

Lincoln City - Lancaster County

PLANNING COMMISSION AGENDA

PLANNING COMMISSION

Tracy Edgerton: Chair
Cindy Ryman Yost: Vice Chair
Lorenzo Ball
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PLANNING STAFF

David R. Cary: Director
Geri Rorabaugh: Administrative Officer

December 15, 2021

NOTICE: The Lincoln/Lancaster County Planning Commission will hold a public hearing on Wednesday, December 15, 2021, at 1:00 p.m. in Hearing Room 112 on the first floor of the County-City Building, 555 S. 10th St., Lincoln, Nebraska. For more information, call the Planning Department, (402) 441-7491.

Masks are strongly encouraged for our public meetings in this building.

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

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

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

AGENDA

WEDNESDAY, DECEMBER 15, 2021

Approval of minutes of the regular meeting held December 1, 2021.

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

ANNEXATION AND RELATED ITEMS:

Page 01 1.1a ANNEXATION 21008, to annex approximately 39.93 acres, more or less, on property generally located at South 84th Street and Yankee Hill Road.

Staff recommendation: Conditional Approval

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

Page 01 1.1b CHANGE OF ZONE 05068H, to expand The Woodlands at Yankee Hill PUD (Planned Unit Development) by rezoning approximately 39.93 acres from AG Agricultural District to R-3 Residential District PUD for approximately 82 additional dwelling units, with associated waivers to the Zoning and Subdivision Ordinances, on property generally located at South 84th Street and Yankee Hill Road.

Staff recommendation: Conditional Approval

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

2. **REQUESTS FOR DEFERRAL:**

ANNEXATION AND RELATED ITEMS:

- 2.1a ANNEXATION 21009, to annex approximately 13.59 acres, more or less, on property generally located at South Folsom Street and West Old Cheney Road.
Staff recommendation: Applicant has requested a deferral until January 5, 2022.
Staff Planner: Brian Will, 402-441-6362, bwill@lincoln.ne.gov
- 2.1b CHANGE OF ZONE 21051, from AG (Agricultural District) to R-4 (Residential District), on property generally located at South Folsom Street and West Old Cheney Road.
Staff recommendation: : Applicant has requested a deferral until January 5, 2022.
Staff Planner: Brian Will, 402-441-6362, bwill@lincoln.ne.gov
- 2.1c SPECIAL PERMIT 21050, to allow for a CUP (Community Unit Plan) for up to 128 dwelling units, with associated waivers to setback requirements, on property generally located at South Folsom Street and West Old Cheney Road.
***** FINAL ACTION *****
Staff recommendation: : Applicant has requested a deferral until January 5, 2022.
Staff Planner: Brian Will, 402-441-6362, bwill@lincoln.ne.gov

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

4. **PUBLIC HEARING AND ADMINISTRATIVE ACTION:**

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

Adjournment

PENDING LIST:

CHANGE OF ZONE 04075I, to amend the existing Village Gardens PUD (Planned Unit Development) for the construction of multiple-family dwelling units with waivers to adjust height and parking, on property generally located at 56th Street and Pine Lake Road.

COMPREHENSIVE PLAN CONFORMANCE 21004, to review as to conformance with the Lincoln Lancaster County Comprehensive Plan, a request to declare approximately 1.59 acres of City of Lincoln-owned land as surplus, on property generally located at F Street between 6th and 8th Streets.

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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Allan Zafft, <i>Transportation Planner</i>	402-441-6369	azafft@lincoln.ne.gov

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**The Planning Commission meeting
which is broadcast live at 1:00 p.m. every other Wednesday
will be rebroadcast on Wednesdays at 7:00 p.m., Thursdays at 12:00 a.m. and Sundays
at 12:30 p.m. on 5 City TV, Cable Channel 5.**

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**The Planning Commission agenda may be accessed on the Internet at
<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

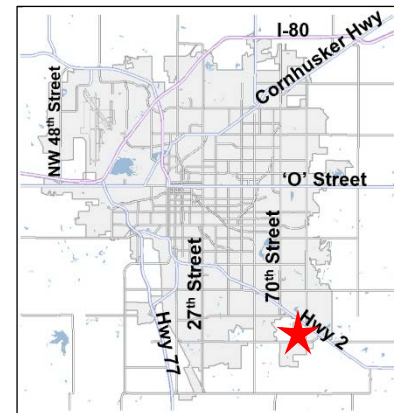
FROM THE LINCOLN/LANCASTER COUNTY PLANNING DEPARTMENT, 555 S. 10TH STREET, SUITE 213, LINCOLN, NE 68508

