

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for MAY 10, 2006 PLANNING COMMISSION MEETING

PROJECT #: Charleston Heights Special Permit No.06030

PROPOSAL: Community Unit Plan for 206 single family lots and 144 attached single-family lots for a total of 350 dwelling units.

LOCATION: Northwest of N. 14th St. and Humphrey Ave.

LAND AREA: 78 acres, more or less

EXISTING ZONING: AG-Agricultural

WAIVER /MODIFICATION REQUEST:

The applicant has requested the following waivers:

1. Minimum lot area for single-family attached lots.
2. Pedestrian easement on blocks that exceed 1,000 feet for Block 14.
3. Recreational facility for community unit plans.
4. Block length to exceed 1,320 feet for Block 14

CONCLUSION: With conditions this Community Unit Plan is in conformance with the 2025 Comprehensive Plan, zoning ordinance and subdivision ordinance. There is existing urban residential to the south and east of this proposed project. All utilities are available to serve this project. This development would provide additional housing close to a future elementary school site.

RECOMMENDATION:	Conditional Approval
<u>Waivers/modifications:</u>	
1. Minimum lot area for single-family attached lots.	Approval
2. Pedestrian easement on blocks that exceed 1,000 feet.	Denial
3. Recreational facility for community unit plans.	Approval
4. Block length to exceed 1,320 feet.	Denial

GENERAL INFORMATION:

LEGAL DESCRIPTION: Lot 2, Irregular tract located in the Northeast Quarter of Section 35, Township 11 North, Range 6 East, Lancaster County, Nebraska

EXISTING LAND USE: Agricultural

SURROUNDING LAND USE AND ZONING:

North:	AG-Agriculture	Undeveloped/Agriculture
South:	R-3-Residential	Single family residential/Hartland's Garden Valley
East:	R-3-Residential	Single family residential/Stone Bridge Creek
West:	AG-Agriculture	Single family acreage

ASSOCIATED APPLICATIONS:

Annexation #06007
Change of Zone #06026

HISTORY:

August 1, 2005 Annexation #04001 and Change of Zone #04007 for Stonebridge Creek 1st Addition were approved by the City Council.

June 20, 2005 Annexation #05006, Change of Zone #05024 and Special Permit #05015 for Hartland's Garden Valley Community Unit Plan, to the south, was approved by the City Council.

June 23, 2004 Preliminary Plat #04002, Stonebridge Creek 1st Addition was approved by the Planning Commission.

August 27, 2001 Annexation #00003, Change of Zone #3265 and Preliminary Plat #00017, Stonebridge Creek, located to the east, was approved by the City Council.

COMPREHENSIVE PLAN SPECIFICATIONS:

The Lincoln/Lancaster County Land Use Plan identifies this area as residential urban and within the future service limit. (F-23)

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

A range of parks and open space, from tot-lots to ballfields, should be distributed within neighborhoods and be within walking distance of the residents. (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 street network should facilitate calm traffic conditions, provide multiple connections within and between neighborhoods, using neighborhood development aspects such as four way intersections of residential

streets, multiple connections to arterial streets and reduced block lengths. (F-19)

"Affordable housing should be distributed throughout the region to be near job opportunities and to provide housing choices within every neighborhood. Preserve existing affordable housing and promote the creation of new affordable housing throughout the community." (F-65)

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 all 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: There is an existing 12" water main and 8" sanitary sewer main in Humphrey Ave. to serve this development. The system in place is satisfactory to Public Works and Utilities, though revisions may be needed to the utility plan contingent upon needed corrections with the grading and drainage plan.

TOPOGRAPHY: Public Works and Utilities notes concerns regarding the grading and drainage plan submitted such as the depiction of grading outside the boundaries of the CUP, grading along the northern boundary of this site that prevents adequate drainage from the property to the north and blocks natural drainage paths, assuming future development to the north will address this issue. Furthermore, the plan does not adequately address individual lot drainage, drainage to the detention cell, and detention calculation. Please see attached reports.

TRAFFIC ANALYSIS:

N. 14th St. is designated as a minor arterial and Humphrey Avenue is designated as an urban collector in the Comprehensive Plan.

Public Works and Utilities notes the following:

The proposed changes to Humphrey Avenue will require amending the Hartland Garden Valley plat to the south. This amendment, administrative or otherwise, will need to be approved prior to or concurrently with the approval of this plat.

It appears that a pedestrian connection or a street connection would be possible between Charleston Heights Lane and Magnolia lane near the proposed detention cell. The requested waiver of pedestrian easement for block length does not appear to be justified.

Magnolia Court and Plantation Court need to be shown as 27' wide paving.

Public Works further notes that revisions to the street layout may be necessary to accommodate needed revisions to the grading and drainage plan.

PUBLIC SERVICE:

The nearest fire station is Station 10 located at N. 14th St. and Adams St.

There are two elementary schools located about equal distance from the proposed development; Campbell Elementary located approximately at N. 22nd St. and Superior St. and Belmont Elementary located approximately at N. 14th St. and Adams St. Lincoln Public Schools has proposed constructing a new elementary school at approximately N. 14th St. and Alvo Rd.

Several agencies have concerns with the proposed street naming including Building and Safety, Emergency Communications (911), and the Lincoln Police Department. Please see attached comments.

ANALYSIS:

1. This request is for a community unit plan for 206 single family lots and 144 attached single-family lots on approximately 78 acres. The townhomes and single-family homes will provide different housing types as called for in the Comprehensive Plan.
2. There are existing residential developments to the south and east of this proposed development. Hartland's Garden Valley is to the south and Stonebridge Creek is to the east. A elementary school is proposed to the north.
3. The proposed development is in conformance with the 2025 Comprehensive Plan.
4. The applicant is requesting waivers to block length and pedestrian easement in Block 14. The Planning Department does not support the waiver. The block length for Block 14 is approximately 1,600 feet between cross streets. The Land Subdivision Ordinance sets the maximum block length at 1,320 feet. The applicant's letter states that the detention cell and N. 14th St. restrict creating a shorter block length. The block length could meet the requirement of the Land Subdivision Ordinance by extending Plantation Way to Magnolia Lane or creating another north-south street between Charleston Heights Lane and Magnolia Lane. Palm Way could then be removed. Pedestrian easements are required in blocks that exceed 1,000 feet. There is no justifiable reason that a pedestrian easement cannot be placed between N. 13th St. and N. 14th St.
5. The applicant is requesting waivers to the design standards for recreational facilities in CUP's because it is adjacent to a proposed school site and future park. The Planning department supports this waiver.

