

## FACTSHEET

**TITLE:** CHANGE OF ZONE NO. 05085B  
Fallbrook PUD  
(Tallgrass Parkway and Aster Road)

**BOARD/COMMITTEE:** Planning Commission

**APPLICANT:** Gary Kort

**RECOMMENDATION:** Conditional Approval (7-0:  
Sunderman, Scheer, Beecham, Cornelius, Hove, Corr and  
Lust voting 'yes'; Harris and Weber absent).

**STAFF RECOMMENDATION:** Conditional  
Approval

**OTHER DEPARTMENTS AFFECTED:**

**OPPONENTS:** None

**REASON FOR LEGISLATION:** Amendment to the Fallbrook Planned Unit Development (PUD) to expand the area of the PUD; for a change of zone from AG Agricultural District to R-3 PUD; and for an amended development plan which proposes modifications to the Zoning Ordinance and Land Subdivision Ordinance to allow a townhouse development west of Tallgrass Parkway consisting of 36 dwelling units on property generally located at Tallgrass Parkway and Aster Road.

**DISCUSSION/FINDINGS OF FACT:**

1. This PUD amendment and the associated Annexation No. 15002 (Bill #15-42) were heard at the same time before the Planning Commission.
2. The purpose of this proposal is to expand the area of the Fallbrook PUD to add 36 dwelling units, bringing the total allowed dwelling units to 1,837.
3. The staff recommendation of conditional approval is based upon the "Analysis" as set forth on p.5, concluding that the area being rezoned is within the Future Service Limit and in Tier One Priority "B". This request is in general compliance with the Zoning Ordinance and the Comprehensive Plan.
4. On March 4, 2015, this application appeared on the Consent Agenda of the Planning Commission and was opened for public hearing. No one came forward to speak.
5. On March 4, 2015, the Planning Commission voted 7-0 to recommend conditional approval of this amendment to the PUD.
6. On March 4, 2015, the Planning Commission also voted 7-0 recommend approval of the associated Annexation No. 15002 (Bill #15-42)

**FACTSHEET PREPARED BY:** Geri Rorabaugh, Administrative Officer

**DATE:** March 9, 2015

**REVIEWED BY:** David R. Cary, Acting Planning Director

**DATE:** March 9, 2015



# LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

## for MARCH 4, 2015 PLANNING COMMISSION MEETING

**PROJECT #:** Annexation #15002  
Change of Zone No.05085B Amendment to Fallbrook Planned Unit Development (PUD)

This is a combined staff report for related items. This report contains a single background and analysis section for all items. However, there are separate conditions provided for each individual application.

**PROPOSAL:** Amend the Fallbrook PUD, to add 36 dwelling units, change the zoning from AG-Agricultural to R-3 PUD and annex approximately 10.27 acres.

**LOCATION:** Tallgrass Parkway and West Alvo Road.

**LAND AREA:** The entire Fallbrook PUD contains 395 acres, more or less.  
The area of amendment contains 10.27 acres, more or less.  
The annexation area contains 10.27 acres, more or less.

**EXISTING ZONING:** AG Agricultural

### WAIVER /MODIFICATION REQUEST:

The following waivers are for the amended area. All waivers previously granted are still in effect.

1. Front and side yard setback to 5 feet.
2. Rear yard setback to zero.
3. No minimum lot area and lot width
4. Maximum height of dwellings to 45 feet.
5. Maximum height of accessory structures to 35 feet.
6. Sidewalk on one side only of Heritage Falls Drive

**CONCLUSION:** The area to be annexed and re-zoned are within the Future Service Limit and in Tier One Priority "B". These request are in general compliance with the Zoning Ordinance and Comprehensive Plan.

<b>RECOMMENDATION:</b>	Conditional approval
Waivers:	
1. Front and side yard setback to 5 feet.	Approval
2. Rear yard setback to zero.	Approval
3. No minimum lot area and lot width	Approval

4.	Maximum height of dwellings to 45 feet.	Approval
5.	Maximum height of accessory structures to 35 feet.	Approval
6.	Sidewalk on one side only of Heritage Falls Drive.	Approval

**PROPOSED CITY COUNCIL DISTRICT ASSIGNMENT:** District #4

**GENERAL INFORMATION:**

**LEGAL DESCRIPTION:** See attached

**EXISTING LAND USE:** Open space

**SURROUNDING LAND USE AND ZONING:**

North:	AG Agricultural	Undeveloped/ farm ground
South:	AG Agricultural	Undeveloped/farm ground
	B-2 Business	Grocery store and bank
East:	R-3 Residential	Single family houses and Schoo Middle School
West:	R-3 Residential	Single family houses.