APPLICATION NUMBER Annexation #21008, Change of Zone #05068H - The Woodlands at Yankee Hill Planned Unit Development	FINAL ACTION? No	DEVELOPER/OWNER R.C. Krueger Development Company
PLANNING COMMISSION HEARING DATE December 15, 2021	RELATED APPLICATIONS None	PROPERTY ADDRESS/LOCATION South 84 th Street and Yankee Hill Road

RECOMMENDATION: CONDITIONAL APPROVAL

BRIEF SUMMARY OF REQUEST

This is a request for an amendment to The Woodlands at Yankee Hill Planned Unit Development (PUD) located at approximately South 84th Street and Yankee Hill Road. This request seeks to expand the PUD by 39.93 acres to allow for an additional 82 dwelling units and 65,000 square feet of commercial floor area. This will increase the number of allowed dwelling units from 1,407 to 1,489, and the total amount of allowed commercial floor from 744,000 to 809,000 square feet. As with the prior amendments to this PUD, the subject area was shown in concept to set the stage for future incremental expansion. This strategy has provided up-front notice of the developer's intent and has allowed for the entire development to be evaluated for overall feasibility and appropriateness. It has also provided an opportunity for significant issues to be identified and addressed early in the process, which has helped simplify the review and approvals as additional phases were annexed and re-zoned for development.



JUSTIFICATION FOR RECOMMENDATION

The full range of municipal services can be provided to serve this phase of the development. The Comprehensive Plan designates the area for future urban density land uses. The plans submitted substantially comply with the requirements of the Zoning Ordinance. Revisions are required and are listed as recommended conditions of approval, but with those changes this request complies with the Zoning Ordinance and Comprehensive Plan.

APPLICATION CONTACT

Marcia Kinning (402) 484-7342 or
marcia@regaeng.com

STAFF CONTACT

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

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

This site is designated for urban density residential development. The proposed plan shows single-family/attached single-family lots which fit within the larger overall plan and provides a mix of housing types within the larger development which range from single-family to multi-family dwellings. The dwelling types and lot layout shown comply with the Comprehensive Plan.

KEY QUOTES FROM THE 2050 COMPREHENSIVE PLAN

Introduction Section: Growth Framework

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

Fundamentals of Growth in Lancaster County

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

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

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

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.

Introduction Section: Growth Framework

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

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

Fundamentals of Growth in Lancaster County

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

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

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

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

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

Concurrency

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

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.

ANALYSIS

1. This request seeks to expand the PUD by annexing an additional 39.93 acres to provide for an additional 82 dwelling units and 65,000 square feet of commercial floor area. This will increase the number of dwelling units shown on the site plan from 1,407 to 1,489, and the total amount of commercial floor from 744,000 to 809,000 square feet.
2. The Woodlands at Yankee Hill PUD was approved in 2007. With that original approval a larger plan was shown in concept but only a portion was annexed and re-zoned for development initially. The same strategy has been used for all subsequent phases of this development and which is also the case with this amendment. With this phase the original overall plan will be fully annexed. Done this way it has provided an opportunity to review the details of the larger concept plan so development issues are identified early and provided notice of the developer's intent. This request is dependent upon the approval by City Council of both applications.
3. The subject area is in Tier 1, Priority B of the Comprehensive Plan. It is also shown within the City's Future Service Limit and is designated for future Urban Density-Residential land uses. The development is adjacent to the city limit, and all municipal utilities and services are available to serve it.
4. The 40-acre expansion allows for 82 additional residential lots, 72 of which are for detached single-family dwellings, and 10 for attached single-family dwellings. Of the overall 2,308 dwelling units allowed per the R-3 density within the PUD, this increases the number of units shown in the PUD to 1,489. That leaves 819 unallocated dwelling units potentially available but unused. All proposed lots are typical and require no additional waivers.
5. A note has been added to the PUD Use Table: 'Lots 11-15, Block 32 and Lots 10-25, Block 58 to be converted to multiple-family dwellings by administrative amendment'. The application states that it is to allow for an apartment complex for up to 200-300 units. This will provide flexibility for meeting market demands and is well under the maximum number of dwelling units approved. Allowing for additional multiple-family dwellings within the development enhances the land use efficiency and increases the mix of housing types. To be approved by an administrative amendment a plan for the complex would need to be submitted for City staff review and approved by the Planning Director.
6. Lincoln Fire Rescue (LFR) and the Lincoln Police Department (LPD) have built a new joint fire/police station at South 66th Street and Pine Lake Road. This station provides services to this development. All other City services are available to serve this development.
7. The area to be annexed is located within Rural Water District #1. As per the agreement with the City of Lincoln, there will be financial liability to the District as a result of annexation. One of the conditions of annexation is to ensure that the liability is borne by the developer. The same goes for the Southeast Rural Fire District #1 should there be any financial liability due them at the time of annexation. Two of the parcels included in the request have not yet been released from the District but will need to be prior to consideration by City Council.
8. These applications represent the last phase of this development as shown on the original concept plan. Other minor corrections and changes are required on the plans submitted, and these items are listed in the recommended conditions of approval. With those changes to the PUD these requests are consistent with the City's annexation policy, the Zoning Ordinance and the Comprehensive Plan and is an appropriate use of land at this location.

