

City Council Introduction: **Monday**, October 14, 2002
Public Hearing: **Monday**, October 21, 2002, at **1:30 p.m.**

Bill No. 02R-237

FACTSHEET

TITLE: WAIVER OF DESIGN STANDARDS NO. 02018, requested by Ross Engineering, Inc. on behalf of Aspen Builders, Inc., to waive sidewalk and street lights on the east side of S.W. 27th Street, and to waive paving of S.W. 27th Street, associated with the Aspen Ridge 1st Addition final plat, generally located at S.W. 27th Street and West "A" Street.

STAFF RECOMMENDATION: Approval, upon the condition that when West Washington Street is connected to S.W. 27th Street, all improvements will be required.

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: Consent Agenda: 10/02/02
Administrative Action: 10/02/02

RECOMMENDATION: Approval, with condition that when West Washington Street is connected with S.W. 27th Street, all improvements will be required (7-0: Carlson, Larson, Duvall, Newman, Bills-Strand, Taylor and Schwinn voting 'yes'; Krieser and Steward absent).

FINDINGS OF FACT:

1. The Planning staff recommendation is based upon the "Analysis" as set forth on p.3, concluding that the Public Works Department supports the waiver until such time as W. Washington Street is connected to S.W. 27th Street. The Planning Department concurs with the Public Works Department.
2. On October 2, 2002, this application was placed on the Consent Agenda of the Planning Commission and opened for public hearing. No one came forward to speak.
3. On October 2, 2002, the Planning Commission agreed with the staff recommendation and voted 7-0 to recommend approval, with the condition that when W. Washington Street is connected to S.W. 27th Street, all improvements will be required.

FACTSHEET PREPARED BY: Jean L. Walker

DATE: October 7, 2002

REVIEWED BY: _____

DATE: October 7, 2002

REFERENCE NUMBER: FS\CC\2002\WDS.02018

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

P.A.S.: Waiver of Design Standards #02018

DATE: September 19, 2002

PROPOSAL: Waive sidewalk and street lights on the east side of S.W. 27th Street and paving of S.W. 27th Street associated with Aspen Ridge 1st Addition final plat.

CONCLUSION: Public Works Department supports the waiver until such time as W. Washington St. is connected to S.W. 27th Street. The Planning Department concurs with Public Works Department recommendation.

<u>RECOMMENDATION:</u>	Approval with the condition that when W. Washington Street is connected with S.W. 27 th Street, all improvements will be required.
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GENERAL INFORMATION:

LEGAL DESCRIPTION: Outlot A, Aspen Ridge Addition, located in the NW 1/4 of Section 33, Township 10 North, Range 6 East, Lincoln, Lancaster County, Nebraska

LOCATION: S. W. 27th Street and West "A" Street

APPLICANT: Aspen Builders, Inc.
6120 Village Dr. Suite B
Lincoln, NE 68516
(402) 423-6811

OWNER: same as applicant

CONTACT: August Ponstingl
Ross Engineering
201 N. 8th Street, Suite 401
Lincoln, NE 68508
(402) 474-7677

EXISTING ZONING: R-3, Residential and AGR, Agricultural Residential

EXISTING LAND USE: Single-family house and vacant

SURROUNDING LAND USE AND ZONING:

North:	AGR	Agricultural Residential	Single family residential
South:	R-3	Residential	vacant platted lots
East:	R-2	Residential	Single family residential
West:	AGR	Agricultural Residential	vacant
	H-4	General Commercial	vacant

HISTORY:

- August 8, 2001** Aspen Ridge Addition Final Plat No. 01004 was approved by Planning Commission.
- April 16, 2001** Aspen Ridge Preliminary Plat No. 00013 was approved by City Council.
- April 16, 2001** Change of Zone No. 3303 and 3258 from AGR to R-3 was approved by City Council. This change of zone was associated with Aspen Ridge Preliminary Plat.
- March 2, 1998** Change of Zone 3044 from AGR to H-4 on property west of S.W. 27th Street and south of West "A" was approved by City Council.