**HISTORY:**

January 24, 2000	Use Permit #124, Special Permit #1808 Community Unit Plan and Preliminary Plat #99023 for Fallbrook was approved by the City Council.
June 25, 2001	Special Permit #1808A to amend the CUP was approved by City Council.
August 19, 2002	Special Permit #1808B to expand the boundary of the Community Unit Plan was approved by City Council.
November 14, 2004	Use Permit #124A to waive internal side yard setbacks in the O-3 District was approved by City Council.
March 27, 2006	CZ#05085 for the Fallbrook PUD was approved by the City Council.
January 9, 2012	Annexation #11003 and CZ#05085A were approved by the City Council.

## **COMPREHENSIVE PLAN SPECIFICATIONS:**

The community's present infrastructure investment should be maximized by planning for well-designed and appropriately-placed residential and commercial development in areas with available capacity. This can be accomplished in many ways including encouraging appropriate new development on unused land in existing neighborhoods, redevelopment of underperforming commercial areas into mixed use redevelopment areas that include residential, retail, office and entertainment uses, and encouraging a greater amount of commercial space per acre and more dwelling units per acre in new neighborhoods. (p.2.7)

One of the essential elements of the community and LPlan 2040 is housing. Ensuring safe, adequate, and affordable housing is an important function in maintaining the vitality of neighborhoods and the city as a whole. (P.7.1)

Continue the City's growth policy of contiguous urban growth; urban development will occur in areas immediately abutting the City that reflect a logical and timely extension of urban infrastructure. (p.11.2)

The land use plan displays the generalized location of each land use. It is not intended to be used to determine the exact boundaries of each designation. The area of transition from one land use to another is often gradual. The Comprehensive Plan also encourages the integration of compatible land uses, rather than a strict segregation of different land uses. (p12.1)

The 2040 Lincoln Area Future Land Use Plan shows the amended area as urban residential. (p.12.3)

The 2040 Priority Growth Areas map designates the amended area as Tier 1, Priority B. (p.12.6)

### **The ANNEXATION POLICY- page 12.14 of the 2040 Comprehensive Plan.**

Annexation policy is a potentially powerful means for achieving many of the goals embodied in the Plan's Vision. Annexation is a necessary and vitally important part of the future growth and health of Lincoln. The annexation policies of the City of Lincoln include but are not limited to the following:

The provision of municipal services must coincide with the jurisdictional boundaries of the City – in short, it is not the intent of the City of Lincoln to extend utility services (most notably, but not necessarily limited to, water and sanitary sewer services) beyond the corporate limits of the City.

The extension of water and sanitary sewer services should be predicated upon annexation of the area by the City. City annexation must occur before any property is provided with water, sanitary sewer, or other potential City services.

To demonstrate the City's commitment to the urbanization of land in Tier I Priority B, the City should annex land that is contiguous to the City and generally urban in character, as well as land that is engulfed by the City. Land which is remote or otherwise removed from the limits of the City of Lincoln will not be annexed. Annually the City should review for potential annexation all property in Priority B for which basic infrastructure is generally available or planned for in the near term.

Annexation generally implies the opportunity to access all City services within a reasonable period of time.

**UTILITIES:** All utilities are available to serve this area.

**PUBLIC SERVICE:**

The nearest fire station is Station 14 located at 5435 NW 1<sup>st</sup> St. in the Highlands.  
The nearest elementary school is Fredstrom located at N. W. 10<sup>th</sup> St. and W. Harvest Dr.  
The nearest school is Schoo Middle School located within the Fallbrook subdivision.

**ANALYSIS:**

1. This application is to annex approximately 10.27 acres and amend the Fallbrook PUD. The amendment would add 36 dwelling units, bring the total allowed dwelling units to 1,837.
2. The area of the proposed annexation and change of zone is shown as Urban Residential and within Tier One Priority “B” in the Comprehensive Plan. The Comprehensive Plan identifies Tier One Priority “B” as areas designated for development in the first half of the planning period (to 2025) are generally contiguous to existing development and should be provided with basic infrastructure as they develop.
3. The area of annexation is within the future service limit and is contiguous to the city limits.
4. The only change to the PUD is for the new annexed area. The PUD Notes will be amended to add a new Residential Type 7. There are no changes to the approved plan for the remaining area of the PUD.
5. The request waivers for the new area are consistent with previous waivers granted for the existing townhouse area (Residential Type 6). Waivers for Residential Type 6 were granted to reduce the front and side yard setback to 5 feet and not require a minimum lot area or lot width.
6. The developer is also requesting a waiver to sidewalks on one side of Heritage Falls Drive to save mature trees. Heritage Falls Drive is a short street with only 2 lots abutting the street. In order to preserve trees, the waiver is acceptable.
7. All streets within the new area are private. The private streets will have a public access and utility easement over them.

