

FACTSHEET

TITLE: CHANGE OF ZONE NO. 07002, requested by Waterford Estates, LLC, from B-2 Planned Neighborhood Business District to B-1 Local Business District, and from AG Agricultural District to B-2 Planned Neighborhood Business District, R-3 Residential District and R-4 Residential District, on property generally located at North 98th and "O" Streets.

STAFF RECOMMENDATION: Approval

ASSOCIATED REQUESTS: Annexation No. 07001 (07-47).

FINDINGS OF FACT:

1. This is a request to change the zoning on approximately 123.63 acres, more or less, associated with Waterford Estates, generally located at 98th & "O" Streets. This zoning and the associated community unit plan and preliminary plat covers the area from the middle of the lake to the south and does not yet include any of the commercial area. The B-1 is requested to accommodate a possible marina for the lake. The B-2 zoning is requested at this time as a courtesy to notify potential home buyers that commercial uses will be allowed south of the R-4 area.
2. The staff recommendation of approval is based upon the "Analysis" as set forth on p.3-4, concluding that the proposed zoning changes are consistent with the 2030 Comprehensive Plan.
3. The applicant's testimony is found on p.6.
4. There was no testimony in opposition.
5. The record consists of a letter from Jeff Clausen advising that a private airport exists immediately to the northeast of this proposal, which has been in existence for 50 years (p.17).
6. On February 14, 2007, the Planning Commission agreed with the staff recommendation and voted 8-0 to recommend approval.
7. On February 14, 2007, the Planning Commission also recommended approval of the associated Annexation No. 07001, and adopted resolutions approving the associated community unit plan and preliminary plat for Waterford Estates 1st Addition, copies of the resolutions for which have previously been provided to the City Council. The preliminary plat showed 104 single-family lots in the area proposed for R-3, and the CUP was for 51 townhouses on a portion of the area proposed for R-4.

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: 02/14/07
Administrative Action: 02/14/07

RECOMMENDATION: Approval (8-0: Esseks, Carroll, Sunderman, Taylor, Krieser, Strand, Cornelius and Carlson voting 'yes'; Larson absent).

FACTSHEET PREPARED BY: Jean L. Walker

DATE: March 19, 2007

REVIEWED BY: _____

DATE: March 19, 2007

REFERENCE NUMBER: FS\CC\2007\CZ.07002+

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

FEBRUARY 14, 2007 PLANNING COMMISSION MEETING

PROJECT #: Change of Zone No. 07002

PROPOSAL: From B-2 to B-1 and from AG to B-2, R-3, and R-4.

LOCATION: Generally located at N. 98th Street and O Street

LAND AREA:

B-1:	1.43 Acres
B-2:	5.33 Acres
R-3:	82.47 Acres
R-4:	34.40 Acres
Total:	123.63 Acres

EXISTING ZONING: AG, Agricultural and B-2 Planned Neighborhood Business District.

CONCLUSION: The change of zone request is consistent with the 2030 Comprehensive Plan.

RECOMMENDATION:	Approval
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GENERAL INFORMATION:

LEGAL DESCRIPTION: See attached.

EXISTING LAND USE: Agriculture, undeveloped

SURROUNDING LAND USE AND ZONING:

North:	Agriculture, undeveloped	R-3
South:	Agriculture, acreage residential, undeveloped	AG
East:	Agriculture, undeveloped	AG
West:	Agriculture, undeveloped	AG, B-2 and R-3

ASSOCIATED APPLICATIONS:

Annexation #07001
Preliminary Plat #07001
Special Permit (Community Unit Plan) #07001

HISTORY:

June 19, 2006: Waterford Estates conditional annexation and zoning agreement signed by Mayor's Office.

April 17, 2006: Annexation #04003 and Change of Zone #04019 was approved by City Council.

March 16, 2005: Waterford Estates Preliminary Plat #04011 was approved by Planning Commission.

COMPREHENSIVE PLAN SPECIFICATIONS:

Urban Residential: Multi-family and single family residential uses in areas with varying densities ranging from more than fifteen dwelling units per acre to less than one dwelling per acre. (16)

Commercial: Areas of retail, office and service uses. Commercial uses may vary widely in their intensity of use and impact, varying from low intensity offices, to warehouses, to more intensive uses such as gas stations, restaurants, grocery stores or automobile repair. Each area designated as commercial in the land use plan may not be appropriate for every commercial zoning district. The appropriateness of a commercial district for a particular piece of property will depend on a review of all the elements of the Comprehensive Plan. (16)

Green Space: Areas predominately used for active recreational uses, such as parks, golf courses, soccer or ball fields, and trails. Green space areas may be either public or privately owned. While some isolated environmentally sensitive features may be within these areas, they are predominately for active recreation, with some passive recreation uses also possible. (16)

Lakes and Streams: This category includes the larger stream corridors, lakes, and ponds. (16)

UTILITIES: A high pressure underground natural gas pipeline is located along the southern edge of this development. Water and sanitary sewer will be public. The proposed development will connect to utilities planned in the previous annexation agreement. Sewerage for this development will have to be temporarily transferred from one basin to another.

TRAFFIC ANALYSIS: The 2030 Comprehensive Plan shows O Street as a principal arterial and N. 98th Street as a minor arterial. The impact of future residential and commercial development north of O Street between N. 84th and N. 104th is unknown at this time. The street patterns and traffic characteristics may change based on access points that are allowed by the Nebraska Department of Roads onto O Street/Highway 34.

PUBLIC SERVICE: The nearest City fire station is located at 2201 S. 84th Street. There is a rural fire station near the intersection of N. 84th Street and Holdrege Street.