COMPREHENSIVE PLAN SPECIFICATIONS:

TRAFFIC ANALYSIS: S.W. 27th Street is platted as a local road with 66' right-of-way. Currently S.W. 27th Street is a rural cross section gravel road.

ANALYSIS:

1. This request is to waive the sidewalk and street lights on the east side of S.W. 27th Street (Sec. 26.23.095 and 26.27.070) and street paving of S.W. 27th Street (Sec. 26.27.010).
2. The applicant's letter states that the city has requested sidewalks on both sides of S.W. 27th Street. The sidewalk is only required on the side of S.W. 27th Street abutting the final plat of Aspen Ridge 1st Addition.
3. The applicant's letter requests a waiver to landscaping. The preliminary plat of Aspen Ridge did not require landscaping or street trees on S.W. 27th Street.
4. Public Works supports the waiver of the paving and sidewalk on S.W. 27th Street until the time that W. Washington Street is platted to complete the connection with S.W. 27th Street.
5. There are no buildable lots being platted with the final plat of Aspen Ridge 1st Addition abutting S.W. 27th Street. Traffic on S.W. 27th Street most likely will not increase with the approval of Aspen Ridge 1st Addition final plat.

Prepared by:

Tom Cajka
Planner

WAIVER OF DESIGN STANDARDS NO. 02018

CONSENT AGENDA

PUBLIC HEARING & ADMINISTRATIVE ACTION

BEFORE PLANNING COMMISSION:

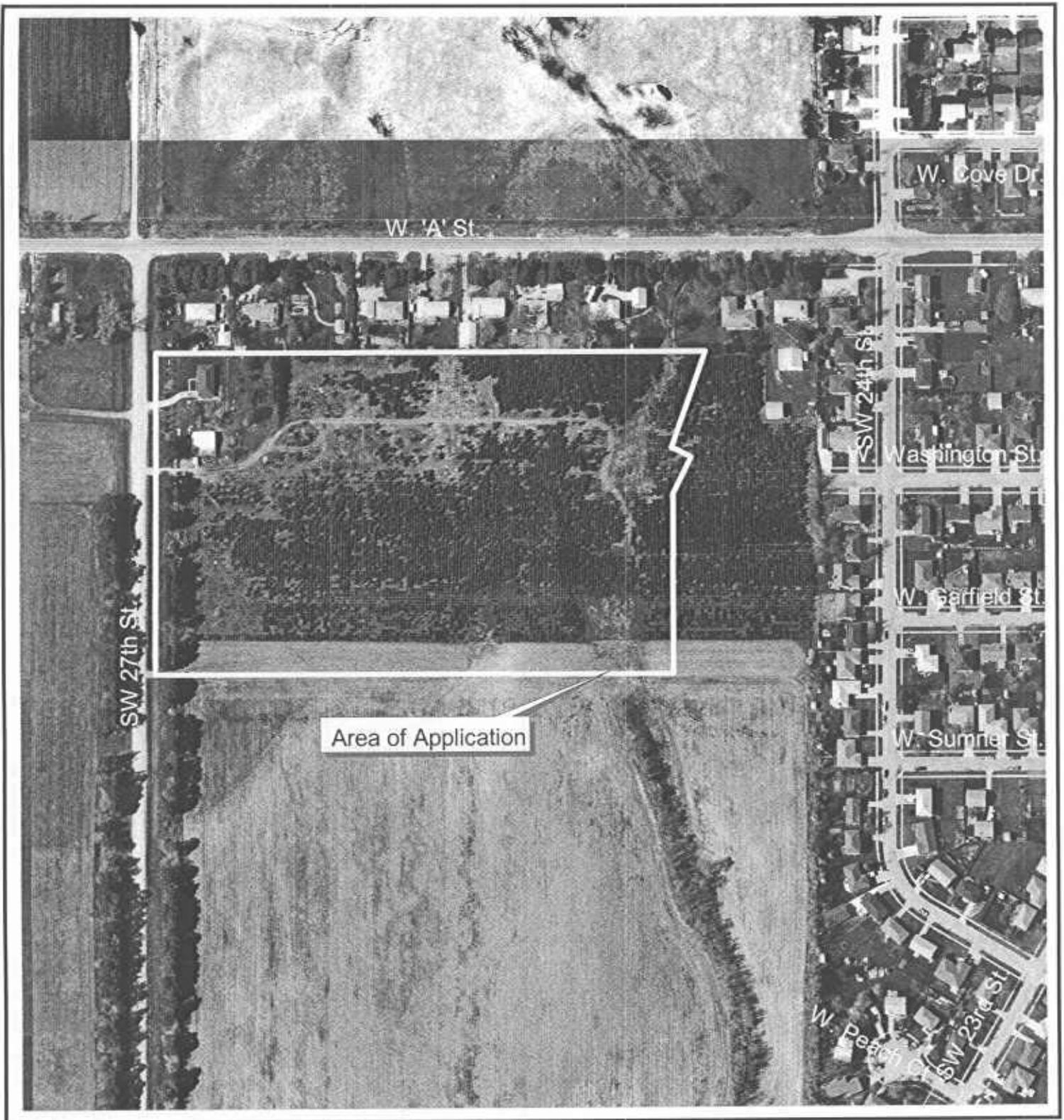
October 2, 2002

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

The Consent agenda consisted of the following items: **Change of Zone No. 76HP; Special Permit No. 1987; Special Permit No. 1982, SUNSHINE HILLS COMMUNITY UNIT PLAN; Preliminary Plat No. 02015, SUNSHINE HILLS; Final Plat No. 02005, I-80 BUSINESS PARK ADDITION; Final Plat No. 02017, HARTLAND HOMES EAST 8TH ADDITION; Final Plat No. 02026, NORTH HILLS 3RD ADDITION; Final Plat No. 02031, ALDERWOOD ADDITION; Comprehensive Plan Conformance No. 02010; and Waiver of Design Standards No. 02018.**

Duvall moved to approve the Consent Agenda, seconded by Larson and carried 7-0: Carlson, Duvall, Larson, Newman, Schwinn, Bills-Strand and Taylor voting 'yes'; Krieser and Steward absent.