**CONDITIONS OF APPROVAL:**

This approval permits 1,837 dwelling units and 900,000 sq. ft. of commercial floor area together with variances to the Zoning Ordinance, Subdivision Ordinance and Design Standards.

**Site Specific Conditions:**

1. 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 **5** copies with all required revisions and documents as listed below upon approval of the planned unit development by the City Council.
  - 1.1 Change Outlot designation for Outlots I and J to Outlot I1 and J1.
  - 1.2 Dimension all outlots.
  - 1.3 Make corrections to the satisfaction of Public Works Watershed Management.
  - 1.4 Add one of the following notes to Residential Type 7:  
“Lot 1, Block 35 and Lot 1, Block 36 relinquished access to Heritage Fall Drive” or  
“Any garage door facing Heritage Falls Drive shall be 22 feet back from sidewalk or curb where there is no sidewalk.”
  - 1.5 Add a note to Residential Type 7 that states all garage doors must be 20 feet from the sidewalk except for on Heritage Falls Drive.
2. City Council approves associated Annexation #15002.
3. Before receiving building permits, the developer shall provide the following documents to the Planning Department:
  - 3.1 Verification from the Register of Deeds that the letter of acceptance as required by the approval of the planned unit development has been recorded.
4. Prior to the issuance of a building permit:
  - 4.1. The construction plans must substantially comply with the approved plans.

**Standard Conditions:**

5. The following conditions are applicable to all requests:
  - 5.1 Before occupying the dwelling units all development and construction shall substantially comply with the approved plans.

- 5.2 All privately-owned improvements 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, filling fees therefore to be paid in advance by the applicant. Building permits will not be issued unless the letter of acceptance has been filed.
- 5.6 The site plan as approved with this 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.

Prepared by:

Tom Cajka  
Planner

**DATE:** February 18, 2015

**APPLICANT:** Gary Kort  
Heritage Builders II  
5950 Vandervoort Drive  
Lincoln, NE 68516

**OWNER:** Same as applicant

**CONTACT:** Scott Osterhaus  
601 "P" Street Suite 200  
Lincoln, NE 68508  
402-458-5630



**ANNEXATION NO. 15002  
and  
CHANGE OF ZONE NO. 05085B**

**CONSENT AGENDA  
PUBLIC HEARING & ADMINISTRATIVE ACTION  
BEFORE PLANNING COMMISSION:**

**March 4, 2015**

Members present: Lust, Hove, Beecham, Cornelius, Corr, Scheer, and Sunderman; Weber and Harris absent.

The Consent Agenda consisted of the following items: **ANNEXATION NO. 15002 and CHANGE OF ZONE NO. 05085B; SPECIAL PERMIT NO. 12006A, COUNTY SPECIAL PERMIT NO. 13033A, and COUNTY SPECIAL PERMIT NO. 15006.**

There were no ex parte communications disclosed.

Item 1.4 - County Special Permit No. 15006 - was removed from the Consent Agenda and had separate public hearing due to an email communication received by staff.

Hove moved approval of the remaining Consent Agenda (Item Nos. 1.1 - 1.3), seconded by Scheer and carried 7-0: Lust, Hove, Beecham, Cornelius, Corr, Harris, Sunderman, and Scheer; Weber and Harris absent.

Note: This is final action on Special Permit No. 12006A and County Special Permit No. 13033A, unless appealed to the City Council within 14 days.



