

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

P.A.S.: Waiver of Design Standards #01011

DATE: June 27, 2001

PROPOSAL: Jim C. Hille is requesting waiver of design standards for street lights within Tallow Wood Addition

GENERAL INFORMATION:

APPLICANT: Jim C. Hille
6711 Jack Pine Court
Lincoln, NE 68516

LOCATION: Hickory Crest Road and Jack Pine Court

LEGAL DESCRIPTION: Tallow Wood Addition and Jack Pine Court, located in the SE1/4 of Section 9, T9N, R7E of the 6th P.M., Lincoln, Lancaster County, Nebraska.

SIZE: 4.9 acres, more or less

EXISTING ZONING: R-1 Residential

EXISTING LAND USE: Residential

SURROUNDING LAND USE AND ZONING: R-1 Residential to the north, west and east, with AGR Agricultural Residential to the south across Old Cheney Road. Existing single family residences are on Jack Pine Court and Hickory Crest Road.

COMPREHENSIVE PLAN SPECIFICATIONS: The Comprehensive Plan specifies this area as an urban residential.

HISTORY:

1979 This area was converted from A-A Rural and Public Use to R-1 Residential in the **1979 Zoning Update**.

June 3, 1996 City Council accepted Tallow Wood Preliminary Plat No. 96007, which created 4 lots on a cul-de-sac. At the same time, they approved Special Permit No. 1615 for the Tallow Wood Community Unit Plan.

- July 31, 1996** Planning Commission approved Tallow Wood Addition Final Plat No. 96028.
- Jan. 6, 1997** City Council changed the name of Tallow Wood Circle to Jack Pine Court.
- July 31, 1998** The date by which private street lights were required to be installed per the Subdivision Agreement accompanying the Tallow Wood Addition Final Plat. The improvements are nearly three years overdue.

SPECIFIC INFORMATION:

UTILITIES: Available

TRAFFIC ANALYSIS: Jack Pine Court is not shown in the Existing or Future Functional Street and Road Classification.

PUBLIC SERVICE: The closest fire station is #6, located at Highway 2 and S. 48th Street. The Comprehensive Plan proposes that this station be relocated to S. 70th Street and Pioneers Blvd.

ANALYSIS:

1. This application has come forward as a result of City Attorney work on overdue sureties. The applicant states that, due to pre-existing lighting conditions, the property owners on Jack Pine Circle find additional light objectionable. Lot 1, Tallow Wood Addition has two ornamental light poles located in the courtyard between the house and the garage. They provide bright, even illumination for the private property on Lot 1 but not for Jack Pine Court.
2. The sidewalk is located on the south side of Jack Pine Court and is poorly lit, especially in contrast with the brightly lit private property across the street. A key principle of Crime Prevention Through Environmental Design (CPTED) is to encourage natural surveillance - the placement of physical features, activities and people in such a way as to maximize visibility. This includes lighting public walkways.
3. The Public Works and Utilities Department reports, "the subdivision ordinance requires street lighting and Public Works cannot support the requested waiver."
4. The Police Department states that they would oppose this waiver: "...all subdivisions should be required to provide adequate lighting. We feel that well lit areas provide for a safer environment and also reduce crime. We understand that the current property

owners are asking for the waiver but we feel that public safety overrides property owners concerns.”

5. Hickory Crest Road in the adjacent subdivision has street lights. Tallow Wood Addition is similar in character to adjacent development and should provide the infrastructure improvements guaranteed in the Subdivision Agreement.

STAFF CONCLUSION:

1. The area is inside the city limits and should be developed at city standards in accordance with the City of Lincoln Design Standards.
2. This subdivision should be treated no differently than the adjacent development.
3. The developers should fulfil the commitments they made in the Subdivision Agreement for Tallow Wood Addition.
4. A waiver of the street light requirements in this urban residential subdivision would not promote health, safety and welfare.

STAFF RECOMMENDATION:

Denial

Prepared by:

Jason Reynolds
Planner

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Area of Application

68th St. Ct.

Bison Ct.

Pheasant Run Ln

Hickory Crest Cr.

Hickory Crest Cr.

Hickory Crest Rd.

