

City Council Introduction: **Monday**, August 18, 2003
Public Hearing: **Monday**, August 25, 2003, at **1:30 p.m.**

Bill No. 03R-228

FACTSHEET

TITLE: **WAIVER NO. 03009**, requested by Olsson Associates on behalf of Robert and Holly Beck, to waive the requirement for public water mains and sanitary sewer associated with the Beck & Oldfather Addition administrative final plat, on property generally located at Old Cheney Road and Hickory Crest Road.

STAFF RECOMMENDATION: Approval.

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: Consent Agenda: 08/06/03
Administrative Action: 08/06/03

RECOMMENDATION: Approval (9-0: Carlson, Duvall, Krieser, Larson, Marvin, Schwinn, Bills-Strand, Taylor and Steward voting 'yes').

FINDINGS OF FACT:

1. This is a request to waive the requirements of the Land Subdivision Ordinance for public water mains and sanitary sewer associated with the Beck & Oldfather Addition administrative final plat.
2. The staff recommendation of approval is based upon the "Analysis" as set forth on p.3, concluding that the purpose of the plat is to adjust lot lines between two existing lots. Waiving the requirements until such time as this area develops is acceptable; provided the owners sign a subdivision agreement that includes provisions for the improvements.
3. On August 6, 2003, this application appeared on the Consent Agenda of the Planning Commission and was opened for hearing. No one came forward to speak.
4. On August 6, 2003, the Planning Commission agreed with the staff recommendation and voted 9-0 to recommend approval until such time as this area develops; provided the owners sign a subdivision agreement that includes provisions for the improvements.

FACTSHEET PREPARED BY: Jean L. Walker

DATE: August 11, 2003

REVIEWED BY: _____

DATE: August 11, 2003

REFERENCE NUMBER: FS\CC\2003\WVR.03009

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for AUGUST 6, 2003 PLANNING COMMISSION MEETING

P.A.S.: Waiver #03009

PROPOSAL: Waive public water mains and sanitary sewer associated with Beck & Oldfather Addition, Administrative Final Plat #03003.

LOCATION: Old Cheney Rd. & Hickory Crest Rd.

LAND AREA: 9.69 acres

CONCLUSION: The purpose of the plat is to adjust lot lines between two existing lots. Waiving the requirements until such time as this area develops is acceptable; provided the owners sign a subdivision agreement that includes provisions for the improvements.

<u>RECOMMENDATION:</u> Waiver to water mains	Approval
Waiver to sanitary sewer	Approval

GENERAL INFORMATION:

LEGAL DESCRIPTION: Lots 54 I.T. and Lot 57 I.T., all located in the NE 1/4 of Section 16, Township 9 North, Range 7 East of the 6th P.M., Lincoln, Lancaster County, Nebraska.

EXISTING ZONING: R-1, Residential

EXISTING LAND USE: Single family residential

SURROUNDING LAND USE AND ZONING:

North:	R-1-Residential	Single family residential
South:	AGR-Agriculture Residential	Single family residential
East:	R-3- Residential	Single family residential and church
West:	R-1- Residential	Single family residential
	AGR-Agriculture Residential	Single family residential

HISTORY:

January 22, 2003 Administrative final plat #03003 was submitted to the Planning Department.

July 1, 2002 Hawkswood Estates 1st Addition preliminary plat was approved by City Council.

UTILITIES: The area is served by septic systems and wells. There is city water on Old Cheney Rd. Public sanitary sewer does not extend east of Pheasant Run Lane on Old Cheney Rd.

TRAFFIC ANALYSIS: Old Cheney Rd. is classified as a minor arterial.