## LEGAL DESCRIPTION PARCEL 1

A TRACT OF LAND COMPOSED OF A PORTION OF LOT 18 I.T., LOCATED IN THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 11 NORTH, RANGE 6 EAST OF THE 6TH P.M., LANCASTER COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF LOT 18 I.T., SAID POINT BEING THE NORTHWEST CORNER OF OUTLOT "E", FALLBROOK 27TH ADDITION, SAID POINT ALSO BEING ON THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 11 NORTH, RANGE 6 EAST OF THE 6TH P.M.; THENCE NORTHERLY ON THE WEST LINE OF SAID LOT 18 I.T., SAID LINE BEING THE WEST LINE OF SAID NORTHWEST QUARTER ON AN ASSUMED BEARING OF N00°36'27"E, A DISTANCE OF 760.69' TO A POINT; THENCE S89°23'33"E, A DISTANCE OF 60.00' TO A POINT; THENCE S89°23'24"E, A DISTANCE OF 166.72' TO A POINT OF CURVATURE FOR A NON-TANGENT CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 07°51'40", A RADIUS OF 123.00', AN ARC LENGTH OF 16.88', A CHORD LENGTH OF 16.86', A TANGENT LENGTH OF 8.45', AND A CHORD BEARING OF N10°02'28"W TO A POINT; THENCE S89°23'24"E, A DISTANCE OF 57.96' TO A POINT; THENCE N00°36'36"E, A DISTANCE OF 108.49' TO A POINT OF CURVATURE FOR A CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 08°04'08", A RADIUS OF 181.50', AN ARC LENGTH OF 25.56', A CHORD LENGTH OF 25.54', A TANGENT LENGTH OF 12.80', AND A CHORD BEARING OF N03°25'28"W, TO A POINT; THENCE N61°28'46"E, A DISTANCE OF 161.48' TO **THE TRUE POINT OF BEGINNING**; THENCE N28°31'14"W, A DISTANCE OF 129.90' TO A POINT OF CURVATURE FOR A NON-TANGENT CURVE IN A CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 01°12'04", A RADIUS OF 477.00', AN ARC LENGTH OF 10.00', A CHORD LENGTH OF 10.00', A TANGENT LENGTH OF 5.00', AND A CHORD BEARING OF S68°55'28"W TO A POINT; THENCE N20°28'30"W, A DISTANCE OF 54.00' TO A POINT OF CURVATURE FOR A NON-TANGENT CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 06°48'17", A RADIUS OF 423.00', AN ARC LENGTH OF 50.24', A CHORD LENGTH OF 50.21', A TANGENT LENGTH OF 25.15', AND A CHORD BEARING OF N66°07'21"E TO A POINT; THENCE N00°36'36"E, A DISTANCE OF 418.87' TO A POINT; THENCE N79°41'11"W, A DISTANCE OF 113.07' TO A POINT; THENCE N10°18'49"E, A DISTANCE OF 180.50' TO A POINT; THENCE S79°41'11"E, A DISTANCE OF 232.80' TO A POINT; THENCE S81°45'06"E, A DISTANCE OF 97.49' TO A POINT; THENCE S86°33'46"E, A DISTANCE OF 99.20' TO A POINT; THENCE N89°27'57"E, A DISTANCE OF 51.69' TO A POINT; THENCE S67°40'15"E, A DISTANCE OF 57.48' TO A POINT; THENCE N52°14'06"E, A DISTANCE OF 148.62' TO A POINT OF INTERSECTION WITH AN EAST LINE OF SAID LOT 18 I.T., SAID POINT BEING ON THE WEST RIGHT-OF-WAY LINE OF TALLGRASS PARKWAY; SAID POINT BEING A POINT OF CURVATURE FOR A NON-TANGENT CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 16°22'05", A RADIUS OF 431.00', AN ARC LENGTH OF 123.13' ON A EAST LINE OF SAID LOT 18 I.T., SAID LINE BEING A WEST LINE OF SAID RIGHT-OF-WAY, A CHORD LENGTH OF 122.71', A TANGENT LENGTH OF 61.99', AND A CHORD BEARING OF S23°30'25"E TO A POINT; THENCE S31°41'27"E, ON A EAST LINE OF SAID LOT 18 I.T., SAID LINE BEING A WEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 390.33' TO A POINT; THENCE S58°18'33"W, A DISTANCE OF 180.05' TO A POINT; THENCE S74°26'31"W, A DISTANCE OF 127.60' TO A POINT; THENCE S73°02'34"W, A DISTANCE OF 99.74' TO A POINT; THENCE S68°20'42"W, A DISTANCE OF 113.21' TO A POINT; THENCE S63°26'12"W, A DISTANCE OF 105.04' TO A POINT; THENCE S61°28'46"W, A DISTANCE OF 240.57' TO THE POINT OF BEGINNING, SAID TRACT CONTAINS A CALCULATED AREA 447,564.96 SQUARE FEET OR 10.27 ACRES, MORE OR LESS.

