

## **FACTSHEET**

**TITLE:** **PRELIMINARY PLAT NO. 02025, Hub Hall Heights**, requested by Hubert H. Hall, for 356 lots and 5 outlots, with waiver requests to exceed block lengths and to allow double frontage lots, on property generally located northeast of N.W. 48<sup>th</sup> Street and W. Holdrege Street.

**SPONSOR:** Planning Department

**BOARD/COMMITTEE:** Planning Commission  
Public Hearing: 02/05/03 and 02/19/03  
Administrative Action: 02/19/03

**STAFF RECOMMENDATION:** Conditional Approval

**RECOMMENDATION:** Conditional Approval, with amendments (6-0: Newman, Carlson, Taylor, Bills-Strand, Duvall and Schwinn voting 'yes'; Krieser, Larson and Steward absent).

**ASSOCIATED REQUESTS:** Annexation No. 02010 (03-70); Change of Zone No. 3390 (03-71); and Special Permit No. 1995, Hub Hall Heights Community Unit Plan (03R-108).

**FINDINGS OF FACT:**

1. This proposed preliminary plat for 356 lots and 5 outlots on approximately 142 acres, and the associated annexation, change of zone and community unit plan were heard at the same time before the Planning Commission.
2. The staff recommendation of conditional approval is based upon the "Analysis" as set forth on p.10-11, concluding that with conditions, the proposal is in conformance with the Comprehensive Plan. The developer is required to contribute toward the paving of and the cost of the water main in N.W. 48<sup>th</sup> Street as part of the annexation.
3. The public hearing was continued for two weeks in an effort to work with an adjacent property owner regarding the extension of N.W. 40<sup>th</sup> Street to the north (See p.41-42).
4. The applicant's testimony is found on p.17-18, including proposed amendments to the conditions of approval in response to the concerns raised by Barbara and Martin Erickson regarding the extension of N.W. 40<sup>th</sup> Street to the north. The applicant at the initial hearing requested to add Condition #1.1.26, "Delete the future extension of N.W. 40<sup>th</sup> Street north of W. Holdrege Street." The applicant also requested to delete Condition #1.1.9, which requires the extension of W. Faesy Place north to No. 44<sup>th</sup> Street.
5. Testimony by the owner abutting on the east in opposition to the extension of N.W. 40<sup>th</sup> Street to the north is found on p.18. (Also see p.41).
6. The Planning Commission discussion with staff regarding the extension of N.W. 40<sup>th</sup> Street is found on p.18-20.
7. On February 19, 2003, the Planning Commission agreed with the staff recommendation and voted 6-0 to recommend conditional approval, as set forth in the staff report dated January 22, 2003, with amendments deleting Condition #1.1.9 and adding Condition #1.1.26 such that the dedication of the right-of-way would only be triggered at the request of the adjoining property owner, the specific language to be drafted by staff. Condition #1.1.26 states: Add a note on the plat and/or annexation agreement that the future dedication of N.W. 40<sup>th</sup> Street north of West Holdrege Street shall be contingent on request by the adjoining property owner to utilize it in order to facilitate subdivision of that property, and that the owner agrees to sign petitions for paving and street lighting and to not object to assessment districts for sanitary sewer, sidewalks and water construction.
8. On February 21, 2003, a letter reflecting the action of the Planning Commission and the revised conditions of approval was mailed to the applicant (p.12-7).
9. The Site Specific conditions of approval required to be completed prior to scheduling this application on the City Council agenda have been satisfied.
10. **Please Note:** The staff revised the conditions of approval on February 3, 2003 (p.38-40) in response to comments from the Lincoln Airport Authority. Condition #1.1.26 (now #1.1.27) and Condition #3.2.14 became part of the staff recommendation which was recommended by the Planning Commission; however, these conditions were inadvertently omitted from the staff report "As Revised by Planning Commission: 2/19/03" and should be made a part of the resolution approving this preliminary plat.