6. The applicant's letter requests waivers to the preliminary plat process and to allow the Planning Director authority to sign final plats. These requests do not require a waiver. The subdivision ordinance was amended some time ago to allow a special permit without a preliminary plat and to allow the Planning Director to sign all final plats.
7. Section 26.23.160 of the Land Subdivision Ordinance requires all subdivisions for residential development to provide for the neighborhood park land needs of its future residents by dedicating suitable land for neighborhood parks or paying the impact fees for neighborhood parks. The Parks and Recreational Department will be locating a park adjacent to the future school immediately north of this proposal. Impact fees will be collected in lieu of dedicated park land.
8. Staff agrees that the grading and drainage plan should be amended to reflect the comments by the Public Works Department.
9. The proposed changes to Humphrey Ave. will require amending the Hartland's Garden Valley plat to the south. Prior to or concurrent with approval of this proposal, an amendment to the Hartland's Garden Valley plat must be approved.
10. According to the site plan, Charleston Heights Lane will dedicate 72' of right-of-way, and Julesburg Drive will dedicate 66' of right-of-way. These streets are local streets that will mainly serve this development. Right of way for both streets should be reduced to 60 feet, as greater widths are not necessary on these roads.

CONDITIONS OF APPROVAL:

Site Specific Conditions:

1. This approval permits 350 dwelling units with waivers/modifications to minimum lot area.
2. The City Council approves associated request:
 - 2.1 Change of Zone #06026
 - 2.2 Annexation #06007
 - 2.3 An exception to the design standards to permit a Community Unit Plan without a recreational facility.

- 2.5 A modification to the requirements of the land subdivision ordinance to permit block length in excess of 1,320 feet; a block greater than 1,000 feet without a pedestrian easement and a subdivision without dedication of park land.
3. Final plat(s) is/are approved by the City.
 - 3.1 If any final plat on all or a portion of the approved community unit plan is submitted five (5) years or more after the approval of the community unit plan, the city may require that a new community unit plan be submitted, pursuant to all the provisions of section 26.31.015. A new community unit plan may be required if the subdivision ordinance, the design standards, or the required improvements have been amended by the city; and as a result, the community unit plan as originally approved does not comply with the amended rules and regulations.
 - 3.2 Before the approval of a final plat, the public streets, private roadway improvements, sidewalks, public sanitary sewer system, public water system, drainage facilities, land preparation and grading, sediment and erosions control measures, storm water detention/retention facilities, drainageway improvements, street lights, landscaping screens, street trees, temporary turnaround and barricades, and street name signs, must be completed or provisions (bond, escrow or security agreement) to guarantee completion must be approved by the City Law Department. The improvements must be completed in conformance with adopted design standards and within the time period specified in the Land Subdivision Ordinance.
4. Permittee agrees:
 - 4.1 to complete the street paving of public streets, and temporary turnarounds and barricades located at the temporary dead-end of the streets shown on the final plat within two (2) years following the approval of the final plat.
 - 4.2 To complete the paving of private roadway, and temporary turnarounds and barricades located at the temporary dead-end of the private roadways shown on the final plat within two (2) years following the approval of this final plat.
 - 4.3 to complete the installation of sidewalks along both sides of the streets and along as shown on the final plat within four (4) years following the approval of the final plat.

- 4.4 to construct the sidewalk in the pedestrian way easements in Block 14 at the same time as N. 13th Street is paved and to agree that no building permit shall be issued for construction on Block 14 until such time as the sidewalk in the pedestrian way easement is constructed.
- 4.5 to complete the public water distribution system to serve this plat within two (2) years following the approval of the final plat.
- 4.6 to complete the public wastewater collection system to serve this plat within two (2) years following the approval of the final plat.
- 4.7 to complete the enclosed public drainage facilities shown on the approved drainage study to serve this plat within two (2) years following the approval of the final plat.
- 4.8 to complete the enclosed private drainage facilities shown on the approved drainage study to serve this plat within two (2) years following the approval of the final plat.
- 4.9 to complete land preparation including storm water detention/retention facilities and open drainageway improvements to serve this plat prior to the installation of utilities and improvements but not more than two (2) years following the approval of the final plat
- 4.10 to complete the installation of public street lights along streets within this plat within two (2) years following the approval of the final plat.
- 4.11 to complete the installation of private street lights along streets within this plat within two (2) years following the approval of the final plat.
- 4.12 to complete the planting of the street trees along streets within this plat within four (4) years following the approval of the final plat.
- 4.13 to complete the planting of the landscape screen within this plat within two (2) years following the approval of the final plat.
- 4.14 to complete the installation of the street name signs within two (2) years following the approval of the final plat.
- 4.15 to complete the installation of the permanent markers prior to construction on or conveyance of any lot in the plat.

- 4.16 to complete any other public or private improvement or facility required by Chapter 26.23 (Development Standards) of the Land Subdivision Ordinance in a timely manner which inadvertently may have been omitted from the above list of required improvements.
- 4.17 to complete the public and private improvements shown on the Community Unit Plan.
- 4.18 to submit to the Director of Public Works a plan showing proposed measures to control sedimentation and erosion and the proposed method to temporarily stabilize all graded land for approval.
- 4.19 to retain ownership of and the right of entry to the outlots in order to perform the above-described maintenance of the outlots and private improvements on a permanent and continuous basis. However, Owner(s) may be relieved and discharged of such maintenance obligations upon creating in writing a permanent and continuous association of property owners who would be responsible for said permanent and continuous maintenance subject to the following conditions:
 - (1) Owner shall not be relieved of Owner's maintenance obligation for each specific private improvement until a register professional engineer or nurseryman who supervised the installation of said private improvement has certified to the City that the improvement has been installed in accordance with approved plans.
 - (2) The maintenance agreements are incorporated into covenants and restrictions in deeds to the subdivided property and the documents creating the association and the restrictive covenants have been reviewed and approved by the City Attorney and filed of record with the Register of Deeds.
- 4.20 to properly and continuously maintain and supervise the private facilities which have common use or benefit, and to recognize that there may be additional maintenance issues or costs associated with providing for the proper functioning of storm water detention/retention facilities as they were designed and constructed within the development, and that these are the responsibility of the land owner.
- 4.21 to maintain the outlots and private improvements on a permanent and continuous basis.