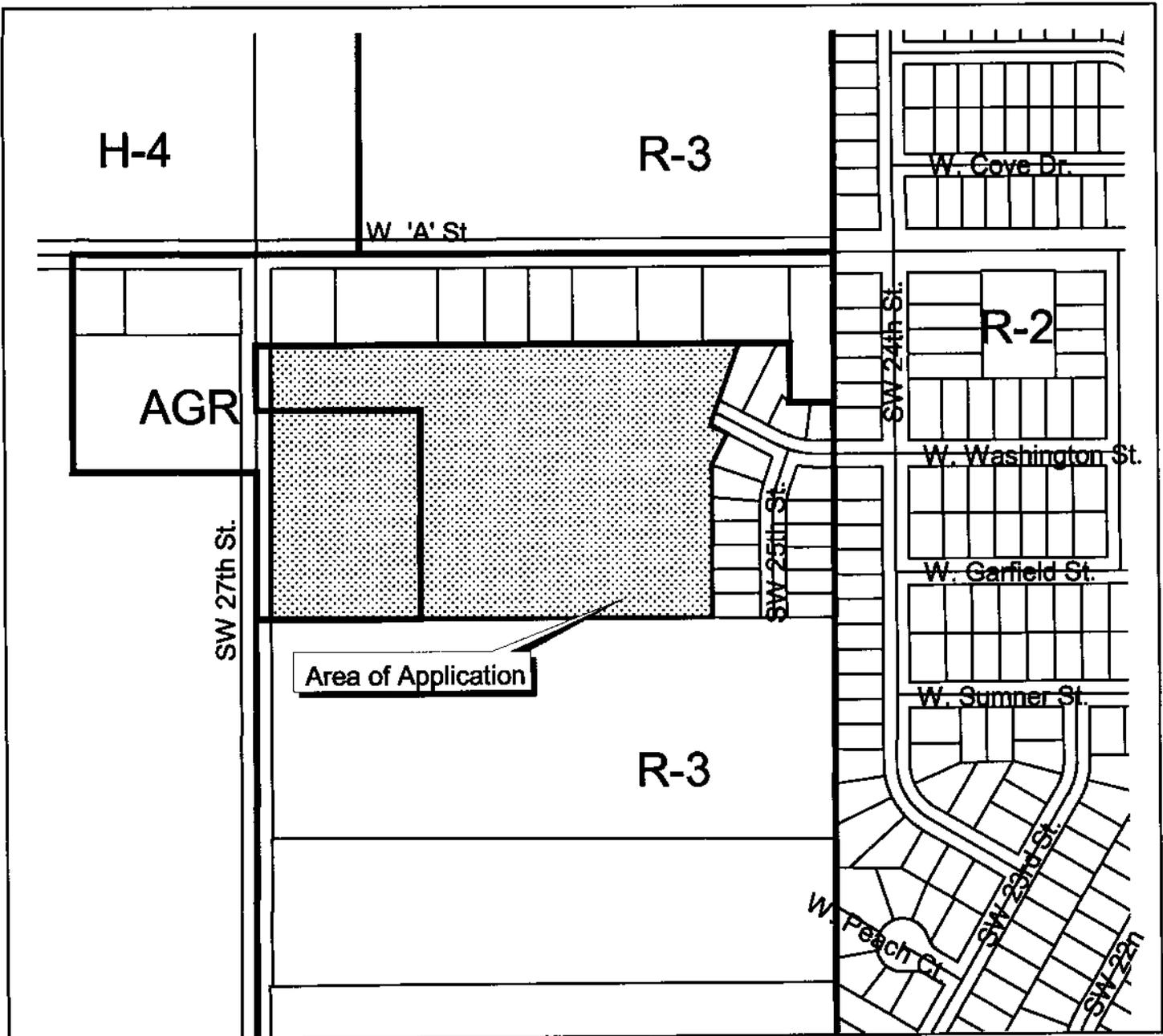
Note: This is final action on Special Permit No. 1987, I-80 Business Park Addition Final Plat No. 02005, Hartland Homes East 8th Addition Final Plat No. 02017, North Hills 3rd Addition Final Plat No. 02026 and Alderwood Addition Final Plat No. 02031, unless appealed to the City Council by filing a letter of appeal with the City Clerk within 14 days of the action by the Planning Commission.



**Waiver of Design Standards #02018
SW 27th & W 'A' St.**



005

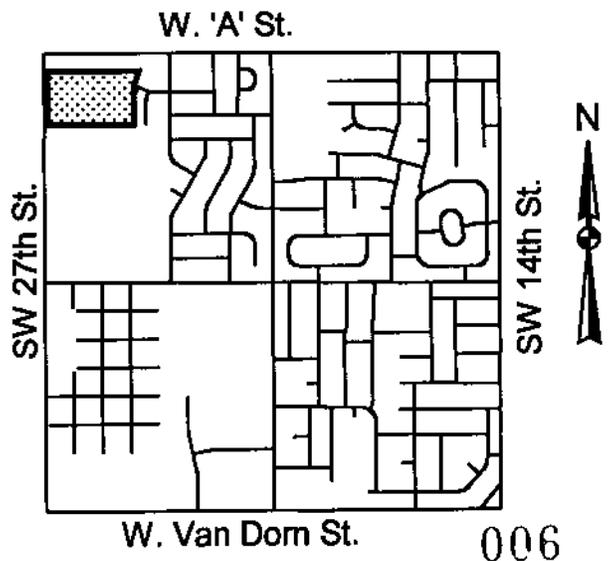
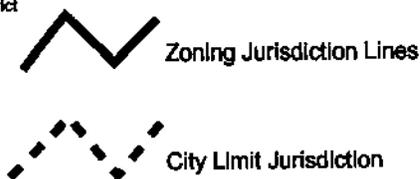


