

City Council Introduction: **Monday**, June 3, 2002  
Public Hearing: **Monday**, June 10, 2002, at **1:30 p.m.**

Bill No. 02R-120

## FACTSHEET

**TITLE: SPECIAL PERMIT NO. 1951, HARTLAND HOMES SOUTHWEST COMMUNITY UNIT PLAN**, requested by Brian D. Carstens and Associates on behalf of Hartland Homes, Inc., for 120 multiple family units, 186 single family units and 59 unassigned units, for a total of 365 dwelling units, on property generally located at S.W. 27<sup>th</sup> Street and South Street.

**STAFF RECOMMENDATION:** Conditional Approval.

**ASSOCIATED REQUESTS:** Miscellaneous No. 01011 (02-69); Change of Zone No. 3361 (02-70); and Preliminary Plat No. 01020, Hartland Homes Southwest (02R-121).

**SPONSOR:** Planning Department

**BOARD/COMMITTEE:** Planning Commission  
Public Hearing: Consent Agenda: 4/03/02  
Administrative Action: 04/03/02

**RECOMMENDATION:** Conditional Approval (8-0: Carlson, Duvall, Krieser, Larson, Newman, Schwinn, Steward and Bills-Strand voting 'yes'; Taylor absent).

### FINDINGS OF FACT:

1. The staff recommendation of conditional approval is based upon the "Analysis" as set forth on p.4, concluding that the community unit plan and preliminary plat are in general conformance with the Subdivision and Zoning Ordinance.
2. On April 3, 2002, this community unit plan and the associated Miscellaneous No. 01011, Change of Zone No. 3361 and the Hartland Homes Southwest Preliminary Plat were placed on the Consent Agenda of the Planning Commission and opened for public hearing. No one came forward to speak.
3. The Planning Commission agreed with the staff recommendation and voted 8-0 to recommend conditional approval, as set forth in the staff report dated March 20, 2002. The conditions of approval are found on p.4-5.
4. The Site Specific conditions of approval required to be completed prior to scheduling this application on the Council agenda have been submitted by the applicant and approved by the reviewing departments.

**FACTSHEET PREPARED BY:** Jean L. Walker

**DATE:** May 17, 2002

**REVIEWED BY:** \_\_\_\_\_

**DATE:** May 17, 2002

**REFERENCE NUMBER:** FS\CC\2002\SP.1951 cup

## LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

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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.

**DATE:** March 20, 2002

**P.A.S.:** Change of Zone # 3361 (AGR to R-3)  
**Special Permit #1951-Hartland Homes SW Community Unit Plan**  
Preliminary Plat #01020- Hartland Homes SW

**PROPOSAL:** To create 120 multi-family units and 186 single-family units on 51.94 acres located at SW. 27<sup>th</sup> St. and W. South St.

**WAIVER REQUEST:** Exceed block length on W. Plum St./SW. 25<sup>th</sup> St. from 1320 feet to 1980 feet.

Street trees along SW. 27<sup>th</sup> Street.

**LAND AREA:** 51.94 acres more or less.

**CONCLUSION:** The change of zone conforms to the Comprehensive Plan.  
The preliminary plat and special permit require minor modifications, but are in general conformance with the Subdivision and Zoning Ordinance.

<b><u>RECOMMENDATION:</u></b>	Change of Zone #3361	Approval
	Special Permit #1951(C.U.P.)	Conditional Approval
	Preliminary Plat #01020	Conditional Approval
	Waiver of Sec. 26.23.130(block length)	Approval
	Waiver of Sec. 26.27.090(street trees)	Approval

### **GENERAL INFORMATION:**

**LEGAL DESCRIPTION:** Lots 38 and 39 I.T., all of Blocks 13-20; the north ½ of Block 37 and all of Blocks 38, 39 and 40; Hawthorne Addition, located in the NW 1/4 of Section 33, T10N, R6E, Lancaster County, Nebraska.

**LOCATION:** SW. 27<sup>th</sup> Street and South Street.

**APPLICANT:** Hartland Homes, Inc.  
P.O. Box 22787  
Lincoln, NE 68542

**OWNER:** Hartland Homes, Inc.  
P.O. Box 22787  
Lincoln, NE 68542

**CONTACT:** Brian D. Carstens  
601 Old Cheney Rd. Suite C  
Lincoln, NE 68512

**EXISTING ZONING:** AGR Agricultural Residential

**EXISTING LAND USE:** Agriculture

**SURROUNDING LAND USE AND ZONING:**

North:	R-3 and AGR	Single family residential.
South:	AGR and R-3	Vacant and Roper Elementary School
East:	R-2	Single family residential.
West:	H-4 and P	Vacant

**COMPREHENSIVE PLAN SPECIFICATIONS:** This area is shown as Urban Residential in the Comprehensive Plan. This site lies within the SW. 27<sup>th</sup> and West "A" Subarea Plan of the Comprehensive Plan approved February 18, 1997. The site is within the Future Service Limit.

