

FACTSHEET

TITLE: SPECIAL PERMIT NO. 04011, BOULDER RIDGE COMMUNITY UNIT PLAN, requested by Lyle Loth of ESP on behalf of Glen Herbert, for 461 dwelling units, consisting of 189 single family units, 48 single family attached units and 224 multiple family units, with an additional 240 unassigned units, on property generally located at South 84th Street and Pine Lake Road.

STAFF RECOMMENDATION: Conditional Approval.

ASSOCIATED REQUEST: Change of Zone No. 04017 (04-157) and Letter of Appeal to Condition #1.1.14 of Preliminary Plat No. 04008, Boulder Ridge (04R-213).

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: 05/26/04 and 06/09/04
Administrative Action: 06/09/04

RECOMMENDATION: Conditional Approval, with amendments (8-0: Sunderman, Carlson, Larson, Krieser, Taylor, Marvin, Carroll and Bills-Strand voting 'yes'; Pearson absent).

FINDINGS OF FACT:

1. This community unit plan and the associated change of zone and preliminary plat were heard at the same time before the Planning Commission.
2. This proposed community unit plan identifies 189 single family units, 48 single family units and 224 multiple family units. The maximum allowable number of dwelling units is 701, leaving 240 unassigned units. There are no waiver requests.
3. The staff recommendation of conditional approval, with the amendments as set forth on p.26, is based upon the "Analysis" as set forth on p.4, concluding that, with conditions, the proposal is in conformance with the Comprehensive Plan and the zoning and subdivision ordinances.
4. The applicant's testimony is found on p.8-11. The applicant submitted proposed amendments to the conditions of approval as set forth on p.8-10 and p.27.
5. There was no testimony in opposition.
6. On June 9, 2004, the Planning Commission agreed with the staff recommendation of conditional approval and voted 8-0 to recommend conditional approval, as set forth in the staff report dated May 10, 2004, with amendments to Condition #1.1.2 and #1.1.14, and with amendments deleting Conditions #1.1.4, #1.1.5 and #1.1.6 (Pearson absent).
7. The Site Specific conditions of approval required to be completed prior to scheduling this application on the City Council agenda have been satisfied, except that the applicant has appealed Condition #1.1.14 (p.5) as revised and recommended by the Planning Commission.

FACTSHEET PREPARED BY: Jean L. Walker

DATE: August 9, 2004

REVIEWED BY: _____

DATE: August 9, 2004

REFERENCE NUMBER: FS\CC\2004\SP.04011

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for May 26, 2004 PLANNING COMMISSION MEETING

****As Revised and Recommended for Conditional Approval by Planning Commission on June 9, 2004****

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.

P.A.S.: Change of Zone #04017
Special Permit #04011

PROPOSAL: Change of zone from AGR-Agricultural Residential to R-3 Residential.
Special Permit for a Community Unit Plan for 461 dwelling units.

LOCATION: S. 84th St. & Pine Lake Rd.

LAND AREA: 99.64 acres, more or less

CONCLUSION: With conditions the proposal is in conformance with the Comprehensive Plan, Zoning and Subdivision Ordinances.

RECOMMENDATION:

Change of Zone

Special Permit

Approval

Conditional Approval

GENERAL INFORMATION:

LEGAL DESCRIPTION: A part of the remaining portion of Lot 39 I. T.; located in the S.W. 1/4 of Section 14, Township 9 North, Range 7 East, Lancaster County, Nebraska.

EXISTING ZONING: AGR- Agricultural Residential

EXISTING LAND USE: Undeveloped

SURROUNDING LAND USE AND ZONING:

North:	AGR Agriculture Residential	Acreage
	R-3 Residential	Undeveloped
South:	AG Agriculture	Undeveloped
East:	R-3 Residential	Single family and townhomes
West:	AGR Agriculture Residential	Residential Acreages

ASSOCIATED APPLICATIONS: Preliminary Plat #04008

HISTORY:

January 20, 2004 Annexation #03005, covering the area of this development, was approved by City Council.

The zoning was changed from A-A Rural and Public Use District to AGR Agricultural Residential District in the 1979 zoning update.

COMPREHENSIVE PLAN SPECIFICATIONS:

Maximize the community's present infrastructure investment by planning for 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 older neighborhoods and encouraging a greater amount of commercial space per acre and more dwelling units per acre in new neighborhoods." (F-17)

Encourage different housing types and choices, including affordable housing, throughout each neighborhood for an increasingly diverse population. (F-18)

Interconnected networks of streets, trails, and sidewalks should be designed to encourage walking and bicycling, reduce the number and length of automobile trips, conserve energy and for the convenience of the residents. (F-18)

The Land Use Plan identifies this area as urban residential. (F-25)

Guiding principles for new neighborhoods includes:

1. Similar housing types face each other: single family faces single family, change to different use at rear of lot;
2. Parks and open space within walking distance to a ll residences;
3. Pedestrian orientation; shorter block lengths, sidewalks on both sides of all roads (F-67)

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. (F 75)

UTILITIES:

Utilities are available to serve this development. There is an existing 24" water main on S. 84th St. and a 16" main on Pine Lake Rd. There is an existing 8" sanitary sewer main on Rutherford Dr. and S. 88th St. within the Vintage Heights subdivision.

TRAFFIC ANALYSIS:

South 84th Street is designated as a principal arterial and Pine Lake Road is designated as a minor arterial in the 2025 Comprehensive Plan.

The Comprehensive Plan shows South 84th Street and Pine Lake Road to be 4-lane roadways with appropriate turn-lanes in the future.

The South 84th Street widening project is currently entering the construction phase.

The current Capital Improvements Program indicates the following improvements on the arterial roadways serving this development:

1. Project 46: Pine Lake Road - 84th Street to east of 98th Street. Improve existing Pine Lake Road from 84th Street to 87th Street to four through lanes plus left and/or right turn lanes at intersections; and improve Pine Lake Road from 87th Street to 98th Street to two through lanes plus left and/or right turn lanes at intersections. This project will improve safety and capacity, and will serve traffic generated by future development in south Lincoln. Local funds. Project length 1.75 miles. (2005-2006) This project does not yet have guaranteed funding and construction schedules are contingent upon availability of funding.

PUBLIC SERVICE: The nearest fire station is located at S. 84th St. and South St. There is a proposed public elementary school and middle school within the Vintage Heights subdivision. The nearest elementary school is Maxey located at 5200 S. 75th St.

ANALYSIS:

1. This is a request for a special permit for a Community Unit Plan and a change of zone from AGR to R-3. The Community Unit Plan identifies 189 single family units, 48 single family attached units and 224 multiple family units.
2. This area was annexed in January 20, 2004.
3. The land use plan in the 2025 Comprehensive Plan identifies this area as urban residential
4. This project conforms to guiding principles for residential neighborhoods in the 2025 Comprehensive Plan.
5. The proposed project identifies a mixture of housing types as called for in the 2025 Comprehensive Plan.
6. The site plan identifies 224 multiple family units on two outlots. The multiple family units are proposed for future development. The site design for the apartments shall be established through an administrative amendment approved by the director of planning.
7. The site plan shows 461 dwelling units. The maximum allowable number of dwelling units within the boundary of the special permit is 701. This leaves 240 unassigned units.

CONDITIONS:

Site Specific:

1. After the applicant completes the following instructions and submits the documents and plans to the Planning Department office and the plans are found to be acceptable, the application will be scheduled on the City Council's agenda:

- 1.1 Revise the site plan to show:
- 1.1.1 a fire hydrant on Granite Ridge Rd. between Look Out Lane and Pebble Creek Cir.
 - 1.1.2 ~~Show a street from S. 85th St. or Boulder ridge Rd. to provide access to Lot 64 I. T. and Lot 66 I. T. Include a Note that reasonable access to Lot 6 I.T. and Lot 66 I.T. shall be provided at the time of multi-family site plan approval, to the satisfaction of the Public Works & Utilities Department. (**Per Planning Commission, at the request of the applicant, 06/09/04**)~~
 - 1.1.3 a conceptual street lay out for Lots 23-25 I. T.
 - 1.1.4 ~~Outlot I combined with Lots 1-4, Block 1. (**Per Planning Commission, as recommended by staff, 06/09/04**)~~
 - 1.1.5 ~~Outlot H combined with Lots 1-3, Block 2. (**Per Planning Commission, as recommended by staff, 06/09/04**)~~
 - 1.1.6 ~~Granite Ridge Ct. extended to Rutherford Dr. (**Per Planning Commission, at the request of the applicant, on a vote of 6-2, 06/09/04**)~~
 - 1.1.7 the existing house on Lot 16 I.T.
 - 1.1.8 revise note 13 . change 227 to 224 multi-family units and change 9 outlots to 10 outlots.
 - 1.1.9 change total unassigned units to 240 in the density calculations table
 - 1.1.10 revise note 16 to state Outlots C & D will be maintained by the developer.
 - 1.1.11 revise the legal description and boundary of the plat.
 - 1.1.12 show a pedestrian easement over the sanitary sewer easement from Grey Hawk Ct. to Franciscan Dr.
 - 1.1.13 change the note in the northwest corner of the plat to read, "10' of additional ROW to be dedicated to the City."
 - 1.1.14 corrections per Public Works & Utilities Department memo of May 6, 2004, except that a median in Barkley Drive shall be permitted east of 84th Street with a median opening for So. 85th Terrace and Court. (**Per Planning Commission, at the request of the applicant, 06/09/04**)

- 1.1.15 the outlot designation for the multiple family to lot
- 1.1.16 a new block for the lots south of Grey Hawk Ln. Outlot "C" must be changed to a lot and included in this block.

2. This approval permits 701 dwelling units consisting of 189 single family units, 48 single family attached units, 224 multiple family units and 240 unassigned units within the Boulder Ridge Community Unit Plan.

General:

- 3. Before receiving building permits:
 - 3.1 The permittee shall have submitted a revised and reproducible final plan including 5 copies and the plans are acceptable.
 - 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
441-5662, tcajka@ci.lincoln.ne.us
Planner

DATE: May 10, 2004

APPLICANT: Glen Herbert
8540 Chaparral Cir.
Lincoln, NE 68520
(402) 489-2336

OWNER: same as applicant

CONTACT: Lyle Loth
ESP
601 Old Cheney Rd. Suite A
Lincoln, NE 68512
(402) 421-2500

**CHANGE OF ZONE NO. 04017,
SPECIAL PERMIT NO. 04011,
BOULDER RIDGE COMMUNITY UNIT PLAN
and
PRELIMINARY PLAT NO. 04008, BOULDER RIDGE,**

PUBLIC HEARING BEFORE PLANNING COMMISSION:

May 26, 2004

Members present: Marvin, Krieser, Carlson, Larson, Sunderman, Taylor, Pearson, Carroll and Bills-Strand.

Staff recommendation: Deferral until June 9, 2004.

Ex Parte Communications: None.

Proponents

1. **Peter Katt** confirmed that the applicant is requesting a two-week continuance.

Marvin moved to defer, with continued public hearing and administrative action scheduled for June 9, 2004, seconded by Carroll and carried 9-0: Marvin, Krieser, Carlson, Larson, Sunderman, Taylor, Pearson, Carroll and Bills-Strand voting 'yes'.

CONT'D PUBLIC HEARING BEFORE PLANNING COMMISSION:

June 9, 2004

Members present: Sunderman, Carlson, Larson, Krieser, Taylor, Marvin, Carroll and Bills-Strand; Pearson absent.

Staff recommendation: Approval of the change of zone, and conditional approval of the community unit plan and preliminary plat.

Ex Parte Communications: None.

Proponents

1. **Peter Katt** appeared on behalf of the applicant, and stated that the applicant is in general agreement with the staff recommendation of conditional approval, as revised; however, he did submit proposed amendments:

- Substitute the following language for Condition #1.1.2:

Include a Note that reasonable access to Lot 6 I.T. and Lot 66 I.T. shall be provided at the time of multi-family site plan approval.

The adjoining outlot is a proposed multi-family area and the staff condition of approval requests a public street to provide access. The applicant has no objection to providing access to that property at the time that a specific proposal comes forward in terms of the layout of the multi-family.

- Delete Condition #1.1.6

This is a request by staff to modify the radius and convert the cul-de-sac to a through road. The cul-de-sac shown is in full compliance with all of the standards that the city has with regard to cul-de-sac lengths and every other requirement. The developer would like to develop this as a cul-de-sac as families like to locate on cul-de-sacs so they don't have that through traffic. It is a housing choice that should be available. Katt believes that the developer should have the opportunity to put in this cul-de-sac until the rules are changed.

- Delete Condition #1.1.12

Staff is requiring a pedestrian easement to be located on top of the sanitary sewer easement. Katt suggested that pedestrian easements are problematic in subdivisions. In addition to the fact that the neighbors don't like them once they are in, there is an added \$25,000 cost. This applicant does not believe it is a significant issue and, given the problems and cost factor, the pedestrian easement should not be required.

- Add the following language to Condition #1.1.14:

....except that a left turn pocket shall be permitted from Pine Lake Road onto South 86th Street and a median in Barkley Drive shall be permitted...

(Option 1) ...east of 84th Street with a median opening for So. 85th Terrace and Court.

or

(Option 2) ...east of 85th Terrace and Court.

The Public Works condition is that the median be fully extended and that no left turns be permitted off Pine Lake Road onto 86th Street. The concern of Public Works is that by allowing the left turn, they would not have enough left turn capacity on Pine Lake Road onto 84th Street. The Pine Lake Road design standard has dual lefts. This applicant believes that there is more than enough adequate capacity in those dual left turn lanes on 84th to permit a left turn pocket on 86th Street.

With regard to Barkley Drive, Katt advised that the layout of the lots has changed. The private drive has gone to the front of the lots. The applicant has proposed to construct a median in Barkley Drive, and build a very nice landscaped signature entry boulevard into the subdivision. Public Works objects to the median. Option 2 removes the front island and starts the island on the other side of the intersection. Both Option 1 and 2 contemplate 55' wide paving, which allows two movement lanes

and exceeds the requirements. There would always be through traffic movement on the street. If the applicant is unable to build the median as proposed, and complies with the staff recommendation, it will be a collector street width of 39' without any median. Katt believes that the medians are a better solution to having through traffic in addition to providing the signature entry.

Marvin inquired about Outlots H and I and that the width on 84th Street seems to be 50' back from centerline instead of 60'. Katt stated that at this point in time, the applicant has no specific plans for these outlots. Ray Hill of Planning staff believes the developer is dedicating 10' up on the north, thus making it 60'. Lyle Loth of ESP concurred that they will dedicate an additional 10'. Loth also explained that the plan of the applicants for Outlots H and I is to landscape and build some berms to provide buffer from 84th Street to the units running out to 84th Street. He does not believe it would be a wood fence.

In regard to Condition #1.1.2, Katt clarified that the developer does not own the property they are accessing. They currently take access off 84th Street. The point is that we don't want to have to build another street to serve someone else's lot.

There was no testimony in opposition.

Staff questions

Taylor asked staff to respond to the proposed amendments. Ray Hill of Planning staff stated that staff is agreeable to the idea of working out the access later in Condition #1.1.2, but the staff is insisting that there would be a roadway leading to that property that they do not own because of the access situation with the new alignment of Pine Lake Road and 84th Street. When they develop the multi-family area, they are required to provide some type of public access.

Ray Hill also suggested that if the applicant does not want to put in a pedestrian way easement (Condition #1.1.12), the staff would ask that they put in a street because there is need for access and the Comprehensive Plan talks about more connectivity between our neighborhoods. Hill thought the staff and applicant had agreed that the staff would not require a street if they provided the pedestrian easement.

Carroll inquired about coming off of 84th as far as the median. Chad Blahak of Public Works stated that the design standards allow intersection separations to be 120' from centerline to centerline; however, the standards do not differentiate between local, collector or arterial streets, so subsequently they can design a local street intersection 120' from the centerline of an arterial roadway, so they are relatively close together. As you come off of 84th Street from the south to get to the north section of 85th Street, there is the possibility that cars will be waiting to turn left and possibly block traffic onto the 84th Street sections. That was the reason for the Public Works request that the median be carried through to not interfere with 84th Street traffic.

Carroll then inquired about 84th to Barkley Drive where they talk about a median break to allow access to 85th Street. Blahak responded that the median break showed stacking for about one

vehicle. With multiple units, the possibility exists that there will be multiple vehicles waiting to turn.

Carroll suggested that the third option as far as the standard design for the street would be 39' wide with no islands. Blahak believes that would most closely emulate the geometry across the street to the north.

Bills-Strand recalled that Public Works does not usually like islands in neighborhoods. Blahak agreed.

With regard to the amendment for the 86th Street connection to Pine Lake Road, the comment that Public Works made was to not show that as a left in, right out. The reason is that that section of Pine Lake Road is not even designed yet so it has not been determined what kind of access point would be allowed. Therefore, Public Works believes it to be in the best interests not to show a full access so that the residents don't get used to the fact of a full access before final design.

Response by the Applicant

Katt suggested that while this portion of Pine Lake Road might not have been designed yet, the 84th Street intersection has been designed and there are dual lefts. It seems to us to make sense that if it isn't designed, what a great opportunity to design it. They can only come out of their neighborhood and go into their neighborhood.

South 85th Court will only serve those four lots. This is not a through street. There are only 4 houses that will have turning movements on that road so the amount of traffic is quite small. There is a drainageway that has to be accommodated. In its current configuration the road satisfies all of the requirements the best. The applicant wants to establish an attractive, landscaped boulevard. The developer believes the proposed solution is not only the best traffic solution but also provides a nice entryway into the neighborhood.

Taylor inquired about the pedestrian easement. Katt believes that it would be very difficult to find a good location for a pedestrian easement. We have standards on cul-de-sac design length and we should be able to design a development that satisfies the design standards. If the Comprehensive Plan has changed and now we want to have free-flowing streets with no more cul-de-sacs, then we should change the design standards and not pick and choose which projects to which the standards apply or not apply. We think people should have the choice. They want the seclusion and the privacy and we should provide that opportunity. Generally, the people that live in these places don't like pedestrian easements. They are a problem and it adds \$25,000 to the cost.

CHANGE OF ZONE NO. 04017

ADMINISTRATIVE ACTION BY PLANNING COMMISSION:

June 9, 2004

Carlson moved approval, seconded by Marvin and carried 8-0: Sunderman, Carlson, Larson, Krieser, Taylor, Marvin, Carroll and Bills-Strand voting 'yes'; Pearson absent.

This is a recommendation to the City Council.

SPECIAL PERMIT NO. 04011

ADMINISTRATIVE ACTION BY PLANNING COMMISSION:

June 9, 2004

Main Motion: Carlson moved to approve the staff recommendation of conditional approval, with amendments by staff, seconded by Marvin.

With regard to Condition #1.1.14, Marvin believes that what the applicant has proposed with a 55' wide road is preferable to the 39' wide road.

Motion to Amend #1.

Marvin made a motion to amend to add the language to Condition #1.1.14 requested by the applicant, without Option 1 or 2. The applicant wants to allow left turns off of Pine Lake Road. He does not believe the stacking issue is a big deal. Motion failed for lack of a second.

Motion to Amend #2.

Carlson moved to amend Condition #1.1.14 , as proposed by the applicant, including Option 1, seconded by Marvin.

Carlson stated that there is no break in the median without Option 1.

Carroll stated that if he was going to give a median on Barkley, he would consider a median east of 85th Street versus a cut in the island and then another island. It would make more sense to start the island after 85th Street. He believes that is Option 2. Option 1 has the island all the way along. He prefers Option 2 with no median until after 85th Street. Since Pine Lake Road is not designed yet, you are allowing something that might cause problems in the future by allowing an island cut now. If traffic warrants a left turn pocket, then they would design it through, but you are allowing something before the street is designed for the traffic it is going to carry.

Larson does not see why we shouldn't have the island between 84th and 85th on Barkley. It would be better to have the island there.

Bills-Strand suggested that it is just like Rolling Hills--you go in Rolling Hills Boulevard and she thinks it is a very attractive entryway into that neighborhood.

Motion to Amend #2 failed 4-4: Carlson, Taylor, Marvin and Bills-Strand voting 'yes'; Sunderman, Larson, Krieser and Carroll voting 'no'; Pearson absent.

Motion to Amend #3.

Carroll moved to amend Condition #1.1.14 to add language, "...except that a median in Barkley Drive shall be permitted east of 84th Street with a median opening for So. 85th Terrace and Court.", seconded by Sunderman.

Marvin believes that this is an attempt to reward a developer who is not going to put up a big fence on a main thoroughfare. It is important that we work with them to make it attractive and not be overly concerned about the cross traffic and about medians.

Motion to Amend #3 carried 8-0: Sunderman, Carlson, Larson, Krieser, Taylor, Marvin, Carroll and Bills-Strand voting 'yes'; Pearson absent.

Motion to Amend #4.

Carroll moved to amend Condition #1.1.2 as requested by the applicant, adding, "to the satisfaction of the Public Works & Utilities Department"., seconded by Marvin.

Motion to Amend #4 carried 8-0: Sunderman, Carlson, Larson, Krieser, Taylor, Marvin, Carroll and Bills-Strand voting 'yes'; Pearson absent.

Motion to Amend #5.

Larson moved to amend to delete Condition #1.1.6, seconded by Sunderman.

Carlson stated that he will vote against the motion from the standpoint of creating better connectivity.

Larson wants it deleted because a lot of people like cul-de-sacs just for that reason, and this would ruin it if we force them to put a street in there. In addition, it will cut out at least one lot, probably two.

Bills-Strand stated that in the real estate world, people do like cul-de-sacs and they like the peace and quiet that they provide. If what is shown meets design standards, she has trouble not allowing it.

Motion to Amend #5 carried 6-2: Sunderman, Larson, Krieser, Taylor, Carroll and Bills-Strand voting 'yes'; Carlson and Marvin voting 'no'; Pearson absent.

Motion to Amend #6.

Larson moved to amend to delete Condition #1.1.12, as requested by the applicant, seconded by Sunderman.

Carlson is opposed. He has been a strong champion for accommodating pedestrian motions. We have a park just off of this development. You are going to walk on it whether it is paved or not. You should give people access as they move that direction to go over to the park. It is the same argument as the cul-de-sac. If you buy a house next to a pedestrian way easement, you will know that people will be walking past your house.

Carroll believes that having a public easement and walkway is beneficial to the whole area.

Motion to Amend #6 failed 4-4: Sunderman, Larson, Krieser and Bills-Strand voting 'yes'; Carlson, Taylor, Marvin and Carroll voting 'no'; Pearson absent.

Main motion, as amended, carried 8-0: Sunderman, Carlson, Larson, Krieser, Taylor, Marvin, Carroll and Bills-Strand voting 'yes'; Pearson absent. This is a recommendation to the City Council.

PRELIMINARY PLAT NO. 04008

ADMINISTRATIVE ACTION BY PLANNING COMMISSION:

June 9, 2004

Carlson moved to approve the staff recommendation of conditional approval, including the staff amendments, and the amendments previously approved on Special Permit No. 04011, seconded by Larson and carried 8-0: Sunderman, Carlson, Larson, Krieser, Taylor, Marvin, Carroll and Bills-Strand voting 'yes'; Pearson absent.

This is final action, 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.



**Change of Zone #04017
Special Permit #04011
S. 84th & Pine Lake Rd.**

2002 aerial

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. 14 T9N R7E



LEGAL DESCRIPTION

Lot 39, I.T., in the S.W. 1/4 of Section 14, T. 9 N., R. 7 E., of the 6th P.M., Lancaster County, Nebraska, being more particularly described as follows:

Commencing at the Northwest corner of said S.W. 1/4 of Section 14 and extending thence N.89°45'03"E. along the North line of said S.W. 1/4 of Section 14, a distance of 50.09 feet, to the point of beginning; thence continuing N.89°45'03"E., 2597.27 feet, to the Northeast corner of said S.W. 1/4 of Section 14; thence S.01°10'05"E. along the East line of said S.W. 1/4 a distance of 1324.63 feet; thence S.89°52'28"W., 1333.67 feet; thence S.00°44'14"E., 1271.55 feet, to a point 50.00 feet North of the South line of said S.W. 1/4 of Section 14; thence N.90°00'00"W. along a line 50.00 feet North of and parallel with the South line of said S.W. 1/4 of Section 14, a distance of 958.29 feet; thence N.00°19'34"W., 815.83 feet; thence S.89°44'47"W., 334.69 feet, to a point 50.00 feet East of the West line of said S.W. 1/4 of Section 14; thence N.00°18'16"W., 570.84 feet; thence N.89°47'45"E., 334.34 feet; thence N.00°15'16"W., 753.67 feet; thence S.89°40'56"W., 334.89 feet; thence N.00°18'27"W., 449.28 feet, to the point of beginning.

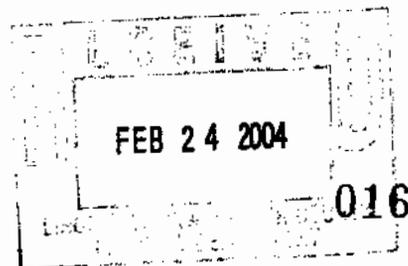
Containing a total calculated area of 104.62 acres, more or less.

CHANGE OF ZONE FROM 'AGR' TO 'R-3' & SPECIAL PERMIT

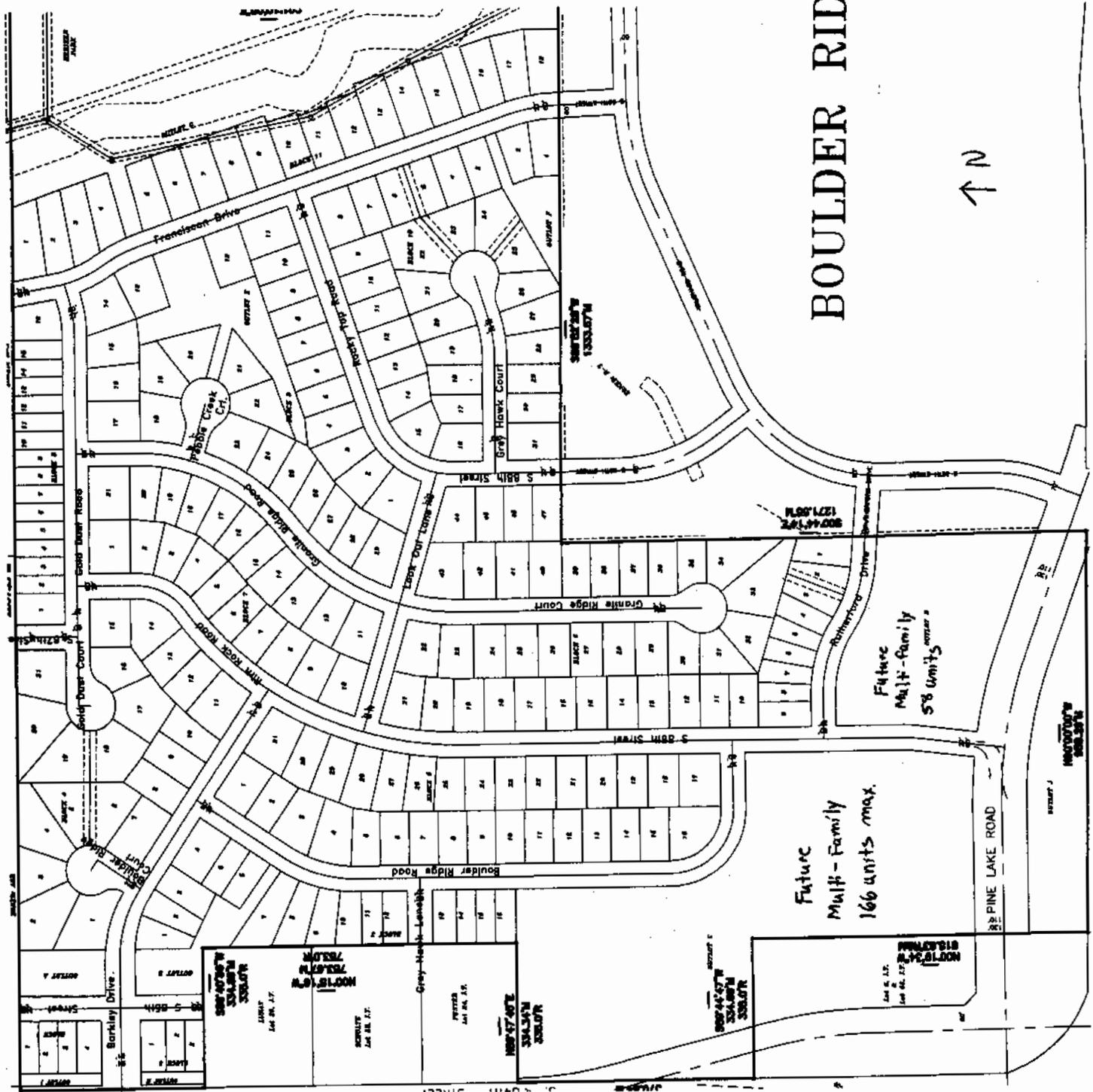
A part of Lot 39, I.T., in the S.W. 1/4 of Section 14, T. 9 N., R. 7 E., of the 6th P.M., Lancaster County, Nebraska, being more particularly described as follows:

Commencing at the Northwest corner of said S.W. 1/4 of Section 14 and extending thence N.89°45'03"E. along the North line of said S.W. 1/4 of Section 14, a distance of 50.09 feet, to the point of beginning; thence continuing N.89°45'03"E., 2597.27 feet, to the Northeast corner of said S.W. 1/4 of Section 14; thence S.01°10'05"E. along the East line of said S.W. 1/4 of Section 14, a distance of 1324.63 feet; thence S.89°52'28"W., 1333.67 feet; thence S.00°44'14"E., 1166.90 feet; thence N.70°28'04"W., 303.58 feet, to a point of curvature of a circular curve to the left having a central angle of 20°17'38", a radius of 1096.50 feet, and whose chord (386.35 feet) bears N.80°36'54"W.; thence along the arc of said curve, 388.38 feet; thence S.89°14'17"W., 291.17 feet; thence N.00°19'34"W., 550.55 feet; thence S.89°44'47"W., 334.69 feet, to a point 50.00 feet East of the West line of said S.W. 1/4 of Section 14; thence N.00°18'16"W., 570.84 feet; thence N.89°47'45"E., 334.34 feet; thence N.00°15'16"W., 753.67 feet; thence S.89°40'56"W., 334.89 feet; thence N.00°18'27"W., 449.28 feet, to the point of beginning.

Containing a total calculated area of 99.64 acres, more or less.



