

Lincoln City - Lancaster County

PLANNING COMMISSION AGENDA

PLANNING COMMISSION

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

PLANNING STAFF

David R. Cary: Director
Shelli Reid: Administrative Aide
Alexis Longstreet: Office Specialist

March 2, 2022

NOTICE: The Lincoln/Lancaster County Planning Commission will hold a public hearing on Wednesday, March 2, 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.

MASKS ARE STRONGLY ENCOURAGED FOR OUR PUBLIC MEETINGS IN THIS BUILDING

****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, March 2, 2022

Approval of minutes of the regular meeting held February 16, 2022.

1. CONSENT AGENDA (Public Hearing and Administrative Action)

COMPREHENSIVE PLAN AND RELATED ITEMS:

- 1.1 COMPREHENSIVE PLAN CONFORMANCE 22002, to review as to conformance with the 2050 Lincoln Lancaster County Comprehensive Plan, request for a conservation easement to preserve flood storage capacity and natural resources on approximately 0.53 acres in the northern portion of the lot, on property generally located north of A Street and west of 1st Street.

Staff recommendation: In Conformance with the Comprehensive Plan
Staff Planner: Andrew Thierolf, 402-441-6371, athierolf@lincoln.ne.gov

ANNEXATION AND RELATED ITEMS:

- 1.2a ANNEXATION 21005, to annex approximately 53.30 acres, more or less, on property generally located west of North 56th Street between Alvo and Arbor Roads.

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

- 1.2b CHANGE OF ZONE 21038, from AG (Agricultural District), H-1 (Interstate Commercial District), and H-3 (Highway Commercial District) to H-4 (General Commercial District), on generally located at North 56th Street and Arbor Road.
Staff recommendation: Conditional Approval
Staff Planner: Rachel Christopher, 402-441-7603, rchristopher@lincoln.ne.gov
- 1.3a ANNEXATION 22001, to annex approximately 42.35 acres, on property generally located at South 70th Street and Rokeby Road.
Staff recommendation: Approval
Staff Planner: Brian Will, 402-441-6362, bwill@lincoln.ne.gov
- 1.3b CHANGE OF ZONE 22003, from AG (Agricultural District) to R-3 (Residential District), over approximately 32.89 acres, on property generally located at South 70th Street and Rokeby Road.
Staff recommendation: Approval
Staff Planner: Brian Will, 402-441-6362, bwill@lincoln.ne.gov
- 1.3c CHANGE OF ZONE 21022A, from AG (Agricultural District) to R-5 (Residential District) PUD (Planned Unit Development), to expand the existing Grandview Estates 2nd Addition PUD by approximately 9.8 acres for a total of approximately 911 multiple family dwelling units and 50,000 square feet of commercial floor area, on property generally located at South 70th Street and Rokeby Road.
Staff recommendation: Conditional Approval
Staff Planner: Brian Will, 402-441-6362, bwill@lincoln.ne.gov

2. **REQUESTS FOR DEFERRAL:**

3. **ITEMS REMOVED FROM CONSENT AGENDA:**

4. **PUBLIC HEARING AND ADMINISTRATIVE ACTION**

CHANGE OF ZONE AND RELATED ITEMS:

- 4.1a CHANGE OF ZONE 21054, from AG (Agricultural District) to B-2 (Planned Neighborhood Business District), on property generally located at North 98th Street and Boathouse Road.
Staff recommendation: Approval
Staff Planner: George Wesselhoft, 402-441-6366, gwesselhoft@lincoln.ne.gov
- 4.1b USE PERMIT 21010, for multi-family dwellings and commercial pad sites with 505 dwelling units and 48,000 square feet of allowable floor area for commercial uses, with associated waivers, on property generally located at North 98th Street and Boathouse Road.
Staff recommendation: Conditional Approval
Staff Planner: George Wesselhoft, 402-441-6366, gwesselhoft@lincoln.ne.gov

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

COMPREHENSIVE PLAN AMENDMENT AND RELATED ITEMS:

- 5.1a COMPREHENSIVE PLAN AMENDMENT 22003, to amend the Lincoln-Lancaster County 2050 Comprehensive Plan to revise the Future Land Use Map from "Commercial" and "Urban Density-Residential" to "Public and Semi-Public", on property generally located at Waterford Estates and Linwood Lane.

Staff recommendation: Approval

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

- 5.1b CHANGE OF ZONE 22001, from AG (Agricultural District), B-2 (Planned Neighborhood Business District) and R-3 (Residential District) to P (Public Use District), on property generally located at Waterford Estates Drive and Linwood Lane.

Staff recommendation: Approval

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

- 5.1c PRELIMINARY PLAT 04011A, for a preliminary plat amendment to show a revised street layout, with associated waiver, on property generally located at Waterford Estates Drive and Linwood Lane. *** **FINAL ACTION** ***

Staff recommendation: Approval

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

* * * * *

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

* * * * *

Adjournment

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

Planning Department Staff Contacts:

David Cary, <i>Director</i>	402-441-6364	dcary@lincoln.ne.gov
Stephen Henrichsen, <i>Development Review Manager</i>	402-441-6374	shenrichsen@lincoln.ne.gov
Paul Barnes, <i>Long Range Planning Manager</i>	402-441-6372	pbarnes@lincoln.ne.gov
Benjamin Callahan, <i>Planner</i>	402-441-6360	bcallahan@lincoln.ne.gov
Collin Christopher, <i>Planner</i>	402-441-6370	cchristopher@lincoln.ne.gov

Rachel Christopher, *Planner*
Tom Cajka, *Planner*
Stacey Hageman, *Planner*
Stephanie Rouse, *Planner*
Andrew Thierolf, *Planner*
George Wesselhoft, *Planner*
Brian Will, *Planner*

402-441-7603
402-441-5662
402-441-6361
402-441-6373
402-441-6371
402-441-6366
402-441-6362

rchristopher@lincoln.ne.gov
tcajka@lincoln.ne.gov
slhageman@lincoln.ne.gov
srouse@lincoln.ne.gov
athierolf@lincoln.ne.gov
gwesselhoft@lincoln.ne.gov
bwill@lincoln.ne.gov

* * * * *

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>

* * * * *

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

ACCOMMODATION NOTICE

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

LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT

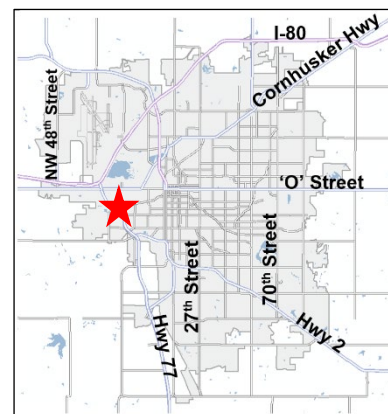
FROM THE LINCOLN/LANCASTER COUNTY PLANNING DEPARTMENT, 555 S. 10TH STREET, SUITE 213, LINCOLN, NE 68508

APPLICATION NUMBER Comprehensive Plan Conformance #22002	FINAL ACTION? No	DEVELOPER/OWNER M&C Ventures, LLC
PLANNING COMMISSION HEARING DATE March 2, 2022	RELATED APPLICATIONS None	PROPERTY ADDRESS/LOCATION 130 W A Street (W A & SW 1 st Streets)

RECOMMENDATION: IN CONFORMANCE WITH THE COMPREHENSIVE PLAN

BRIEF SUMMARY OF REQUEST

The purpose of this application is to find that the acquisition of a permanent conservation easement conforms with the 2050 Comprehensive Plan. The conservation is associated with the Salt Pointe Villas development plan which was originally approved in 2003 ([SP2029](#)), significantly updated in 2011 ([SP2029A](#)) and updated again in 2021 via administrative amendment ([AA21029](#)).



JUSTIFICATION FOR RECOMMENDATION

This conservation easement is for the purpose of preserving flood storage. The proposed easement will protect the floodplain and is not an obstacle to any planned action.

APPLICATION CONTACT

Tim Zach, Watershed Management
(402) 441-7589
tzach@lincoln.ne.gov

STAFF CONTACT

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

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

Acquisition of the conservation easement by the City of Lincoln is in conformance with the Comprehensive Plan and supports several goals and policies of the Plan. The Comprehensive Plan recommends conservation easements as an effective tool to maintain the function of the floodplain.

KEY QUOTES FROM THE 2050 COMPREHENSIVE PLAN

Introduction Section: Growth Framework

Figure GF.b: 2050 - This site is shown as Urban Residential on the 2050 Future 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.

Goals Section

G7: Environmental Stewardship and Sustainability

PlanForward commits Lincoln and Lancaster County to a sustainable growth framework that will conserve and efficiently utilize our economic, social, and environmental resources so that the welfare of future generations is not compromised.

G8: Community Resiliency

Lincoln and Lancaster County will be resilient to the climate hazards they will face.

Elements Section

E4: Environmental Resources

Maintaining a balance between the natural and human built environment is always delicate. The policies of PlanForward should strive to incorporate such uses in the full range of urban and rural landscapes. As cities and villages expand, establishing corridors and districts of green should be part of the growth process. This often requires the advance delineation of these areas and the means for securing their ongoing protection and maintenance. Securing the long-term permanence of green space is a basic dilemma in natural resources planning. The use of “green space development incentives” (e.g., setting aside non-buildable areas, creating green space preserves, density bonuses) should be a primary consideration in implementing this plan.

E5: Parks, Recreation, and Open Space

Salt Valley Greenway

The Salt Valley Greenway wraps around the City of Lincoln and is fed by tributaries that radiate out into the surrounding rolling hills. The effect is that of a large loop, primarily made of Salt Creek and Stevens Creek, with connecting green corridors linking urban and rural areas. Corridors which generally follow Salt Creek and its tributaries provide multiple benefits; creating connections between urban and rural areas, providing connections to the County’s Salt Valley Lakes, creating green partitions which help to prevent a “wall-to-wall” urban feel, connecting habitat for the movement of wildlife, protecting floodplain, and many others. Implementation of the Salt Valley Greenway and connecting corridor concept will provide an environmental framework upon which a thriving economy can be built.

Figure E5.f: Salt Valley Greenway - This is shown as part of the Salt Valley Greenway.

Policies Section

P21: Floodplains and Riparian Areas - Protect and preserve floodplains and other riparian areas for flood storage, conveyance and other natural resource benefits.

P23: Salt Valley Greenway and Connecting Green Corridors Concept Implementation - Use the Salt Valley Greenway and Connecting Corridors concept to embody the PlanForward Vision and environmental resource principles.

Action Step 4: Continue to use conservation easements to protect greenway areas where it may be desirable to allow compatible land uses such as row crop farming or pasturing.

P25: Open Space with Development

Action Step 6d: Provide appropriate incentives to encourage landowners to preserve saline and freshwater wetlands. Incentives to be used or considered further include conservation easements with tax incentives.

ANALYSIS

1. This request is for a conservation easement covering approximately 0.53 acres near Salt Creek and within a Salt Creek Storage Area.
2. The proposed conservation easement is associated with the Salt Pointe Villas CUP (also known as the Vadora CUP). Salt Pointe Villas was originally approved in 2003 ([SP2029](#)), significantly updated in 2011 ([SP2029A](#)) and updated again in 2021 via administrative amendment ([AA21029](#)). The site has not yet been developed. A conservation easement has been shown on the site plan since the initial Salt Pointe Villas approval in 2003.
3. The City of Lincoln can accept the conservation easement after the Planning Commission determines the easement conforms to the Comprehensive Plan and the easement agreement is approved by City Council.
4. The City is accepting this conservation easement at no cost.
5. The proposed conservation easement will protect floodplain storage and natural habitat. As noted in staff report SP2029A for Salt Pointe Villas CUP:
The entire site is located within the 100-year floodplain that serves as storage area for the floodwaters of Salt Creek. At such time as building permits are sought, all applicable flood plain regulations must be complied with. There is also a large tree mass located along the northern portion of the site. To ensure that this habitat along Salt Creek is not removed by future development or during construction, a conservation easement has been placed over the remaining tree mass.
6. The Nebraska Conservation and Preservation Easement Act (Nebraska Revised Statute §§ 76-2,111 to 76-2,118) requires that the acquisition of conservation easements be referred to the local planning commission having jurisdiction over the properties prior to the acquisition. The Planning Commission must provide comments regarding the conformity of the proposed acquisition to comprehensive planning for the area. (NEB. REV. STAT. §76-2,112). This conservation easement agreement will be forwarded to the City Council for their review and action.
7. The Easement Agreement includes provisions prohibiting specific uses and practices. Prohibited activities within the easement area include construction, placement of fill, or any other practice that would adversely impact the flood storage capacity or tree masses. See Section IV.1.A of the attached Conservation Easement Agreement for a complete list of non-compatible uses.

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

SURROUNDING LAND USE & ZONING

North: Vacant, Railroad R-4 Residential
South: Residential, W A Street I-1 Industrial
East: SW 1st St R-4 Residential
West: Vacant, Railroad R-4 Residential

APPROXIMATE LAND AREA: 0.53 acres

LEGAL DESCRIPTION: See attached with easement agreement

Prepared by

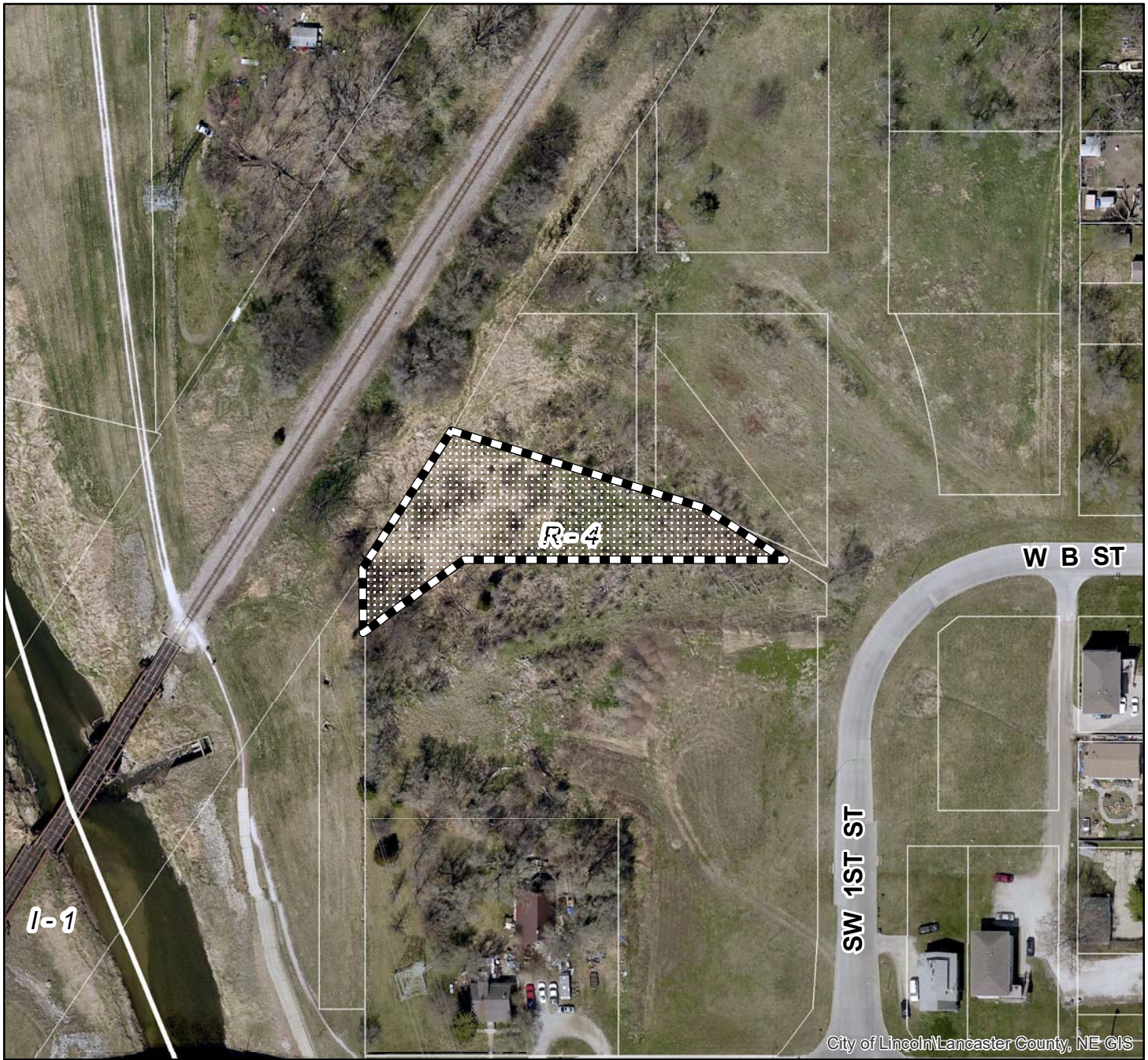
Andrew Thierolf, Planner

February 22, 2022

Applicant/ Tim Zach, Watershed Management
Contact (402) 441-7589
tzach@lincoln.ne.gov

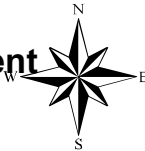
Owner: M & C Ventures, LLC
6555 W Leealan Ln
Crete, NE 68333

<https://linclanc.sharepoint.com/sites/PlanningDept-DevReview/Shared Documents/DevReview/CPC/22000/CPC22002 Salt Pointe Villas Conservation Easement.adt.docx>



2020 aerial

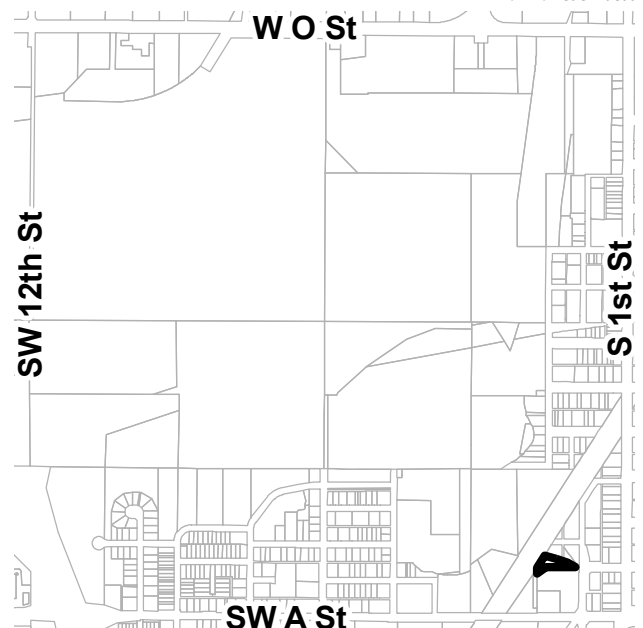
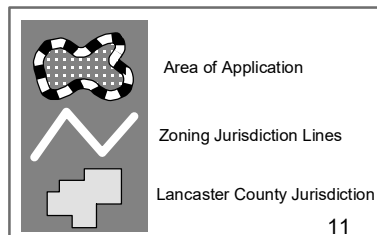
Comp Plan Conformance #: CPC22002
Salt Pointe Villas Conservation Easement
SW 1st St & W A St



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.27 T10N R06E





MEMO

To: David Cary, Planning Department
From: Tim Zach, Transportation & Utilities (402-441-7589)
Date: February 4, 2022
Subject: Comprehensive Plan Conformance request for conservation easement for property owned by M & C Ventures, LLC located at northwest of 1st Street and A Street

Memo Type:
☒ Original
☐ Update
☐ Response Requested
☐ Information Only

This is a Comprehensive Plan Conformance request for a conservation easement of 0.53 acres (more or less) located north of A Street and west of 1st Street.

The City is acceptable to this easement for preserving existing flood storage capacity and natural resources in this area.

Please include this Comprehensive Plan Conformance request as a Planning Commission agenda item on the March 2nd, 2022 meeting.

CONSERVATION EASEMENT AGREEMENT

(Preservation of Flood Storage)

This Conservation Easement Agreement is entered into this _____ day of _____, 2021, by and between M & C Ventures, LLC, a Nebraska Limited Liability Company, ("Owner") and the City of Lincoln, Nebraska, a Municipal Corporation, ("City").

RECITALS

I. Owner is the owner in fee simple of the following real estate legally described as:

A portion of Lot 1, Fairway Addition, located in the Southeast Quarter of Section 27, Township 10 North, Range 6 East, of the 6th P.M., Lincoln, Lancaster County, Nebraska and more particularly described as follows:

BEGINNING at the farthest north corner of said Lot 1; Thence on the common line of said Lot 1 and Burlington Northern Railroad, S32°41'29"W, a distance of 135.27 feet to the north common corner of said Lot 1 and Lot 102 of Irregular Tracts in Section 27, Township 10 North, Range 6 East;

Thence on the common line of said Lot 1 and said Lot 102, S00°14'20"E, a distance of 53.40 feet;

Thence N54°00'00"E, a distance of 102.99 feet;

Thence N90°00'00"E, a distance of 265.45 feet to a point on the common line of said Lot 1 and Block 4, West Side Addition;

Thence for the next two (2) courses on the common line of said Lot 1 and Block 4, West Side Addition, N57°36'46"W, a distance of 80.83 feet;

Thence N73°01'14"W, a distance of 217.14 feet, to the northerly most corner of said Lot 1, also a point on the east line of Burlington Northern Railroad, also the POINT OF BEGINNING and containing a calculated area of 23,220 square feet or 0.53 acres.

("Easement Area"). Said Easement Area is more particularly described on Exhibit "A" attached hereto and incorporated herein by this reference.

II. The City is authorized to accept and hold said Conservation Easement under the terms of this Agreement and the Conservation and Preservation Easements Act.

III. The proposed acquisition of the Conservation Easement has been submitted to the Lincoln City-Lancaster County Planning Commission pursuant to the provisions of Neb. Rev. Stat. §76-2,112 for review and comments regarding the conformity of the proposed acquisition to the Lincoln City-Lancaster County Comprehensive Plan and said Commission has found that the Conservation Easement is in conformance with said Plan.

IV. The City Council of the City of Lincoln, Nebraska, has approved and accepted this Conservation Easement after duly considering the recommendations of the Lincoln-Lancaster County Planning Commission and has authorized the Mayor to execute this Agreement on behalf of the City.

NOW, THEREFORE, in consideration of the mutual value to the Owner and City, and to encourage and preserve the tree masses and floodplain associated with a drainage way, the City and Owner agree as follows:

1. **Grant of Conservation Easement.** Owner hereby creates, establishes, grants, and conveys to City for its benefit and the benefit of the public, a Conservation Easement over the Easement Area to preserve the tree masses, drainage way and floodplain within the Easement Area and to restrict development of the Easement Area subject to the following terms and conditions:

A. The following uses and practices, although not an exhaustive recital of the inconsistent uses and practices, are inconsistent with the purposes of this Conservation Easement and shall be prohibited within the Easement Area:

- I. Construction or placing of buildings, camping accommodations, or mobile homes, fences, signs, billboard or other advertising material, or any other structure;
- ii. Filling, excavating, dredging, mining or drilling, removal of top soil, sand, gravel, rock, minerals, or other materials;
- iii. Building of roads, or changing in the topography of the land in any manner excepting the maintenance of foot trails or any work requested by the City;
- iv. Dumping of ashes, trash, garbage, or other unsightly or offensive material;
- v. Changing the topography of the land by placing of soil or other substances or

materials such as landfill or dredging spoils;

- vi. Commercial development of any nature;
- vii. Human introduction of non-native plant species which may compete with and result in decline or elimination of native plant species;
- viii. Human introduction of non-native animal species which may compete with and result in decline or elimination of native animal species;
- ix. Any other act which, in the opinion of the City, would be detrimental to the scenic beauty, wildlife habitat, wetlands, the natural beauty, or natural resources of the Real Property;
- x. Operation of motorized vehicles except as necessary in the use of the area as provided herein;
- xi. The broadcast application of pesticides at any time. Spot application of pesticides for the control of noxious weeds as provided by state law will be permitted;
- xii. Cultivation, planting, or drilling of row crops, small grains, and forages, such as alfalfa and forage sorghum;
- xiii. Removal of tree masses, except removal of dead branches and pruning on perimeter of Easement Area;
- xiv. Changing the hydrology of the Easement Area or the land upstream.

B. The term of this Conservation Easement will be in perpetuity unless earlier terminated pursuant to any of the following provisions:

- I. By the City pursuant to the provisions of Neb. Rev. Stat. §76-2,113.
- ii. By the Lancaster County District Court pursuant to the provisions of Neb. Rev. Stat. §76-2,114.

The parties agree that termination of this Agreement may be total and affect the entire Easement Area, or may be partial and result in the termination of the easement over only a portion of the Easement Area.

2. **Condition of the Real Property at Time of Grant.** The drainage-way within and flood storage capacity of the Easement Area without limiting the generality of the terms is defined to mean the condition of the Easement Area at the time of this grant as evidenced by reports, photographs and

scientific documentation on file with the City's Planning Department.

3. **Protection and Maintenance of the Real Property.**

A. Owner agrees to pay any real estate taxes, estate taxes or assessments levied by competent authorities on the Easement Area, including but not limited to any tax or assessment affecting the Conservation Easement granted herein. Owner retains the right to challenge the assessed value of the property and to challenge the validity of any such tax or assessment. Owner further agrees to obtain, pay for, and continuously maintain liability and property insurance covering the Easement Area.

B. Owner shall cooperate with and assist the City at City's cost in applying for, obtaining, protecting, maintaining and enhancing any and all surface water and ground water rights and privileges related to the Easement Area by signing applications which the City deems necessary or desirable for the management, maintenance or development of the Easement Area for the purposes provided for herein.

C. Owner may, upon receipt of prior written approval from the City, remove dead branches and fallen limbs from trees in the drainage way.

4. **Inspections and Access by City.** The City shall have the right of reasonable ingress and egress to and from the Easement Area from public roads and streets and from adjacent properties for its employees, contractors, vehicles and equipment for the purpose of revegetating and for inspecting, maintaining, or protecting the Easement Area as the City may deem necessary or desirable.

5. **Enforcement.** Owner agrees that the City may enforce the provisions of this Conservation Easement by any proceeding at law or in equity, including but not limited to, the right to require restoration of the Easement Area to the condition at the time of this grant. Owner further agrees that the City may seek an injunction restraining any person from violating the terms of this Conservation Easement and that the City may be granted such injunction without posting of any bond whatsoever. Owner further agrees that the City does not waive or forfeit the right to take any action as it deems necessary to insure compliance with the covenants and purposes of this grant by any prior failure to act. Owner further agrees that should Owner undertake any activity requiring the approval of the City without or in advance of securing such approval, or undertake any activity in violation of the terms of this Conservation Easement, that City shall have the right to enforce the

restoration of that portion of the Easement Area affected by such activity to the condition that existed prior to the undertaking of such unauthorized activity. In such case, the cost of such restoration and the City's cost of suit, including reasonable attorney fees, shall be paid by Owner.

6. **Title to Easement Area.** Owner covenants that Owner is the owner of marketable title to all of the Easement Area and has legal right, title and capacity to grant the Conservation Easement granted herein subject to easements and restrictions of record.

7. **Binding Affect.** The Conservation Easement granted herein shall run with the land and shall inure to the benefit of and be binding upon the successors and assigns of the Owner and City.

8. **Approval.** Any approval required under this Agreement shall not be unreasonably withheld.

9. **Recordation.** The parties agree that this Agreement shall be duly filed by the City with the Lancaster County Register of Deeds upon execution and acceptance by the City. Filing fees shall be paid in advance by the Owner.

10. **Severability.** If any provision of this Conservation Easement or the application thereof to any person or circumstance is found to be invalid, the remainder of the provisions of the Conservation Easement and the application of such provisions to persons or circumstances other than those to which it is found to be invalid shall not be affected thereby.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date first set forth above.

M & C VENTURES, LLC, a Nebraska
Limited Liability Company - Owner

By: _____
Michael Rezac, Co-Manager

By: _____
Chris Weaver, Co-Manager

CITY OF LINCOLN, NEBRASKA, a
Municipal Corporation - City

By: _____
Leirion Gaylor Baird, Mayor

Attest:

City Clerk

STATE OF NEBRASKA)
) ss.
COUNTY OF LANCASTER)

The foregoing instrument was acknowledged before me on this _____ day of _____, 2021, by MICHAEL REZAC, Co-Manager of M & C VENTURES, LLC, a Nebraska Limited Liability Company, on behalf of the Company.