**FACTSHEET PREPARED BY:** Jean L. Walker

**DATE:** April 22, 2003

**REVIEWED BY:** \_\_\_\_\_

**DATE:** April 22, 2003

**REFERENCE NUMBER:** FS\CC\2003\PP.02025 Hub Hall Heights

February 21, 2003

Lyle L. Loth  
Engineering Surveying and Planning  
601 Old Cheney Road, Suite A  
Lincoln, NE 68512

and

Brian D. Carstens  
Brian D. Carstens and Associates  
601 Old Cheney Road, Suite C  
Lincoln, NE 68512

Re: Preliminary Plat No. 02025  
HUB HALL HEIGHTS

Dear Mr. Loth and Mr. Carstens:

At its regular meeting on Wednesday, **February 19, 2003**, the Lincoln-Lancaster County Planning Commission granted approval to your preliminary plat, **Hub Hall Heights**, located in the general vicinity of **northeast of NW 48<sup>th</sup> and W. Holdrege Streets**, subject to the following conditions:

Site Specific:

1. After the subdivider completes the following instructions and submits the documents and plans and 6 copies to the Planning Department office, the preliminary plat will be scheduled on the City Council's agenda: (NOTE: These documents and plans are required by ordinance or design standards.)
  - 1.1 Revise the preliminary plat to show:
    - 1.1.1 The culvert in N.W. 48th Street to the satisfaction of the Public Works & Utilities Department.
    - 1.1.2 The sanitary sewer in the northeast corner of the plat to the satisfaction of the Public Works & Utilities Department.
    - 1.1.3 Sanitary sewer extended to the property lines at drainage basin entry points to the satisfaction of the Public Works & Utilities Department.
    - 1.1.4 An alternate location for the pedestrian easement in Block 12 leading to the multifamily area.

- 1.1.5 Sanitary sewer to serve the multifamily area to the satisfaction of the Public Works & Utilities Department.
- 1.1.6 Grading in NW 41<sup>st</sup> Court, W. Faesy and NW 47<sup>th</sup> Streets to the satisfaction of the Public Works & Utilities Department.
- 1.1.7 A note on the plan indicating that a driveway for Lot 30, Block 12 (multi-family area) onto W. Holdrege Street will not be approved until a final site plan is approved.
- 1.1.8 Sanitary sewer in NW 47<sup>th</sup> Street to meet design standards to the satisfaction of the Public Works & Utilities Department.
- ~~1.1.9 W. Faesy Place extended north to N 44<sup>th</sup> Street.  
(\*\*Per Planning Commission, at the request of the applicant, 02/19/03\*\*)~~
- 1.1.10 Street names to the satisfaction of the Planning Department.
- 1.1.11 Provide pedestrian access in Block 4 as required by Title 26.
- 1.1.12 A note on the plan indicating this area is within the airport environs district, construction must be meet standards as set forth in §27.58 and §27.59 and a Avigation and Noise Easement Agreement must be signed.
- 1.1.13 Noise contours for the Airport Environs LDN per §27.58.080.
- 1.1.14 Revised CUP/Land Use Table so the church lot is not shown as a dwelling unit.
- 1.1.15 Revised waivers table to include the waiver to double frontage lots and waiver to block length in Block 4.
- 1.1.16 Pedestrian way easements over outlots. A general note on the site plan may indicate that final placement of the easement may be determined at time of construction of the pedestrian walks and filed directly with the Register of Deeds.
- 1.1.17 Removed language in Note #18 that implies a waiver to the height of the multi-family buildings.
- 1.1.18 Removed Note #5 because W. Holdrege is a local street.
- 1.1.19 Brian D. Carstens and Associates as engineer or petitioner on the plat.
- 1.1.20 Pedestrian easements highlighted on the site plan.