**HISTORY:**

Date when preliminary plat was submitted: **November 20, 2001**  
Date when Planning Director's letter was sent: **December 20, 2001**  
Date when revised preliminary plat was submitted: **February 28, 2002**

CZ #3303 Approved in April, 2001, changed zoning from AGR to R-3 on a portion of Lot 102 IT abutting this plat to the north.

CZ #3258 Approved in April, 2001, changed zoning from AGR to R-3 on a portion of Lot 102 IT abutting this plat to the north.

PP #00013 In April, 2001, Aspen Ridge was approved allowing 63 single family lots. Aspen Ridge abuts this plat to the north.

CZ #3044 Approved in March, 1998, changed zoning from AGR to H-4 west of SW 27<sup>th</sup> St. north and south of West "A" St abutting this plat to the west.

Changed from AA Rural and Public Use District to AGR Agricultural Residential District in the 1979 zoning update.

**UTILITIES:** Water--- A 12 inch water main exists on W. South St.  
A 12 inch water main must be built on SW 27<sup>th</sup> Street abutting this plat.

Sewer— There is no existing sanitary sewer in W. South Street or SW 27<sup>th</sup> Street abutting this plat.

**TRAFFIC ANALYSIS:** SW 27<sup>th</sup> Street and W. South St. abutting this plat are rural gravel roads. Public Works notes that SW 27<sup>th</sup> St. and W. South St. need to be paved to urban street standards. SW 27<sup>th</sup> St and W. South St are identified as local streets in the Comprehensive Plan. South St. is identified as a Urban Collector in the Future Functional Street and Road Classification.

The proposed plat provides connections to SW. 27<sup>th</sup> St., W. South St., and two connections to the north on SW. 25<sup>th</sup> St. and SW 26<sup>th</sup> St.

**PUBLIC SERVICE:** The nearest fire station is Station #13 located at approximately Coddington Ave. and West A. St.

Roper elementary school is located at Coddington Ave. and W. South St.

**ANALYSIS:**

1. This is an application for a preliminary plat for 187 lots and four outlots; a special permit for a community unit plan for 306 dwelling units consisting of 186 single family units and 120 multiple family units and a change of zone from AGR to R-3.
2. This application request waivers to street trees along SW 27<sup>th</sup> Street and to exceed the block length on W. Plum/SW 25<sup>th</sup> Street. The landscape plan shows an existing line of trees along SW 27<sup>th</sup> Street to remain. Parks Department does not object to this waiver.

A cross street from SW 25<sup>th</sup> Street to the east is not possible. The area abutting this plat to the east is developed with single family houses.

3. The entire plat lies within Airport Environs Noise District. Approximately one half of the single family lots and the apartment complex are between the LDN 65 line and LDN 70 line. An Avigation and Noise Easement to the airport authority is required. The applicant will be required to file the easement with the Register of Deeds prior to scheduling final plats on the Planning Commission Agenda.
4. The Land Use Plan shows this area as residential, urban.
5. The proposed Preliminary Plat and Community Unit Plan are consistent with the Land Subdivision and Zoning Ordinance.

**SPECIAL PERMIT  
CONDITIONS**

Site Specific:

1. After the subdivider completes the following instructions and submits the documents and plans to the Planning Department office, the special permit will be scheduled on the City Council's agenda: NOTE: These documents and plans are required by ordinance or design standards.)

- 1.1 Add to the Landscape Plan a detailed community outdoor recreation plan.
2. This approval permits :
  - 2.1 120 multiple family units, 186 single family units and 59 unassigned units for a total of 365 dwelling units.

General:

3. Before receiving building permits:
  - 3.1 The permittee shall have submitted a revised and reproducible final plan including 5 copies.
  - 3.2 The construction plans shall comply with the approved plans.
  - 3.3 Final Plats shall be approved by the City.

STANDARD CONDITIONS:

4. The following conditions are applicable to all requests:
  - 4.1 Before occupying the dwelling units all development and construction shall have been completed in compliance with the approved plans.
  - 4.2 All privately-owned improvements shall be permanently maintained by the owner or an appropriately established homeowners association approved by the City Attorney.
  - 4.3 The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
  - 4.4 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
  - 4.5 The applicant shall sign and return the letter of acceptance to the City Clerk within 30 days following the approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filling fees therefor to be paid in advance by the applicant.