ANALYSIS:

1. The B-1 zone is requested in order to accommodate a marina for the lake. The B-1 district is the only zone that specifically permits marinas. The B-1 district allows a variety of other uses by right.
2. The applicant has stated that the B-2 zoning requested at this time is in part a courtesy to notify potential home buyers that commercial uses will be allowed south of the R-4 area. A use permit will be required before the B-2 area can develop.

3. The R-4 areas are shown on the preliminary plat as "FUTURE MULTI-FAMILY." A Community Unit Plan with 51 townhomes has been submitted in conjunction with this change of zone and annexation.
4. The R-3 zone requested includes approximately 104 single family lots as per the proposed preliminary plat.

Prepared by:

Brandon M. Garrett, AICP
bgarrett@lincoln.ne.gov, 441-6373
Planner

DATE: February 5, 2007

CONTACT/APPLICANT: Mark Palmer
Olsson Associates
1111 Lincoln Mall
Lincoln, NE 68508

OWNERS: Waterford Estates LLC
8644 Executive Woods Drive
Lincoln, NE 68512

Sesostris Temple Holding Company
1717 Yolande St.
Lincoln, NE 68521

**ANNEXATION NO. 07001;
CHANGE OF ZONE NO. 07002;
SPECIAL PERMIT NO. 07001,
WATERFORD ESTATES 1ST ADDITION COMMUNITY UNIT PLAN;
and
PRELIMINARY PLAT NO. 07001,
WATERFORD ESTATES 1ST ADDITION**

PUBLIC HEARING BEFORE PLANNING COMMISSION:

February 14, 2007

Members present: Cornelius, Strand, Carroll, Taylor, Esseks, Sunderman, Krieser and Carlson; Larson absent.

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

Ex Parte Communications: None.

Staff presentation: Brandon Garrett of Planning staff informed the Commission that he received a phone call from a gentleman at Sky Ranch Acres, which is located just to the northeast of the subject site. He was not in opposition but he wanted the Commission to understand that there are private airplanes that utilize a private air strip to the northeast of this proposal. Sky Ranch Acres has been in existence since 1971.

With regard to the annexation, Garrett explained that Public Works is recommending that where the annexation area meets "O" Street be much narrower and more concentrated on the east side to take in the right-of-way of 104th Street.

Garrett clarified that the change of zone from B-2 to B-1 would allow for a marina, which in the City's zoning code is only allowed in B-1, thus the purpose for this part of the change of zone request.

Garrett then referred to the community unit plan and advised that the waiver to exceed maximum block length is no longer necessary. Staff and the applicant have agreed to find a solution and that will be addressed in the preliminary plat.

Garrett also advised that the waiver to exceed the maximum block length for Block 2 on the preliminary plat will be recommended for conditional approval by staff and the waiver for Block 3 will no longer be necessary because the applicant has agreed to provide the extra street connection to the east.

Proponents

1. **Danay Kalkowski** appeared on behalf of **Waterford Estates, LLC**, the owners. This addition is a continuation of the development of Waterford Estates. In June last year, the City Council approved the Waterford annexation agreement setting out the infrastructure for this entire development from “O” Street to Holdrege Street. The preliminary plat and zoning for the area north of the lake were approved last summer along with the annexation. The proposal today includes the area from the middle of the lake to the south and does not yet include any of the commercial area.

Kalkowski explained that this proposal brings forward four different zones: The change of zone from B-2 to B-1 would potentially permit a marina at some point in the future. The R-3 zoning is for the single family residential areas, the R-4 zoning is for the community unit plan area and potential future apartment area, and then there will be B-2 zoning on a strip of property that is basically along the south side of the residential, the purpose being to get that zoning in place that puts those neighbors on notice that there is commercial zoning and future commercial development.

Kalkowski also explained that in conjunction with the changes of zone, the owners have applied for a community unit plan on approximately 11 acres, located south of South Shore Drive and north of the future commercial area, providing a nice transition between the commercial area and single family users on the north. The trail network comes along the south side of North Shore Drive, and provides a pedestrian connection down to the commercial or over to the residential to the east.

Kalkowski showed photographs of the type of homes that will be marketed for this area.

Kalkowski then submitted proposed amendments to the conditions of approval on the community unit plan as follows:

~~4.1.1.1 Show Half Moon Drive extending from South Shore Drive to Boathouse Road or other roadway alignment that will satisfy the block length requirement.~~

~~4.1.4 A recreation plan approved by the Director of Planning.~~

The applicant has met with the staff and the applicant has agreed to meet the block length so that the street connection in Condition #4.1.1.1 is no longer necessary. They have also agreed that Condition #4.1.4 may be deleted because the recreation area has already been shown on the site plan.

Kalkowski then explained that the preliminary plat consists of 104 single family units. They have discussed the road connectivity and block length issues with the staff, and as a result, she proposed amendment to Condition #1.1.2 as follows:

Show a north/south public street or private roadway with public access easements from South Shore Drive (new name) to Boathouse Road through either Outlot A (GUP) or Outlot B in a location that is satisfactory to the Director of Planning for. ~~If the road is in Outlot B, the road must be at least 90' east of Outlot A to provide an area for a row of lots west of the road. This will satisfy the block length requirement.~~

The staff is in agreement with this amendment.

There was no testimony in opposition.

The conditions of approval were then discussed again with the staff.

ANNEXATION NO. 07001

ACTION BY PLANNING COMMISSION:

February 14, 2007

Taylor moved approval, subject to a revised legal description as recommended by staff, seconded by Strand and carried 8-0: Cornelius, Strand, Carroll, Taylor, Esseks, Sunderman, Krieser and Carlson voting 'yes'; Larson absent. This is a recommendation to the City Council.

