' 30" W, a distance of 317.51 feet to the Southeast corner of said Lot 24 Irregular Tracts;

Thence West on the South line of said Lot 24 Irregular Tracts, N 89° 26' 52" W, a distance of 714.75 feet to the **POINT OF BEGINNING** and having a calculated area of 225,318.67 square feet or 5.17 acres more or less.

LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT

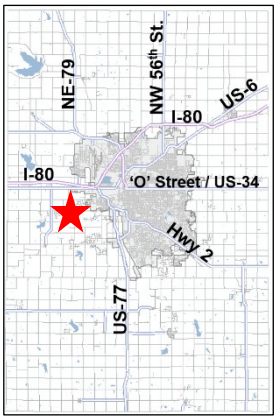
FROM THE LINCOLN/LANCASTER COUNTY PLANNING DEPARTMENT, 555 S. 10TH STREET, SUITE 213, LINCOLN, NE 68508

APPLICATION NUMBER	FINAL ACTION?	DEVELOPER/OWNER
Special Permit #21037	Yes	Bob Benes
PLANNING COMMISSION HEARING DATE	**RELATED APPLICATIONS**	**PROPERTY ADDRESS/LOCATION**
August 24, 2022	None	SW 70th and West Van Dorn St.

RECOMMENDATION: CONDITIONAL APPROVAL

BRIEF SUMMARY OF REQUEST

This is a request for a Community Unit Plan with build through to develop 10 dwelling units on approximately 154 acres with associated waivers. Build through shows how the lots and the outlot can be developed in the future into smaller lots. The lots will have individual wastewater systems and wells. All the lots are 3 acres. The streets are shown as public streets.



JUSTIFICATION FOR RECOMMENDATION

The proposal meets the intent of a rural cluster subdivision under the AG zoning. The preservation of open space and clustering of lots meet the goals of development in the agricultural area of the County.

APPLICATION CONTACT:
Bob Benes, 402-423-6811 or
bob@aspenbuildersinc.com

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

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The special permit for a Community Unit Plan is in conformance with the 2050 Comprehensive Plan. The clustering of lots to preserve open space is a goal of the Comprehensive Plan.

WAIVERS

1. Section 27.65.075 (b)(3) to show easement locations for future utilities and stormwater drainage for the Acreage Development Component. (Recommend Approval)
2. Section 27.65.075 C to provide a master plan for an urban framework for future development of the Urban Reserve Component that includes stormwater plan, infrastructure lines, easements, and street profile. (Recommend Approval)
3. Section 26.23.130 of Land Subdivision for Block length to exceed 1,320 feet. (Recommend Approval)
4. Section 26.23.125 of Land Subdivision for a pedestrian way. (Recommend Approval)
5. Stormwater Detention (Recommend Approval)
6. Water Quality (Recommend denial)

7. Right-of-Way on W. Van Dorn at 50 feet instead of 60 feet (Recommend denial)

KEY QUOTES FROM THE 2050 COMPREHENSIVE PLAN

Introduction Section: Growth Framework

Figure GF.b: 2050 - This site is shown as future Agricultural on the 2050 Future Land Use Plan.

Figure GF.c" 2050 – This site is in Tier III.
Tier III provides an approximately 129.6 square mile area for Lincoln's longer term growth potential, beyond 50 years.

Fundamentals of Growth in Lancaster County

The Rural Environment
Focus on Agriculture. Rural areas should be preserved for agriculture, a limited supply of low density residential, and other compatible land uses. Acknowledge the fundamental "right to farm" in agriculture districts.

The Community in 2050

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

> Lancaster County is projected to add approximately 53,000 households by 2050, with 48,000 of those new households in Lincoln (roughly 1,600 new households per year).

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.

G11: Rural Environment
Demand remains for additional acreage development in rural areas. The Future Land Use Plan currently includes area for about 23 years of additional acreage development in rural areas. Acreages must be located in appropriate locations in order to reserve land resources for efficient future urban development, agriculture, and the natural environment, while preserving the rural quality of life for existing and future residents.

Elements Section

E1: Complete Neighborhoods and Housing-Rural Housing. New acreage development is not encouraged in any of the Growth Tiers except for areas already platted, zoned, or designated for low density residential development. All proposals for acreages, whether designated on the future land use map for low density residential or not, should be evaluated based on factors such as paved roads, adequate water quality and quantity, soil conditions for on-site wastewater management, availability of emergency services, agricultural productivity, land parcelization, the pattern of existing acreages, and plans for future urban development. Applications for acreage designation on the future land use map or rezoning to AGR, if planned for on-site wells, should be accompanied by information on water quality and quantity.

Policies Section

P4: Rural Housing. Allow for acreage development in appropriate areas of Lancaster County while preserving land resources for efficient future urban development, continued agricultural uses, and natural open spaces.

