

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

P.A.S.: Special Permit #1901A
Vavik Ridge 1st C.U.P.

DATE: August 9, 2001

PROPOSAL: 22 units of elderly housing within a Community Unit Plan

WAIVER REQUEST: A modification of required front yard from 30 feet to 25 feet along S. 56th Street frontage; from 30 feet to 26 feet along the north side of Vavik Place on Lots 1 and 2, Block 1, and the east and west side of S. 55th Court; and the required front yard of 30 feet to 5 feet along the north side of Vavik Place on Lot 3, Block 1.

A modification of required side yard from 20 feet to 5 feet on all lots.

A modification on required rear yard from 20 percent of lot depth to 12 feet on Lots 1 through 8, Block 1, and to 20 feet on Lots 1 through 4, Block 2, and Lots 1 through 10, Block 3.

A modification on the 3 to 1 depth to width ratio on Lots 1 through 8, Block 1, Lots 1 through 4, Block 2, and Lots 1 through 10, Block 3.

A waiver of sidewalks along the east side of S. 55th Court south of Vavik Place.

A modification of sidewalk design standard of 4 feet between the sidewalk and the curb to 0 feet along both sides of S. 55th Court.

LAND AREA: 2.73 acres, more or less

CONCLUSION: This application corrects a previous oversight and adds 2.5 feet to the depth of four lots. Neither change significantly alters the conditions under which the Vavik Ridge C.U.P. and Preliminary Plat were approved.

<u>RECOMMENDATION:</u>	conditional approval
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GENERAL INFORMATION:

LEGAL DESCRIPTION: Vavik Ridge Addition, located in the NE quarter of Section 8, T9N, R7E of the 6th P. M., Lincoln, Lancaster County, Nebraska.

LOCATION: S. 56th Street and Elkcrest Dr.

APPLICANT: RLM, L.L.C.
2610 Park Blvd.
Lincoln, NE 68502

OWNER: RLM, L.L.C.

CONTACT: Brian D. Carstens
Brian D. Carstens & Associates
601 Old Cheney Road - Suite C
Lincoln, NE 68512

EXISTING ZONING: R-1 Residential with a C.U.P.

EXISTING LAND USE: Under development according to the Vavik Ridge C.U.P.

SURROUNDING LAND USE AND ZONING:

North:	R-2	Single family dwellings
South:	R-1	Single family dwellings
East:	R-1	Single family dwellings
West:	R-1	Single family dwellings

HISTORY: Changed from A-1 Residential to R-1 Residential during the 1979 Zoning Update.

June 11, 2001 City Council accepted the Vavik Ridge preliminary plat and approved the Community Unit Plan.

July 20, 2001 The Planning Director approved the Vavik Ridge Addition administrative final plat.

COMPREHENSIVE PLAN SPECIFICATIONS: Urban Residential

UTILITIES: Available

TOPOGRAPHY: Slopes gently from north to south

TRAFFIC ANALYSIS: S. 56th Street, which provides access to Vavik Ridge, is a principal arterial street.

PUBLIC SERVICE: Larson Park is located to the southwest of the proposed site. The closest fire station is located at 48th and Claire Ave.

REGIONAL ISSUES: Housing for the elderly

ENVIRONMENTAL CONCERNS: None apparent

AESTHETIC CONSIDERATIONS: None apparent

ALTERNATIVE USES: None apparent - it is currently under development according to the approved Preliminary Plat and Community Unit Plan.

ANALYSIS:

1. Review of the Vavik Ridge final plat determined that dimensions shown on the C.U.P. drawings did not match the setback waiver approved by City Council on Block 1, Lot 3. The applicant had requested a 26 foot front yard setback while the drawings showed an 18 foot setback from curb to the dwelling.
2. The applicant has requested a reduction in front yard from 30 feet to 18 feet on Block 1, Lot 3. While the distance from the curb to the dwelling is 18 feet, the distance from the lot line to the dwelling is 5 feet.
3. This application corrects a previous oversight and increases the depth of Block 1, Lots 1, 2, 7 and 8 by approximately 2.5 feet. Neither change significantly alters the circumstances under which this special permit was previously approved.

