

Lincoln City - Lancaster County

PLANNING COMMISSION AGENDA

PLANNING COMMISSION

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PLANNING STAFF

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

March 30, 2022

NOTICE: The Lincoln/Lancaster County Planning Commission will hold a public hearing on Wednesday, March 30, 2022, at 1:00 p.m. in Hearing Room 112 on the first floor of the County-City Building, 555 S. 10th St., Lincoln, Nebraska. For more information, call the Planning Department, (402) 441-7491.

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

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

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

AGENDA

WEDNESDAY, March 30, 2022

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

1. CONSENT AGENDA (Public Hearing and Administrative Action)

ANNEXATION AND RELATED ITEMS:

- 1.1a ANNEXATION 22004, to annex approximately 35.80 acres, more or less, on property generally located at West Old Cheney Road and Southwest 12th Street.

Staff recommendation: Approval

Staff Planner: Benjamin Callahan, 402-411-6360, bcallahan@lincoln.ne.gov

- 1.1b CHANGE OF ZONE 22006, from AG (Agricultural District) to R-3 (Residential District), on property generally located at West Old Cheney Road and Southwest 12th Street.

Staff recommendation: Approval

Staff Planner: Benjamin Callahan, 402-411-6360, bcallahan@lincoln.ne.gov

SPECIAL PERMITS:

- 1.2 Special Permit 1855A, an amendment to the Country Plaza Special Permit for Planned Service Commercial to adjust the side yard setback from 50' to 25', on property generally located at South 56th Street and Waltz Road.

Staff recommendation: Conditional Approval

Staff Planner: Brian Will, 402-411-6362, bwill@lincoln.ne.gov

- 1.3 Special Permit 22004, to allow for a home-based business to assemble, repair, and/or sell custom-made firearms, on property generally located at 18101 Princeton Road. The Planning Commission action is final, unless appealed to the Lancaster County Board.

***** FINAL ACTION *****

Staff recommendation: Conditional Approval

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

2. **REQUESTS FOR DEFERRAL**

3. **ITEMS REMOVED FROM CONSENT AGENDA**

4. **PUBLIC HEARING AND ADMINISTRATIVE ACTION**

COMPREHENSIVE PLAN AMENDMENT AND RELATED ITEMS:

- 4.1a COMPREHENSIVE PLAN AMENDMENT 22001, to amend the Lincoln-Lancaster County 2050 Comprehensive Plan to revise the Future Land Use Map, Growth Tiers Map, and Future Service Limit, to include a new Commercial area on the east side of Highway 77 near West Pioneers Blvd, on property generally located at Highway 77 and West Pioneers Blvd.

Staff recommendation: Approval

Staff Planner: Andrew Thierolf, 402-411-6371, athierolf@lincoln.ne.gov

- 4.1b ANNEXATION 21013, to annex approximately 141.46 acres, more or less, on property generally located at the southeast corner of Highway 77 and West Pioneers Blvd.

Staff recommendation: Conditional Approval

Staff Planner: Benjamin Callahan, 402-411-6360, bcallahan@lincoln.ne.gov

- 4.1c CHANGE OF ZONE 21057, from AG (Agricultural District) to R-3 (Residential District) PUD (Planned Unit Development for the Wilderness Crossing) PUD for up to 575 residential units and 30,000 square feet for commercial floor area with adjustments to the Zoning and Subdivision Ordinance regulations, on property generally located at 4575 South 1st Street and West Pioneers Blvd.

Staff recommendation: Conditional Approval

Staff Planner: Benjamin Callahan, 402-411-6360, bcallahan@lincoln.ne.gov

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

PRELIMINARY PLAT:

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

Staff recommendation: Conditional Approval

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

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

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Adjournment

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

Planning Department Staff Contacts:

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Andrew Thierolf, <i>Planner</i>	402-441-6371	athierolf@lincoln.ne.gov
George Wesselhoft, <i>Planner</i>	402-441-6366	gwesselhoft@lincoln.ne.gov
Brian Will, <i>Planner</i>	402-441-6362	bwill@lincoln.ne.gov

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

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

ACCOMMODATION NOTICE

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

LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT

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

APPLICATION NUMBER
Annexation #22004
Change of Zone #22006

FINAL ACTION?
No

DEVELOPER/OWNER
Southwest Folsom Development, LLC

PLANNING COMMISSION HEARING DATE
March 30, 2022

RELATED APPLICATIONS
None

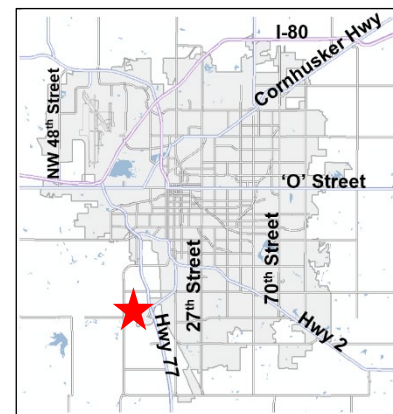
PROPERTY ADDRESS/LOCATION
Southeast corner of W Old Cheney Road
and SW 12th Street.

**RECOMMENDATION: ANNEXATION #22004
CHANGE OF ZONE #22006**

**APPROVAL
APPROVAL**

BRIEF SUMMARY OF REQUEST

This is a combined staff report for two related applications associated with the SW Village Heights property, located approximately between SW 12th Street and S. Folsom Street, south of W. Old Cheney Road. The annexation includes approximately 35.80 acres and the change of zone request include approximately 35.39 acres from AG, Agriculture to R-3, Residential. The annexation is slightly larger than the change of zone as it includes the right of way of W Old Cheney Road. The proposal is the remaining portion of Phase 2 and a portion of Phase 3 of the developing Southwest Village Heights subdivision.



JUSTIFICATION FOR RECOMMENDATION

The subject property is abutting the city limits to south and east, and a full range of municipal services can be provided if annexed. It is within the City's Future Service Limits and designated for future urban residential land uses. A change of zone from AG to R-3 is consistent with the Future Land Use Map designation, and compatible with surrounding development. Both requests comply with the Zoning Ordinance and are consistent with the Comprehensive Plan.

APPLICATION CONTACT
Brandon Bartek, Olsson Associates
(402) 458-5632
bbartek@olssonassociates.com

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

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The subject property is designated for future urban residential land uses on the Future Land Use Map. This designation allows for residential uses with varying densities, and it is appropriate to have more than fifteen dwellings per acre. The location is shown as Tier I, Priority A on the 2050 Growth Tier Map. These requests comply with the requirements of the Zoning Ordinance and Comprehensive Plan.

KEY QUOTES FROM THE 2050 COMPREHENSIVE PLAN

Introduction Section: Growth Framework

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

Land Use Plan - The 2050 Comprehensive Plan designates this location as future urban residential.

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

Fundamentals of Growth in Lancaster County

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

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

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

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

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

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

The Community in 2050

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

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

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

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

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

Benefits of Well-Planned Growth

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

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.

G3: High-Quality Workforce. Lincoln and Lancaster County will strive to remove barriers to economic stability and mobility in the community by supporting a skilled and educated workforce that is able to adapt to economic, technological, and cultural changes. A high-quality workforce benefits the entire community because it attracts quality employers and entrepreneurs, which helps to grow our population and tax base and facilitates quality of life investments across a variety of sectors, and it ensures that Lincoln and Lancaster County are well-positioned to compete in tomorrow’s economy.

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.

Policies Section

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

Action Steps

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

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

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

Action Steps

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

UTILITIES & SERVICES:

- A. Sanitary Sewer: Public sanitary sewer can be extended to serve this development.
- B. Water: Public water is also available and can be extended from the existing development of Phase 1.
- C. Roads: The adjacent arterial streets, W Old Cheney Road and SW 12th Street are both paved county roads at this time.
- E. Parks and Trails: There are no parks or future trails shown for this property.
- D. Fire/Police Protection: After annexation, fire protection will be provided by Lincoln Fire Rescue (LFR) and police protection by the Lincoln Police Department. This development is currently more than four minutes of travel time from the nearest fire station however LFR goal is four minutes or less of travel time from the nearest station.

ANALYSIS

- 1. There are two associated requests for an annexation including approximately 35.80 acres and a change of zone including approximately 35.39 acres. The annexation will include a small section of right of way along W Old Cheney Road. This proposal is for the continued development for the remaining portion of Phase 2 and small portion of Phase 3 for the subdivision which as been developing in phases.
- 2. The development can be served by the full range of city services.
- 3. The area of the annexation and change of zone is part of an overall development that was approved by Southwest Village Heights 1st Addition preliminary plat in January 2020 and has been annexed and rezoned in phases. The existing Phase 1 and portion of Phase 2 will be located along the east side of this proposal.
- 4. The subject property is located within the Southwest Rural Fire District. Under State law, the District can petition for compensation from the annexing municipality for lost revenue based upon the amount of service area annexed. For voluntary annexations such as this one, any costs due to the district are to be borne by the developer. In this case, staff has conducted the financial analysis and there should be no funds due to the District.
- 5. The proposed annexation and re-zoning of the area will facilitate new residential development at urban densities contiguous to the existing City limits of Lincoln with all public utilities. 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. This proposal is consistent with the ongoing residential growth currently developing in the southwest area of the city.
- 6. The proposed R-3 zoning for future residential lots is compatible with the adjacent land uses and extension of the

existing development. To the south is a previously approved R-4 residential subdivision and to the east is the existing Phase 1 and 2 of this subdivision zoned R-3 and R-4. Property to the north is currently vacant/agricultural land zoned AG. To the west and southwest are residential acreage lots zoned AGR and vacant/agriculture land zoned AG.

EXISTING LAND USE & ZONING: vacant/agricultural land; AG

SURROUNDING LAND USE & ZONING

North:	AG Agriculture	Vacant/Farm ground
South:	R-4 Residential	Vacant/Farm ground
East:	R-3 Residential	Single-family residential
West:	AGR / AG Agriculture	Acreage lots / Farm ground

APPLICATION HISTORY

July 2018	Annexation #18004 and Change of Zone #18017 for Southwest Village Heights was approved by the City Council. This annexed approximately 42 acres with a change of zone from AG to R-3.
January 2020	Preliminary Plat #18002 for Southwest Village Heights 1 st Addition was approved by the Lincoln-Lancaster County Planning Commission.
March 30, 2020	Change of Zone #19030 for a change of zone from R-3 to R-4 on 15.82 acres was approved by the City Council.
March 15, 2021	Annexation #21001 and Change of Zone #21001 for Southwest Village Heights was approved by City Council. This annexed approximately 41.33 acres with a change of zone from AG to R-3.

APPROXIMATE LAND AREA: Annexation 35.80 acres, more or less
Change of Zone 35.39 acres, more or less

PROPOSED CITY COUNCIL DISTRICT ASSIGNMENT: District #3

LEGAL DESCRIPTION:

Change of Zone: A portion of Lot 41, I.T., located in the NW 1/4 of Section 15-9-6.

Annexation: A portion of Lot 41, I.T., and adjacent right-of-way, located in the NW 1/4 of Section 15-9-6.

(See attached detailed legal descriptions)

Prepared by

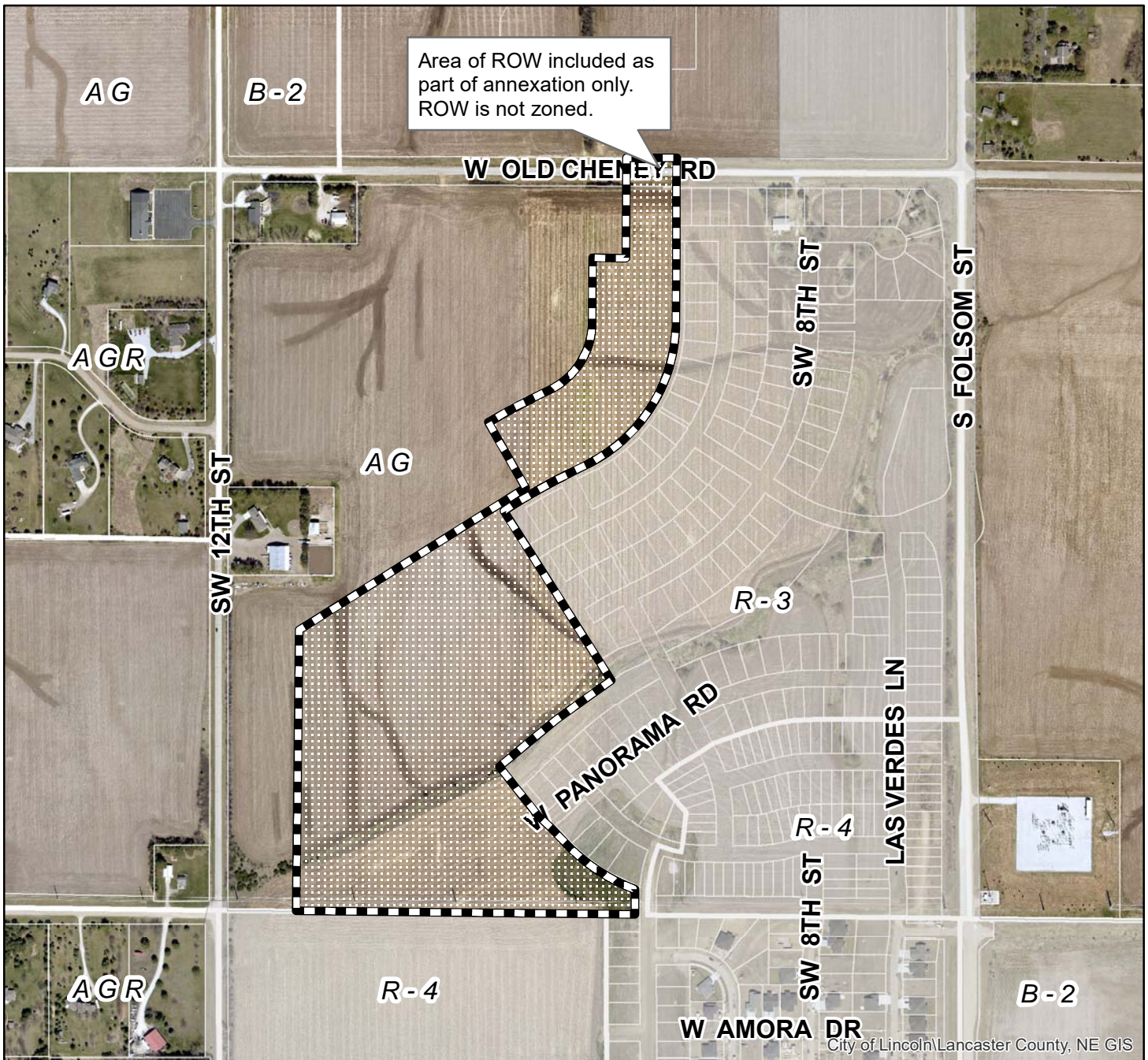
Benjamin Callahan, Planner

Date: March 17, 2022

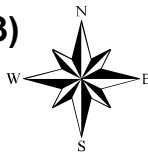
Applicant: Brandon Bartek
Olsson Associates
601 P Street, Suite 200
Lincoln, NE 68508

Owner: SW Folsom Development, LLC
1640 Normandy Court, Ste. A
Lincoln, NE 68512

<https://linclanc.sharepoint.com/sites/PlanningDept-DevReview/Shared Documents/DevReview/AN/22000/AN22004 & CZ22006 SW Village Heights PUD.bmc.docx>



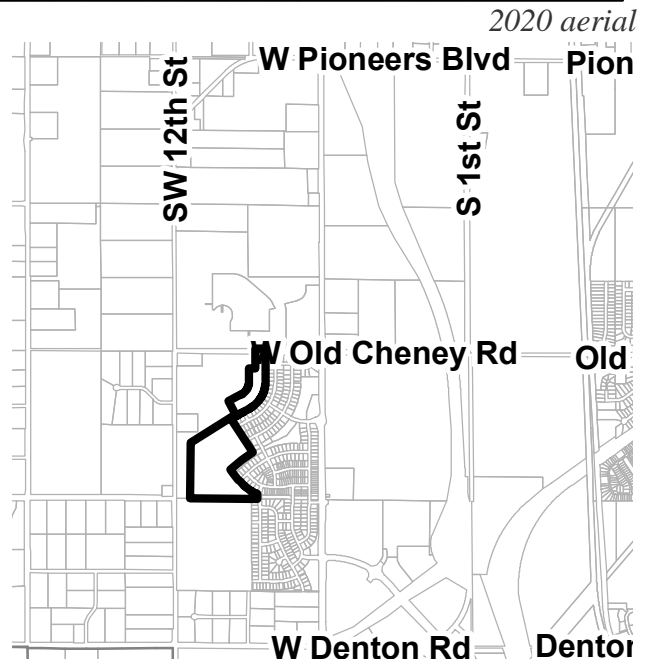
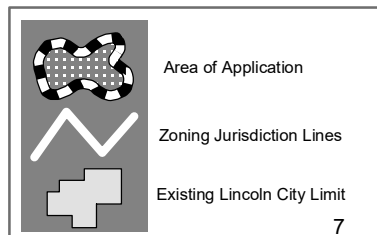
**Annexation #: AN22004 &
Change of Zone #: CZ22006 (AG to R-3)
Southwest Village Heights
SW 12th St & W Old Cheney Rd**



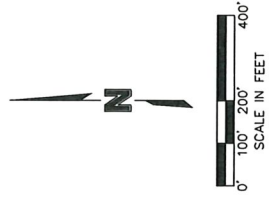
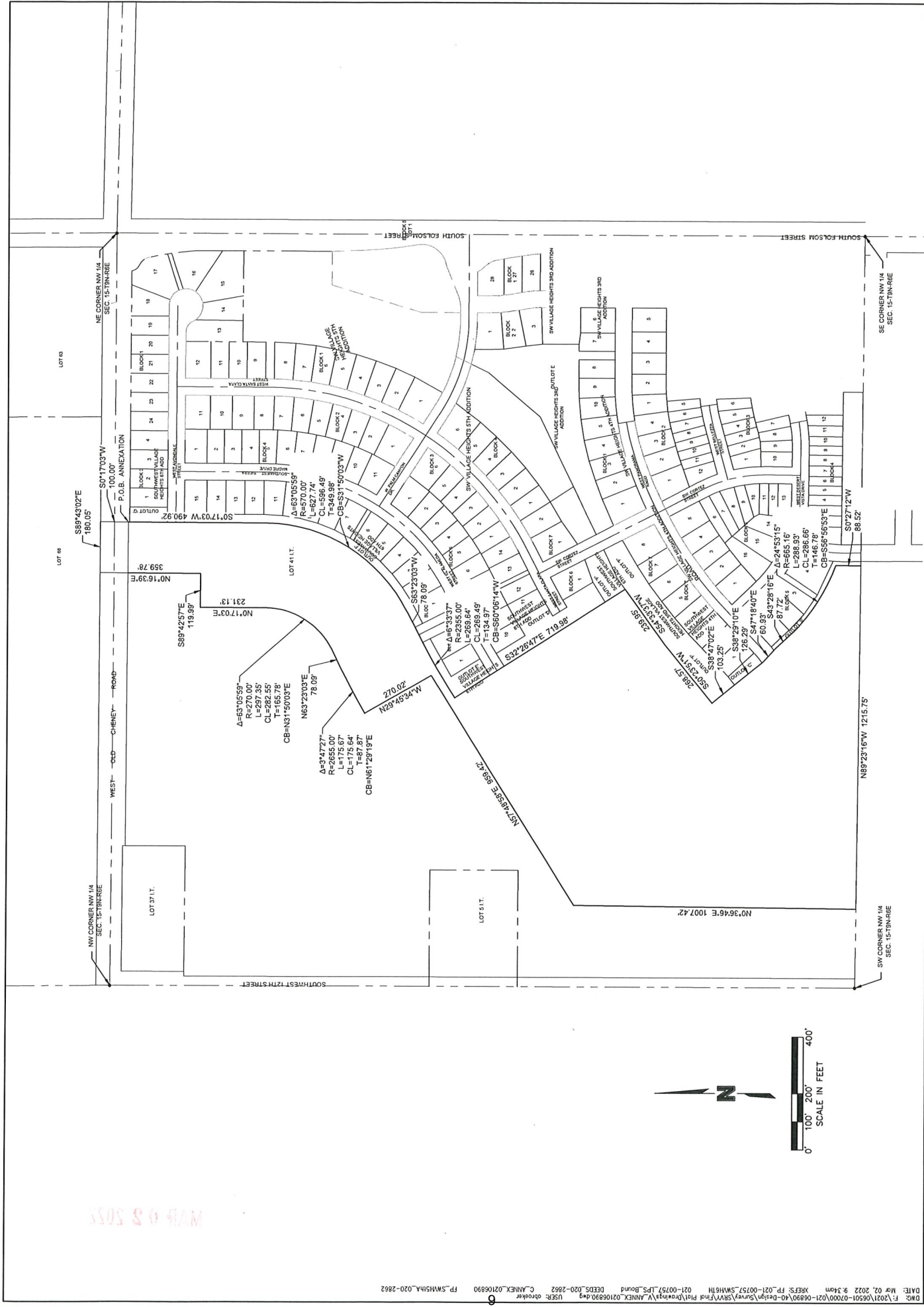
Zoning:

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

**Two Square Miles:
Sec.10 T09N R06E
Sec.15 T09N R06E**



W 9 8 5055



ANNEXATION LOT 41 I.T. IN THE NORTHWEST QUARTER SEC. 15, T9N, R6E



March 1, 2022

Mr. David Cary
Planning Director
Lincoln/Lancaster County Planning Department
555 South 10th St., Room 213
Lincoln, NE 68508

Re: Southwest Village Heights 1st Addition
Change of Zone, Annexation, and Administrative Amendment to the Preliminary Plat
Olsson Project No. 017-3161, 021-06890

Dear Mr. Cary,

On behalf of Southwest Folsom Development, LLC ("Developer"), I submit the attached application for a Change of Zone from AG to R-3 and the associated annexation request for 35.39 acres of land within the approved Southwest Village Heights 1st Preliminary Plat #18002 (AA21015), located in the southwest corner of Old Cheney Rd. and S. Folsom St. Additionally, we are requesting an administrative amendment to revise profile grades and associated drainage changes.