Monday, January 05, 2015

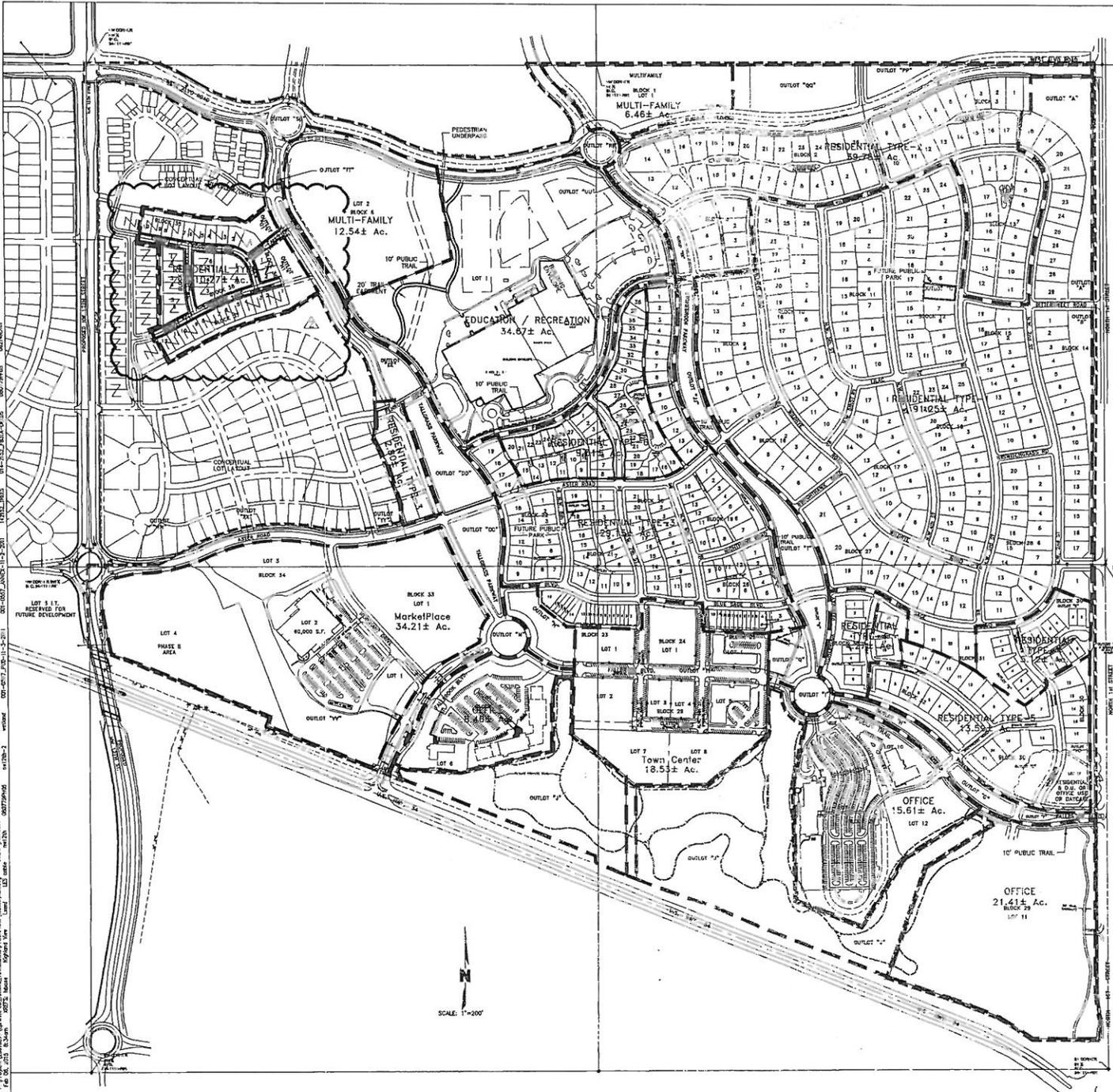
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PROJECT NO: 014-2152	<b>FALLBROOK TOWN HOMES PARCEL 1</b>		601 P Street, Suite 200 P.O. Box 84608 Lincoln, NE 68508 TEL 402.474.6311 FAX 402.474.5160	EXHIBIT
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DATE: JAN. 6TH, 2014				