CONDITIONS:

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 Dimension setbacks as shown on the approved Vavik Ridge C.U.P.
 - 1.1.2 Revise Waiver 2 to state "5 feet" instead of "18 feet".
 - 1.1.3 Add "1st" to the title "Vavik Ridge".
 - 1.1.4 Delete "& Preliminary Plat #01001" from the title.
 - 1.1.5 Remove the Planning Commission approval block.
 - 1.1.6 Sign the Surveyor's Certificate.
 - 1.1.7 Change the "Acceptance:" block to "Approval:"
 - 1.1.8 Add "and along the north side of Vavik Place" to the end of Waiver #1.
 - 1.1.9 In Note #2, delete "& the proposed zoning is R-1".

2. This approval permits a Community Unit Plan with 22 dwelling units of elderly housing including 100 percent density bonus provided that the City Council also approves:
 - 2.1 A modification of required front yard from 30 feet to 25 feet along S. 56th Street frontage; from 30 feet to 26 feet along the north side of Vavik Place on Lots 1 and 2, Block 1 and the east and west side of S. 55th Court; and the required front yard of 30 feet to 5 feet along the north side of Vavik Place on Lot 3, Block 1.
 - 2.2 A modification of required side yard from 20 feet to 5 feet on all lots.
 - 2.3 A modification on required rear yard from 20 percent of lot depth to 12 feet on Lots 1 through 8, Block 1, and to 20 feet on Lots 1 through 4, Block 2, and Lots 1 through 10, Block 3.
 - 2.4 A modification on the 3 to 1 depth to width ratio on Lots 1 through 8, Block 1, Lots 1 through 4, Block 2, and Lots 1 through 10, Block 3.
 - 2.5 A waiver of sidewalks along the east side of S. 55th Court south of Vavik Place.
 - 2.6 A modification of sidewalk design standard of 4 feet between the sidewalk and the curb to 0 feet along both sides of S. 55th Court.

General:

3. Before receiving building permits:
 - 3.1 The permittee shall have submitted a revised and reproducible final plan including 5 copies to the Planning Department.
 - 3.2 The construction plans shall comply with the approved plans.
 - 3.3 Final Plats shall be approved by the City.
4. 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 vegetable ground cover will also be incorporated as necessary.

STANDARD CONDITIONS:

5. The following conditions are applicable to all requests:

- 5.1 Before occupying the dwelling units all development and construction shall have been completed in compliance with the approved plans.
- 5.2 All privately-owned improvements shall be permanently maintained by the owner or an appropriately established homeowners association approved by the City Attorney.
- 5.3 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.
- 5.4 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
- 5.5 The City Clerk shall file a copy of the resolution approving the permit and the letter of acceptance with the Register of Deeds. The Permittee shall pay the recording fee in advance.

Prepared by:

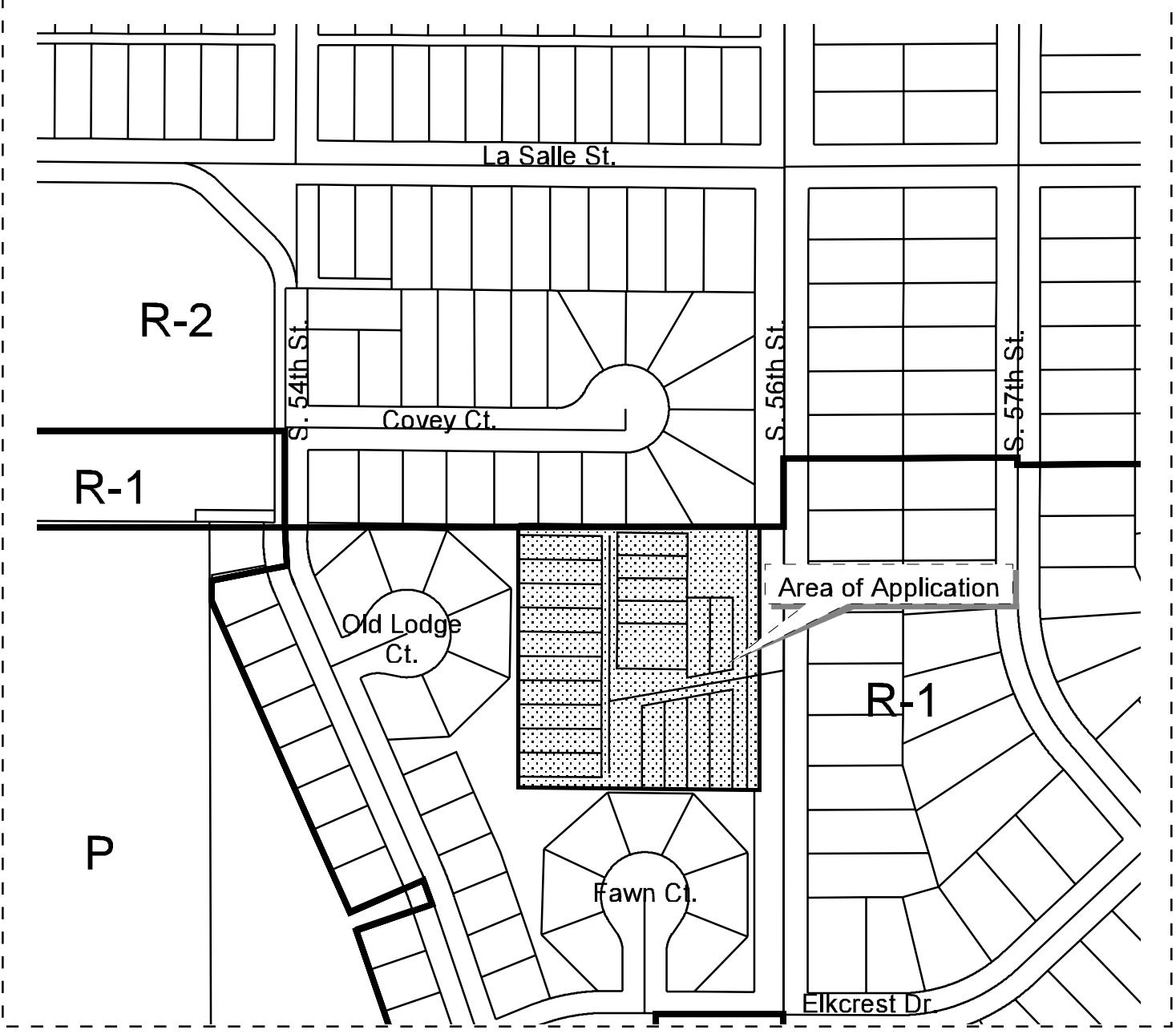
Jason Reynolds
Planner

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Special Permit #1901A
Vavik Ridge
56th & Elkcrest