CHANGE OF ZONE NO. 07002

ACTION BY PLANNING COMMISSION:

February 14, 2007

Taylor moved approval, seconded by Strand and carried 8-0: Cornelius, Strand, Carroll, Taylor, Esseks, Sunderman, Krieser and Carlson voting 'yes'; Larson absent. This is a recommendation to the City Council.

SPECIAL PERMIT NO. 07001

ACTION BY PLANNING COMMISSION:

February 14, 2007

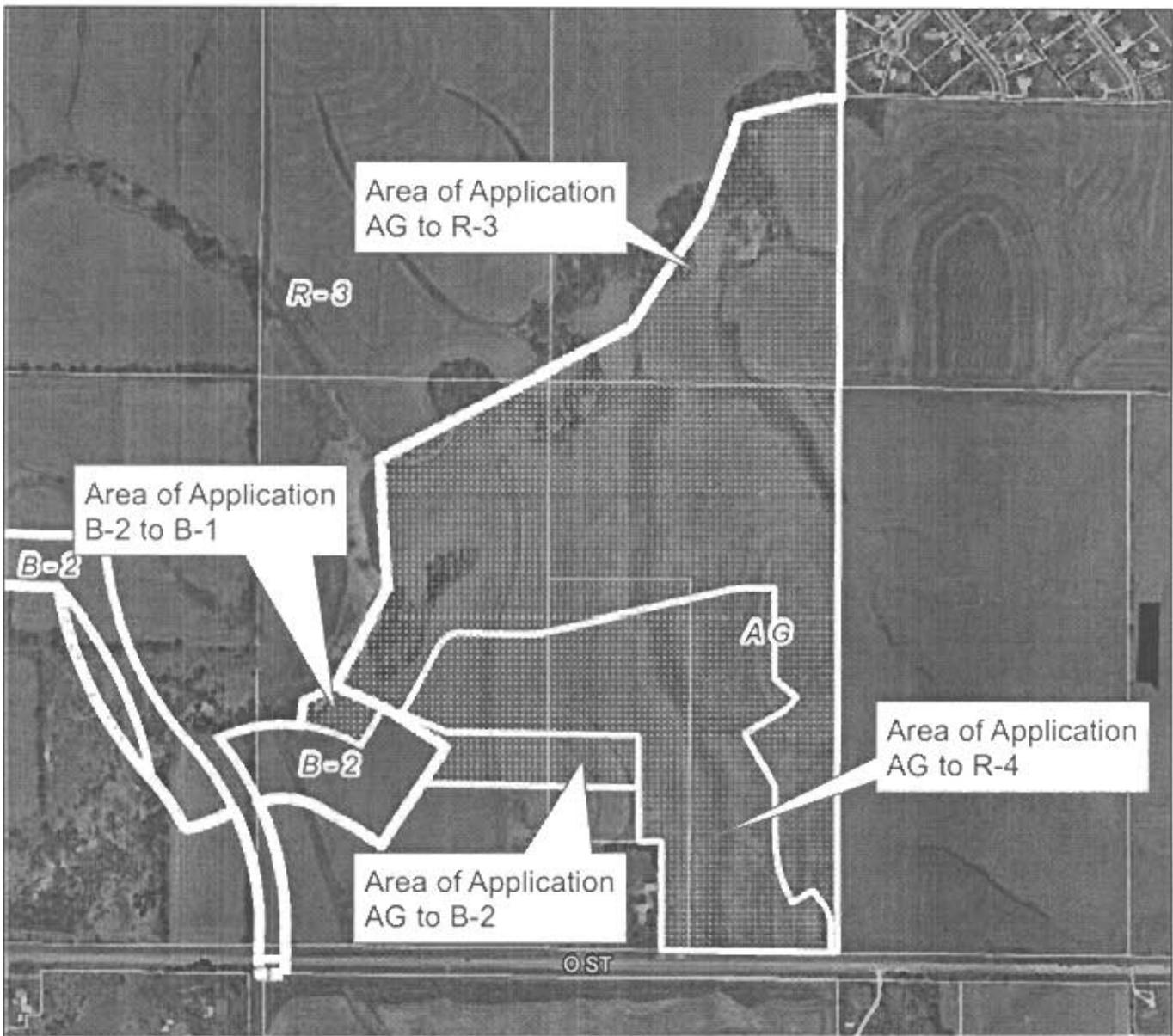
Carroll moved to approve the staff recommendation of conditional approval, with the amendments proposed by the applicant and staff today, seconded by Strand and carried 8-0: Cornelius, Strand, Carroll, Taylor, Esseks, Sunderman, Krieser and Carlson voting 'yes'; Larson absent. This is final action, unless appealed to the City Council within 14 days.

PRELIMINARY PLAT NO. 07001

ACTION BY PLANNING COMMISSION:

February 14, 2007

Carroll moved to approve the staff recommendation of conditional approval, with the amendments proposed by the applicant and staff today, seconded by Strand and carried 8-0: Cornelius, Strand, Carroll, Taylor, Esseks, Sunderman, Krieser and Carlson voting 'yes'; Larson absent. This is final action, unless appealed to the City Council within 14 days.