ANALYSIS:

1. This request is to waive water mains and sanitary sewer associated with an administrative final plat. (Sec. 26.27.030 & 26.27.040)
2. This application is in association with Beck & Oldfather Addition Administrative Final Plat #03003.
3. The area has two existing houses. Each house is served by septic system and a private water well.
4. Whenever property is subdivided, the new subdivision must meet the requirements of the subdivision ordinance, however waivers may be granted when justified. Because this plat is only changing lot lines, planning staff recommends approval of the waivers at this time, provided the owners sign a subdivision agreement that includes provision for improvements in the future.
5. Public Works & Utilities Department does not object to the waivers.
6. Lincoln-Lancaster County Health Department notes that if the public sanitary sewer is located within 300' of the house, then the house must connect to the sewage system. The existing house is more than 300' from the sanitary sewer main on Old Cheney Rd.

Prepared by:

Tom Cajka
Planner

DATE: July 22, 2003

APPLICANT: Robert & Holly Beck
4851 Gleneagle Court
Lincoln, NE 68526

OWNER: Diane Oldfather
6719 Old Cheney Rd,
Lincoln, NE 68516

CONTACT: Michael R. Johnson
Olsson Associates
1111 Lincoln Mall
Lincoln, NE 68508

WAIVER NO. 03009

CONSENT AGENDA

PUBLIC HEARING & ADMINISTRATIVE ACTION

BEFORE PLANNING COMMISSION:

August 6, 2003

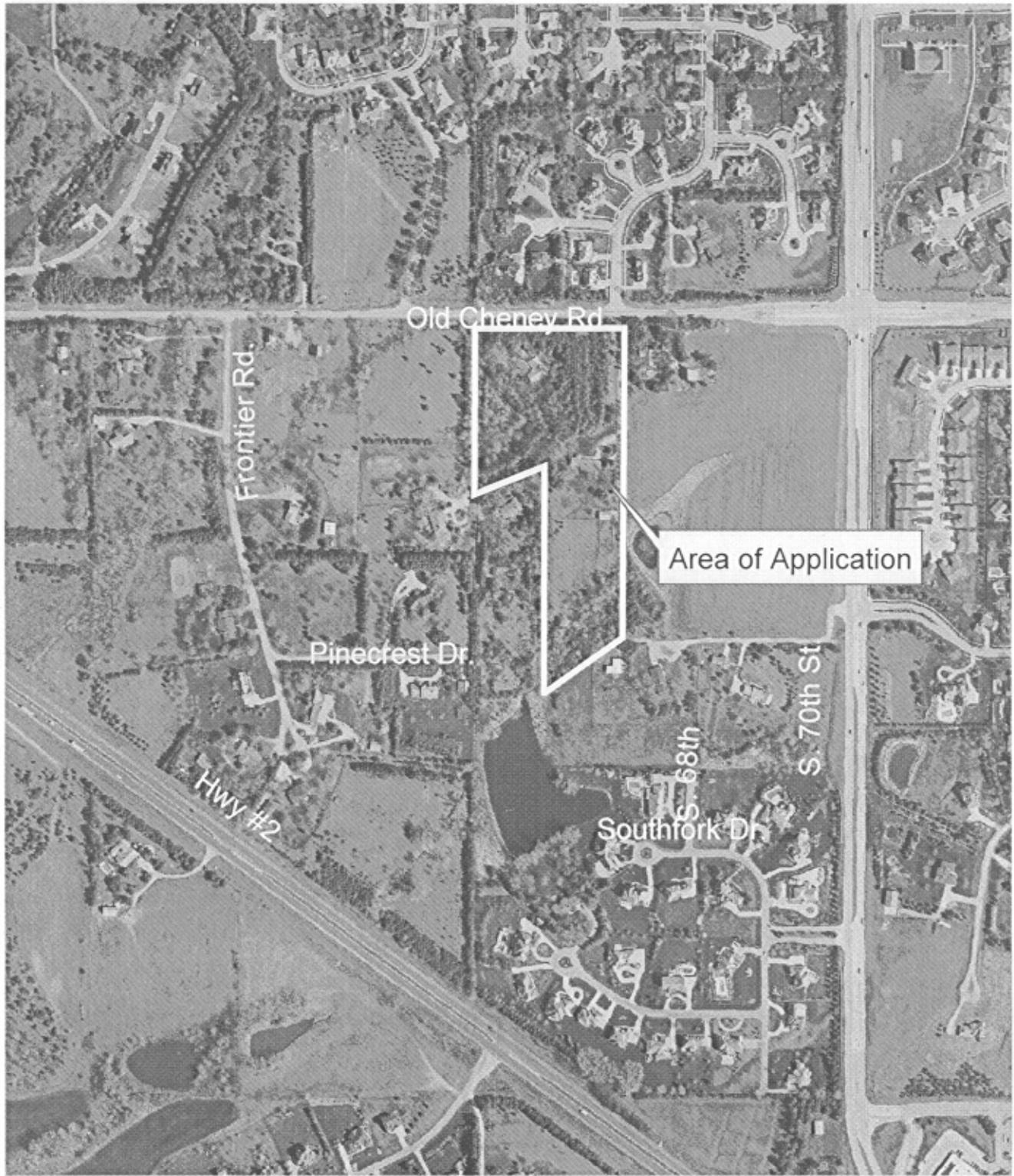
Members present: Carlson, Duvall, Krieser, Larson, Marvin, Schwinn, Steward, Bills-Strand and Taylor.