- 1.1.21 Pedestrian easement in Block 12 with a 5' easement instead of a 25' easement.
- 1.1.22 Add to Note #4 that a private drive to the church lot is to be determined at the time of building permit.
- 1.1.23 Landscaping per design standards for multifamily dwellings and lots backing onto public streets.
- 1.1.24 Right-of-way dedication for W. Holdrege Street to the satisfaction of the Public Works & Utilities and Planning Departments.
- 1.1.25 NW 48<sup>th</sup> Street grading to full build-out per subdivision standards.
- 1.1.26 Add a note on the plat and/or annexation agreement that the future dedication of N.W. 40<sup>th</sup> Street north of West Holdrege Street shall be contingent on request by the adjoining property owner to utilize it in order to facilitate subdivision of that property, and that the owner agrees to sign petitions for paving and street lighting and to not object to assessment districts for sanitary sewer, sidewalks and water construction.  
**(\*\*Per Planning Commission: 02/19/03\*\*)**

- 1.2 Sign an Avigation and Noise Easement Agreement to the satisfaction of the Lincoln Airport Authority.
- 1.3 Submit a phasing plan to the satisfaction of the Planning and Public Works & Utilities Departments.

2. The City Council approves associated request:

- 2.1 Annexation #02010
- 2.2 Change of Zone #3390
- 2.3 Special Permit #1995
- 2.4 A modification to the requirements of the land subdivision ordinance to permit block lengths to exceed 1,320' in Block 4, Block 6 and Block 12 and to allow double frontage lots for Lots 1, 2, and 3, Block 8.

General:

3. Final Plats will be scheduled on the Planning Commission agenda after:

- 3.1 You have completed or posted a surety to guarantee the completion of the public streets, private roadway improvements, sidewalks, sanitary sewer system, 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.

- 3.2 The subdivider has signed an agreement that binds the subdivider, its successors and assigns:
- 3.2.1 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.
  - 3.2.2 To complete the private improvement shown on the preliminary plat and Community Unit Plan.
  - 3.2.3 To maintain the outlots and private improvements on a permanent and continuous basis. However, the subdivider may be relieved and discharged of this maintenance obligation upon creating in writing a permanent and continuous association of property owners who would be responsible for said permanent and continuous maintenance. The subdivider shall not be relieved of such maintenance obligation until the document or documents creating said property owners association have been reviewed and approved by the City Attorney and filed of record with the Register of Deeds.
  - 3.2.4 To continuously and regularly maintain the street trees along NW 48<sup>th</sup> Street, the private roadways and landscape screens.
  - 3.2.5 To submit to the lot buyers and home builders a copy of the soil analysis.
  - 3.2.6 To pay all improvement costs.
  - 3.2.7 To comply with the provisions of the Land Preparation and Grading requirements of the Land Subdivision Ordinance.
  - 3.2.8 To construct the sidewalk in the pedestrian way easement in Lots 7 & 8, Block 12 and Lots 4, 39, 80 & 81, Block 6 at the same time as NW 46<sup>th</sup> Street, W. Faesy Place and W. Milton Road are paved and to agree that no building permit shall be issued for construction on the adjacent lots on both sides of the easement until such time as the sidewalk in the pedestrian way easement is constructed.
  - 3.2.9 To perpetually maintain the sidewalks in the pedestrian way easements at their own cost and expense.

- 3.2.10 To protect the trees that are indicated to remain during construction and development.
- 3.2.11 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.
- 3.2.12 To relinquish the right of direct vehicular access from Lots 22-26, Block 8, Lots 1-12, Block 1 to NW 48<sup>th</sup> Street except as shown on the site plan.
- 3.2.13 To inform all purchasers and users that the land is located within the turning zone of the Airport Environs District and that all construction shall be in conformance with the airport zoning requirements and the aviation and noise easement and covenant agreement.

The findings of the Planning Commission will be submitted to the City Council for their review and action. You will be notified by letter if the Council does not concur with the conditions listed above. You may appeal the findings of the Planning Commission to the City Council by filing a notice of appeal with the City Clerk. The appeal is to be filed within 14 days following the action by the Planning Commission. You have authority to proceed with the plans and specifications for the installation of the required improvements after the City Council has approved the preliminary plat. If you choose to construct any or all of the required improvements prior to the City's approval and acceptance of the final plat, please contact the Director of Public Works before proceeding with the preparation of the engineering plans and specifications. If the required minimum improvements are not installed prior to the City Council approving and accepting any final plat, a bond or an approved Agreement of Escrow of Security Fund is required.

The approved preliminary plat is effective for only ten (10) years from the date of the City Council's approval. If a final plat is submitted five (5) years or more after the effective date of the preliminary plat, the City may require that a new preliminary plat be submitted. A new preliminary plat may be required if the subdivision ordinance or the design standards have been amended.