- 4.22 to maintain the plants in the medians and islands on a permanent and continuous basis.
- 4.23 to maintain the street trees along the private roadways and landscape screens on a permanent and continuous basis.
- 4.24 to maintain the sidewalks in the pedestrian way easements on Block 14 on a permanent and continuous basis.
- 4.25 to maintain and supervise the private facilities which have common use or benefit on a permanent and continuous basis, and to recognize that there may be additional maintenance issues or costs associated with providing for the proper functioning of storm water detention/retention facilities as they were designed and constructed within the development.
- 4.26 to submit to the lot buyers and home builders a copy of the soil analysis.
- 4.27 to comply with the provisions of the Land Preparation and Grading requirements of the Land Subdivision Ordinance.
- 4.28 to relinquish the right of direct vehicular access from Lots 1-14, block 14 to N. 14th St.

General Conditions:

- 5. Before a final plat is approved:
 - 5.1 The permittee shall complete the following instructions and submit the documents and plans to the Planning Department office for review and approval.
 - 5.1.1 A revised site plan including **5** copies showing the following revisions:
 - 5.1.1.1 Make revisions to the satisfaction of the Public Works & Utilities Department comments of April 26, 2006.
 - 5.1.1.2 Make revisions to the satisfaction of Watershed Managements comments of April 26, 2006.
 - 5.1.1.3 The extension of Plantation Way through to Magnolia Lane or the creation of another north-south street connecting Charleston Heights Lane and Magnolia Lane.

- 5.1.1.4 Revisions to street naming to reflect changes requested by the Lincoln Police Department, Emergency Communications (911), and Building & Safety.
- 5.1.1.5 Reduction in the right of way widths to 60 feet on both Julesburg Drive and Charleston Heights Lane.
- 5.1.1.6 Show utility easements as requested by LES report of April 21, 2006.
- 5.1.1.7 Delete waivers 1-3 on Sheet 1. These waivers are not needed.
- 5.1.1.8 Add a waiver for block length for Block 14 under General Note 24 on Sheet 1.
- 5.1.1.9 Remove the City Council approval block from the cover sheet. This special permit is final action at Planning Commission unless appealed.
- 5.1.1.10 Change Magnolia Court and Plantation Court to private streets or show 27' wide paving if they are to remain public streets.
- 5.1.1.11 Show the correct right-of-way for the south half of Humphrey Ave.
- 5.1.1.12 Revise the Landscape Plan to show the screening within the right-of-way.
- 5.1.1.13 Add the following note to the Landscape Plan, "The installation of the plant material shall be by a certified landscape contractor as approved by the Parks and Recreation Department.
- 5.1.1.14 Revise the landscape plan to meet screening requirements for residential lots backing on to a major street.
- 5.1.1.15 The surveyors certificate must be signed.
- 5.1.1.16 A 60' public access and utility easement over the private roadways.

- 5.1.2 Provide documentation from the Register of Deeds that the letter of acceptance as required by the approval of the special permit has been recorded.
- 5.2 Ornamental street lights for private roadways and pedestrian way easements are approved by L.E.S.
- 5.3 The construction plans comply with the approved plans.

Standard Conditions:

- 6. The following conditions are applicable to all requests:
 - 6.1 Before occupying the dwelling units all development and construction is to comply with the approved plans.
 - 6.2 All privately-owned improvements, including landscaping and recreational facilities, are to be permanently maintained by the owner or an appropriately established homeowners association approved by the City.
 - 6.3 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.
 - 6.4 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
 - 6.5 The applicant shall sign and return the letter of acceptance to the City Clerk within 30 days following the approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filling fees therefor to be paid in advance by the applicant.