The Consent Agenda consisted of the following items: **CHANGE OF ZONE NO. 3410, SPECIAL PERMIT NO. 2012, SPECIAL PERMIT NO. 2023 and WAIVER NO. 03009.**

Item No. 1.2, Special Permit No. 2012, was removed from the Consent Agenda at the request of Commissioner Marvin and scheduled for separate public hearing.

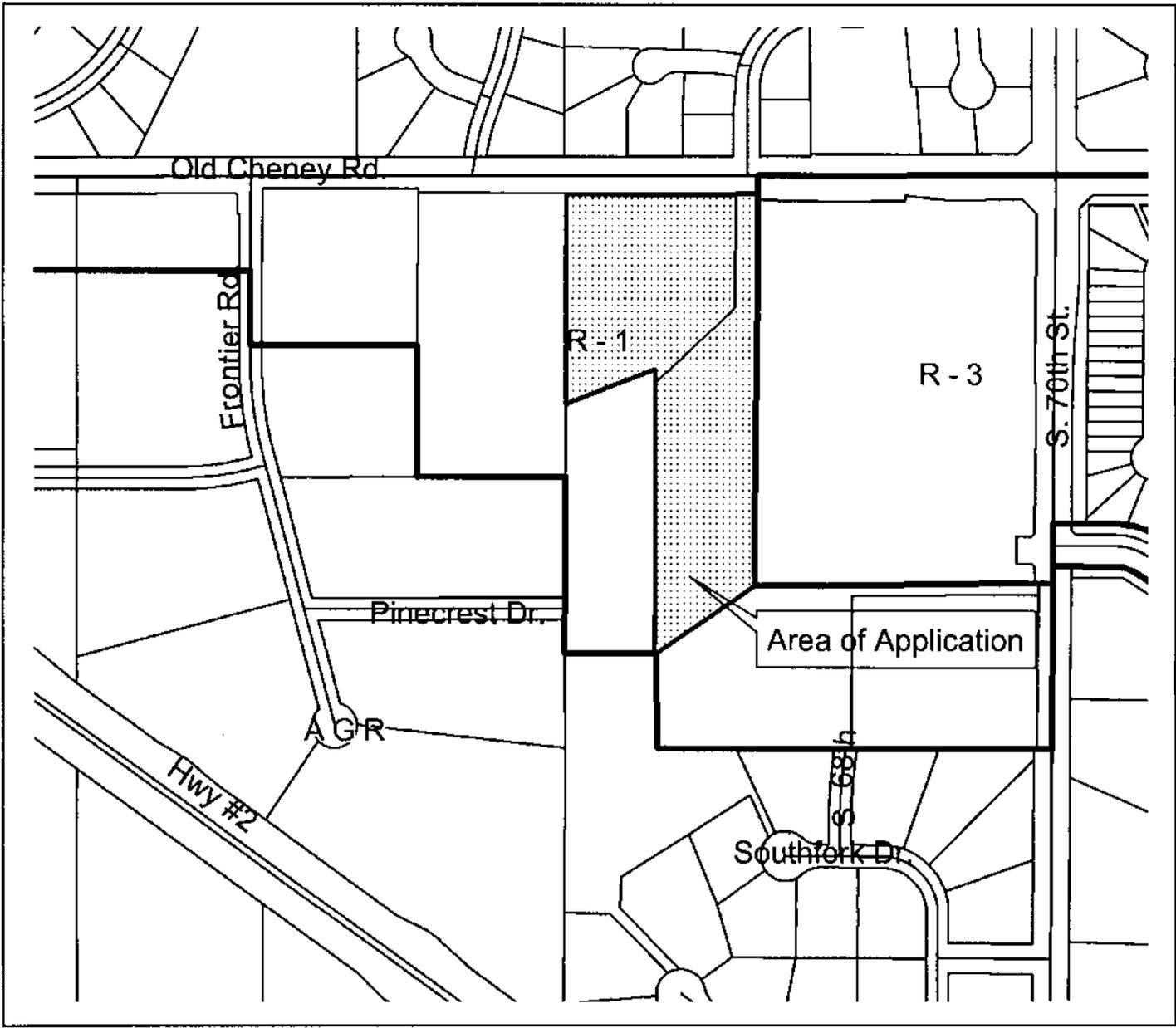
Carlson moved to approve the remaining Consent Agenda, seconded by Bills-Strand and carried 9-0: Carlson, Duvall, Krieser, Larson, Marvin, Schwinn, Bills-Strand, Taylor and Steward voting 'yes'.