CONDITIONS OF APPROVAL: See attached.

EXISTING LAND USE & ZONING: Agriculture AG Agriculture

SURROUNDING LAND USE & ZONING

North: Vacant	R-3(PUD)
South: Vacant	AG
East: Vacant	AG, R-3, O-3
West: Residential Under Development	R-3(PUD)

APPROXIMATE LAND AREA: 39.93 acres, more or less

LEGAL DESCRIPTION: See attached legal description.

HISTORY:

APR 2007 - AN#05015 and CZ#05068 were approved annexing approximately 286 acres and approving The Woodlands at Yankee Hill PUD.

MAY 2009 - AN#09001 and CZ#05068A were approved expanding the original PUD by approximately 26 acres to accommodate 31 additional residential lots, a private elementary school and church, a convent and a rectory.

APR 2012 - AN#11005 and CZ#05068B were approved expanding the original PUD by approximately 35 acres to accommodate 265,000 square feet of commercial floor area and 46 additional dwelling units.

APR 2013 - AN#12002 and CZ#05068C were approved expanding the original PUD by approximately 24 acres to accommodate 64 additional dwelling units.

JUN 2014 - AN#14002 and CZ#05068D were approved expanding the original PUD by approximately 10 acres to accommodate 62 additional dwelling units.

JAN 2015 - AN#15013 and CZ#05068E were approved expanding the original PUD by approximately 72.5 acres to accommodate 310 additional dwelling units and 155,000 square feet of commercial floor area.

DEC 2019 - AN#19008 and CZ#05068F were approved expanding the original PUD by 15.97 acres to allow for an additional 47 single-family dwelling lots.

SEP 2020 - AN#20011 and CZ#05068G were approved expanding the original PUD by 24.65 acres to allow for an additional 80 single-family dwelling lots.

Prepared by

Brian Will, bwill@lincoln.ne.gov
December 1, 2021

Applicant/

Contact:

Marcia Kinning
REGA Engineering Group
601 Old Cheney Road
Lincoln, NE 68512
(402) 484-7342
marcia@regaeng.com

Owner:

Carroll Krueger Company, LLC
8200 Cody Drive
Lincoln, NE 68512
(402)-423-7377
cmelgoza@kruegerdevelopment.com

CONDITIONS OF APPROVAL

Annexation #21008

1. The owner will secure approval of the release from the Rural Water District #1 prior to City Council consideration.

Change of Zone #05068H

Per Chapter 27.60 this approval permits expansion of a Planned Unit Development to add 39.93 acres with an increase in the number of dwelling units shown to 1,498, and which allows for Lots 11-15, Block 32 and Lots 10-25, Block 58 to be converted to multiple-family dwellings by administrative amendment provided the total number of dwelling units for the PUD does not exceed the total 2,308 approved, along with an increase in the total amount of commercial floor area to 809,000 square feet.

Site Specific Conditions:

1. The permittee shall cause to be prepared and submitted to the Planning Department a revised and reproducible final plot plan including 2 copies with all required revisions and documents as listed below:
 - 1.1 Make the following revisions to the PUD plan set:
 - 1.1.1 Show the right-of-way to accommodate the roundabout at Kallum Drive and South 84th Street.
 - 1.1.2 Revise the title of the waiver table from 'Requested Waivers' to 'Approved Waivers'.
 - 1.1.3 Change the name of Annabelle Circle to the satisfaction of the Department of Building and Safety.
2. Before a final plat is approved provide the following documents to the Planning Department:
 - 2.1 Verification from the Register of Deeds that the letter of acceptance as required by the approval of the planned unit development has been recorded.
3. Final plat(s) is/are approved by the City.

If any final plat on all or a portion of the approved 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.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

to complete the public and private improvements shown on the 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 state of repair, including the routine and reasonable preventive maintenance of the private improvements, on a permanent and continuous basis.