**Change of Zone #07002
Waterford Estates 1st Addition
98th & O St**

2005 aerial

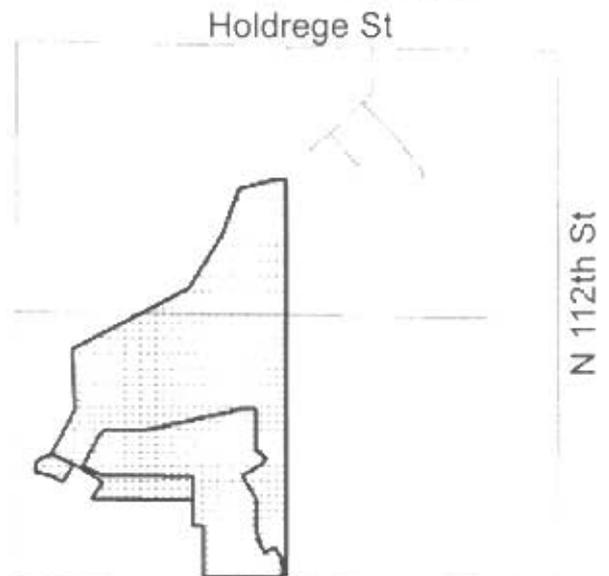
Zoning:

- 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. 24 T10N R7E



N 98th St

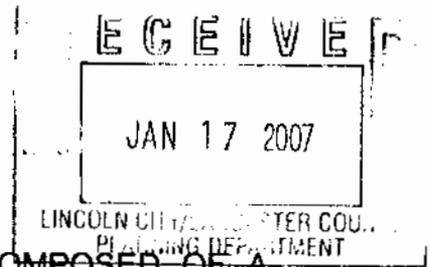


O St

008

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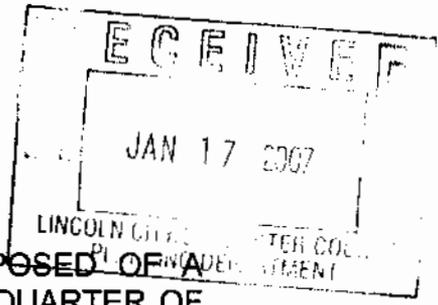
LEGAL DESCRIPTION
B-1



A LEGAL DESCRIPTION FOR A TRACT OF LAND COMPOSED OF A PORTION OF LOT 11 I.T., LOCATED IN THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 10 NORTH, RANGE 7 EAST OF THE 6TH P.M., CITY OF LINCOLN, LANCASTER COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER, THENCE NORTHERLY ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER ON AN ASSUMED BEARING OF NORTH 00 DEGREES 10 MINUTES 10 SECONDS EAST, A DISTANCE OF 60.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 11 I.T., THENCE NORTH 89 DEGREES 21 MINUTES 18 SECONDS WEST ALONG A SOUTH LINE OF SAID LOT 11 I.T., SAID LINE BEING A NORTH LINE OF "O" STREET RIGHT-OF-WAY, A DISTANCE OF 550.00 FEET TO A POINT, THENCE NORTH 88 DEGREES 57 MINUTES 48 SECONDS WEST ALONG A SOUTH LINE OF SAID LOT 11 I.T., SAID LINE BEING A NORTH LINE OF "O" STREET RIGHT-OF-WAY, A DISTANCE OF 259.85 FEET TO A SOUTHWEST CORNER OF SAID LOT 11 I.T., THENCE NORTH 00 DEGREES 13 MINUTES 22 SECONDS EAST ALONG A WEST LINE OF SAID LOT 11 I.T., A DISTANCE OF 494.92 FEET TO A POINT, THENCE NORTH 88 DEGREES 57 MINUTES 49 SECONDS WEST ALONG A SOUTH LINE OF SAID LOT 11 I.T., A DISTANCE OF 100.29 FEET TO A POINT, THENCE NORTH 00 DEGREES 48 MINUTES 28 SECONDS WEST, A DISTANCE OF 488.48 FEET TO A POINT, THENCE NORTH 88 DEGREES 55 MINUTES 37 SECONDS WEST, A DISTANCE OF 882.89 FEET TO A POINT, THENCE NORTH 67 DEGREES 01 MINUTES 23 SECONDS WEST, A DISTANCE OF 217.87 FEET TO A POINT, THENCE SOUTH 28 DEGREES 11 MINUTES 44 SECONDS WEST, A DISTANCE OF 22.36 FEET TO A POINT, THENCE NORTH 59 DEGREES 30 MINUTES 50 SECONDS WEST, A DISTANCE OF 90.00 FEET TO **THE TRUE POINT OF BEGINNING**; THENCE SOUTH 30 DEGREES 29 MINUTES 10 SECONDS WEST, A DISTANCE OF 206.43 FEET TO A POINT OF CURVATURE OF A NON-TANGENT CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING DELTA ANGLE OF 24 DEGREES 17 MINUTES 06 SECONDS, A RADIUS OF 687.51 FEET, AN ARC LENGTH OF 291.40 FEET, A TANGENT LENGTH OF 147.92 FEET, A CHORD LENGTH OF 289.23 FEET, AND A CHORD BEARING OF NORTH 70 DEGREES 50 MINUTES 49 SECONDS WEST TO A POINT, THENCE NORTH 06 DEGREES 57 MINUTES 46 SECONDS EAST, A DISTANCE OF 113.44 FEET TO A POINT, THENCE NORTH 63 DEGREES 27 MINUTES 30 SECONDS EAST, A DISTANCE OF 160.60 FEET TO A POINT, THENCE SOUTH 65 DEGREES 18 MINUTES 51 SECONDS EAST, A DISTANCE OF 242.70 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS A CALCULATED AREA OF 62,199.02 SQUARE FEET OR 1.43 ACRES, MORE OR LESS.