Note: This is final action on Special Permit No. 2012 and Special Permit No. 2023, 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 #03009
S. 68th & Old Cheney Rd.



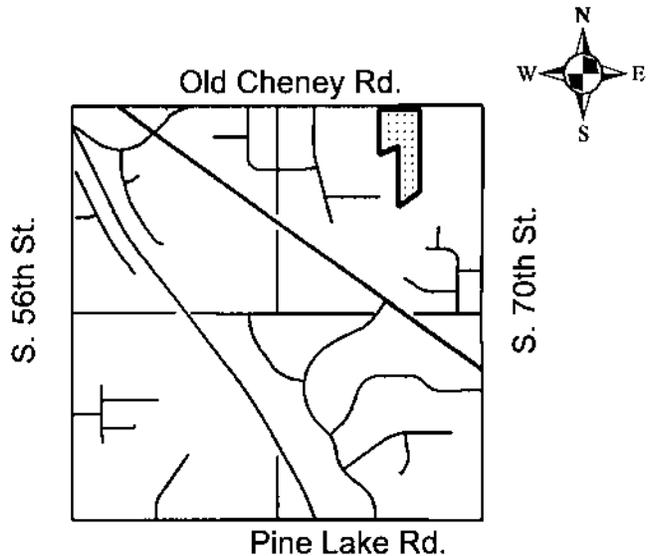
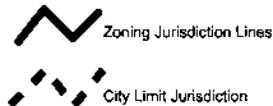


Waiver #03009
S. 68th & Old Cheney Rd.