Prepared by

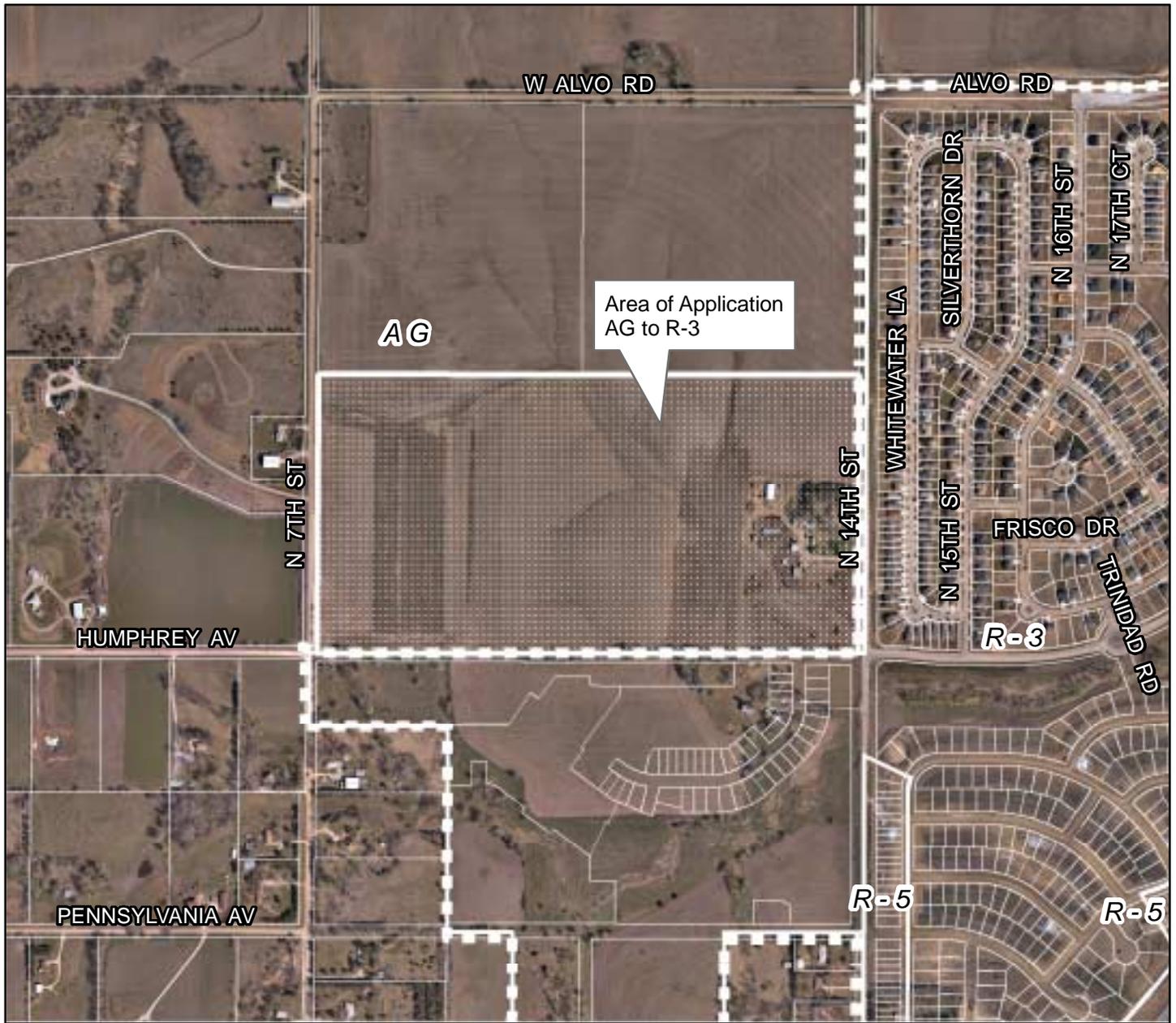
Tom Cajka
Planner

DATE: April 26, 2006

APPLICANT: Charleston Heights, LLC
1233 Infinity Court
Lincoln, NE 68512
(402) 420-2950

OWNER: Parrott Family Farms
5329 Marigold Court
Lincoln, NE 68521
(402) 477-1165

CONTACT: Paula Dicero
1233 Infinity Court
Lincoln, NE 68512
(402) 420-2950



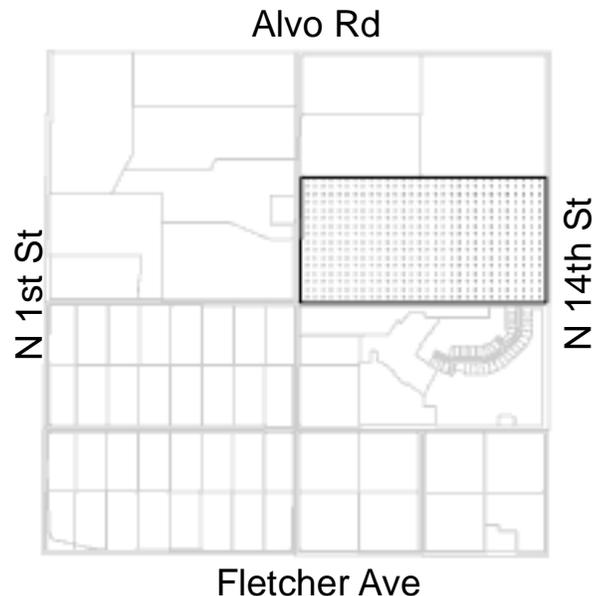
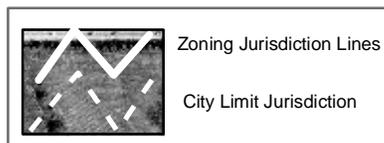
**Change of Zone #06026, Annexation #06007 and
Special Permit #06030
Charleston Heights CUP
N 14th & Humphrey Ave**

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. 35 T11N R6E



**CUP - SPECIAL PERMIT #
CHARLESTON HEIGHTS**

NOTE:
SEE SHEET 1 OF 19 FOR LEGEND.