Notary Public
Printed Name: _____

STATE OF NEBRASKA)
) ss.
COUNTY OF LANCASTER)

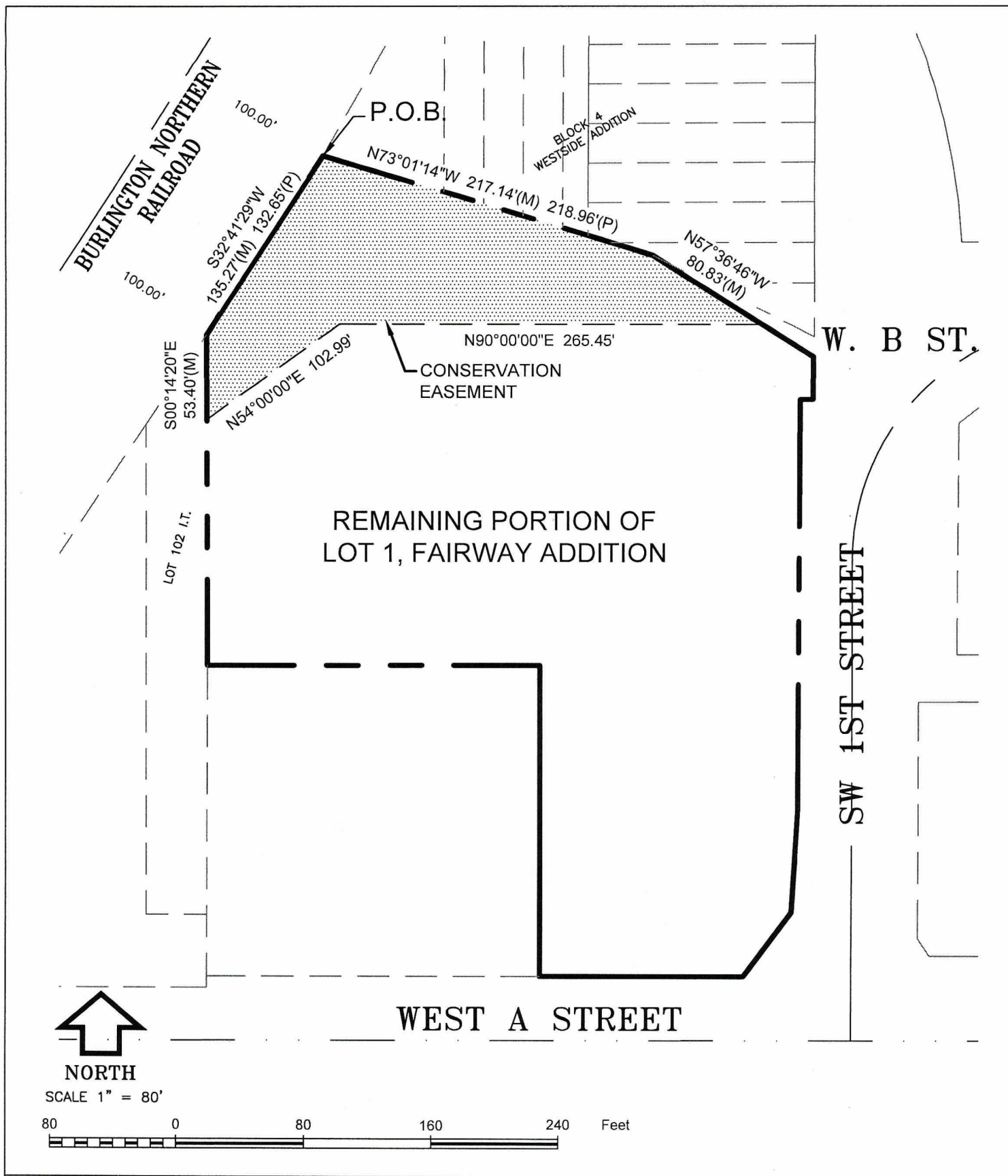
The foregoing instrument was acknowledged before me on this _____ day of _____, 2021, by CHRIS WEAVER, Co-Manager of M & C VENTURES, LLC, a Nebraska Limited Liability Company, on behalf of the Company.

Notary Public
Printed Name: _____

STATE OF NEBRASKA)
) ss.
COUNTY OF LANCASTER)

The foregoing instrument was acknowledged before me on this _____ day of _____, 2021, by LEIRION GAYLOR BAIRD, Mayor of the City of Lincoln, Nebraska, a Municipal Corporation, on behalf of the Corporation.

Notary Public
Printed Name: _____



<p>CONSERVATION EASEMENT</p> <p>EXHIBIT "A"</p>	<p>REGA</p> <p>ENGINEERING GROUP, INC.</p> <p>601 OLD CHENEY RD. SUITE 'A' LINCOLN, NE 68512 (402) 484-7342</p> <ul style="list-style-type: none"> ● ENGINEERING ● PLANNING ● LANDSCAPE ARCHITECTURE ● LAND SURVEYING 	<p>DATE: 10/29/2021</p> <p>PROJECT 201066</p> <p>SHEET NO. 1 of 1</p>
---	--	--

LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT

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

APPLICATION NUMBER
Annexation #21005
Change of Zone #21038

FINAL ACTION?
No

DEVELOPER/OWNER
Industrial Salt Development LLC

PLANNING COMMISSION HEARING DATE
March 2, 2022

RELATED APPLICATIONS
Administrative Amendment #21057

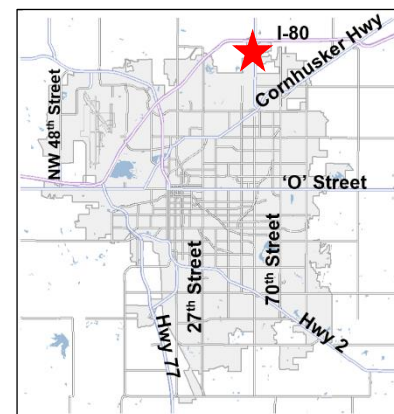
PROPERTY ADDRESS/LOCATION
N. 56th Street and Arbor Road

RECOMMENDATION: CONDITIONAL APPROVAL

BRIEF SUMMARY OF REQUEST

This is a combined staff report for an annexation and change of zone from AG Agriculture District, H-1 Interstate Commercial District, and H-3 Highway Commercial District to H-4 General Commercial District.

A portion of the Northbank Junction 1st Addition Preliminary Plat is included in the annexation and change of zone. In addition, the City is including several other nearby properties in the change of zone to H-4.



JUSTIFICATION FOR RECOMMENDATION

The property to be annexed is contiguous to the City limits on all sides except part of the west boundary. It is located in the Tier I, Priority B Growth Area which is appropriate for annexation. The proposed zoning conforms to the Future Land Use Map in the Comprehensive Plan. The change of zone will make the zoning consistent with the other H-4 zoning in the area.

APPLICATION CONTACT

DaNay Kalkowski
(402) 435-6000
danay@sk-law.com

STAFF CONTACT

Rachel Christopher
(402) 441-7603
rchristopher@lincoln.ne.gov

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The requested annexation and change of zone are consistent with the 2050 Comprehensive Plan, which identifies future commercial land uses and classifies this site within Growth Tier I, Priority A. Priority A includes areas that are not yet annexed but which have approved preliminary plans.

KEY QUOTES FROM THE 2050 COMPREHENSIVE PLAN

Introduction Section: Growth Framework

[Figure GF.b: 2050](#) - This site is shown as future commercial on the 2050 Future Land Use Plan.

Elements Section

E3: Business, Economy, and Workforce

Commercial and Industrial Development

Commercial and Industrial Centers in Lancaster County should be located:

- Within the City of Lincoln or incorporated villages.
- Outside of saline wetlands, signature habitat areas, native prairie and floodplain areas (except for areas of existing commercial and industrial zoning).
- Where urban services and infrastructure are available or planned for in the near term. In sites supported by adequate road capacity – commercial development should be linked to the implementation of the transportation plan.
- In areas compatible with existing or planned residential uses.
- In existing underdeveloped or redeveloping commercial and industrial areas in order to remove blighted conditions and to more efficiently utilize existing infrastructure.
- In areas accessible by various modes of transportation (i.e. automobile, bicycle, transit, and pedestrian).
- So that they enhance entryways or public way corridors, when developing adjacent to these corridors.
- In a manner that supports the creation and maintenance of green space as indicated in the environmental resources section of this Plan.

Policies Section

P12: Economic Growth - Promote and foster appropriate, balanced, and focused future economic growth that maintains the quality of life of the community.

Action Steps

1. Offer incentives for “primary” employers - that is, for companies where the majority of their business and sales come from outside Lancaster County.
2. Locate all new commercial and industrial development within Lincoln or within the smaller incorporated communities in Lancaster County. Certain commercial uses that are compatible with agriculture and the rural environment, such as commercial wind and solar energy facilities, are allowed in rural areas of the county.
3. Continue to coordinate the City’s economic development efforts with research and development functions of the University of Nebraska-Lincoln, including continued development of Innovation Campus. The success of the University’s research and development is important to the future of the city.
4. Continue to fund the Lincoln Partnership for Economic Development (LPED) and promote business retention, recruitment, and workforce development strategies and outcomes for the City of Lincoln through this public/private partnership.
5. Encourage public-private partnerships, strategic alliances, and collaborative efforts as a means to accomplish future economic objectives.
7. Focus primarily on retention and expansion of existing businesses; attracting new businesses should also be encouraged.

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.

ANALYSIS

1. This request is to annex approximately 53.30 acres and a change of zone from AG, H-1, and H-3 to H-4 over approximately 89.69 acres generally located at N. 56th Street and Arbor Road.
2. The annexation and a portion of the change of zone are for land in the Northbank Junction 1st Addition Preliminary Plat. The other changes of zone are for nearby properties that are already in City limits to make the zoning consistent in the greater area which already contains H-4 zoning.
3. There is a preliminary plat from 2008 for Northbank Junction 1st Addition showing a layout for the future commercial uses. Administrative Amendment #21057 was recently approved to revise the street and lot layout, vehicle access, proposed easements, establish a phasing plan, revise the grading and drainage plan, and eliminate the street crossing for N. 54th Street over the drainage way.
4. The annexation area is contiguous to the City limits on three sides. Highway commercial zoning is appropriate based on the future commercial designation and fits the existing pattern of H-4 zoning. One of the additional properties in the change of zone request has H-3 zoning and would be re-zoned to H-4. Three parcels north of the preliminary plat are zoned H-1 would be re-zoned to H-4.

H-1 zoning only exists in two other locations in the City: West O Street between NW 56th Street and NW 48th Street and at N. 27th Street and Whitehead Drive. The H-1 on West O Street will be revised to H-4 with Change of Zone 21038, which is pending a City Council hearing. The H-1 district is being eliminated over time. As of the writing of this report, the owners included in the change of zone request by the City have not expressed opposition. After this change of zone, there will be only one small location of H-1 zoning left.

The table on the next page describes each of the properties in the change of zone.

Properties in the Change of Zone						
Address	Owner	Legal Description	Parcel #	Acres	Existing Zoning	Requested By
5525 ARBOR ROAD	INDUSTRIAL SALT DEVELOPMENT LLC	Part of the remaining portion of Lot 2 Finigan Brothers Addition	1829401010000	58.03	AG	Owner
5535 ARBOR RD	VUKO, NICHOLAS V & DONNA J	FINIGAN BROTHERS ADDITION, Lot 1	1829401001000	14.48	H-1	City
5500 ARBOR RD	DOS PROPERTIES INC	S29, T11, R7, 6th Principal Meridian, LOT 27 NE	1829200013000	13.66	H-1	City
8201 N 56TH ST	WHITEHEAD OIL COMPANY	S29, T11, R7, 6th Principal Meridian, LOT 11 NE	1829200005000	2.07	H-1	City
8200 N 56TH ST	WHITEHEAD OIL COMPANY	S28, T11, R7, 6th Principal Meridian, LOT 17 NW	1828100003000	1.45	H-3	City

5. A revised Conditional Zoning and Annexation Agreement will accompany the applications at the City Council. The agreement will include the following traffic improvements:

N. 56th Street & Salt Bank Road: A traffic signal is required when warranted and when approved for installation by Lincoln Transportation and Utilities (LTU). A right turn lane in S. 56th Street is required with the first phase of development.

N. 53rd Street & Arbor Road: The existing rural paving must be extended to 53rd Street with a taper to the west. Right and left turn lanes in Arbor Road are required. A deviation request to shorten the turn lanes due to the culvert is supported by LTU.

Phasing of Improvements: A phasing plan for the preliminary plat was approved with Administrative Amendment #21057 that restricts platting of multiple lots south of 53rd Street and Arbor Road until the improvements for that intersection are done.

6. The following describes the availability of utilities and services in this area:
- Topography:** The area within the preliminary plat generally declines in elevation about 40 feet from north to south. A drainage exists along the south and east sides.
 - Water and sanitary sewer** are available to extend from the south and east to serve the annexation area.
 - Emergency Services:** The portion of the site outside City limits is within the Waverly Fire District. After annexation, fire protection would be provided by Lincoln Fire and Rescue (LFR). There is no necessary reimbursement in order for the city fire department to serve this area after annexation. The nearest LFR stations are located at N. 24th and Superior Street and at Touzalin Avenue and Fremont Street. LFR recommends approval of this application as long as parties understand the property in this application is more than four minutes of travel time from the closest fire station. Lincoln Fire and Rescue's goal is to be within four minutes of travel time to all addresses in the city limit.
 - Parks and Trails:** A future trail is planned on the south side of Arbor Road.
 - Traffic:** Arbor Road is an unimproved minor arterial street constructed as a paved two-lane road. Arbor Road adjacent to this site is already annexed.

7. Growth Tier I reflects the “Future Service Limit” where urban services and inclusion in the City limits is anticipated within the 30-year planning period. Tier I includes three Priority Areas for phasing development. Priority A is comprised of undeveloped land within the City limits, as well as areas that are not yet annexed but which have approved preliminary plans such as preliminary plats, use permits, community unit plans, or planned unit developments.

EXISTING LAND USE & ZONING: Agriculture, commercial and vacant; AG, H-1, and H-3

SURROUNDING LAND USE & ZONING

North: Interstate 80, agriculture, and landfill; AG and I-3

South: Commercial and vacant; H-4

East: Commercial and vacant; H-4

West: Agriculture; AG and R-3

APPLICATION HISTORY

- | | |
|-----------|--|
| Oct. 1996 | Special Permit #1648 was approved by the Planning Commission for a cellular tower on the property at 5500 Arbor Road. |
| Apr. 2004 | Preliminary Plat #03004 was approved by the Planning Commission for commercial and residential areas north and south of Alvo Road, west of N. 56 th Street. Waivers were approved to requirements for pedestrian ways, block length, and sanitary sewer slope. Administrative amendments were approved in 2013, 2015, 2017, and 2018. |
| Feb. 2008 | Preliminary Plat #08001 was approved by the Planning Commission for Northbank Junction 1 st Addition for the commercial area between Alvo and Arbor Roads with waivers to pedestrian ways, block length, and sanitary sewer slope. |
| Jan. 2022 | Administrative Amendment #21057 to Preliminary Plat #08001 was approved by the Planning Director for revisions to the lot and street layout, access, and establishing a phasing plan. |

APPROXIMATE LAND AREA:

Annexation: 53.30 acres

Change of Zone: 89.69 acres

Developer Requested: 58.03 acres

City Requested: 31.66 acres

PROPOSED CITY COUNCIL DISTRICT ASSIGNMENT: District 1.

CONDITIONS OF APPROVAL: See attached.

LEGAL DESCRIPTION:

Annexation: A part of the remaining portion of Lot 2, Finigan Brothers Addition, located in the SE ¼ of Section 29-11-7 (see attached detailed description).

Change of Zone: A part of the remaining portion of Lot 2, Finigan Brothers Addition, located in the SE ¼ of Section 29-11-7 together with Lot 1, Finigan Brothers Addition, Lots 11 and 27 I.T. located in the NE 1/4 quarter of Section 29-11-7, and Lot 17 I.T., located in the NW ¼ of Section 28-11-7 (see attached detailed description).

Prepared by

Rachel Christopher, AICP

Date: February 18, 2022

Applicants: Industrial Salt Development LLC
1314 O Street, Suite 101
Lincoln, NE 68508
(402) 476-0086
dana.schmidt@concordemgmt.com

Lincoln-Lancaster County Planning Department
555 S. 10th Street, Suite 213
Lincoln, NE 68508
(402) 441-7491
plan@lincoln.ne.gov

Owners: INDUSTRIAL SALT DEVELOPMENT LLC
Attn: AARON FENTON - MANAGER
1314 O ST #STE 101
LINCOLN, NE 68508

VUKO, NICHOLAS V & DONNA J
1565 S 98 ST
LINCOLN, NE 68520

DOS PROPERTIES INC
ATTN: DWAIN W ROGGE
1248 O ST SUITE 784
LINCOLN, NE 68508

WHITEHEAD OIL COMPANY
PO BOX 30211
LINCOLN, NE 68503-0211

Contacts: DaNay Kalkowski
1128 Lincoln Mall, Suite 105
Lincoln, NE 68508
(402) 435-6000
danay@sk-law.com

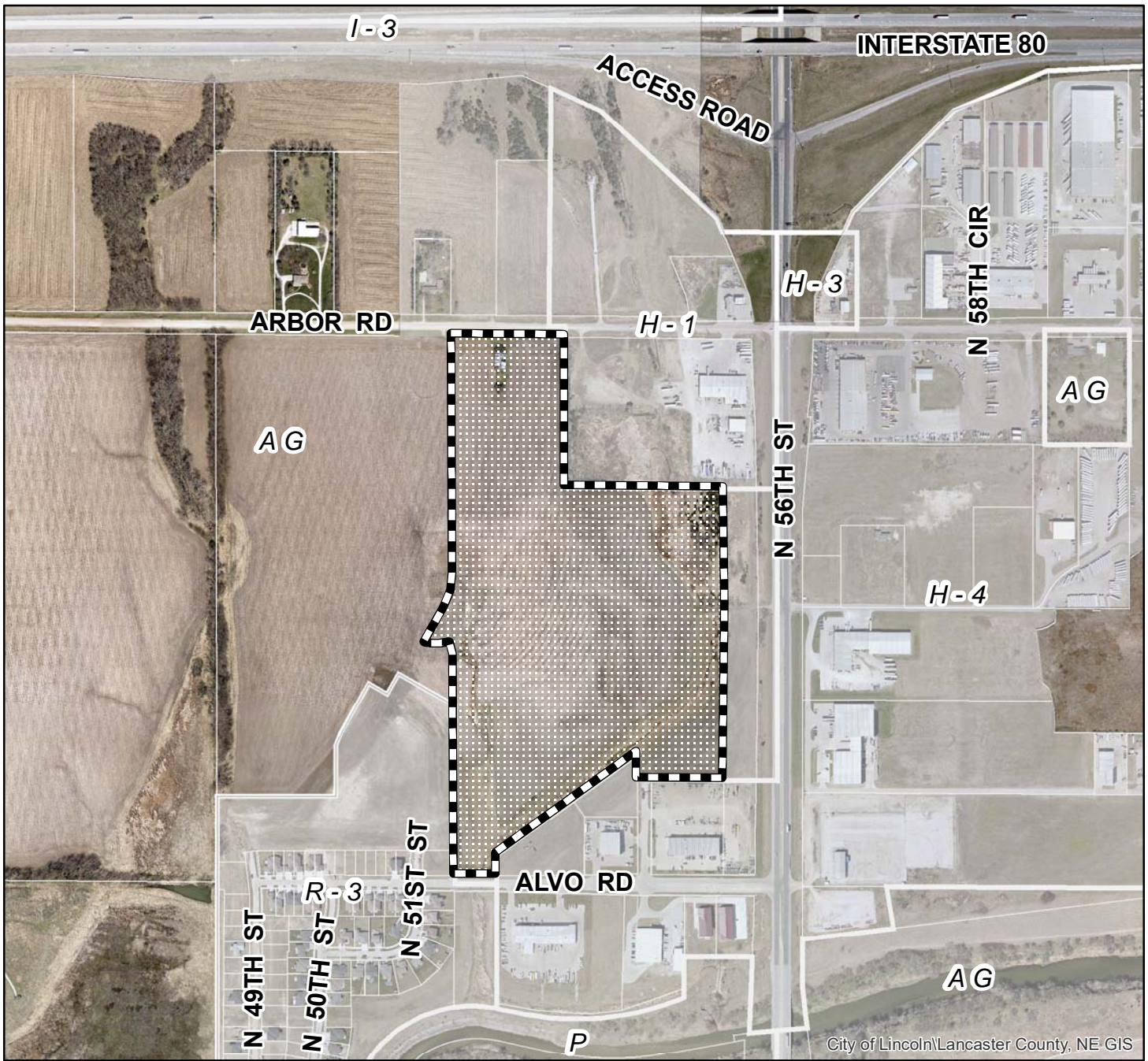
Rachel Christopher
Lincoln-Lancaster County Planning Department
555 S. 10th Street, Suite 213
Lincoln, NE 68508
(402) 441-7603
rchristopher@lincoln.ne.gov

<https://linclanc.sharepoint.com/sites/PlanningDept-DevReview/Shared Documents/DevReview/AN/21000/AN21005, CZ21038 Salt Bank Business Park.rkc.docx>

**CONDITIONS OF APPROVAL
ANNEXATION #21005 AND CHANGE OF ZONE #21038**

Before the City Council approves the annexation:

The applicant signs a Conditional Zoning and Annexation Agreement.

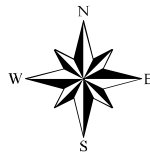
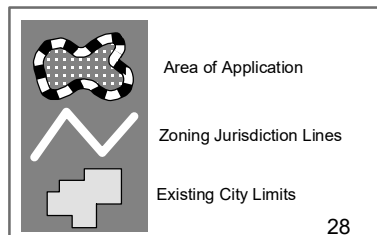


Annexation #: AN21005
Salt Bank Business Park
N 56th St & Arbor Rd

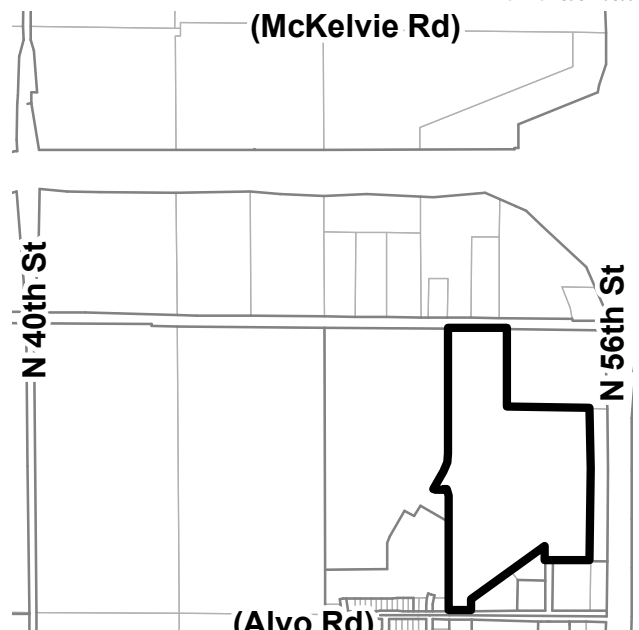
Zoning:

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

One Square Mile:
 Sec.29 T11N R07E



2020 aerial



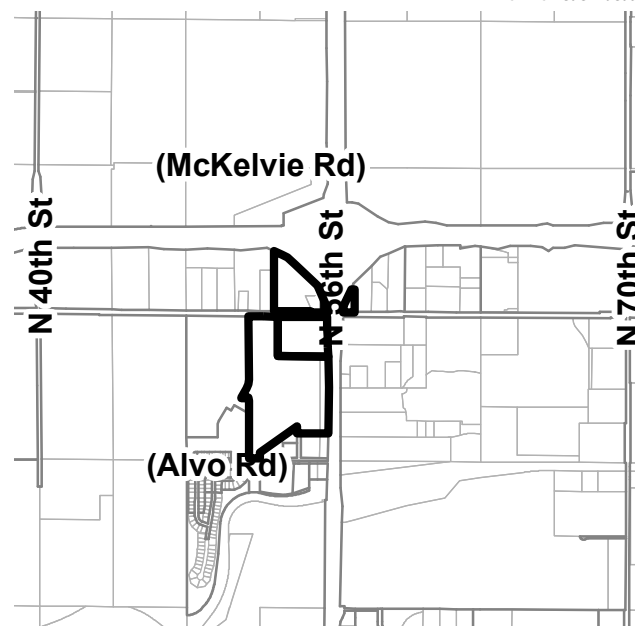
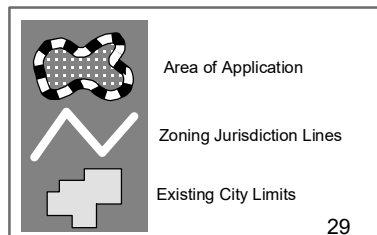


Change of Zone #: CZ21038
Salt Bank Business Park
N 56th St & Arbor Rd

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

Two Square Miles:
 Sec.29 T11N R07E
 Sec.28 T11N R07E



2020 aerial

ANNEXATION LEGAL DESCRIPTION

A part of the remaining portion of Lot 2 Finigan Brothers Addition, located in the Southeast Quarter of Section 29, Township 11 North, Range 7 East, of the 6th Principal Meridian, Lancaster County, Nebraska and more particularly described as follows:

Commencing at the Southwest Corner of said SE 1/4 of Section 29; Thence on the West line of said Southeast Quarter of Section 29, North 00 degrees 13 minutes 28 seconds West, a distance of 2,585.79 feet to a point on the South right-of-way line of Arbor Road, 50.00 feet South of the North line of said Southeast Quarter of Section 29; Thence on the south right-of-way line of Arbor Road, South 89 degrees 29 minutes 21 seconds East, a distance of 1,120.06 feet to the POINT OF BEGINNING; Thence continuing on the South right-of-way line of Arbor Road, South 89 degrees 29 minutes 21 seconds E, a distance of 530.37 feet; Thence South 00 degrees 02 minutes 47 seconds East, a distance of 709.79 feet; Thence South 89 degrees 27 minutes 10 seconds East, a distance of 748.60'; THENCE South 00 degrees 54 minutes 35 seconds East, a distance of 551.56'; THENCE South 00 degrees 42 minutes 23 seconds West, a distance of 822.88'; THENCE North 89 degrees 37 minutes 24 seconds West, a distance of 406.54 feet; Thence North 00 degrees 22 minutes 36 seconds East, a distance of 123.60 feet; Thence South 54 degrees 15 minutes 01 seconds West, a distance of 818.86 feet; Thence South 00 degrees 06 minutes 20 seconds East, a distance of 100.33 feet; Thence North 89 degrees 37 minutes 24 seconds West, a distance of 197.99 feet; Thence North 00 degrees 13 minutes 31 seconds West, a distance of 1,034.46 feet; Thence North 13 degrees 44 minutes 12 seconds West, a distance of 60.00 feet to a circular curve to the right, having a radius of 270.00 feet, a central angle of 26 degrees 05 minutes 57 seconds and whose chord (121.93 feet) bears South 89 degrees 18 minutes 47 seconds West; Thence on the arc of said circular curve 122.99 feet; Thence North 29 degrees 46 minutes 29 seconds East, a distance of 189.00 feet; Thence North 22 degrees 17 minutes 55 seconds East, a distance of 85.43 feet; Thence North 05 degrees 52 minutes 29 seconds East, a distance of 82.05 feet; Thence North 00 degrees 13 minutes 31 seconds West, a distance of 1,131.17 feet to the POINT OF BEGINNING. Said tract containing an area of 2,321,684.60 square feet or 53.30 acres, more or less.

CHANGE OF ZONE LEGAL DESCRIPTION

FROM AG TO H-4

A part of the remaining portion of Lot 2 Finigan Brothers Addition, located in the Southeast Quarter of Section 29, Township 11 North, Range 7 East, of the 6th Principal Meridian, Lancaster County, Nebraska and more particularly described as follows:

Commencing at the Southwest Corner of said SE 1/4 of Section 29; Thence on the West line of said Southeast Quarter of Section 29, North 00 degrees 13 minutes 28 seconds West, a distance of 2,585.79 feet to a point on the South right-of-way line of Arbor Road, 50.00 feet South of the North line of said Southeast Quarter of Section 29; Thence on the south right-of-way line of Arbor Road, South 89 degrees 29 minutes 21 seconds East, a distance of 1,120.06 feet to the POINT OF BEGINNING; Thence continuing on the South right-of-way line of Arbor Road, South 89 degrees 29 minutes 21 seconds E, a distance of 530.37 feet; Thence South 00 degrees 02 minutes 47 seconds East, a distance of 709.79 feet; Thence South 89 degrees 27 minutes 10 seconds East, a distance of 898.65 feet to a point on the West right-of-way line of North 56th Street; Thence on the West right-of-way line South 00 degrees 54 minutes 35 seconds East, a distance of 549.84 feet; Thence continuing on the west right-of-way line South 00 degrees 42 minutes 23 seconds West, a distance of 824.15 feet; Thence North 89 degrees 37 minutes 24 seconds West, a distance of 556.54 feet; Thence North 00 degrees 22 minutes 36 seconds East, a distance of 123.60 feet; Thence South 54 degrees 15 minutes 01 seconds West, a distance of 818.86 feet; Thence South 00 degrees 06 minutes 20 seconds East, a distance of 100.33 feet; Thence North 89 degrees 37 minutes 24 seconds West, a distance of 197.99 feet; Thence North 00 degrees 13 minutes 31 seconds West, a distance of 1,034.46 feet; Thence North 13 degrees 44 minutes 12 seconds West, a distance of 60.00 feet to a circular curve to the right, having a radius of 270.00 feet, a central angle of 26 degrees 05 minutes 57 seconds and whose chord (121.93 feet) bears South 89 degrees 18 minutes 47 seconds West; Thence on the arc of said circular curve 122.99 feet; Thence North 29 degrees 46 minutes 29 seconds East, a distance of 189.00 feet; Thence North 22 degrees 17 minutes 55 seconds East, a distance of 85.43 feet; Thence North 05 degrees 52 minutes 29 seconds East, a distance of 82.05 feet; Thence North 00 degrees 13 minutes 31 seconds West, a distance of 1,131.17 feet to the POINT OF BEGINNING. Said tract containing an area of 2,527,816.80 square feet or 58.03 acres, more or less.

FROM H-1 TO H-4

Lot 1, Finigan Brothers Addition, and Lots 11 and 27 I.T. located in the NE 1/4 quarter of Section 29-11-7, Lincoln, Lancaster County, Nebraska.

FROM H-3 TO H-4

Lot 17 I.T., located in the NW ¼ of Section 28-11-7, Lincoln, Lancaster County, Nebraska.