The main change to the profile grades is shifting the high point along SW 10th Street farther south to better tie the grades into the existing acreage on the west side of the property. Other profiles have been adjusted to accommodate this shift, and drainage areas have reflected the minor changes.

The Southwest Village Heights 1st Addition Preliminary Plat is continuing to develop in accordance with the original conceptual plans that included lot layouts and grading/drainage. The drainage study is not being updated because the proposed drainage plan is in conformance with the approved drainage study.

Enclosed please find the following:

1. City of Lincoln application
2. PUD site plan (8 ½ x 11)
3. CoZ Exhibit
4. Annexation Exhibit
5. Application fees in the amount of \$1,215.00.

Plans and other supporting documents will be submitted to ProjectDox upon notification from the Planning Staff. If you require further information or have any questions, please do not hesitate to contact me at bbartek@olsson.com or (402) 458-5002.

Sincerely,

A handwritten signature in blue ink that reads "Brandon P. Bartek". The signature is fluid and cursive, with a long horizontal line extending from the end.

Brandon Bartek
Cc: Southwest Folsom LLC, DaNay Kalkowski

ANNEXATION LEGAL

A TRACT OF LAND COMPOSED OF A PORTION OF LOT 41 I.T., AND A PORTION OF WEST OLD CHENEY ROAD RIGHT OF WAY, LOCATED IN THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 9 NORTH, RANGE 6 EAST OF THE 6TH P.M., AND COMPOSED OF A PORTION OF WEST OLD CHENEY ROAD RIGHT OF WAY, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 9 NORTH, RANGE 6 EAST OF THE 6TH P.M., LANCASTER COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 41 I.T., SAID POINT BEING ON THE SOUTH RIGHT OF WAY LINE OF SAID WEST OLD CHENEY ROAD; THENCE, SOUTH, ON AN EAST LINE OF SAID LOT 41 I.T., ON AN ASSUMED BEARING OF $S00^{\circ}17'03''W$, A DISTANCE OF 490.92' TO A POINT OF CURVATURE FOR A CURVE IN A CLOCKWISE DIRECTION, HAVING A CENTRAL ANGLE OF $63^{\circ}05'59''$, A RADIUS OF 570.00', AN ARC LENGTH OF 627.74', ON AN EAST LINE OF SAID LOT 41 I.T., A CHORD LENGTH OF 596.49', A TANGENT LENGTH OF 349.98', AND A CHORD BEARING OF $S31^{\circ}50'03''W$, TO A SOUTHEAST CORNER OF SAID LOT 41 I.T.; THENCE $S63^{\circ}23'03''W$, ON A SOUTHEAST LINE OF SAID LOT 41 I.T., A DISTANCE OF 78.09' TO A SOUTHEAST CORNER OF SAID LOT 41 I.T., SAID POINT BEING A POINT OF CURVATURE FOR A NON-TANGENT CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A CENTRAL ANGLE OF $06^{\circ}33'37''$, A RADIUS OF 2,355.00', AN ARC LENGTH OF 269.64', ON A SOUTHEAST LINE OF SAID LOT 41 I.T., A CHORD LENGTH OF 269.49', A TANGENT LENGTH OF 134.97', AND A CHORD BEARING OF $S60^{\circ}06'14''W$ TO A SOUTHEAST CORNER OF SAID LOT 41 I.T.; THENCE, $S32^{\circ}26'47''E$, ON A NORTHEAST LINE OF SAID LOT 41 I.T., A DISTANCE OF 719.98' TO A NORTHEAST CORNER OF SAID LOT 41 I.T.; THENCE $S54^{\circ}33'37''W$, ON A SOUTHEAST LINE OF SAID LOT 41 I.T., A DISTANCE OF 239.95' TO A SOUTHEAST CORNER OF SAID LOT 41 I.T.; THENCE $S50^{\circ}23'51''W$, ON A SOUTHEAST LINE OF SAID LOT 41 I.T., A DISTANCE OF 268.57' TO A SOUTHEAST CORNER OF SAID LOT 41 I.T.; THENCE $S38^{\circ}47'02''E$, ON A NORTHEAST LINE OF SAID LOT 41 I.T., A DISTANCE OF 103.25' TO A NORTHEAST CORNER OF SAID LOT 41 I.T.; THENCE $S38^{\circ}29'10''E$, ON A NORTHEAST LINE OF SAID LOT 41 I.T., A DISTANCE OF 126.29' TO A NORTHEAST CORNER OF SAID LOT 41 I.T.; THENCE $S47^{\circ}18'40''E$, ON A NORTHEAST LINE OF SAID LOT 41 I.T., A DISTANCE OF 60.93' TO A NORTHEAST CORNER OF SAID LOT 41 I.T.; THENCE $S43^{\circ}28'16''E$, ON A NORTHEAST LINE OF SAID LOT 41 I.T., A DISTANCE OF 87.72' TO A POINT OF CURVATURE FOR A NON-TANGENT CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A CENTRAL ANGLE OF $24^{\circ}53'15''$, A RADIUS OF 665.16', AN ARC LENGTH OF 288.93', ON A NORTHEAST LINE OF SAID LOT 41 I.T., A CHORD LENGTH OF 286.66', A TANGENT LENGTH OF 146.78', AND A CHORD BEARING OF $S56^{\circ}56'53''E$ TO AN EAST CORNER OF SAID LOT 41 I.T.; THENCE, $S00^{\circ}27'12''W$, ON AN EAST LINE OF SAID LOT 41 I.T., A DISTANCE OF 88.52' TO A SOUTHEAST CORNER OF SAID LOT 41 I.T.; THENCE $N89^{\circ}23'16''W$, ON A SOUTH LINE OF SAID LOT 41 I.T., SAID LINE BEING A SOUTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 1,215.75' TO A POINT; THENCE $N00^{\circ}36'46''E$, A DISTANCE OF 1,007.42' TO A POINT; THENCE $N57^{\circ}48'58''E$, A DISTANCE OF 959.42' TO A POINT; THENCE $N29^{\circ}45'34''W$, A DISTANCE OF 270.02' TO A POINT OF CURVATURE FOR A NON-TANGENT CURVE IN A CLOCKWISE DIRECTION, HAVING A CENTRAL ANGLE OF $03^{\circ}47'27''$, A RADIUS OF 2,655.00', AN ARC LENGTH OF 175.67', A CHORD LENGTH OF 175.64', A TANGENT LENGTH OF 87.87', AND A CHORD

BEARING OF N61°29'19"E TO A POINT; THENCE N63°23'03"E, A DISTANCE OF 78.09' TO A POINT OF CURVATURE FOR A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A CENTRAL ANGLE OF 63°05'59", A RADIUS OF 270.00', AN ARC LENGTH OF 297.35', A CHORD LENGTH OF 282.55', A TANGENT LENGTH OF 165.78', AND A CHORD BEARING OF N31°50'03"E TO A POINT; THENCE N00°17'03"E, A DISTANCE OF 231.13' TO A POINT; THENCE S89°42'57"E, A DISTANCE OF 119.99' TO A POINT; THENCE N00°16'39"E, A DISTANCE OF 359.78' TO A POINT ON THE NORTH LINE OF SAID WEST OLD CHENEY RIGHT OF WAY; THENCE S89°43'02"E, ON THE NORTH LINE OF SAID RIGHT OF WAY, SAID LINE BEING 50.00' NORTH OF AND PARALLEL WITH THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION, A DISTANCE OF 180.05' TO A POINT; THENCE S00°17'03"W, ALONG AN EXTENSION OF A EASTERLY LINE OF SAID LOT 41 I.T., A DISTANCE OF 100.00' TO THE POINT OF BEGINNING, SAID TRACT CONTAINS A CALCULATED AREA OF 1,559,637.00 SQUARE FEET OR 35.80 ACRES, MORE OR LESS.

March 16, 2022

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LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT

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

APPLICATION NUMBER Special Permit #1855A	FINAL ACTION No	DEVELOPER/OWNER Bill Krein, Krein Real Estate, Inc.
PLANNING COMMISSION HEARING DATE March 30, 2022	RELATED APPLICATIONS None	PROPERTY ADDRESS/LOCATION 5955 South 56 th Street South 56 th Street and Waltz Road

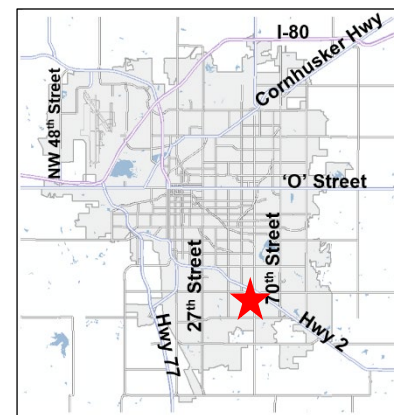
RECOMMENDATION: CONDITIONAL APPROVAL

BRIEF SUMMARY OF REQUEST

The Country Plaza development was approved in 2000 by a special permit for Planned Service Commercial in the H-4 zoning district. The applicable setbacks are: Front - 20'; Side - 20' (50' when adjacent to residential); Rear - 30' or 20% of lot depth.

This is a request to adjust the side yard setback from 50' to 25' to allow paving/parking in the side yard. The side yard in question is along the north line of the development adjacent to R-1 zoning. The adjacent R-1 tract is the location of the Adventure Golf Center which is there under a special permit for Outdoor Recreation.

The setback adjustment as shown on the site plan is to allow a driving aisle/parking in the side yard setback. No buildings are shown in it.



JUSTIFICATION FOR RECOMMENDATION

The H-4 50' setback to residential zoning is intended to protect the less intensive uses typically found in the residential zoning districts from the more intensive uses that can potentially be located in the H-4.

In this case, the H-4 is under a special permit for Planned Service Commercial and the subject lot is developed with a multi-tenant office/commercial/retail building. The adjacent R-1 tract is the home of the Adventure Golf Center there by a special permit for Outdoor Recreation.

Adjusting the side setback from 50' to 25' to allow for a driving aisle/parking area should have no significant impact on the outdoor recreation facility.

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

This request makes efficient use of commercially-zoned property without negatively impacting adjacent properties. This request is consistent with the intent of the Zoning Ordinance and the goals of the Comprehensive Plan.

APPLICATION CONTACT

Nate Burnett, REGA Engineering
402-484-7342
nate@regaeng.com

STAFF CONTACT

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

KEY QUOTES FROM THE 2050 COMPREHENSIVE PLAN

Introduction Section: Growth Framework

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

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.

Figure E3.f: Commercial Infill Design Strategies

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

ANALYSIS

1. This is a request to amend an existing special permit for Planned Service Commercial for Country Plaza located at South 56th Street and Waltz Road. The original special permit was approved in 2000 for up to 44,000 square feet of commercial floor area. A recent administrative amendment increased the floor area on the subject lot from 20,000 to 24,000 to accommodate the finish of a mezzanine above the first floor.
2. This application seeks to adjust the side yard setback from 50' to 25' for Lot 3 where it is adjacent to R-1 residential zoning on the north. In the H-4 zoning district, the setbacks are as follows:
Front - 20'; Side - 20', or 50' where abutting residential; Rear - 20', or 50' where abutting residential.
3. The Country Plaza development is zoned H-4 General Commercial and is adjacent to the County Plaza office park to the west which zoned R-T Residential Transition. Adjacent to the north is the Adventure Golf Center which is located in the R-1 zoning district by special permit for Outdoor Recreation.
4. Being adjacent to R-1 zoning the side setback adjacent to the north lot line is therefore the greater of the two required which in this case is 50'.

5. The building is setback from the lot line 50', but a driving aisle/parking area was subsequently added to the north side of the building which encroaches into the required side yard. Parking is not otherwise allowed in the side yard, so this request is seeking to adjust it to 25' to allow it to remain.
6. Adjacent to the north is an outdoor mini-golf course. Allowing parking to be located to within 25' will have little impact on the use. A 20' setback to parking areas is typical and allows for adequate separation. If the golf course should redevelop residentially in the future a 25' setback to parking will still be adequate.
7. Adjustments to lot, height and area requirements in a Special Permit for Planned Service Commercial must be approved by the City Council after review and recommendation by the Planning Commission. If approved this request will have no significant impact on surrounding properties and meets the intent of the Zoning Ordinance and is consistent with the Goals of the Comprehensive Plan.

CONDITIONS OF APPROVAL: See attached.

EXISTING LAND USE & ZONING: Commercial H-4

SURROUNDING LAND USE & ZONING

North: Outdoor Recreation	R-1
South: Commercial	H-4
East: S. 56 th , Commercial	H-4
West: Commercial	R-T

APPLICATION HISTORY

NOV 2000 - Special Permit #1855 was approved allowing up to 44,400 square feet of commercial floor area.

APPROXIMATE LAND AREA: 1.6 acres more or less (Lot 3)

LEGAL DESCRIPTION: Remaining portion Lot 3, Country Plaza First Addition, Lancaster County, Nebraska.

Prepared by

Brian Will, Planner
402-441-6362
bwill@lincoln.ne.gov
March 15, 2022

Applicant/

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

Owner: Krein Real Estate, Inc.
10601-G Tierrasanta Blvd, Box 270
San Diego, CA 92124
402-430-6483
billkrein@gmail.com

CONDITIONS OF APPROVAL - SPECIAL PERMIT #1855A

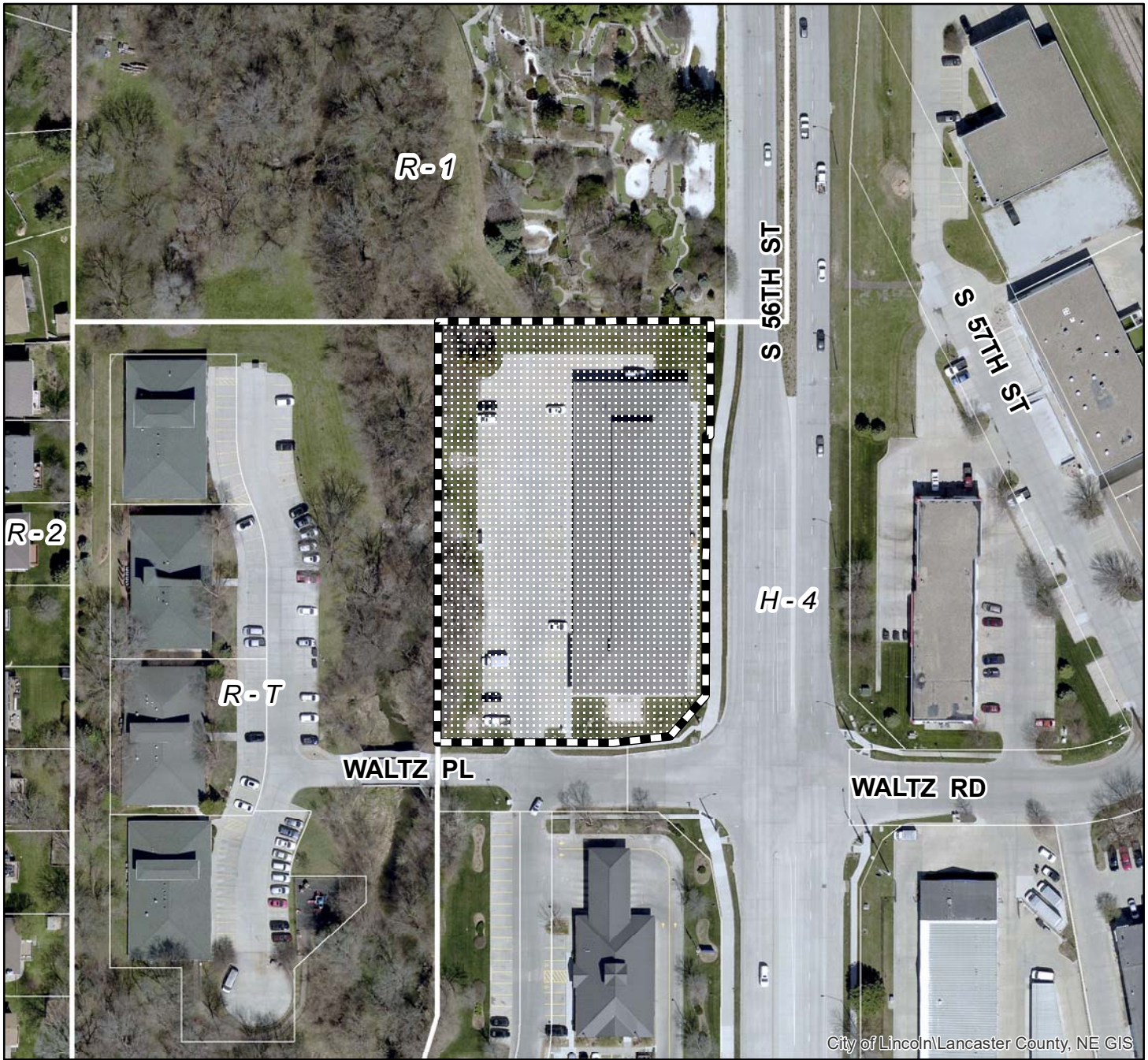
Per Section 27.63.470 Planned Service Commercial Special Permit permits a reduction in the side yard setback from 50' to 25' for the side yard adjacent to the north lot line of Lot 3 for parking.

Site Specific Conditions:

1. Before receiving building permits the permittee shall cause to be prepared and submitted to the Planning Department a revised and reproducible final plot plan including 2 copies with all required revisions and documents as listed below:
 - 1.1 Update the headings and table labels to reference 'Special Permit #1855A.'
 - 1.2 Add a Note #25 that states 'The side yard setback is adjusted from 50' to 25 for the side yard adjacent to the north lot line of Lot 3 for parking.'