**Waiver of Design Standards #02018
SW 27th & W 'A' St.**

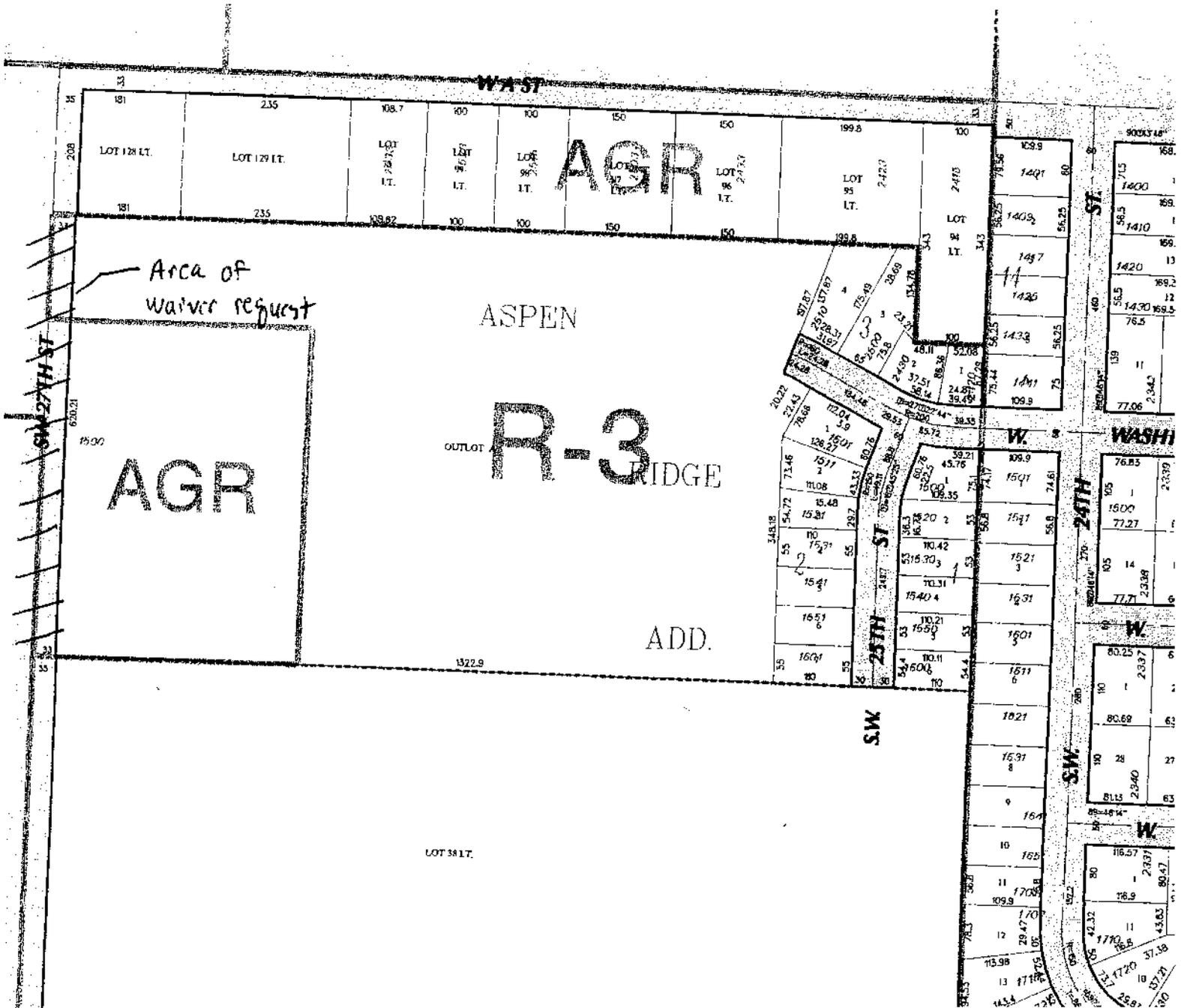
Zoning:

- 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



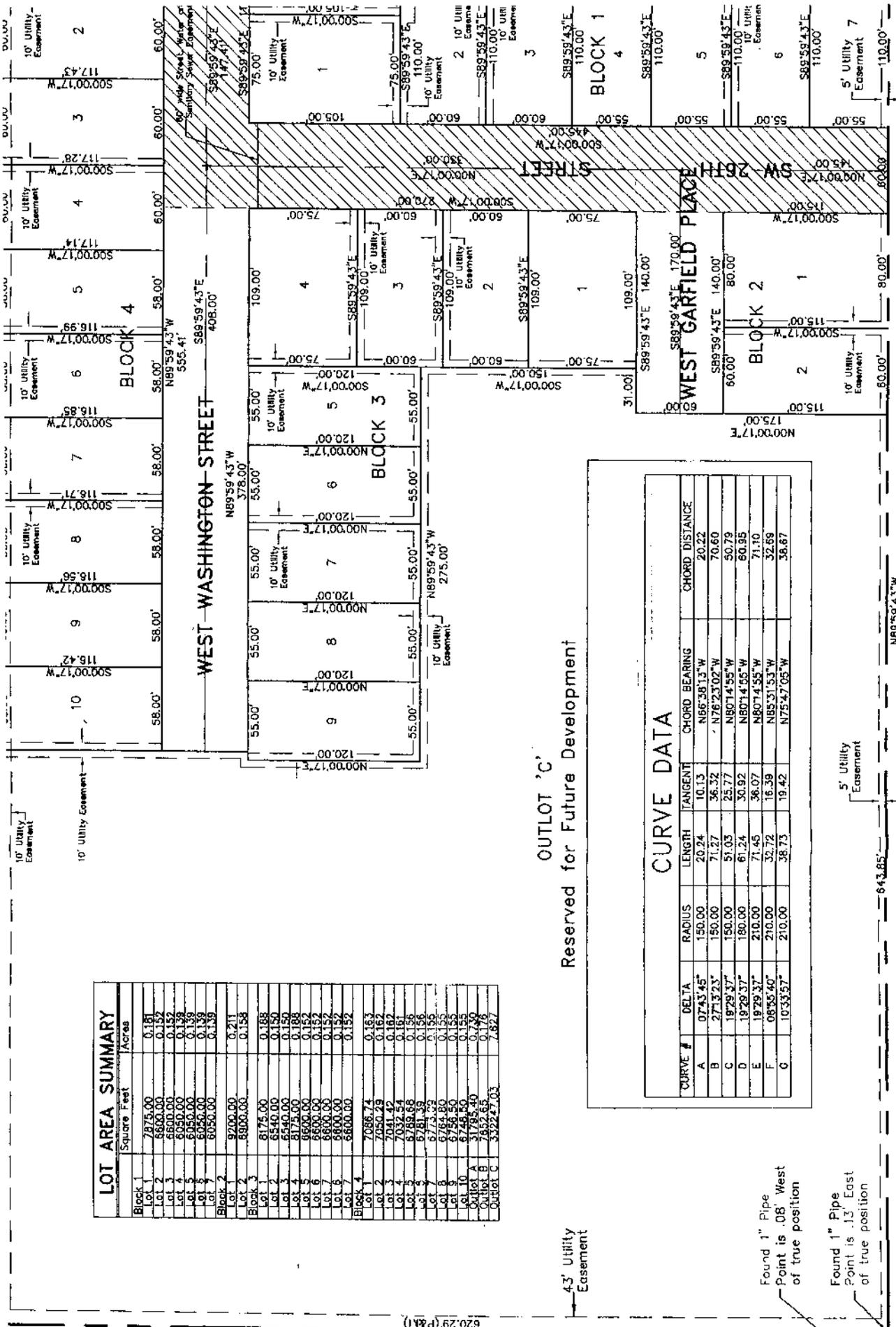
006



ASPEN RIDGE 1ST ADDITION

LOT AREA SUMMARY

Block/Lot	Square Feet	Acres
Block 1	7875.00	0.181
Lot 1	6800.00	0.156
Lot 2	6800.00	0.156
Lot 3	6800.00	0.156
Lot 4	6050.00	0.139
Lot 5	6050.00	0.139
Lot 6	6050.00	0.139
Block 2	9200.00	0.211
Lot 1	8000.00	0.183
Lot 2	8000.00	0.183
Block 3	8175.00	0.188
Lot 1	6540.00	0.150
Lot 2	6540.00	0.150
Lot 3	6540.00	0.150
Lot 4	8175.00	0.188
Block 4	6600.00	0.152
Lot 1	6600.00	0.152
Lot 2	6600.00	0.152
Lot 3	6600.00	0.152
Block 5	6600.00	0.152
Lot 1	6600.00	0.152
Lot 2	6600.00	0.152
Lot 3	6600.00	0.152
Block 6	7086.74	0.163
Lot 1	7086.74	0.163
Block 7	7050.29	0.162
Lot 1	7050.29	0.162
Block 8	7032.54	0.161
Lot 1	7032.54	0.161
Block 9	6789.66	0.156
Lot 1	6789.66	0.156
Block 10	6717.33	0.155
Lot 1	6717.33	0.155
Block 11	6764.80	0.155
Lot 1	6764.80	0.155
Block 12	6756.50	0.155
Lot 1	6756.50	0.155
Block 13	6748.20	0.155
Lot 1	6748.20	0.155
Block 14	3178.40	0.073
Block 15	3178.40	0.073
Block 16	3178.40	0.073
Block 17	3178.40	0.073
Block 18	3178.40	0.073
Block 19	3178.40	0.073
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Block 96	3178.40	0.073
Block 97	3178.40	0.073
Block 98	3178.40	0.073
Block 99	3178.40	0.073
Block 100	3178.40	0.073



OUTLOT 'C'