SEACREST & KALKOWSKI, PC, LLO

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

September 1, 2021

HAND DELIVERY

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

RE: Salt Bank Business Park Change of Zone and Annexation

Dear David:

Our office represents Industrial Salt Development, LLC ("Developer"), owner of the remaining portion of Lot 2, Finigan Brothers Addition, Lancaster County, Nebraska (the "Property"), which includes approximately 58.03 acres. The Property is located west of N. 56th Street between Arbor Road and Alvo Road. The east 4.77 acres of the Property adjacent to N. 56th Street has already been annexed and is within the City limits. Developer is requesting (i) the annexation of the west 53.26 acres of the Property currently located outside the City limits, and (ii) a change of zone from AG to H-3 for all of the Property. The Property is subject to the Northbank Junction 1st Addition Preliminary Plat #08001. An administrative amendment will be submitted separately for the Preliminary Plat.

Enclosed please find the following:

- a. Legal Description for Annexation;
- b. City of Lincoln Zoning Application and Legal Description for Change of Zone; and
- c. Application fee in the amount of \$988 for the Change of Zone.

We look forward to working with you on this project. We would like to request a meeting with City Staff to discuss the annexation request. If you have any questions regarding the enclosed or need any additional information, please feel free to contact me.

Very truly yours,

DANAY KALKOWSKI

For the Firm

Enclosures

LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT

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

APPLICATION NUMBER
Annexation #22001
Change of Zone #22003
Change of Zone #21022A for Grandview
Estates Planned Unit Development (PUD)

FINAL ACTION?
No

DEVELOPER/OWNER
Rokeby Holdings, LLC

PLANNING COMMISSION HEARING DATE
March 2, 2022

RELATED APPLICATIONS

PROPERTY ADDRESS/LOCATION
South 70th Street and Rokeby Road

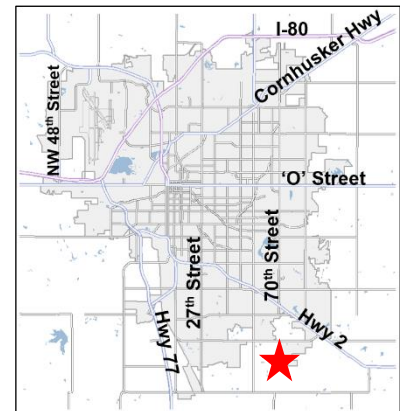
**RECOMMENDATIONS: ANNEXATION #22001
CHANGE OF ZONE #22003
CHANGE OF ZONE #21022A**

**APPROVAL
APPROVAL
CONDITIONAL APPROVAL**

BRIEF SUMMARY OF REQUEST

This is a combined staff report for three related applications associated with the Grandview Estates 2nd Addition development located southeast of the intersection of South 70th Street and Rokeby Road. The submittal completes the framework established by prior applications for the development of this site which now includes zoning overlays for both a community unit plan (CUP) and a planned unit development (PUD).

The area of all these applications was previously shown in concept as part of the Grandview Estates 2nd Addition Community Unit Plan (CUP). A portion was separated out last year and designated as a PUD and the boundary of the CUP was reduced accordingly. These requests seek to annex 42.35 acres, rezone 32.89 of those acres to R-3 for the CUP, and to rezone 9.8 acres to R-5 PUD to expand the PUD.



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-5 PUD will allow for an expansion of the multiple-family previously approved as well as some commercial floor area to provide a mix of uses. The change of zone to R-3 will allow a second phase of the CUP to be platted and developed. The requests are consistent with the Future Land Use Map and compatible with both previously approved PUD and CUP to the east. All requests comply with the Zoning Ordinance and are consistent with the Comprehensive Plan.

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.

APPLICATION CONTACT

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

STAFF CONTACT

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

WAIVERS PREVIOUSLY APPROVED AND CARRIED FORWARD FOR THE PUD

1. LMC 27.67.030 - To allow parking in a side yard
2. LMC 27.67.030 - To allow cross-parking throughout the PUD
3. LMC 27.72.020(b) - To increase the maximum residential building height to 60'
4. LMC 27.72.030(b) - Adjust the rear setback for the B-2 district to 20'

KEY QUOTES FROM THE 2050 COMPREHENSIVE PLAN

Introduction Section: Growth Framework

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

Fundamentals of Growth in Lancaster County

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

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

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

Goals Section

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

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

Elements Section

E3 - Business, Economy and Workforce

Commercial Center Design Strategies

8. Encourage commercial development at ¼ or ½ mile between major intersections in order to create centers that are centrally-located within each square mile to facilitate easier pedestrian access and also allow for vehicular access points that meet the city's Access Management Policy.

Neighborhood Centers

These centers typically serve the neighborhood level. Neighborhood Centers should be located approximately ½ mile apart, depending upon their size, scale, function and the population of the surrounding area. Future Neighborhood Centers are typically not sited on the Future Land Use map in advance but are identified as development plans are approved.

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 was available in Grandview Estates on the north side of Rokeby Road and has been extended by the developer to serve this development.

B. Water: Water is also available in Rokeby Road and has been extended as well.

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 South 70th Street and Rokeby Road.

South 70th Street is an asphalt county road and will not be improved with this development except for temporary turn lanes which will be installed at the developer's expense.

Rokeby Road was formerly a county gravel road but improvements are underway to coincide with adjacent development.

D. Parks and Trails: An underground crossing of Rokeby Road is proposed at approximately South 81st Street. It is shown on the site plan for the associated CUP and extends south along the drainage adjacent to the eastern boundary of the development.

E. Fire Protection: After annexation, fire protection will be provided by Lincoln Fire Rescue (LFR). A new fire/police station has been built at South 63rd Street and Pine Lake Road and will provide coverage to this development.

ANALYSIS

1. The original Grandview Estates 2nd Addition CUP (attached as the next to last attachment) was approved in 2019 and approved a concept plan for the development of approximately 242 acres of land southeast of the intersection of South 70th Street and Rokeby Road. Initially, only 77 acres were annexed and re-zoned based upon the plan to provide for development of the first phase. In 2021 the multiple-family portion of the CUP (the area on the west side adjacent to South 70th Street) was separated out and rezoned to R-5 PUD. The larger concept plan was also revised to show an approximately 10-acre tract on the south side of Ambrose Drive as future commercial/multiple-family residential with the intent that it would be included in the PUD in the future.
2. The three requests seek to annex enough land to allow for the second phase of the CUP to be developed and to add the 10-acre commercial/multiple-family tract into the PUD. The 33 acres being rezoned to R-3 will allow for the development of approximately another 125 residential lots. The 10 acres being rezoned to R-5 PUD will allow for another 200 apartments or 50,000 square feet of commercial floor area or some combination of both.
3. The three related requests, all associated with the Grandview Estates 2nd Addition development, are briefly discussed individually below:

AN#22001 - This annexation of 42.35 acres will allow for a 33-acre expansion of the CUP and a 10 expansion of the PUD. It annexes the void between the new high school site and that portion of Grandview Estates 2nd annexed previously. It is consistent with the concept plan for the larger development.

CZ#22003 - This application seeks a change of zone from AG to R-3 to accommodate a 33-acre expansion of the CUP. It is generally consistent with what is shown as Phase II of the phasing plan for the CUP. The developer will then be able to submit final plats to subdivide and create lots for sale and construction.

CZ#21022A - The third is a change of zone request from AG to R-5 PUD over 10 acres to expand the PUD. The PUD was established when the larger apartment site north of Ambrose Drive was split off from the CUP and rezoned to R-5 PUD in 2021. This 10 acre expansion will accommodate an additional 200 apartment units or 50,000 square feet of commercial floor area or some combination of both.

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 in the area of these requests and can be extended to serve this development. The development can be served by the full range of city services.
5. The PUD as originally approved provides the basic framework for development of the site at some future date as there no specific plans for immediate development - it is shown as Phase IV (the last phase) on the phasing plan (attached as the last attachment). As before, the details regarding the site grading and drainage, as well as specific lot and site layouts will be approved by administrative amendment prior to development. The waivers granted previously to accommodate the development have been requested because they require City Council approval and to provide advance notice to surrounding property owners of the increased multiple-family building height to 60'.
6. As with the original CUP, this PUD is proposing to develop most of the R-5 PUD area with apartments. It does however include the provision to allow commercial uses consistent with the B-2 Neighborhood Commercial zoning district. A cap on the number of apartments units is increased to 911 with this request, and also allows up to 50,000 square feet of commercial floor area or some combination of the two. This level of development should not exceed the capacity of an unimproved South 70th Street and but can be increased in the future if the PUD is expanded/modified and improvements have been made in South 70th Street.
7. The subject property is located within the Southeast Rural Fire District #1. Under State law the District can petition for compensation from the annexing municipality for lost revenue based upon the amount of service area annexed. For voluntary annexations such as this one, any costs due to the district are to be borne by the developer. In this case, staff has conducted the financial analysis and there should be no funds due to the District.
8. It is also the developer's responsibility to reach an agreement regarding any compensation due the Rural Water District #1 (RWD) as a result of the proposed annexation. That was done in this case and this land has already been released from the Rural Water District #1.

9. This development is already subject to the Rokeby Coalition Agreement, and an amendment to that agreement will not be necessary for these requests. Public sewer and water are available and there are no other major infrastructure improvements required or requested to serve this development.
10. The area proposed for annexation is consistent with the City's policy for annexation as stated in the Comprehensive Plan. The site is designated for future urban density residential land uses on the Future Land Use Map and is with both the Grandview Estates 2nd Addition CUP and PUD. There are some corrections/changes that are needed and which are included as recommended conditions of approval. Subject to those recommended conditions of approval these requests comply with the requirements of the Zoning Ordinance and Comprehensive Plan.

EXISTING LAND USE & ZONING: Agriculture; AG

PROPOSED ZONING: R-3, R-5 PUD

HISTORY:

May 2019 - AN#19002, CZ#19005 and SP#19006 for Grandview Estates 2nd Addition were approved over approximately 77 acres. In concept the plans for SP#19006 showed a layout for approximately 242 acres.

August 2021 - AN#21003 and CZ#21022 CZ#21023 were approved to annex and rezone approximately 38 acres to R-5 PUD for multiple-family and commercial.

SURROUNDING LAND USE & ZONING

North: Vacant, Single family residential under development

R-3, R-5 PUD

South: Public High School, Utility Substation

P, AG

East: Agriculture

AG

West: Agriculture

AG, R-3

APPROXIMATE LAND AREA:

Annexation #22001 - 42.36 acres more or less including the South 70th Street right-of-way.

Change of Zone #22003 -AG to R-3 - 32.89 acres more or less

-AG to R-5 PUD - 9.8 acres more or less

PROPOSED CITY COUNCIL DISTRICT ASSIGNMENT: District #2

LEGAL DESCRIPTIONS: See attached.

Prepared by

Brian Will,
February 17, 2022
bwill@lincoln.ne.gov or 402-441-6362

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

Owner: Rokeby Holdings, LLC
7211 South 27th Street
Lincoln, NE 68512
402-438-7368

CONDITIONS OF APPROVAL

ANNEXATION #22001

The owner agrees to enter in an amended Rokeby Coalition Agreement with the City prior to scheduling for City Council consideration.

CHANGE OF ZONE #22003

Annexation #22001 is approved by City Council.

CHANGE OF ZONE #21022A

This approval permits 911 dwelling units and 50,000 square feet of commercial floor area.

Site Specific Conditions:

1. The City Council approves associated request:
 - 1.1 Annexation #22001.
2. Before receiving building permits or before a final plat is approved the developer shall cause to be prepared and submitted to the Planning Department a revised and reproducible final plot plan including 2 copies with all required revisions and documents as listed below upon approval of the planned unit development by the City Council.
 - 2.1 Revise Development Plan Note #8 to reflect the correct total number of apartment units shown.
 - 2.2 Delete 'SSH4 and SSH5' from Notes 4 and 10.
 - 2.3 Delete Development Plan Note #6 which is no longer necessary.
 - 2.4 Relocate the street name label for Isidore Drive beyond the text of the legal description.
 - 2.5 Revise the notes for the multiple-family lots to include 'and Commercial Space' so it is clear that commercial uses may be located there.
 - 2.6 Revise the title of the plan sheet to state 'Grandview Estates 2nd Addition Planned Unit Development #21022A'.

Standard Conditions:

3. The following conditions are applicable to all requests:
 - 3.1 Before occupying the dwelling units/commercial buildings all development and construction shall substantially comply with the approved plans.
 - 3.2 All privately-owned improvements shall be permanently maintained by the owner or an appropriately established homeowners association approved by the City Attorney.
 - 3.3 The physical location of all setbacks and yards, buildings, parking and circulation elements, and similar matters must be in substantial compliance with the location of said items as shown on the approved site plan.
 - 3.4 The terms, conditions, and requirements of the ordinance shall run with the land and be binding upon the developer, its successors and assigns.

- 3.5 The applicant shall sign and return the letter of acceptance to the City Clerk. This step should be completed within 60 days following the approval of the special permit. The City Clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filing fees therefore to be paid in advance by the applicant. Building permits will not be issued unless the letter of acceptance has been filed.
- 3.6 The site plan as approved with this ordinance voids and supersedes all previously approved site plans, however all ordinances approving previous permits remain in full force and effect unless specifically amended by this ordinance.

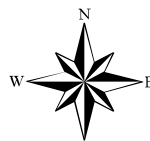


Annexation #: AN22001
Grandview Estates 2nd Addition
S 70th St & Rokeby Rd

2020 aerial

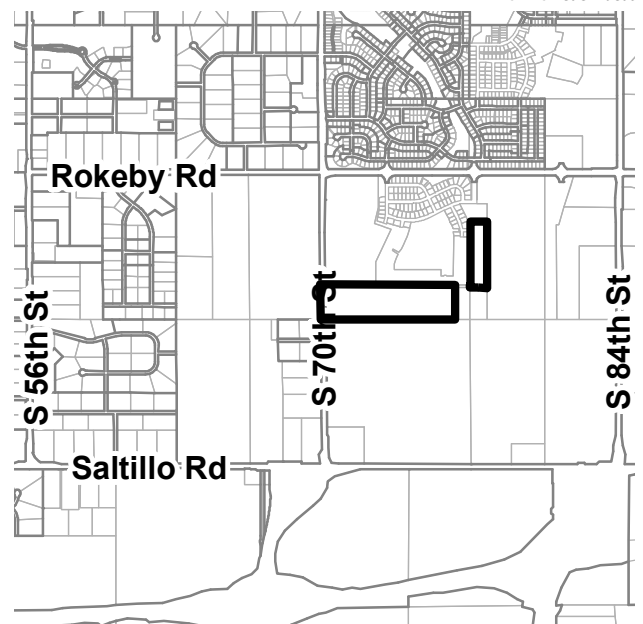
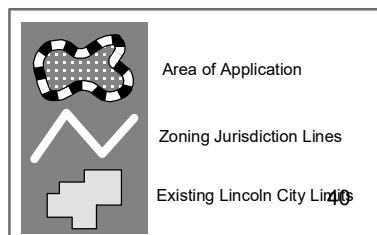
Zoning:

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



Two Square Miles:

Sec.33 T09N R07E
 Sec.34 T09N R07E



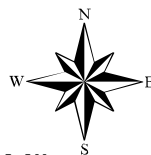


2020 aerial

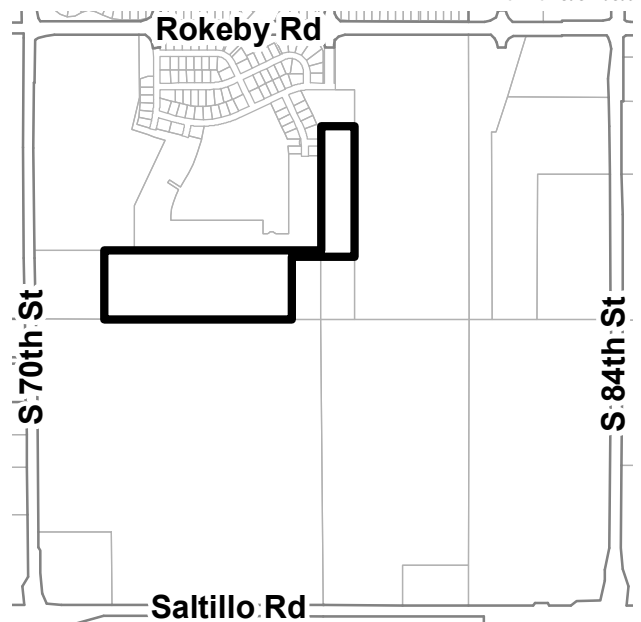
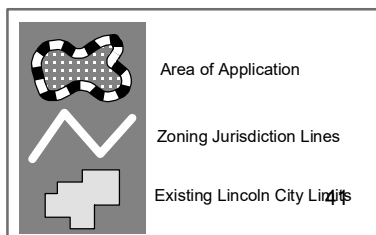
Change of Zone #: CZ22003 (AG to R-3) **Grandview Estates 2nd Addition** **S 70th St & Rokeby Rd**

Zoning:

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



One Square Mile:
 Sec.34 T09N R07E



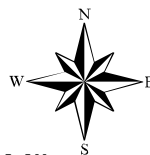


2020 aerial

Change of Zone #: CZ21022A (AG to R-5 PUD) **Grandview Estates 2nd Addition PUD** **S 70th St & Rokeby Rd**

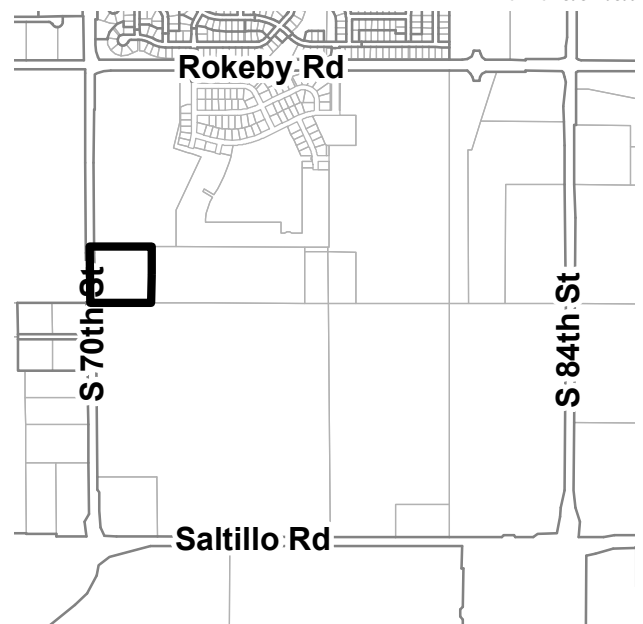
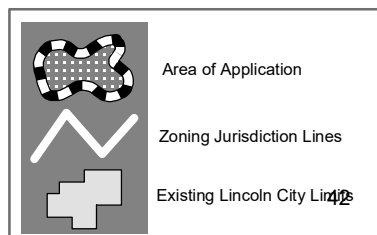
Zoning:

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



One Square Mile:

Sec.34 T09N R07E





Civil Design Group, Inc.

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

January 7, 2022

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

Re: Grandview Estates 2nd Addition CUP & Grandview Estates R-5 PUD, requests for Annexation and Change of Zone and Administrative Amendment.

Dear Mr. Cary:

On behalf of Rokeby Holdings, LTD, we submit the enclosed applications for a change of zone from AG to R-3 CUP and a change of zone from AG to R-5 PUD within the Grandview Estates subdivision. We are also requesting the contiguous annexation of both areas as shown on the enclosed exhibits. These items are requested for the future platting and development per their respective CUP and PUD areas.

With these applications we submit the following items:

Application for a Change of Zone (AG to R-5 PUD) & Change of Zone fee of \$1,005.00
Application for a Change of Zone (AG to R-3 CUP) & Change of Zone fee of \$1,005.00
Administrative Amendment to the Community Unit Plan of \$210.00
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

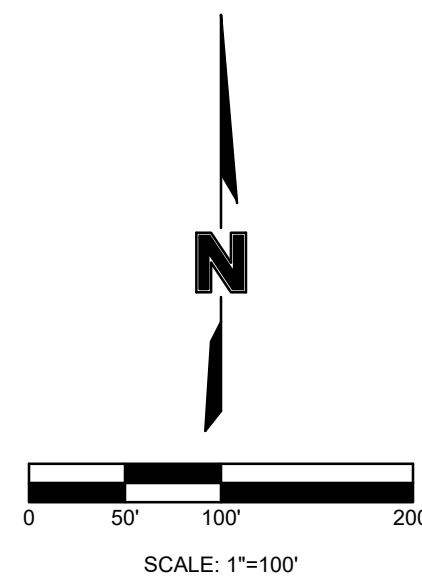
Mike Eckert, AICP

JDS

cc: Rokeby Holdings, LTD

GRANDVIEW ESTATES 2ND ADDITION

P.U.D. ANNEXATION



PLANNED UNIT DEVELOPMENT LEGAL DESCRIPTION

A legal description of a part of Lot 29 Irregular Tracts and a part of Outlot "F" "Grandview Estates 10th Addition", both located in the Northwest Quarter of Section 34, Township 9 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 Northwest Quarter of Section 34; Thence East, on the North Line of the Northwest Quarter of Section 34, on an assumed bearing of S 89°50'03" E for a distance of 1075.00'; Thence S 00°00'57" W for a distance of 60.00' to a point of intersection of the Southerly Right-of-way Line of Rokeby Road and the Westerly Right-of-way Line of South 73rd Street, said point being the **Point of Beginning**;

Thence on the Westerly Right-of-way Line of South 73rd Street the following 5 courses:
S 47°55'53" E for a distance of 48.00';
Thence S 30°59'38" E for a distance of 40.00';
Thence S 12°52'38" E for a distance of 56.00';
Thence S 02°31'11" E for a distance of 75.06';
Thence S 00°15'43" E for a distance of 173.04' to the Northeast Corner of Block 1, "Grandview Estates 10th Addition"
Thence on the Northerly and Westerly Lines of Block 1, "Grandview Estates 10th Addition the following 7 courses:
S 89°44'17" W for a distance of 50.00';
Thence S 68°41'56" W for a distance of 75.00';
Thence S 00°15'43" E for a distance of 144.00';
Thence S 00°12'30" W for a distance of 69.17';
Thence S 04°05'34" W for a distance of 67.06';
Thence S 08°36'51" W for a distance of 67.06';
Thence S 13°08'07" W for a distance of 67.06' to the Southwest Corner of said Block 1;
Thence S 17°39'23" W for a distance of 67.06';
Thence S 22°10'39" W for a distance of 67.06';
Thence S 26°41'56" W for a distance of 67.06';
Thence S 31°28'22" W for a distance of 75.00';
Thence S 62°53'02" E for a distance of 70.48';
Thence S 57°08'56" E for a distance of 50.00';
Thence with a curve turning to the left with an arc length of 124.07', with a radius of 1030.00', with a chord bearing of S 29°29'01" W, with a chord distance of 123.99';
Thence N 64°01'01" W for a distance of 50.00';
Thence N 69°54'52" W for a distance of 70.89';
Thence S 23°05'17" W for a distance of 87.55';
Thence S 19°01'52" W for a distance of 89.38';
Thence S 14°34'36" W for a distance of 89.38';
Thence S 10°07'20" W for a distance of 89.38';
Thence S 05°40'04" W for a distance of 89.38';
Thence S 01°22'19" W for a distance of 87.58';
Thence S 00°04'21" W for a distance of 880.00' to a point on the South Line of Lot 29;
Thence N 89°50'39" W, on the South Line of Lot 29, for a distance of 620.90' to the Southwest Corner of said Lot 29;
Thence on the Westerly Line of Lot 29 Irregular Tracts the following 5 courses:
N 01°25'35" W for a distance of 556.84';
N 00°28'18" W for a distance of 999.16';
Thence N 00°30'32" E for a distance of 592.49';
Thence S 89°27'52" E for a distance of 6.25';
Thence N 00°32'08" E for a distance of 388.51' to the Northwest Corner of said Lot 29;
Thence on the Northerly Line of Lot 29 and the North Line of Outlot "F" "Grandview Estates 10th Addition", the following 4 courses:
N 57°26'54" E for a distance of 32.00';
Thence N 75°49'56" E for a distance of 72.00';
Thence N 81°30'31" E for a distance of 80.00';
Thence S 89°50'39" E for a distance of 625.00' to the **Point of Beginning** and having a calculated area of 47.30 acres more or less.

Subject to any and all easements and restrictions of record.

GENERAL NOTES

1. THE UNDERLYING ZONING REGULATIONS ARE AMENDED TO ALLOW THOSE USES AS PER THE B-2 ZONING DISTRICT AS LISTED IN THE TITLE 27 ZONING ORDINANCE.
2. ALL OUTLOT AREAS AND OPEN SPACE SHALL BE MAINTAINED BY THE DEVELOPER/OWNER UNTIL SUCH TIME THAT AN ASSOCIATION IS CREATED.
3. GRADING AND DRAINAGE DETAILS AND STREET PROFILES FOR THIS PUD CAN BE REFERENCED ON THE GRANDVIEW ESTATES 2ND ADDITION CUP PLAN SHEETS.
4. ADMINISTRATIVE AMENDMENTS SHALL BE REQUIRED FOR FUTURE CHANGES TO GRADING, DRAINAGE, STREET ALIGNMENTS, UTILITY LOCATIONS, STREET PROFILES, ETC. ADMINISTRATIVE AMENDMENTS ARE ALSO REQUIRED TO SHOW THE BUILDING LAYOUTS. ADMINISTRATIVE AMENDMENTS ARE NOT REQUIRED REGARDING COMMERCIAL SQUARE FOOTAGE ALLOCATIONS.
5. EXISTING AND PROPOSED EASEMENTS ARE TO BE IDENTIFIED AND SHOWN AT TIME OF FINAL PLATTING.
6. FENCES, DUMPSTERS, DECORATIVE STRUCTURES AND ACCESSORY BUILDINGS ARE NOT SHOWN ON THE PLANS BUT ARE ALLOWED IF THEY ARE OUTSIDE OF SIGHT TRIANGLES AND SETBACKS AND ARE IN CONFORMANCE WITH ALL APPLICABLE ORDINANCES AND CODES.
7. ALL TOPOGRAPHICAL ELEVATIONS ARE BASED ON NAVD 1988.
8. LOCATIONS OF WATER, SANITARY SEWER, STORM SEWER, GRADING & DRAINAGE, PAVING, STREETS, LOT LINES AND SIDEWALKS SUBJECT TO APPROVAL BY ADMINISTRATIVE AMENDMENT IN COMPLIANCE WITH THE LINCOLN MUNICIPAL CODE AND THE DESIGN STANDARDS EXCEPT AS SPECIFICALLY MODIFIED BY THE CITY COUNCIL WITH THIS PUD. MINIMUM OPENING ELEVATIONS SHALL BE SET AT TIME OF ADMINISTRATIVE AMENDMENT FOR THOSE LOTS ADJACENT TO FLOODPLAIN/LEOD PRONE AREAS, FLOOD CORRIDORS AND/OR OTHER DRAINAGE DITCHES. THE PARKING AND LANDSCAPING TO BE APPROVED AT THE TIME OF BUILDING PERMITS IN COMPLIANCE WITH LINCOLN MUNICIPAL CODE AND THE DESIGN STANDARDS.
9. EAVES, OVERHANGS, RETAINING WALLS, STOOPS, WINDOW SWINGS, DOOR SWINGS, AIR CONDITIONER UNITS ETC. MAY ENCR OACH OVER THE SETBACK LINES. ENCROACHMENTS ARE NOT ALLOWED OVER PROPERTY LINES AND MUST CONFORM TO BUILDING AND LIFE SAFETY CODES.
10. TEMPORARY TURN LANES TO BE INSTALLED BY THE DEVELOPER AT THE DEVELOPER'S EXPENSE (SSH5).

DEVELOPMENT PLANS NOTES

1. DIRECT VEHICULAR ACCESS SHALL BE RELINQUISHED TO ROKEBY ROAD AND SOUTH 70TH STREET EXCEPT AS SHOWN.
2. TANDEM RESIDENTIAL PARKING SPACES THAT ARE COUNTED TOWARD THE PARKING REQUIREMENTS MAY BE LOCATED ON A DRIVEWAY BEHIND A GARAGE THAT IS ATTACHED TO A DWELLING UNIT PROVIDED THE MINIMUM DEPTH OF THE PARKING SPACE IS 22 FEET BETWEEN THE BACK OF SIDEWALK TO FACE OF GARAGE OR 26' BETWEEN THE BACK OF CURB AND BACK OF SIDEWALK WHICH WOULD LEAVE A 4' WIDE WALKING PATH.
3. SHORT TERM RENTAL UNITS MAY OCCUPY UP TO 20% OF THE PERMITTED MULTI-FAMILY DWELLING UNITS.
4. THE PERIMETER SETBACK FOR THE ENTIRE SITE IS ADJUSTED TO 20'. FOR MULTI-FAMILY AND COMMERCIAL BUILDINGS (SSH4) WHICH EXCEED 35' IN HEIGHT THE 20' SETBACK SHALL BE INCREASED ONE FOOT FOR EVERY ONE FOOT THE BUILDING EXCEEDS 35' IN HEIGHT.
5. SIGNS NEED NOT BE SHOWN ON THE SITE PLAN BUT SHALL BE APPROVED AT THE TIME OF SIGN PERMIT.
6. PER LMC 27.62.240(b) AS APARTMENTS ARE A STATED ALLOWED USE FIRST FLOOR RESIDENTIAL IS PERMITTED.
7. PRIVATE ROADWAYS MAY BE APPROVED BY ADMINISTRATIVE AMENDMENT.
8. A TOTAL OF 711 MULTI-FAMILY DWELLING UNITS AND 50,000 SQUARE FEET OF COMMERCIAL FLOOR ARE ALLOWED.