BOULDER RIDGE



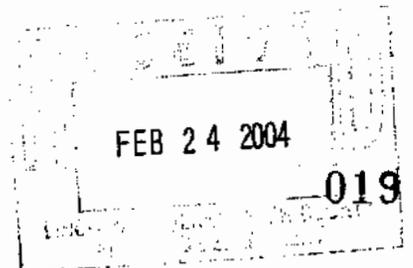
Preliminary Plat, Zoning & Special Permit – Purpose Statement
Boulder Ridge Development – Pine Lake Road & S 84th Street 2/24/04

Purpose Statement:

The purpose for the requested Change in Zone and for the Special Permit is to allow for a residential development involving Single Family, Attached Single Family and Future Multi Family dwellings. Currently, the land is zoned "AGR" and the owner desires "R-3" zoning to facilitate this development. The owner is also requesting a Community Unit Plan (CUP) to facilitate the construction of the Future Multi Family dwellings.

The area involved in this request includes approximately 140 acres, bounded on the south by Pine Lake Road, on the west by S. 84th Street and generally bounded on the east by Antelope Creek and existing residential developments. Specifically, the project site is located to the northeast of the S. 84th & Pine Lake Road intersection, and is legally described as Lot 39 IT, in the SW ¼ of Section 14, T9N, R7E.

Waivers to the City of Lincoln Design Standards (under Title 26.23.100) are being requested for six (6) locations of the Sanitary Sewer where the Sewer will run opposite of the proposed grade for less than 250 feet. This is required to adequately service all of the proposed lots, and does not seem to present a design or maintenance problem.



Memorandum

To:	Tom Cajka, Planning Department
From:	Chad Blahak, Public Works and Utilities Dennis Bartels, Public Works and Utilities
Subject:	Boulder Ridge Preliminary Plat #04008 and Special Permit #04011
Date:	5/06/04
cc:	Randy Hoskins

Engineering Services has reviewed the preliminary plat and special permit for Boulder Ridge, located east of South 84th Street and north of Pine Lake Road, and has the following comments:

Sanitary Sewer - The following comments need to be addressed.

(1.1) There are a number of locations where the sewer is to run opposite street grades, requiring a waiver of design standards. Public Works would approve this waiver provided that maximum depths are not exceeded as a result of the waiver. Information needs to be provided showing the locations where the waiver applies and showing that the maximum 15' depth is not exceeded.

Water Mains - The water system is satisfactory.

Grading/Drainage - The following comments need to be addressed.

(3.1) Show the grading for the new 84th Street and how the proposed site grading along 84th will match these grades.

(3.2) There are numerous locations on the grading plan that show excessively flat lots or show drainage flowing down shared rear lot lines. As lots in these areas are built upon, the assumed drainage paths are frequently blocked during the home construction process causing drainage problems for the future home owner. Public Works recommends that the grading plan be revised to show a minimum of 3% slope from rear to front on all lots. Blocks 5, 7, 9, and 10 show lots with these potential drainage problems.

(3.3) Drainage swales are required for conveyance of the 100yr flow between Lots 20-21 Block 9 and between Lots 24-25 Block 10. Typical cross sections and capacity calculations need to be shown. The grading plan needs to be revised to match the cross sections provided.

(3.4) The location of the proposed 42" storm sewer between Lots 4&5 Block 11 with respect to the proposed sanitary sewer is unsatisfactory. Design standards state that a minimum of 10' separation needs to be provided between sanitary sewer and storm sewer. The site plan and utility plan need to be revised to meet design standards.

(3.5) The grading plan shows grading outside of this plat at the north end of 85th Street and 87th Street. Written proof must be provided stating the this developer has permission to grade on the adjacent property to the north or the grading plan needs to be revised to show no grading outside

of this plat.

(3.6) The 100yr flood elevations are shown on the grading plan, however, no supporting information has been provided as previously requested. Given the proximity of proposed lots to the Antelope Creek Floodway, supporting calculations and documentation needs to be provided for the flood elevations shown.

(3.7) The minimum elevations shown for lots in Block 3 should be revised to 1381.75. This elevation represents the approximate emergency overflow elevation for the proposed detention pond. All other minimum opening elevations need to be revised to 1' above the 100yr elevations shown for the proposed detention ponds and along Antelope Creek as per design standards.

(3.8) There appears to be an error on the grading plan concerning the proposed storm sewer that is shown between Lots 4&5 Block 11. The plan shows a 42" pipe draining to a 36" pipe. One or both of the pipe size labels needs to be revised to match the correct size indicated in the drainage study.

Streets - The following comments need to be addressed.

(4.1) The site plan shows portions of Barkley Drive between South 85th Street and Boulder Ridge Court to have approximately 6' of separation between the back of curb and the ROW line. This is unsatisfactory. If a wider street section is to be constructed the ROW needs to be widened appropriately providing the standard 16.5' from back of curb to ROW line to allow for the construction of water mains, sanitary sewer, and other utilities that are typically located in this area. Also, the median in Barkley Drive creates poor alignment with the existing Barkley Drive on the west side of 84th.

(4.2) The intersection of South 86th Street and Pine Lake Road is shown to have left in and no left out. This intersection configuration is not approved by Public Works as they do not appear necessary and may cause an insufficient left turn pocket length in Pine Lake Road and should be revised to show a full median across the intersection.

(4.3) The intersection of Barkley Drive and 84th Street as shown would require a waiver of design standards for maximum grade on the approach to a major street. This waiver has not been requested and justification has not been provided. The profile for Barkley Drive needs to be revised to show the proper platform length unless sufficient justification is provided and approved by Public Works.