Reserved for Future Development

CURVE DATA

CURVE #	DELTA	RADIUS	LENGTH	TANGENT	CHORD BEARING	CHORD DISTANCE
A	0743.45°	150.00	20.24	10.13	N66°38'13"W	20.22
B	273°23'	150.00	71.27	36.32	N78°23'02"W	70.60
C	1929°37'	180.00	51.03	25.77	N80°14'55"W	50.79
D	1929°37'	180.00	61.24	30.92	N80°14'55"W	60.95
E	1929°37'	210.00	71.45	36.07	N80°14'55"W	71.10
F	0855°40'	210.00	32.72	16.39	N85°31'53"W	32.59
G	1033°57'	210.00	38.73	19.42	N75°47'08"W	38.87

Found 1" Pipe
Point is .08' West
of true position

Found 1" Pipe
Point is .13' East
of true position

800
SOUTHWEST 27TH STREET
LOT 38 I.T.
N89°59'43"W
1013.85 (MAP)



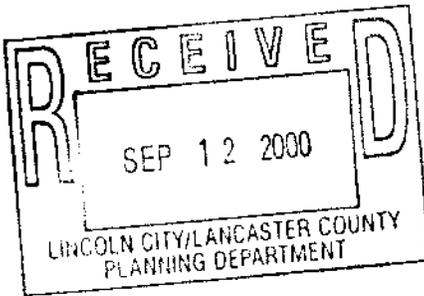
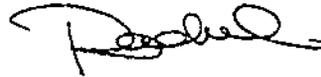
office
MEMORANDUM

to: Jennifer Dam, Planning
from: Rachel Martin, Parks and Recreation
subject: Aspen Ridge Preliminary Plat
date: September 12, 2000

Parks and Recreation Department staff have reviewed the above referenced development proposal and have the following comments.

- 1) Street trees should be depicted along the frontage of Outlot B along W. Washington Street.
- 2) Field inspection performed 9/11/00. Mature row of pines along the East side of S.W. 27th Street to remain. No additional street trees necessary along this street due to lack of room.

Please phone me at 441-7936 with any questions or comments.