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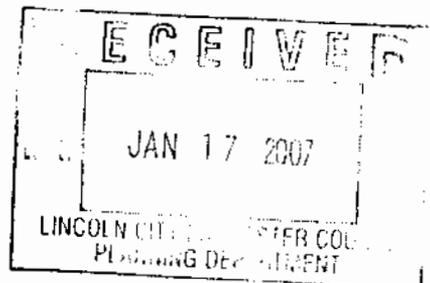


**LEGAL DESCRIPTION
B-2**

A LEGAL DESCRIPTION FOR A TRACT OF LAND COMPOSED OF A PORTION OF LOT 11 I.T., LOCATED IN THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 10 NORTH, RANGE 7 EAST OF THE 6TH P.M., CITY OF LINCOLN, LANCASTER COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER, THENCE NORTHERLY ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER ON AN ASSUMED BEARING OF NORTH 00 DEGREES 10 MINUTES 10 SECONDS EAST, A DISTANCE OF 60.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 11 I.T., THENCE NORTH 89 DEGREES 21 MINUTES 18 SECONDS WEST ALONG A SOUTH LINE OF SAID LOT 11 I.T., SAID LINE BEING THE NORTH LINE OF "O" STREET RIGHT-OF-WAY, A DISTANCE OF 550.00 FEET TO A POINT, THENCE NORTH 88 DEGREES 57 MINUTES 48 SECONDS WEST ALONG A SOUTH LINE OF SAID LOT 11 I.T., SAID LINE BEING A NORTH LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 259.85 FEET TO A SOUTHWEST CORNER OF SAID LOT 11 I.T., THENCE NORTH 00 DEGREES 13 MINUTES 22 SECONDS EAST ALONG A WEST LINE OF SAID LOT 11 I.T., A DISTANCE OF 494.92 FEET TO A POINT, THENCE NORTH 88 DEGREES 57 MINUTES 49 SECONDS WEST ALONG A SOUTH LINE OF SAID LOT 11 I.T., A DISTANCE OF 100.29 FEET TO A POINT, THENCE NORTH 00 DEGREES 48 MINUTES 28 SECONDS WEST, A DISTANCE OF 248.35 FEET TO THE **TRUE POINT OF BEGINNING**; THENCE NORTH 88 DEGREES 55 MINUTES 37 SECONDS WEST, A DISTANCE OF 997.99 FEET TO A POINT, THENCE NORTH 33 DEGREES 39 MINUTES 55 SECONDS EAST, A DISTANCE OF 197.29 FEET TO A POINT, THENCE NORTH 56 DEGREES 20 MINUTES 05 SECONDS WEST, A DISTANCE OF 250.91 FEET TO A POINT, THENCE NORTH 28 DEGREES 11 MINUTES 44 SECONDS EAST, A DISTANCE OF 22.36 FEET TO A POINT, THENCE SOUTH 67 DEGREES 01 MINUTES 23 SECONDS EAST, A DISTANCE OF 217.87 FEET TO A POINT, THENCE SOUTH 88 DEGREES 55 MINUTES 37 SECONDS EAST, A DISTANCE OF 882.89 FEET TO A POINT, THENCE SOUTH 00 DEGREES 48 MINUTES 28 SECONDS EAST, A DISTANCE OF 240.13 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS A CALCULATED AREA OF 232,152.26 SQUARE FEET OR 5.33 ACRES, MORE OR LESS.

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205269.7387



LEGAL DESCRIPTION
R-3

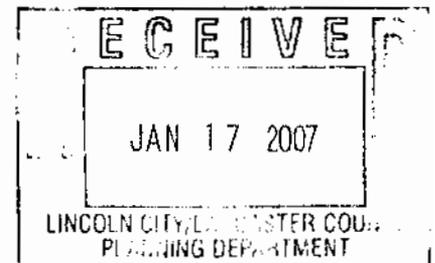
A LEGAL DESCRIPTION FOR A TRACT OF LAND COMPOSED OF A PORTION OF LOT 8 I.T., A PORTION OF LOT 11 I.T., AND A PORTION OF THE NORTH HALF OF THE SOUTHWEST QUARTER, ALL LOCATED IN THE EAST HALF OF SECTION 24, TOWNSHIP 10 NORTH, RANGE 7 EAST OF THE 6TH P.M., CITY OF LINCOLN, LANCASTER COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 24, THENCE NORTHERLY ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER ON AN ASSUMED BEARING OF NORTH 00 DEGREES 10 MINUTES 10 SECONDS EAST, A DISTANCE OF 60.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 11 I.T., SAID POINT BEING **THE TRUE POINT OF BEGINNING**; THENCE NORTH 89 DEGREES 21 MINUTES 18 SECONDS WEST ALONG A SOUTH LINE OF SAID LOT 11 I.T., SAID LINE BEING A NORTH LINE OF "O" STREET RIGHT-OF-WAY, A DISTANCE OF 31.50 FEET TO A POINT, THENCE NORTH 00 DEGREES 46 MINUTES 15 SECONDS EAST, A DISTANCE OF 119.38 FEET TO A POINT OF CURVATURE, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 38 DEGREES 37 MINUTES 07 SECONDS, A RADIUS OF 170.00 FEET, AN ARC LENGTH OF 114.58 FEET, A TANGENT LENGTH OF 59.56 FEET, A CHORD LENGTH OF 112.43 FEET, AND A CHORD BEARING OF NORTH 18 DEGREES 32 MINUTES 19 SECONDS WEST TO A POINT OF TANGENCY, THENCE NORTH 37 DEGREES 50 MINUTES 53 SECONDS WEST, A DISTANCE OF 28.43 FEET TO A POINT OF CURVATURE, THENCE ALONG A CURVE IN A CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 06 DEGREES 25 MINUTES 10 SECONDS, A RADIUS OF 430.00 FEET, AN ARC LENGTH OF 48.18 FEET, A TANGENT LENGTH OF 24.11 FEET, A CHORD LENGTH OF 48.15 FEET, AND A CHORD BEARING OF NORTH 34 DEGREES 38 MINUTES 18 SECONDS WEST TO A POINT, THENCE SOUTH 58 DEGREES 34 MINUTES 17 SECONDS WEST, A DISTANCE OF 110.00 FEET TO A POINT, THENCE NORTH 27 DEGREES 05 MINUTES 38 SECONDS WEST, A DISTANCE OF 81.63 FEET TO A POINT, THENCE NORTH 18 DEGREES 25 MINUTES 29 SECONDS WEST, A DISTANCE OF 81.63 FEET TO A POINT, THENCE NORTH 09 DEGREES 45 MINUTES 19 SECONDS WEST, A DISTANCE OF 81.63 FEET TO A POINT, THENCE NORTH 01 DEGREES 46 MINUTES 27 SECONDS WEST, A DISTANCE OF 75.73 FEET TO A POINT, THENCE NORTH 00 DEGREES 10 MINUTES 10 SECONDS EAST, A DISTANCE OF 216.00 FEET TO A POINT, THENCE NORTH 27 DEGREES 06 MINUTES 23 SECONDS WEST, A DISTANCE OF 50.00 FEET TO A POINT, THENCE NORTH 29 DEGREES 58 MINUTES 43 SECONDS WEST, A DISTANCE OF 240.06 FEET TO A POINT, THENCE NORTH 60 DEGREES 01 MINUTES 17 SECONDS EAST, A DISTANCE OF 195.28 FEET TO A POINT