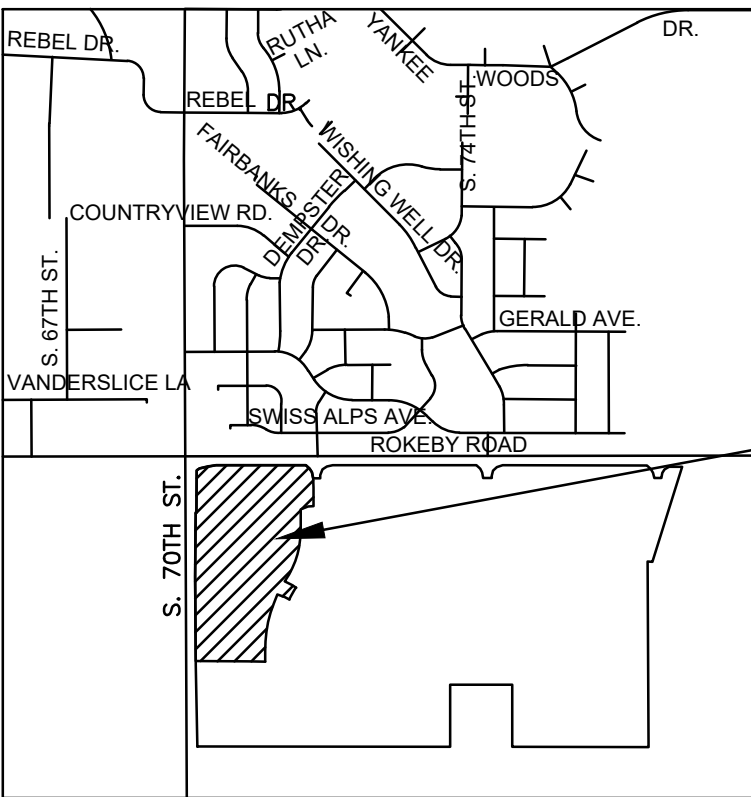
LEGEND

	P.U.D. BOUNDARY
	RIGHT OF WAY DEDICATION
	PROPOSED R.O.W.
	PROPOSED LOT LINE
	PROPOSED STREET CENTERLINE
	PROPOSED EASEMENTS
	EXISTING WATER MAIN
	EXISTING SAN. SEWER
	PROPOSED WATER MAIN
	PROPOSED SANITARY SEWER
	PROPOSED FIRE HYDRANT
	PROPOSED SANITARY MANHOLE
	EXISTING TREE MASS
	EXISTING TREE MASS TO BE REMOVED
	LIMITS OF DETENTION CELL
	FLOODPLAIN BASED ON APPROVED UPPER WAGON TRAIN WATERSHED MASTER PLAN
	FEMA MAPPED 100 YEAR FLOODPLAIN

OWNER & DEVELOPER:
ROKEY HOLDINGS LTD
7211 S. 27TH STREET
LINCOLN, NE 68512

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



GRANDVIEW ESTATES 2ND ADDITION
ANNEXATION

A legal description of a tract of land located in the Northwest Quarter of Section 34, Township 9 North, Range 7 East, of the 6th P.M., Lincoln, Lancaster County, Nebraska and more particularly described as follows:

Beginning at the Southwest corner of the Northwest Quarter of said Section 34;
Thence East, on the South Line of the Northwest Quarter, on an assumed bearing of S 89°55'39" E for a distance of 2379.18' to the Southwest Corner of Lot 18 of Irregular Tracts; Thence N 00°04'21" E, on the West Line of Lot 18 Irregular Tracts, and on the West Line of Lot 18 Irregular Tracts extended North, for a distance of 625.00', to a point on the South Line of Outlot 'F' "Grandview Estates 10th Addition"; Thence N 89°55'39" W, on the South Line of Outlot 'F' "Grandview Estates 10th Addition" extended West, for a distance of 2385.11' to a point on the West line of the Northwest Quarter; Thence S 00°28'18" E, on the West line of the Northwest Quarter, for a distance of 625.03' to the Point of Beginning, and having a calculated area of 34.18 acres more or less.

Subject to any and all easements and restrictions of record.

AND

A legal description of a part of Lot 33 Irregular Tracts located in the Northeast Quarter of Section 34, Township 9 North, Range 7 East, of the 6th P.M., Lincoln, Lancaster County, Nebraska and more particularly described as follows:

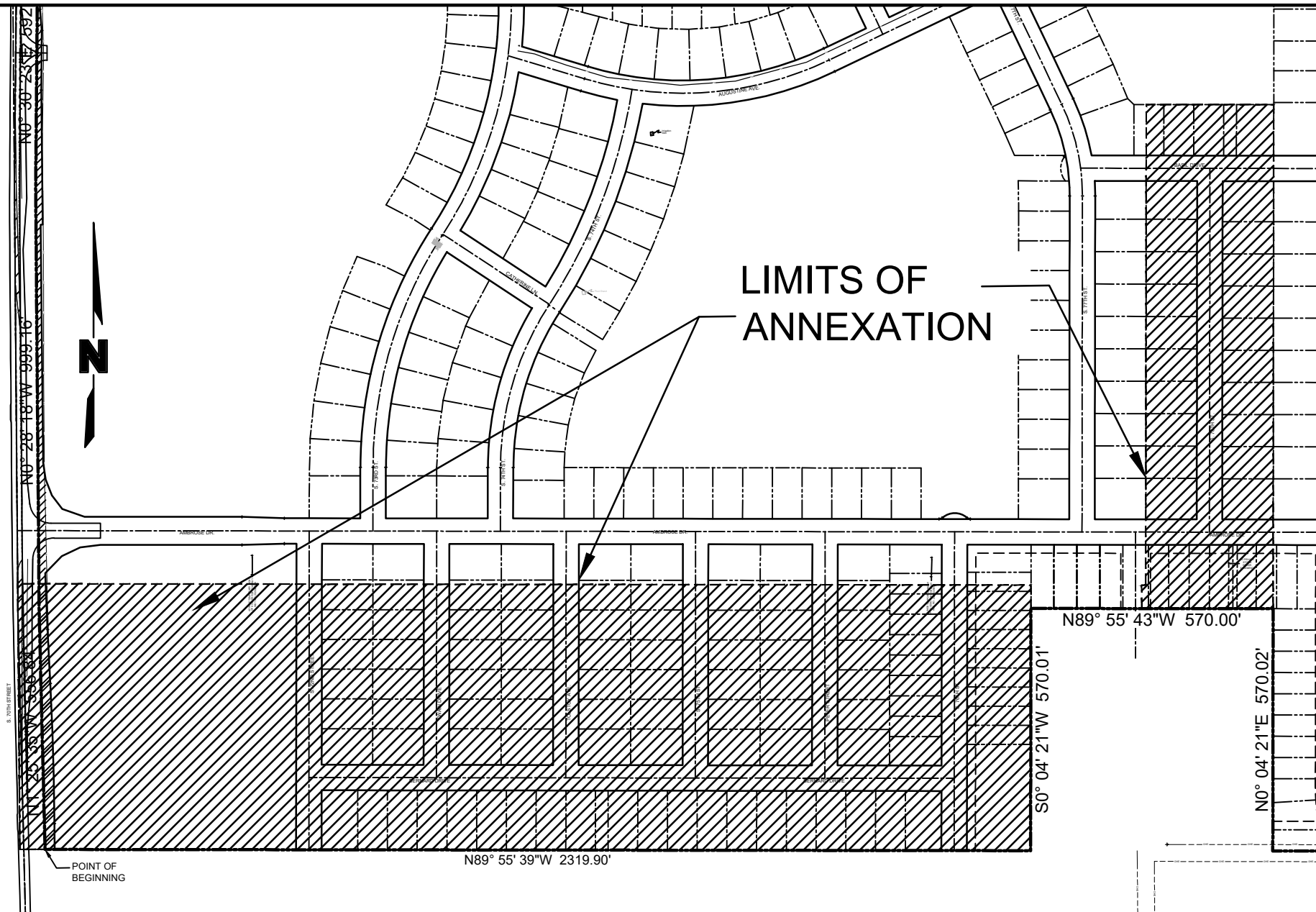
Referring to the Southwest Corner of the Northeast Quarter of said Section 34;
Thence East, on the South Line of the Northeast Quarter on an assumed bearing of S 89°55'43" E for a distance of 304.00' to the Southeast Corner of Lot 19 Irregular Tracts; Thence N 00°04'21" E, on the East Line of Lot 19 Irregular Tracts, for a distance of 570.02' to the Northeast Corner of said Lot 19, said point also being the Point of Beginning:

Thence N 00°04'21" E for a distance of 1185.95' to the Southeast Corner of Outlot 'C' "Grandview Estates 10th Addition";
Thence N 89°55'39" W, on the South Line of Outlot 'C' "Grandview Estates 10th Addition" for a distance of 300.00';
Thence S 00°04'21" W, on the Line common to Lot 33 Irregular Tracts and "Grandview Estates 10th Addition" for a distance of 1130.97' to the Southeast Corner of "Grandview Estates 10th Addition";
Thence N 89°55'39" W, on the South Line of "Grandview Estates 10th Addition" for a distance of 9.56' to a Corner of Lot 29 Irregular Tracts; Thence S 00°26'13" E, on the Line common to Lots 29 and 33 Irregular Tracts, for a distance of 54.99' to the Northwest Corner of Lot 19 Irregular Tracts; Thence S 89°55'43" E, on the North Line of Lot 19 Irregular Tracts, for a distance of 309.07' to the Point of Beginning, and having a calculated area of 8.18 acres more or less.

And the adjacent right-of-way in South 70th Street.

Subject to any and all easements and restrictions of record.

DWG: F:\Projects\2021\20210301\Landplanning\Exhibit\210301-CUP-ANNEX.dwg USER: Jill
 DATE: Feb 10, 2022 8:40am XREFS: 210301_base- John Townhomes 200061_xbase 200061_background



drawn by: jds
 checked by: -
 project no.: 2021-0301
 date: 02/10/2022

ANNEXATION EXHIBIT - C.U.P. & P.U.D. GRANDVIEW ESTATES 2ND 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

GRANDVIEW ESTATES 2ND ADDITION
COMMUNITY UNIT PLAN – CHANGE OF ZONE

A legal description of a tract of land composed of a part of Lot 29 Irregular Tracts (NW1/4) and a part of Lot 33 Irregular Tracts (NE1/4) both located in Section 34, Township 9 North, Range 7 East, of the 6th P.M., Lincoln, Lancaster County, Nebraska and more particularly described as follows:

Referring to the Southwest Corner of the Northwest Quarter of said Section 34;
Thence East, on the South Line of the Northwest Quarter, and on the South Line of Lot 29 Irregular Tracts, on an assumed bearing of S 89°55'39" E for a distance of 680.18' to the Point of Beginning:

Thence S 89°55'39" E, continuing on the South Line of the Northwest Quarter and on the South Line of Lot 29 Irregular Tracts, for a distance of 1699.00' to the Southwest Corner of Lot 18 Irregular Tracts;

Thence N 00°04'21" E, on the West Line of Lot 18 Irregular Tracts, for a distance of 570.01' to the Northwest Corner of said Lot 18;

Thence S 89°55'43" E, on the North Line of Lots 18 and 19 Irregular Tracts, for a distance of 570.00' to the Northeast Corner of said Lot 19;

Thence N 00°04'21" E for a distance of 1185.95' to the Southeast Corner of Outlot 'C' "Grandview Estates 10th Addition";

Thence N 89°55'39" W, on the South Line of Outlot 'C' "Grandview Estates 10th Addition" for a distance of 300.00';

Thence S 00°04'21" W, on the Line common to Lot 33 Irregular Tracts and "Grandview Estates 10th Addition" for a distance of 1130.97' to the Southwest Corner of Outlot 'F' "Grandview Estates 10th Addition"; Thence N 89°55'39" W, on the South Line of Outlot 'F' "Grandview Estates 10th Addition" for a distance of 1969.00'; Thence S 00°04'21" W for a distance of 625.00' to the Point of Beginning, and having a calculated area of 32.89 acres more or less.

Subject to any and all easements and restrictions of record.

DWG: F:\Projects\2021\20210301\Landplanning\Exhibit\210301-CUP-COZ.dwg
 DATE: Jan 20, 2022 11:35am XREFS: 210301_base- John Townhomes
 USER: Jill 200061_xbase 200061_background

S. 170th STREET



**CHANGE OF ZONE - C.U.P.
 GRANDVIEW ESTATES 2ND ADDITION
 LINCOLN, NEBRASKA**

drawn by: jds
 checked by: -
 project no.: 2021-0301
 date: 01/19/2021

**CHANGE OF
 ZONE AG TO
 R3**



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

GRANDVIEW ESTATES 2ND ADDITION
LIMITS OF ADDITION TO P.U.D.

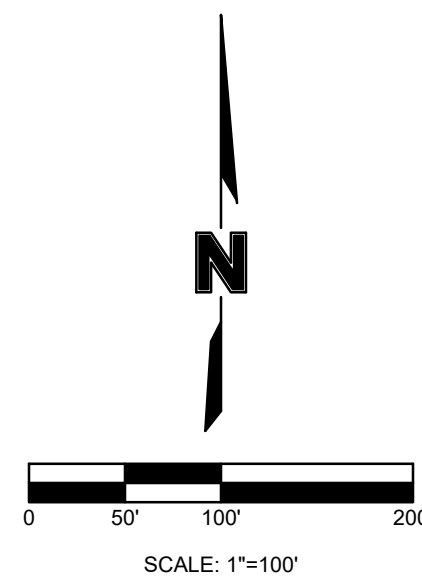
A legal description of a tract of land located in the Northwest Quarter of Section 34, Township 9 North, Range 7 East, of the 6th P.M., Lincoln, Lancaster County, Nebraska and more particularly described as follows:

Beginning at the Southwest corner of the Northwest Quarter of said Section 34;
Thence East, on the South Line of the Northwest Quarter, on an assumed bearing of S 89°55'39" E for a distance of 680.18'; Thence N 00°04'21" E for a distance of 625.00';
Thence N 89°55'39" W for a distance of 686.11' to a point on the West line of the Northwest Quarter; Thence S 00°28'18" E, on the West line of the Northwest Quarter, for a distance of 625.03' to the Point of Beginning, and having a calculated area of 9.80 acres more or less.

Subject to any and all easements and restrictions of record.

GRANDVIEW ESTATES 2ND ADDITION

P.U.D. ANNEXATION



PLANNED UNIT DEVELOPMENT LEGAL DESCRIPTION

A legal description of a part of Lot 29 Irregular Tracts and a part of Outlot "F" "Grandview Estates 10th Addition", both located in the Northwest Quarter of Section 34, Township 9 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 Northwest Quarter of Section 34; Thence East, on the North Line of the Northwest Quarter of Section 34, on an assumed bearing of S 89°50'03" E for a distance of 1075.00'; Thence S 00°00'57" W for a distance of 60.00' to a point of intersection of the Southerly Right-of-way Line of Rokeby Road and the Westerly Right-of-way Line of South 73rd Street, said point being the **Point of Beginning**;

Thence on the Westerly Right-of-way Line of South 73rd Street the following 5 courses:
S 47°55'53" E for a distance of 48.00';
Thence S 30°59'38" E for a distance of 40.00';
Thence S 12°52'38" E for a distance of 56.00';
Thence S 02°31'11" E for a distance of 75.06';
Thence S 00°15'43" E for a distance of 173.04' to the Northeast Corner of Block 1, "Grandview Estates 10th Addition"
Thence on the Northerly and Westerly Lines of Block 1, "Grandview Estates 10th Addition the following 7 courses:
S 89°44'17" W for a distance of 50.00';
Thence S 68°41'56" W for a distance of 75.00';
Thence S 00°15'43" E for a distance of 144.00';
Thence S 00°12'30" W for a distance of 69.17';
Thence S 04°05'34" W for a distance of 67.06';
Thence S 08°36'51" W for a distance of 67.06';
Thence S 13°08'07" W for a distance of 67.06' to the Southwest Corner of said Block 1;
Thence S 17°39'23" W for a distance of 67.06';
Thence S 22°10'39" W for a distance of 67.06';
Thence S 26°41'56" W for a distance of 67.06';
Thence S 31°28'22" W for a distance of 75.00';
Thence S 62°53'02" E for a distance of 70.48';
Thence S 57°08'56" E for a distance of 50.00';
Thence with a curve turning to the left with an arc length of 124.07', with a radius of 1030.00', with a chord bearing of S 29°29'01" W, with a chord distance of 123.99';
Thence N 64°01'01" W for a distance of 50.00';
Thence N 69°54'52" W for a distance of 70.89';
Thence S 23°05'17" W for a distance of 87.55';
Thence S 19°01'52" W for a distance of 89.38';
Thence S 14°34'36" W for a distance of 89.38';
Thence S 10°07'20" W for a distance of 89.38';
Thence S 05°40'04" W for a distance of 89.38';
Thence S 01°22'19" W for a distance of 87.58';
Thence S 00°04'21" W for a distance of 880.00' to a point on the South Line of Lot 29;
Thence N 89°50'39" W, on the South Line of Lot 29, for a distance of 620.90' to the Southwest Corner of said Lot 29;
Thence on the Westerly Line of Lot 29 Irregular Tracts the following 5 courses:
N 01°25'35" W for a distance of 556.84';
N 00°28'18" W for a distance of 999.16';
Thence N 00°30'32" E for a distance of 592.49';
Thence S 89°27'52" E for a distance of 6.25';
Thence N 00°32'08" E for a distance of 388.51' to the Northwest Corner of said Lot 29;
Thence on the Northerly Line of Lot 29 and the North Line of Outlot "F" "Grandview Estates 10th Addition", the following 4 courses:
N 57°26'54" E for a distance of 32.00';
Thence N 75°49'56" E for a distance of 72.00';
Thence N 81°30'31" E for a distance of 80.00';
Thence S 89°50'39" E for a distance of 625.00' to the **Point of Beginning** and having a calculated area of 47.30 acres more or less.

Subject to any and all easements and restrictions of record.

GENERAL NOTES

1. THE UNDERLYING ZONING REGULATIONS ARE AMENDED TO ALLOW THOSE USES AS PER THE B-2 ZONING DISTRICT AS LISTED IN THE TITLE 27 ZONING ORDINANCE.
2. ALL OUTLOT AREAS AND OPEN SPACE SHALL BE MAINTAINED BY THE DEVELOPER/OWNER UNTIL SUCH TIME THAT AN ASSOCIATION IS CREATED.
3. GRADING AND DRAINAGE DETAILS AND STREET PROFILES FOR THIS PUD CAN BE REFERENCED ON THE GRANDVIEW ESTATES 2ND ADDITION CUP PLAN SHEETS.
4. ADMINISTRATIVE AMENDMENTS SHALL BE REQUIRED FOR FUTURE CHANGES TO GRADING, DRAINAGE, STREET ALIGNMENTS, UTILITY LOCATIONS, STREET PROFILES, ETC. ADMINISTRATIVE AMENDMENTS ARE ALSO REQUIRED TO SHOW THE BUILDING LAYOUTS. ADMINISTRATIVE AMENDMENTS ARE NOT REQUIRED REGARDING COMMERCIAL SQUARE FOOTAGE ALLOCATIONS.
5. EXISTING AND PROPOSED EASEMENTS ARE TO BE IDENTIFIED AND SHOWN AT TIME OF FINAL PLATTING.
6. FENCES, DUMPSTERS, DECORATIVE STRUCTURES AND ACCESSORY BUILDINGS ARE NOT SHOWN ON THE PLANS BUT ARE ALLOWED IF THEY ARE OUTSIDE OF SIGHT TRIANGLES AND SETBACKS AND ARE IN CONFORMANCE WITH ALL APPLICABLE ORDINANCES AND CODES.
7. ALL TOPOGRAPHICAL ELEVATIONS ARE BASED ON NAVD 1988.
8. LOCATIONS OF WATER, SANITARY SEWER, STORM SEWER, GRADING & DRAINAGE, PAVING, STREETS, LOT LINES AND SIDEWALKS SUBJECT TO APPROVAL BY ADMINISTRATIVE AMENDMENT IN COMPLIANCE WITH THE LINCOLN MUNICIPAL CODE AND THE DESIGN STANDARDS EXCEPT AS SPECIFICALLY MODIFIED BY THE CITY COUNCIL WITH THIS PUD. MINIMUM OPENING ELEVATIONS SHALL BE SET AT TIME OF ADMINISTRATIVE AMENDMENT FOR THOSE LOTS ADJACENT TO FLOODPLAIN/LEOD PRONE AREAS, FLOOD CORRIDORS AND/OR OTHER DRAINAGE DITCHES. THE PARKING AND LANDSCAPING TO BE APPROVED AT THE TIME OF BUILDING PERMITS IN COMPLIANCE WITH LINCOLN MUNICIPAL CODE AND THE DESIGN STANDARDS.
9. EAVES, OVERHANGS, RETAINING WALLS, STOOPS, WINDOW SWINGS, DOOR SWINGS, AIR CONDITIONER UNITS ETC. MAY ENCR OACH OVER THE SETBACK LINES. ENCROACHMENTS ARE NOT ALLOWED OVER PROPERTY LINES AND MUST CONFORM TO BUILDING AND LIFE SAFETY CODES.
10. TEMPORARY TURN LANES TO BE INSTALLED BY THE DEVELOPER AT THE DEVELOPER'S EXPENSE (SSH5).

DEVELOPMENT PLANS NOTES

1. DIRECT VEHICULAR ACCESS SHALL BE RELINQUISHED TO ROKEBY ROAD AND SOUTH 70TH STREET EXCEPT AS SHOWN.
2. TANDEM RESIDENTIAL PARKING SPACES THAT ARE COUNTED TOWARD THE PARKING REQUIREMENTS MAY BE LOCATED ON A DRIVEWAY BEHIND A GARAGE THAT IS ATTACHED TO A DWELLING UNIT PROVIDED THE MINIMUM DEPTH OF THE PARKING SPACE IS 22 FEET BETWEEN THE BACK OF SIDEWALK TO FACE OF GARAGE OR 26' BETWEEN THE BACK OF CURB AND BACK OF SIDEWALK WHICH WOULD LEAVE A 4' WIDE WALKING PATH.
3. SHORT TERM RENTAL UNITS MAY OCCUPY UP TO 20% OF THE PERMITTED MULTI-FAMILY DWELLING UNITS.
4. THE PERIMETER SETBACK FOR THE ENTIRE SITE IS ADJUSTED TO 20'. FOR MULTI-FAMILY AND COMMERCIAL BUILDINGS (SSH4) WHICH EXCEED 35' IN HEIGHT THE 20' SETBACK SHALL BE INCREASED ONE FOOT FOR EVERY ONE FOOT THE BUILDING EXCEEDS 35' IN HEIGHT.
5. SIGNS NEED NOT BE SHOWN ON THE SITE PLAN BUT SHALL BE APPROVED AT THE TIME OF SIGN PERMIT.
6. PER LMC 27.62.240(b) AS APARTMENTS ARE A STATED ALLOWED USE FIRST FLOOR RESIDENTIAL IS PERMITTED.
7. PRIVATE ROADWAYS MAY BE APPROVED BY ADMINISTRATIVE AMENDMENT.
8. A TOTAL OF 711 MULTI-FAMILY DWELLING UNITS AND 50,000 SQUARE FEET OF COMMERCIAL FLOOR ARE ALLOWED.

LEGEND

- | | |
|--|--|
| | P.U.D. BOUNDARY |
| | RIGHT OF WAY DEDICATION |
| | PROPOSED R.O.W. |
| | PROPOSED LOT LINE |
| | PROPOSED STREET CENTERLINE |
| | PROPOSED EASEMENTS |
| | EXISTING WATER MAIN |
| | EXISTING SAN. SEWER |
| | PROPOSED WATER MAIN |
| | PROPOSED SANITARY SEWER |
| | PROPOSED FIRE HYDRANT |
| | PROPOSED SANITARY MANHOLE |
| | EXISTING TREE MASS |
| | EXISTING TREE MASS TO BE REMOVED |
| | LIMITS OF DETENTION CELL |
| | FLOODPLAIN BASED ON APPROVED UPPER WAGON TRAIN WATERSHED MASTER PLAN |
| | FEMA MAPPED 100 YEAR FLOODPLAIN |

OWNER & DEVELOPER:

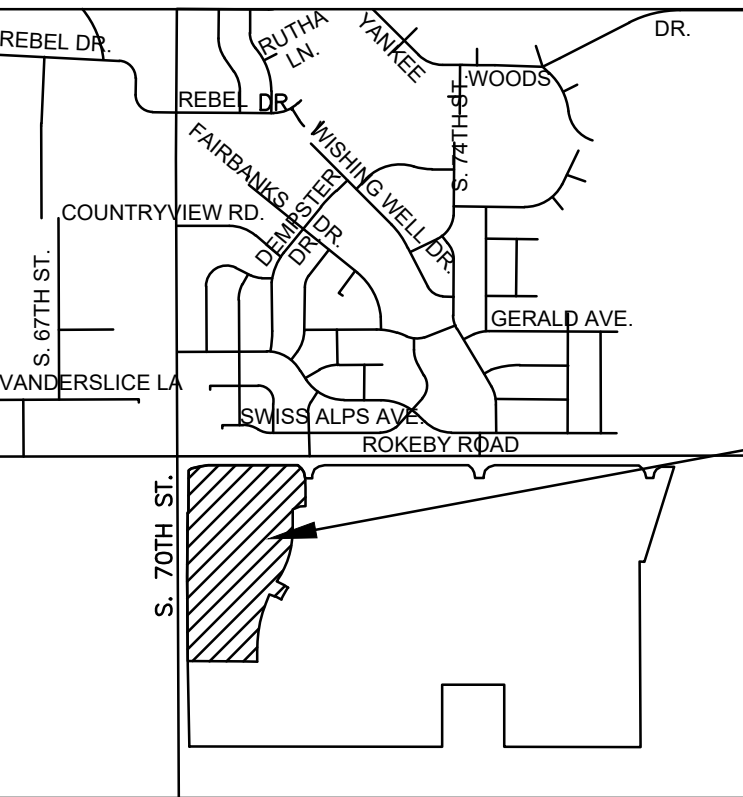
ROKEY HOLDINGS LTD
7211 S. 27TH STREET
LINCOLN, NE 68512

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



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
Change of Zone #21054

FINAL ACTION?
No

DEVELOPER/OWNER
Waterford Estates LLC

PLANNING COMMISSION HEARING DATE
March 2, 2022

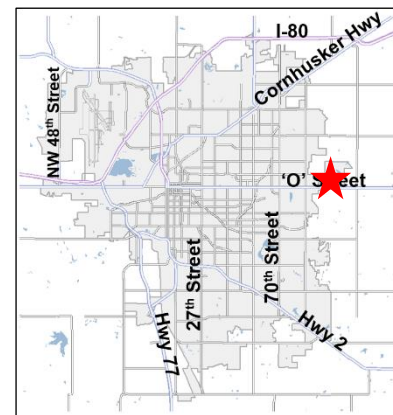
RELATED APPLICATIONS
UP21010

PROPERTY ADDRESS/LOCATION
NW Corner of N. 98th St and Boathouse Rd

RECOMMENDATION: APPROVAL

BRIEF SUMMARY OF REQUEST

This is a request for a Change of Zone from AG Agricultural to B-2 Planned Neighborhood Business District over 15.80 acres located at the Northwest corner of N. 98th Street and Boathouse Road. This Change of Zone is being proposed along with related Use Permit 21010 to permit 505 residential units and 48,000 square feet of commercial floor area.



JUSTIFICATION FOR RECOMMENDATION

The request is consistent with the Comprehensive Plan. Part of the Use Permit area was previously rezoned B-2 along 98th Street and Waterford Estates Drive. This request expands the B-2 zoning.

APPLICATION CONTACT

Matt Langston, (402) 474-6311 or
mlangston@olsson.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 commercial which includes areas of retail, office, service and residential mixed use. The proposal is consistent with the Comprehensive Plan goals including maximizing infrastructure investments by encouraging a higher density of both residential and commercial uses.

KEY QUOTES FROM THE 2050 COMPREHENSIVE PLAN

Introduction Section: Growth Framework

[Figure GF.b: 2050](#) - This site is shown as future commercial on the 2050 Future Land Use Plan.

[Land Use Plan](#) - Commercial: Areas of retail, office, service and residential mixed uses. Commercial uses may vary widely in their intensity of use and impact. Individual areas designated as commercial in the land use plan may not be appropriate for every commercial zoning district.

Fundamentals of Growth in Lancaster County

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

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

Goals Section

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

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

Elements Section

E1: Complete Neighborhoods and Housing

Developing Neighborhoods

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

E3: Business, Economy, and Workforce

Commercial and Industrial Development

Commercial and Industrial Centers in Lancaster County should be located:

- Within the City of Lincoln or incorporated villages.
- Outside of saline wetlands, signature habitat areas, native prairie and floodplain areas (except for areas of existing commercial and industrial zoning).

- Where urban services and infrastructure are available or planned for in the near term. In sites supported by adequate road capacity – commercial development should be linked to the implementation of the transportation plan.
- In areas compatible with existing or planned residential uses.

Figure E9.c: Priority Trail Projects:

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

Policies Section

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.
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.

P12: Economic Growth - Promote and foster appropriate, balanced, and focused future economic growth that maintains the quality of life of the community.