001

**FALLBROOK**  
ADMINISTRATIVE AMENDMENT TO THE  
PLANNED UNIT DEVELOPMENT  
MASTER PLAN



**FALLBROOK SCHOOL/YMCA PARKING GUIDELINES**  
FACILITY USER METHOD FOR USE IN DETERMINING PARKING REQUIREMENTS ONLY

HATATORIAL:	LAP SWIMMERS	4
	SWIMMING LESSONS	36/2 = 18
	BOAT-POOL	4
	INSTRUCTORS	6
	LIFEGUARD	1
* ASSUME 1/2 OF THE PARTICIPANTS ARE NOT OF DIVING AGE		
GYMNASIUM:	TEAM MEMBERS	20
	COACHES	3
	OFFICIALS	10 (50% of participants)
	OBSTACLE	22 (BASED ON GYMNASIUM)
	TURN-OUT	27/34 = 23
* ASSIGNS 1 COURT TO THE YMCA DURING SCHOOL DAY WHEN OTHER 2 COURTS ARE UNDER YMCA MANAGEMENT, ADDITIONAL UPS MIDDLE SCHOOL PARKING REQUIRES AVAILABLE		
** USE CALCULATION METHOD 27.87/040		
AEROBICS (3 ROOMS):	PARTICIPANTS	40
	INSTRUCTORS	3
	TURN-OUT	28 (FUNCTIONS, 28/40)
* USE CALCULATION METHOD 27.87/040 (80)		
CLUB ROOMS:		NONE
CHILD WAREHOUSE & PRESCHOOL:	INSTRUCTORS	2
GENERAL BUILDING SERVICES: CLUBS LOCKER ROOMS, OFFICE, STUD. CLUBROOM, WAITING BLK., SOCIAL AREA, REST ROOM, LAUNDRY 14,250 SF 1 STAIR/300 SF = 48		
MECHANICAL:		1
EXTERIOR AREA 7502 X 6056 = 47,700 S.F. MACHINE = 48 * ASSUME ACROSS AREA BETWEEN MACHINES * ALLOW 100 SF AVERAGE AREA PER MACHINE * ASSUME 1 USER FOR EACH MACHINE		
RECREATION PARKING TOTAL:		198
EDUCATION PARKING TOTAL:		130
TOTAL PARKING:		328 (SHARED PARKING WILL BE UTILIZED FOR BOTH RECREATION AND EDUCATIONAL USES)

**P.U.D. RESIDENTIAL DENSITY ALLOWED**

Residential Area  
Min. Density Units / Acre

P.U.D. RESIDENTIAL DENSITY UTILIZATION  
As Shown on Plan

P.U.D. Designation	Units
Residential Type 1	67
Residential Type 2	133
Residential Type 3 - Primary Res.	133
Residential Type 3 - Secondary Res.	133
Residential Type 4	35
Residential Type 5	35
Residential Type 6	35
Town Center Residential	50
Office	1,280
Public	1,280
Non-Residential	1,280
Minimum Residential Units	1,280

- REQUESTED WAIVERS**
1. LOT AREA
  2. LOT WIDTH
  3. FRONT, SIDE AND REAR YARD SETBACKS
  4. PARKING REQUIREMENTS
  5. SECONDARY DWELLING UNITS ON THE SAME LOT AS THE MANY DWELLING UNITS IN RESIDENTIAL TYPE 3 AREA
  6. FRONT YARD SETBACK FOR SIGNS
  7. ROADWAY PLATFORM APPROACH ON BIFURCATED ROAD AND BRIDGE PAVEMENT
  8. ALLOW BRIDGE AND WATER UTIL. ON THE SIDE OF THE STREET
  9. PEDESTRIAN WAY EASEMENTS
  10. PEDESTRIAN WAY EASEMENTS
  11. ALLOW THE TRANSFER OF SANITARY SEWAGE FROM ONE WARDHOLE TO ANOTHER
  12. THAT LOTS FRONT UPON PUBLIC STREETS OR PRIVATE ROADWAYS
  13. THE REQUIREMENT THAT WHERE PUBLIC STREETS ARE CONTINUATION OF EXISTING STREET, THE EXISTING STREET NAME SHALL BE USED TO PERMIT THE STREET NAME OF FALLBROOK BLVD. WEST OF N. 1ST ST.
  14. SIGN REGULATIONS AS IDENTIFIED IN THE NOTE.

**ANTICIPATED USE FOR OUTLOTS**

OUTLOT	COMMUN. ACCESS	FEED IN STREET	GREEN SPACE	SPURTS/3 PUBLIC	PUBLIC CASHEMENT
1	X				
2	X				
3	X				
4	X				
5	X				
6	X				
7	X				
8	X				
9	X				
10	X				
11	X				
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**REVISIONS**

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DRAWN BY: [Signature]  
CHECKED BY: [Signature]  
APPROVED BY: [Signature]

**MASTER PLAN**  
FALLBROOK  
ADMINISTRATIVE AMENDMENT TO THE PUD  
LINCOLN, NE

SHEET 2 OF 7



# PUD NOTES

Side yard setbacks = 5'

Side yard setbacks on lot lines with mutual party wall = 0'

Alley or rear yard setback = 5' for the main and accessory structures

Attached Dwelling Buildings maximum height = 45'

Accessory structures maximum height = 35'

A deck and covered deck for the main level of the structure may encroach into the setback by 2'.

**Eaves may project into a side yard a maximum of thirty-six inches, exclusive of gutters.**

**Section 27.72.180c shall not apply for pedestrian easements along front property lines.**

## RESIDENTIAL / TYPE 7 (Tallgrass Townhomes)

All dwelling units within the Residential / Type 7 area shall take access from interior private roadways.

Minimum lot area and minimum lot width requirements do not apply.

Front yard setbacks = 5'

Side yard setbacks = 5'

Side yard setbacks on lot lines with mutual party wall = 0'

Rear yard setback = 0' for the main and accessory structures

Attached Dwelling Buildings maximum height = 45'

Accessory structures maximum height = 35'

A deck and covered deck for the main level of the structure may encroach into the setback by 2'.

**Eaves may project into a side yard a maximum of thirty-six inches, exclusive of gutters.**

**Section 27.72.180c shall not apply for pedestrian easements along front property lines.**

## MULTI FAMILY

Multiple dwellings, Elderly and/or Retirement housing are a Permitted Use.

Minimum lot size is 1 acre but there is no minimum lot width.

Development density is limited to 35 dwelling units per acre of lot area.

Front yard setback = 20' or ½ building height whichever is greater.

# Agency Review Comments

2/17/2015 8:26:14 AM

Project	Review	Agency Name	Reviewer	Status	Comments
CZ05085B	1	Airport Authority		Pending	
	1	Building & Safety	Terry Kathe (tkathe@lincoln.ne.gov)	Pending	
	1	County Health	chris schroeder (cschroeder@lincoln.ne.gov)	Recommend Approval	<p>Developers are responsible for all mosquito control issues during the building process and all outlots, green-spaces, and/or natural corridors subsequently controlled by the owner, tenant, occupant, lessee, or otherwise, for that subdivision would be responsible for vectors of zoonotic disease in those areas.</p> <p>All wind and water erosion must be controlled during construction. The Lower Platte South Natural Resources District should be contacted for guidance in this matter.</p> <p>During the construction process, the land owner(s) will be responsible for controlling off-site dust emissions in accordance with Lincoln-Lancaster County Air Pollution Regulations and Standards Article 2 Section 32. Dust control measures shall include, but not limited to application of water to roads, driveways, parking lots on site, site frontage and any adjacent business or residential frontage. Planting and maintenance of ground cover will also be incorporated as necessary.</p>
	1	Development Review Manager	steve henrichsen (shenrichsen@lincoln.ne.gov)	Corrections Required	
	1	Public Works - Engineering Services	charles w. "buff" baker (cbaker@lincoln.ne.gov)	Recommend Approval	2/10/15
	1	Public Works - Watershed Management	jared nelson (jlnelson@lincoln.ne.gov)	Corrections Required	<ol style="list-style-type: none"> <li>1. Major Storm Event (100yr) calculations are missing in the Preliminary Pipe Sizing table and need to be provided. Major Storm Event calculations are also needed to show the 100yr water surface elevation &amp; extent along drainage ways in OLG1 &amp; H1. The 100yr flooding extents cannot encroach onto private property without an easement.</li> <li>2. Drainage calculations are needed for culvert crossing frequencies (i.e. 50yr &amp; 100-yr) for Heritage Falls Dr, to ensure sufficient Minimum Opening Elevations are established upstream, and that Heritage Falls Dr does not overtop at 50 yr.</li> <li>3. Minimum Opening Elevations are needed on all lots abutting the drainage ways (in OLG1 &amp; H1) in Block 39. This information can be provided in the table on Sheet 5 of 7.</li> <li>4. Please provide or clarify proposed contour elevations on the grading plan.</li> </ol>
	1	United States Post Office	kerry kowalski (kerry.j.kowalski@usps.gov)	Recommend Approval	<p>Recommend approval with the condition that all new deliveries be established in Centralized Box Units (CBUs) which will be purchased and installed at the developers expense in a location mutually agreed upon by the developer and the US Postal Service.</p>

0315

February 4, 2015

Mr. David Cary  
Planning Department, City of Lincoln  
County-City Building  
555 So. 10<sup>th</sup> Street  
Lincoln, NE 68508

RE: Amendment to the Fallbrook P.U.D., Annexation and Change of Zone  
Olsson Project No. 014-2152

Dear Mr. Cary:

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

1. Zoning Application
2. Application fee (\$2,148)
3. Fallbrook P.U.D. General Notes
4. Annexation/Change of Zone Legal Exhibit

The following will be uploaded to ProjectDox when the project has been set up.

1. Cover Sheet
2. Master Plan
3. Zoning/Change of Zone Map
4. Site Plan
5. Drainage & Grading Plan (2 sheets)
6. Street Profiles

On behalf of the Owner/Developer, Heritage Builders II, 5950 Vandervoort Dr. Lincoln Ne 68516, we are requesting an Amendment to the Fallbrook PUD to expand the limits of the Fallbrook Development to include townhomes east of Tallgrass Parkway.

The submittal includes a request for annexation and a change of zone from AG to R3 PUD. The PUD notes have been revised to include a "Residential Type 7" area specifically for this townhome area. An additional waiver is requested for the intersection approach grades on Heritage Falls Drive.

Please contact us if you have any questions or require additional information.

Sincerely,



Scott Osterhaus

Enclosures

cc: Gary Kort (HB2)  
File

# PUD NOTES

Side yard setbacks = 5'

Side yard setbacks on lot lines with mutual party wall = 0'

Alley or rear yard setback = 5' for the main and accessory structures

Attached Dwelling Buildings maximum height = 45'

Accessory structures maximum height = 35'

A deck and covered deck for the main level of the structure may encroach into the setback by 2'.

**Eaves may project into a side yard a maximum of thirty-six inches, exclusive of gutters.**

**Section 27.72.180c shall not apply for pedestrian easements along front property lines.**

## RESIDENTIAL / TYPE 7 (Tallgrass Townhomes)

All dwelling units within the Residential / Type 7 area shall take access from interior private roadways.

Minimum lot area and minimum lot width requirements do not apply.

Front yard setbacks = 5'

Side yard setbacks = 5'

Side yard setbacks on lot lines with mutual party wall = 0'

Rear yard setback = 0' for the main and accessory structures

Attached Dwelling Buildings maximum height = 45'

Accessory structures maximum height = 35'

A deck and covered deck for the main level of the structure may encroach into the setback by 2'.

**Eaves may project into a side yard a maximum of thirty-six inches, exclusive of gutters.**

**Section 27.72.180c shall not apply for pedestrian easements along front property lines.**

## MULTI FAMILY

Multiple dwellings, Elderly and/or Retirement housing are a Permitted Use.

Minimum lot size is 1 acre but there is no minimum lot width.

Development density is limited to 35 dwelling units per acre of lot area.

Front yard setback = 20' or ½ building height whichever is greater.

# Agency Review Comments

2/17/2015 8:26:14 AM

CZ05085B	1	Airport Authority			
	1	Building & Safety	Terry Kathe (tkathe@lincoln.ne.gov)	Pending	
	1	County Health	chris schroeder (cschroeder@lincoln.ne.gov)	Pending Recommend Approval	<p>Developers are responsible for all mosquito control issues during the building process and all outlots, green-spaces, and/or natural corridors subsequently controlled by the owner, tenant, occupant, lessee, or otherwise, for that subdivision would be responsible for vectors of zoonotic disease in those areas.</p> <p>All wind and water erosion must be controlled during construction. The Lower Platte South Natural Resources District should be contacted for guidance in this matter.</p> <p>During the construction process, the land owner(s) will be responsible for controlling off-site dust emissions in accordance with Lincoln-Lancaster County Air Pollution Regulations and Standards Article 2 Section 32. Dust control measures shall include, but not limited to application of water to roads, driveways, parking lots on site, site frontage and any adjacent business or residential frontage. Planting and maintenance of ground cover will also be incorporated as necessary.</p>
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