Prepared by:

Tom Cajka  
Planner

**SPECIAL PERMIT NO. 1951  
HARTLAND HOMES SOUTHWEST COMMUNITY UNIT PLAN**

**CONSENT AGENDA**

April 3, 2002

**PUBLIC HEARING AND**

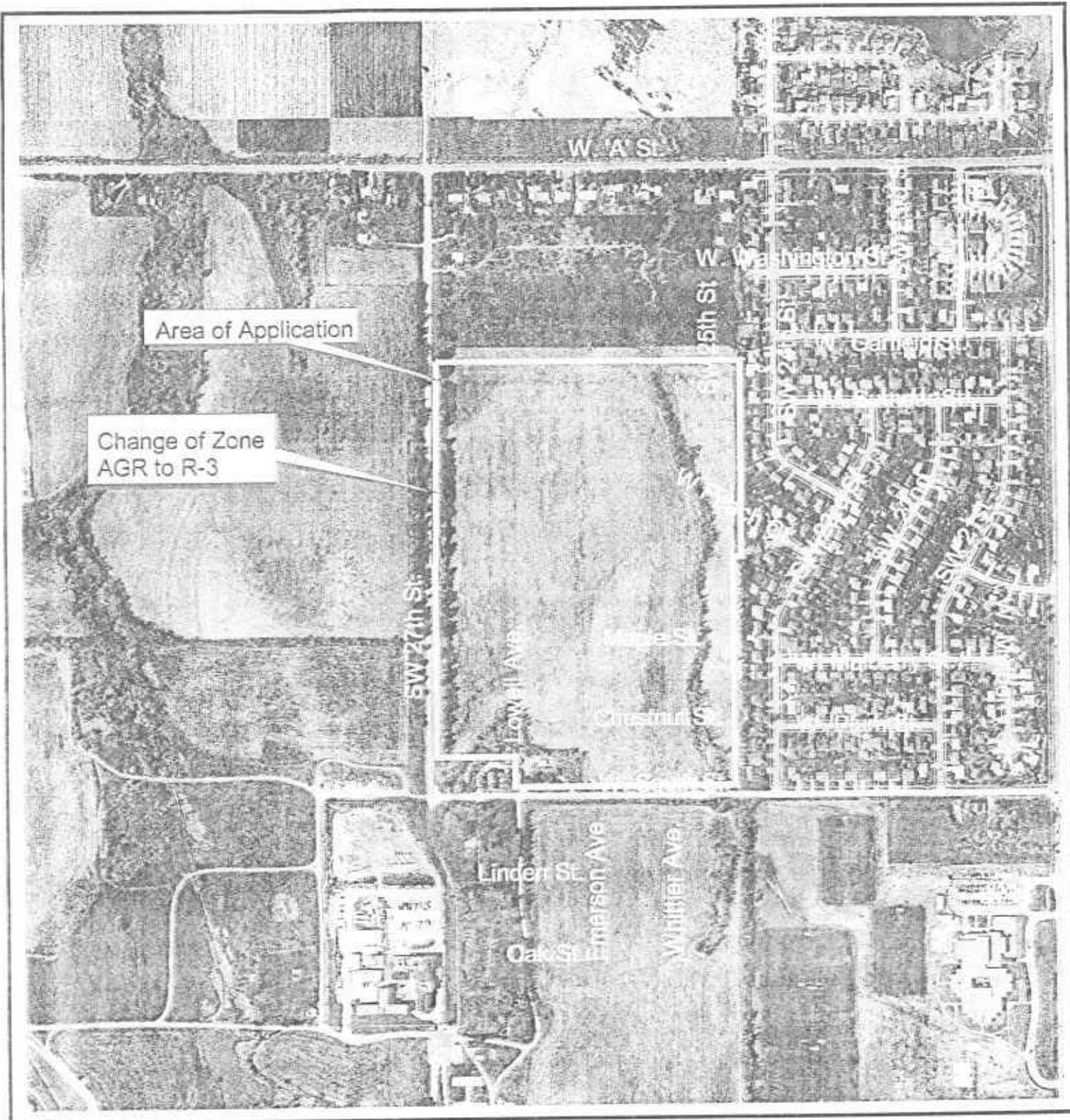
**ADMINISTRATIVE ACTION BY PLANNING COMMISSION:**

Members present: Carlson, Duvall, Krieser, Larson, Newman, Schwinn, Steward, Bills-Strand and Taylor.