Zoning:

One Square Mile
 Sec. 16 T9N R7E

- 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



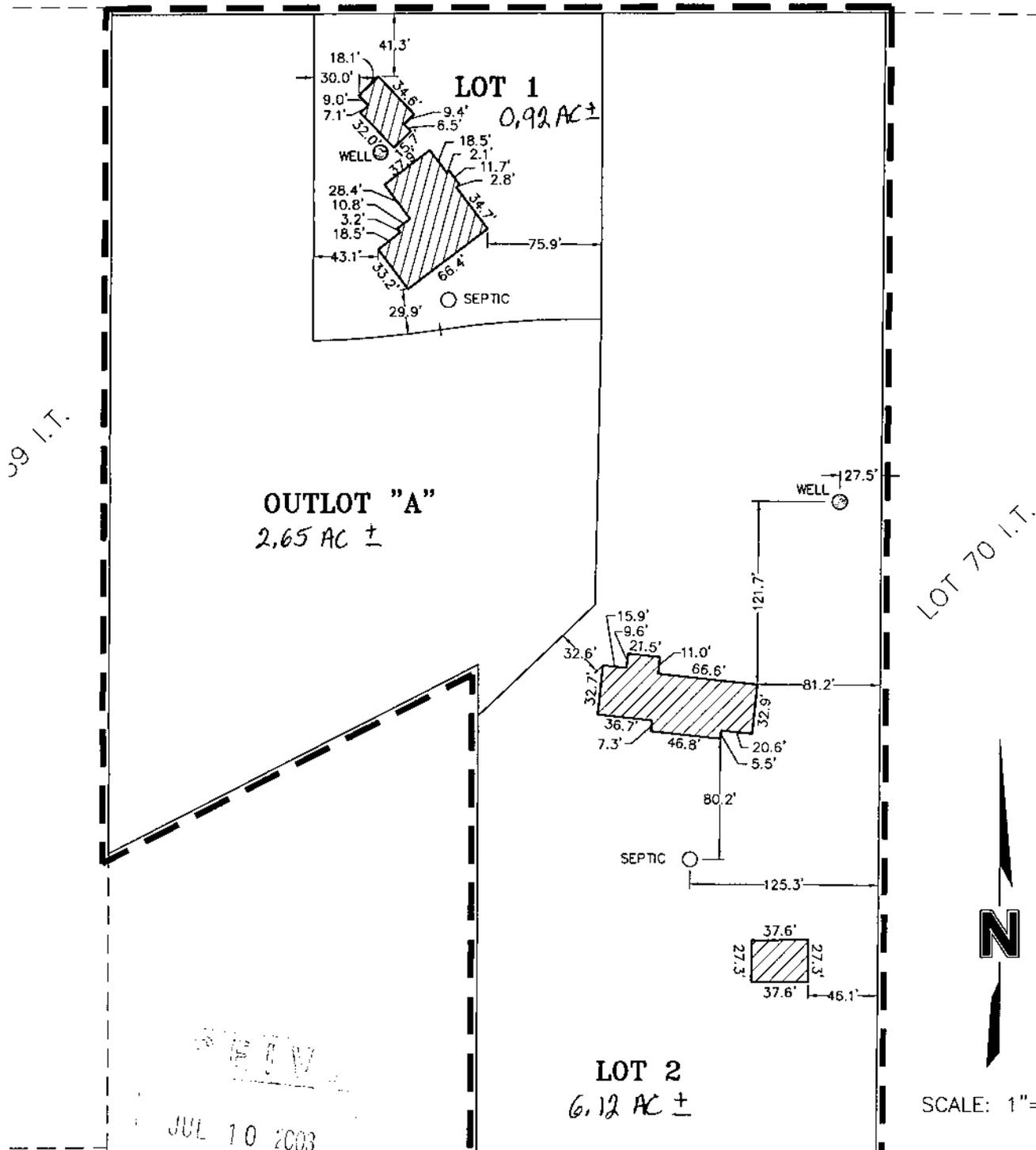
Lincoln City - Lancaster County Planning Dept.