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

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

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

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

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

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

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

Standard Conditions:

4. The following conditions are applicable to all requests:
 - 4.1 Before occupying the dwelling units all development and construction shall substantially comply with the approved plans.
 - 4.2 All privately-owned improvements, including landscaping and recreational facilities, shall be permanently maintained by the Permittee or an appropriately established homeowners association approved by the City.
 - 4.3 The physical location of all setbacks and yards, buildings, parking and circulation elements, and similar matters be in substantial compliance with the location of said items as shown on the approved site plan.
 - 4.4 The terms, conditions, and requirements of this resolution shall run with the land and be binding upon the Permittee, its successors and assigns.
 - 4.5 The applicant shall sign and return the letter of acceptance to the City Clerk. This step should be completed within 60 days following the approval of the special permit. The City Clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds,

filing fees therefor to be paid in advance by the applicant. Building permits will not be issued unless the letter of acceptance has been filed.

- 4.6 The site plan as approved with this ordinance voids and supersedes all previously approved site plans, however all ordinances approving previous permits remain in full force and effect unless specifically amended by this ordinance.





LIMITS OF R-3 P.U.D.
& ANNEXATION AGREEMENT

Grandview Estates Development
Not Part of Permit

Not Part of Permit

CHANGE OF ZONE AREA WITH THIS
CZ#05068H APPLICATION

PROJECT
211080

NO.	DESCRIPTION	REVISIONS	DATE	BY

REGA

ENGINEERING
GROUP, INC.

601 OLD CHENEY RD., SUITE A
LINCOLN, NEBRASKA 68512
(402) 484.7342

• ENGINEERING

• PLANNING

• LAND SURVEYING

THE WOODLANDS AT YANKEE HILL
'R-3' PUD CHANGE OF ZONE #05068H
ENLARGED SITE PLAN
SOUTH 70TH STREET & YANKEE HILL ROAD

DATE: 11/17/2021
DESIGNED BY: MLK
DRAWN BY: MLK
CHECKED BY: NPB/LL

SHEET NO.
5A of 14

REGA

ENGINEERING
GROUP, INC.

REGA No. 211080
November 17, 2021

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

RE: PLANNED UNIT DEVELOPMENT & ANNEXATION
THE WOODLANDS AT YANKEE HILL – CZ#05068H
South 70th Street & Yankee Hill Road

Dear David,

On behalf of R.C. Krueger Development Company, we are submitting an application for an amendment to The Woodlands at Yankee Hill Planned Unit Development (PUD) CZ#05068G. The application is requesting 39.93 acres to be brought into the boundary of the PUD which includes a change of zone and annexation of the property.

The additional area shall include 10 single family attached lots and 72 single family lot, for a total of 82 additional dwelling units. A note has been added to the PUD Use Table to allow that area in the vicinity of Annabelle Court and Annabelle Circle to be revised to apartments with an administrative amendment to the PUD. The apartment area would include approximately 200 to 300 dwelling units. There are 819 unallocated dwelling units in which the future revisions of apartments would be allotted from.

The amendment area also includes additional area in Block 32 and 58 for commercial uses which adds 65,000 square feet to the PUD. The commercial additional area to the south of Hayek Drive will be included in the general notes for H-4 zoning. Lot 1, Block 58 has been included within the O-3 and B-2 zoning requirements.

The total commercial uses have been increased to 809,000 square feet from 744,000 square feet. The total dwelling units approved has remained the same as previously approved at 2308 dwelling units. However, the total dwelling units shown have been increased to 1489 from 1407 and the unallocated dwelling units have been revised to 819 from 901.

With the previous application of CZ#05068F, the entire area was taken out of the rural water district. No further action will be needed between the rural water district and the developer to proceed with development.

The grading and drainage information previously approved with CZ05068F has not changed since the calculations included this area being added to the PUD. Since the grading and street profiles have not changed, these sheets are not being included with this application for review.

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The previously approved waivers are being requested to continue with this application. Certain lots and blocks, within the additional area, are being added to those waivers that are necessary. No additional waivers are being requested at this time.