The Consent Agenda consisted of the following items: **CHANGE OF ZONE NO. 3361; SPECIAL PERMIT NO. 1951, HARTLAND HOMES SOUTHWEST COMMUNITY UNIT PLAN; PRELIMINARY PLAT NO. 01020, HARTLAND HOMES SOUTHWEST; MISCELLANEOUS NO. 01011; PRE-EXISTING USE PERMIT NO. 9S; PRE-EXISTING SPECIAL PERMIT NO. 23E; SPECIAL PERMIT NO. 1962; SPECIAL PERMIT NO. 1963; SPECIAL PERMIT NO. 1774A, AMENDMENT TO THE WILDERNESS ESTATES 3<sup>RD</sup> ADDITION COMMUNITY UNIT PLAN; SPECIAL PERMIT NO. 1952, HAWKSWOOD ESTATES 1<sup>ST</sup> ADDITION COMMUNITY UNIT PLAN; and PRELIMINARY PLAT NO. 01024, HAWKSWOOD ESTATES 1<sup>ST</sup> ADDITION.**

**Item No. 1.3, Pre-Existing Special Permit No. 23E**, was removed from the Consent Agenda and scheduled for separate public hearing.

Carlson moved to approve the remaining Consent Agenda, seconded by Newman and carried 8-0: Carlson, Duvall, Krieser, Larson, Newman, Schwinn, Steward and Bills-Strand voting 'yes'; Taylor absent.



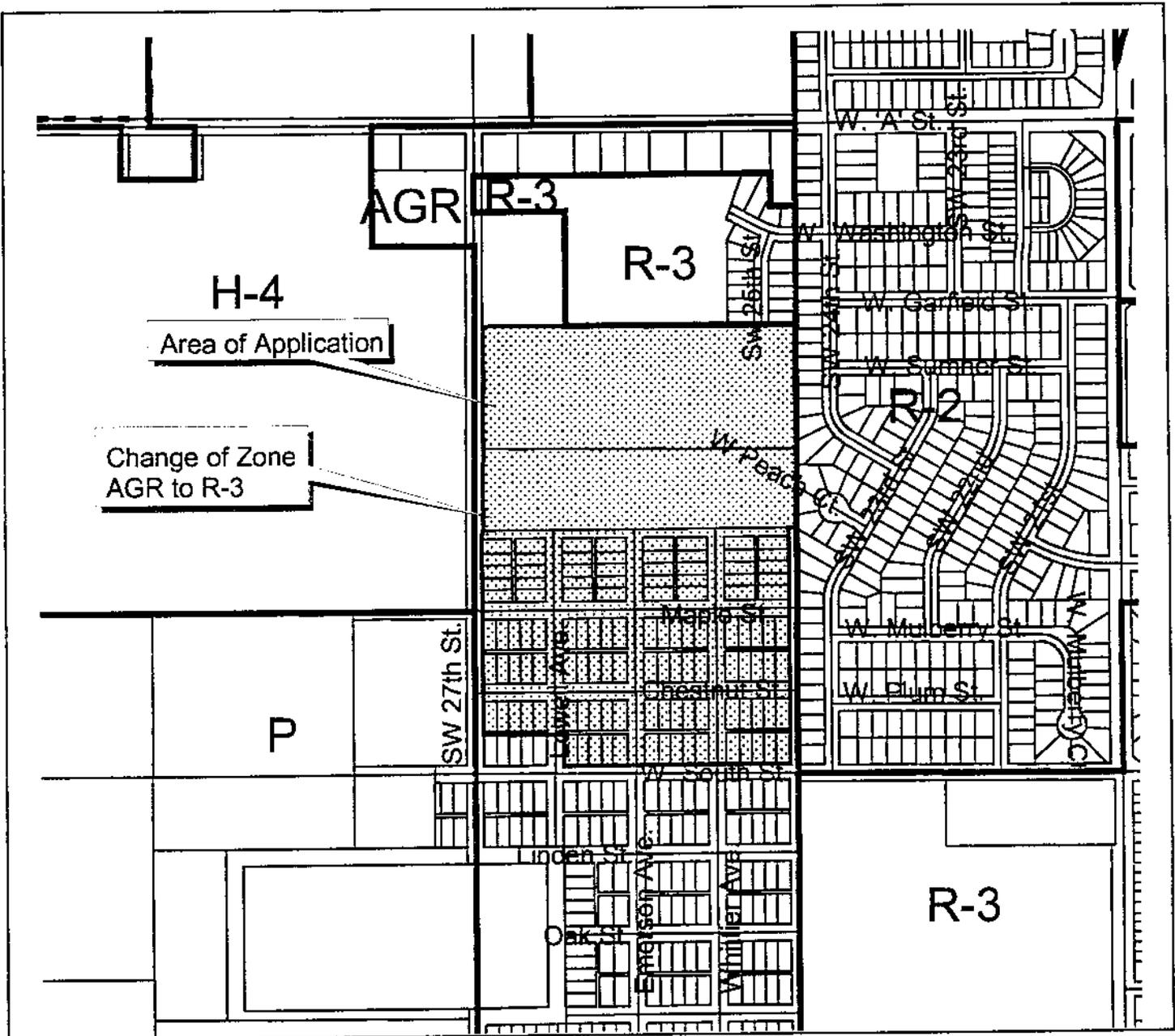
**Preliminary Plat #01020**  
**Special Permit #1951**  
**Change of Zone #3361**  
**Hartland Homes Southwest**  
**SW 27th & South St.**



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Photograph Date: 1999

Lincoln City - Lancaster County Planning Dept.