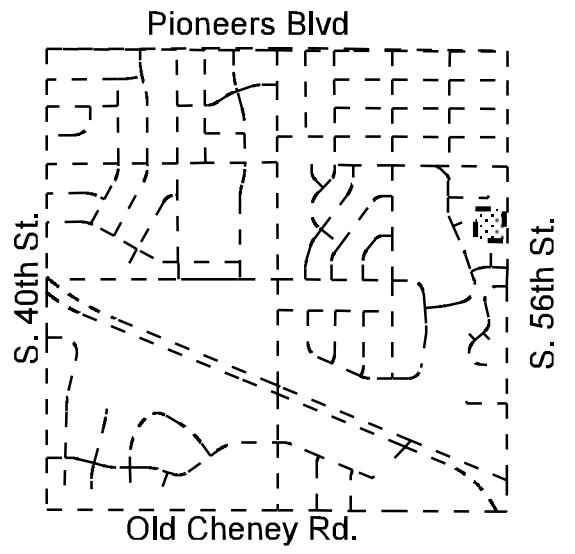




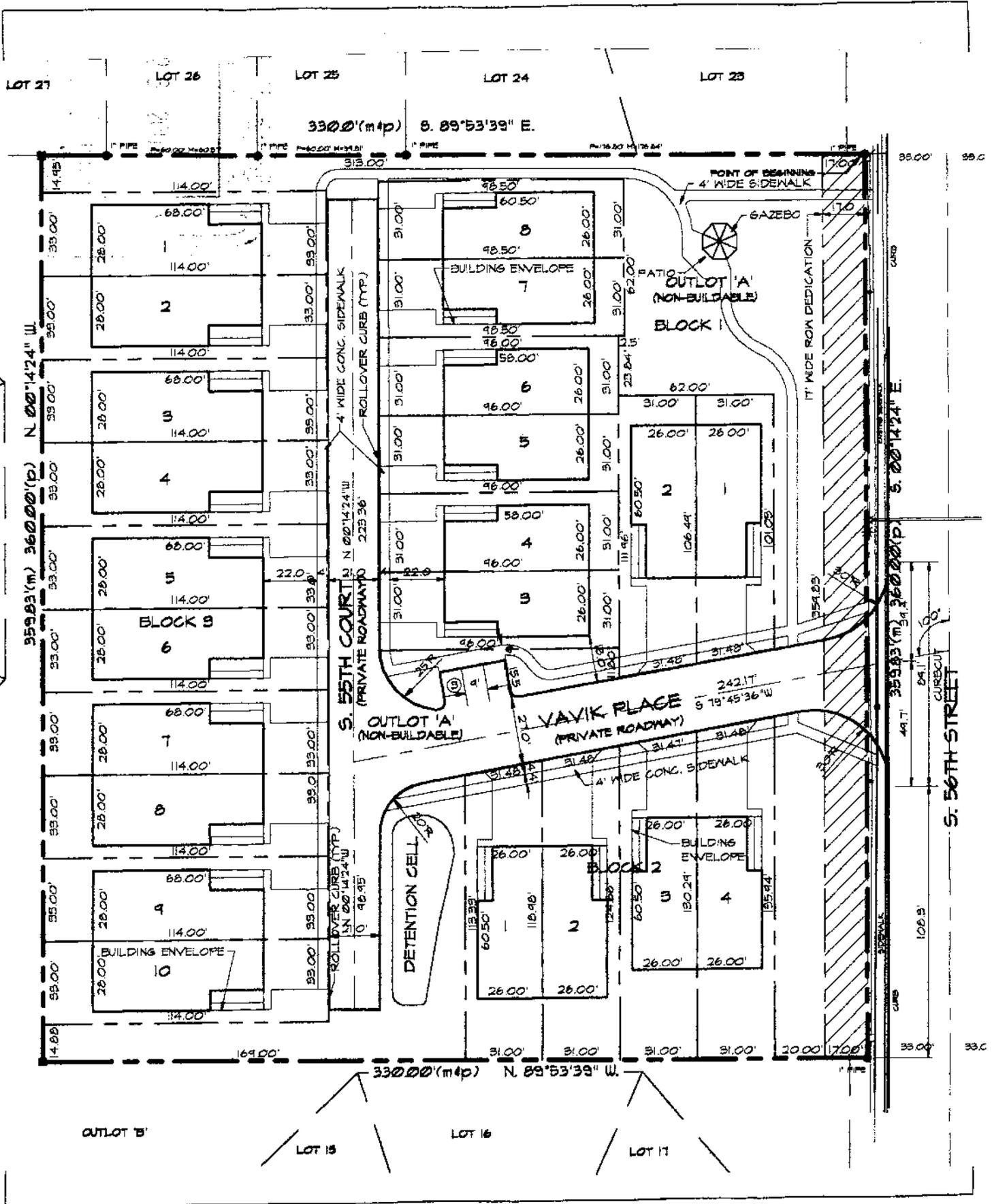
Special Permit #1901A
Vavik Ridge
56th & Elkcrest