Action Steps

2. Locate all new commercial and industrial development within Lincoln or within the smaller incorporated communities in Lancaster County. Certain commercial uses that are compatible with agriculture and the rural environment, such as commercial wind and solar energy facilities, are allowed in rural areas of the county.

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 change of zone from AG Agricultural to B-2 Planned Neighborhood Business District over 15.80 acres of land. This includes the portion of Outlot B of Waterford Estates 26th Addition which is not presently zoned B-2. This area is located at the Northwest corner of N. 98th Street and Boathouse Road.
2. The change of zone is requested to allow for the related Use Permit 21010 which will permit 505 residential dwelling units and 48,000 square feet of commercial floor area on the property comprising a total of 24.24 acres including the area to be rezoned along with existing B-2 zoned area.
3. Part of the total land included in the related Use Permit #21010 was previously rezoned to B-2 in 2006 as part of Change of Zone #04019. This includes the existing strip of B-2 along N. 98th Street and Waterford Estates Drive. This was approved without a Use Permit at the time so that the future residents would be aware that the property would eventually be commercial in nature. At the time, the developer did not have any tenants for the property

nor did they know exactly how they would configure the commercial.

4. The B-2 District is intended to provide a developing area for planned retail uses to serve neighborhoods. This district includes a use permit provision to provide for the integration of the business area with adjacent residential areas and thus reduce the adverse impact on residential areas through enhanced design. In this case, there is already existing B-2 zoning that faces adjacent residential areas. This request expands the B-2 zoning.
5. As part of the related UP21010 street connections will be included to connect to Boathouse Road, Waterford Estates Drive and future street to the west to connect with Southeast Community College (SCC). In addition, a bike trail as identified in the 2050 Comprehensive Plan will be included along the south side of the property connecting east to Boathouse Road and west to connect to SCC as their property is further developed.
6. The future land use map in the 2050 Comprehensive Plan designates this property for commercial which includes retail, office, service and residential mixed use. The proposed change of zone is consistent with the Comprehensive Plan as it will allow for both residential and commercial mixed use. Further, Multi-family residential development is appropriate at this location given the proximity to the Southeast Community College (SCC), proposed commercial, including other nearby B-2 zoning to the east, and O Street which is a major arterial. The property directly adjacent to the west will be developed in the future by SCC for future college uses.

EXISTING LAND USE & ZONING: Vacant, Agricultural; AG

SURROUNDING LAND USE & ZONING

North: Vacant; B-2
South: Open Space, Fire Station; AG, B-2
East: Vacant; B-2
West: Vacant, Agricultural; AG, B-2

APPLICATION HISTORY: See Attached.

APPROXIMATE LAND AREA: 15.80 acres

LEGAL DESCRIPTION: All that portion of Outlot B, Waterford Estates 26th Addition, which is not presently zoned B-2, located in the SE 1/4 of Section 23-10-7, Lincoln, Lancaster County, Nebraska

Prepared by

George Wesselhoft, Planner
Date: February 17, 2022

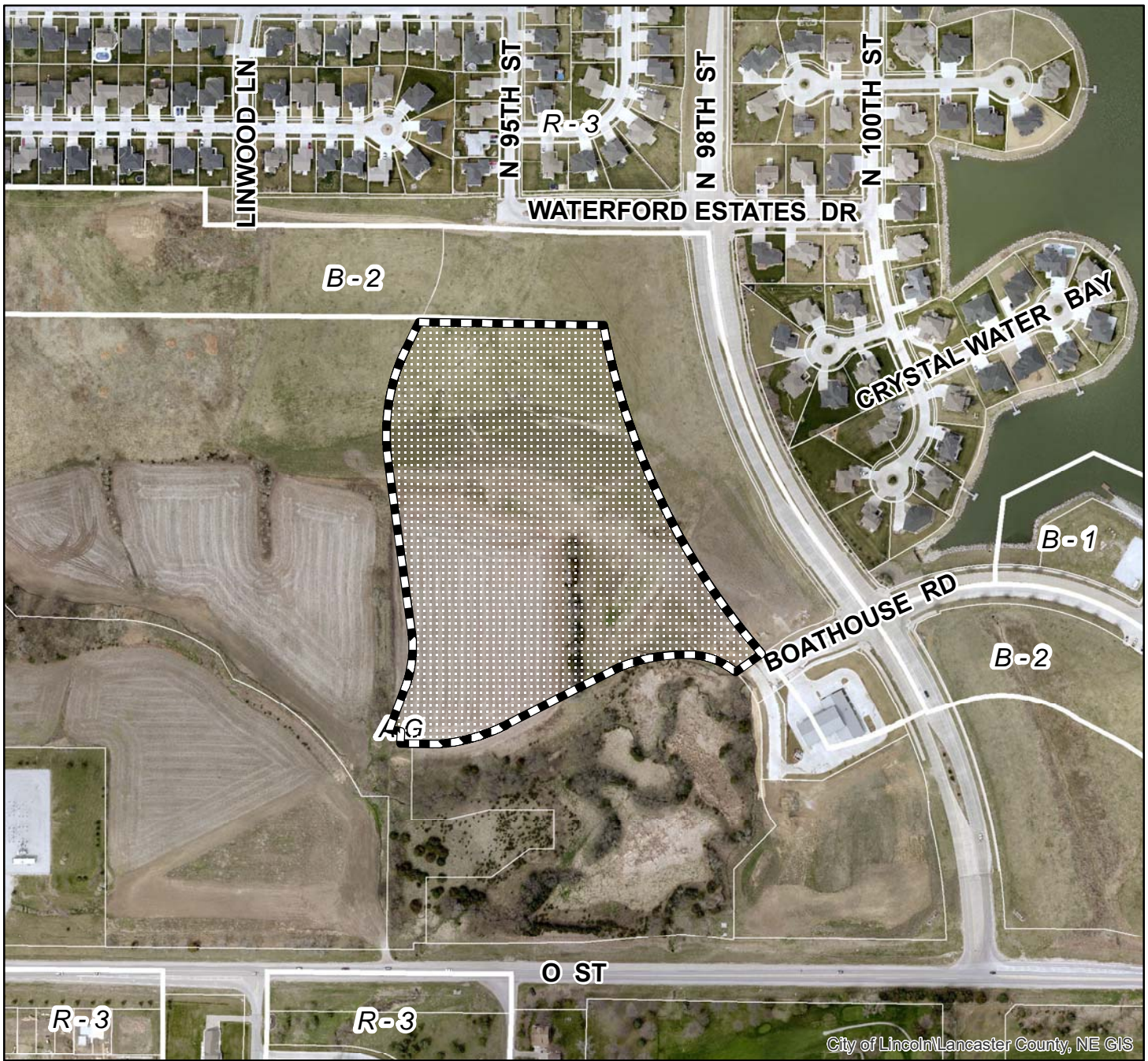
Applicant/
Owner: Waterford Estates LLC
7211 S. 27th Street
Lincoln, NE 68512
(402) 421-1627
Tomschlieich7@gmail.com

Contact: Matt Langston
601 P Street
Suite 200
Lincoln, NE 68508
(401) 474-6311
mlangston@olsson.com

<https://linclanc.sharepoint.com/sites/PlanningDept-DevReview/Shared Documents/DevReview/CZ/21000/CZ21054Aristos at Waterford.gjw.docx>

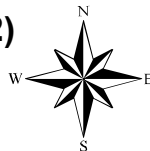
APPLICATION HISTORY - CHANGE OF ZONE #21054

1979	The area was zoned A-A, Rural and Public Use until 1979 when the zoning was updated to AG Agricultural.
April, 2006	Annexation 04003 was approved which included the part of the property presently zoned B-2.
April, 2006	Change of Zone 04019 was approved which rezoned the part of the Outlot A property that is presently zoned B-2 from AG to B-2. In conjunction with this request, the submittal of the use permit for the B-2 parcels was allowed to be delayed.
March, 2005	Preliminary Plat 04011 was approved. This included 660 residential lots and 1 lot for a future school including the north part of the property zoned B-2 and additional development area all the way to Holdridge Street.
October, 2007	Final Plat 07021 Waterford Estates Addition was approved and included the property as part of a larger Outlot D, reserved for future development. The larger western portion of the property which was not part of AN04003 was annexed by final plat.
November, 2010	Final Plat 10040 Waterford Estates 3 rd Addition was approved and included the property as part of a larger Outlot B, reserved for future development.
October, 2012	Final Plat 12053 for Waterford Estates 8 th Addition was approved and included the property as part of Outlot E, reserved for future development.
April, 2013	Final Plat 13020 for Waterford Estates 9 th Addition was approved and included the property as part of Outlot C, reserved for future development.
September, 2018	Final Plat 18054 for Waterford Estates 21 st Addition was approved and included the property as part of Outlot B, reserved for future development.
October, 2020	Final Plat 20082 for Waterford Estates 26 th Addition was approved, platting the property as Outlot B, reserved for future development.



2020 aerial

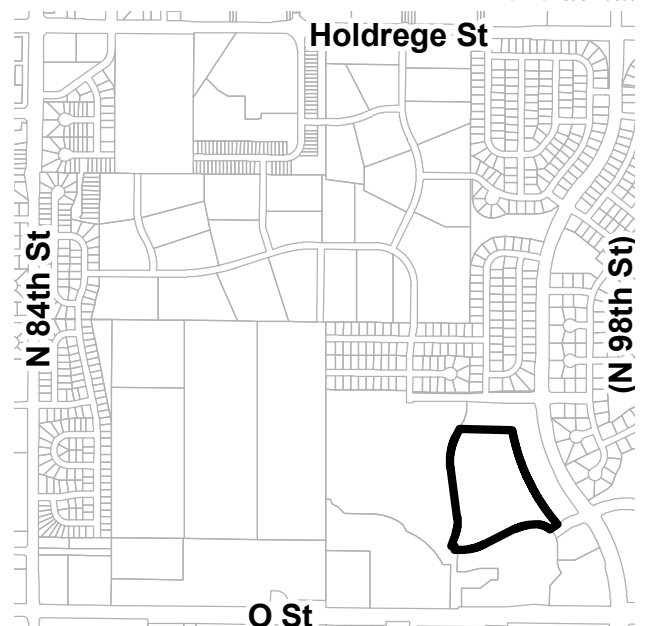
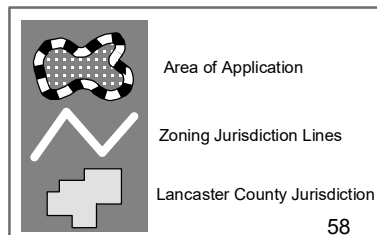
Change of Zone #: CZ21054 (AG to B-2) **Aristos at Waterford** **N 98th St & Boathouse Rd**



Zoning:

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

One Square Mile:
 Sec.23 T10N R07E





December 22, 2021

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

Re: Aristos at Waterford
Change of Zone and Use Permit
Olsson Project No. 021-08810

Dear Mr. Cary,

On behalf of Aristos at Waterford (Aristos), the potential buyer of the real property legally described Waterford Estates 26th Addition, Outlot B, all located in Lancaster County, Nebraska ("the Property"). Aristos has a purchase agreement with the owner, Waterford Estates, LLC for the Property.

Aristos is proposing a Use Permit and Change of Zone for multifamily dwellings and 5 commercial pad sites on property containing 24.24 acres. The Use Permit proposes 505 dwelling units and 48,000 sq. ft. of allowable floor area for commercial uses. The Use Permit also allows for all or part of the commercial area to be changed to multifamily residential units at a rate of 3 units per 1,000 s.f., for a maximum of 144 additional residential units, by Administrative Amendment as approved by the City of Lincoln Planning Department.

We request the following waivers with this application to accommodate the proposed health care facility:

1. To reduce the internal yard setbacks, to 0', per table 27.72.030(a).
2. To reduce the rear yard setback for dwellings from 50' to 0', along the southern property line, adjacent to Outlot C, Waterford Estates 26th Addition, per table 27.72.030(a).

The Property proposes two driveways for current access with a connection to the Southeast Community College (SCC) campus in the future. One access shall be from the end of Boathouse Road and another from Waterford Estates Drive. The future access to SCC will connect in the southwest corner of the Site.

The development team has met with City Staff in a preapplication meeting to discuss the proposed applications and will continue to work with Staff as the plans are reviewed.

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

1. City of Lincoln Application, including:
 - a. Use Permit
 - b. Change of Zone from AG to B-2
2. Use Permit Site Plan
3. Application fees in the amount of \$5,305.55

Plans and other supporting documents will be submitted to ProjectDox upon notification from the Planning Staff. We appreciate your consideration of the above request and look forward to working with the City staff on this proposed Use Permit and change of zone. If you require further information or have any questions, please do not hesitate to contact me at mlangston@olsson.com or (402) 474-6311

Sincerely,



Matt Langston

Enclosures.

A LEGAL DESCRIPTION FOR A TRACT OF LAND COMPOSED OF A PORTION OF OUTLOT "B", WATERFORD ESTATES 26TH ADDITION LOCATED IN THE SOUTHEAST 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:

COMMENCING AT THE NORTHWEST CORNER OF SAID OUTLOT "B", SAID POINT BEING THE NORTHEAST CORNER OF OUTLOT "A", WATERFORD ESTATES 26TH ADDITION; THENCE, SOUTHERLY, ALONG THE WEST LINE OF SAID OUTLOT "B", ON AN ASSUMED BEARING OF SOUTH 00 DEGREES 20 MINUTES 30 SECONDS WEST, A DISTANCE OF 54.49 FEET TO A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 300.00 FEET, A DELTA ANGLE OF 25 DEGREES 49 MINUTES 41 SECONDS, AN ARC LENGTH OF 135.24 FEET, ALONG SAID WEST LINE, A CHORD BEARING OF SOUTH 13 DEGREES 15 MINUTES 21 SECONDS WEST, AND A CHORD DISTANCE OF 134.09 FEET TO A POINT; THENCE SOUTH 26 DEGREES 10 MINUTES 11 SECONDS WEST, ALONG SAID WEST LINE, A DISTANCE OF 74.28 FEET TO THE **TRUE POINT OF BEGINNING**; THENCE SOUTH 89 DEGREES 02 MINUTES 49 SECONDS EAST, A DISTANCE OF 479.02 FEET TO A POINT OF NON TANGENT CURVATURE, THENCE ALONG A NON TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 1,800.00 FEET, A DELTA ANGLE OF 30 DEGREES 30 MINUTES 00 SECONDS, AN ARC LENGTH OF 958.18 FEET, A CHORD BEARING OF SOUTH 25 DEGREES 42 MINUTES 29 SECONDS EAST, AND A CHORD DISTANCE OF 946.91 FEET TO A POINT ON A SOUTHEAST LINE OF SAID OUTLOT "B"; THENCE SOUTH 55 DEGREES 05 MINUTES 14 SECONDS WEST, ALONG SAID SOUTHEAST LINE, A DISTANCE OF 82.41 FEET TO A POINT OF NON TANGENT CURVATURE, THENCE ALONG A NON TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 192.00 FEET, A DELTA ANGLE OF 42 DEGREES 13 MINUTES 37 SECONDS, AN ARC LENGTH OF 141.50 FEET, ALONG A SOUTHWEST LINE OF SAID OUTLOT "B", A CHORD BEARING OF NORTH 70 DEGREES 48 MINUTES 44 SECONDS WEST, AND A CHORD DISTANCE OF 138.32 FEET TO A POINT OF COMPOUND CURVATURE; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 717.00 FEET, A DELTA ANGLE OF 06 DEGREES 09 MINUTES 25 SECONDS, AN ARC LENGTH OF 77.05 FEET, ALONG A SOUTH LINE OF SAID OUTLOT "B", A CHORD BEARING OF SOUTH 84 DEGREES 59 MINUTES 46 SECONDS WEST, AND A CHORD DISTANCE OF 77.01 FEET TO A POINT OF COMPOUND CURVATURE; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 370.00 FEET, A DELTA ANGLE OF 18 DEGREES 53 MINUTES 57 SECONDS, AN ARC LENGTH OF 122.05 FEET, ALONG SAID SOUTH LINE, A CHORD BEARING OF SOUTH 72 DEGREES 28 MINUTES 04 SECONDS WEST, AND A CHORD DISTANCE OF 121.49 FEET TO A POINT; THENCE SOUTH 63 DEGREES 01 MINUTE 06 SECONDS WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 303.56 FEET TO A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 486.55 FEET, A DELTA ANGLE OF 17 DEGREES 45 MINUTES 10 SECONDS, AN ARC LENGTH OF 150.76 FEET, ALONG SAID SOUTH LINE, A CHORD BEARING OF SOUTH 71 DEGREES 53 MINUTES 41 SECONDS WEST, AND A CHORD DISTANCE OF 150.15 FEET TO A POINT OF COMPOUND CURVATURE; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 300.00 FEET, A DELTA ANGLE OF 10 DEGREES 04 MINUTES 14 SECONDS, AN ARC LENGTH OF 52.73 FEET, ALONG SAID SOUTH LINE, A CHORD BEARING OF SOUTH 85 DEGREES 48 MINUTES 23 SECONDS WEST, AND A CHORD DISTANCE OF 52.66 FEET TO A POINT; THENCE NORTH 89 DEGREES 09 MINUTES 30 SECONDS WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 80.53 FEET TO A POINT; THENCE NORTH 00 DEGREES 50 MINUTES 30 SECONDS EAST, ALONG A WEST LINE OF SAID OUTLOT "B", A DISTANCE OF 30.78 FEET TO A POINT OF NON TANGENT CURVATURE, THENCE ALONG A NON TANGENT CURVE TO THE RIGHT,

HAVING A RADIUS OF 450.00 FEET, A DELTA ANGLE OF 03 DEGREES 51 MINUTES 44 SECONDS, AN ARC LENGTH OF 30.33 FEET, ALONG A SOUTH LINE OF SAID OUTLOT "B", A CHORD BEARING OF NORTH 80 DEGREES 43 MINUTES 25 SECONDS WEST, AND A CHORD DISTANCE OF 30.33 FEET TO A POINT; THENCE, NORTH 20 DEGREES 35 MINUTES 48 SECONDS EAST, ALONG A WEST LINE OF SAID OUTLOT "B", A DISTANCE OF 116.07 FEET TO A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 300.00 FEET, A DELTA ANGLE OF 28 DEGREES 21 MINUTES 17 SECONDS, AN ARC LENGTH OF 148.47 FEET, ALONG SAID WEST LINE, A CHORD BEARING OF NORTH 06 DEGREES 25 MINUTES 10 SECONDS EAST, AND A CHORD DISTANCE OF 146.95 FEET TO A POINT; THENCE NORTH 07 DEGREES 45 MINUTES 29 SECONDS WEST, ALONG SAID WEST LINE, A DISTANCE OF 450.43 FEET TO A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 500.00 FEET, A DELTA ANGLE OF 33 DEGREES 55 MINUTES 40 SECONDS, AN ARC LENGTH OF 296.08 FEET, ALONG SAID WEST LINE, A CHORD BEARING OF NORTH 09 DEGREES 12 MINUTES 21 SECONDS EAST, AND A CHORD DISTANCE OF 291.77 FEET TO A POINT; THENCE NORTH 26 DEGREES 10 MINUTES 11 SECONDS EAST, ALONG SAID WEST LINE, A DISTANCE OF 76.38 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS A CALCULATED AREA OF 688,139.55 square feet or 15.80 ACRES, MORE OR LESS.

F:\2021\08501-09000\021-08810\40-DESIGN\SURVEY\SRVY\FINAL PLAT\DOCUMENTS\COZ LEGAL.DOCX

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
Use Permit #21010

FINAL ACTION?
No

DEVELOPER/OWNER
Waterford Estates LLC

PLANNING COMMISSION HEARING DATE
March 2, 2022

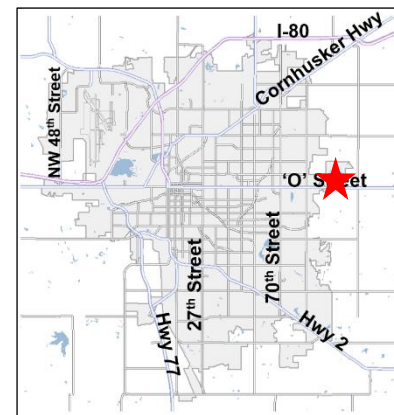
RELATED APPLICATIONS
CZ21054

PROPERTY ADDRESS/LOCATION
NW Corner of N. 98th St and Boathouse Rd

RECOMMENDATION: CONDITIONAL APPROVAL

BRIEF SUMMARY OF REQUEST

This is a request for a Use Permit to develop up to 505 dwelling units and 48,000 square feet of commercial floor area on approximately 24.24 acres. The property is located at the northwest corner of N. 98th Street and Boathouse Road. Access points will include connections to Boathouse Road and Waterford Estates Drive with future access to Southwest Community College in the southwest part of the site via an internal street connection. Related Change of Zone 21054 proposes to rezone that portion of the property which is not already zoned B-2 from AG Agricultural to B-2 Planned Neighborhood Business District.



JUSTIFICATION FOR RECOMMENDATION

The proposal is consistent with the Comprehensive Plan and includes property which is already annexed with urban services available. The proposed waivers to internal yard setbacks and internal light trespass are justified as they will not affect neighboring properties and have been previously approved for other developments.

APPLICATION CONTACT

Matt Langston, (402) 474-6311 or
mlangston@olsson.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 commercial which includes areas of retail, office, service and residential mixed use. The proposal is consistent with the Comprehensive Plan goals including maximizing infrastructure investments by encouraging a higher density of both residential and commercial uses.

WAIVERS

1. To reduce the internal yard setbacks to 0' per table 27.72.030(a). (Recommend Approval)
2. To allow waiver from Chapter 3.100 Design Standards for Outdoor Lighting, Section 9 to allow light trespass along interior lot lines. (Recommend Approval)

KEY QUOTES FROM THE 2050 COMPREHENSIVE PLAN

Introduction Section: Growth Framework

[Figure GF.b: 2050](#) - This site is shown as future commercial on the 2050 Future Land Use Plan.

[Land Use Plan](#) - Commercial: Areas of retail, office, service and residential mixed uses. Commercial uses may vary widely in their intensity of use and impact. Individual areas designated as commercial in the land use plan may not be appropriate for every commercial zoning district.

Fundamentals of Growth in Lancaster County

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

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

Goals Section

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

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

Elements Section

E1: Complete Neighborhoods and Housing

Developing Neighborhoods

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

E3: Business, Economy, and Workforce

Commercial and Industrial Development

Commercial and Industrial Centers in Lancaster County should be located:

- Within the City of Lincoln or incorporated villages.
- Outside of saline wetlands, signature habitat areas, native prairie and floodplain areas (except for areas of existing commercial and industrial zoning).

- Where urban services and infrastructure are available or planned for in the near term. In sites supported by adequate road capacity – commercial development should be linked to the implementation of the transportation plan.
- In areas compatible with existing or planned residential uses.

Figure E9.c: Priority Trail Projects:

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

Policies Section

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.
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.

P12: Economic Growth - Promote and foster appropriate, balanced, and focused future economic growth that maintains the quality of life of the community.

Action Steps

2. Locate all new commercial and industrial development within Lincoln or within the smaller incorporated communities in Lancaster County. Certain commercial uses that are compatible with agriculture and the rural environment, such as commercial wind and solar energy facilities, are allowed in rural areas of the county.

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 request is for a new B-2 Use Permit with 505 residential dwelling units and 48,000 square feet of commercial floor area. This property is located at the northwest corner of N. 98th Street and Boathouse Road and includes approximately 24.24 acres. The B-2 Zoning allows up to 527 residential dwelling units for this property based on the requirement of 2,000 square feet of lot area per dwelling unit.
2. Part of the property along N. 98th Street and Waterford Estates Drive is already zoned B-2 Planned Neighborhood Business District. Related Change of Zone #21054 will rezone the remainder of the property from AG Agricultural to B-2 to allow for the Use Permit. Residential and commercial uses are both allowed in the B-2 District through a Use Permit. The change of zone area comprises approximately 15.80 acres.
3. Access points include connections to Boathouse Road and Waterford Estates Drive. As condition of approval, north-

south and east-west public or private streets will be required. These are necessary due to block length requirement and with anticipated traffic through the development area toward Southeast Community College. In addition, having named streets in the interior of the development is needed for emergency 911 address location, especially when there are multiple buildings and multi-family residential units as proposed. There will not be any direct connections to N. 98th Street, which is a minor arterial street. An east-west street connection will be provided for when the property to the west is developed allowing for future connectivity to Southeast Community College (SCC). The recently submitted preliminary plat amendment to PP04011 Waterford Estates by SCC provides for this east-west connection as a private street, which will link this development site and N. 98th Street to their campus to the west.

4. A traffic study was submitted for the development proposal and based on the results of the evaluation, the recommended improvements are to construct a southbound exclusive right-turn lane at N. 98th and Waterford Estates Drive. Under the Access Management Policy, right-turn lanes are required on minor arterials where the movements are allowed. This would indicate that an exclusive right-turn lane should be provided on the southbound approach to the intersection of N. 98th Street and Waterford Estates Drive.
5. A future bike trail is identified in the Comprehensive Plan along the south part of the development site. Figure E9.c: Priority Trail Projects identifies a Priority Trail T11 (N. 84th to Stevens Creek) through the property as part of the Waterford Estates segment. Right of way will need to be added as part of an east-west public or private street to include the bike trail. The right of way will be included as part of a final plat after Use Permit approval.
6. Public services are available at this location. There are existing water and sanitary sewer lines in the adjacent developed areas of Waterford Estates. Fire Station #16 is located directly to the south at the southwest corner of N. 98th Street and Boathouse Road.
7. The required parking for the proposed residential use is 1.00 parking spaces per dwelling unit or 505 parking spaces. The developer is proposing a ratio of 1.68 spaces per dwelling unit or 850 parking spaces. The required parking for the commercial use is 1 parking space per 300 square feet of commercial or 160 parking spaces. 173 parking spaces will be provided.
8. Waivers associated with this Use Permit include:
 - a) Waiver to 27.72.030(A) to internal yard setbacks and to allow 0' internal yard setbacks. This waiver has been approved for other developments and will not negatively affect the neighborhood as the setbacks in question are interior to the 24-acre site.
 - b) Waiver to Chapter 3.100 Design Standards for Outdoor Lighting, Section 9 to allow light trespass along interior lot lines. This waiver has been approved for other developments and will not negatively affect the neighborhood.
9. Subject to the recommended conditions of approval, this request complies with the Zoning Ordinance and Comprehensive Plan. Commercial along with urban density residential uses are appropriate within the Use Permit and consistent with the Comprehensive Plan.

CONDITIONS OF APPROVAL: See attached.

EXISTING LAND USE & ZONING: Vacant, Agricultural; B-2, AG

SURROUNDING LAND USE & ZONING

North: Single Family Detached; R-3
South: Open Space, Fire Station; AG, B-2
East: Single Family Detached; R-3
West: Vacant, Agricultural; AG, B-2

APPLICATION HISTORY: See Attached

APPROXIMATE LAND AREA: 24.24 acres

LEGAL DESCRIPTION: Outlot B, Waterford Estates 26th Addition, located in the SE 1/4 of Section 23-10-7, Lincoln, Lancaster County, Nebraska

Prepared by

George Wesselhoft, Planner

Date: February 17, 2022

Applicant/
Owner: Waterford Estates LLC
7211 S. 27th Street
Lincoln, NE 68512
(402) 421-1627
Tomschlieich7@gmail.com

Contact: Matt Langston
601 P Street
Suite 200
Lincoln, NE 58508
(401) 474-6311
mlangston@olsson.com

<https://linclanc.sharepoint.com/sites/PlanningDept-DevReview/Shared Documents/DevReview/UP/21000/UP21010 Aristos at Waterford.gjw.docx>

APPLICATION HISTORY - USE PERMIT #21010

1979	The area was zoned A-A, Rural and Public Use until 1979 when the zoning was updated to AG Agricultural.
April, 2006	Annexation 04003 was approved which included the part of the property presently zoned B-2.
April, 2006	Change of Zone 04019 was approved which rezoned the part of the Outlot A property that is presently zoned B-2 from AG to B-2. In conjunction with this request, the submittal of the use permit for the B-2 parcels was allowed to be delayed.
March, 2005	Preliminary Plat 04011 was approved. This included 660 residential lots and 1 lot for a future school including the north part of the property zoned B-2 and additional development area all the way to Holdridge Street.
October, 2007	Final Plat 07021 Waterford Estates Addition was approved and included the property as part of a larger Outlot D, reserved for future development. The larger western portion of the property which was not part of AN04003 was annexed by final plat.
November, 2010	Final Plat 10040 Waterford Estates 3 rd Addition was approved and included the property as part of a larger Outlot B, reserved for future development.
October, 2012	Final Plat 12053 for Waterford Estates 8 th Addition was approved and included the property as part of Outlot E, reserved for future development.
April, 2013	Final Plat 13020 for Waterford Estates 9 th Addition was approved and included the property as part of Outlot C, reserved for future development.
September, 2018	Final Plat 18054 for Waterford Estates 21 st Addition was approved and included the property as part of Outlot B, reserved for future development.
October, 2020	Final Plat 20082 for Waterford Estates 26 th Addition was approved, platting the property as Outlot B, reserved for future development.

CONDITIONS OF APPROVAL - USE PERMIT #21010

This approval permits 505 dwelling units, including multifamily residential, and 48,000 square feet of commercial floor area with the following waivers:

- a) Waiver to 27.72.030(A) to internal yard setbacks and to allow 0' internal yard setbacks.
- b) Waiver to Chapter 3.100 Design Standards for Outdoor Lighting, Section 9 to allow light trespass along interior lot lines.