You should submit an ownership certificate indicating the record owner of the property included within the boundaries of the final plat when submitting a final plat.

The Subdivision Ordinance requires that there be no liens of taxes against the land being final platted and that all special assessment installment payments be current. When you submit a final plat you will be given forms to be signed by the County Treasurer verifying that there are no liens of taxes and by the City Treasurer verifying that the special assessment installment payments are current.

Sincerely,

J. Greg Schwinn, Chair  
City-County Planning Commission

cc: Owner  
Public Works - Dennis Bartels  
LES  
Alltel Communications Co.  
Cablevision  
Fire Department  
Police Department  
Health Department  
Parks and Recreation  
Urban Development  
Lincoln Public Schools  
County Engineers  
City Clerk

## LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

---

This is a combined staff report for related items. This report contains a single background and analysis section for all items. However, there are separate conditions provided for each individual application.

**P.A.S.:** Hub Hall Heights **DATE:** January 22, 2003  
Annexation #02010  
Change of Zone #3390  
Special Permit for Community Unit Plan #1995  
**Preliminary Plat #02025**

**\*\*As Revised by Planning Commission: 2/19/03\*\***

**SCHEDULED PLANNING COMMISSION MEETING:** **DATE:** February 5, 2003

**PROPOSAL:** To annex 142 acres, change the zone from AG, Agricultural to R-3, Residential, **preliminary plat 356 lots and 5 outlots** and obtain a special permit for a community unit plan for 869 dwelling units at NW 48<sup>th</sup> Street and W Holdrege Avenue.

**WAIVER REQUEST:** An exception to §26.23.130 to exceed block lengths  
An exception to §26.23.140(e) to allow double frontage lots

**LAND AREA:** Annexation, Change of Zone, Preliminary Plat: 142 acres  
Special Permit for CUP 129 acres

**CONCLUSION:** With conditions the change of zone, preliminary plat, and special permit are in conformance with the Comprehensive Plan. The developer is required to contribute toward the paving of and the cost of the water main in NW 48<sup>th</sup> Street as part of the annexation.

<b><u>RECOMMENDATION:</u></b> Change of Zone <b><u>Preliminary Plat</u></b> , Special Permit, Annexation	Approval <b><u>Conditional Approval</u></b>
---	--

### **GENERAL INFORMATION:**

#### **LEGAL DESCRIPTION:**

Annexation, Change of Zone & Preliminary Plat: Lots 14 and 32 Irregular Tracts, located in Section 18 T10N R6E.

Special Permit: Lot 14 and a portion of Lot 32 I.T., located in Section 18 T10N R6E and more particularly described in the attached legal description.



**LOCATION:** Generally located northeast of NW 48<sup>th</sup> and W. Holdrege Streets

**APPLICANT:** Hubert H. Hall  
2320 S. 48<sup>th</sup> Street  
Lincoln, NE 68506  
(402)483-2551

**OWNER:** Charles Gary Gately Hub Hall  
Charles Gary Gately Trust and contract interest in: 2320 S. 48<sup>th</sup> Street  
Highway 15, Inc., a Nebraska Corporation Lincoln, NE 68506  
(402)483-2551

**CONTACT:** Lyle L. Loth Brian D. Carstens  
Engineering Surveying and Planning Brian D. Carstens and Associates  
601 Old Cheney Road, Suite A 601 Old Cheney Road, Suite C  
Lincoln, NE 68512 Lincoln, NE 68512  
(402)421-2500 (402)434-2424

**EXISTING ZONING:** AG, Agricultural.

**EXISTING LAND USE:** Undeveloped.

**SURROUNDING LAND USE AND ZONING:**

North:	Undeveloped, residential	R-3, Residential
South:	Undeveloped	AG, Agricultural
East:	Undeveloped	AG
West:	Undeveloped, residential	R-3, AG

**COMPREHENSIVE PLAN SPECIFICATIONS:** The Comprehensive Plan shows this area as Urban Residential (page F-25).

The area is identified as Tier 1, priority A (F-31). Development can occur within the next 25 years and is designated for near term development (F-29).