- 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. 8 T9N R7E



Sheet ___ of ___



Date: 8-13-01



North

SECTION 2, TOWNSHIP 4 NORTH, RANGE 7 EAST OF THE 6TH P.M., LINCOLN, LANCASTER COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 126;
 THENCE ON THE EAST LINE OF SAID LOT 126, SAID LINE BEING THE WEST RIGHT OF WAY LINE OF SOUTH 56TH STREET, ON AN ASSUMED BEARING OF SOUTH 00 DEGREES, 14 MINUTES, 24 SECONDS EAST, FOR A DISTANCE OF 359.83 FEET, TO THE SOUTHEAST CORNER OF SAID LOT 126;
 THENCE ON THE SOUTH LINE OF SAID LOT 126, NORTH 89 DEGREES, 53 MINUTES, 39 SECONDS WEST, FOR A DISTANCE OF 330.00 FEET, TO THE SOUTHWEST CORNER OF SAID LOT 126;
 THENCE ON THE WEST LINE OF SAID LOT 126, NORTH 00 DEGREES, 14 MINUTES, 24 SECONDS WEST, FOR A DISTANCE 359.83 FEET, TO THE NORTHWEST CORNER OF SAID LOT 126;
 THENCE ON THE NORTH OF SAID LOT 126, SOUTH 89 DEGREES, 53 MINUTES, 39 SECONDS EAST, FOR A DISTANCE OF 330.00 FEET, TO THE POINT OF BEGINNING AND CONTAINING A CALCULATED AREA OF 110,741.98 S.F. OR 2.53 ACRES MORE OR LESS.

LOT 27

SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY THAT THIS BOUNDARY SURVEY WAS MADE UNDER MY SUPERVISION AND THAT I AM A LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF NEBRASKA.

DATE BILLY JOE KERR L.S. #483

GENERAL NOTES

1. THIS PRELIMINARY PLAT/ C.U.P. CONTAINS 22 BUILDABLE LOTS. (11 DUPLEX STRUCTURES).
2. THE CURRENT ZONING IS R-1 & THE PROPOSED ZONING IS R-1 WITH SPECIAL PERMIT FOR ELDERLY OR RETIREMENT UNITS WITH A 100% DENSITY BONUS.
3. ALL OF THE ELDERLY OR RETIREMENT HOUSING AND RELATED FACILITIES (INCLUDING BONUS UNITS) SHALL COMPLY WITH SECTION 2.1 (GENERAL STANDARDS) AND SECTION 2.2 (INDIVIDUAL UNIT STANDARDS) OF THE "DESIGN STANDARDS FOR DENSITY BONUSES" AS ADOPTED BY THE CITY COUNCIL.
4. THE MAXIMUM BUILDING HEIGHT SHALL NOT EXCEED 35 FEET.
5. THE DEVELOPER / OR OWNER RESERVES THE RIGHT TO BUILD ANYWHERE WITHIN THE BUILDING ENVELOPES SHOWN.
6. PUBLIC WATER AND PUBLIC SEWER LINES SHALL BE INSTALLED THROUGH EXECUTIVE ORDERS AND DESIGNED AS REQUIRED BY THE CITY OF LINCOLN.
7. ALL PRIVATE ROADWAYS SHALL BE 21 AND 21 FEET IN WIDTH (BACK TO BACK OF CURB), UNLESS OTHERWISE SPECIFIED, AND SHALL BE SURFACED WITH 6" OF PORTLAND CEMENT OR 5" OF PORTLAND CEMENT AND 2-1/2" OF ASPHALTIC CONCRETE SURFACE COURSE.
8. PUBLIC SIDEWALKS SHALL BE INSTALLED AS SHOWN ALONG PRIVATE ROADWAYS AND THE WEST SIDE OF S. 56TH STREET SIDEWALKS SHALL BE 4 FEET IN WIDTH AND SHALL BE 4" THICK, AND 5" THICK AT DRIVEWAY CROSSINGS.
9. ALL CURVILINEAR DIMENSIONS ARE CHORD LENGTHS.
10. COMMON AND PUBLIC ACCESS EASEMENTS ARE HEREBY GRANTED OVER ALL PRIVATE ROADWAYS AND SIDEWALKS SHOWN.
11. DIRECT VEHICULAR ACCESS TO S. 56TH STREET IS HEREBY RELINQUISHED EXCEPT AT VAVIK PLACE.
12. EXISTING TOPOGRAPHICAL CONTOURS ARE IN NORTH AMERICA VERTICAL DATUM (NAVD) 1988.
13. THE DEVELOPER AGREES TO COMPLY WITH THE DESIGN STANDARDS OF THE CITY OF LINCOLN FOR EROSION CONTROL AND SEDIMENTATION DURING AND AFTER LAND PREPARATION AND TO SUBMIT A SEEDING AND MAINTENANCE SCHEDULE BEFORE SITE GRADING IS DONE. THE DEVELOPER WILL BE RESPONSIBLE FOR CONTROLLING OFF-SITE DUST EMISSIONS IN ACCORDANCE WITH LINCOLN-LANCASTER COUNTY AIR POLLUTION REGULATIONS AND STANDARDS ARTICLE 2, SECTION 32.
14. ANY RELOCATION OF EXISTING FACILITIES WILL BE AT THE OWNER/DEVELOPER'S EXPENSE.
15. UNENCLOSED DECKS SHALL BE PERMITTED TO ENCR OACH INTO THE REQUIRED REAR YARD SETBACK BY A MAXIMUM OF 10 FEET. DECKS SHALL BE PROHIBITED ON THE REAR OF THE UNITS LOCATED ON LOTS 3, 4 & 5, BLOCK 1.
16. THE DEVELOPER/OWNER SHALL SCREEN THE THREE (3) PARKING STALLS AT THE REQUEST OF THE PROPERTY OWNER OF LOT 3, BLOCK 1.
17. STREET TREES ON THE PRIVATE STREETS SHALL BE PLANTED AT LEAST FIVE (5) FEET FROM THE BACK OF THE SIDEWALK.