LOT 15

LINCOLN PUBLIC SCHOOLS

LOT 16

REAR YARD
GARAGE

LOT 17

RECEIVED
APR 13 2005
LINCOLN CITY/ANGOLA
PLANNING DEPARTMENT

LOT 6
3.72 AC

WHITEWATER

WINDY HOLLOW

WINDY HOLLOW

WINDY HOLLOW

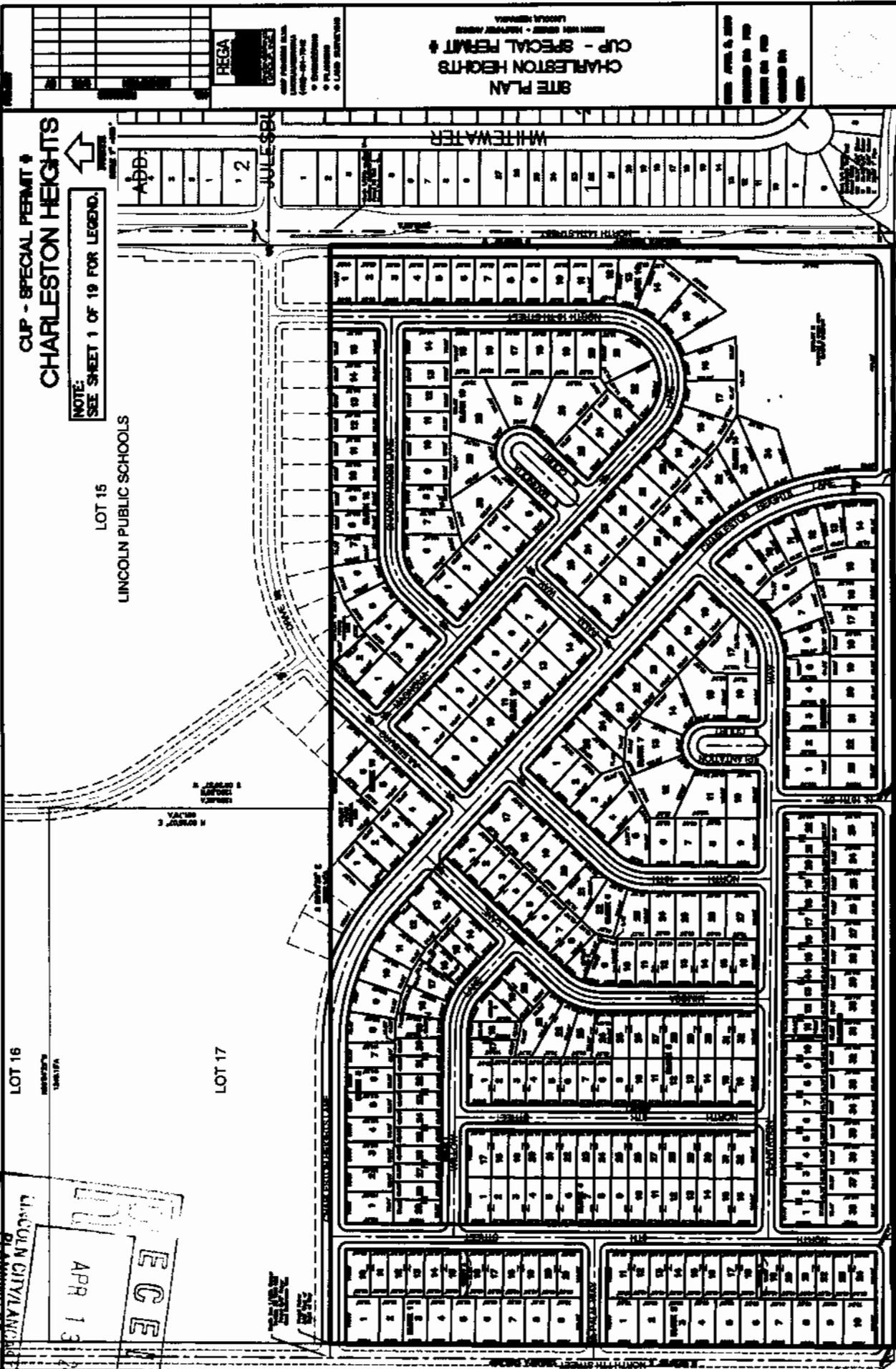
WINDY HOLLOW

**SITE PLAN
CUP - SPECIAL PERMIT #
CHARLESTON HEIGHTS**

REAR YARD - GARAGE - DRIVEWAY
LIVING AREA

PREPARED BY:
ARCHITECTS
PLANNERS
LAND SURVEYORS

SHEET NO.
3 of 19



LEGAL DESCRIPTION

Lot 2, I. T., located in the Northeast Quarter of Section 35, Township 11 North, Range 6 East of the 6th Principal Meridian, Lancaster County, Nebraska and is more fully described as follows:

Referring to the East Quarter Corner of said Section 35 (a found LCSM),

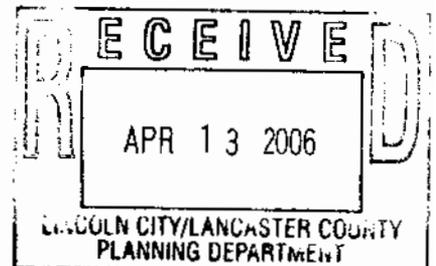
Thence along the south line of the Northeast Quarter of said Section 35 on an assumed bearing of North 89 degrees 55 minutes 7 seconds West, a distance of 33.00 feet to a point on the westerly right-of-way line of North 14th Street and the Point of Beginning,

Thence continuing on said bearing of North 89 degrees 55 minutes 7 seconds West, a distance of 2,568 .71 feet to a point on the easterly right-of-way line of North 7th Street,

Thence along said right-of-way line, North 0 degrees 25 minutes 02 second East, a distance of 1,323.91 feet,

Thence South 89 degrees 54 minutes 33 seconds East, a distance of 2,567.09 feet to the westerly right-of-way line of North 14th Street,

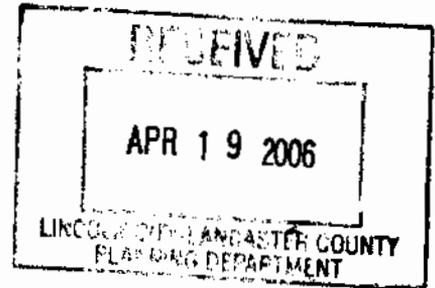
Thence along said right-of-way line, South 0 degrees 20 minutes 57 seconds West, a distance of 1,323.46 feet to the Point of Beginning and containing an area of 78.03 acres more or less.



SNB MANAGEMENT CORPORATION
CHARLESTON HEIGHTS ADDITION

April 17, 2006

Mr. Marvin Krout
Lincoln - Lancaster County Planning Department
555 South 10th Street - Suite 213
Lincoln, Nebraska 68508



Dear Mr. Krout:

On behalf of Charleston Heights, LLC, owner and developer of Charleston Heights Addition, please accept this correspondence as supplemental information to the previous submittal and to add the following waiver request to Charleston Heights Addition CUP/Special Permit.

The following waiver is additionally requested for this plat:

- Development Standards for block length that exceeds one thousand three hundred and twenty feet (1,320') 26.23.125. Intersections along North 13th Street / Magnolia Lane in Block 14 are restricted because of a detention cell on the south, North 14th Street to the east and Magnolia Court. LPS is looking at Charleston Heights Lane as a main access into their school property. This access will bring students in from the subdivisions south and west along Humphrey Avenue. Because of this, the existing design jogs all intersections along Charleston Heights Lane to not allow for cross traffic along that roadway. If Plantation Way were extended to Magnolia, this would create a 4-corner intersection.

We look forward to working with you as we proceed through our development review. If you have any questions, please contact me at 402-420-2950.