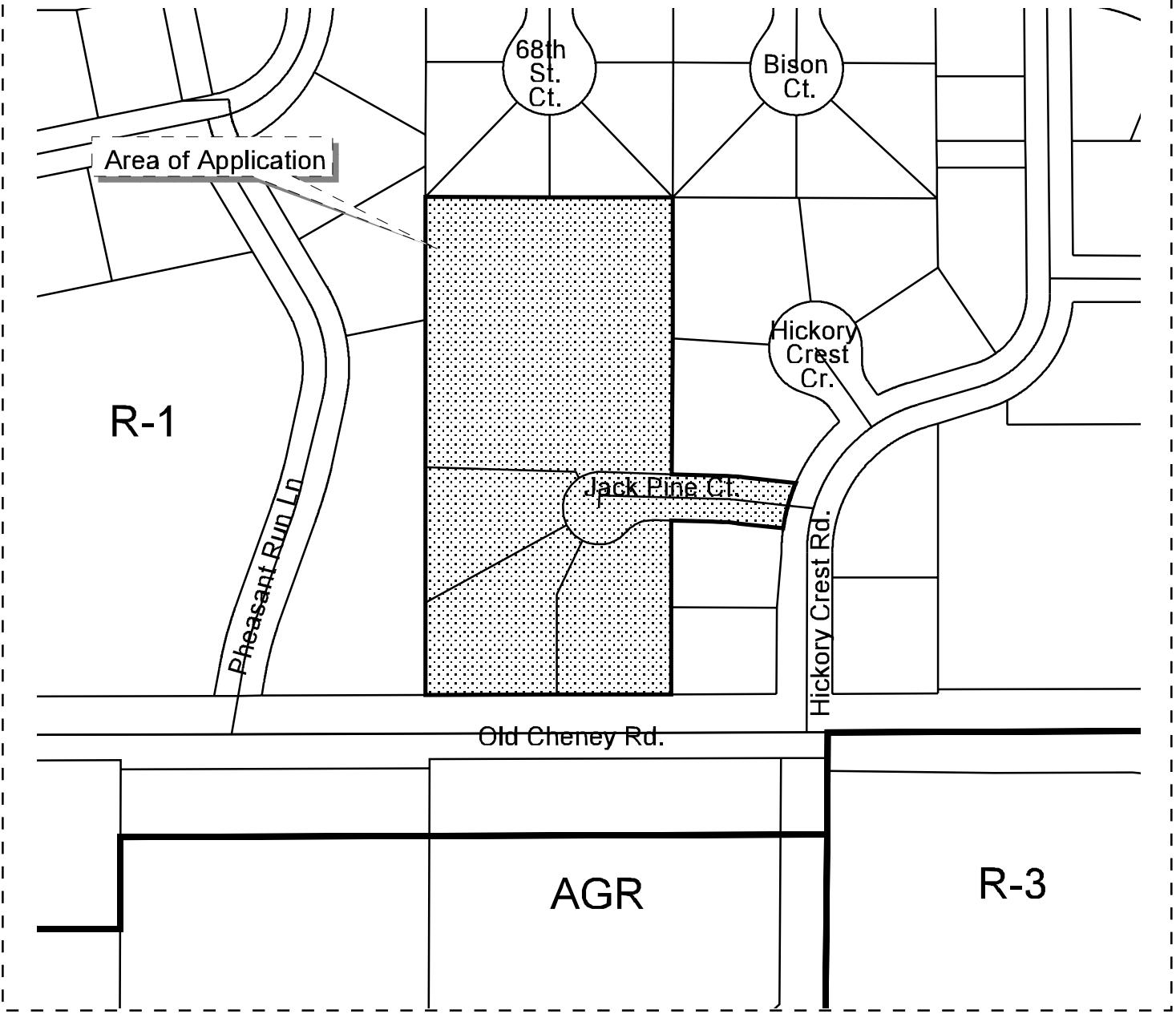
Old Cheney Rd.

**Waiver of Design Standards #01011
70th & Old Cheney Rd.**



Photograph Date: 1997

Lincoln City - Lancaster County Planning Dept.