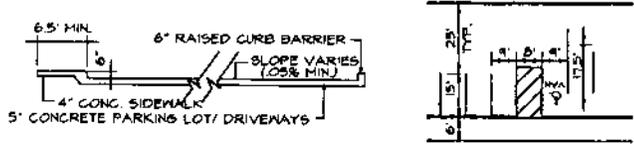
LOT 26

LOT 25

WAVIERS

1. REDUCE THE REQUIRED FRONT YARD FROM 30 FEET TO 25 FEET ALONG S. 56TH STREET AND TO 26 FEET ALONG THE EAST AND WEST SIDE OF S. 55TH COURT.
2. REDUCE THE REQUIRED FRONT YARD FROM 30 FEET TO 18 FEET ALONG THE NORTH SIDE OF VAVIK PLACE ON LOT 3, BLOCK 1.
3. REDUCE THE SIDE YARD FROM 20 FEET TO 5 FEET ON ALL LOTS.
4. REDUCE THE REAR YARD FROM THE LESSER OF 30 FEET OR 20 PERCENT OF LOT DEPTH TO 12 FEET ON LOTS 1 THROUGH 8, BLOCK 1, AND TO 20 FEET ON LOTS 1 THROUGH 4, BLOCK 2, AND LOTS 1 THROUGH 10, BLOCK 3.
5. A WAVIER OF LOTS NOT TO EXCEED A 3-TO-1 DEPTH TO WIDTH RATIO ON LOTS 1 THROUGH 8, BLOCK 1, LOTS 1 THROUGH 4, BLOCK 2 AND LOTS 1 THROUGH 10, BLOCK 3.
6. A WAVIER REQUIRING SIDEWALKS ON THE EAST SIDE OF S. 55TH COURT SOUTH OF VAVIK PLACE.
7. A MODIFICATION TO REDUCE THE REQUIRED 4 FEET BETWEEN THE CURB AND SIDEWALK TO 0 FEET ON BOTH SIDES OF S. 55TH COURT.