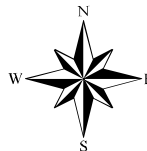
Standard Conditions:

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



2020 aerial

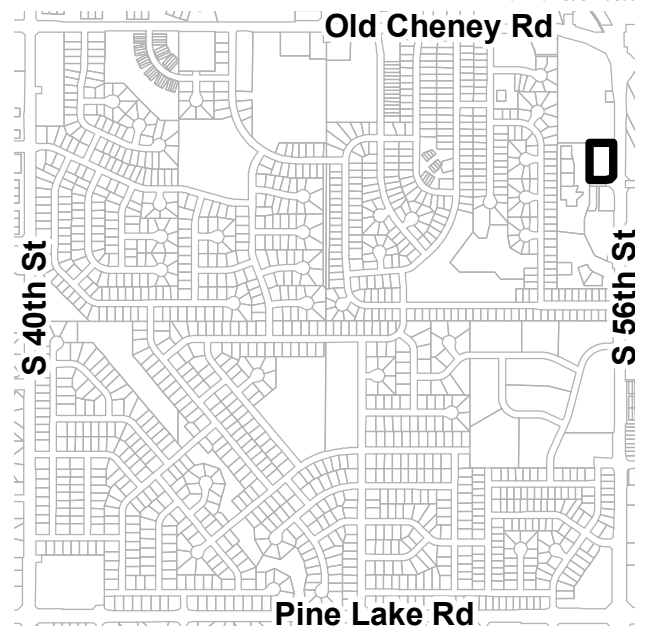
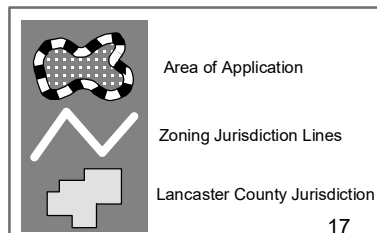
Special Permit #: SP1855A
Country Plaza
S 56th St & Waltz Pl

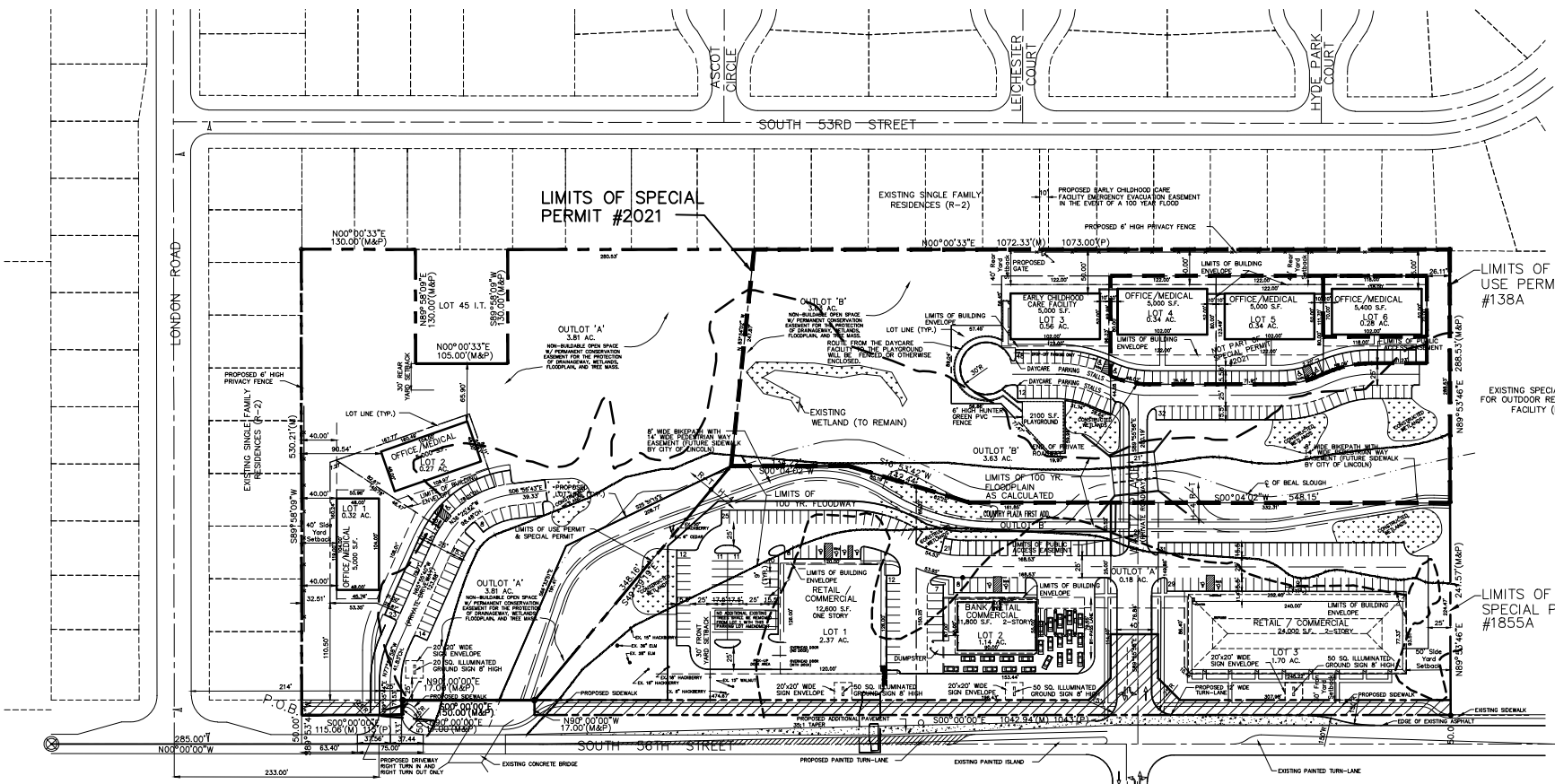


One Square Mile:
Sec.17 T09N R07E

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





LEGAL DESCRIPTION FOR SPECIAL PERMIT #1855

A survey of a portion of Lot 43 irregular tract, located in the Northwest Quarter of Section 17 Township 9 North Range 7 East of the Sixth Principal Meridian, Lancaster County, Nebraska. More particularly described by metes and bounds as follows:

Commencing at the East One Quarter of Section 17 Township 9 North Range 7 East of the Sixth Principal Meridian, Lancaster County, Nebraska. Thence North 00 Degrees 00 Minutes 00 Seconds West (or as extended bearing) on the East line of the Northwest Quarter of said Section 17 a distance of 285.00 feet; Thence South 89 Degrees 53 Minutes 48 Seconds East a distance of 23.00 feet; Thence North 00 Degrees 00 Minutes 00 Seconds West a distance of 115.00 feet; Thence South 89 Degrees 53 Minutes 48 Seconds East a distance of 17.00 feet; Thence North 00 Degrees 00 Minutes 00 Seconds West a distance of 150.00 feet to the Point of Beginning.

Thence North 49 Degrees 58 Minutes 19 Seconds East a distance of 345.18 feet; Thence North 00 Degrees 00 Minutes 00 Seconds East a distance of 134.22 feet; Thence North 18 Degrees 53 Minutes 42 Seconds East a distance of 142.42 feet; Thence North 00 Degrees 00 Minutes 00 Seconds East a distance of 548.15 feet; Thence North 89 Degrees 53 Minutes 48 Seconds East a distance of 247.47 feet; Thence South 00 Degrees 00 Minutes 00 Seconds East a distance of 134.22 feet; Thence North 00 Degrees 00 Minutes 00 Seconds West a distance of 17.00 feet to the Point of Beginning.

Containing a calculated area of 240,179.99 square feet or 5.51 acres more or less.

LEGAL DESCRIPTION FOR SPECIAL PERMIT #138A

A survey of a portion of Lot 43 irregular tract, located in the Northwest Quarter of Section 17 Township 9 North Range 7 East of the Sixth Principal Meridian, Lancaster County, Nebraska. More particularly described by metes and bounds as follows:

Commencing at the East One Quarter of Section 17 Township 9 North Range 7 East of the Sixth Principal Meridian, Lancaster County, Nebraska. Thence North 00 Degrees 00 Minutes 00 Seconds West (or as extended bearing) on the East line of the Northwest Quarter of said Section 17 a distance of 285.00 feet; Thence South 89 Degrees 53 Minutes 48 Seconds East a distance of 23.00 feet; Thence North 00 Degrees 00 Minutes 00 Seconds West a distance of 115.00 feet; Thence South 89 Degrees 53 Minutes 48 Seconds East a distance of 17.00 feet; Thence North 00 Degrees 00 Minutes 00 Seconds West a distance of 150.00 feet to the Point of Beginning.

Thence South 89 Degrees 58 Minutes 19 Seconds East a distance of 330.21 feet; Thence North 00 Degrees 00 Minutes 00 Seconds East a distance of 134.22 feet; Thence North 18 Degrees 53 Minutes 42 Seconds East a distance of 142.42 feet; Thence North 00 Degrees 00 Minutes 00 Seconds East a distance of 548.15 feet; Thence North 89 Degrees 53 Minutes 48 Seconds East a distance of 247.47 feet; Thence South 00 Degrees 00 Minutes 00 Seconds East a distance of 134.22 feet; Thence North 00 Degrees 00 Minutes 00 Seconds West a distance of 17.00 feet to the Point of Beginning.

Containing a calculated area of 240,179.99 square feet or 5.51 acres more or less.

LEGAL DESCRIPTION FOR SPECIAL PERMIT #2021 (EARLY CHILDHOOD CARE FACILITY)

Lot 1 and Outlot 'A', Country Plaza, 2nd Addition, located in the Northwest Quarter of Section 17 Township 9 North Range 7 East of the Sixth Principal Meridian, Lancaster County, Nebraska. Containing a calculated area of 192,842.82 square feet or 4.39 acres more or less.

- USE PERMIT #138A - GENERAL NOTES:**
- THE OWNER/DEVELOPER RESERVES THE RIGHT TO BUILD ANYWHERE WITHIN THE BUILDING DEVELOPMENTS SHOWN ON THIS USE PERMIT.
 - BUILDING HEIGHT SHALL NOT EXCEED 28 FEET (H-1).
 - MINIMUM LOT AREA SHALL BE 10,000 SQUARE FEET. MINIMUM LOT AREA SHALL BE 10,000 SQUARE FEET. MINIMUM LOT AREA SHALL BE 10,000 SQUARE FEET.
 - CONDOMINIUM AND PUBLIC ACCESS EXISTENCE ARE HEREBY GRANTED OVER ALL PRIVATE ROADS, DRIVES, DRIVEWAYS, PARKING AREAS AND SIDEWALKS SHOWN.
 - ALL EXISTING LOTTING SHALL COMPLY TO THE DESIGN STANDARDS AS ADOPTED BY THE CITY OF LINCOLN.
 - PRIVATE ROADS SHALL BE SURFACED WITH 8 INCHES OF PORTLAND CEMENT OR 6 INCHES OF ASPHALT CONCRETE. ALL PRIVATE ROADS SHALL HAVE A 3' HIGH CURB AND A 3' HIGH BASED CURB.
 - ALL PRIVATE ROADS SHALL BE 20' WIDE BACK OF CURB TO BACK OF CURB UNLESS OTHERWISE NOTED. ALL PRIVATE STREETS SHALL BE 20' WIDE BACK OF CURB TO BACK OF CURB UNLESS OTHERWISE NOTED. ALL PRIVATE STREETS SHALL BE 20' WIDE BACK OF CURB TO BACK OF CURB UNLESS OTHERWISE NOTED.
 - SEWERAGE ALONG PRIVATE ROADS SHALL BE A MINIMUM OF 4 FEET IN WIDTH AND LOCATED A MINIMUM OF 4 FEET FROM THE STREET SIDE OF THE ROAD. SEWERAGE SHALL BE A MINIMUM OF 4 FEET FROM THE STREET SIDE OF THE ROAD. SEWERAGE SHALL BE A MINIMUM OF 4 FEET FROM THE STREET SIDE OF THE ROAD.
 - SEWERAGE SHALL BE SURFACED WITH A MINIMUM OF 8 INCHES OF CLASS 'A' PORTLAND CEMENT OR 6 INCHES OF ASPHALT CONCRETE. A 3' HIGH BASED CURB SHALL BE PROVIDED ALONG ALL SIDES OF ASPHALT CONCRETE. A 3' HIGH BASED CURB SHALL BE PROVIDED ALONG ALL SIDES OF ASPHALT CONCRETE.
 - THE SPECIAL PERMIT #2021 (EARLY CHILDHOOD CARE FACILITY) SHALL COMPLY TO THE DESIGN STANDARDS AS ADOPTED BY THE CITY OF LINCOLN.
 - ALL CURVEWALL DIMENSIONS ARE CHORD LENGTHS.
 - PUBLIC ROADS SHALL BE 2 FEET IN WIDTH AND INSTALLED ON THE WEST SIDE OF SOUTH WITH OWNERS ASSOCIATION.
 - PRIVATE ROADS, MEDIAN AND CENTER ISLANDS SHALL BE MAINTAINED BY THE OWNERS ASSOCIATION.
 - OUTLET 'A' SHALL BE OWNED AND MAINTAINED COLLECTIVELY BY THE OWNERS/OWNERS OF LOTS 1 & 2. OUTLET 'B' SHALL BE OWNED AND MAINTAINED COLLECTIVELY BY THE OWNERS OF LOTS 1 & 2.
 - SHALL BE AS PER SECTION 27.08 OF THE LINCOLN MUNICIPAL CODE.
 - THE OWNER/DEVELOPER SHALL COMPLY TO THE ENVIRONMENTAL PERFORMANCE STANDARDS RELATING TO NOISE, VIBRATION, SOIL, CLIMATE AND HEAT AS ADOPTED BY THE CITY OF LINCOLN.
 - THE DEVELOPER AGREES TO COMPLY WITH THE DESIGN STANDARDS OF THE CITY OF LINCOLN FOR A SECOND AND THIRD ADDITION TO THE CITY OF LINCOLN.
 - A MARKET UTILITY EXISTENCE IS HEREBY GRANTED EXCEPT FOR BUILDING DEVELOPMENTS. ANY RELATIONSHIP OF UTILITY FACILITIES WILL BE AT THE OWNER/DEVELOPER'S EXPENSE.
 - EXISTING TOPOGRAPHICAL CONTOURS ARE IN NORTH AMERICA VERTICAL DATUM (NAD 83) 1983.
 - "NO PARKING" SIGNS SHALL BE LOCATED ALONG WALTEZ PLACE, AS APPROVED BY THE FIRE DEPARTMENT.
 - THE RELATIONSHIP OF EXISTING FACILITIES WILL BE AT THE OWNER/DEVELOPER'S EXPENSE.
 - THE WATER SYSTEM, SANITARY SEWER SYSTEM, DRAINAGE AND STORMWATER SHALL BE DESIGNED TO MEET THE CITY OF LINCOLN DESIGN STANDARDS. THE WATER SYSTEM SHALL BE DESIGNED TO MEET THE CITY OF LINCOLN DESIGN STANDARDS. THE SANITARY SEWER SYSTEM SHALL BE DESIGNED TO MEET THE CITY OF LINCOLN DESIGN STANDARDS. THE DRAINAGE AND STORMWATER SHALL BE DESIGNED TO MEET THE CITY OF LINCOLN DESIGN STANDARDS.
 - REVISIONS TO MEET DESIGN STANDARDS.

- SPECIAL PERMIT #1855 - GENERAL NOTES:**
- THE OWNER/DEVELOPER RESERVES THE RIGHT TO BUILD ANYWHERE WITHIN THE BUILDING DEVELOPMENTS SHOWN ON THIS SPECIAL PERMIT.
 - BUILDING HEIGHT SHALL NOT EXCEED 35 FEET (H-1).
 - MINIMUM LOT AREA SHALL BE 10,000 SQUARE FEET. MINIMUM LOT AREA SHALL BE 10,000 SQUARE FEET. MINIMUM LOT AREA SHALL BE 10,000 SQUARE FEET.
 - CONDOMINIUM AND PUBLIC ACCESS EXISTENCE ARE HEREBY GRANTED OVER ALL PRIVATE ROADS, DRIVES, DRIVEWAYS, PARKING AREAS AND SIDEWALKS SHOWN.
 - ALL EXISTING LOTTING SHALL COMPLY TO THE DESIGN STANDARDS AS ADOPTED BY THE CITY OF LINCOLN.
 - PRIVATE ROADS SHALL BE SURFACED WITH 8 INCHES OF PORTLAND CEMENT OR 6 INCHES OF ASPHALT CONCRETE. ALL PRIVATE ROADS SHALL HAVE A 3' HIGH CURB AND A 3' HIGH BASED CURB.
 - ALL PRIVATE ROADS SHALL BE 20' WIDE BACK OF CURB TO BACK OF CURB UNLESS OTHERWISE NOTED. ALL PRIVATE STREETS SHALL BE 20' WIDE BACK OF CURB TO BACK OF CURB UNLESS OTHERWISE NOTED. ALL PRIVATE STREETS SHALL BE 20' WIDE BACK OF CURB TO BACK OF CURB UNLESS OTHERWISE NOTED.
 - SEWERAGE ALONG PRIVATE ROADS SHALL BE A MINIMUM OF 4 FEET IN WIDTH AND LOCATED A MINIMUM OF 4 FEET FROM THE STREET SIDE OF THE ROAD. SEWERAGE SHALL BE A MINIMUM OF 4 FEET FROM THE STREET SIDE OF THE ROAD. SEWERAGE SHALL BE A MINIMUM OF 4 FEET FROM THE STREET SIDE OF THE ROAD.
 - SEWERAGE SHALL BE SURFACED WITH A MINIMUM OF 8 INCHES OF CLASS 'A' PORTLAND CEMENT OR 6 INCHES OF ASPHALT CONCRETE. A 3' HIGH BASED CURB SHALL BE PROVIDED ALONG ALL SIDES OF ASPHALT CONCRETE. A 3' HIGH BASED CURB SHALL BE PROVIDED ALONG ALL SIDES OF ASPHALT CONCRETE.
 - THE SPECIAL PERMIT #1855 (RETAIL/COMMERCIAL) SHALL COMPLY TO THE DESIGN STANDARDS AS ADOPTED BY THE CITY OF LINCOLN.
 - ALL CURVEWALL DIMENSIONS ARE CHORD LENGTHS.
 - PUBLIC ROADS SHALL BE 2 FEET IN WIDTH AND INSTALLED ON THE WEST SIDE OF SOUTH WITH OWNERS ASSOCIATION.
 - PRIVATE ROADS, MEDIAN AND CENTER ISLANDS SHALL BE MAINTAINED BY THE OWNERS ASSOCIATION.
 - OUTLET 'A' SHALL BE OWNED AND MAINTAINED COLLECTIVELY BY THE OWNERS/OWNERS OF LOTS 1 & 2. OUTLET 'B' SHALL BE OWNED AND MAINTAINED COLLECTIVELY BY THE OWNERS OF LOTS 1 & 2.
 - SHALL BE AS PER SECTION 27.08 OF THE LINCOLN MUNICIPAL CODE.
 - THE OWNER/DEVELOPER SHALL COMPLY TO THE ENVIRONMENTAL PERFORMANCE STANDARDS RELATING TO NOISE, VIBRATION, SOIL, CLIMATE AND HEAT AS ADOPTED BY THE CITY OF LINCOLN.
 - THE DEVELOPER AGREES TO COMPLY WITH THE DESIGN STANDARDS OF THE CITY OF LINCOLN FOR A SECOND AND THIRD ADDITION TO THE CITY OF LINCOLN.
 - A MARKET UTILITY EXISTENCE IS HEREBY GRANTED EXCEPT FOR BUILDING DEVELOPMENTS. ANY RELATIONSHIP OF UTILITY FACILITIES WILL BE AT THE OWNER/DEVELOPER'S EXPENSE.
 - EXISTING TOPOGRAPHICAL CONTOURS ARE IN NORTH AMERICA VERTICAL DATUM (NAD 83) 1983.
 - "NO PARKING" SIGNS SHALL BE LOCATED ALONG WALTEZ PLACE, AS APPROVED BY THE FIRE DEPARTMENT.
 - THE RELATIONSHIP OF EXISTING FACILITIES WILL BE AT THE OWNER/DEVELOPER'S EXPENSE.
 - THE WATER SYSTEM, SANITARY SEWER SYSTEM, DRAINAGE AND STORMWATER SHALL BE DESIGNED TO MEET THE CITY OF LINCOLN DESIGN STANDARDS. THE WATER SYSTEM SHALL BE DESIGNED TO MEET THE CITY OF LINCOLN DESIGN STANDARDS. THE SANITARY SEWER SYSTEM SHALL BE DESIGNED TO MEET THE CITY OF LINCOLN DESIGN STANDARDS. THE DRAINAGE AND STORMWATER SHALL BE DESIGNED TO MEET THE CITY OF LINCOLN DESIGN STANDARDS.
 - REVISIONS TO MEET DESIGN STANDARDS.