Sincerely,

Paula Dicero
Business Development Director

SNB MANAGEMENT CORPORATION
CHARLESTON HEIGHTS ADDITION

April 13, 2006

Mr. Marvin Krout
Lincoln - Lancaster County Planning Department
555 South 10th Street - Suite 213
Lincoln, Nebraska 68508

Dear Mr. Krout:

On behalf of Charleston Heights, LLC, owner and developer of Charleston Heights Addition, please accept this correspondence as supplemental information to the attached applications for CUP/Special Permit and Re-Zoning. We also request annexation of this property into the City of Lincoln. Charleston Heights Addition is located on the north side of Humphrey Avenue, between North 7th and North 14th Streets. The property abuts Lots 15 and 17 of Irregular Tracts to the north.

Property is legally described as:

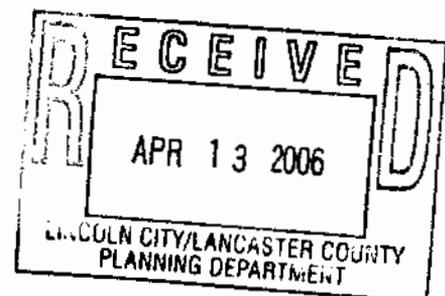
Lot 2 Irregular Tract, located in the Northeast Quarter of Section 35, Township 11 North, Range 6 East of the 6th Principal Meridian, Lancaster County, Nebraska.

The proposed development plan for 78.03 acres includes a shared development cost and revision of the design of Humphrey Avenue to the south with Hartland Homes. Presently Charleston Heights L.L.C. is working with ESP Engineering and Hartland Homes on the redesign of the western portion of Humphrey Avenue to better accommodate homes on some of the lots to the south and allow for sanitary sewer to run the full length of Humphrey. This will accommodate sanitary sewer service for North 7th and 8th Streets.

The developing of Charleston Heights Lane, in the northwest corner of the development will be at the expense of Charleston Heights L.L.C. and with the consent of the owners of Lot 17. Access to North 14th Street from Julesburg will take place when improvements are completed on North 14th Street.

This development contains a total of 350 lots, including 206 single family lots, 144 attached single family lots, and 9 outlots. These outlots will be used for drainage, detention, future lots, landscape irrigation sprinkler meters, green area and easements.

All new lots are designed for proposed R-3 zoning. These lots are compatible with the future land use map, designated as residential urban and existing land use to the south and east of the site.



The following waivers are requested for this plat:

- The Preliminary Plat process with the Special Permit for a Community Unit Plan to take its place.
- To grant the Planning Director authority to approve an Administrative Final Plat that conforms to the Special Permit for the Community Unit Plan.
- To grant the Planning Director authority to approve Administrative Final Plats even though there are public streets or private roadways.
- Development Standards for Minimum lot area requirements 26.23.140(a). Average lot area 27.15.040(a)(1). General area requirements for R-3 zoning 27.15.080(a). Townhouse units are designed for this subdivision to provide for adequate living space within a smaller lot area and still maintain setback requirements.
- Design Standard for Community Unit Plans, Chapter 3.35.1.4 Recreational Facilities. A future school and park is proposed for Lot 15, which is located directly north of Julesburg Drive, east of North 14th Street.
- Development Standards for Pedestrian easement for block length that exceeds one thousand feet 26.23.125. Intersections along North 13th Street and Magnolia Lane are restricted because of a detention cell on the south and North 14th Street to the east.
- Design Standard for Community Unit Plans Chapter 3.35.1.4 Recreational Facilities. A future school and park is proposed for Lot 15, which is located directly north of Julesburg Drive, east of North 14th Street.
- Design Standard for Sanitary Sewer 2.3.6 to allow the slope of the sanitary sewer to not run parallel with the slope of the street or finished grade in Humphrey Avenue to provide sanitary sewer coverage along North 7th Street and Humphrey Avenue. The profile of Humphrey was previously designed and approved by the City of Lincoln for Humphrey Avenue, resulting in a short distance of the sanitary running against grade at the east end of Humphrey Avenue before it connects into an existing manhole.



Contact information is as follows:

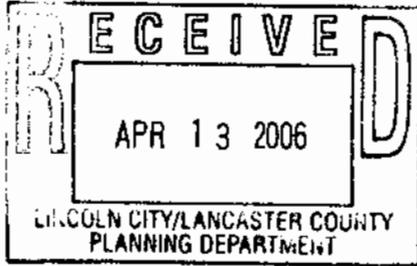
OWNER / DEVELOPER:

Charleston Heights, L.L.C.
Contact: Paula Dicero
1233 Infinity Court
Lincoln, NE 68512
Phone: 402-420-2950
Fax: 402-420-5268
Email: pdicero@fowlercustomhomes.com

ENGINEER / SURVEYOR

REGA Engineering Group, Inc.
Dan Rosenthal / Thomas B. Catlett, LS
4827 Pioneers Blvd., Suite A
Lincoln, NE 68506
Phone: 402-484-7342
Fax: 402-484-7344
email: dan@regaengineering.com
tcat@regaengineering.com

We look forward to working with you as we proceed through our development review. If you have any questions, please contact me at 402-420-2950.



Sincerely,

Paula Dicero

Paula Dicero
Business Development Director

Enc:

- List of neighbors
- Legal Description
- Zoning Application & Exhibit
- Ownership Certificate
- CUP/Special Permit Application
- Technical Checklist
- Check in the amount of \$3,120.00 for Application Fees
- 24 Copies of Site Plan
- 8 Sets of Cover Sheet, Survey, Utility, Storm & Drainage, Grading, Site Pavement, Profiles, Landscape Plans
- 1 8 1/2" x 11" Site Plan

LIST OF NEIGHBORS

Lincoln Public School District Lease Corporation
% LPS Director of Facilities
800 S. 24th Street
Lincoln, NE 68510

Douglas Parrott, E ET AL
10938 Lake Ridge Drive
Omaha, NE 68136

James R. & Vicki V. Christo
6945 N. 7th Street
Lincoln, NE 68521

Arwin L. & Annabelle L. Neemann
7001 N. 7th Street
Lincoln, NE 68521

Jim K. & Shandra Bescheinen
400 Humphrey Avenue
Lincoln, NE 68521

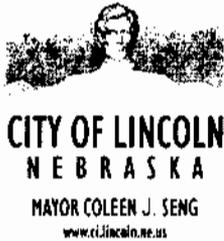
Bernie L. Malousek
6701 N. 7th Street
Lincoln, NE 68521