Site Specific Conditions:

1. The City Council approves associated request:
 - 1.1 Change of Zone #21054
2. 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 upon approval before a final plat is approved:
 - 2.1 Sheet 1 of 5: Clarify General Note 9 to simply state that light trespass is allowed along internal lot lines and add this to the Waiver table.
 - 2.2 Sheet 1 of 5: Provide density calculation for dwelling units.
 - 2.3 Sheet 2 of 5: Add sidewalk for the apartment buildings in the northwest corner of the site.
 - 2.4 Sheet 2 of 5: Add north-south named private roadway or public street and east-west named public street on the south side, as required by Chapter 26.23.130 development standards for block sizes.
 - 2.5 Sheet 2 of 5: Revise layout to show parking outside the public street(s) and/or private roadways.
 - 2.6 Sheet 2 of 5: Identify 20' front yard setback on the south property boundary and remove all the parking and buildings from the setback.
 - 2.7 Sheet 2 of 5: Delete the 0' setback along the south property boundary.
 - 2.8 Sheet 2 of 5: Add 6' to the right of way along the south property boundary for the bike trail.
 - 2.9 Sheet 2 of 5: Identify the width of the street along the south property boundary that will serve Southeast Community College and other properties.
 - 2.10 Sheet 3 of 5: Change CUP to Use Permit under Legend.
 - 2.11 Provide drainage calculations for proposed grading and layout per Lincoln Transportation and Utilities-Watershed 1/14/22 comments.
 - 2.12 Show dimensions for future bike trail to the satisfaction of the Parks and Recreation Department as per their 1/3/22 comments.
 - 2.13 Delete Note 10 from the General Notes.
 - 2.14 Remove all public water mains in the development area and show private water service tap at Boathouse Road at north end or with commercial lots accessing S. 98th Street public water main. Add additional private water main and private hydrants as necessary for multifamily residential/apartment areas.
 - 2.15 Add the text "right in/right out" at the connection to Waterford Estates Drive for north-south public street or private roadway.

2.16 Show a new southbound exclusive right turn lane on N. 98th Street at Waterford Estates Drive to the satisfaction of Lincoln Transportation and Utilities Department.

2.17 Revise the traffic study to the satisfaction of Lincoln Transportation and Utilities Department.

3. Arterial street improvements.

3.1 Provide surety for all arterial street improvements as required by Lincoln Transportation and Utilities Department.

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

If any final plat on all or a portion of the approved use permit is submitted five (5) years or more after the approval of the use permit, the city may require that a new use permit be submitted, pursuant to all the provisions of section 26.31.015. A new use permit 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 use permit 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.

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 paving of private roadway, **and temporary turnarounds and barricades located at the temporary dead-end of the private roadways** shown on the final plat within two (2) years following the approval of this final plat.

to complete the installation of sidewalks along both sides of **the streets (private roadways)** 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 enclosed private drainage facilities shown on the approved drainage study to serve this plat within two (2) years following the approval of the final plat.

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

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

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

to complete the planting of the street trees along **streets/private roadways** 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 Lincoln Transportation and Utilities a plan showing proposed measures to control sedimentation and erosion and the proposed method to temporarily stabilize all graded land for approval.

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

to complete the public and private improvements shown on the **Use Permit**.

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

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

to maintain the plants in the medians and islands on a permanent and continuous basis.

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

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

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 relinquish the right of direct vehicular access to N. 98th street.

Standard Conditions:

5. The following conditions are applicable to all requests:
 - 5.1 Before occupying the dwelling units/buildings all development and construction is to substantially comply with the approved plans.
 - 5.2 All privately-owned improvements, including landscaping and recreational facilities, are to 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 must be in substantial compliance with the location of said items as shown on the approved site plan.
 - 5.4 This resolution's terms, conditions, and requirements bind and obligate 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 therefore to be paid in advance by the applicant. Building permits will not be issued unless the letter of acceptance has been filed.
 - 5.6 The site plan as approved with this resolution voids and supersedes all previously approved site plans, however all resolutions/ordinances approving previous permits remain in force unless specifically amended by this resolution.



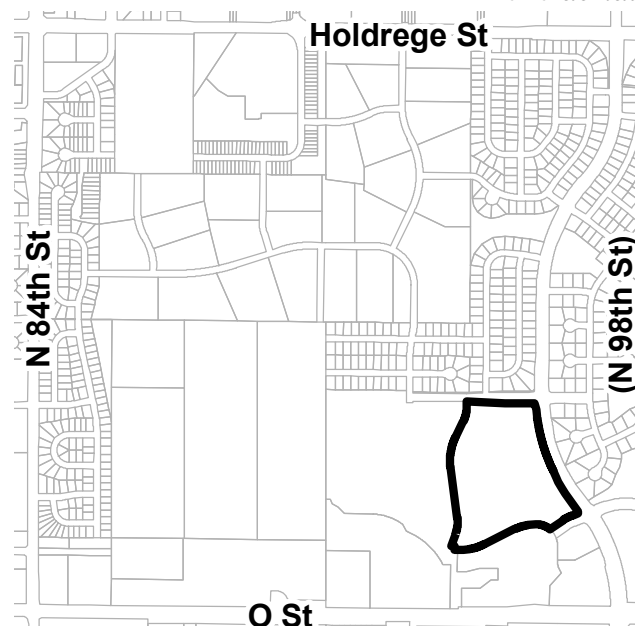
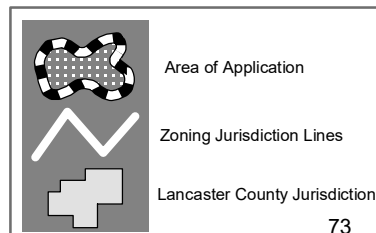
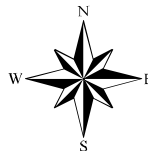
2020 aerial

Use Permit #: UP21010
Aristos at Waterford
N 98th St & Boathouse Rd

Zoning:

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

One Square Mile:
Sec.23 T10N R07E





December 22, 2021

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

Re: Aristos at Waterford
Change of Zone and Use Permit
Olsson Project No. 021-08810

Dear Mr. Cary,

On behalf of Aristos at Waterford (Aristos), the potential buyer of the real property legally described Waterford Estates 26th Addition, Outlot B, all located in Lancaster County, Nebraska ("the Property"). Aristos has a purchase agreement with the owner, Waterford Estates, LLC for the Property.

Aristos is proposing a Use Permit and Change of Zone for multifamily dwellings and 5 commercial pad sites on property containing 24.24 acres. The Use Permit proposes 505 dwelling units and 48,000 sq. ft. of allowable floor area for commercial uses. The Use Permit also allows for all or part of the commercial area to be changed to multifamily residential units at a rate of 3 units per 1,000 s.f., for a maximum of 144 additional residential units, by Administrative Amendment as approved by the City of Lincoln Planning Department.

We request the following waivers with this application to accommodate the proposed health care facility:

1. To reduce the internal yard setbacks, to 0', per table 27.72.030(a).
2. To reduce the rear yard setback for dwellings from 50' to 0', along the southern property line, adjacent to Outlot C, Waterford Estates 26th Addition, per table 27.72.030(a).

The Property proposes two driveways for current access with a connection to the Southeast Community College (SCC) campus in the future. One access shall be from the end of Boathouse Road and another from Waterford Estates Drive. The future access to SCC will connect in the southwest corner of the Site.

The development team has met with City Staff in a preapplication meeting to discuss the proposed applications and will continue to work with Staff as the plans are reviewed.

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

1. City of Lincoln Application, including:
 - a. Use Permit
 - b. Change of Zone from AG to B-2
2. Use Permit Site Plan
3. Application fees in the amount of \$5,305.55

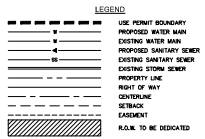
Plans and other supporting documents will be submitted to ProjectDox upon notification from the Planning Staff. We appreciate your consideration of the above request and look forward to working with the City staff on this proposed Use Permit and change of zone. If you require further information or have any questions, please do not hesitate to contact me at mlangston@olsson.com or (402) 474-6311

Sincerely,



Matt Langston

Enclosures.



1. TO REDUCE THE INTERNAL YARD SETBACKS, TO 0', PER TABLE 27.72.030(A).
2. TO REDUCE THE REAR YARD SETBACK FOR DWELLINGS FROM 50' TO 0', ALONG THE SOUTHERN PROPERTY LINE, ADJACENT TO OUTLOT C, WATERFORD ESTATES 26TH ADDITION, PER TABLE 27.72.030(A).

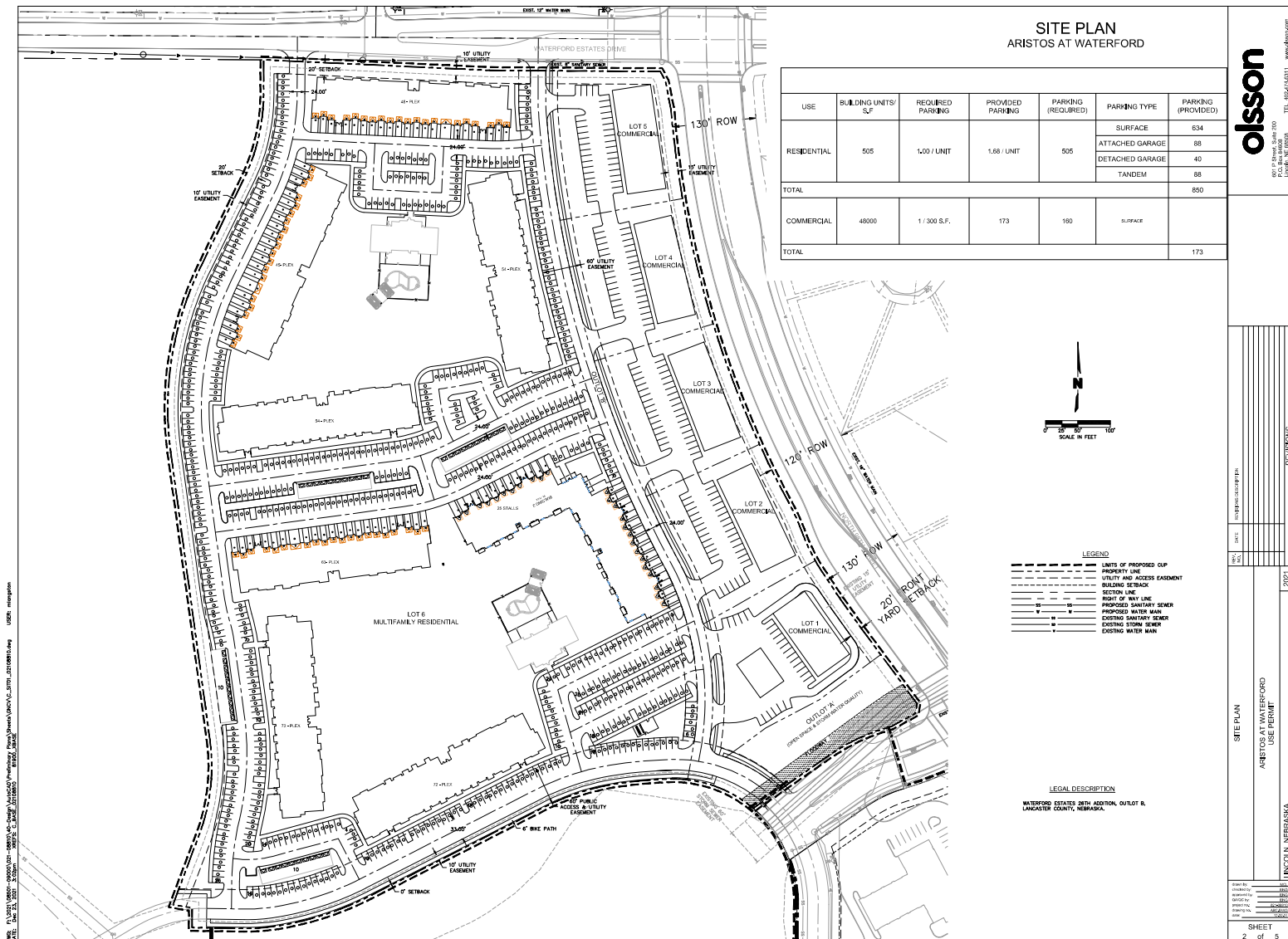
7. ALL PARKING TRUCKS SHALL BE 20' DPM UNLESS OTHERWISE NOTED.
8. ALL DIMENSIONS ALONG CURVES ARE CHORD DISTANCES.
9. DIRECT VEHICLES ACCESS TO S. BETH STREET AND WATERFORD ESTATES DRIVE SHALL BE RELAYED OFF OF S. BETH STREET.
10. ALL ELEMENTS ARE TO MAINTAIN 18'-0".
11. ALL ENDS, CORNERS AND OTHER BUILDING PROJECTIONS MAY EXTEND OVER THE BUILDING FOOTPRINT PROVIDED THEY NOT EXCEED 6'-0".
12. ALL SPACES SHALL MEET CITY TYPICAL UNLESS OTHERWISE NOTED.
13. FINAL SITE LAYOUT AND INDIVIDUAL LANDSCAPE PLANS FOR APPROVED BUILDINGS TO BE SUBMITTED AT TIME OF BUILDING PERMIT.
14. SIGNS NEED NOT BE SHOWN ON THIS SITE PLAN, BUT USED TO BE IN COMPLIANCE WITH CHAPTER 22.05, SIGNAGE REGULATIONS, AND MUST BE APPROVED BY BUILDING AND ZONING DEPARTMENT PRIOR TO INSTALLATION.
15. A MINIMUM OF 10% OF THE TOTAL LOT AREA SHALL BE SET ASIDE FOR OUTDOOR LIVING TERRACES AND GRASSY AREAS. SEE ATTACHED TABLE FOR FURTHER REQUIREMENTS FOR ENTIRE DEVELOPMENT INCLUDING EXTERIOR BUILDING AND PARKING LOT TREES. TREES SHALL BE PLANTED OUTSIDE ANY ADJACENT PROPERTY LINES WITH PERMETER BOUNDARY OF THE DEVELOPMENT.
16. USE RENTED ALLOWED FOR ALL OR PART OF THE COMMERCIAL AREA TO BE CHANGED TO MULTIFAMILY RESIDENTIAL USE. SUCH CHANGES WILL BE REVIEWED BY ADMINISTRATIVE AGENCIES AND APPROVED BY THE CITY OF LINCOLN PLANNING DEPARTMENT.

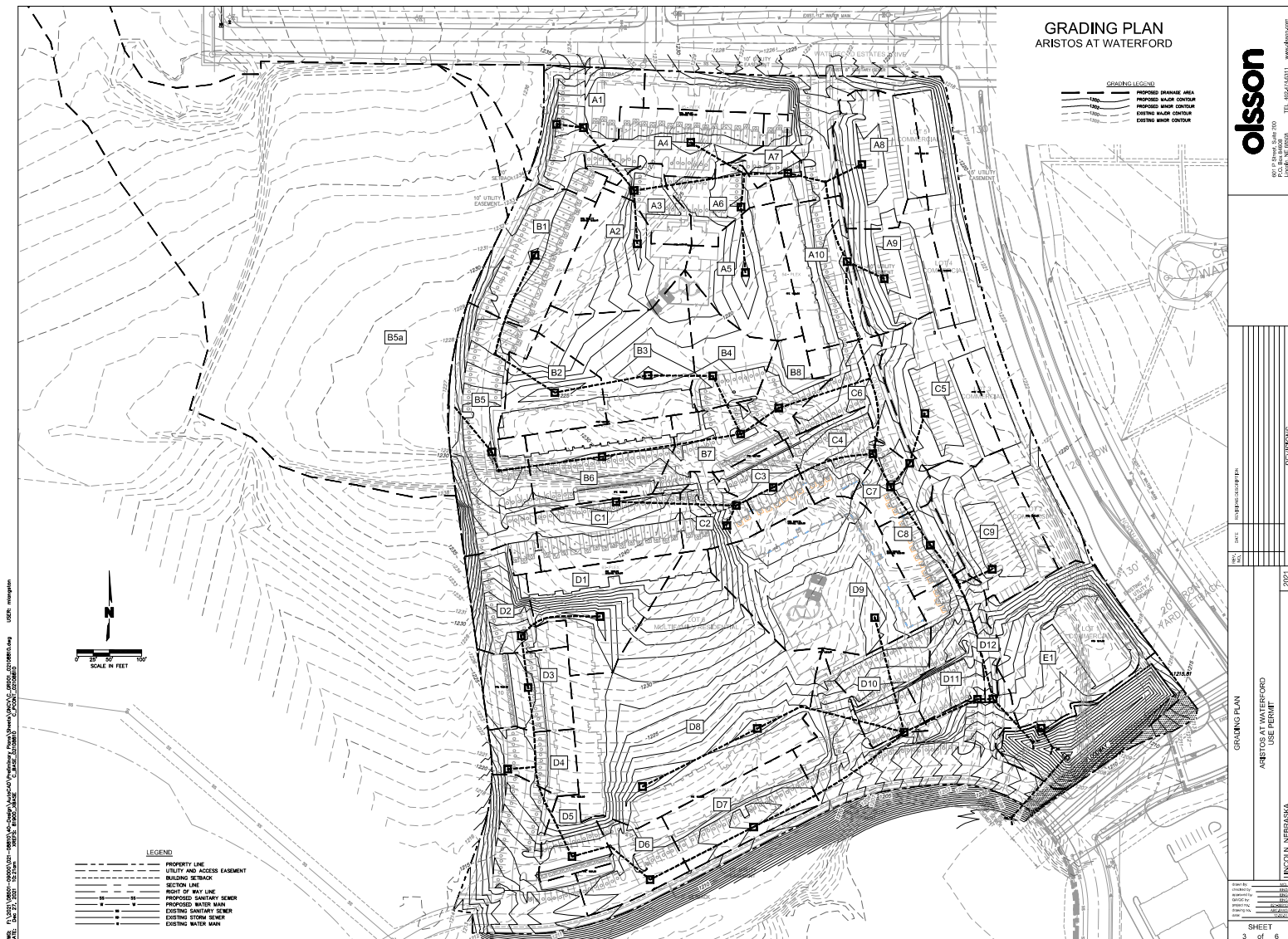
ENGINEER
OLSSON
601 'Y' STREET
SUITE 201
LINCOLN, NE 68508
402-458-5013

P.O. Box 84608
Lincoln, NE 68508
TEL: 402.474.6311 www.scleroderm.com

LINCOLN, NEBRASKA

SHEET
1 of 5





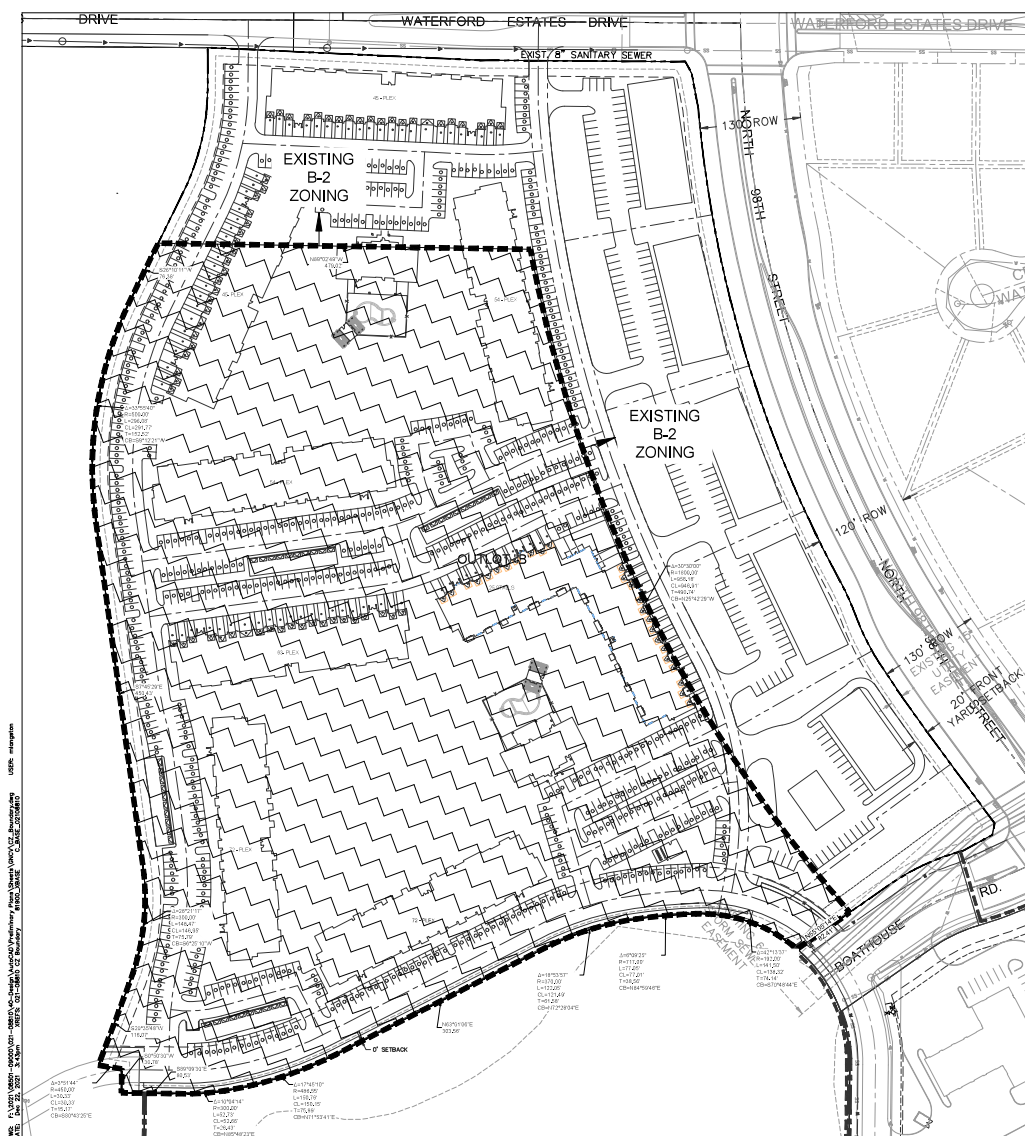
olsson

801 S. 17th Street, Suite 200
Lincoln, NE 68508
TEL: 402.441.5211
www.olson.com

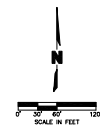
NO.	DATE	REVISION
1	01/27/2021	ISSUED FOR PERMIT

GRADING PLAN
ARISTOS AT WATERFORD
USE PERMIT

SHEET
3 of 6



ZONING PLAN



**ZONING DESIGNATION
AREA LEGEND**



PROPOSED B-2 ZONING

ZONING DESIGNATION AREA NOTES

1. THE B-2 ZONING DESIGNATION AREAS FOLLOW THE LMC TITLE 27 REGULATIONS FOR THE B-2 ZONING DISTRICTS RESPECTIVELY UNLESS OTHERWISE NOTED ON THE USE PERMIT

LEGAL DESCRIPTION
CHANGE OF ZONE TO B-2

A LEGAL DESCRIPTION FOR A TRACT OF LAND COMPOSED OF A PORTION OF OUTLOT "E" WATERBURY ESTATES 20, AN ADDITION LOCATED IN THE SOUTHEAST QUARTER OF SECTION 2, TOWNSHIP 12 NORTH, RANGE 8 EAST OF THE 6TH P.M., CITY OF LINCOLN, LANCASTER COUNTY, NEBRASKA, NEAR LARGE TRACTS 24 AND 25, ORIGINAL SURVEY MAP.

COMMENCING AT THE NORTHWEST CORNER OF SAID OUTLOT 'B', SAID POINT BEING THE NORTHWEST CORNER OF OUTLOT 'A'; WATERBORN EASEMENTS WITH APPROXIMATE THUR-

SOUTHEPLY, ALONG THE WEST LINE OF SAID OUTLOT TO AN ASSUMED BEARING OF SOUTH 10 DEGREES 20 MINUTES 30 SECONDS WEST, A DISTANCE OF 54.69 FEET TO A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 300.00 FEET, A DELTA ANGLE OF 2

DEGREES 43 MINUTES 41 SECONDS, AN ARC LENGTH OF 132.34 FEET, ALONG S1/4 WEST LINE, CHORD BEARING 30 OF SOUTH 12 DEGREES 15 MINUTES 21 SECONDS WEST, AND A CHORD DISTANCE OF 134.09 FEET TO A POINT, THENCE SOUTH 28 DEGREES 10 MINUTES 11 SECONDS WEST, ALONG S1/4 WEST LINE, A DISTANCE OF 24.19 FEET, TO THE TRUE CORNER OF SECTION TWENTY-SIX, TOWNSHIP 36 NORTH, RANGE 10 WEST, COUNTY OF WYOMING, STATE OF WYOMING.

99 DEGREES 02 MINUTES 49 SECONDS EAST, A DISTANCE OF 479.92 FEET TO A POINT OF NO TANGENT CURVATURE, THENCE ALONG A NON TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 1,600.00 FEET, A DELTA ANGLE OF 30 DEGREES 30 MINUTES 00 SECONDS, AN ARC LENGTH OF 568.

FEET, A CHORD BEARING OF SOUTH 25 DEGREES 42 MINUTES 29 SECONDS EAST, AND A CHORD DISTANCE OF 945.91 FEET TO A POINT ON A SOUTHEAST LINE OF S/D OUTLOT "B". THENCE SOUTH 55 DEGREES 06 MINUTES 54 SECONDS WEST, ALONG S/D SOUTHEAST LINE, A DISTANCE OF 60.00 FEET TO A CORNER OF HUNTAHOUT CULTIVATORS TRACT, ALONG A HUNTAHOUT CURVE TO THE

FEET TO A POINT ON A RAILROAD TRACK. THE RAILROAD TRACK RUNS FROM THE CORNER TO THE LEFT. HAVING A RADIUS OF 182.00 FEET, A DELTA ANGLE OF 42 DEGREES 13 MINUTES 37 SECONDS AN ARC LENGTH OF 141.50 FEET, ALONG A SOUTHWEST LINE OF SAID OUTLET "B", A CHORD BEARING OF NORTH 70 DEGREES 48 MINUTES 48 SECONDS WEST, AND A CHORD DISTANCE OF

134.32 FEET TO A POINT OF COMPOUND CURVATURE, THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 717.20 FEET, A DELTA ANGLE OF 08 DEGREES 09 MINUTES 25 SECONDS, AN ARC LENGTH OF 77.25 FEET, ALONG A SOUTH LINE OF SAID OUTLET TO, A CHORD BEARING S 01° 00' 00" E DISTANCE 100.00 FEET, TO THE POINT OF BEGINNING.

POINT OF COMPOUND CURVATURE, THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 370.00 FEET, A DELTA ANGLE OF 18 DEGREES 53 MINUTES 57 SECONDS, AN ARC LENGTH OF 132.0 FEET, ALONG SAID SOUTH LINE, A CHORD BEARING OF SOUTH 72 DEGREES 28 MINUTES

[illegible]

FEET, A DELTA ANGLE OF 11 DEGREES 45 MINUTES 30 SECONDS, AN ARC LENGTH OF 150.71 FEET ALONG SAID SOUTH LINE, A CHORD BEARING OF SOUTH 71 DEGREES 53 MINUTES 41 SECONDS WEST, AND A CHORD DISTANCE OF 155.15 FEET TO A POINT OF COMPOUND CURVATURE, THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 308.03 FEET, A DELTA ANGLE OF 32 DEGREES

04 11 MINUTES 51 SECONDS, AN ARC LENGTH OF 52.73 FEET, ALONG S41D SOUTH 11E, A CHORD BEARING OF SOUTH 85 DEGREES 48 MINUTES 23 SECONDS WEST, AND A CHORD DISTANCE OF 52.8 FEET TO A POINT, THENCE NORTH 89 DEGREES 05 MINUTES 23 SECONDS WEST, ALONG S41D SOUTH

LINE 7 DISTANCE OF 8028 FEET TO A POINT, THENCE NORTH 09 DEGREES 59 MINUTES 3 SECONDS EAST, ALONG A WEST LINE OF SAID OUTLET "B", A DISTANCE OF 3076 FEET TO A POINT OF NON-TANGENT CURVATURE; THENCE ALONG A NON-TANGENT CURVE TO THE RIGHT, HAVING RADIUS OF 460.00 FEET, A CHORD BEARING S 00 DEGREES 15 MINUTES 44 SECONDS E, AN ARC LENGTH

OF 30.33 FEET, ALONG A SOUTH LINE OF SAID OUTLOT "B", A CHORD BEARING OF NORTH DEGREES 43 MINUTES 25 SECONDS WEST, AND A CHORD DISTANCE OF 30.33 FEET TO A POINT THERE, NORTH 20 DEGREES 25 MINUTES 40 SECONDS EAST, ALONG A WEST LINE OF SAID OUTLOT

B. A DISTANCE OF 1,607 FEET TO A POINT OF CURVATURE, THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 300.00 FEET, A DELTA ANGLE OF 28 DEGREES 21 MINUTES 17 SECONDS, A ARC LENGTH OF 184.47 FEET, ALONG S2D-WEST LINE, A CHORD BEARING OF NORTH 00 DEGREES 35 MINUTES 16 SECONDS EAST, AND A CHORD DISTANCE OF 148.95 FEET, TO A POINT, THENCE

NORTH 07 DEGREES 45 MINUTES 29 SECONDS WEST, ALONG SAID WEST LINE, A DISTANCE OF 450.00 FEET TO A POINT OF CURVATURE, THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 500.00 FEET, A DELTA ANGLE OF 33 DEGREES 55 MINUTES 40 SECONDS, AN ARC LENGTH OF

200.00 FEET, ALONG S40°W LINE, A CHORD BEARING OF NORTH 09 DEGREES 12 MINUTES 11 SECONDS EAST, AND A CHORD DISTANCE OF 200.00 FEET TO A POINT, THENCE NORTH 28 DEGREES 10 MINUTES 11 SECONDS EAST, ALONG S40°W LINE, A DISTANCE OF 200.00 FEET TO THE POINT OF BEGINNING.