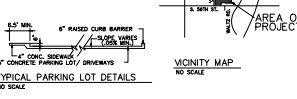
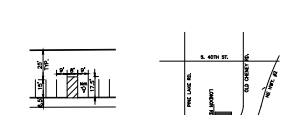
- SPECIAL PERMIT #2021 - GENERAL NOTES:**
- THE EARLY CHILDHOOD CARE FACILITY SHALL NOT EXCEED 10 CHILDREN.
 - PRIVATE ROADS SHALL BE SURFACED WITH 8 INCHES OF PORTLAND CEMENT OR 6 INCHES OF ASPHALT CONCRETE. ALL PRIVATE ROADS SHALL HAVE A 3' HIGH CURB AND A 3' HIGH BASED CURB.
 - ALL PRIVATE ROADS SHALL BE 20' WIDE BACK OF CURB TO BACK OF CURB UNLESS OTHERWISE NOTED. ALL PRIVATE STREETS SHALL BE 20' WIDE BACK OF CURB TO BACK OF CURB UNLESS OTHERWISE NOTED. ALL PRIVATE STREETS SHALL BE 20' WIDE BACK OF CURB TO BACK OF CURB UNLESS OTHERWISE NOTED.
 - SEWERAGE ALONG PRIVATE ROADS SHALL BE A MINIMUM OF 4 FEET IN WIDTH AND LOCATED A MINIMUM OF 4 FEET FROM THE STREET SIDE OF THE ROAD. SEWERAGE SHALL BE A MINIMUM OF 4 FEET FROM THE STREET SIDE OF THE ROAD. SEWERAGE SHALL BE A MINIMUM OF 4 FEET FROM THE STREET SIDE OF THE ROAD.
 - SEWERAGE SHALL BE SURFACED WITH A MINIMUM OF 8 INCHES OF CLASS 'A' PORTLAND CEMENT OR 6 INCHES OF ASPHALT CONCRETE. A 3' HIGH BASED CURB SHALL BE PROVIDED ALONG ALL SIDES OF ASPHALT CONCRETE. A 3' HIGH BASED CURB SHALL BE PROVIDED ALONG ALL SIDES OF ASPHALT CONCRETE.
 - THE SPECIAL PERMIT #2021 (EARLY CHILDHOOD CARE FACILITY) SHALL COMPLY TO THE DESIGN STANDARDS AS ADOPTED BY THE CITY OF LINCOLN.
 - ALL CURVEWALL DIMENSIONS ARE CHORD LENGTHS.
 - PUBLIC ROADS SHALL BE 2 FEET IN WIDTH AND INSTALLED ON THE WEST SIDE OF SOUTH WITH OWNERS ASSOCIATION.
 - PRIVATE ROADS, MEDIAN AND CENTER ISLANDS SHALL BE MAINTAINED BY THE OWNERS ASSOCIATION.
 - OUTLET 'A' SHALL BE OWNED AND MAINTAINED COLLECTIVELY BY THE OWNERS/OWNERS OF LOTS 1 & 2. OUTLET 'B' SHALL BE OWNED AND MAINTAINED COLLECTIVELY BY THE OWNERS OF LOTS 1 & 2.
 - SHALL BE AS PER SECTION 27.08 OF THE LINCOLN MUNICIPAL CODE.
 - THE OWNER/DEVELOPER SHALL COMPLY TO THE ENVIRONMENTAL PERFORMANCE STANDARDS RELATING TO NOISE, VIBRATION, SOIL, CLIMATE AND HEAT AS ADOPTED BY THE CITY OF LINCOLN.
 - THE DEVELOPER AGREES TO COMPLY WITH THE DESIGN STANDARDS OF THE CITY OF LINCOLN FOR A SECOND AND THIRD ADDITION TO THE CITY OF LINCOLN.
 - A MARKET UTILITY EXISTENCE IS HEREBY GRANTED EXCEPT FOR BUILDING DEVELOPMENTS. ANY RELATIONSHIP OF UTILITY FACILITIES WILL BE AT THE OWNER/DEVELOPER'S EXPENSE.
 - EXISTING TOPOGRAPHICAL CONTOURS ARE IN NORTH AMERICA VERTICAL DATUM (NAD 83) 1983.
 - "NO PARKING" SIGNS SHALL BE LOCATED ALONG WALTEZ PLACE, AS APPROVED BY THE FIRE DEPARTMENT.
 - THE RELATIONSHIP OF EXISTING FACILITIES WILL BE AT THE OWNER/DEVELOPER'S EXPENSE.
 - THE WATER SYSTEM, SANITARY SEWER SYSTEM, DRAINAGE AND STORMWATER SHALL BE DESIGNED TO MEET THE CITY OF LINCOLN DESIGN STANDARDS. THE WATER SYSTEM SHALL BE DESIGNED TO MEET THE CITY OF LINCOLN DESIGN STANDARDS. THE SANITARY SEWER SYSTEM SHALL BE DESIGNED TO MEET THE CITY OF LINCOLN DESIGN STANDARDS. THE DRAINAGE AND STORMWATER SHALL BE DESIGNED TO MEET THE CITY OF LINCOLN DESIGN STANDARDS.
 - REVISIONS TO MEET DESIGN STANDARDS.

USE PERMIT - BUILDING UNITS/ PARKING DATA:

LOTS	BUILDING USE	SQUARE FOOTAGE	PARKING RATIO	RETD. STALLS	SURFACE STALLS
1	OFFICE/MEDICAL	10,000	1/225	45	45
2	CHURCH/CLUB FACILITY	3,000	1/75 CHILD & 1/AMP	25	25
3	OFFICE/MEDICAL	10,000	1/225	45	45
4	MEDICAL	2,500	1/225	12	12
TOTALS		30,000		137	137

SPECIAL PERMIT #1855 - BUILDING UNITS/ PARKING DATA:

LOTS	BUILDING USE	SQUARE FOOTAGE	PARKING RATIO	RETD. STALLS	SURFACE STALLS
1	RETAIL/COMMERCIAL	12,000	1/250	45	45
2	RETAIL/COMMERCIAL	11,000	1/250	39	39
3	RETAIL/COMMERCIAL	24,000	1/250	80	80
TOTALS		48,000		161	165



PETITIONER:
BRIAN D. CARSTENS & ASSOCIATES
601 OLD CHENEY ROAD, SUITE 100
LINCOLN, NE 68502 (402) 434-2424

ENGINEER:
L. L. HORN
ENGINEERING/SURVEYING/PLANNING
601 OLD CHENEY ROAD, SUITE 100
LINCOLN, NE 68502 (402) 421-2500

SURVEYOR:
DORIS A. BEHNKE-GLASS
ALLEN SURVEYING SERVICES INC.
12702 NORTH 56TH STREET
LINCOLN, NE 68514 (402) 466-4366

DATE: 10/08/2011
REVISIONS: 1/02/2012
4/8/2012
9/19/2012
10/16/2012

5/14/03 DAYCARE
7/20/03 DAYCARE
10/03/03 ADJUST LOT LINES
9/27/08 ADJUST BLDG ENV.
1/09/06 H-1 A.A.
2/16/06 M-2 A.A.
3/01/06 M-2 A.A.

BRIAN D. CARSTENS & ASSOCIATES

LAND PLANNING
RESIDENTIAL & COMMERCIAL DESIGN

601 OLD CHENEY ROAD
SUITE 100
LINCOLN, NE 68512

PHONE: (402) 434-2424
FAX: (402) 434-0467

COUNTRY PLAZA

USE PERMIT #138A & SPECIAL PERMIT #1855A

AND

EARLY CHILDHOOD CARE FACILITY SPECIAL PERMIT #2021

S. 56TH STREET & WALTEZ ROAD
LINCOLN, NE

SITE PLAN

SCALE: 1" = 60'

PROJECT #062199
DATE: 10/08/2011
REVISIONS: 1/02/2012
4/8/2012
9/19/2012
10/16/2012

5/14/03 DAYCARE
7/20/03 DAYCARE
10/03/03 ADJUST LOT LINES
9/27/08 ADJUST BLDG ENV.
1/09/06 H-1 A.A.
2/16/06 M-2 A.A.
3/01/06 M-2 A.A.

1 OF 5

REGA

ENGINEERING
GROUP, INC.

File No. 221000
February 18, 2022

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

RE: COUNTRY PLAZA
AMENDMENT TO SPECIAL PERMIT #1855
S 56th Street and Waltz Road

Dear David,

On behalf of Krein Real Estate, Inc., we are submitting an amendment to Country Plaza Special Permit #1855 to allow pavement within the south 25 feet of the 50 feet setback along the north portion of Lot 3. Pavement has been constructed within the stated area and this application will provide approval of the existing pavement to remain.

The property within this special permit is zoned H-4. The adjacent property to the north is zoned R-1 and has a current use of an established mini-golf course. There is established landscaping within the mini-golf course property which provides screening between the properties.

The requested pavement has been and will be utilized for delivery of supplies to the businesses on the north portion of the building on Lot 3. This area will not be utilized for parking and will not be counted as parking area for the development.

Currently, an administrative amendment has been submitted to the Planning Department. The administrative amendment is requesting additional building square footage on Lot 3. That modification has been shown on this application. It is anticipated that the administrative amendment will be approved prior to the approval of this amendment request.

Please contact us if you have any questions or concerns.

Sincerely,



Marcia L. Kinning

Cc: Bill Krein

Enclosed: Application Form
Application Fee of \$419.00
Legal Description

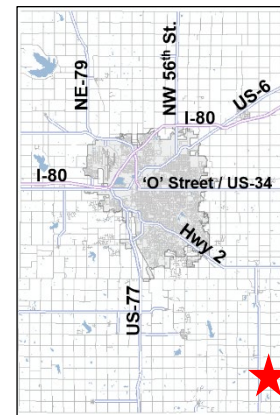
LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT
FROM THE LINCOLN/LANCASTER COUNTY PLANNING DEPARTMENT, 555 S. 10TH STREET, SUITE 213, LINCOLN, NE 68508

APPLICATION NUMBER Special Permit #22004	FINAL ACTION? Yes	DEVELOPER/OWNER Owen Saeger
PLANNING COMMISSION HEARING DATE March 30, 2022	RELATED APPLICATIONS None	PROPERTY ADDRESS/LOCATION 18101 Princeton Rd.

RECOMMENDATION: CONDITIONAL APPROVAL

BRIEF SUMMARY OF REQUEST

This is a request for Expanded Home Occupation under Article 13.032 of the Lancaster County Zoning Regulations to allow firearm sales from the residence and a waiver to allow sales of a product not manufactured, processed, treated or assembled on the premise. The area for the home occupation is within the existing house.



JUSTIFICATION FOR RECOMMENDATION

The request meets the conditions of Article 13.032, except for selling an item that is not manufactured, processed, treated or assembled on site. The selling of firearms will have minimal traffic and the area of the home occupation is a small area in the home. There is no new construction and there should be minimal impact to adjacent property owners.

APPLICATION CONTACT

Owen Saeger 402-613-7780
saegerbusiness@gmail.com

STAFF CONTACT

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

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The Comprehensive Plan encourages accessory home businesses.

KEY QUOTES FROM THE 2050 COMPREHENSIVE PLAN

P. 5.5 Continue to encourage and permit accessory home businesses.

ANALYSIS

1. This is a request for special permit for an Expanded Home Occupation. The use is to allow firearm sales out of the residence.
2. The Lancaster County Zoning Regulations were amended in September 2009 to allow Expanded Home Occupation by special permit. The intent was to allow small family owned businesses to operate out of their homes. The business is to be accessory to the residential use of the property and operated by the family occupying the residence. This condition makes it more likely that the business will be a "good neighbor." The business should not detract from the peace and enjoyment of surrounding properties.
3. The proposed business is for selling firearms. The applicant's letter states that he would make, assemble, repair,

and/or sell custom made firearms. The majority of business would be conducted online and in-person customers would be minimal and by appointment only.

4. A previous special permit for Expanded Home Occupation for gun sales was approved in September 2019. This is the second application for this use under Expanded Home Occupation.
5. The county special permit conditions related to this expanded home occupation are as follows:
 - a. On-site sales shall be limited primarily to products grown, manufactured, processed, treated or assembled on the premise.

The applicant is selling firearms that he makes, assembles, repairs and sells on premise. Due to the sales of firearms that he does not make on site a waiver to this condition is needed. Due to minimal traffic and minimal impact on neighbors, the waiver is reasonable.

- b. Except for a Family as defined by this Resolution, no more than two (2) persons may participate in the home occupation on the premises.

There will be no persons involved in the operation that do not live on site.

- c. The lot area shall be ten (10) acres or larger.

The lot is 10.53 acres.

- d. Driveways and parking areas shall be provided with an all-weather (gravel or rock) surface to minimize dust.

No parking areas are required. The applicant's letter states that sales made on site would be minimal. The transaction normally involves only one vehicle coming to the house. The existing driveway is gravel.

- e. No more than 50% of the floor area of the residence may be used for said business when the home occupation is located within the residence.

The County Assessor lists the house at 1,008 sq. ft. The area used for the home occupation is not expected to exceed 10% of the floor area of the residence.

- f. The total floor area for all buildings used for said business shall not be more than 10,000 square feet.

The total floor area used for the business is approximately 100 sq. ft.

- g. Outside area used for work area, storage or other business activity and parking shall not exceed 15,000 square feet.

There is no outside business related activity.

- h. All outside business related activity shall be located at least 200 feet from all premise property lines and shall be visually screened from public streets and adjacent property lines.

There is no outside business-related activity.

- i. Dust control of nearby unpaved roads to mitigate the impact of traffic approaching and leaving the premise may be required.

The nearest paved road is approximately one mile to the west. Due to the minimal traffic this business would generate, no dust control is required.

CONDITIONS OF APPROVAL: See attached.

EXISTING LAND USE & ZONING: AG-Agriculture Single family residence

SURROUNDING LAND USE & ZONING

North: AG-Agriculture	Farm ground and 4 houses
South: AG-Agriculture	Farm ground
East: AGR-Agriculture Residential	Farm ground
West: AG-Agriculture	Farm ground

APPROXIMATE LAND AREA: 10.53 acres, more or less.

LEGAL DESCRIPTION: Lot 3 I.T. in the NW ¼ of Section 24, Township 7 North, Range 8 East; Lancaster County, NE.

Prepared by

Tom Cajka, Planner

Date: March 16, 2022

Applicant: Owen Saeger
18101 Princeton Rd
Adams, NE 683014
402-613-7780
saegerbusiness@gmail.com

Contact: Same as applicant

Owner: Same as applicant

<https://linclanc.sharepoint.com/sites/PlanningDept-DevReview/Shared Documents/DevReview/SP/22000/SP22004 expanded home occupation.tjc.docx>

CONDITIONS OF APPROVAL - SPECIAL PERMIT #22004

Per Article 13.032 this approval permits Expanded Home Occupation for selling of firearms with a waiver to allow the sale of a product not manufactured, processed, treated or assembled on the premise. No show room or display area is allowed.

Site Specific Conditions:

1. Before beginning operations the permittee shall cause to be prepared and submitted to the Planning Department a revised and reproducible final plot plan including 3 copies with all required revisions and documents as listed below:
 - 1.1 Label the plan as Site Plan and Special Permit #22004
 - 1.2 Add the legal description to the site plan.
 - 1.3 Add a note that no show room or display area is allowed.
2. Before starting the operation provide the following documents to the Planning Department:
 - 2.1 Verification from the Register of Deeds that the letter of acceptance as required by the approval of the special permit has been recorded.

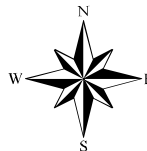
Standard Conditions:

3. The following conditions are applicable to all requests:
 - 3.1 Before starting the operation all development and construction shall substantially comply with the approved plans.
 - 3.2 The physical location of all setbacks and yards, buildings, parking and circulation elements, and similar matters be in substantial compliance with the location of said items as shown on the approved site plan.
 - 3.3 The terms, conditions, and requirements of this resolution shall run with the land and be binding upon the Permittee, its successors and assigns.
 - 3.4 The applicant shall sign and return the letter of acceptance to the County Clerk. This step should be completed within 60 days following the approval of the special permit. The Permittee shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds. Building permits will not be issued unless the letter of acceptance has been filed.



2020 aerial

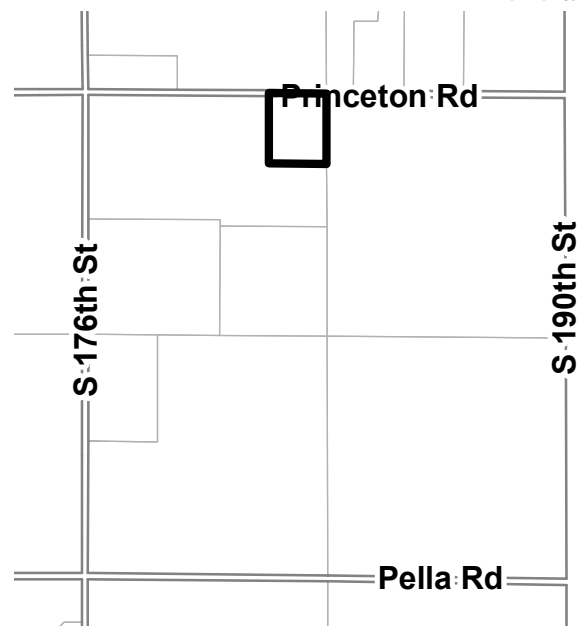
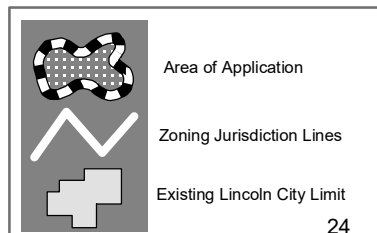
Special Permit #: SP22004
S 176th St & Princeton Rd



One Square Mile:
Sec.24 T07N R08E

Zoning:

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





Development Viewer

CITY OF LINCOLN - LANCASTER COUNTY, NE

18101 PRINCETON RD, P/

[Sign in](#)

I want to...

1

Lat: 40.56649° N
Lon: 96.47535° W

2

Lat: 40.56648° N
Lon: 96.47310° W

Tools

House 36' x 28'



Farm Utility Building 14' x 24'



Farm Utility Storage Shed 20' x 51'



No alterations being made to land or buildings

4

Lat: 40.56448° N
Lon: 96.47535° W

3

Lat: 40.56447° N
Lon: 96.47310° W

City of Lincoln\Lancaster County, NE GIS | I



Streets

WKID: 4326 Lat/Long ▲

Lat: 40.56630° N
Lon: 96.46971° W

0 100 200ft
25

13.032. Expanded Home Occupations

Expanded home occupation may be allowed by special permit in the AG zoning district under the following conditions:

- a. On-site sales shall be limited primarily to products grown, manufactured, processed, treated or assembled on the premise;
 - Sales would be custom firearms and firearm parts assembled and/or made on the premises.
- b. Except for a Family as defined by this Resolution, no more than two (2) persons participate in the home occupation on the premises. For purposes of Section 13.032, participation shall exclude deliveries;
 - Home occupation would only employ the owner and no additional employees.
- c. The lot area shall be ten (10) acres or larger;
 - Lot size of premises is 10.53 acres.
- d. Driveways and parking areas shall be provided with an all-weather (gravel or rock) surface to minimize dust and mud;
 - Existing driveway is graveled.
- e. No more than 50% of the floor area of the residence may be used for said business when the home occupation is located within the residence;
 - Floor area of the residence used for expanded home occupation would include office/packaging room and is not expected to exceed 10% of the floor area of the residence.
- f. The total floor area for all buildings used for said business shall not be more than 10,000 square feet;
 - Total floor area for all buildings used for expanded home occupation is not expected to exceed 500 sq. ft.
- g. Outside area used for work area, storage or other business activity (of vehicles, equipment, or materials used in the business) and parking shall not exceed 15,000 square feet;
 - Parking would be regulated to driveway of residence. Driveway is approximately 15' wide x 500 linear feet = 7,500 sq. ft. No additional outside area is expected to be used for the expanded home occupation.
- h. All outside business related activity shall be located at least 200 feet from all premise property lines and shall be visually screened from public streets and adjacent property lines. Said visual screening shall be approved as part of the special permit;
 - Business activity would be kept indoors and no outside business activity is planned for the expanded home occupation.
- i. Dust control of nearby unpaved roads to mitigate the impact of traffic approaching and leaving the premise may be required;
 - Expanded home occupation is not expected to create any additional traffic impact on Princeton Road that would require the need for dust control. Business would be conducted through an online storefront. Most items sold would be shipped by USPS, FedEx, or UPS. These three carriers already travel Princeton Road most weekdays and would not create any additional traffic if used for deliveries and/or shipment pickups. Customer visits to the premises would be by appointment only and expected to be minimal.

SAEGER BUSINESS SERVICES, INC.

18101 Princeton Road, Adams, NE 68301

(402) 613-7780

saegerbusiness@gmail.com

February 23, 2022

Planning Department
555 S 10th St, Ste 213
Lincoln, NE 68508

PROJECT NAME: 18101 PRINCETON ROAD

APPLICATION TYPE: SPECIAL PERMIT

CATEGORY: 13.032 EXPANDED HOME OCCUPATIONS

STATEMENT OF APPLICATION PURPOSE:

Application is being made to obtain a Special Permit for an Expanded Home Occupation to allow a home-based business that would legally make, assemble, repair, and/or sell custom-made firearms under a Federal Firearms License (FFL) from the Bureau of Alcohol Firearms Tobacco and Explosives (BATFE).

Business would be conducted in compliance with all federal and state laws and within Lancaster County Zoning Regulations Article 13.032 Expanded Home Occupations, and no waivers are requested.

Applicant is open to any additional conditions the Planning Department deems necessary to establish under Article 13.032.m, as the majority of business would be conducted online and in-person visits to the property by customers would be minimal and by appointment only.

Zoning approval/confirmation from local government is required by the BATFE prior to applying for the proper FFL that will be needed to operate this business. Once obtained, a current copy of the FFL could be kept on file with the Planning Department as a condition of the Special Permit if requested.

Sincerely,



Owen Saeger
President
Saeger Business Services, Inc.

1505 8 8 2024

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 Amendment 22001 Hwy 77 & W Pioneers	FINAL ACTION? No	DEVELOPER/OWNER n/a
PLANNING COMMISSION HEARING DATE March 30, 2022	RELATED APPLICATIONS None	PROPERTY ADDRESS/LOCATION Hwy 77 & W Pioneers

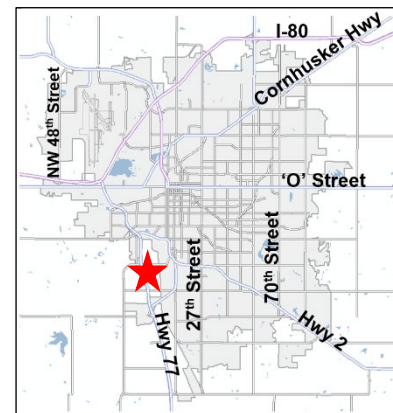
RECOMMENDATION: APPROVAL

BRIEF SUMMARY OF REQUEST

This is a request to revise the Future Land Use (FLU) map and Growth Tiers map in the vicinity of Highway 77 and W Pioneers to reflect recent development interest and provide more refined boundaries.

The proposed amendments include:

- An existing Commercial FLU designation is moved from the west side of Highway 77 to the east side.
- Minor FLU updates to Public/Semi-Public (Lincoln Public Schools site) and Green Space (Optimist Sports Complex site) areas to reflect property ownership.
- Much of the area near Highway 77 & W Pioneers changed from Growth Tier 1C to Growth Tier 1B.
- Updates to Growth Tier 1A to reflect recently approved development plans.
- Wilderness Park changed to Growth Tier 1 and moved within the 2050 Future Service Limit.



JUSTIFICATION FOR RECOMMENDATION

This area can be served by utilities within the timeframe specified in the Growth Tier and Future Service Limit changes. The Future Land Use map updates are appropriate and align with proposed development plans for the area.

STAFF CONTACT

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

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The Comprehensive Plan allows for the Future Land Use and Growth Tier maps to be flexible and responsive to development needs and new information, and these changes align with the overall PlanForward 2050 growth framework.

COMPREHENSIVE PLAN SPECIFICATIONS:

Introduction Section: Growth Framework

Benefits of Well-Planned Growth

Predictable and efficient provision of new infrastructure. The City's policy of contiguous growth anchored by a gravity-flow wastewater system provides a cost-effective, predictable, and efficient way to construct and maintain urban infrastructure and services necessary to serve new growth areas.

Land Use Plan

[Figure GF.b: 2050 Future Land Use](#)

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.

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.

Green Space. Public or privately-owned areas predominantly used for recreation, such as parks, golf courses, soccer or ball fields, and trails. Many green space areas also serve functions such as buffers between incompatible uses and as stormwater management areas. In some cases, privately-owned Green Space such as golf courses may also be appropriate for future Urban Residential development.

Future Growth Tier Map

[Figure GF.c: 2050 Priority Growth Areas](#)

Tier I

Tier I reflects the "Future Service Limit," approximately 52 square miles of developing areas and beyond the existing city limits where urban services and inclusion in the city limits are anticipated within the 30-year planning period.

Priority A of Tier I

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, or areas outside city limits that will have immediate infrastructure access upon annexation.

Priority B of Tier 1

Areas designated for development in the first half of the planning period (to 2036) are generally contiguous to existing development and should be provided with basic infrastructure as they develop. Some of the infrastructure required for development may already be in place. Some infrastructure improvements may be made in the near term while others, such as road improvements that are generally more costly, may take longer to complete.

Priority C of Tier I

The next areas for development, after 2036, are those which currently lack almost all infrastructure required to support urban development. I

Guidelines for Amending Priority Areas:

- Infrastructure should generally be provided in different directional growth areas, depending upon limited financial resources and if there is development interest in the area.
- The community should only approve development proposals that can be adequately served by initial urban improvements such as electricity, water, sewer, pedestrian facilities and roads, and by all urban improvements and services in the long term. Initially, roads may not be built to the full capacity; for example, rural asphalt roads may continue to be used for some period, or a two lane urban street may be built and later expanded to four lanes with turn lanes when conditions warrant. Public safety services and schools may be provided to an area by facilities that are more distant and new facilities phased in over time.
- Generally, adequate infrastructure improvements should be completed in all Priority A areas where there is development interest prior to beginning infrastructure in Priority B and C areas.
- It is anticipated that there may be unique circumstances that may warrant consideration of development of land in Priority B prior to the full completion of improvements in Priority A. In addition it is expected that there will be proposals to change land from Priority C to B. Proposals for changes from Priority C to B should be evaluated and considered through a review process that should consider the following items:
 - The project is contiguous to the City and proposed for immediate annexation (for Priority A), and is consistent with principles of the Comprehensive Plan.
 - The developer provides information demonstrating how the necessary infrastructure improvements to serve the area would be provided and financed. The City should contact other public agencies to obtain their report on the infrastructure necessary to serve the area, including utilities, roads, fire service, public safety, parks, trails, schools and library needs.
 - The impacts that development in the area will have on capital and operating budgets, level of service, service delivery and Capital Improvement Programs are addressed, including impact of financing, utility rates and other revenue sources and to what degree the developer is willing to finance improvements. In order to maintain a fiscally constrained plan, acceleration of one project may mean other planned projects must be removed from the list of future facilities.
 - There is demonstrated substantial public benefit and circumstances that warrant approval of the proposal in advance of the anticipated schedule.

E1: Complete Neighborhoods and Housing

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

Locate Commercial Centers so as residents can safely access essential goods and services (i.e. not located across arterial streets) and no more than a 15-minute walk from all residences.

E3: Business, Economy, and Workforce

Commercial Centers

Neighborhood Centers

Neighborhood Centers typically range in size from 50,000 to 250,000 square feet of commercial space. They provide services and retail goods oriented to the neighborhood level, with significant pedestrian orientation and access. Residential mixed use is encouraged. Neighborhood centers are a key element of the Complete Neighborhoods concept discussed in the associated [Goal](#) and [Element](#).

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.

ANALYSIS

1. This application is for several minor Future Land Use (FLU) map and Growth Tier map amendments in the area of Highway 77 & W Pioneers Blvd. These amendments were initiated by staff based on development interest in the area.
2. The FLU and Growth Tier maps are meant to guide growth and development over the 30-year planning period. In some cases, it is appropriate to update and refine the maps to reflect new information and be responsive to development interest. The updates included as part of this amendment align with the overall growth framework of the Comprehensive Plan.
3. The proposed amendments are described in the following analysis points. See the attached maps for specific locations of each change.
4. Proposed amendment: Moving the existing Commercial FLU designation from the west side of Highway 77 to the east side.
 - a. This change is based on two recent development proposals in the area: Foxtail Meadows ([CZ21055](#)) on the west side of Highway 77, and Wilderness Crossing ([CZ21057](#)) on the east side of Highway 77. Foxtail Meadows was approved by City Council on March 7, 2022, and Wilderness Crossing is currently going through the approval process.
 - b. The Complete Neighborhoods Element of the Comprehensive Plan discusses the importance of including accessible neighborhood commercial centers within a 15-minute walk from residences.
 - c. The Foxtail Meadows site plan shows apartments where the existing Commercial FLU designation is located. The site plan includes a small commercial area, roughly 1.5 acres, centrally-located within the development. The Commercial FLU designation is typically reserved for commercial sites greater than five acres and is not needed in this case.
 - d. Despite the proposed removal of the Commercial FLU designation, the Foxtail Meadows neighborhood would still have access to nearby commercial amenities. In addition to the small commercial area centrally-located in the Foxtail Meadows site plan, there is an undeveloped Commercial FLU area approximately 0.5 miles to the southwest that is sized for a future neighborhood commercial center. Also, the new Wilderness Crossing commercial center would be located directly across Highway 77, although the highway presents an access barrier. Nebraska Dept of Transportation is evaluating options to re-construct the Pioneers/Highway 77 intersection and the final alignment has not yet been determined.
 - e. The Wilderness Crossing site plan shows a Multi-Family/Neighborhood Commercial area of approximately 5-10 acres that could include up to 30,000 square feet of commercial space along with 250 multi-family units. This area is currently shown as Urban Residential FLU on the Future Land Use map and is proposed for Commercial FLU.
 - f. As noted in the Urban Residential FLU description in the Comprehensive Plan: *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.*
 - g. The overall Wilderness Crossing site plan includes 300+ residential units whose residents would be able to access the commercial center without crossing a major arterial or highway. In addition, a future land use area noted as Urban Residential north of Pioneers Blvd will presumably add several hundred more dwelling units to the area.
 - h. Wilderness Crossing and the future residential area to the north are between Highway 77 and Wilderness Park, and are somewhat disconnected from surrounding development; therefore, it is important to provide an

accessible neighborhood commercial center in this location.

5. Proposed amendment: Adding the Public/Semi-Public FLU designation to a parcel owned by Lincoln Public Schools. It is currently shown as Urban Residential.
 - a. The future school site that was acquired by LPS in 2021 is appropriate for the Public/Semi-Public FLU designation.
6. Proposed amendment: Refining the boundary of the Green Space FLU shape to more closely match the Optimist Sports Complex property line.
 - a. This is a minor cleanup item. The generalized Green Space FLU boundary over the sports complex includes some land in Foxtail Meadows that is now shown as residential.
7. Proposed amendment: Moving the area near Highway 77 & W Pioneers Blvd from Growth Tier 1C to 1B.
 - a. Per the Comprehensive Plan, Tier 1B areas are expected to have infrastructure in the first half of the planning period (by 2036). This area has seen significant recent development interest. Utility infrastructure to serve this area is expected to be available in the next few years and is included in the proposed six-year Capital Improvement Program (CIP). This area is contiguous to existing city limits.
8. Proposed amendment: Moving a parcel northwest W Old Cheney and S Folsom from Growth Tier 1B to 1A.
 - a. Per the Comprehensive Plan, areas move into Tier 1A upon approval of development plans. A Community Unit Plan (CUP) for Lincoln Housing Authority was approved for this parcel on January 5, 2022 ([SP21050](#))
9. Proposed amendment: Moving an area south of Pioneers Blvd from Growth Tier 1B to 1A.
 - a. This area covers parts of Foxtail Meadows and Wilderness Crossing. Foxtail Meadows was already approved and Wilderness Crossing is currently under review. Per the Comprehensive Plan the areas move to Tier 1A upon approval of development plans.
10. Proposed amendment: Moving Wilderness Park into Growth Tier 1 and within the 2050 Future Service Limit.
 - a. Wilderness Park will be moved completely into Tier 1, with a mix of priorities A, B, and C. The purpose of this change is to acknowledge that Wilderness Park will likely be annexed into Lincoln within the next 30 years. The north part of the park specifically will likely be almost completely surrounded by city limits in the near future. All land within Growth Tier 1 is considered to be within the 2050 Future Service Limit. More discussions will be needed to evaluate the implications of Wilderness Park annexation.

EXISTING ZONING: AG Agricultural, P Public, R-3 Residential

EXISTING LAND USES: Agriculture, Park, Acreage Residential

PROPOSED AMENDMENT

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

1. Figure GF.b: 2050 Future Land Use: updates as shown on the attached figure
2. Figure GF.c: 2050 Priority Growth Areas: updates as shown on the attached figures

Prepared by

Andrew Thierolf, Planning Department

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


March 16, 2022

Applicant: David Cary, Director
Lincoln-Lancaster County Planning Department
555 S 10th Street, Suite 213
Lincoln, NE 68504











<https://linclanc.sharepoint.com/sites/PlanningDept-DevReview/Shared Documents/DevReview/CPA/22000/CPA22001 Hwy 77 & W Pioneers.adt.docx>

Proposed Land Use Change

Legend

 Proposed Land Use Changes

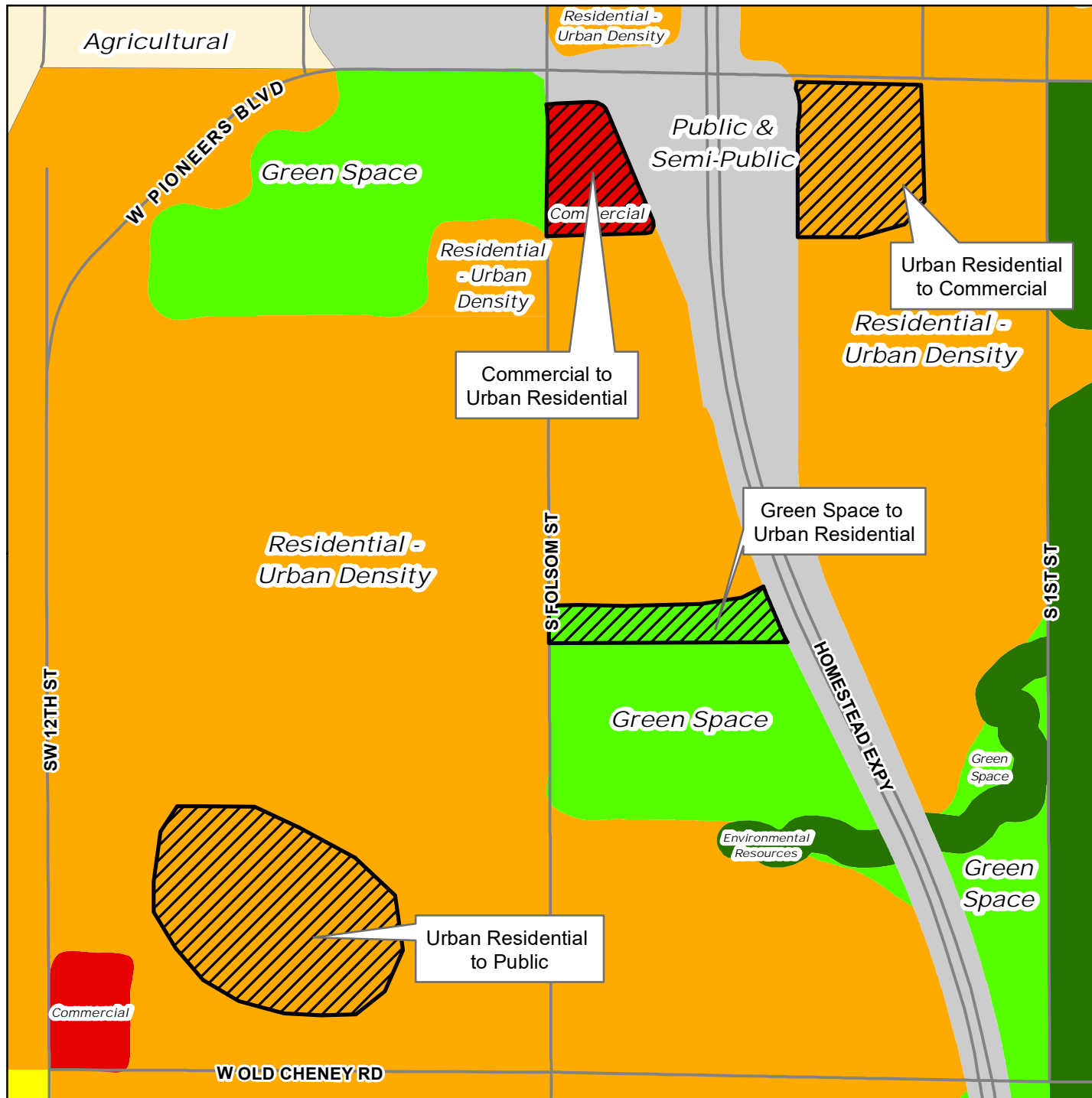
Future Land Use

-  AG
-  AG STREAM
-  Commercial
-  Environmental Resources
-  Green Space
-  Industrial
-  Public/Semi-Public
-  RES-LOW
-  Residential - Urban Density
-  Lakes & Streams




Feet
0 385 770 1,540







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(CPA22001)

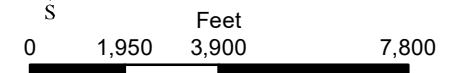
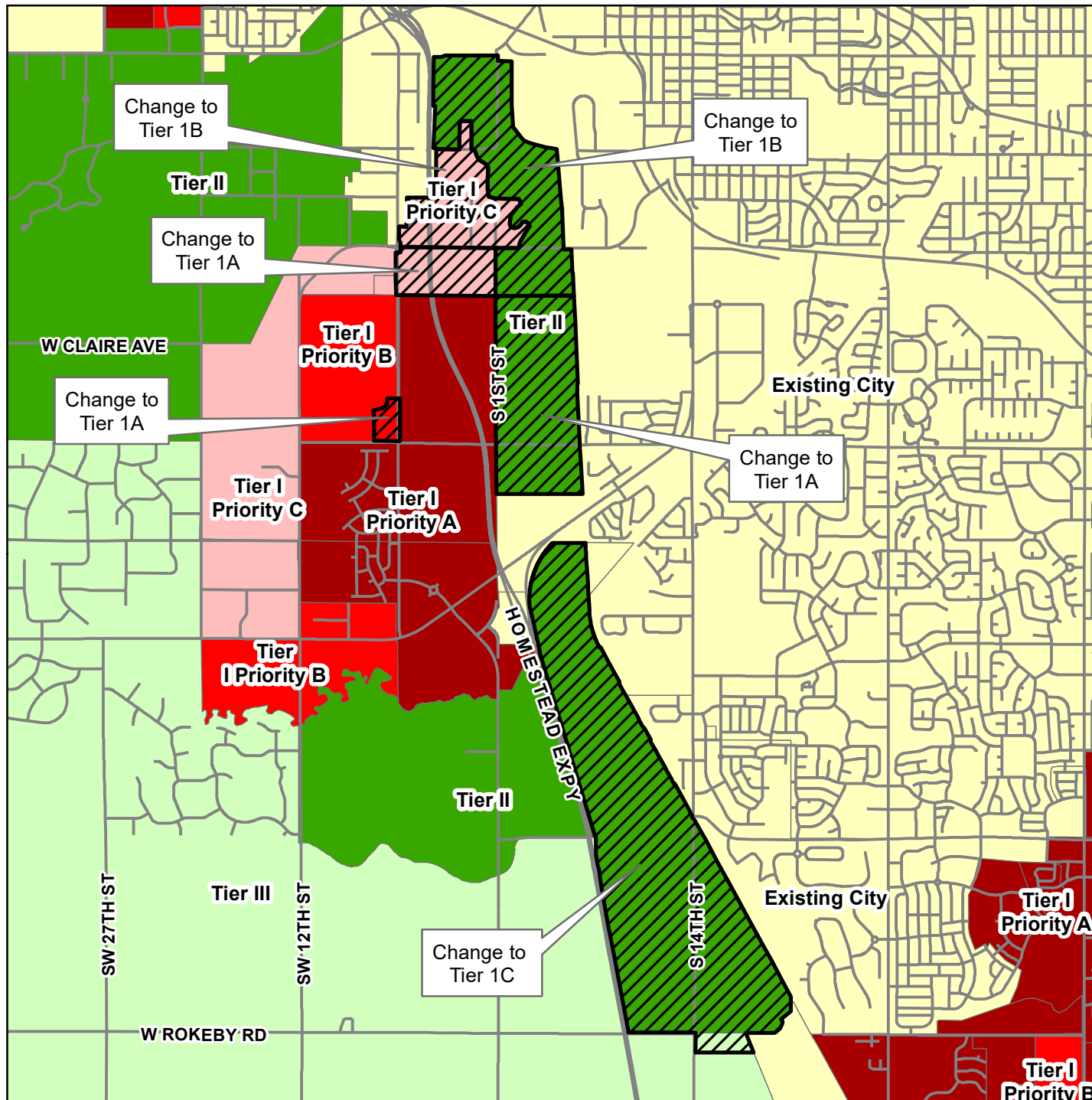