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

Timberline, L.L.C.
2045 Folsom Ave.
Lincoln, NE 68522

Orville E. & Deanna F. Barnes
7141 Whitewater Lane
Lincoln, NE 68521

Michael A Lammler & Melissa M. Ramos
7133 Whitewater Lane
Lincoln, NE 68521



**PUBLIC WORKS AND
UTILITIES DEPARTMENT**

Memorandum

Date: 4/26/2006

To: Joe Rexwinkle

From: Devin Biesecker

Subject: Charleston Heights

cc: Ben Higgins, Chad Blahak

Below are Watershed Management's comments for the Charleston Heights C.U.P. submitted April 17, 2006.

1. Off site drainage which drains toward the Charleston Heights CUP was not accounted for in the drainage study, grading or the stormwater system. As proposed, the drainage would pond at the northern boundary of the CUP and would not have an outlet to drain. The grading, drainage study and stormwater system must be revised taking into account the drainage from the north.
2. The drainage information submitted for the detention pond is insufficient. The times of concentration are very low resulting in higher than expected stormwater flows. The curve numbers shown also seem to be slightly higher than expected. Detailed calculations for the times of concentration and the curve number calculations must be submitted. Also, the stage, storage, discharge information must be submitted for the detention pond.
3. The 10 and 100 year flows from areas labeled A.1 and A.2 will not reach the detention area. The detention calculations must be revised to show this runoff not being detained. This may result in drainage modifications necessary to meet the City of Lincoln detention standard.
4. It appears that grading is taking place outside the boundary of the CUP. The boundary or grading must be changed so that its contained within the CUP or an agreement with the adjacent property owners for the offsite grading must be submitted.
5. A detail of the outlet structure of the detention pond must be submitted.

6. The grading plan must be revised to show the following. A minimum 2% slope which is required on the bottom of the detention area. Also, the detention pond embankment on the outlet structure side must have a minimum 4:1 slope and have a top width at least 14 feet.

Memorandum

To: Brian Will, Planning Department
From: Chad Blahak, Public Works and Utilities
Subject: Charleston Heights sp06030 and cz06026
Date: April 26, 2006
cc:

Engineering Services has reviewed the submitted plans for the Charleston Heights special permit, located north of Humphrey Avenue between North 7th Street and North 14th Street and has the following comments:

Sanitary Sewer - The proposed sanitary system is satisfactory.

(1.1) It should be noted that there may be required revisions to the site plan as a result of the drainage comments. Any such changes will need to be reflected on the utility plan.

(1.2) Public Works approve the requested waiver of design standards for construction sanitary sewer opposite of the street grade provided that minimum and maximum depths are not exceeded.

Water Main - The proposed water system is satisfactory.

(2.1) It should be noted that there may be required revisions to the site plan as a result of the drainage comments. Any such changes will need to be reflected on the utility plan.

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

(3.1) The proposed grading plan shows more than 20' of fill in some areas on the north side of the plat. This blocks more than 30 acres of land that drains to this plat. The proposed grading would require 20' deep storm sewer which is unsatisfactory. Information needs to be provided to the satisfaction of Public Works detailing how the applicant intends to address this drainage. Significant revisions to the street layout may be necessary. Consideration should be given to not moving this plat forward to Planning Commission until this issues is addressed as it may result in significant site plan changes.

(3.2) The proposed grading plan shows significant grading outside of the boundaries of this plat. Information needs to be provided showing the adjacent property owners are aware of and approve the grading shown on their respective properties.

(3.3) There is numerous areas along the north edge of this plat that the proposed grading shows blocking natural drainage paths. This plat assumes that the future development to the north will address these areas. This is unsatisfactory. This plat needs to be revised to address all the drainage paths for the interim time period to the satisfaction of Public Works.

(3.4) The grading and drainage plan shows no storm sewer proposed in the west and north end of Charleston Heights Lane. There is a significant drainage area to the north that drains to this portion of the street. Again it appears that this plat assumes that future development to the north will address this drainage. More detailed information will be required to determine if storm sewer is needed in this portion of the street.

(3.5) There are numerous areas on the grading plan that show lot drainage being directed to and running along the rear lot lines to the end of the block. This method of draining the lots nearly always results in drainage problems for a number of lots along the drainage path and for the lot or lots at the end of the block that all the drainage has to flow through. The grading plan should be revised to show all lots being graded such that the drainage is direct along the side lot lines of each lot. This ensures that the each lot is responsible for its own drainage and no single lot is stuck with dealing with the drainage for the whole block.

(3.6) Design standards require that a minimum of 2% grade needs to be shown in the detention cell. Revisions needs to be made accordingly.

(3.7) There is a significant portion of the drainage area labeled "APOST" that will bypass the detention cell but was assumed to reach the cell in the detention calculations. Revisions to the grading and drainage plan and detention calculations will need to made to correctly show the areas that reach the cell.

Streets/Paving - The following comments need to be addressed.

(4.1) The proposed changes to Humphrey Avenue will require amending the Hartland Garden Valley plat to the south. This amendment, administrative or otherwise, will need to be approved prior to or concurrently with the approval of this plat.

(4.2) It appears that a pedestrian connection or a street connection would be possible between Charleston Heights Lane and Magnolia lane near the proposed detention cell. The requested waiver of pedestrian easement for block length does not appear to be justified.

(4.3) Magnolia Court and Plantation Court need to be shown as 27' wide paving.

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. Any waivers not specifically requested do not have implied approval. If a waiver of design standards arises at the time of construction plans, Public Works reserves the right to deny such a waiver and require that the plans be revised accordingly.