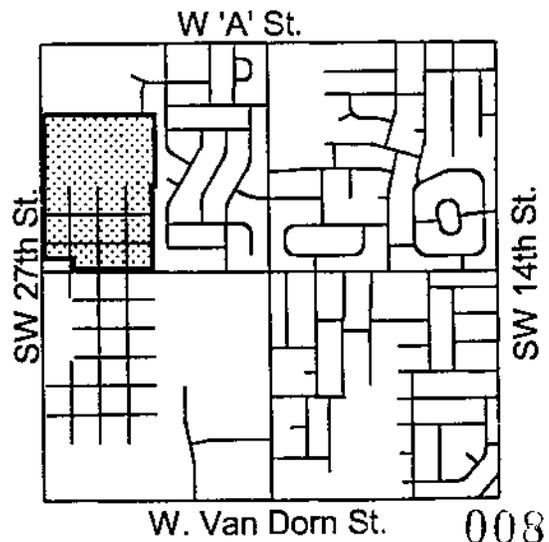
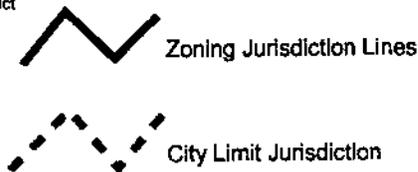


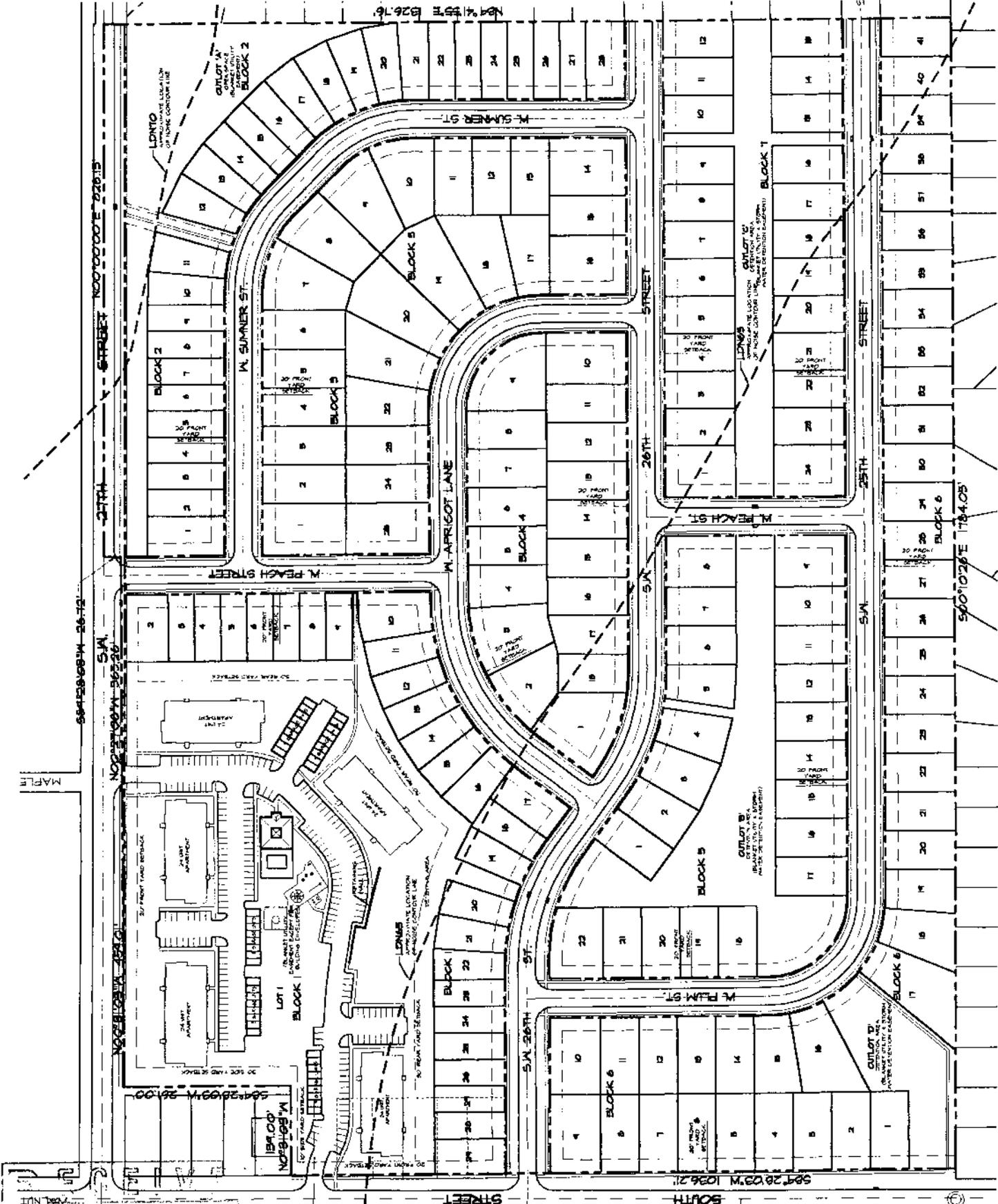
**Preliminary Plat #01020  
 Special Permit #1951  
 Change of Zone #3361  
 Hartland Homes Southwest  
 SW 27th & South St.**