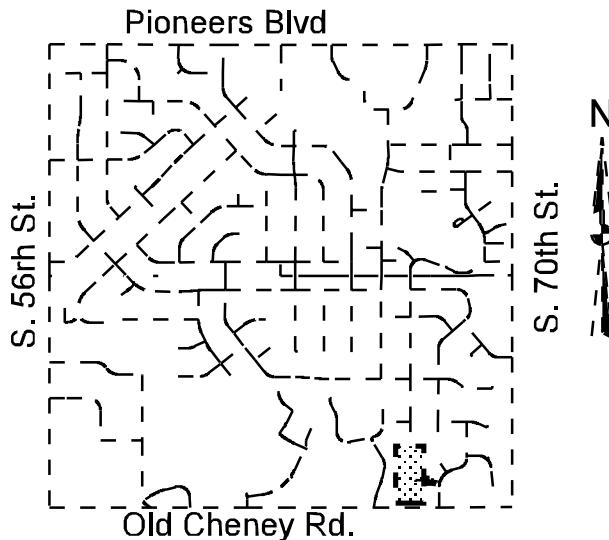


Waiver of Design Standards #01011 70th & Old Cheney Rd.

Zoning:

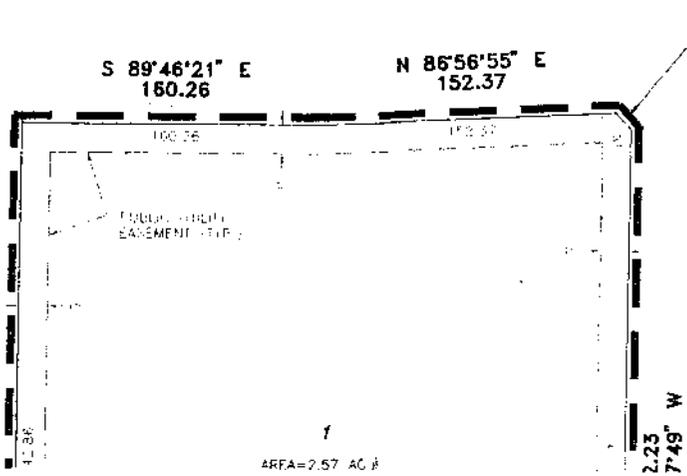
- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- R-C Residential Conservation District
- O-1 Office District
- O-2 Suburban Office District
- O-3 Office Park District
- R-T Residential Transition District
- B-1 Local Business District
- B-2 Planned 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. 9 T9N R7E