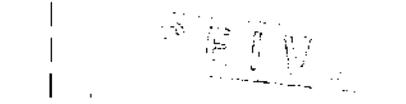
BECK & OLDFATHER ADDITION EXISTING SITE PLAN

OLD

CHENEY

ROAD




 JUL 10 2003
 CHENEY CITY/LANCASTER TOWNSHIP
 PLANNING DEPARTMENT

**LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT
INTER-OFFICE COMMUNICATION**

TO: Tom Cajka

DATE: July 21, 2003

DEPARTMENT: Planning

FROM: Chris Schroeder
Doug Smith

ATTENTION:

DEPARTMENT: Health

CARBONS TO: EH File
EH Administration

SUBJECT: Waiver #03009

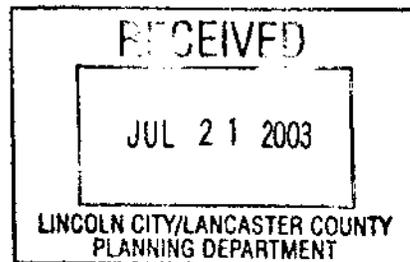
The Lincoln-Lancaster County Health Department (LLC HD) has reviewed the waiver application with the following items noted:

- Lincoln Municipal Code (LMC) 24.38.080 states that connection must be made to the community sewage system when the system is available and within 300 feet from the building or premises. When the community system is available, the existing onsite wastewater treatment systems must be properly abandoned and connection to the community system made within 6 months. The applicants must demonstrate that the community system is not available.
- The water wells serving Lot 1 and Lot 2 are currently permitted as biennial wells the LLCHD. The wells may continue to exist and be utilized for domestic use as per LMC 8.44.030.

M e m o r a n d u m

To: Tom Cajka, Planning Dept.
From: BB
Bruce Briney, Public Works and Utilities
Subject: Waiver #03009, Beck and Oldfather Addition
Waiver of Public Water and Sanitary Sewer Requirements
Date: July 17, 2003
cc: Nicole Fleck-Tooze
Randy Hoskins
Harry Kroos
Doug Blum

The City Engineer's Office of the Department of Public Works and Utilities has reviewed the application for Waiver #03009 requesting a waiver of the requirement to connect to public water and sanitary sewer for the two existing residences in Beck and Oldfather Addition until such time that the applicant's properties are further subdivided in accordance with the approved preliminary plat for Hawkswood Estates Addition. Public Works has no objection to this waiver. However, any future repair or replacement required to the septic system or laterals on Lot 1 may not comply with Health Department regulations, in which case connection to the public sanitary sewer system may become necessary.





OLSSON ASSOCIATES
ENGINEERS • PLANNERS • SCIENTISTS • SURVEYORS

July 8, 2003

Mr. Marvin S. Krout
Planning Director
Planning Department
County-City Building
555 South 10th Street
Lincoln, Nebraska 68508

Re: Beck & Oldfather Addition
Administrative Final Plat
OA Project No. 2-2003-0101-1-11-502

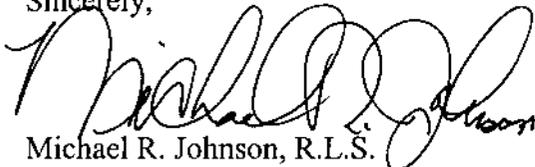
Dear Marvin:

On behalf of Diane Oldfather, Robert and Holly Beck, the owners of the above referenced Plat and properties do hereby request a waiver to the City of Lincoln Land Subdivision Ordinance Title 26, Minimum Improvements, 26.27.030 Water Supply and 26.27.040 Wastewater Disposal. Both families homes are on wells and septic systems and do not require public water or sanitary sewer at this time. Both families agree to connect to the public utilities at such time that their properties are further subdivided in accordance with the approved Preliminary Plat and C.U.P. for Hawkswood Estates Addition.

Enclosed is a check in the amount of \$195.00 for the application fee. Please process and schedule this application and request for the earliest possible Planning Commission meeting.

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

Sincerely,


Michael R. Johnson, R.L.S.

Encls.

cc: Diane Oldfather Robert and Holly Beck Kent Seacrest