**Zoning:**

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

One Square Mile  
 Sec. 33 T10N R6E





MAY 16 2002

LINCOLN CITY/AMCASTER COUNTY  
PLANNING DEPARTMENT

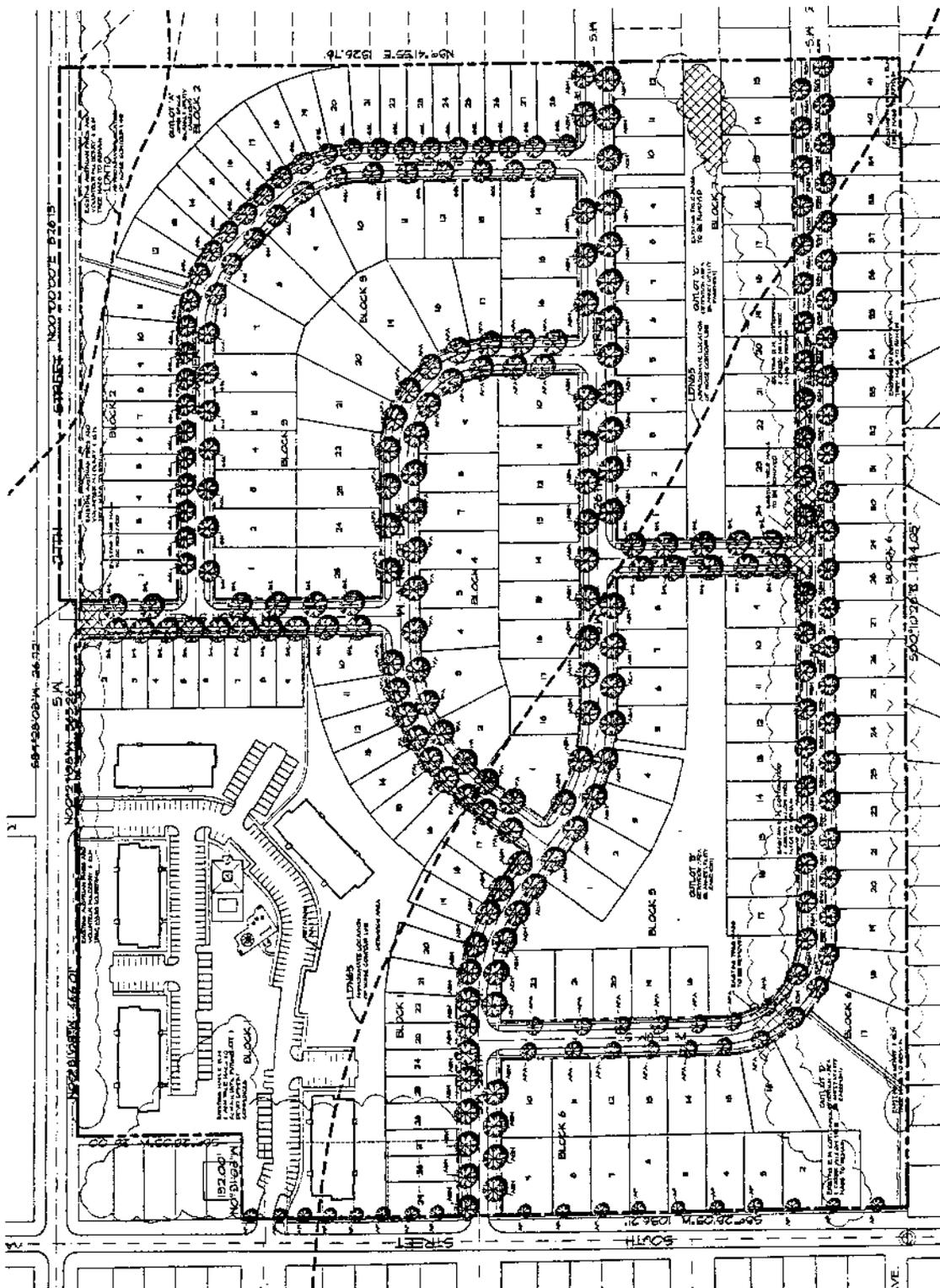
OWELL AVE.