LOT 24



TYPICAL PARKING LOT DETAILS
NO SCALE

DENSITY CALCULATION:

BEYOND 150' - 35,564.40 S.F.	
	X 0.80
	28,451.52 S.F.
WITHIN 150' - 77,060.45 S.F.	
	77,060.45 S.F.
	+ 28,451.52 S.F.
	105,511.97 S.F.
	/ 9,000 S.F. (R-1)
	11.7
	X 2 (DENSITY BONUS)
	23.4
	23 UNITS

LOT 23

LEGEND

= PLATTED DISTANCE OHL = OVERHEAD UTILITY LINES

OWNERS OF RECORD:

RLM, L.L.C.
2610 PARK BLVD.
LINCOLN, NE 68502 (402) 435-3550

DEVELOPER:

MICHAEL THOMALLA
WOODS BROS REALTY SOUTHPOINTE
7100 S. 24TH STREET
LINCOLN, NE 68516 (402) 436-3600

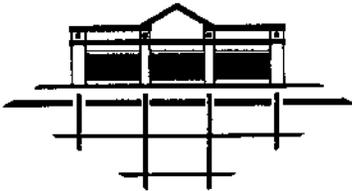
MARTY FORTNEY
REGAL BUILDING SYSTEMS, INC.
2610 PARK BLVD.
LINCOLN, NE 68502 (402) 435-3550

LARRY CORBETT
WOODS BROS REALTY LINCOLNSHIRE
7141 "A" STREET
LINCOLN, NE 68510

PETITIONER:

BRIAN D. CARSTENS
BRIAN D. CARSTENS & ASSOCIATES
601 OLD CHENEY ROAD, SUITE 'C'
LINCOLN, NE 68512 (402) 434-2424

ENGINEER:



BRIAN D. CARSTENS AND ASSOCIATES
LAND USE PLANNING RESIDENTIAL & COMMERCIAL DESIGN
601 Old Cheney Road, Suite C Lincoln, NE 68512 Phone: 402.434.2424

July 26, 2001

Ms. Kathleen A. Sellman, AICP
Director of Planning
City of Lincoln/ Lancaster County
555 South 10th Street
Lincoln, NE 68508

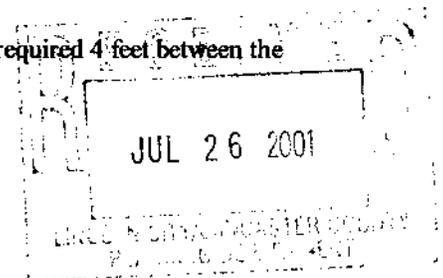
RE: SPECIAL PERMIT NO. 1901A
VAVIK RIDGE

Dear Kathleen,

On behalf of the owners of RLM, LLC we are submitting an Amendment to Vavik Ridge to request an additional wavier of the required front yard setback along Vavik Place from 30 feet to 18 feet on Lot 3, Block 1. This wavier was not specifically requested in our previous submittal, but was clearly dimensioned on the site plan. Along with making this change we are also increased the building envelope by 2.5 feet on lots 1, 2, 7 & 8 of Block 1 and Lots 1 through 4 of Block 2. We have also increased the lot dept of lots 1, 2, 7 & 8 by 2.5 feet.

The following are a list of requested waivers that were previously approved by the City Council and should be re-approved with this application:

- a. A modification of Section 27.11.080(a) of the Lincoln Municipal Code to reduce the required front yard from 30 feet to 25 feet along S. 56th Street and to 26 feet along the north side of Vavik Place and the east and west side of S. 55th Court.
- b. A modification of Section 27.11.080(a) of the Lincoln Municipal Code to reduce the required side yard from 20 feet to 5 feet on all lots.
- c. A modification of Section 27.11.080(a) of the Lincoln Municipal Code to reduce the required rear yard from the lesser of 30 feet or 20 percent of the lot depth of 12 feet on Lots 1 through 8, Block 1, and to 20 feet on Lots 1 through 4, Block 2, and Lots 1 through 10, Block 3.
- d. A wavier of Section 26.23.140(a) of the Lincoln Municipal Code requiring lots not to exceed a 3-to-1 depth to width ratio on Lots 1 through 8, Block 1, Lots 1 through 4, Block 2, and Lots 1 through 10, Block 3.
- e. A wavier of Section 26.23.095 of the Lincoln Municipal Code requiring sidewalks on the east side of S. 55th Court south of Vavik Place.
- f. A modification of City of Lincoln Design Standards to reduce the required 4 feet between the curb and sidewalk to 0 feet on both sides of S. 55th Court.