OF CURVATURE, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 34 DEGREES 29 MINUTES 17 SECONDS, A RADIUS OF 170.00 FEET, AN ARC LENGTH OF 102.33 FEET, A TANGENT LENGTH OF 52.77 FEET, A CHORD LENGTH OF 100.79 FEET, AND A CHORD BEARING OF NORTH 42 DEGREES 46 MINUTES 38 SECONDS EAST TO A POINT OF TANGENCY, THENCE NORTH 49 DEGREES 40 MINUTES 37 SECONDS WEST, A DISTANCE OF 129.02 FEET TO A POINT, THENCE NORTH 00 DEGREES 10 MINUTES 10 SECONDS EAST, A DISTANCE OF 407.64 FEET TO A POINT, THENCE NORTH 89 DEGREES 49 MINUTES 50 SECONDS WEST, A DISTANCE OF 103.11 FEET TO A POINT OF CURVATURE, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 12 DEGREES 52 MINUTES 56 SECONDS, A RADIUS OF 585.00 FEET, AN ARC LENGTH OF 131.53 FEET, A TANGENT LENGTH OF 66.04 FEET, A CHORD LENGTH OF 131.25 FEET, AND A CHORD BEARING OF SOUTH 83 DEGREES 43 MINUTES 42 SECONDS WEST TO A POINT OF TANGENCY, THENCE SOUTH 77 DEGREES 17 MINUTES 14 SECONDS WEST, A DISTANCE OF 813.46 FEET TO A POINT OF CURVATURE, THENCE ALONG A CURVE IN A CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 13 DEGREES 59 MINUTES 22 SECONDS, A RADIUS OF 515.00 FEET, AN ARC LENGTH OF 125.74 FEET, A TANGENT LENGTH OF 63.19 FEET, A CHORD LENGTH OF 125.43 FEET, AND A CHORD BEARING OF SOUTH 84 DEGREES 16 MINUTES 55 SECONDS WEST TO A POINT OF TANGENCY, THENCE NORTH 88 DEGREES 43 MINUTES 24 SECONDS WEST, A DISTANCE OF 287.64 FEET TO A POINT OF CURVATURE, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 60 DEGREES 47 MINUTES 26 SECONDS, A RADIUS OF 120.00 FEET, AN ARC LENGTH OF 127.32 FEET, A TANGENT LENGTH OF 70.39 FEET, A CHORD LENGTH OF 121.43 FEET, AND A CHORD BEARING OF SOUTH 60 DEGREES 52 MINUTES 53 SECONDS WEST TO A POINT OF TANGENCY, THENCE SOUTH 30 DEGREES 29 MINUTES 10 SECONDS WEST, A DISTANCE OF 1.73 FEET TO A POINT, THENCE SOUTH 28 DEGREES 11 MINUTES 44 SECONDS WEST, A DISTANCE OF 375.30 FEET TO A POINT, THENCE NORTH 59 DEGREES 30 MINUTES 50 SECONDS WEST, A DISTANCE OF 90.00 FEET TO A POINT, THENCE NORTH 65 DEGREES 18 MINUTES 51 SECONDS WEST, A DISTANCE OF 242.70 FEET TO A POINT, THENCE NORTH 28 DEGREES 14 MINUTES 31 SECONDS EAST, A DISTANCE OF 503.12 FEET TO A POINT, THENCE NORTH 03 DEGREES 19 MINUTES 34 SECONDS WEST, A DISTANCE OF 574.78 FEET TO A POINT, THENCE NORTH 62 DEGREES 22 MINUTES 00 SECONDS EAST, A DISTANCE OF 1,295.82 FEET TO A POINT, THENCE NORTH 32 DEGREES 55 MINUTES 55 SECONDS EAST, A DISTANCE OF 620.76 FEET TO A POINT, THENCE NORTH 20 DEGREES 06 MINUTES 43 SECONDS EAST, A DISTANCE OF 471.68 FEET TO A POINT, THENCE NORTH 76 DEGREES 00 MINUTES 17 SECONDS EAST, A DISTANCE OF 363.45 FEET TO A POINT, THENCE NORTH 89 DEGREES 11 MINUTES 23 SECONDS EAST, A