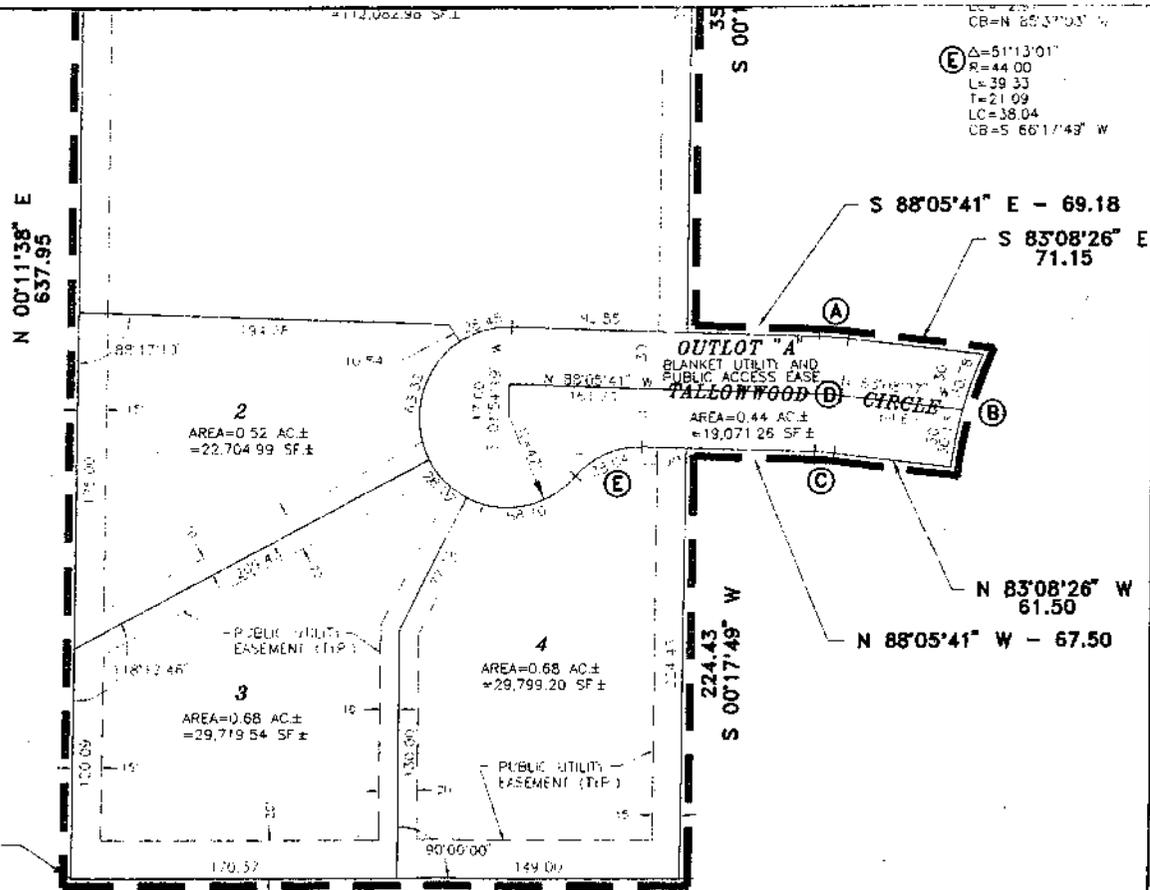


TALLOW WOOD ADDITION

FINAL PLAT



AREA=2.57 AC ±



AREA=0.52 AC ±
=22,704.99 SF ±

AREA=0.68 AC ±
=29,719.54 SF ±

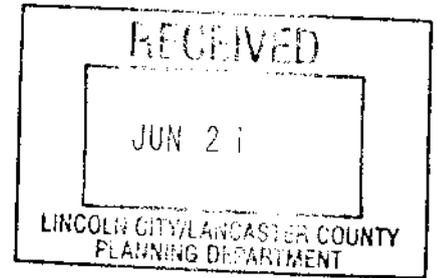
AREA=0.68 AC ±
=29,799.20 SF ±

AREA=0.44 AC ±
=19,071.25 SF ±

POINT OF BEGINNING

COMMENCING POINT
SW CORNER
SE 1/4, SE 1/4

M e m o r a n d u m



To: Jason Reynolds, Planning Department

From: Charles W. Baker, Public Works & Utilities *CB*

Subject: Waiver of Design Standards - Revision

Date: June 21, 2001

cc: Roger Figard, Nicole Fleck-Tooze

Public Works has reviewed the request of the Waiver of Design Standards for the elimination of the street light in Tallow Wood Court in Tallow Wood Addition north of Old Cheney Road at Hickory Crest Drive. The subdivision ordinance requires street lighting and Public Works cannot support the requested waiver.



MICHAEL WOOLMAN
<lpd737@CJIS.CI.LIN
COLN.NE.US >

To: Jason Reynolds <JReynolds@ci.lincoln.ne.us >
cc:
Subject:

06/21/2001 10:44
AM

Jason,

The Lincoln Police Department would oppose the Tallow Wood waiver of street light conditions. We feel that all sub divisions should be required to provide adequate lighting. We feel that well lit areas provide for a safer environment and also reduce crime. We understand that the current property owners are asking for the waiver but we feel public safety overrides property owners concerns.

Michael S. Woolman
Planning Sergeant
Lincoln Police Department

June 5, 2001

RECEIVED
JUN 06 2001
LAW DEPT.
DC9486

Nina Vejnovich
City of Lincoln Law Department
575 South 10th Street
Lincoln, NE 68508

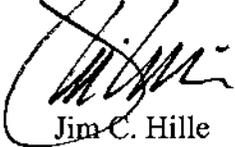
Re: Tallow Wood Addition

Dear Ms. Vejnovich:

Relating to Resolution No. PC-00302, the plat associated with Tallow Wood Addition, I have received a bid proposal for the street light as per the plat requirement. After reviewing the light location with the court property owners, they have unanimously asked that I pursue a waiver of the streetlight. Due to pre-existing lighting conditions, they find the additional light objectionable.

I have spoken with Rick Peo about this and he advised me that a waiver may be a possibility. To that end, I will be processing such a request.

Sincerely,



Jim C. Hille

Principals

John E. Sinclair
Jim C. Hille
JoAnne Kissel

Associate Principal

Daniel J. Grasso

Senior Associates

Christopher Beardslee
Gordon Hardle
Richard B. Toren

Associates

Kevin A. Clark
John F. Kay
Lizabeth A. Kuhlman