Action Steps

Support acreage development within areas with development approvals, on areas designated as low-density residential in the County and on areas designated as low-density residential in the village and smaller city

ANALYSIS

1. This is a request for a special permit for a Community Unit Plan with Build-Through (BTA) for 10 lots on approximately 154 acres. The site is located at SW 70th St. and West van Dorn St. The lots are proposed in the northwest portion of the lot.

2. Build-Through requires the applicant to show how the acreage lots can be converted into smaller urban lots after annexation by the City. The site plan is required to show building envelopes for the acreage lots. A house must be placed within one of the building envelopes. The site plan also has an "urban reserve" area. The urban reserve component can be further subdivided at such time as the property is annexed and can be served by the full range of City services.

   The building envelopes show the potential future lots. These building envelopes need to provide for satisfactory and desirable building sites. Some of the building envelopes shown do not meet this requirement.

3. This area is shown in Tier III in the 2050 Comprehensive Plan. Tier III is for Lincoln's longer term growth potential, beyond 44 years. Little active planning of utilities or service delivery is likely to occur in the near term in Tier III.

4. Each lot will have its own well. Lincoln-Lancaster County Health Department (LLCHD) has reviewed the well information submitted by the applicant. Their conclusion is that it appears that there is adequate quantity of groundwater for this development.

5. Density Calculation:

   154.64 acres x 0.055 = 8.50 dwelling units

   With the 20% density bonus the density is 8.5 x 1.2 = 10.2 dwelling units.

   Open space required: 154.64 acres x 75% = 115.987 acres required for bonus. There are **120.13** acres shown for open space.

6. A waiver to block length is requested. Section 26.23.130 Land Subdivision Regulations states that no block shall be longer than 1,320 feet between cross streets. This is mainly for urban type subdivisions and is not practical for acreage developments with lots 3 acres in size. Larger block lengths are typical in rural acreage developments, but in the Build Thru Acreage subdivisions, provisions need to be made to meet block length in future urbanization.

7. A waiver to Section 26.15.070(c) to show easement locations for future utilities on the Transitional Preliminary Plat is requested. Due to the uncertainty of the placement of a house, often the building envelopes are modified later through administrative amendments. Not showing utility easements will alleviate the need for having to release the easement in the future.

8. The urban reserve area, Outlot A on the site plan, is for future development. The waivers related to the urban reserve area are acceptable as this land is in Tier III and detailed plans would be submitted with a future development once the area can be annexed. A new CUP or preliminary plat would be required prior to any development of the urban reserve area. Although a detailed layout of the urban reserve is not necessary, some thought should be given to a street, lot and block layout. This will help ensure that the future build out of Outlot A will work with the proposed lots.

9. The applicant has requested a waiver to detention and storm water quality. Due to the size of the lots detention is not needed. Lincoln Transportation and Utilities Watershed Management supports the waiver for detention, but not water quality. LMC 28.03.070 allows for waiver to water quality under certain criteria. This criteria includes:

   a. Unplanned emergency work or repairs necessary to health, safety, and general welfare of the public;

   b. Credits for retro-fitted structural BMP's on properties with the same watershed;

   c. Circumstances where the project cost of implementing the requirements would be so

disproportionate that completing the project would not be practical.

This development does not fall under any of the categories to support a waiver.

10. The applicant has requested a waiver to reduce the required right-of-way on W. Van Dorn St from 60 feet to 50 feet. W. Van Dorn St is a section line road. Section line roads should have 120' of right-of-way. Lancaster County Engineer does not support this waiver.
11. The applicant submitted well information on 14 existing wells in the immediate area and one new test well drilled on site. Seven of the wells are in Ridge Park development to the west and 7 in West Van Dorn Heights development to the north. Lincoln-Lancaster County Health Department reviewed the water report and does not object to the proposed development.
12. Each lot will have individual wastewater treatment systems. The proposed lots meet LLCHD requirements for the installation of either a standard septic system if percolation test results are acceptable or onsite wastewater lagoons

CONDITIONS OF APPROVAL: See attached.

EXISTING LAND USE & ZONING: AG-Agriculture Farm ground

SURROUNDING LAND USE & ZONING

North:	AG-Agriculture	Farm ground and acreage development
South:	AG-Agriculture	Farm ground
East:	AG-Agriculture	Farm ground
West:	AGR-Agriculture Residential	Acreage development

APPROXIMATE LAND AREA: 154.64 acres, more or less

LEGAL DESCRIPTION: Lot 2 West Van Dorn Ridge Addition located in the NW quarter of Section 1-9-5, Lancaster County, NE.

Prepared by

_____
Tom Cajka, Planner

Date:

Applicant: Bob Benes
1640 Normandy Court, Suite A
Lincoln, NE 68512
402-423-6811
bob@aspenbuildersinc.com

Contact: Brandon Bartek
Olsson
601 P St. Suite 200
Lincoln, NE 68508
402-474-6311
bbartek@olsson.com