S/D TRACT CONTAINS A CALCULATED AREA OF 688,0925 square feet or 15.83 ACRES, MORE OR LESS.

[illegible]



Department Review Status Report

Project Name: UP21010

Workflow Started: 12/22/2021 1:11 PM

Report Generated: 02/14/2022 12:39 PM

Cycle	Department	Reviewer	Email	Status	Reviewer Comments	Applicant Comments
1	LTU - Engineering Services	Brion Perry	bperry@lincoln.ne.gov	Corrections Required	Traffic study required. All internal roadways will be private. There is no through street for the business lots back against N 98th St. The apartments will have parking all along a public access easement and the north entry will be a Rt in/ Rt out. The internal layout as it relates to the commercial section does not have a clear access along the public access easement which does not entail the apartment complex parking creating conflicts.	
	Planner Review	George Wesselhoft	gwesselhoft@lincoln.ne.gov	Corrections Required	1) PP04011 had previously identified an east-west street as part of a conceptual layout with Boathouse Road extending to the west. This is an important street connection to Southeast Community College when the adjoining property to the west is developed. In addition, a north-south street connection is needed due to the length of the block 2) The Comprehensive Plan identifies a future bike trail along the south side of the property. This needs to be incorporated through right of way as part of the east-west street 3) Sheet 2 of 5: Change in the Legend "Limits of Proposed CUP" to "Limits of Proposed Use Permit".	
	Black Hills Corp					
	GIS Survey	Kimberly Pester	khaman@lancaster.ne.gov	Corrections Required	Change of zone sheet legal description identifies the wrong section/township/range.	
	LTU - Water	Dave Beyersdorf	dbeyersdorf@lincoln.ne.gov	Corrections Required	see attached for corrections	

Department Review Status Report

1	County Health	Chris Schroeder	cschroeder@lincoln.ne.gov	Recommend Approval	During the construction process, the land owner(s) will be responsible for controlling off-site dust emissions in accordance with Lincoln-Lancaster County Air Pollution Regulations and Standards Article 2 Section 32. Developers are responsible for all mosquito control issues during the building process and all outlots, green-spaces, and/or natural corridors subsequently controlled by the owner, tenant, occupant, lessee, or otherwise, for that subdivision would be responsible for vectors of zoonotic disease in those areas.	
	Fire Department	Patrick Borer	pborer@lincoln.ne.gov	Recommend Approval	Lincoln Fire and Rescue recommends approval IF named streets are provided throughout the development and each residence and business is addressed off of one of the named streets.	
	Street Name Review	Terry Kathe	tkathe@lincoln.ne.gov	Corrections Required	For purposes of emergency responders and general public safety, streets should be named.....this is a mass number of buildings and residential units to have no direct street frontage and lack of street visibility...some of the building would be 4 buildings deep from the only street address possibility. No logical way of addressing the structures and would rely on guesswork in finding them.	
	Parks and Recreation	Sara Hartzell	shartzell@lincoln.ne.gov	Corrections Required	The future commuter and recreational trail is shown generally running from east to west through this area. These plans show a 6 foot wide "bike path" along the north side of Outlot C. I am assuming this is to serve as the commuter recreational trail. If not, show where the 10' wide commuter and recreational trail will be located. Commuter and Recreational Trails are built to 10' width with 2 feet of clear space on each side. The spacing between back of curb and the trail edge should be 9 feet minimum in order to accommodate street trees. Spacing between back of curb and the trail edge must be a minimum of 6 feet in order to accommodate snow storage in areas where no street trees are planned. If the bike path is intended to serve as the commuter and recreational trail, there is some concern about how the 0' setback on Outlot C will impact the trail. See notes on site plans.	
	Lower Platte South NRD	Tracy Zayac	tzayac@lpsnrd.org	Recommend Approval	Part of the southeast corner of the outlot, outside of the planned stormwater/water quality outlot, is in the mapped floodplain. Floodplain development regulations apply.	

Department Review Status Report

1	Lincoln Police Department	Luke Bonkiewicz	lpd1691@cjis.lincoln.ne.gov	Recommend Approval		
	LTU - Wastewater	Brian Kramer	bakramer@lincoln.ne.gov	Recommend Approval		
	Development Review Manager	Stephen Henrichsen	shenrichsen@lincoln.ne.gov	Corrections Required		
	LES	LES Reviews	edreviewer@les.com	Corrections Required	1/5/2022 Easements will be requested during final plat process. Zero setbacks will limit underground power line alignment and equipment location options on the site. -GK Developer will need to work with LES on underground cable paths in order to provide power. At this time, LES cannot agree to 0' setback requirements along rear lot lines. LES will need a minimum of 10.0'. - SLS	
	Allo Communications	Tom Gremel	tom.gremel@allofiber.com	Recommend Approval	ALLO does not have fiber facilities located in the developing area.	
	Windstream					
	Building and Safety	Ron Rehtus	rrehtus@lincoln.ne.gov			
	LTU - Watershed Management	Mike Middendorf	MMiddendorf@lincoln.ne.gov	Corrections Required	Need to include the minimum flood corridor and the Conservation Easement and limit grading to outside of these easements.	

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
Change of Zone #22001
Comprehensive Plan Amendment #22003

FINAL ACTION?
No

DEVELOPER/OWNER
Southeast Community College

PLANNING COMMISSION HEARING DATE
February 16, 2022

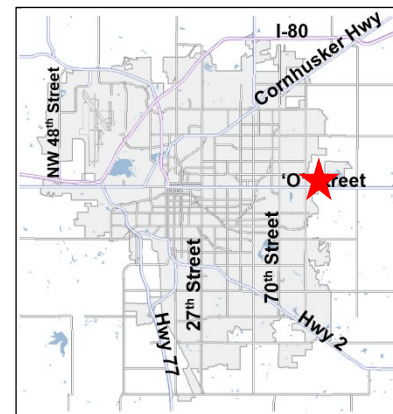
RELATED APPLICATIONS
PP #04011A

PROPERTY ADDRESS/LOCATION
Waterford Estates Dr. and Linwood Lane

RECOMMENDATION: APPROVAL

BRIEF SUMMARY OF REQUEST

This is a request for a change of zone from AG Agricultural District, B-2 Planned Neighborhood Business District and R-3 Residential to P Public Use District on approximately 34.69 acres and for a change of zone from O-3 Office District to P Public Use District on approximately 7.79 acres. This property is generally located near the intersection of Waterford Estates Drive and Linwood Lane. The change of zone is proposed to reflect ownership and future land use by the Southeast Community College. The Comprehensive Plan Amendment (CPA) proposal is also to amend the 2050 Future Land Use Plan to revise from "Commercial" and also "Residential - Urban Density" future land use to "Public and Semi-Public". This is for the Waterford Estates platted outlot which is to the east of the main campus area where future college uses are planned.



JUSTIFICATION FOR RECOMMENDATION

The proposed P Public Use zoning is appropriate as both the owner and uses will be that of Southeast Community College with the CPA designation reflecting the same.

APPLICATION CONTACT

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

STAFF CONTACT

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

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

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

KEY QUOTES FROM THE 2050 COMPREHENSIVE PLAN

Introduction Section: Growth Framework

Figure GF.b: 2050

- This site is predominately shown as future commercial on the 2050 Future Land Use Plan (34.69 acres, Outlot A in Waterford Estates 26th Addition) and public-semi public (7.79 acres, portions of I.T. Lots 15, 16, and 19). A very minor part of the 34.69 acres site near Waterford Estates Drive is shown as urban residential on the north side and also a minor part is designated as green space and environmental resources on the south side along O Street.

Land Use Plan (Existing)

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

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

Land Use Plan (Proposed Amendment)

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

Fundamentals of Growth in Lancaster County

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

Goals Section

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

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

Elements Section

E7: Community Colleges, Trade Schools, and Universities

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

throughout the community.

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

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

Figure E9.c: Priority Trail Projects:

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

Policies Section

P44 Education

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

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

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

ANALYSIS

1. This is a proposal by Southeast Community College for a change of zone over 34.69 acres to rezone from AG Agricultural District, B-2 Planning Neighborhood Business District and R-3 Residential to P Public Use District and over 7.79 acres to rezone from O-3 Office Park District to P Public Use District. The property in question is owned by the College. While exact buildings or uses are not identified for the undeveloped parcel, the uses will be those of the College and therefore public. This application includes changes to future land use associated with Change of Zone #22001. The proposal is to change the future land use designation from Commercial and Urban Residential to Public and Semi-Public for the 34.69 acres that is being rezoned from AG, B-2 and R-3 to P District.
2. The smaller change of zone area of the 7.79 acres to change an area within the interior of their campus that had previously been rezoned from P to O-3 in 2009. This was done as part of Change of Zone 09008 when a partnership was planned with the Nebraska Institute of Forensic Sciences for the construction of facilities to accommodate activities such as research, laboratories, and other facilities. This did not happen as previously planned and the current conditions make the change back to P Public Use District appropriate. UP09001 was also approved in 2009 and was the related Use Permit for the O-3 zoning. The Use Permit will be effectively rescinded with the Change of Zone.
3. The majority of the Southeast Community College campus is already zoned P Public Use. This district is intended to provide a district essentially for mapping purposes which will identify real property presently owned and used by any governmental entity, including local, state, or federal government entities, and put to some form of public use.
4. The existing future land use designation of commercial for the 34.69 acre parcel was established prior to the current Southeast Community College ownership and public use plans associated with these applications. As such,

a Comprehensive Plan Amendment to now reflect anticipated College uses is appropriate.

5. Related PP04011A proposes to amend the Waterford Estates preliminary plat which showed conceptual street connections including Waterford Estates Drive and an east-west connection along the south property line. The proposal modifies the alignment of the Waterford Estates Drive and proposes private roadways. In addition, the proposal realigns the O Street access to the south.
6. The Comprehensive Plan identifies a future bike trail that will ultimately extend from 84th Street to Stevens Creek and will extend through the south part of the property in question. Easement will be provided for the bike trail as part of the final plat.
7. The Change of Zone proposal and related Comprehensive Plan Amendment are consistent with the Comprehensive Plan because it will rezone the property and amend the Future Land Use Plan to reflect the public use of the College, which the Plan recognizes along with the need for planning with the surrounding neighborhood.

EXISTING LAND USE & ZONING: (34.69 acres) -Agriculture, Pasture; AG, B-2
(7.79 acres) - Southeast Community College; O-3

SURROUNDING LAND USE & ZONING

(34.69 acres)

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

(7.79 acres)

North: Southeast Community College; P
South: Apartments, Undeveloped; R-3
East: Southeast Community College; P
West: Southeast Community College; P

APPLICATION HISTORY: See attached

APPROXIMATE LAND AREA: 42.48 acres in total

LEGAL DESCRIPTION: (34.69 acres) Outlot A, Waterford Estates 26th Addition
(7.79 acres) See attached

PROPOSED AMENDMENT:

Amend the 2050 Lincoln/Lancaster County Comprehensive Plan as follows:

1. Amend Figure GF.b for the 2050 Future Land Use Plan to reflect changes in land use and all other maps, figures, and plans where the future land use is displayed.

Prepared by

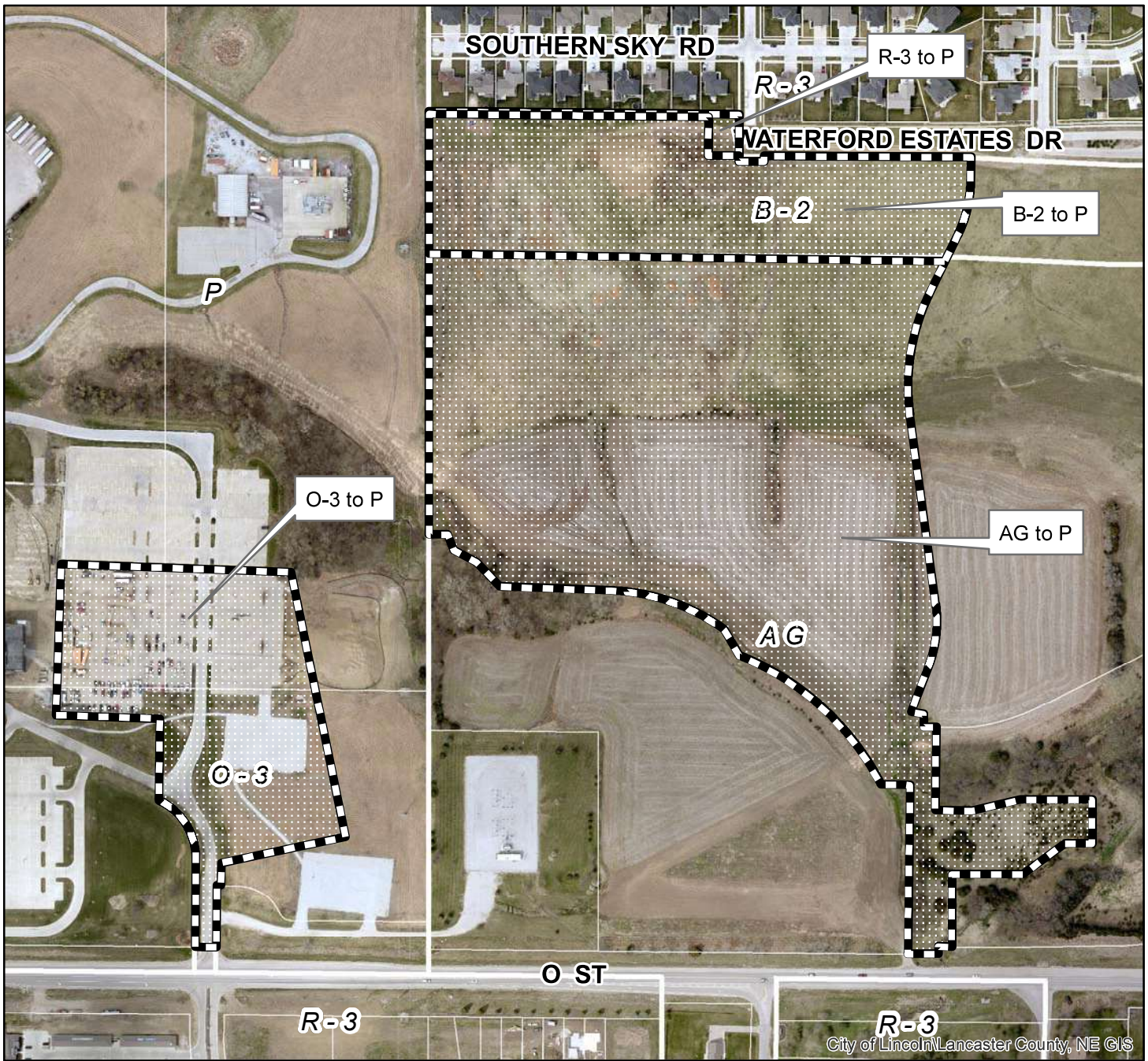
George Wesselhoft, Planner
Date: February 3, 2022

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

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

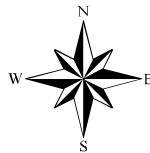
APPLICATION HISTORY - CHANGE OF ZONE #22001

1979	The area that is now Outlot A of Waterford Estates 26 th Addition was zoned A-A, Rural and Public Use until 1979 when the zoning was updated to AG Agricultural.
March, 2005	Preliminary Plat 04011 was approved, including part of Outlot A. This included 660 residential lots and 1 lot for a future school including the north part of the property zoned B-2 and additional development area all the way to Holdridge Street.
April, 2006	Annexation 04003 was approved which included the part of the property presently zoned B-2.
April, 2006	Change of Zone 04019 was approved which rezoned the part of the Outlot A property that is presently zoned B-2 from AG to B-2. In conjunction with this request, the submittal of the use permit for the B-2 parcels was allowed to be delayed.
October, 2007	Final Plat 07021 Waterford Estates Addition was approved and included the Outlot A property as part of a larger Outlot D, reserved for future development.
April, 2009	UP09001, the proposed Use Permit in conjunction with CZ09008, was approved to develop 125,000 square feet of office space on the Southeast Community College campus.
May, 2009	CZ09008 was approved changing the zoning from P Public Use District to O-3 Office Park District to allow office space development for an intended lease by another entity other than the Southeast Community College.
November, 2010	Final Plat 10040 Waterford Estates 3 rd Addition was approved and included the Outlot A property as part of a larger Outlot B, reserved for future development.
October, 2012	Final Plat 12053 for Waterford Estates 8 th Addition was approved and included the Outlot A property as part of Outlot E, reserved for future development.
April, 2013	Final Plat 13020 for Waterford Estates 9 th Addition was approved and included the Outlot A property as part of Outlot C, reserved for future development.
September, 2018	Final Plat 18054 for Waterford Estates 21 st Addition was approved and included the Outlot A property as part of Outlot B, reserved for future development.
October, 2020	Final Plat 20082 for Waterford Estates 26 th Addition was approved, platting the property as Outlot A, reserved for future development.



2020 aerial

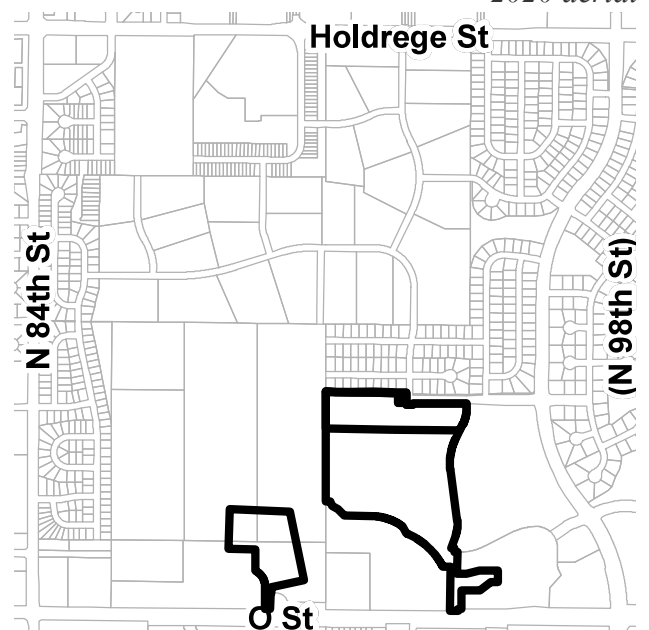
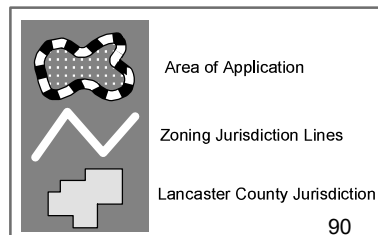
Change of Zone #: CZ22001 Linwood La & Waterford Estates Dr



Zoning:













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

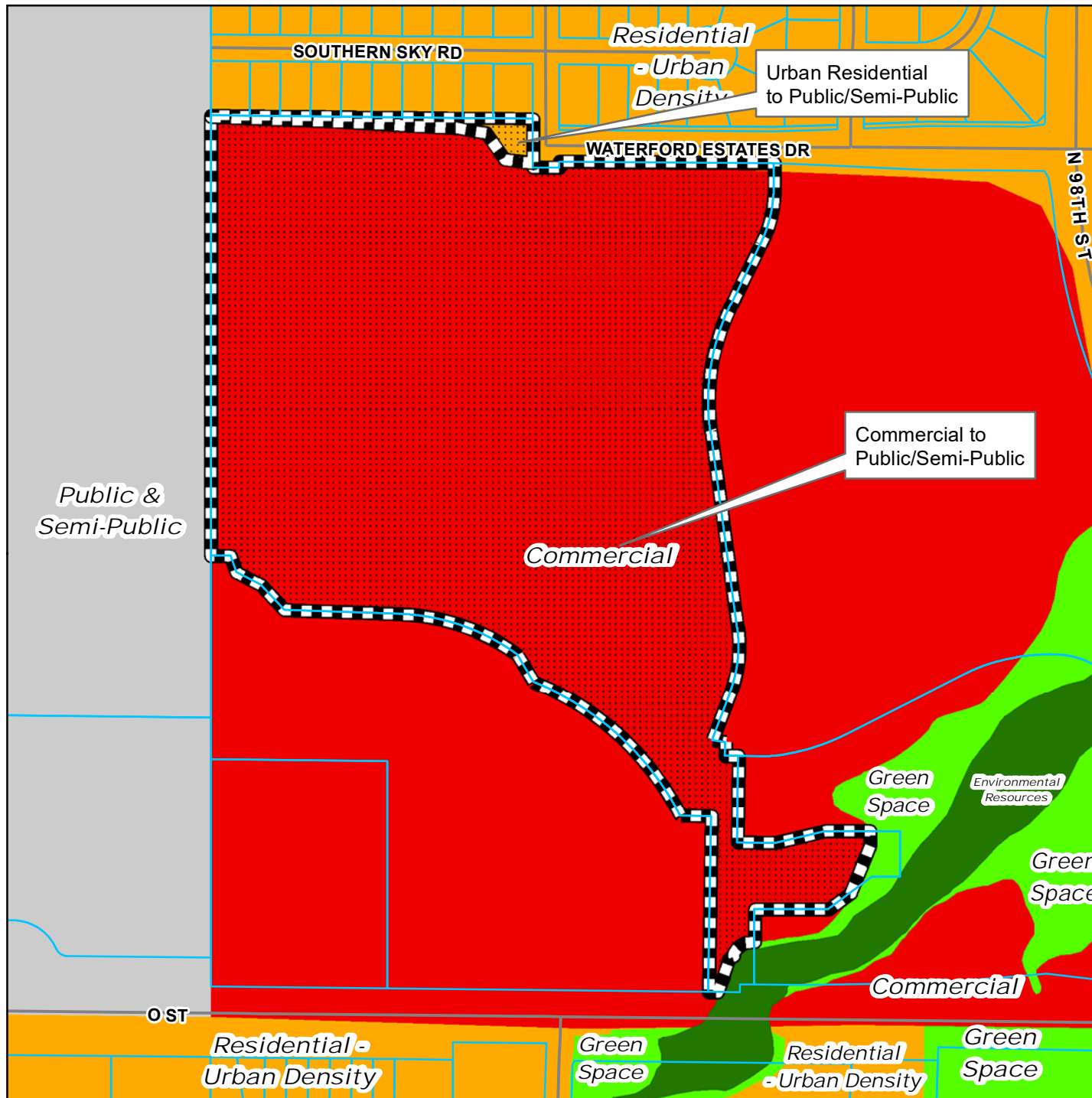
One Square Mile:
Sec.23 T10N R07E



Proposed Land Use Change

Legend

-  Tax Parcels
-  Application Areas
- Future Land Use**
 -  AG
 -  AG STREAM
 -  Commercial
 -  Environmental Resources
 -  Green Space
 -  Industrial
 -  Public/Semi-Public
 -  RES-LOW
 -  Residential - Urban Density
 -  Lakes & Streams



f:\its\gis\arcview\CompPlanAmendment.mxd
(CPA22003)



January 24, 2022

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

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

Dear George:

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

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

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

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

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

Southeast Community College is making the following applications and requests:

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

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

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

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

Regards,



Erin Bright, PE
Olsson

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

O-3 to P Legal Description:

A portion of Irregular Tract Lots 15, 16, and 19, all located in the Southwest Quarter of Section 23, Township 10 North, Range 7 East of the 6th P.M., Lancaster County, Nebraska, and more particular described as follows:

Commencing at the southeast corner of the Southwest Quarter of said Section 23; thence along the south section line of said Southwest Quarter, north 89 degrees 25 minutes 20 seconds west, a distance of 502.62 feet; thence north 00 degrees 34 minutes 40 seconds east, a distance of 60.00 feet to the point of beginning; thence north 89 degrees 25 minutes 20 seconds west, a distance of 50.00 feet; thence north 00 degrees 34 minutes 40 seconds east, a distance of 208.54 feet to a point on a circular curve to the left having a radius of 150.00 feet, a central angle of 65 degrees 57 minutes 05 seconds and whose chord (163.29 feet) bears north 32 degrees 23 minutes 52 seconds west; thence on the arc of said circular curve 172.66 feet; thence north 00 degrees 34 minutes 40 seconds east, a distance of 192.00 feet; thence north 88 degrees 00 minutes 50 seconds west, a distance of 245.00 feet; thence north 01 degrees 59 minutes 10 seconds east, a distance of 356.12 feet; thence south 88 degrees 00 minutes 50 seconds east, a distance of 542.14 feet; thence south 11 degrees 42 minutes 09 seconds east, a distance of 638.00 feet; thence south 78 degrees 17 minutes 51 seconds west, a distance of 299.48 feet; thence south 00 degrees 34 minutes 40 seconds west, a distance of 53.14 feet; thence north 89 degrees 25 minutes 29 seconds west, a distance of 10.00 feet; thence south 00 degrees 34 minutes 40 seconds west, a distance of 145.99 feet to the point of beginning and containing a calculated area of 339,467.83 square feet or 7.79 acres;

AG, B-2 and R-3 to P Legal Description:

Outlot A, Waterford Estates 26th Addition

LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT

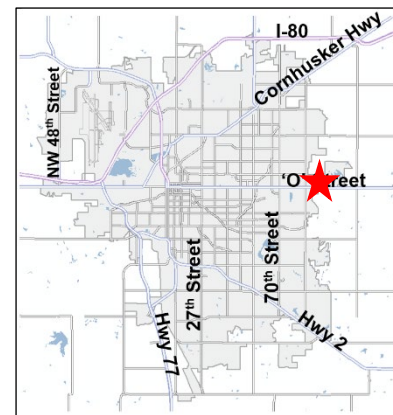
FROM THE LINCOLN/LANCASTER COUNTY PLANNING DEPARTMENT, 555 S. 10TH STREET, SUITE 213, LINCOLN, NE 68508

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

RECOMMENDATION: CONDITIONAL APPROVAL

BRIEF SUMMARY OF REQUEST

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



JUSTIFICATION FOR RECOMMENDATION

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

APPLICATION CONTACT

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

STAFF CONTACT

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

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

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

WAIVERS

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

KEY QUOTES FROM THE 2050 COMPREHENSIVE PLAN

Introduction Section: Growth Framework

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

Land Use Plan (Existing)

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

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

Land Use Plan (Proposed Amendment)

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

Fundamentals of Growth in Lancaster County

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

Goals Section

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

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

Elements Section

E7: Community Colleges, Trade Schools, and Universities

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

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

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

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

Policies Section

P44: Education

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

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

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

ANALYSIS

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

and could take access to the street to the north.

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

CONDITIONS OF APPROVAL: See attached.

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

SURROUNDING LAND USE & ZONING

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

APPLICATION HISTORY: See Attached

APPROXIMATE LAND AREA: 34.69 acres

LEGAL DESCRIPTION: Outlot A, Waterford Estates 26th Addition

Prepared by

George Wesselhoft, Planner
Date: February 3, 2022

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

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

APPLICATION HISTORY - PRELIMINARY PLAT #04011A

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

CONDITIONS OF APPROVAL - PRELIMINARY PLAT #04011A

Approval of the following waivers:

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

Site Specific Conditions:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

to complete the planting of the street trees along (an improved major street) as shown on the final plat within two (2) years following the approval of this final plat.

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

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

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

to submit to the Director of Lincoln Transportation and Utilities a plan showing proposed measures to control sedimentation and erosion and the proposed method to temporarily stabilize all graded land for approval.

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

to complete the public and private improvements shown on the preliminary plat and Community Unit Plan and Use Permit.

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

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

to maintain the plants in the medians and islands on a permanent and continuous basis.