1. Transfer of sanitary sewer from on drainage basin to another.
2. Sanitary sewer running opposite of street grade in Patrick Avenue, Mohave Drive, South 80th Street, Fairbanks Drive, Annabelle Avenue, Annabelle Circle and Kallum Drive.
3. Block length of Blocks 1, 2, 7, 40 & 58.
4. Sidewalks in standard location.
5. Landscape screening to be approved at time of building permits in compliance with Lincoln Municipal Code and the Design Standards.
6. Lots in commercial areas fronting upon/ taking access from public streets/ private roadways.
7. The front, side and rear setbacks are adjusted to 0' for Lot 1, Block 1; Lot 1, Block 7; Lot 1 & 26, Block 58; Blocks 6, 11, 33, 34, 46 & 47; except as shown on the site plan. Otherwise, the 'R-3' Zoning Requirements and applicable standards apply.
8. Sidewalks along east side of S. 70th Street between Yankee Hill Road and Yankee Woods Drive.
9. Lot width to depth ratio.
10. Lot area.
11. Lot width.
12. Building height to 45 feet for multi-family building.
13. Lot lines being radial and perpendicular to street right-of-way.
14. Parking is adjusted to one space per 300 square feet of floor area for all commercial uses. Parking along private roadways in common access easements are allowed to count towards required parking for adjacent lots. Cross parking is allowed in commercial areas. Adjustments to parking requirements for specific uses can be approved by the Planning Director at the time of building permit.

No other revisions are being made to the Planned Unit Development at this time. Please notify me if there are any questions or comments.

Sincerely,



Marcia L. Kinning

Cc: Rick Krueger, Christina Melgoza

Enclosed: Application Form
Application Fee of \$4,300.00
Annexation & Change of Zone Exhibit
Annexation & Change of Zone Description
Overall PUD Description

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THE WOODLANDS AT YANKEE HILL
P.U.D. #05068H
ANNEXATION & CHANGE OF ZONE
LEGAL DESCRIPTION

Lots 10, 12, 21 and 97 of Irregular Tracts (I.T.) located in the Southeast Quarter of Section 27, Township 9 North, Range 7 East, of the 6th P.M., Lincoln, Lancaster County, Nebraska and more particularly described as follows:

Commencing at the Northeast Corner of the Southeast Quarter of said Section 27; Thence on the north line of the Southeast Quarter of said Section 27, N89°56'33"W, a distance of 50.00 feet to the northeast corner of said Lot 21, also a point on the west right-of-way line of South 84th Street, also the **POINT OF BEGINNING**;

Thence continuing on the north line of the Southeast Quarter of said Section 27, also the north line of said Lots 21, 10 and 97, N89°56'33"W, a distance of 1097.89 feet to the northwest corner of said Lot 97;

Thence S00°03'26"W, a distance of 79.73 feet to a circular curve to the right having a radius of 330.00 feet, a central angle of 06°34'58" and whose chord (37.89 feet) bears S03°20'55"W;

Thence along the arc of said circular curve 37.91 feet;

Thence S83°21'35"E, a distance of 135.23 feet;

Thence S11°24'41"W, a distance of 169.80 feet to a circular curve to the right having a radius of 330.00 feet, a central angle of 10°02'32" and whose chord (57.77 feet) bears N73°34'03"W;

Thence along the arc of said circular curve 57.84 feet;

Thence S21°27'13"W, a distance of 158.20 feet;

Thence S42°56'48"E, a distance of 18.35 feet;

Thence S63°25'11"W, a distance of 283.93 feet;

Thence S30°16'56"E, a distance of 11.66 feet to a circular curve to the right having a radius of 330.00 feet, a central angle of 12°06'58" and whose chord (69.65 feet) bears S24°13'27"E;

Thence along the arc of said circular curve 69.78 feet;

Thence S71°50'02"W, a distance of 174.09 feet;

Thence S10°50'12"E, a distance of 62.98 feet;

Thence S00°05'47"W, a distance of 280.00 feet;

Thence S20°31'46"W, a distance of 76.12 feet;

Thence S22°19'10"W, a distance of 60.00 feet;

Thence N67°40'50"W, a distance of 29.40 feet;

Thence S22°19'10"W, a distance of 157.32 feet;

Thence S00°05'48"W, a distance of 20.00 feet to a point on the south line of said Lot 97, also a point on the north line of Block 1, Grandview Estates 8th Addition;

Thence on the common line of said Lot 97; Block 1, Grandview Estates 8th Addition; and Lot 87 I.T., S89°54'12"E, a distance of 1613.11 feet to the southeast corner of said Lot 97, also a point on the west right-of-way line of South 84th Street;

Thence on the east line of said Lots 97 and 21, also the west right-of-way line of South 84th Street, N00°07'33"W, a distance of 1323.51 feet to the **POINT OF BEGINNING** and containing a calculated area of 1,739,236.96 square feet or 39.93 acres.