Proposed Growth Tiers

Legend

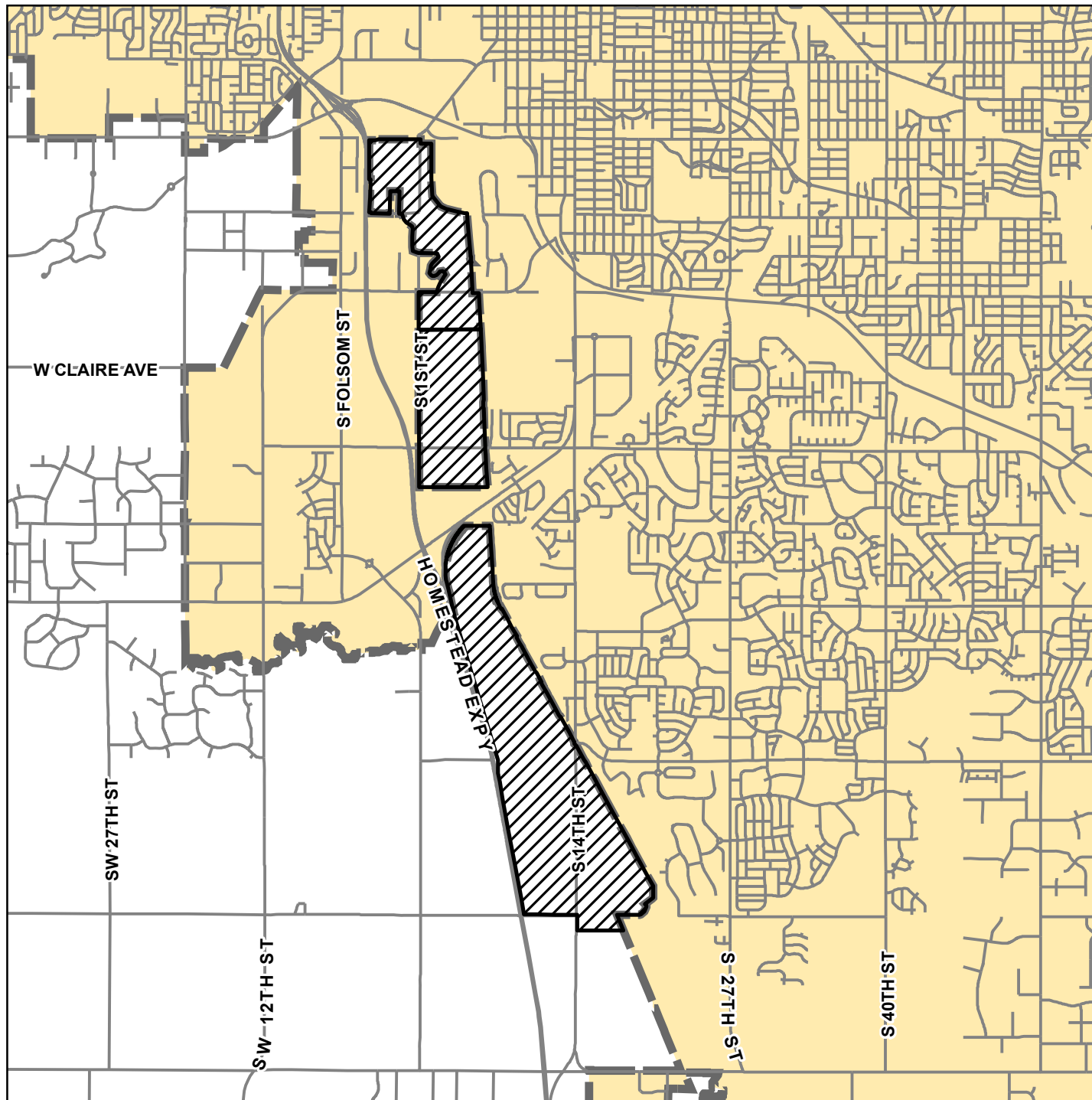
 Proposed Growth Tier Changes

-  Existing City
-  Tier I Priority A
-  Tier I Priority B
-  Tier I Priority C
-  Tier II
-  Tier III





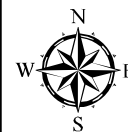
f:\its\gis\arcview\CompPlanAmendment.mxd
(CPA22001)

Proposed Future Service Limit



Legend

-  Area to Add to Future Service Limit
-  2050 Future Service Limit



Feet
0 2,450 4,900 9,800

f:\its\gis\arcview\CompPlanAmendment.mxd
(CPA22001)

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 #21013
Change of Zone #21057

FINAL ACTION?
No (both applications)

DEVELOPER/OWNER
Wilderness Crossing, LLC

PLANNING COMMISSION HEARING DATE
March 30, 2022

RELATED APPLICATIONS
CPA22001 - Comprehensive Plan
Amendment to relocate a small
commercial area to within this site.

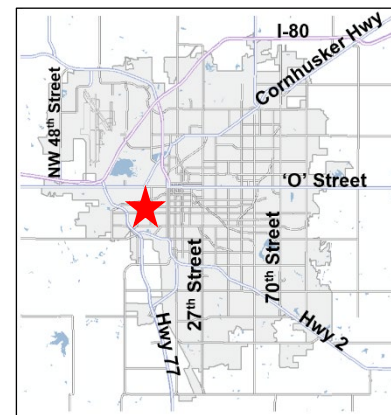
PROPERTY ADDRESS/LOCATION
Southeast corner of Highway 77 & W
Pioneers Blvd.

**RECOMMENDATION: ANNEXATION #21013
CHANGE OF ZONE #21057**

**CONDITIONAL APPROVAL
CONDITIONAL APPROVAL**

BRIEF SUMMARY OF REQUEST

This is a combined staff report for Annexation #21013 and Change of Zone #21057 for Wilderness Crossing Planned Unit Development (PUD), located southeast of the intersection of US Highway 77 and W Pioneers Boulevard. The annexation is for a total of 141.46 acres, including property from W Pioneers Boulevard to W Old Cheney Road. The change of zone from AG, Agriculture to R-3 (PUD) Planned Unit Development is approximately 76.46 acres. The annexation area is larger than the change of zone, as the City is proposing to also annex three additional properties and adjacent right of way. The additional annexation includes one single-family residence to the east of the PUD along S 1st Street, and two properties to the south of the PUD area along S 1st Street including an existing church and vacant lot at the corner of Highway 77 and W Old Cheney Road. The three properties would be annexed but are not in the proposed (PUD) area.



The proposed (PUD) consists of three specified areas including both single family and multifamily residential and would allow a maximum of 575 residential units and 30,000 square feet of commercial uses. Area 1 will allow multifamily uses subject to the R-5 Residential zoning and commercial use subject to B-2 Planned Neighborhood Business zoning standards. Area 2 will serve a mix of both single and multifamily uses and conform to R-5 zoning standards. Area 3 will follow R-3 zoning for single-family uses.

JUSTIFICATION FOR RECOMMENDATION

The subject property will be abutting the current city limit along the west side of the proposed PUD area. A change of zone to R-3 (PUD) is consistent with the Future Land Use Map and compatible with the development in the area. Both requests comply with the Zoning Ordinance and are consistent with the Comprehensive Plan.

APPLICATION CONTACT

Sam Manzitto, (402) 483-2302
samjr@manzitto.com

STAFF CONTACT

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

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The subject property is designated for future urban residential land uses on the Future Land Use Map. This designation allows for residential uses with varying densities, and it is appropriate to have more than fifteen dwellings per acre. The accompanying Comprehensive Plan Amendment will be designating a small area on the north side of the PUD area along W Pioneer's Boulevard for commercial uses and will be compatible with the proposed Area 1 neighborhood commercial. The location is currently shown as Tier I, Priority A and Priority C on the 2050 Growth Tier Map.

WAIVERS

1. Waiver #1. To waive the information on or accompanying a Preliminary Plat for a Planned Unit Development and allow information regarding grading and drainage, paving profiles/cross sections, storm water detention and sewer calculations, lot layout, and street curve data to be submitted with future administrative amendments. (Recommend Approval)
2. Waiver #2. To allow parking in the required side yard for the Area 1 except when abutting residential areas. (Recommend Approval)
3. Waiver #3. To allow cross parking between lots located in Area 1 to meet minimum parking requirements. (Recommend Approval)

KEY QUOTES FROM THE 2050 COMPREHENSIVE PLAN

Introduction Section: Growth Framework

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

Land Use Plan - The 2050 Comprehensive Plan designates this location as future urban residential.

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

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.

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

Urban infrastructure availability. The City of Lincoln will provide water and wastewater service only to

properties located within the corporate limits of the city.

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

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

The Community in 2050

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

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

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

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

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

Benefits of Well-Planned Growth

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

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.

G3: High-Quality Workforce. Lincoln and Lancaster County will strive to remove barriers to economic stability and mobility in the community by supporting a skilled and educated workforce that is able to adapt to economic, technological, and cultural changes. A high-quality workforce benefits the entire community because it attracts quality employers and entrepreneurs, which helps to grow our population and tax base and facilitates quality of life investments across a variety of sectors, and it ensures that Lincoln and Lancaster County are well-positioned to compete in tomorrow’s economy.

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.

Policies Section

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

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

Action Steps

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

Policies Section

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

Action Steps

1. Provide for an adequate supply of land and timely infrastructure improvements that meet the demands of growth.
2. Structure incentives to encourage higher densities to make greater use of the community's infrastructure.
3. Encourage new development to achieve densities greater than five dwelling units per gross acre by zoning at least 20% of residentially zoned land in developing areas to allow greater than five dwelling units per acre by right.
4. Develop new design standards or zoning tools that encourage density, optimize infrastructure costs, and help lower the overall cost of property development.
5. Implement elements of Complete Neighborhoods for Developing Areas.
6. Develop and utilize a measurement tool to evaluate neighborhoods in terms of how well they achieve PlanForward's goals for design, sustainability, and Complete Neighborhoods goals.
7. Encourage public and private investment in neighborhood infrastructure and services to support economic diversity that improves the quality of life for all residents.
8. Include housing for a variety of incomes and households throughout the community that is integrated into neighborhoods and provides appropriate transitions, scale, and context.
9. Promote mixed-income neighborhoods.
10. Preserve areas designated for multi-family, and group living housing in approved plans to support a distributed choice in affordable housing.
11. Support addition of higher density development in existing multi-family development.

14. Promote neighborhood and community design that supports healthy and active lifestyles, such as the benefits of street trees.
16. Encourage a variety of housing types including townhomes, senior living facilities, low/no maintenance condominiums, accessory dwelling units, multi-family development, and small lot single-family units.

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

Action Steps

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

UTILITIES & SERVICES:

- A. Sanitary Sewer: Public sanitary sewer will be extended from the south along S 1st Street to serve this development. The sanitary sewer to serve this development is anticipated to be constructed by the end of 2023.
- B. Water: Public water will be extended from the south along S 1st Street to this area.
- C. Roads: The adjacent arterial street, W Pioneers Boulevard, is a paved county road at this time. One additional access point is proposed to be added on W Pioneers Boulevard once Nebraska Department of Transportation moves forward with Highway 77 access/overpass layout. South 1st Street will be later improved and reconfigured, shifting slightly to the west to serve the development and area. The developer will improve S 1st Street south to the property line of the PUD.
- E. Parks and Trails: There are no parks or future trails shown within this property. The development is adjacent to Wilderness Park with access at the existing trailhead adjacent to the southeast. The relocation of 1st Street will require revisions to how Parks & Recreation accesses their maintenance facility and Wilderness Par.
- D. Fire/Police Protection: After annexation, fire protection will be provided by Lincoln Fire Rescue (LFR) and police protection by the Lincoln Police Department.

ANALYSIS

1. These are two associated requests for an annexation and change of zone. The request for annexation is approximately 141.46 acres and change of zone includes approximately 76.46 acres. The area of annexation is larger as three properties, including two properties south of the PUD area and one to the east across S 1st Street will be annexed but will not be located within the PUD. The three additional properties and right of way being annexed include an existing single-family home and Lincoln City Church both located along S 1st Street. The requested change of zone for the 76.46 acres is from AG, Agriculture to R-3 Residential PUD to allow for up to 575 dwelling units comprised of single family and multifamily residential uses. The PUD also includes up to 30,000 square feet of commercial uses subject to the B-2 zoning regulations.
2. Three waivers were requested with the change of zone request, they are as follows
 - a. To allow the waiver of information on or accompanying a Preliminary Plat for a Planned Unit Development and allow information regarding grading and drainage, paving profiles/cross sections, storm water detention and sewer calculations, lot layout, and street curve data to be submitted with future administrative amendments. This approval allows this application to approve the annexation and overall PUD zoning but will require additional amendments in the future to review the development and layout of the site, as these details are not being reviewed with this application.
 - b. To allow parking in the required side yard for the Area 1 except when abutting residential areas. This waiver is acceptable as it would allow parking lots for commercial development within Area 1 to abut and provide the availability for shared parking between commercial lots and buildings. This request is common within

commercial developments and desired parking layout.

- c. To allow cross parking between lots located in Area 1 to meet minimum parking requirements. This waiver is acceptable as Area 1 will be a mix of multifamily and commercial uses. This will allow greater flexibility with parking configuration within Area 1. This waiver will not pertain to the residential uses found in Area 2 and 3.
3. The annexation area is contiguous to the City limits along Highway 77 with a recent annexation of Foxtail Meadows to the west. The subject area is currently shown as Tier I, Priority A and Priority C on the 2050 Growth Tier Map. Growth Tier I reflects undeveloped land within the City limits, as well as areas that are not yet annexed, that serve as the next step for development and growth on the city's outer boundaries. All utilities, including public water and sewer can be extended to serve this development in the near future. The development can be served by the full range of city services. The developer proposes a timeline restriction for Area 1 within the PUD to allow Nebraska Department of Transportation up to January 1, 2023 to acquire any necessary land, if needed, for the future Highway 77 and W Pioneers Boulevard intersection project. The development is proposing to have one new access point off W Pioneers Boulevard at SW 2nd Street.
4. The subject property is located within the Southwest Rural Fire District. Under State law, the District can petition for compensation from the annexing municipality for lost revenue based upon the amount of service area annexed. For voluntary annexations such as this one, any costs due to the district are to be borne by the developer. In this case, staff has conducted the financial analysis and there should be no funds due to the District.
5. An annexation agreement will accompany the annexation request to City Council for their consideration. The terms will place liability on the developer for any cost that may be due to the Southwest Rural Fire District #1.
6. The proposed R-3 zoning for future residential lots is compatible with adjacent land uses. To the north across W Pioneers Boulevard are existing single-family homes zoned R-3. The existing Lincoln City Church abuts the proposed PUD area along the south property line. This property is abutting Highway 77 on the west and Wilderness Park along the east property line. The developer acknowledged the close proximity to Wilderness Park and will be reviewing possible design aspects that could be included to help minimize access and light trespassing into the park.
7. The development proposes to bring new housing options to the southwest area of the City through a mix of residential unit options and a small neighborhood commercial area. The site is within the Future Service Limit and all municipal services will be available in the near future. Higher density residential uses that help provide a range of housing types are encouraged where appropriate. This request complies with the requirements of the Zoning Ordinance and additionally follows the goals set within the Comprehensive Plan for future residential development that provides new housing options and future growth. The Comprehensive Plan encourages housing options such as these being proposed to be available and distributed across the community, including currently developing areas.

CONDITIONS OF APPROVAL: See attached.

EXISTING LAND USE & ZONING: AG, Agriculture, and Lincoln City Church

SURROUNDING LAND USE & ZONING

North: R-3 Residential	Single-family residential
South: AG Agriculture	Hwy 77, Farm ground
East: P Public	Wilderness Park
West: R-4 Residential/AG Agriculture	Foxtail Meadows PUD, Optimist athletic fields

APPROXIMATE LAND AREA: Annexation - 141.46 acres, more or less
Change of Zone - 76.46 acres, more or less

PROPOSED CITY COUNCIL DISTRICT ASSIGNMENT: District #3

LEGAL DESCRIPTION: See attached legal description.

Prepared by

Benjamin Callahan, Planner

Date: March 17, 2022

Applicant: Wilderness Crossing, LLC
Sam Manzitto
4400 Lucile Drive, Ste 201
Lincoln, NE 68516
402-483-2302

Contact: Civil Design Group, Inc
8535 Executive Woods Dr., Ste 200
Lincoln, NE 68506

Owner: Catholic Bishop of Lincoln
3400 Sheridan Blvd.
Lincoln, NE 68506

<https://linclanc.sharepoint.com/sites/PlanningDept-DevReview/Shared Documents/DevReview/AN/21000/AN21013 & CZ21057 Wilderness Crossing PUD.docx>

CONDITIONS OF APPROVAL - ANNEXATION #21013

Before the City Council approves the annexation:

1. The applicant signs an annexation agreement

CONDITIONS OF APPROVAL - CHANGE OF ZONE #21057

Per LMC Chapter 27.60 this approval permits a Planned Unit Development for up to 575 residential dwelling units and a maximum of 30,000 square feet of commercial space with waivers to the information provided on the preliminary plat with this application, but will be provided with future administrative amendments, to allow parking in the required side yard for the Area 1 except when abutting residential areas, and to allow cross parking between lots located in Area 1 to meet minimum parking requirements.

Site Specific Conditions:

1. The City Council approves associated request:
 - 1.1 Annexation #21013
2. 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 Add to Note #5. "The phasing details may be revised by administrative amendment to the satisfaction of Lincoln Transportation and Utilities and Planning Department."
 - 2.2 Revise Note #6 to read "Shall Not" instead of "Shall"
 - 2.3 Remove "Vacation by Lot 29 I.T." and replace with "TO REMAIN" to read "33' Wide S 1st Street right-of-way to remain."
 - 2.4 Show lot layout for all of Lot 29 I.T. and revise cul-de-sac reducing extension to the east to the satisfaction of the Planning Department.
 - 2.5 Revise legal description of annexation to note that Lot 59 I.T. and adjacent right-of-way is being annexed.
 - 2.6 Add note stating, "Developer will provide access to Wilderness Park at three points: north entry drive to the 1st Street Trailhead on the southern edge of the development, Greenways Shop driveway at 4800 S. 1st Street, and at a point approximately 325 feet south of the center line of Pioneers Blvd. to the satisfaction of Parks and Recreation".
 - 2.7 Add to the General Notes, "Signs need not be shown on this site plan, but need to be in compliance with chapter 27.69 of the Lincoln Zoning Ordinance, and must be approved by Building & Safety Department prior to installation".
3. Before receiving building permits, the developer shall provide the following documents to the Planning Department:
4. Before issuance of building permits, final plat(s) shall be approved by the City.

If any final plat on all or a portion of the approved planned unit development is submitted five (5) years or more after the approval of the planned unit development, the city may require that a new planned unit development be submitted, pursuant to all the provisions of section 26.31.015. A new planned unit development 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 planned unit development as originally approved does not comply with the amended rules and regulations.

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

Before a final plat may be approved, Developer agrees, as subdivider, must enter into an agreement with the City whereby Developer agrees:

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

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

to complete the installation of sidewalks along improved major streets as shown on the final plat within two (2) years following the approval of this final plat.

to construct the sidewalk in the pedestrian way easements in at the same time as the adjacent street is paved and to agree that no building permit shall be issued for construction on adjacent Lots, Blocks, on both sides of easement until such time as the sidewalk in the pedestrian way easement is constructed.

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

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

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

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

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

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

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

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

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

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

to timely complete any other public or private improvement or facility required by the Land Subdivision Ordinance 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 Planned Unit Development.

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

to maintain the outlots on a permanent and continuous basis.

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

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

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

to maintain the sidewalks in the pedestrian way easements in good order and condition, including repair and replacement as reasonably necessary, on a permanent and continuous basis.