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

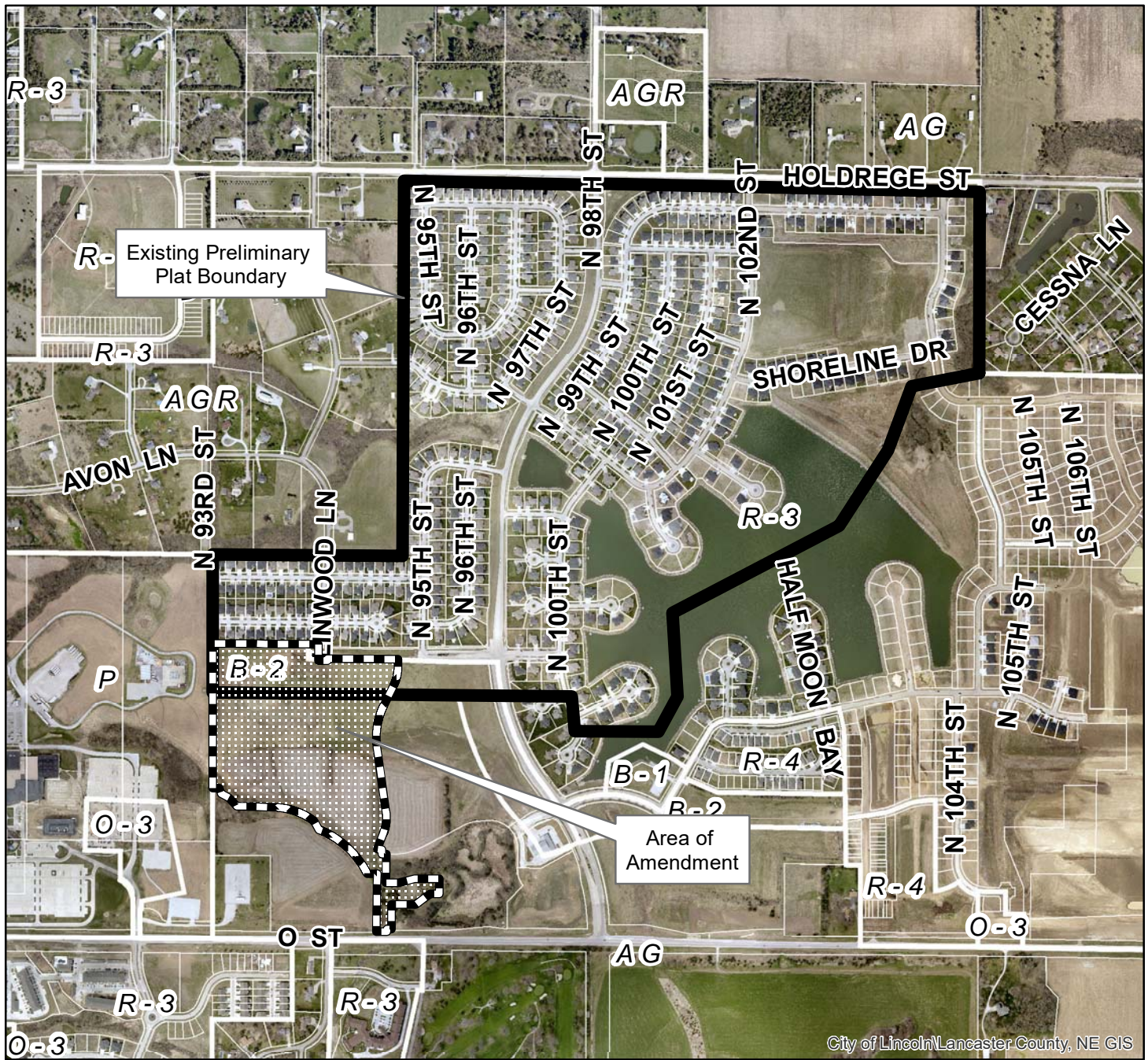
to maintain and supervise the private facilities which have common use or benefit in a condition as near as practical to the original construction on a permanent and continuous basis, and to recognize that there may be additional maintenance issues or costs associated with providing for the proper functioning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

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

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

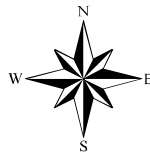
to pay all design, engineering, labor, material, inspection, and other improvement costs.

to inform all purchasers and users of land located within the 100 year floodplain that said land is located within the 100 year floodplain and that the grading of the lots and outlots shall be in conformance with the grading plan approved with the Preliminary Plat #04011A or as amended by the Director of Planning. The volume of fill material brought into each lot and outlot from outside the floodplain shall not exceed that shown on the approved grading plan accompanying the preliminary plat.



City of Lincoln/Lancaster County, NE GIS

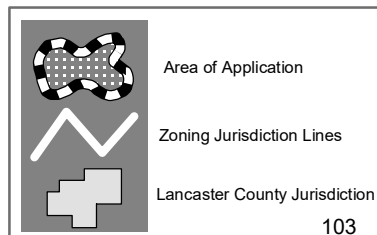
Preliminary Plat #: PP04011A
Waterford Estates
Linwood La & Waterford Estates Dr



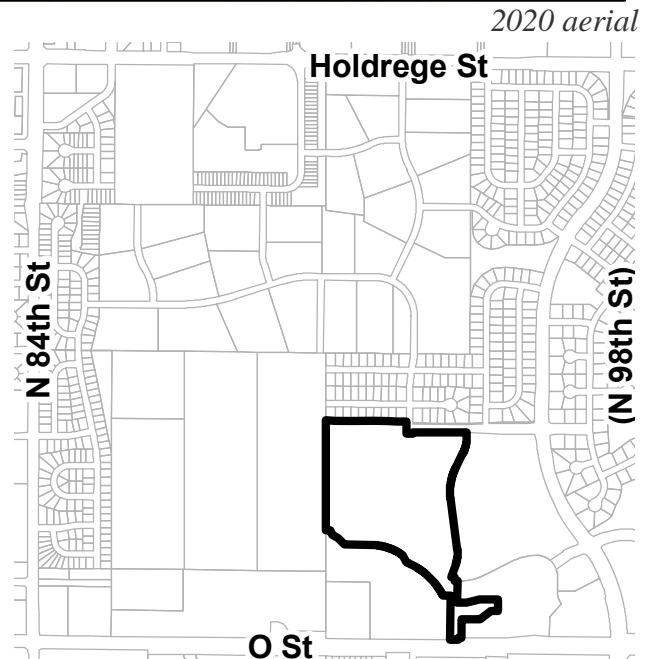
Zoning:

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

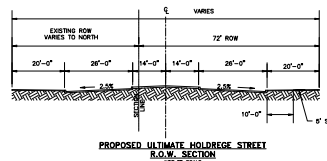
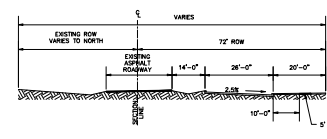
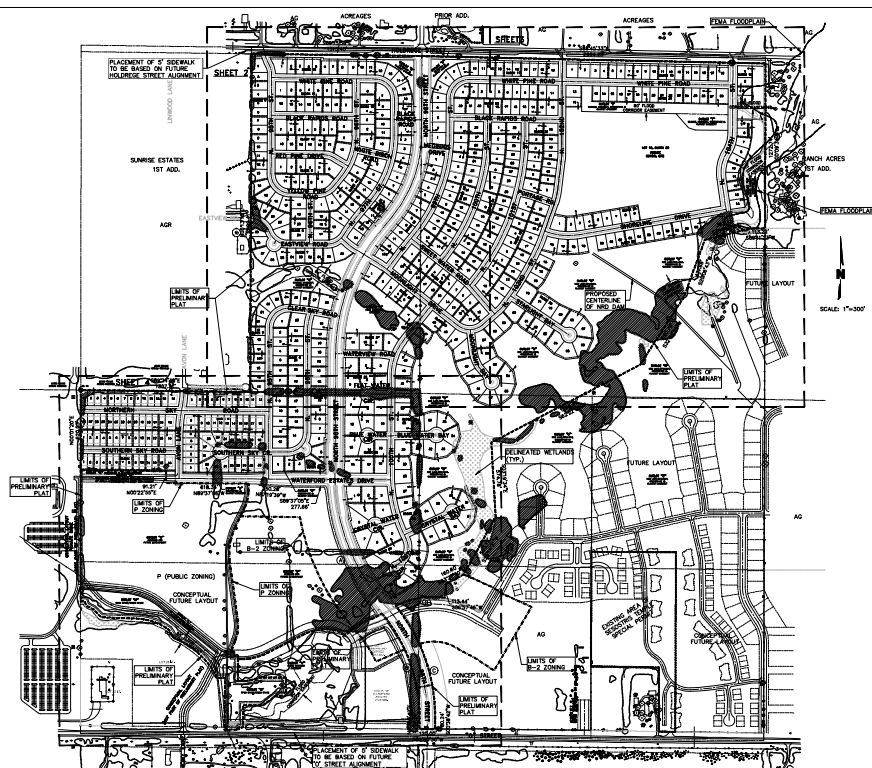
One Square Mile:
 Sec.23 T10N R07E



103



2020 aerial



LEGEND

- LIMITS OF PRELIMINARY PLAT
- EXISTING WATER MAIN
- PROPOSED WATER MAIN
- EXISTING SANITARY SEWER
- PROPOSED SANITARY SEWER
- SANITARY SEWER MANHOLE
- FIRE HYDRANT
- WATER VALVE
- EXISTING STORM SEWER
- PROPOSED STORM SEWER
- PROPOSED 4' SIDEWALK
- PROPOSED BOUNDARY
- LIGHT POLE
- UTILITY POLE/OVERHEAD TRAILER
- GUY WIRE
- FENCE
- INDIVIDUAL TREE
- TREE MASS
- LES EASEMENT (WIDTH AS Labeled)
- PROPOSED 10' WIDE BIKE TRAIL
- TREE REMOVAL AREA
- DELINEATED WETLANDS

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I HAVE CAUSED TO BE SURVEYED THE BOUNDARY OF THE ABOVE PRELIMINARY PLAT AND THAT PERMANENT MONUMENTS HAVE BEEN PLACED OR FOUND AT ALL BOUNDARY CORNERS.

DATE _____ DANIEL A. THOMSON L.S. NO. 593 _____

ENGINEER'S CERTIFICATE

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

DATE _____ MARK C. PALMER _____ E-9103 _____

APPROVAL

THE FOREGOING PRELIMINARY PLAT WAS APPROVED BY THE LINCOLN CITY-LANCASTER COUNTY PLANNING COMMISSION ON THIS _____ DAY OF _____ 20____.

ATTEST: _____
CHAIR

APPROVAL

THE FOREGOING PRELIMINARY PLAT WAS APPROVED BY THE CITY COUNCIL
RESOLUTION # _____ ON THIS _____ DAY _____ 20____

ATTEST: _____
CITY CLERK

WATERFORD ESTATES

LEGAL DESCRIPTION
PRELIMINARY PLAT

[illegible]

OWNERS & DEVELOPERS

MINITS LLC
6071 STREET
66505

MARK W. MCGINNIS
DANIEL J. MCGINNIS
MARK W. MCGINNIS
LINDA J. MCGINNIS
238 SOUTH 16TH STREET
LINCOLN, NE 68506
PHONE: (402)441-9800

REDUCED DEVELOPMENT COMPANY &
SUE W. HAVEL
3355 OMAHA STREET SUITE 100
LINCOLN, NE 68505
PHONE: (402)436-3444

1. SANITARY SEWERS AND WATER LINES TO BE 8" APC AND 8" PWS RESPECTIVELY UNLESS OTHERWISE SHOWN AND TO BE BUILT TO CITY OF LINCOLN SPECIFICATIONS.
2. ALL SANITARY SEWERS AND WATER LINES TO BE PUBLIC.
3. LOT DIMENSIONS SHOWN ARE APPROXIMATE AND MAY VARY UP TO 10 FEET.
4. ALL DIMENSIONS ALONG CURVES ARE CHORD DIMENSIONS.
5. ALL PAVING SHALL BE 2" OR THICKER UNLESS OTHERWISE NOTED.
6. ALL INTERSECTION LENGTHS SHALL BE 90' UNLESS OTHERWISE NOTED.

ENGINEER & PREPARED
CLISON ASSOCIATES
1111 LINCOLN MALL
LINCOLN, NE 68501
PHONE: 474-6311

[illegible]

CENTERLINE CURVE TABLE					
CURVE	RADIUS	DELTA	LENGTH	TANGENT	CHORD
C1	1000.00	117° 52' 00"	248.33	124.61	248.33
C2	1000.00	117° 52' 00"	248.33	124.61	248.33
C3	1000.00	117° 52' 00"	248.33	124.61	248.33
C4	5000.00	37° 00' 00"	179.17	96.84	184.45
C5	5000.00	37° 00' 00"	179.17	96.84	184.45
C6	5000.00	37° 00' 00"	179.17	96.84	184.45
C7	5000.00	37° 00' 00"	179.17	96.84	184.45
C8	5000.00	37° 00' 00"	179.17	96.84	184.45
C9	10000.00	22° 30' 00"	124.28	148.66	125.18
C10	10000.00	22° 30' 00"	124.28	148.66	125.18
C11	10000.00	22° 30' 00"	124.28	148.66	125.18
C12	10000.00	22° 30' 00"	124.28	148.66	125.18
C13	10000.00	22° 30' 00"	124.28	148.66	125.18
C14	10000.00	22° 30' 00"	124.28	148.66	125.18
C15	10000.00	22° 30' 00"	124.28	148.66	125.18
C16	10000.00	22° 30' 00"	124.28	148.66	125.18
C17	10000.00	22° 30' 00"	124.28	148.66	125.18
C18	10000.00	22° 30' 00"	124.28	148.66	125.18
C19	10000.00	22° 30' 00"	124.28	148.66	125.18
C20	10000.00	22° 30' 00"	124.28	148.66	125.18
C21	10000.00	22° 30' 00"	124.28	148.66	125.18
C22	10000.00	22° 30' 00"	124.28	148.66	125.18
C23	10000.00	22° 30' 00"	124.28	148.66	125.18
C24	10000.00	22° 30' 00"	124.28	148.66	125.18
C25	10000.00	22° 30' 00"	124.28	148.66	125.18
C26	10000.00	22° 30' 00"	124.28	148.66	125.18
C27	10000.00	22° 30' 00"	124.28	148.66	125.18
C28	10000.00	22° 30' 00"	124.28	148.66	125.18
C29	10000.00	22° 30' 00"	124.28	148.66	125.18
C30	10000.00	22° 30' 00"	124.28	148.66	125.18
C31	10000.00	22° 30' 00"	124.28	148.66	125.18
C32	10000.00	22° 30' 00"	124.28	148.66	125.18
C33	10000.00	22° 30' 00"	124.28	148.66	125.18
C34	10000.00	22° 30' 00"	124.28	148.66	125.18
C35	10000.00	22° 30' 00"	124.28	148.66	125.18
C36	10000.00	22° 30' 00"	124.28	148.66	125.18
C37	10000.00	22° 30' 00"	124.28	148.66	125.18
C38	10000.00	22° 30' 00"	124.28	148.66	125.18
C39	10000.00	22° 30' 00"	124.28	148.66	125.18
C40	10000.00	22° 30' 00"	124.28	148.66	125.18
C41	10000.00	22° 30' 00"	124.28	148.66	125.18
C42	10000.00	22° 30' 00"	124.28	148.66	125.18
C43	10000.00	22° 30' 00"	124.28	148.66	125.18
C44	10000.00	22° 30' 00"	124.28	148.66	125.18
C45	10000.00	22° 30' 00"	124.28	148.66	125.18
C46	10000.00	22° 30' 00"	124.28	148.66	125.18
C47	10000.00	22° 30' 00"	124.28	148.66	125.18
C48	10000.00	22° 30' 00"	124.28	148.66	125.18
C49	10000.00	22° 30' 00"	124.28	148.66	125.18
C50	10000.00	22° 30' 00"	124.28	1	

8. SANITARY SEWER AND WATER LINES TO BE 6" PIPE AND 6" PIPES RESPECTIVELY. SEE SECTION 10.00 FOR SPECIFICATIONS OF ALL LINES SPECIFICATIONS.
9. ALL SANITARY SEWERS TO BE WATER MAIN TO BE PULVED.
10. LOT DIMENSIONS SHOWN ARE APPROXIMATE AND MAY VARY UP TO 10 FEET.
11. ALL DIMENSIONS ALONG CURVES ARE CHORD DISTANCES.
12. ALL PAVING HAD TO BE 2" OR LESS UNDESIRABLE NOTES.
13. ALL INTERSECTION ANGLES SHALL BE 90° UNLESS OTHERWISE NOTED.
14. STREET VEHICULAR ACCESS TO HOLMBRIDGE STREET, V STREET & NORTH 96TH STREET IS RECOMMENDED EXCEPT AS SHOWN.
15. ALL ELEVATIONS ARE BASED ON NAVD 1988.
16. SIDEWALKS TO BE BUILT ALONG BOTH SIDES OF STREETS. SIDEWALKS ALONG BACKLASH STREET TO BE BUILT ALONG ONE SIDE OF STREET.
17. EASEMENTS AS SHOWN SHALL BE GRANTED FOR PUBLIC USE AND FOR SIDEWALKS. SIDEWALKS IN PRESTANDARD EASEMENTS SHALL BE 6' WIDE AND THE EASEMENTS SHALL BE 10' WIDE.

11. TOTAL USAGE:
BASE
249 SINGLE FAMILY
104 TOWNHOME
1 PROPOSED SCHOOL SITE

TOTAL LOTS = 664
TOTAL BLOCKS = 29

OUTSIDE "A", "B", "C", "D", "E" & "F" - DETENTION CELLS, DRAINAGE WAY & GREEN SPACE

12. BLOCKS 1, 2, 3, 4 AND LOTS 11-12 BLOCK 7 ARE TOWNHOME LOTS.
13. ORNAMENTAL LIGHTING ALONG ALL PUBLIC STREETS SHALL BE IN ACCORDANCE WITH L.E.S. REGULATIONS.
14. THE DEVELOPER AGREES TO COMPLY WITH THE DESIGN STANDARDS OF THE CITY OF LINCOLN FOR DRAINAGE AND SEDIMENTATION CONTROL, DURING AND AFTER LAND PREPARATION AND FURTHER TO SUBMIT A SEEDING AND MAINTENANCE SCHEDULE BE

15. THE DEVELOPER AGREES TO COMPLY WITH PROVISIONS OF THE LAND SUBDIVISION ORDINANCE REGARDING LAND PREPARATION.
16. EXISTING BUILDINGS SHALL BE REMOVED PRIOR TO FILING OF THE FINAL PLAN.
17. TEMPORARY ASPHALT "TLY BY" LANES SHALL BE CONSTRUCTED ON THE ARTERIAL ROADWAY AS DESIGNATED ON THE PLANS. THESE TEMPORARY IMPROVEMENTS WILL BE AT THE DEVELOPER'S COST.
18. THE "B" AND "D" STREET INTERSECTION LOCATION IS BEING COORDINATED BY THE

19. LOTS 1 AND 2, BLOCK 10 SHALL BE INITIALLY PLANNED, PLATTED INTO ONE LOT TO SERVE AS THE LOCATION FOR THE TEMPORARY PUMP STATION. THEY WILL BE PLATTED INTO RESIDENTIAL LOTS ONCE THE PUMP STATION HAS BEEN REMOVED FROM THE SITE.
20. THE LOCATION OF THE TEMPORARY FORCE MAIN IN BUSH STREET, ADAMS STREET, AND HOLDCRECK STREET WILL BE SUBJECT TO CITY AND COUNTY APPROVAL.
21. THE CRITERIA FOR THE DESIGN OF THE TEMPORARY PUMP STATION SHALL BE DETERMINED DURING APPROPRIATE MEETINGS.
22. THE TEMPORARY PUMP STATION AND FORCE MAIN SHALL BE DESIGNED AND CONSTRUCTED TO BE REMOVED AND REPLACED BY A PERMANENT PUMP STATION AND FORCE MAIN.

23. THE EXACT LOCATION OF THE PROPOSED BIKE TRAIL EASEMENT SHALL BE DETERMINED IN THE FIELD WITH THE PARKS DEPARTMENT AT THE TIME OF CONSTRUCTION. IT SHALL BE ALIGNED WITHIN THE MINIMUM FLOOD CORRIDOR.

24. IMPACTS AND MITIGATION TO THE MINIMUM FLOOD CORRIDOR SHALL BE COORDINATED WITH THE WATERSHED MANAGEMENT DEPARTMENT OF PUBLIC WORKS.

25. ADJUSTMENTS TO THE NRD FLOOD CONTROL EASEMENTS SHALL BE COORDINATED WITH THE NRD AND SHALL BE SUBJECT TO NRD APPROVAL.

26. LANDSCAPE SCHEDING & STREET TREE PLAN SHALL BE COORDINATED UNTIL TIME OF FINAL PLAT.
27. THE RELOCATION OF ANY EXISTING UTILITIES SHALL BE COORDINATED WITH THE RESPECTIVE UTILITY COMPANIES.
28. RETAINING TO BE INSTALLED IN ACCORDANCE WITH A CORPS OF ENGINEERS 404 FORM.
29. ALL ENTRANCE SIGNS SHALL BE PLACED IN EASEMENTS SHOWN, & LOCATED OUTSIDE SITE TRIANGLES.
30. THE VACATION OF SLURRY SLOPE ROAD RIGHT OF WAY SHALL BE COORDINATED WITH

THE SUNSHINE ESTATES HOME OWNERS ASSOCIATION AND THE LANCASTER COUNTY ENGINEERS OFFICE, THE EXISTING ASPHALT ROADWAY SHALL BE REMOVED IF THE ROAD IS VACATED. THE EXISTING BLOCK 7 SHALL NOT BE FINAL PLATTED UNTIL SUNNY BLE ROAD HAS BEEN VACATED.

31. THE B-2 USE POINT SITE PLANS ARE NOT A PART OF THIS SUBMITTAL.

32. IRRIGATION AND MAINTENANCE OF MEADOWS AND ISLANDS IN PUBLIC RIGHT OF WAY LOCATED WITHIN THE DEVELOPMENT, SHALL BE THE RESPONSIBILITY OF A HOMEOWNERS ASSOCIATION. THIS WILL BE SUBJECT TO A LANDSCAPE MAINTENANCE AGREEMENT WITH THE PARKS AND RECREATION DEPARTMENT.

33. SEE PLUETS & BE-43 FOR OTHER SERVICE ALTERNATIVE OPTIONS.

34. THE ROADWAY CONNECTIONS TO SURPRISE ESTATES SHALL NOT BE MADE UNTIL NORTH 10TH STREET IS BUILT BETWEEN HOLDSBEG AND 10TH STREETS. AT THAT TIME THE EXISTING ROADWAYS SHALL BE MODIFIED TO MEET THE NEW ROADWAY.

35. THIS PROJECT IS COORDINATING WITH THE NCDOT ON THE 10TH STREET IMPACT PROJECT.

36. AN EXHIBIT THAT DESIGNATES LOTS WHICH MAY ENCOUNTER POSSIBLE GROUNDWATER SHALL BE GIVEN TO POTENTIAL LOT BUYERS PRIOR TO PURCHASING THOSE LOTS.

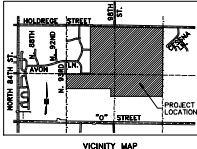
37. THE PROBABLE BEHAVIOR OF GROUNDWATER UNDER THE PROPOSED DEVELOPMENT SHALL BE DETERMINED BY A GEOTECHNICAL ENGINEER.

37. THE DEDICATION OF HIGHWAY 600 OF WATSON STREET SHALL BE COORDINATED WITH THE FUNCTIONAL DESIGN FOR IMPROVING NORTH 60TH STREET AND HOLDFORD STREET.
38. SITE TRIANGLES WILL BE PROPERLY SIZED WITH THE DESIGN OF 60TH STREET AND ROADWAY OR EASEMENT WILL BE DEDICATED FOR THE TRIANGLES AT THE TIME OF PLATS.
39. ROADWAY IMPROVEMENTS TO 60TH STREET, HOLDFORD STREET, AND "C" STREET SHALL BE MADE IN ACCORDANCE WITH THE AMENDATION AGREEMENT.
40. A LETTER OF MAP REVISION MUST BE COMPLETED ON THE PROPERTY INCLUDED WITH PRELIMINARY PLAT AFTER CONSTRUCTION OF THE DAM IS COMPLETE AND THE NEW FLOODPLAIN FOR STEVENS CREEK HAS BEEN OFFICIALLY ADOPTED BY FEMA, AND THE PLAT IS RECORDED.

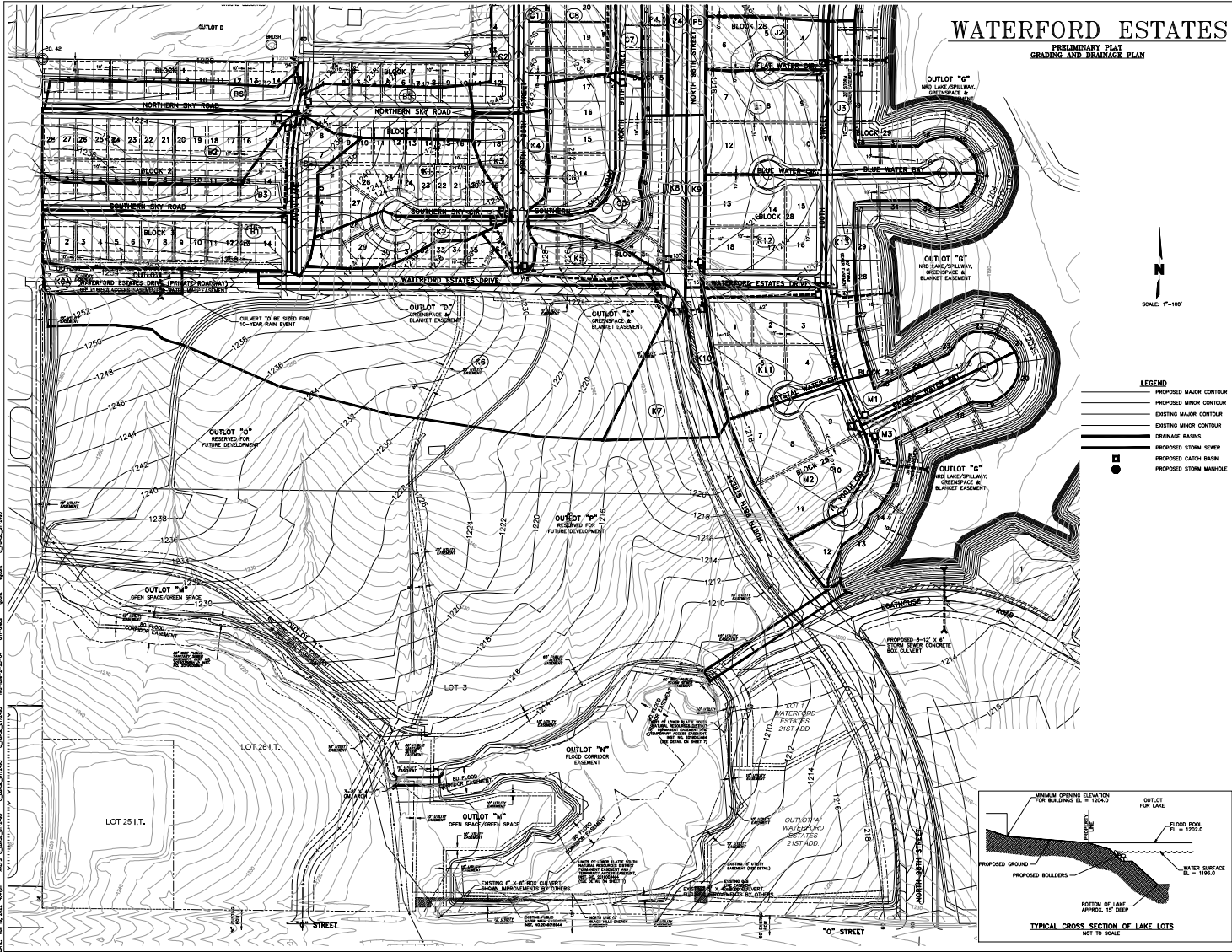
REQUESTED WAIVERS

1. A WAIVER TO THE DESIGN STANDARDS OF LINCOLN TO ALLOW THE TRANSFER OF SEWAGE FROM ONE BASIN TO ANOTHER BY A LIFT STATION.
2. A WAIVER TO THE LINCOLN MUNICIPAL CODE TO ALLOW LOT LINES NOT PERPENDICULAR TO THE FRONT OF BAY.
3. A WAIVER TO THE DESIGN STANDARDS OF LINCOLN TO ALLOW SANITARY SEWER MAINS TO CROSS UNDER STREET GRADES.

4. A WRITER TO DEIFY THE SUBMITTAL OF A USE PERMIT ON THE 18-2 PARCELS.
5. A WRITER TO THE DESIGN STANDARDS OF LINCOLN TO ALLOW SANITARY SEWERS TO THE MAXIMUM DEPTH OF 18", BUT NOT TO EXCEED 20'.
6. TO HAVE THE MINIMUM WIDTH TO DEPTH RATIO FOR OULETS "3", "2" & "1".
7. A WRITER TO THE CITY OF LINCOLN DESIGN STANDARDS, DRAINAGE CRITERIA MANUAL, SECTION 10.3 TO ALLOW IMPACTS TO THE MINIMUM FLOOD CORRIDOR.
8. A WRITER TO THE LINCOLN MUNICIPAL CODE TO THE REQUIREMENT FOR A PEDESTRIAN ELEMENT IN BLOCK 5.



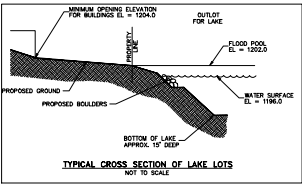
NOT TO SCALE



WATERFORD ESTATES **PRELIMINARY PLAT** **GRADING AND DRAINAGE PLAN**

N
 SCALE 1"=100'

- LEGEND**
- PROPOSED MAJOR CONTOUR
 - EXISTING MAJOR CONTOUR
 - EXISTING MINOR CONTOUR
 - DRAINAGE BASIN
 - PROPOSED STORM SEWER
 - PROPOSED CATCH BASIN
 - PROPOSED STORM MANHOLE



olsson

257 S. Street, Suite 200
 Lincoln, NE 68508
 TEL: 402.741.8311 www.olson.com

REVISIONS

NO.	DATE	DESCRIPTION
1	10/1/07	ISSUED FOR PERMIT

GRADING AND DRAINAGE PLAN
 EAST OF 10TH STREET
 WATERFORD ESTATES
 PRELIMINARY PLAT

LINCOLN, NEBRASKA

Sheet 07 OF 17



January 24, 2022

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

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

Dear George:

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

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

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

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

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

Southeast Community College is making the following applications and requests:

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

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

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

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

Thank you for your consideration of the above requests. If you require further information or have any questions, please do not hesitate to contact me at 402.458.5608 or ebright@olsson.com.

Regards,



Erin Bright, PE
Olsson

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



Department Review Status Report

Project Name: CZ22001

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

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

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

Department Review Status Report

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