(4.4) The intersection at 85th and Barkley Drive as shown would require a waiver of design standards for maximum grade of 3.0% on the approach to an intersection. This waiver has not been requested and justification has not been provided. The profiles need to be revised to show the proper platform length unless sufficient justification is provided and approved by Public Works.

(4.5) Right turn lanes need to be shown in Pine Lake Road at 86th Street and in 84th Street at Barkley Drive. The right turn lanes are not impact fee facilities and should the responsibility of this developer.

(4.6) The dimension note in the north west corner of the plat concerning the 10' of future ROW needs to be revised to say "10' of additional ROW to be dedicated to the city".

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 providing service is satisfactory. Design considerations including, but not limited to, location of water main bends around curves and cul-de-sacs, connection of fire hydrants to the public main, temporary fire hydrant location, 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 connection 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.

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Memo



To: Tom Cajka, Planning Department

From: Mark Canney, Parks & Recreation

Date: ~~March 8, 2004~~ May 3-04

Re: Boulder Ridge 04008

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

1. Outlot areas to be maintained by the developer and/or future homeowners association.
2. ADA park access to the west side of the channel – extend park access to the east side of Antelope Creek Channel for access to the park amenities.
3. Outdoor recreation plan must be submitted with future multi-family housing complexes.
4. Park land to be accepted in lieu of impact fees.
5. Landscape plan for all medians and islands must be submitted for review.
7. (1) additional street tree needs to be added at Block 3, Lot 6.
8. (1) additional street tree needs to be added at Outlot "A".
9. (1) additional street tree needs to be added at Outlot "B".
10. Street trees need to be added along S. 85th Street Drive.
11. Consolidate the (2) park access points into a single access point aligning with Rocky Top road, 6' wide and ADA compliant. A single access point will only require (1) future connector bridge. If this cannot be accomplished due to issues of drainage, grading, utilities, please remove the south access point and convert it to part of the private lots with a storm drainage easement.
6. Need to resubmit for review when items listed are addressed.

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



IMPORTANT



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 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.



Permit # **DRF04059**

Address

Job Description: Development Review - Fire

Location: BOULDER RIDGE

Special Permit:

Preliminary Plat: Y 04008

Use Permit:

CUP/PUD:

Requested By: TOM CAJKA

Status of Review: Denied

04/29/2004 12:02:12 PM

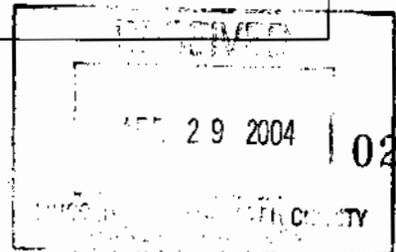
Reviewer: FIRE PREVENTION/LIFE SAFETY CODE

BOB FIEDLER

Comments: need hydrant on Granite Ridge RD between Look out LA & Pebble Creek cir , exceeds 420ft spacing

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

- 2000 International Building Code and Local Amendments
- 2000 International Residential 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
- 2000 Uniform Fire Code and Local Amendments
- Applicable NFPA National Fire Code Standards

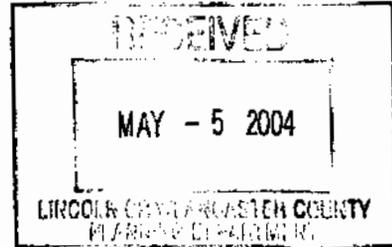


024

INTER-DEPARTMENT COMMUNICATION



DATE: May 4, 2004
TO: Tom Cajka, City Planning
FROM: Sharon Theobald
Ext 7640
SUBJECT: DEDICATED EASEMENTS
DN# 65S-88E



Attached is the Resubmitted Preliminary Plat for Boulder Ridge.

In reviewing the dedicated transmission line or other electrical easements shown on this plat, LES does not warrant, nor accept responsibility for the accuracy of any such dedicated easements.

ALLTEL, Time Warner Cable, and the Lincoln Electric System will require the additional easements marked in red on the map. Also, please change the 5 ft. easement along the north line of Lot 1, Block 11 to a 10 ft. easement.

Sharon Theobald

ST/ss
Attachment
c: Terry Wiebke
Easement File

Motion to Amend Conditions

SPECIAL PERMIT #04011

- 1.1.1 spelling correction for Look Out Lane.
- 1.1.2 S. 85th St. change to S. 86th St. Capitalize "Ridge" in Boulder Ridge Rd.
Change 61 I. T. To 6 I. T.
- 1.1.4 delete
- 1.1.5 delete

PRELIMINARY PLAT #04008

- 1.1.2 Change S. 85th to S. 86th.
- 1.1.4 delete
- 1.1.5 delete

BOULDER RIDGE

Applicant's Motion to Amend Conditions

SPECIAL PERMIT #04011 & PRELIMINARY PLAT #04008

1.1.2 Substitute the following language:

Include a Note that reasonable access to Lot 6 I.T. and Lot 66 I.T. shall be provided at the time of multi-family site plan approval.

1.1.6 Delete this condition.

1.1.12 Delete this condition.

1.1.14 Add the following language:

Except that a left turn pocket shall be permitted from Pine Lake Road onto South 86th Street and a median in Barkley Drive shall be permitted

Option 1: [east of 84th Street with a median opening for So. 85th Terrace and Court] or
Option 2: [east of 85th Terrace and Court].