"Sgt. Don Scheinost"
<lpd798@CJIS.CI.LINCOLN.
NE.US>

04/14/2006 12:45 PM

To Tom Cajka <TCajka@ci.lincoln.ne.us>

cc

bcc

Subject Charleston Heights Special Permit (CUP) # SP06030,
Change of Zone (PUD) CZ06026, Annexation # AN06007

Mr. Cajka,

The Lincoln Police Department has only one concern with the above mentioned project. The street name of "Willow Lane" is problematic. Currently, Lincoln has eight (8) streets that begin with the name "Willow". Two (2) additional streets, beginning with "Willow" are located in Lancaster County. Quite often, when individuals call 911 to report an emergency, the stress associated with a traumatic event can cause them to forget a portion of their location or address. With ten "Willow" streets already located in Lincoln/Lancaster County, we would request that the proposed street name of "Willow Lane", be changed.

Sergeant Don Scheinost, #798
Lincoln Police Department
Management Services
(402) 441-7215
lpd798@ciis.ci.lincoln.ne.us

INTER-DEPARTMENT COMMUNICATION



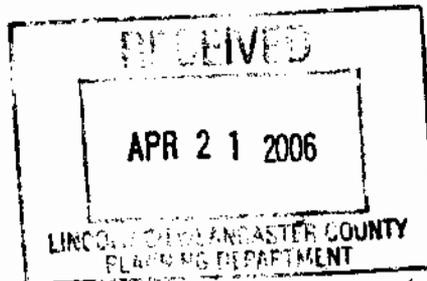
DATE April 21, 2006
TO: Tom Cajka, City Planning
FROM: Sharon Theobald (Ext. 7640) *ST*
SUBJECT: DEDICATED EASEMENTS
DN #70N-10E

AN# 06007
CZ# 06026
SP# 06030

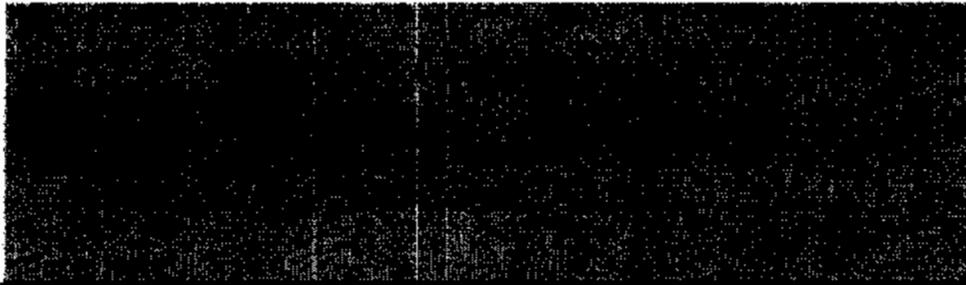
Attached is the Site Plan for Charleston Heights CUP – Special Permit.

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, along with blanket utility easements over all of the Outlots.



ST/ss
Attachment
c: Terry Wiebke
Easement File



Status of Review: Active

Reviewed By ANY

Comments:

Status of Review: Denied

04/17/2006 12:52:11 PM

Reviewed By 911 ANY

Comments: Following proposed names do NOT align with the existing streets. 1) Magnolia Ct and Ln with NW Magnolia Ct and 2) Palm Way with NW Palm Ct both generally located at N 1st and W Fairfield, 3) Willow Ln with Willow Ave running E-W off N 70th St btwn Adams and Fremont and 4) Plantation Way with Plantation Dr located south of S 34th and Old Cheney Rd.

Status of Review: Approved

Reviewed By Alltel ANY

Comments:

Status of Review: Active

Reviewed By Building & Safety ANY

Comments:

Status of Review: FYI

04/19/2006 2:45:50 PM

Reviewed By Building & Safety Terry Kathe

Comments: The street names;
Charleston Heights Pkwy is too close to Charleston Street.
Plantation has been used in Williamsburg Village

Status of Review: Approved

04/21/2006 3:30:44 PM

Reviewed By Fire Department ANY

Comments: We have no objections from the perspective of our department.

Status of Review: Approved

04/25/2006 2:03:25 PM

Reviewed By Health Department

ANY

Comments: LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT
INTER-OFFICE COMMUNICATION

TO: Tom Cajka DATE: April 25, 2006

DEPARTMENT: Planning FROM: Chris Schroeder
ATTENTION: DEPARTMENT: Health

CARBONS TO: EH File SUBJECT: Charleston Heights
EH Administration SP #06030 CZ #06026
AN #06007

The Lincoln-Lancaster County Health Department (LLCHD) has reviewed the proposed development with the following noted:

All wind and water erosion must be controlled during construction. The Lower Platte South Natural Resources District should be contacted for guidance in this matter.

During the construction process, the land owner(s) will be responsible for controlling off-site dust emissions in accordance with Lincoln-Lancaster County Air Pollution Regulations and Standards Article 2 Section 32. Dust control measures shall include, but not limited to application of water to roads, driveways, parking lots on site, site frontage and any adjacent business or residential frontage. Planting and maintenance of ground cover will also be incorporated as necessary.

Status of Review: Active

Reviewed By Lancaster County Sheriff Department

ANY

Comments:

Status of Review: Active

Reviewed By Law Department

ANY

Comments:

Status of Review: Active

Reviewed By Lincoln Electric System

JIM HENNESSY

Comments:

Status of Review: Active

Reviewed By Lincoln Police Department

DON SCHEINOST

Comments:

Status of Review: Active

Reviewed By Nebraska Department of Roads

ANY

Comments:

Status of Review: Active

Reviewed By Parks & Recreation

ANY

Comments:

Status of Review: Routed

Reviewed By Planning Department

COUNTER

Comments:

Status of Review: Complete

Reviewed By Planning Department

RAY HILL

Comments:

Status of Review: Active

Reviewed By Planning Department

PLANNER

Comments:

Status of Review: Active

Reviewed By Public Works - Development Services

ANY

Comments:

Status of Review: Active

Reviewed By Public Works - Long Range Planning

ANY

Comments:

Status of Review: Active

Reviewed By Public Works - Watershed Management

ANY

Comments:

Status of Review: Active

Reviewed By Rural Fire District

ANY

Comments:

Status of Review: Active

Reviewed By School District

ANY

Comments:

Status of Review: Active

Reviewed By US Post Office

ANY

Comments:
