

# LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

## FEBRUARY 14, 2007 PLANNING COMMISSION MEETING

**PROJECT #:** Annexation #07001

**PROPOSAL:** To annex approximately 122.2 acres of land.

**LOCATION:** Generally located at N. 98<sup>th</sup> Street and O Street

**LAND AREA:** 122.2 acres

**CONCLUSION:** This area is included in a previous annexation agreement for Waterford Estates. This request conforms with the 2030 Comprehensive Plan.

<b><u>RECOMMENDATION:</u></b>	Conditional Approval
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### **GENERAL INFORMATION:**

**LEGAL DESCRIPTION:** See attached.

**EXISTING ZONING:** AG

**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

### **COMPREHENSIVE PLAN SPECIFICATIONS:**

**Page 154** - Annexation policy:

- ! Land which is remote from the limits of the City of Lincoln will not be annexed; land which is contiguous and generally urban in character may be annexed; and land which is engulfed by the City should be annexed.
  
- ! Annexation generally implies the opportunity to access all City services. Voluntary annexation agreements may limit or otherwise outline the phasing, timing or installation of utility services (i.e., water, sanitary sewer) and may include specific or general plans for the private financing of improvements to the infrastructure supporting or contributing to the land uses in the annexed area.

- ! Plans for the provision of services within the areas considered for annexation should be carefully coordinated with the Capital Improvements Program of the city and the county.

**Page 9** - Overall Form - Maximize the community's present infrastructure investment by planning for residential and commercial development in areas with available capacity. This can be accomplished in many ways including encouraging appropriate new development on unused land in older neighborhoods, and encouraging a greater amount of commercial space per acre and more dwelling units per acre in new neighborhoods.

Natural and environmentally sensitive areas should be preserved within neighborhoods. Conservation areas and open lands should be used to define and connect different neighborhoods.

Streams, trees, open space, and other environmentally sensitive features should be preserved within new development as design standards allow. The natural topography and features of the land should be preserved by new development to maintain the natural drainageways and minimize land disturbance.

Parks, recreation, and open space corridors should be connected. Salt Creek Heritage Greenway should begin at Wilderness Park and be extended to the south. Natural and environmentally sensitive areas should be preserved along Interstate 80 and Little Salt Creek to the north, and a new "green space" should be developed along Stevens Creek to the east. Care should be taken that adequate future crossings of such corridors for roads, utilities, and other community facilities are ensured.

**Page 19**- This site is designated for urban residential uses, commercial uses, green space, environmental resources, and lakes and streams in the Land Use Plan.

**Page 21** - Urban Growth Tiers - This site is in Tier 1, Priority Area A of the City's Future Service Limit.

**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.

**ASSOCIATED REQUEST:**

- Annexation #07001
- Change of Zone #07002
- Special Permit (Community Unit Plan) #07001

**SPECIFIC INFORMATION:**

**UTILITIES & SERVICES:**

- A. **Sanitary Sewer:** Sewerage for this development will have to be temporarily transferred from one basin to another with a lift station and a force main as per the previous annexation agreement.
- B. **Water:** Water will be provided as per previous annexation agreement.
- C. **Roads:** The 2030 Comprehensive Plan shows O Street as a principal arterial and N. 98<sup>th</sup> Street as a minor arterial. The impact of future residential and commercial development north of O Street between N. 84<sup>th</sup> and N. 104<sup>th</sup> 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.
- D. **Parks and Trails:** The 2030 Comprehensive Plan and the Waterford Estates 1<sup>st</sup> Addition show a bike trail through this area.
- E. **Fire Protection:** The nearest City fire station is located at 2201 S. 84<sup>th</sup> Street. There is a rural fire station near the intersection of N. 84<sup>th</sup> Street and Holdrege Street.

**ANALYSIS:**

- 1. The proposed annexation is generally consistent with the City's annexation policies.
- 2. The proposed annexation area is contiguous to the City limits and is shown as urban residential and commercial on the Land Use Plan in the 2030 Comprehensive Plan.
- 3. The area is shown within the "Future Service Limit" of the 2030 Comprehensive Plan.
- 4. Public Works recommends that the portion of the annexation that is adjacent to the Highway 34 (O Street) right of way be reduced to include only the width of the future 104<sup>th</sup> Street right of way.

**CONDITIONS:**

The annexation that is adjacent to Highway 34 (O Street) be reduced to include only the width of the future right of way of N. 104<sup>th</sup> Street.

Prepared by:

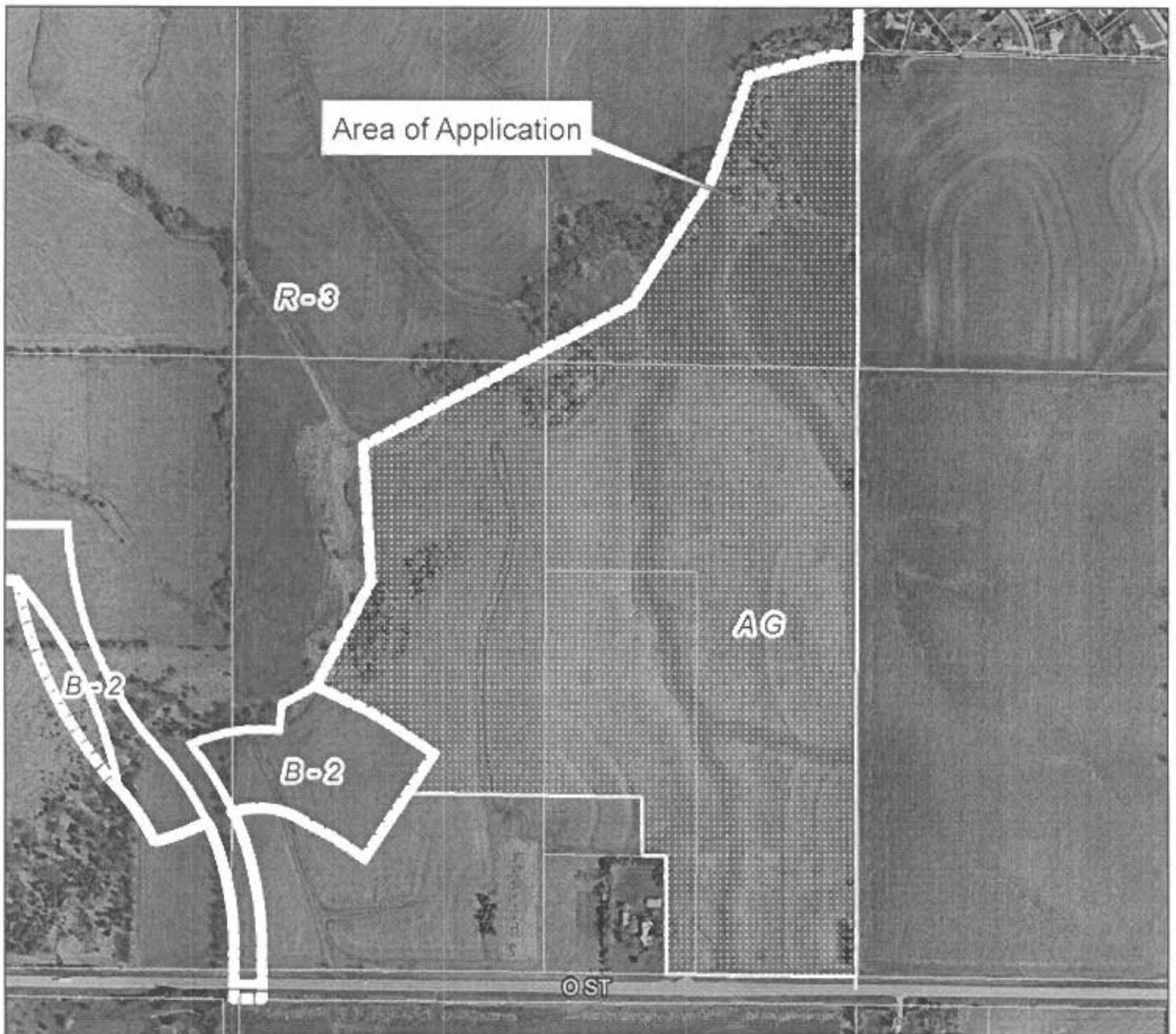
Brandon M. Garrett, AICP  
[bgarrett@lincoln.ne.gov](mailto:bgarrett@lincoln.ne.gov), 441-6373  
Planner

**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

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



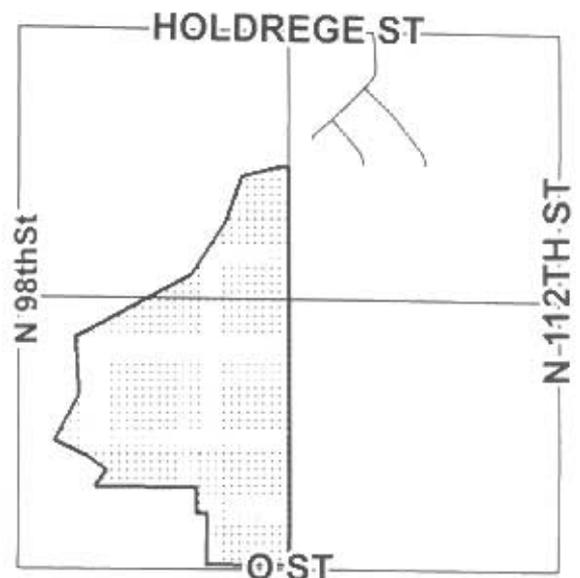
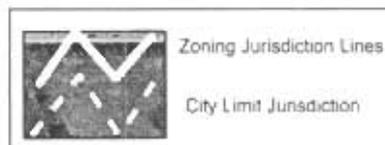
2005 aerial

## Annexation # 07001 98th & 'O' Sts.

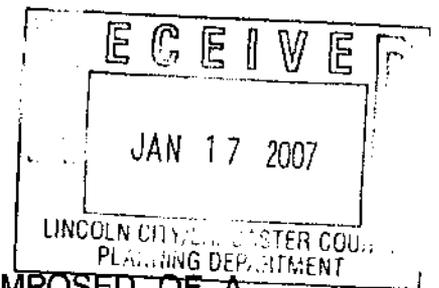
### Zoning:

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



**LEGAL DESCRIPTION  
ANNEXATION**



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, AND A PORTION OF LOT 8 I.T., ALL LOCATED IN THE ST 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 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., 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 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 SOUTH 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 A POINT, 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 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 NORTHWEST 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 OF SAID SECTION 24, THENCE SOUTH 00 DEGREES 10 MINUTES 10 SECONDS WEST ALONG THE EAST LINE OF THE NORTH HALF OF SAID 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 5,322,972.95 SQUARE FEET OR 122.20 ACRES, MORE OR LESS.

Tuesday, January 16, 2007

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# Memorandum

To: Brian Will, Planning Department

From: Chad Blahak, Public Works and Utilities  
Dennis Bartels Public Works and Utilities

Subject: Waterford Estates 1<sup>st</sup> Addition pp07001, sp07001, an07001, cz07002

Date: January 30, 2007

cc: Randy Hoskins

Engineering Services has reviewed the submitted plans for the Waterford Estates 1<sup>st</sup> Addition, located at 98th Street north of O Street and has the following comments:

**Sanitary Sewer** – The following comments need to be addressed.

(1.1) The 30" trunk sewer alignment north of south shore drive needs to be further coordinated with the Wastewater Department. It appears that the sewer is shown to be constructed in various fill slopes for the dam structure and lake edge.

**Water Main** – The water system is satisfactory.

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

(3.1) Minimum openings need to be shown for Lots 99-101 Block 5 as the back onto the outlet channel for the NRD dam structure.

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

(4.1) Lots 93-98 in Block 5 should not be platted as buildable lots as they take access of partial ROW in 104<sup>th</sup> Street. Lot 98 may be able to take access off of Crescent Moon Drive.

(4.2) The proposed future road shown in to the east of the CUP does not appear to adequately address the intent of the block length requirement. The street location shown creates a narrow strip of land with questionable uses.

(4.3) North 104<sup>th</sup> Street is a half mile line road and is proposed to be a future full median break with a traffic signal when warranted at O Street. The site plan should be revised to show collector width paving and ROW for 104<sup>th</sup> Street from O Street to Boathouse Road.

(4.4) The left turn lane shown in Boathouse Road at the intersection with 98<sup>th</sup> Street does not appear to

match the required length shown in the traffic study provided to Public Works. The site plan needs to be revised to show the required storage length.

(4.5) Although the traffic study was not officially part of this submittal, it was provided to Public Works and reviewed in conjunction with the applicants application to NDOR for the break of access for various street connections to O Street. Most of the information provided in the study is not directly applicable to this preliminary plat and CUP. However, much of the results will have significant impact on any further development in the area, especially the commercial portions. For the 2030 full build out scenario, the study shows the need for triple eastbound left turn lanes in O Street at 95<sup>th</sup> and 98<sup>th</sup> Streets. The ROW shown in Waterford Estates Addition for 98<sup>th</sup> Street does not accommodate these lane requirements. The study also shows the need for triple left turn lanes in all directions for the intersection of 84<sup>th</sup> and O Street for the 2030 full build out. It is the recommendation of Public Works that the issues raised by this study and the fact that the NDOR Hwy 34 (O Street) project has been pushed back further need to be further analyzed and worked out prior to any further development in the Waterford Estates area. Also, if the any of the access points requested are not granted by NDOR, the street patterns and characteristics in this plat may need to be significantly revised.

**Annexation** – The following comments need to be addressed.

(5.1) Public Works recommends that the portion of the annexation boundary that is adjacent to the Hwy 34 ROW be revised to include the area of the future ROW only.

**General** – The conditional approval of this plat does not imply approval of any Design Standard waivers not specifically requested with this application. Any waiver of design standards not specifically addressed with this application will be subject to the review and approval of Public Works.

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.