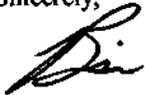


We are requesting that these waivers remain in place but however revise letter (a) to state the following:

- a. A modification of Section 27.11.080(a) of the Lincoln Municipal Code to reduce the required front yard from 30 feet to 25 feet along the east and west side of S. 55th Court and the required front yard of 30 feet to 18 feet along the north side of Vavik Ridge on Lot 3, Block 1.

No other changes are requested at this time. Please contact me if you have any further questions.

Sincerely,

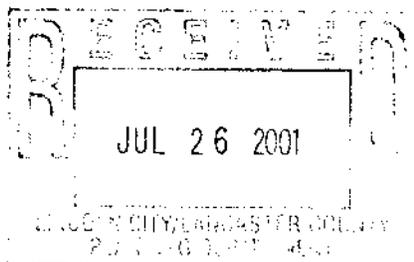


Brian D. Carstens

cc. Marty Fortney
Mike Thomalla
Larry Corbet

ENCLOSURES:

16 copies of sheet 1 of 5
8 copies of sheets 2 through 5
8-1/2" x 11" reductions of the plans





INTER-DEPARTMENT COMMUNICATION

TO Jason Reynolds, City Planning
SUBJECT DEDICATED EASEMENTS
DN #49S-55E

DATE August 6, 2001

FROM Sharon Theobald
(Ext. 7640)

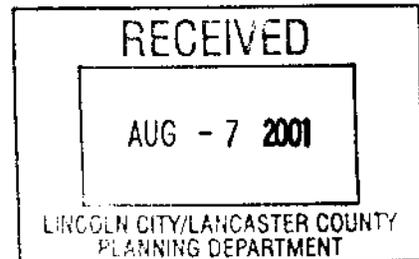
Attached is the Subdivision Plat for Vavik Ridge.

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 easements as shown on the Administrative Final Plat. No additional easements will be required.

It should be noted, any relocation of existing facilities will be at the owner/developer's expense.

Sharon Theobald



ST/ss
Attachment
c: Terry Wiebke
Easement File

City of Lincoln, Nebraska

IMPORTANT

All revisions to plans must include Building Permit # and Job Address.

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 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.

Plan Review Comments

Permit # **DRF01080**

Address

Job Description: **VAVIK RIDGE 1901B**

Location: **VAVIK RIDGFE 1901B**

Special Permit: **N**

Preliminary Plat: **N**

Use Permit: **N**

CUP/PUD: **N**

Requested By: **JASON REYNOLDS**

Status of Review: **Approved**

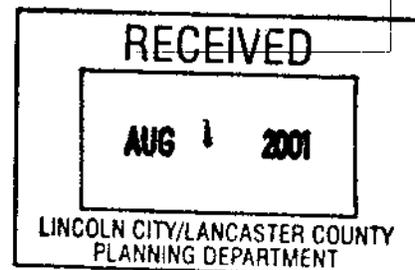
Reviewer: **FIRE PREVENTION/LIFE SAFETY CODE**

BOB FIEDLER

Comments:

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

- 1997 Uniform Building 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
- 1997 Uniform Fire Code and Local Amendments
- Applicable NFPA National Fire Code Standards



M e m o r a n d u m

To: Jason Reynolds, Planning Department

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

Subject: Vavik Ridge Special Permit # 1901B

Date: August 6, 2001

cc: Roger Figard
Nicole Fleck-Tooze

The City Engineer's Office of the Department of Public Works and Utilities has reviewed the request for the reduction of the front yard setback along Vavik Place and has no objections.



Memo

To: Jason Reynolds, Planning Department
From: Mark Canney, Parks & Recreation
Date: August 2, 2001
Re: Vanik Ridge 1901B

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

1. Adequate outdoor space is available and requires no additional formal recreational space to be developed. However, consideration should be given to developing a basketball court located at the end of the dead end private roadway of S. 55th Court.

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