MERSON AVE.

WITTER AVE.

600

LONGFELLOW AVE.



**Preliminary Plat #01020**  
**Special Permit #1951**  
**Change of Zone #3361**  
**Hartland Homes Southwest**  
**SW 27th & South St.**



**LEGAL DESCRIPTION:**

LOTS 38 AND 39 IRREGULAR TRACTS, AND ALL OF BLOCKS 13, 14, 15, 16, 17, 18, 19 AND 20, AND LOTS 1 THROUGH 5, BLOCK 37 AND ALL OF BLOCKS 38, 39 AND 40, HAWTHORNE ADDITION TOGETHER WITH ADJACENT STREETS AND ALLEYS, EXCEPT FOR SOUTHWEST 27TH STREET, WEST SOUTH STREET, AND THE EAST-WEST ALLEY OF BLOCK 37, ALL BEING LOCATED IN THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 10 NORTH, RANGE 6 EAST OF THE 6TH P.M., LINCOLN, LANCASTER COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 38 IRREGULAR TRACT, SAID POINT BEING ON THE WEST LINE OF SAID WEST HALF OF THE NORTHWEST QUARTER;

THENCE ON THE NORTH LINE OF SAID LOT 38, ON AN ASSIGNED BEARING OF N 89°41'55" E, 1326.76 FEET TO THE NORTHEAST CORNER OF SAID LOT 38;

THENCE ON THE EAST LINE OF SAID WEST HALF, S 00°10'26" E, 1784.05 FEET, TO A POINT ON THE NORTH LINE OF WEST SOUTH STREET;

THENCE ON SAID NORTH LINE, S 89°28'03" W, 1036.21 FEET, TO A POINT ON THE WEST LINE OF LOWELL AVENUE;

THENCE ON SAID WEST LINE, N 00°31'03" W, 139.00 FEET, TO A POINT ON THE NORTH LINE OF THE EAST-WEST ALLEY IN BLOCK 37 EXTENDED EASTERLY;

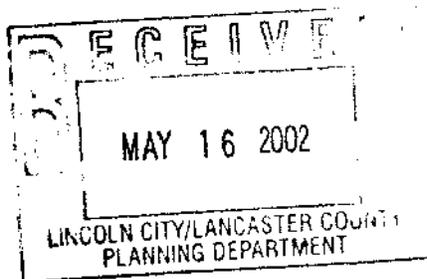
THENCE ON SAID NORTH LINE OF ALLEY, S 89°28'03" W, 261.00 FEET, TO A POINT ON THE EAST LINE OF SOUTHWEST 27TH STREET;

THENCE ON SAID EAST LINE, N 0°31'03" W, 459.01 FEET, TO THE NORTHWEST CORNER OF SAID BLOCK 20;

THENCE CONTINUING ON SAID EAST LINE, N 0°27'08" W, 365.26 FEET, TO THE CENTERLINE OF POPLAR STREET;

THENCE ON SAID CENTERLINE OF POPLAR STREET, S 89°28'03" W, 26.72 FEET, TO A POINT ON THE WEST LINE OF SAID WEST HALF OF THE NORTHWEST QUARTER;

THENCE ON SAID WEST LINE, N 0°00'00" E, 826.13 FEET, TO THE POINT OF BEGINNING, SAID TRACT CONTAINING AN AREA OF 53.02 ACRES, MORE OR LESS.



**HARTLAND HOMES S.W.  
DENSITY CALCULATION (R-3)**

WITHIN 150'	BEYOND 150'
320,458.57	172,668.25
327,930.21	8,504.63
226,002.00	1,575.16
206,936.30	6,689.09
150,298.10	
232,443.93	
214,231.71	
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1,678,300.82	189,437.13
	X 0.80
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	151,549.70
1,678,300.82	
151,549.70	
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1,829,850.52	
/5000 (R-3)	
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365.97	

**365 UNITS**

**Dennis D Bartels**

To: Thomas J Cajka/Notes@Notes

cc:

03/20/2002 12:00 PM

Subject: Hartland Homes Southwest

The detention calculations that you faxed me take care of the revised calculations that I requested in my last memo.