DISTANCE OF 113.22 FEET TO A POINT OF INTERSECTION WITH THE EAST LINE OF LOT 8 I.T., THENCE SOUTH 00 DEGREES 09 MINUTES 34 SECONDS WEST ALONG A EAST LINE OF SAID LOT 8 I.T., SAID LINE BEING A EAST LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 24, A DISTANCE OF 1,321.02 FEET TO THE SOUTHEAST CORNER OF SAID LOT 8 I.T., SAID POINT BEING THE NORTHEAST CORNER OF THE NORTH HALF OF THE SOUTHWEST QUARTER, THENCE SOUTH 00 DEGREES 10 MINUTES 10 SECONDS WEST ALONG THE EAST LINE OF SAID NORTH HALF OF THE SOUTHWEST QUARTER, AND THE EAST LINE OF SAID LOT 11 I.T., A DISTANCE OF 2,575.43 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS A CALCULATED AREA OF 3,592,477.21 SQUARE FEET OR 82.47 ACRES, MORE OR LESS.

P08=
194648-6194
205270.0933



**LEGAL DESCRIPTION
R-4**

A LEGAL DESCRIPTION FOR A TRACT OF LAND COMPOSED OF A PORTION OF LOT 11 I.T., AND A PORTION OF THE NORTH HALF OF THE SOUTHWEST QUARTER, ALL LOCATED IN THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 10 NORTH, RANGE 7 EAST OF THE 6TH P.M., CITY OF LINCOLN, LANCASTER COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER, THENCE NORTHERLY ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER ON AN ASSUMED BEARING OF NORTH 00 DEGREES 10 MINUTES 10 SECONDS EAST ALONG A EAST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 60.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 11 I.T., THENCE NORTH 89 DEGREES 21 MINUTES 18 SECONDS WEST ALONG A SOUTH LINE OF SAID LOT 11 I.T., SAID LINE BEING A NORTH LINE OF "O" STREET RIGHT-OF-WAY, A DISTANCE OF 31.50 FEET TO **THE TRUE POINT OF BEGINNING**; THENCE CONTINUING WESTERLY ALONG SAID LINE, A DISTANCE OF 518.50 FEET TO A POINT, THENCE NORTH 88 DEGREES 57 MINUTES 48 SECONDS WEST ALONG A SOUTH LINE OF SAID LOT 11 I.T., SAID LINE BEING A NORTH LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 259.85 FEET TO A SOUTHWEST CORNER OF SAID LOT 11 I.T., THENCE NORTH 00 DEGREES 13 MINUTES 22 SECONDS EAST ALONG A WEST LINE OF SAID LOT 11 I.T., A DISTANCE OF 494.92 FEET TO A POINT, THENCE NORTH 88 DEGREES 57 MINUTES 49 SECONDS WEST ALONG A SOUTH LINE OF SAID LOT 11 I.T., A DISTANCE OF 100.29 FEET TO A POINT, THENCE NORTH 00 DEGREES 48 MINUTES 28 SECONDS WEST, A DISTANCE OF 488.48 FEET TO A POINT, THENCE NORTH 88 DEGREES 55 MINUTES 37 SECONDS WEST, A DISTANCE OF 882.89 FEET TO A POINT, THENCE NORTH 67 DEGREES 01 MINUTES 23 SECONDS WEST, A DISTANCE OF 217.87 FEET TO A POINT, THENCE NORTH 28 DEGREES 11 MINUTES 44 SECONDS EAST, A DISTANCE OF 352.94 FEET TO A POINT, THENCE NORTH 30 DEGREES 29 MINUTES 10 SECONDS EAST, A DISTANCE OF 1.73 FEET TO A POINT OF CURVATURE, THENCE ALONG A CURVE IN A CLOCKWISE DIRECTION, HAVING DELTA ANGLE OF 60 DEGREES 47 MINUTES 26 SECONDS, A RADIUS OF 120.00 FEET, AN ARC LENGTH OF 127.32 FEET, A TANGENT LENGTH OF 70.39 FEET, A CHORD LENGTH OF 121.43 FEET, AND A CHORD BEARING OF NORTH 60 DEGREES 52 MINUTES 53 SECONDS EAST, TO A POINT OF TANGENCY, THENCE SOUTH 88 DEGREES 43 MINUTES 24 SECONDS EAST, A DISTANCE OF 287.64 FEET TO A POINT OF CURVATURE, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 13 DEGREES 59 MINUTES 22 SECONDS, A RADIUS OF 515.00 FEET, AN ARC LENGTH OF 125.74 FEET, A TANGENT LENGTH OF