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

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

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

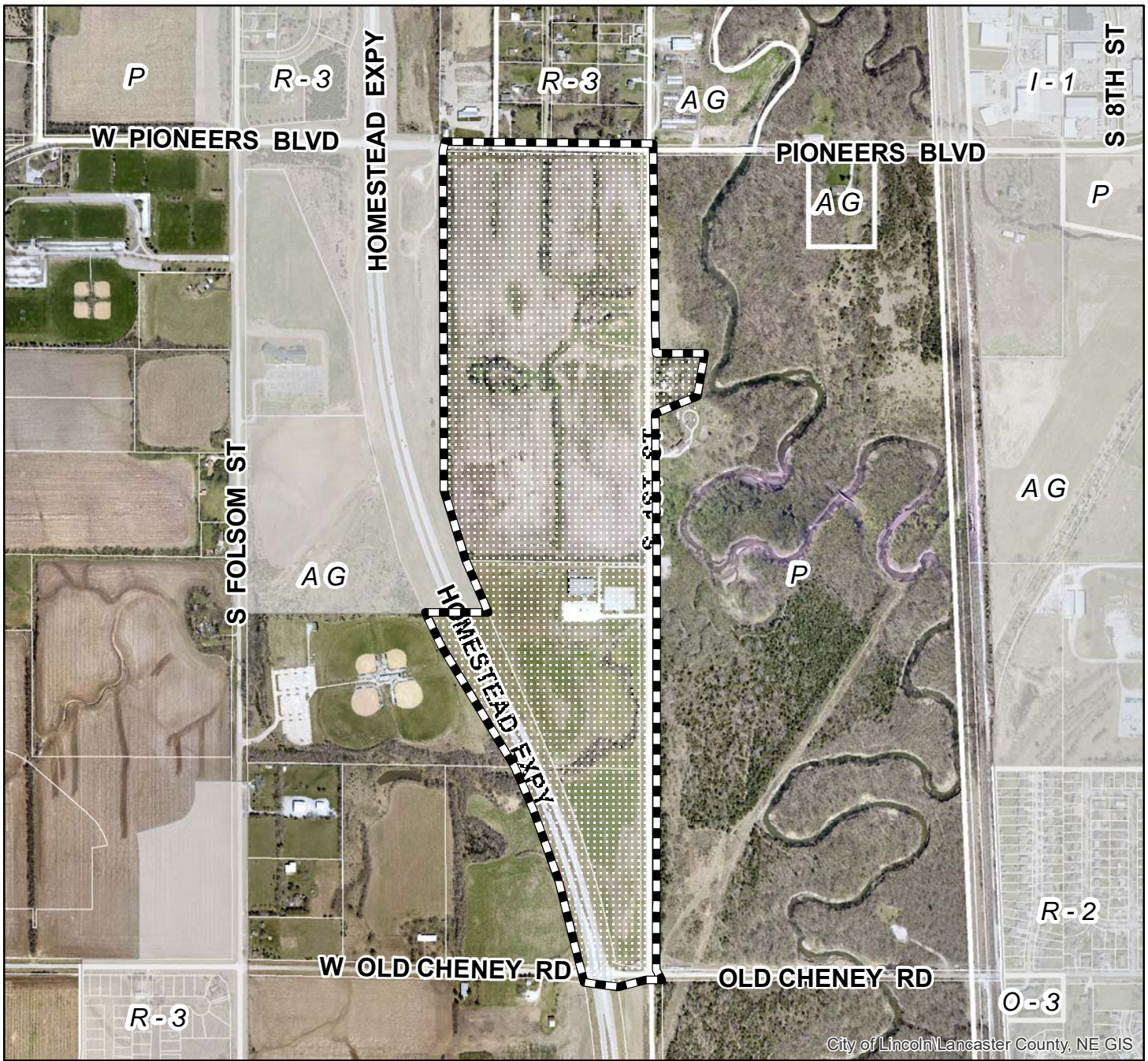
To pay all design, engineering, labor, material, inspection, and other improvement costs

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

to relinquish the right of direct vehicular access from Highway 77 and W Pioneers Boulevard except as shown

Standard Conditions:

5. The following conditions are applicable to all requests:
 - 5.1 Before occupying the dwelling units/commercial buildings all development and construction shall substantially comply with the approved plans.
 - 5.2 All privately-owned improvements shall be permanently maintained by the owner or an appropriately established homeowners association approved by the City Attorney.
 - 5.3 The physical location of all setbacks and yards, buildings, parking and circulation elements, and similar matters must be in substantial compliance with the location of said items as shown on the approved site plan.
 - 5.4 The terms, conditions, and requirements of the ordinance shall run with the land and be binding upon the developer, its successors and assigns.
 - 5.5 The applicant shall sign and return the letter of acceptance to the City Clerk. This step should be completed within 60 days following the approval of the special permit. The City Clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filing fees therefore to be paid in advance by the applicant. Building permits will not be issued unless the letter of acceptance has been filed.
 - 5.6 The Developer shall after constructing the private roadways furnish the Lincoln Transportation and Utilities Department an accurate survey of the centerline.
 - 5.7 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.



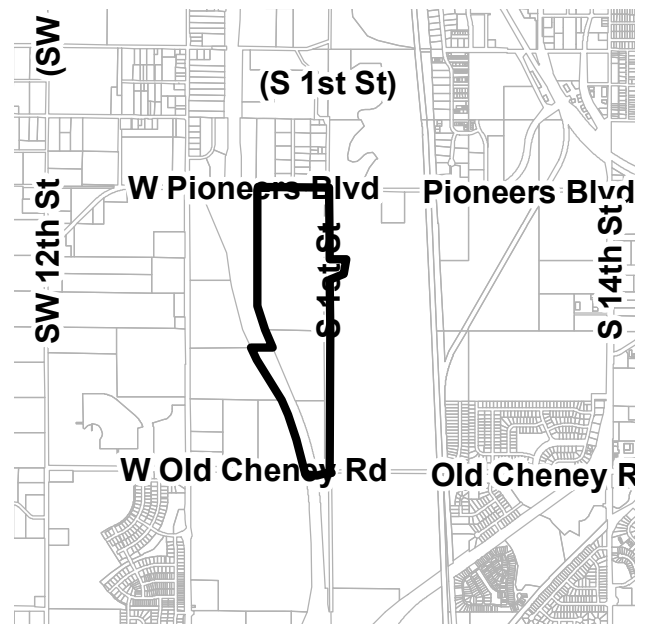
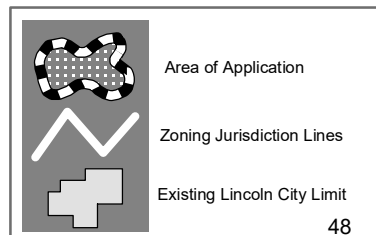
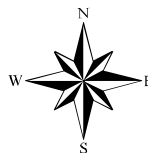
2020 aerial

Annexation #: AN21013 **Wilderness Crossing** **Hwy 77 & Pioneers Blvd**

Zoning:

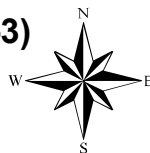
R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	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.03 T09N R06E
 Sec.10 T09N R06E





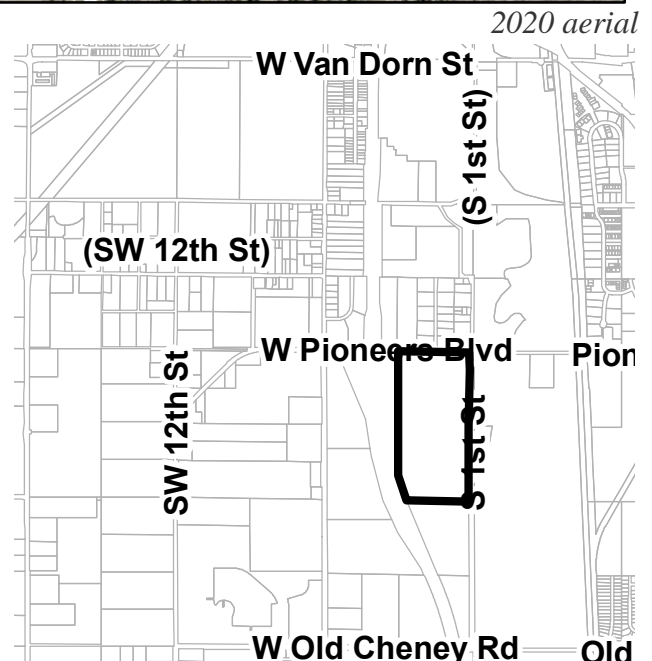
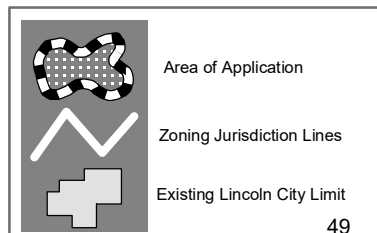
Change of Zone #: CZ21057 (AG to R-3) **Wilderness Crossing** **Hwy 77 & Pioneers Blvd**



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
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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.03 T09N R06E
 Sec.10 T09N R06E



P.U.D. LEGAL DESCRIPTION

A legal description of Lot 59 Irregular Tracts, located in the Northeast Quarter of Section 10, Township 9 North, Range 6 East, of the 6th P.M., Lincoln, Lancaster County, Nebraska and more particularly described as follows:

Referring to the Northeast Corner of the East Half of the Northeast Quarter of Section 10, Thence West, on the North Line of the East Half of the Northeast Quarter of Section 10, on an assumed bearing of N 88°45'15" W for a distance of 50.11' to the Northeast Corner of Lot 59 Irregular Tracts, said point being the Point of Beginning;

Thence N 88°45'15" W, on the North Line of the East Half of the Northeast Quarter of Section 10 and on the North Line of said Lot 59, for a distance of 1276.85' to the Northwest Corner of the East Half of the Northeast Quarter of Section 10, said point also being the Northwest Corner of said Lot 59;
Thence S 00°10'38" E, on the West Line of Lot 59 Irregular Tracts for a distance of 2220.08';
Thence S 17°15'47" E, continuing on the West Line of Lot 59 Irregular Tracts, for a distance of 469.47' to the Southwest Corner of said Lot 59;
Thence S 89°11'57" E, on the South Line of Lot 59 Irregular Tracts, for a distance of 1118.22' to the Southeast Corner of said Lot 59, said point being on the West Right-of-way Line of South 1st Street;
Thence on the East Line of Lot 59 Irregular Tracts and the West Right-of-way Line of South 1st Street, the following 3 courses:
N 00°06'03" W for a distance of 1346.91';
Thence N 00°52'12" E for a distance of 1000.19';
Thence N 00°09'24" W for a distance of 509.27' to the Point of Beginning, and having a calculated area of 76.46 acres more or less.

Subject to any and all easements and restrictions of record.

WAIVERS

TITLE 26 - SECTION 26.15.020 - TO WAIVE THE INFORMATION ON OR ACCOMPANYING A PRELIMINARY PLAT FOR A PLANNED UNIT DEVELOPMENT, THE FOLLOWING INFORMATION SHALL BE SUBMITTED WITH FUTURE ADMINISTRATIVE AMENDMENTS:

- INCLUDING:
- GRADING AND DRAINAGE
 - PAVING PROFILES/CROSS SECTIONS
 - STORM WATER DETENTION & STORM SEWER CALCULATIONS
 - LOT LAYOUT
 - STREET CURVE DATA

TITLE 27 - SECTION 27.67.030 - TO ALLOW PARKING IN THE REQUIRED SIDE YARD FOR THE AREA 1 EXCEPT WHEN ABUTTING RESIDENTIAL AREAS.

TITLE 27 - SECTION 27.67.030 - TO ALLOW CROSS PARKING BETWEEN LOTS LOCATED IN AREA 1 TO MEET MINIMUM PARKING REQUIREMENTS.

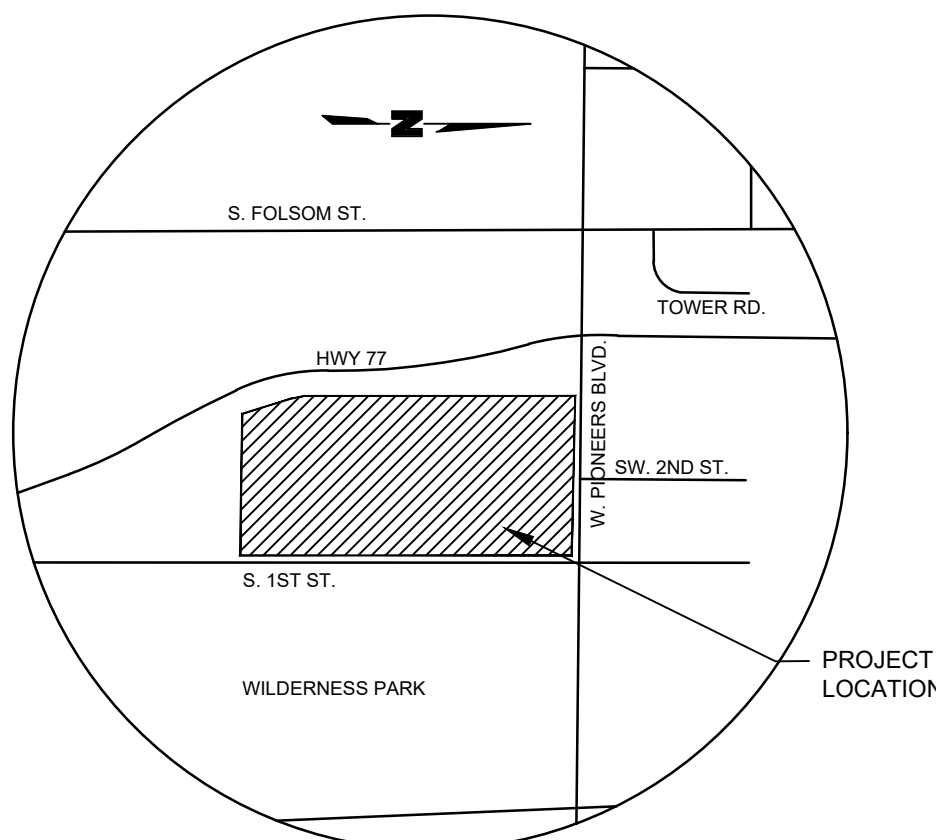
HEIGHT AND AREA TABLE	
AREA 1 (MULTI-FAMILY/ NEIGHBORHOOD COMMERCIAL)	<ul style="list-style-type: none">20' SETBACK TO ADJACENT RESIDENTIAL USES (B-2 SETBACKS)0' INTERNAL SETBACKS55' HEIGHT LIMIT
AREA 2 (MULTI-FAMILY AND SINGLE FAMILY)	<ul style="list-style-type: none">SETBACKS PER R-5 ZONING55' HEIGHT LIMIT
AREA 3 (SINGLE FAMILY)	<ul style="list-style-type: none">SETBACKS PER R-3 ZONING35' HEIGHT LIMIT

NOTES

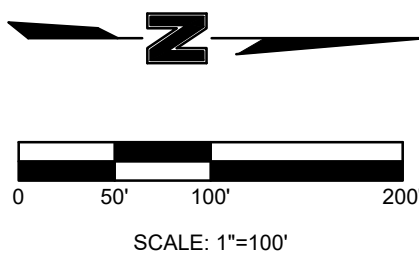
- THE EXISTING ZONING IS AG. THE PROPOSED ZONING IS R-3 P.U.D. AREA 1 WILL CONFORM TO THE B-2 ZONING DISTRICT REGULATIONS FOR COMMERCIAL USES AND TO THE R-5 ZONING DISTRICT FOR MULTI-FAMILY USES. (FOR MIXED USE BUILDINGS, THE MORE RESTRICTIVE SETBACK SHALL APPLY.) AREA 2 WILL CONFORM TO THE R-5 ZONING DISTRICT AND AREA 3 WILL CONFORM TO THE R-3 ZONING DISTRICT, UNLESS OTHERWISE SPECIFIED.
- DIRECT VEHICULAR ACCESS SHALL BE RELINQUISHED FROM HWY 77 AND PIONEER BLVD. EXCEPT AS SHOWN.
- THE DEVELOPMENT SHALL INITIALLY ACCESS W. PIONEERS BLVD. VIA S. 1ST STREET AS AN INTERIM FULL ACCESS INTERSECTION. THE DEVELOPER SHALL CONSTRUCT TEMPORARY NON-REBURSABLE 150' EAST-BOUND AND WEST-BOUND TURN LANES INTO THE SITE AT THIS LOCATION.
- AFTER THE PERMANENT FULL ACCESS INTERSECTION AT SW 2ND STREET & W. PIONEERS BLVD IS CONSTRUCTED THE CITY MAY RE-CONSTRUCT THE INTERSECTION OF S. 1ST ST & W. PIONEERS BLVD TO BE A RIGHT-IN, RIGHT-OUT MOVEMENT IF A FULL ACCESS INTERSECTION IS BUILT AT SW 2ND & W. PIONEERS BLVD.
- IF THE INITIAL PHASE OF THE DEVELOPMENT INCLUDES THE CONNECTIONS OF S. 1ST ST & W. PIONEERS BLVD AND REALIGNED S. 1ST TO IT EXISTING ROW SOUTH OF THE P.U.D. THERE SHALL BE NO LIMITATION TO THE NUMBER OF DWELLING UNITS. IF THE INITIAL PHASE IS LIMITED TO ONE POINT OF INGRESS AND EGRESS, THEN THAT PHASE SHALL BE LIMITED TO 100 DWELLING UNITS UNTIL A SECOND EXTERNAL ACCESS POINT IS CONSTRUCTED.
- BUILDING PERMITS FOR COMMERCIAL USES SHALL BE ALLOWED UNTIL A FULL ACCESS INTERSECTION AT SW 2ND STREET IS CONSTRUCTED.
- THE PUBLIC ROW OF S. 1ST STREET SHALL NOT BE VACATED AND REPLATTED UNTIL THE CONSTRUCTION OF THE NEW S. 1ST STREET IS COMPLETED. NO BUILDABLE LOTS MAY BE FINAL PLATTED EAST OF THE NEW S. 1ST STREET UNTIL THE CONSTRUCTION OF THE STREET IS COMPLETED.
- THE PROPOSED STREET NETWORK IS CONCEPTUAL AND SUBJECT TO FINAL DESIGN BY ADMINISTRATIVE AMENDMENTS.
- ALL OUTLOT AREAS AND OPEN SPACE SHALL BE MAINTAINED BY THE DEVELOPER UNTIL SUCH TIME THAT AN ASSOCIATION IS CREATED.
- BY ADMINISTRATIVE AMENDMENT THE MINIMUM PARKING REQUIREMENT MAY BE REDUCED BY UP TO 25% DUE TO MIXED USE, SHARED PARKING AND/OR NON-CONCURRENT PARKING USE.
- PRIOR TO ANY FINAL PLAT TO CREATE A BUILDABLE LOT, AN ADMINISTRATIVE AMENDMENT SHALL BE REQUIRED TO INCLUDE ALL REQUIRED GRADING, DETENTION, STREET ALIGNMENTS, UTILITY LOCATIONS, STREET PROFILES, ETC. ADMINISTRATIVE AMENDMENTS ARE NOT REQUIRED FOR COMMERCIAL SQUARE FOOTAGE ALLOCATION.
- LOCATIONS OF WATER, SANITARY SEWER, STORM SEWER, GRADING & DRAINAGE, PAVING, STREETS, LOT LINES, AND SIDEWALKS ARE SUBJECT TO APPROVAL BY ADMINISTRATIVE AMENDMENTS IN COMPLIANCE WITH THE LINCOLN MUNICIPAL CODE AND THE DESIGN STANDARDS EXCEPT AS SPECIFICALLY MODIFIED BY THE CITY COUNCIL WITH THE P.U.D. MINIMUM OPENING ELEVATIONS SHALL BE SET AT THE TIME OF ADMINISTRATIVE AMENDMENT FOR THOSE LOTS ADJACENT TO FLOODPLAIN/LOPPONE AREA AND MINIMUM CORRIDORS. THE PARKING AND LANDSCAPING DESIGNS ARE TO BE APPROVED AT THE TIME OF BUILDING PERMITS IN COMPLIANCE WITH THE LINCOLN MUNICIPAL CODE.
- LOTS MAY BE CREATED WITHOUT FRONTAGE TO A PUBLIC STREET IF THEY ABUT A PUBLIC ACCESS EASEMENT.
- EXISTING AND PROPOSED EASEMENTS ARE TO BE IDENTIFIED AND SHOWN AT TIME OF FINAL PLATTING.
- EXACT LOCATIONS OF WATER, SEWER, DRAINAGE AND PAVING WILL BE SUBMITTED WITH INDIVIDUAL SITE PLANS AT THE TIME OF BUILDING PERMITS IN ACCORDANCE WITH THE CITY OF LINCOLN DESIGN STANDARDS.
- FENCES, DUMPSTERS, DECORATIVE STRUCTURES AND ACCESSORY BUILDINGS ARE NOT SHOWN ON THE PLANS BUT ARE ALLOWED IF THEY ARE OUTSIDE OF THE SITE TRIANGLES AND SETBACK AND AREAS IN CONFORMANCE WITH ALL APPLICABLE ORDINANCES AND CODES.
- STREET TREES WILL BE REVIEWED AT THE TIME OF FINAL PLATTING AND ASSIGNED BY PARKS AND RECREATION DEPARTMENT.
- AREA 1 SIGN REGULATIONS SHALL CONFORM TO THE B-2 ZONING FOR COMMERCIAL USES AND R-5 ZONING FOR MULTI-FAMILY USES. AREA 2 SIGN REGULATIONS SHALL CONFORM TO THE R-5 ZONING. AREA 3 SIGN REGULATIONS SHALL CONFORM TO THE R-3 ZONING. SIGNS NEED NOT BE SHOWN ON THE SITE PLANS. FOR THE PURPOSES OF THIS P.U.D. THE ENTIRE P.U.D. BOUNDARY WILL BE TREATED AS ONE PREMISES. THIS WILL ALLOW SIGNS FOR ANY USE WITHIN THE P.U.D. BOUNDARIES TO BE ON A SIGN WITHOUT BEING CONSIDERED AN OFF PREMISE SIGN.
- AREA BOUNDARIES ARE APPROXIMATE AND MAY BE ADJUSTED BY ADMINISTRATIVE AMENDMENT.
- ALL SIDEWALKS ADJACENT TO STREETS ARE TO BE IN THE PUBLIC R.O.W. EXCEPT AS NOTED, ALL OTHER SIDEWALKS ARE TO BE IN PEDESTRIAN EASEMENTS. PEDESTRIAN EASEMENT TO BE 15' WIDE IN PEDESTRIAN AREAS AND SIDEWALKS ARE TO BE 4' WIDE. EXACT LOCATIONS OF ALL EASEMENTS SHALL BE SHOWN AT THE TIME OF FINAL PLATS.
- EYES, OVERHANGS, WINDOW SWINGS, CANOPIES, AIR CONDITIONER UNITS, ETC., MAY ENCRoACH OVER THE SETBACK LINES. ENCROACHMENTS ARE NOT ALLOWED OVER PROPERTY LINES AND MUST CONFORM TO THE BUILDING AND LIFE SAFETY CODES.
- MULTI-FAMILY AND SINGLE FAMILY DWELLINGS ARE ALLOWED IN AREA 1, BUT THE TOTAL NUMBER OF MULTI-FAMILY DWELLING UNITS OR COMMERCIAL FLOOR AREA WITHIN THE P.U.D. WILL NOT EXCEED THE PERMITTED DENSITY AS SHOWN.
- AREA 1 SHALL BE PLATTED AS AN UN-BUILDABLE OUTLOT UNTIL APRIL 1, 2023 TO PROVIDE NEBRASKA DEPARTMENT OF TRANSPORTATION TIME TO DETERMINE FUTURE RIGHT-OF-WAY NEEDS ALONG HIGHWAY 77 AND PIONEERS BLVD.
- A GRAVEL DRIVEWAY FROM PIONEERS BLVD. TO THE CITY OF LINCOLN PARKS & RECREATION MAINTENANCE AREA SOUTH OF LOT 29, SHALL BE PROVIDED IN THE PORTION OF VACATED S. 1ST STREET RIGHT-OF-WAY BY DEVELOPER.