September 14, 2000

9/18/00**

however,

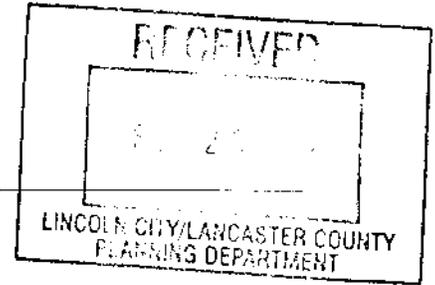
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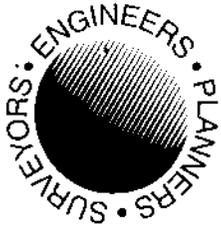
M e m o r a n d u m



[Redacted]

To: Tom Cajka, Planning
From: *Dennis Bartels*, Public Works and Utilities
Subject: Waiver to Subdivision Requirements, Aspen Ridge 1st Addition
Date: September 19, 2002
cc: Randy Hoskins
Bruce Briney

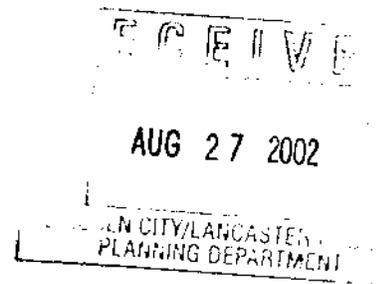
The developer has requested waivers to subdivision requirements for paving, street lights and sidewalks in Southwest 27th Street adjacent to Aspen Ridge 1st Addition. Since this plat is platting an outlot reserved for future development and is not platting any streets or lots that take access to Southwest 27th Street other than the outlot Engineering Services recommends, these requirements should be waived with this plat. This requirement should be imposed when buildable lots are platted with Southwest 27th Street frontage or a street is platted accessing Southwest 27th Street.



ROSS
*E*ngineering,
I.nc.

August 26, 2002

Mike DeKalb
Interim Planning Director
County-City Building
555 South 10th Street
Lincoln NE 68508



RE: Final Plat: Aspen Ridge First Addition
Waiver Application
West "A" Street and SW. 27th Street
REI Project No. 98612-C

ESTABLISHED

1974

*Innovative
Designs
For the
Future of
Tomorrow*

Dear Mike:

On behalf of Mr. Bob Benes with Aspen Builders, Inc. we are submitting an application for Waivers for Aspen Ridge First Addition for the followings bonds: The City has requested that we provide bonds for sidewalks for each side of SW 27th also for street lighting, landscaping and street paving. We are requesting the City wave this requirement for the following reasons.

A. We previously platted Aspen Ridge Addition Outlot A which was to become Aspen Ridge First Addition, and at the time, the City did not ask us to bond SW 27th Street, even though it was dedicated at that time.

B. We are not building on Outlot A which is adjacent to SW 27th Street of Aspen Ridge First Addition, nor are we extending W. Washington Street or W. Garfield Place up to SW 27th Street. Outlot A is an unbuildable outlot, as per the definition of an outlot.

C. We intend to dedicate W. Washington Street or W. Garfield Place streets when we do phase III, and at that time we would improve SW 27th Street.

D. With previous projects, the City has not asked us to provide surety for improvements on unbuildable outlots. We spoke with Dennis Bartels of the City of Lincoln, and he supports us not making improvements to SW 27th Street because there is no need for that street at this time and he feels that a bond is not necessary for SW 27th Street. There will be no additional traffic on SW 27th Street due this addition, because there is no through traffic.

This application includes the following:

- 1. City of Lincoln waiver application
- 2. Check for \$195.00

If you have any questions, please give me a call.

The Candy Factory
201 North 8th Street
Suite 401
Lincoln, NE 68508
Phone 402.474.7677
Fax 402.474.7678

Sincerely,
ROSS ENGINEERING, INC.



August Ponstingl
Senior Land Planner

Cc: Bob Benes
Enclosure
AJP
98612L14 waiver letter.doc