63.19 FEET, A CHORD LENGTH OF 125.43 FEET, AND A CHORD BEARING OF NORTH 84 DEGREES 16 MINUTES 55 SECONDS EAST TO A POINT OF TANGENCY, THENCE NORTH 77 DEGREES 17 MINUTES 14 SECONDS EAST, A DISTANCE OF 813.46 FEET TO A POINT OF CURVATURE, THENCE ALONG A CURVE IN A CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 12 DEGREES 52 MINUTES 56 SECONDS, A RADIUS OF 585.00 FEET, AN ARC LENGTH OF 131.53 FEET, A TANGENT LENGTH OF 66.04 FEET, A CHORD LENGTH OF 131.25 FEET, AND A CHORD BEARING OF NORTH 83 DEGREES 43 MINUTES 42 SECONDS EAST TO A POINT OF TANGENCY, THENCE SOUTH 89 DEGREES 49 MINUTES 50 SECONDS EAST, A DISTANCE OF 103.11 FEET TO A POINT, THENCE SOUTH 00 DEGREES 10 MINUTES 10 SECONDS WEST, A DISTANCE OF 407.64 FEET TO A POINT, THENCE SOUTH 49 DEGREES 40 MINUTES 37 SECONDS EAST, A DISTANCE OF 129.02 FEET TO A POINT OF CURVATURE OF A NON-TANGENT CURVE IN A CLOCKWISE DIRECTION, HAVING DELTA ANGLE OF 34 DEGREES 29 MINUTES 17 SECONDS, A RADIUS OF 170.00 FEET, AN ARC LENGTH OF 102.33 FEET, A TANGENT LENGTH OF 52.77 FEET, A CHORD LENGTH OF 100.79 FEET, AND A CHORD BEARING OF SOUTH 42 DEGREES 46 MINUTES 38 SECONDS WEST TO A POINT OF TANGENCY, THENCE SOUTH 60 DEGREES 01 MINUTES 17 SECONDS WEST, A DISTANCE OF 195.28 FEET TO A POINT, THENCE SOUTH 29 DEGREES 58 MINUTES 43 SECONDS EAST, A DISTANCE OF 240.06 FEET TO A POINT, THENCE SOUTH 27 DEGREES 06 MINUTES 23 SECONDS EAST, A DISTANCE OF 50.00 FEET TO A POINT, THENCE SOUTH 00 DEGREES 10 MINUTES 10 SECONDS WEST, A DISTANCE OF 216.00 FEET TO A POINT, THENCE SOUTH 01 DEGREES 46 MINUTES 27 SECONDS EAST, A DISTANCE OF 75.73 FEET TO A POINT, THENCE SOUTH 09 DEGREES 45 MINUTES 19 SECONDS EAST, A DISTANCE OF 81.63 FEET TO A POINT, THENCE SOUTH 18 DEGREES 25 MINUTES 29 SECONDS EAST, A DISTANCE OF 81.63 FEET TO A POINT, THENCE SOUTH 27 DEGREES 05 MINUTES 38 SECONDS EAST, A DISTANCE OF 81.63 FEET TO A POINT, THENCE NORTH 58 DEGREES 34 MINUTES 17 SECONDS EAST, A DISTANCE OF 110.00 FEET TO A POINT OF CURVATURE OF A NON-TANGENT CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING DELTA ANGLE OF 06 DEGREES 25 MINUTES 10 SECONDS, A RADIUS OF 430.00 FEET, AN ARC LENGTH OF 48.18 FEET, A TANGENT LENGTH OF 24.11 FEET, A CHORD LENGTH OF 48.15 FEET, AND A CHORD BEARING OF SOUTH 34 DEGREES 38 MINUTES 18 SECONDS EAST TO A POINT OF TANGENCY, THENCE SOUTH 37 DEGREES 50 MINUTES 53 SECONDS EAST, A DISTANCE OF 28.43 FEET TO A POINT OF CURVATURE, THENCE ALONG A CURVE IN A CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 38 DEGREES 37 MINUTES 07 SECONDS, A RADIUS OF 170.00 FEET, AN ARC LENGTH OF 114.58 FEET, A TANGENT LENGTH OF 59.56 FEET, A CHORD LENGTH OF 112.43 FEET, AND A CHORD BEARING OF SOUTH 18 DEGREES 32 MINUTES 19 SECONDS EAST TO A POINT OF TANGENCY, THENCE SOUTH 00 DEGREES 46 MINUTES 15 SECONDS WEST, A

DISTANCE OF 119.38 FEET TO THE POINT OF BEGINNING. SAID TRACT
CONTAINS A CALCULATED AREA OF 1,498,343.48 SQUARE FEET OR
34.40 ACRES, MORE OR LESS.

Monday, January 15, 2007

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ITEM NO. 4.1a,b,c,d: ANNEXATION NO. 07001
CHANGE OF ZONE NO. 07002
SPECIAL PERMIT NO. 07001
PRELIMINARY PLAT NO. 07001



"Jeff Clausen"
<silverhawk6@hotmail.com>

(p.23 - Public Hearing - 2/14/07)

To plan@lincoln.ne.gov

cc

02/06/2007 10:25 AM

bcc

Subject: Annexation no. 07001

History:

This message has been replied to and forwarded.

Dear Sirs;

I am writing to make the planning commission aware of fact that there exists a private airport immediately to the north east of the area to be developed. I am a home owner who uses this airstrip daily for business and pleasure. I am not protesting the development, too much work has gone into it and it is inevitable that it will become saturated with homes in the next 5-10 yrs. My point is that this airport has been in existance for approx. 50 yrs. I would like for every lot being sold to have a disclaimer against the lot owner bitching about one or two little airplanes flying over their homes while in the landing pattern. I know this will ultimately happen, therefore, since we were here for 50 yrs. I would like all potential buyers to be made aware of this fact before they purchase a lot and then try to shut our little grass strip down.

My name is Jeff Clausen, 1320 Beechcraft Rd. (SKY RANCH ACRES) in Lincoln. I have lived here for 25 yrs. I am a pilot and the main reason for living out here is to utilize the landing strip and the hanger I have under my home. I am afraid that a few people will bring trumped up charges that we are a danger to their health and well being.

In actuality we can all live in peace and harmony as the landing strip is only 1700 feet long and the only aircraft flown out of it are little 65-85 HP puddle jumpers. I doubt seriously that anyone would even notice us, however, it only takes one person to complain and go on a campaign to shut it down. We should be Grandfathered against this sort of thing should it happen.

If you have any questions or would like to come out and look for yourselves please feel free to contact me.

Sincerely--- Jeff Clausen 402-416-2425

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