WILDERNESS CROSSING

PLAN UNIT DEVELOPMENT CZ#21013



VICINITY MAP
NO SCALE



CURVE DATA						
CURVE #	RADIUS	ANGLE	TANGENT	LENGTH	CH DIST	CH BRG
C1	1000.00'	7°08'38"	62.42'	124.68'	124.60'	S03°28'16"W
C2	450.00'	39°40'14"	162.32'	311.57'	305.39'	N19°46'45"E
C3	200.00'	39°42'55"	72.23'	138.63'	135.87'	S19°45'25"W
C4	150.00'	90°00'00"	150.00'	235.62'	212.13'	N44°53'58"E
C5	150.00'	90°04'36"	150.20'	235.82'	212.27'	S44°51'40"W
C6	150.00'	32°26'12"	43.63'	84.92'	83.79'	S16°23'44"E
C7	500.00'	22°20'28"	98.74'	194.96'	193.73'	S11°16'16"E
C8	450.00'	17°09'45"	67.91'	134.79'	134.29'	N81°19'05"E
C9	300.00'	89°54'32"	299.52'	470.76'	423.93'	S45°08'46"E
C10	300.00'	17°18'12"	45.65'	90.60'	90.26'	S08°33'03"W
C11	300.00'	17°05'10"	45.07'	89.46'	89.13'	S08°43'13"E

MAXIMUM DENSITY CALCULATIONS

AREA 1 - 16.28 AC X 29.04 (R-5) = 472.77 UNITS
AREA 2 - 20.36 AC X 29.04 (R-5) = 591.25 UNITS
AREA 3 - 43.59 AC X 6.96 (R-3) = 303.38 UNITS
TOTAL DWELLING UNITS ALLOWED - 1,336 DWELLING UNITS

PERMITTED DENSITY

AREA	USE	ALLOWABLE
1	B-2/R-5	30,000 S.F./250 M.F. UNITS
2	R-5	150 UNITS
3	R-3	175 UNITS

LEGEND

- MULTI-FAMILY & NEIGHBORHOOD COMMERCIAL (AREA 1)
- MULTI-FAMILY AND SINGLE FAMILY (AREA 2)
- SINGLE FAMILY (AREA 3)
- FUTURE VACATION OF 1ST STREET BY DEVELOPER
- FUTURE VACATION OF 1ST STREET BY LOT 29
- P.U.D. BOUNDARY
- AREA BOUNDARY
- PROPOSED STREET CENTERLINE

DEVELOPER

WILDERNESS CROSSING, LLC
4400 LUCILLE DRIVE, SUITE 201
LINCOLN, NE 68516
(402) 483-2302

PROPERTY OWNERS

CATHOLIC BISHOP OF LINCOLN
3400 SHERIDAN BLVD.
LINCOLN, NE 68506

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) 434-2588

REVISIONS

NO.	DATE	DESCRIPTION

WILDERNESS CROSSING
P.U.D. CZ#21013

P.U.D. OVERLAY AREAS

LINCOLN, NEBRASKA

drawn by: jds
checked by: -
approved by: -
project no.: 2021-0180
drawing no.: -
date: 02/16/2022

SHEET
1 OF 1



Civil Design Group, Inc.

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

February 16, 2022

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

Re: R-3 Planned Unit Development (PUD) & Change of Zone for 76.46 acres of land located south of Pioneers Blvd and east Hwy 77.

Dear Mr. Cary:

On behalf of Wilderness Crossing, LLC we submit the enclosed application for a PUD covering 76.46 acres of land on south of Pioneers Blvd and east of Hwy 77. The PUD contains areas designated for B-2, R-5 and R-3 uses as shown on the site plan. As development commences the full details for grading, drainage, roadway profiles, utility locations and erosion control, etc., shall be submitted for administrative approvals prior to construction and final platting.

We have also called out for a development timeline restriction on Area 1. This is to allow NDOT and the City of Lincoln time up until April 1, 2023 to acquire any necessary land they deem appropriate for their future ROW needs along Hwy 77 & Pioneers Blvd.

We are requesting the following waivers:

1. To Title 26-Section 26.15.020, to waive the information on or accompanying a preliminary plat for a planned unit development.
2. To Title 27-Section 27.67.030 to allow parking in the required side yard for Area 1, except when abutting a residential district and to allow cross parking between lots located in the Area 1 to meet the minimum parking requirements.

With this application we submit the following items:

Application for a Change of Zone (PUD)
Change of Zone Fee of \$4,300.00
All plan sheets, uploaded via Project Dox

I hope that this letter in conjunction with the PUD 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,

A handwritten signature in blue ink, appearing to read "Mike Eckert", with a stylized flourish at the end.

Mike Eckert, AICP

cc: Wilderness Crossing, LLC

LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT

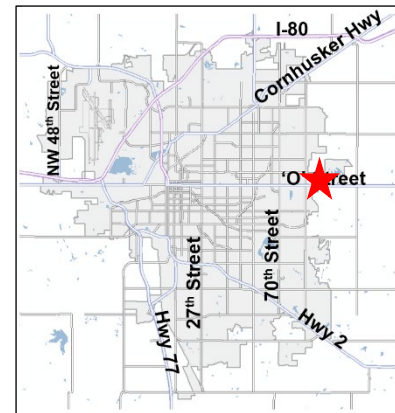
FROM THE LINCOLN/LANCASTER COUNTY PLANNING DEPARTMENT, 555 S. 10TH STREET, SUITE 213, LINCOLN, NE 68508

APPLICATION NUMBER 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.

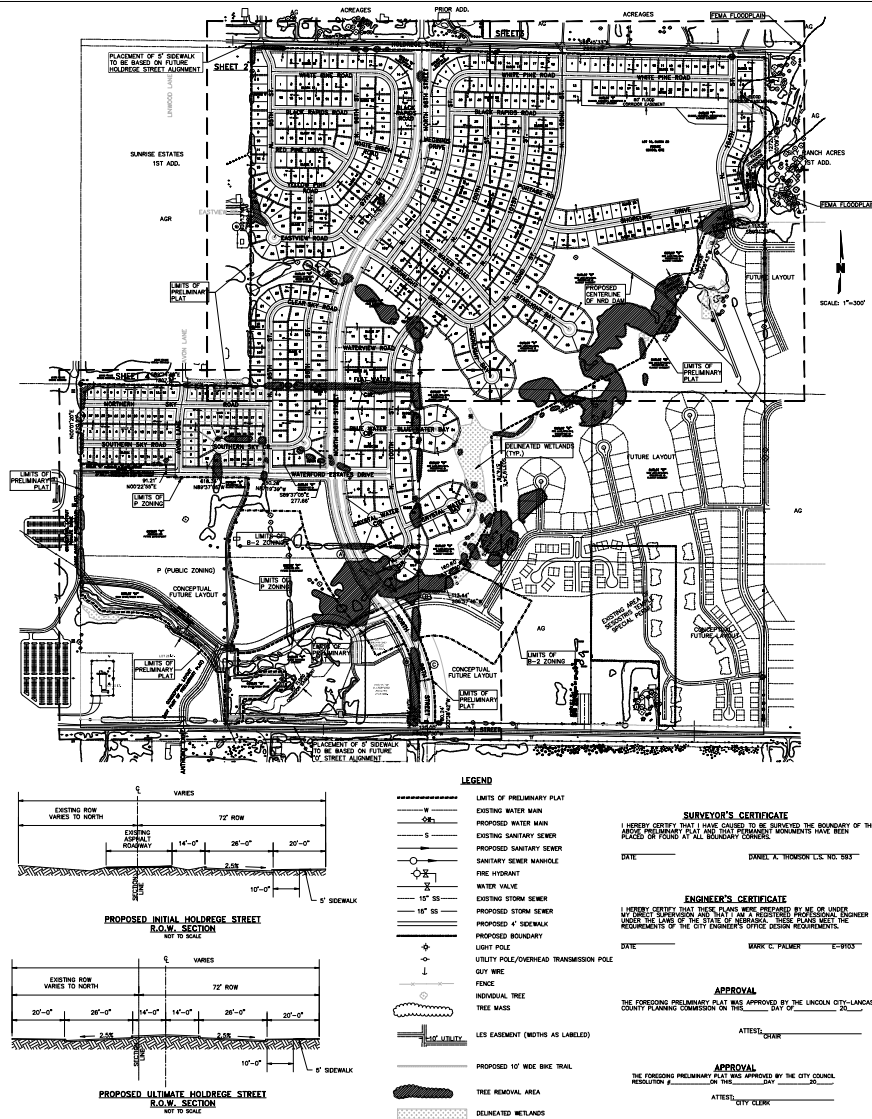
to maintain and supervise the private facilities which have common use or benefit in a condition as near as practical to the original construction on a permanent and continuous basis, and to recognize that there may be additional maintenance issues or costs associated with providing for the proper functioning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



WATERFORD ESTATES

PRELIMINARY PLAT
COVER SHEET

LEGAL DESCRIPTION
PRELIMINARY PLAT

[illegible]

GENERAL SITE NOTES

1. SANITARY TRENCHES AND WATER LINES TO BE 8" PIPE AND 4" PIPE RESPECTIVELY UNLESS OTHERWISE SHOWN AND TO BE RAIL TO CITY OF LINCOLN SPECIFICATIONS
2. ALL VENTILATION SIZES AS SHOWN UNLESS OTHERWISE SPECIFIED
3. LOT DIMENSIONS TO BE APPROXIMATE AND MAY VARY UP TO 10 FEET.
4. ALL DIMENSIONS UNLESS CLONES ARE CHAIN DIMENSIONS.
5. ALL PAVING SHALL BE 3" UNLESS OTHERWISE NOTED.
6. ALL INTERSECTION ANGLES SHALL BE 90° UNLESS OTHERWISE NOTED.
7. DIRECT VEHICULAR ACCESS TO HOLMSTED STREET, V STREET & NORTH 16TH STREET IS RECOMMENDED EXCEPT AS SHOWN.
8. ALL ELEVATIONS ARE BASED ON NAD 1983.
9. SIDEWALKS TO BE BUILT ALONG BOTH SIDES OF STREET. SIDEWALKS ALONG MAJOR STREETS SHALL BE 6 FEET.
10. EASEMENTS AS SHOWN SHALL BE GRANTED FOR PUBLIC USE AND FOR SIDEWALKS. SIDEWALKS IN PEDESTRIAN EASEMENTS SHALL BE 4' WIDE AND THE EASEMENTS SHALL BE 10' WIDE.

OWNERS & DEVELOPERS:
RICHARD W. MCGRAW, JR. &

SWR INVESTMENTS LLC 445 NORTH 66TH STREET LINCOLN, NE 68505	RICHARD W. MCGINNIS DANIEL H. MCGINNIS MARK W. MCGINNIS THOMAS O. MCGINNIS 238 SOUTH 13TH STREET LINCOLN, NE 68508 PHONE: (402)441-5800	RIDGE DEVELOPMENT COMPANY & SOUTHWEST INC. 3355 ORWELL, SUITE 100 LINCOLN, NE 68516 PHONE: (402)438-3444
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ENGINEER & PREPARED BY:

OLSSON ASSOCIATES
1111 LINCOLN MALL

BOUNDARY CURVE DATA

[illegible]

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.

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.

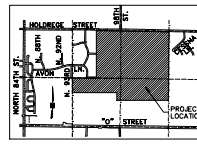
APPROACH

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

APPRO

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

ATTEST: _____



VICINITY MAP

REQUESTED WAIVERS

3. A WARNING TO THE DESIGN STANDARDS BOARD TO ALLOW THE TRANSFER OF DEBRIS FROM ONE BARGE TO ANOTHER BY A LIFT STATION.
4. A WARNING TO THE LINCOLN MUNICIPAL CODE TO ALLOW LIFT LINES NOT PERPENDICULAR TO RIGHT OF WAY.
5. A WARNING TO THE DESIGN STANDARDS OF LINCOLN TO ALLOW SANITARY SINKER BARS TO CROSS STREET GRADATIONS.
6. A WARNING TO DELAY THE SUBMITTAL OF A USE PERMIT ON THE B-2 PARAGRAPHS.
7. A WARNING TO THE DESIGN STANDARDS OF LINCOLN TO ALLOW SANITARY SINKERS TO THE MAXIMUM DEPTH OF 18", BUT NOT TO EXCEED 20".
8. TO MAKE THE MINIMUM WIDTH TO DEPTH RATIO FOR OUTLETS "30, 20" & "18".
9. A WARNING TO THE CITY OF LINCOLN DESIGN STANDARDS, DRAINAGE OUTLET MANHOLE SECTION 10.3.5 TO ALLOW IMPACTS TO THE MINIMUM FLUSH CORRELOR.
10. A WARNING TO THE LINCOLN MUNICIPAL CODE TO THE REQUIREMENT FOR A PESTER'S REVIEW.

olsson

301 P Street, Suite 200
P.O. Box 84608
Lincoln, NE 68508
TEL 402.474.6311 www.dresson.com

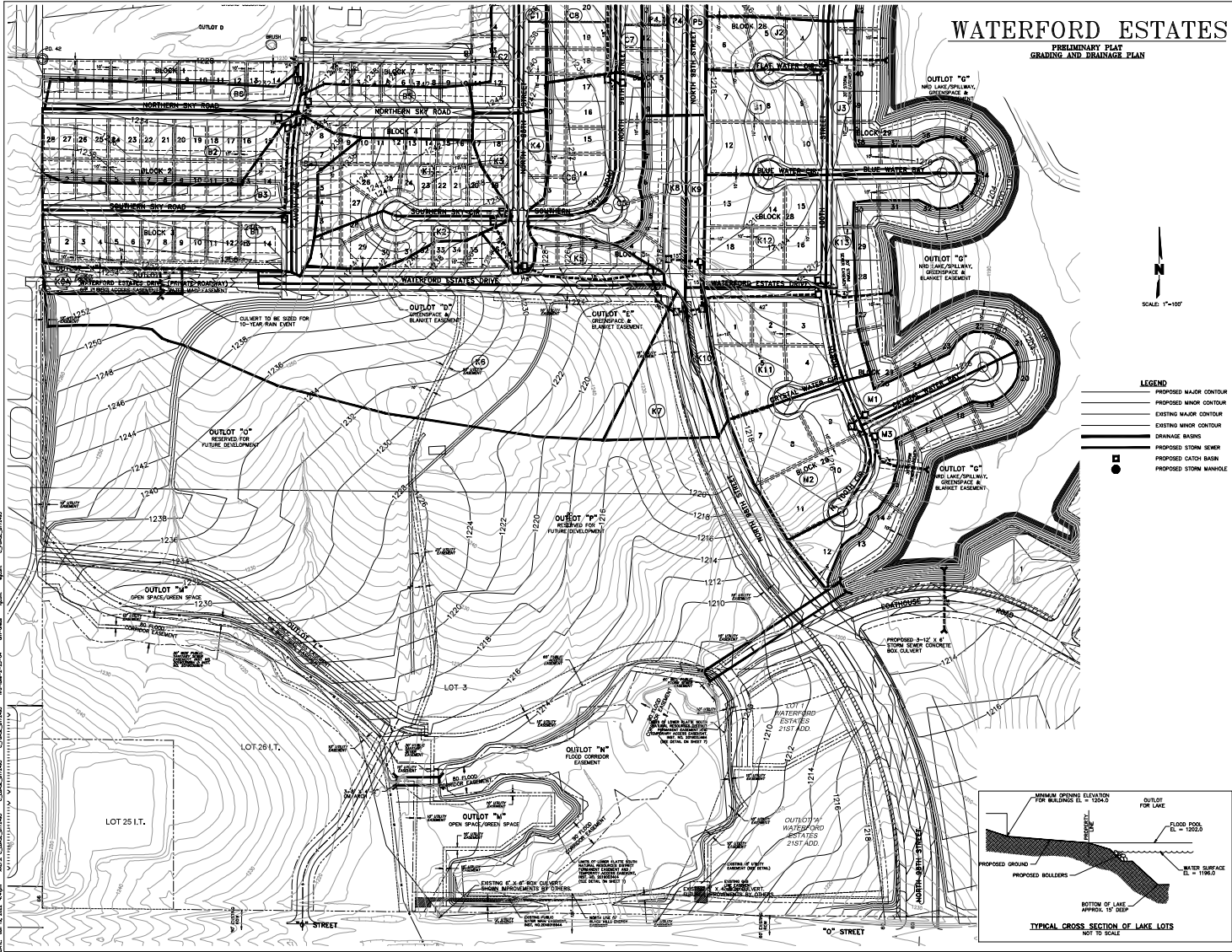
REVISIONS

ADDITIONAL INFORMATION

11155451 五洲大藥房

SHEET
01 OF 17

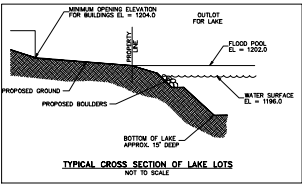




WATERFORD ESTATES
PRELIMINARY PLAN
GRADING AND DRAINAGE PLAN

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



1572 S Street, Suite 200
Lincoln, NE 68508
TEL: 402.734.8311
www.olson.com

REVISIONS	
NO.	DESCRIPTION

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

LINCOLN, NEBRASKA

Drawn by: [blank]
Checked by: [blank]
Designed by: [blank]
Reviewed by: [blank]
In Charge: [blank]
Date: [blank]

CA: [blank]
SC: [blank]
GP: [blank]
CD: [blank]
CE: [blank]
SE: [blank]
SR: [blank]
SA: [blank]
Date: MARCH 2007

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					