# Memorandum

MAR 18 2002

**To:** Tom Cajka, Planning  
**From:** Dennis Bartels, Engineering Services  
**Subject:** Hartland Homes Southwest Revised Preliminary Plat  
**Date:** March 14, 2002  
**cc:** Randy Hoskins  
Roger Figard  
Virendra Singh  
Ben Higgins

Engineering Services has reviewed the Hartland Homes Southwest Revised Preliminary Plat located north of South Street east of Southwest 27th Street and has the following comments:

1. Water - The water system has been revised and is satisfactory.
2. Sanitary Sewer - No sewer is shown in South Street to serve the lots fronting South Street.
3. Street System - The grading plan shows a curb and gutter section on the north side of South Street and east side of Southwest 27th Street. This will not happen. The entire right-of-way of South Street and Southwest 27th Street will be graded and urban cross-section pavement built. Southwest 27th Street will need to be paved a minimum of 33' wide.
4. Drainage - The required storm sewer in South Street and Southwest 27th Street needs to be shown.

An easement is required over the detention areas to include the detention area, the outlet works and access for maintenance. The easement, as a minimum, needs to include all areas within the 100 year backwater depth plus one foot.

100 year flow elevations and calculations documenting how these were calculated must be submitted. The minimum floor elevations must match these calculations and include more lots than shown on the plans.

The detention has been revised from the original submittal. New calculations meeting design standards must be submitted. A note should be added to the plan to indicate that as-built plans and final design calculations will be submitted upon completion of the grading and accompanying detention facilities. Detailed grading and construction plans are required prior to building the detention. The plat needs to require private maintenance of the detention facilities. Final plans should include trash racks at the detention outlet structures.

If channel liners are not proposed along open ditches and thru detention areas, the calculations need to include documentation that velocities are not erosive. Final design of culverts also need to be checked for velocities and outlet protection provided if erosive velocities exist.

5. Streets - As noted previously, Southwest 27th Street and South Street need to be paved to an urban cross-section as a requirement of this plat.
6. General - The information shown on the preliminary plat relating to the public water main system, public sanitary sewer system and public storm sewer system has been reviewed to determine if the sizing and general method of providing service is satisfactory. Design consideration including, but not limited to, location of water main bends around curved and cul-de-sacs, connection of fire hydrants to the public main, temporary fire hydrant locations, location and number of sanitary sewer manholes, location and number of storm sewer inlets, location of storm sewer manholes and junction boxes, and the method of connecting storm sewer inlets to the main system are not approved with this review. These and all other design considerations can only be approved at the time construction drawings are prepared and approved.

# Memo



**To:** Tom Cajka, Planning Department  
**From:** Mark Canney, Parks & Recreation  
**Date:** March 5, 2002 (Revision of March 4, 2002)  
**Re:** Hartland Homes Southwest

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Staff members of the Lincoln Parks and Recreation Department have conducted a plan review of the above-referenced application/proposal and have compiled the following comments:

1. Need to submit a community outdoor recreation plan (a more detailed playground play space that includes at a minimum, a half court basketball court).
2. Please include a note on the plan stating that all outlot areas to be maintained by developer and/or future homeowners association.
3. Please include a note on the plan stating that existing trees located on Blocks, 5, 6, and 7 will be removed during the development process, except for those located along the east side.

If you have any additional questions, comments or concerns, please feel free to contact me at 441-8248. Thank you.

# City of Lincoln, Nebraska

## IMPORTANT

All revisions to plans must include Building Permit # and Job Address.

Return this report with two sets of corrected plans. The corrections noted below are required to be made to the plans prior to issuance of a permit. Please indicate under each item where the correction is made by plan sheet number or plan detail number.

A separate set of plans for review and final approval must be submitted by the licensed installing contractor/s if fire suppression systems, sprinklers, dry powder, fire alarm systems or underground tanks are installed.

## Plan Review Comments

Permit # DRF02024

Address

Job Description: HARTLAND HOMES SOUTHWEST

Location: HARTLAND HOMES SOUTH

Special Permit: N

Preliminary Plat: Y 01020

Use Permit: N

CUP/PUD: N

Requested By: TOM CAJKA

Status of Review: Approved

Reviewer: FIRE PREVENTION/LIFE SAFETY CODE BOB FIEDLER

Comments:

### Current Codes in Use Relating to Construction Development in the City of Lincoln:

- 1997 Uniform Building Code and Local Amendments
- 1994 Nebraska Accessibility Guidelines (Patterned after and similar to ADA guidelines)
- 1989 Fair Housing Act As Amended Effective March 12, 1989
- 1979 Zoning Ordinance of the City of Lincoln as Amended including 1994 Parking Lot Lighting Standards
- 1992 Lincoln Plumbing Code (The Lincoln Plumbing Code contains basically the 1990 National Standard Plumbing Code and local community Amendments.)
- 1999 National Electrical Code and Local Amendments
- 1997 Uniform Mechanical Code and Local Amendments
- 1994 Lincoln Gas Code
- 1994 NFPA 101 Life Safety Code
- 1997 Uniform Fire Code and Local Amendments
- Applicable NFPA National Fire Code Standards