The Comprehensive Plan encourages efforts to preserve small stream corridors in future developments (F-59).

**Guiding Principles for New Neighborhoods encourages:**

1. Encourage a mix of housing types, single family, townhomes, apartments, elderly housing all within one area;
2. Similar housing types face each other: single family faces single family, change to different use at rear of lot;
3. Parks and open space within walking distance of all residences;
4. Multi-family and elderly housing nearest to commercial area;
5. Pedestrian orientation; shorter block lengths, sidewalks on both sides of all roads;
6. Public uses (elementary schools, churches) as centers of neighborhood – shared facilities (city parks & school sites). (F-67)

## **HISTORY:**

Date when preliminary plat was submitted:	November 6, 2002
Date when Planning Director's letter was sent:	December 10, 2002
Date when revised preliminary plat was submitted:	January 6, 2003
Met with applicant regarding grading and drainage issues:	January 22, 2003

The zone was A-A, Rural and Public Use District until the zone was changed to AG, Agricultural during the 1979 zoning update.

**UTILITIES:** Utilities are adjacent to this site in NW 48<sup>th</sup> Street. Extension is required as part of the annexation agreement. A 24" water main is proposed in W. Holdrege Street and a 16" water main is proposed in NW 48<sup>th</sup> Street. The developer is required to pay half the cost of a 6" water main in both streets. All other water mains are of standard sizing. Standard 8" sanitary sewer mains are shown throughout the development. The developer proposes either a force main or pumping station in the south east corner of the plat. The Public Works & Utilities Department is not satisfied with the proposed lift station.

**TOPOGRAPHY:** Rolling, with several wooded drainage ditches throughout.

**TRAFFIC ANALYSIS:** NW 48<sup>th</sup> Street is currently a paved two-lane rural roadway. The Comprehensive Plan classifies NW 48<sup>th</sup> Street as a Principal Arterial. The developer is required to pay half the cost of a three lane suburban cross section.

West Holdrege Street is unpaved and unclassified, however, the Comprehensive Plan shows 120' of right-of-way for that portion from NW 48<sup>th</sup> Street east approximately one quarter mile to about NW 45<sup>th</sup> Street (F-113). East from that point only 80' of right-of-way is indicated for W. Holdrege Street. The developer is currently showing the dedication of 60' for the entire portion of W. Holdrege. This is not required. Only 40' of right-of-way must be dedicated east of NW 45<sup>th</sup> Street. Local streets are entirely the responsibility of the developer, who may delay the construction of W. Holdrege with a phasing plan approved by the Planning and Public Works & Utilities Departments.

**PUBLIC SERVICE:** The nearest fire station #11 in Arnold Heights  
The nearest public school is Arnold Elementary School  
The nearest public library is the Arnold Heights Library

**REGIONAL ISSUES:** This area is within the Airport Environs Turning Zone. An Avigation and Noise Easement and Covenant Agreement is required.

## **ANALYSIS:**

1. Public Works & Utilities Department had the following comments:
  1. The existing culvert in N.W. 48th Street needs to be shown as per the January 22, 2003 meeting with the engineer.

2. The sanitary sewer needs to be revised in the northeast corner of the plat. It is currently located under the dam of a proposed detention facility. This is unacceptable.
  3. Sanitary sewer has not been extended to the property lines at drainage basin entry points into the development as per the Planning Director's letter dated December 10, 2002.
  4. The proposed alternate to serve the proposed multi-family area with a lift station is unsatisfactory. The multi-family lot cannot be developed until a sewer outlet is available from the east.
  5. The grading in N.W. 41st Court, West Faesy Street, and N.W. 47th Street needs to be revised as per the meeting January 22, 2003. Due to the large grade changes front to back across several areas on this plat Public Works recommends that the grading plan and /or lot layout be revised to provide more desirable lots for building.
  6. Public Works does not approve any drive way location for Lot 30 Block 12 (multi-family area) onto W. Holdrege Street until a final site plan and use for the lot is approved.
  7. The sanitary sewer in NW 47<sup>th</sup> Street is shown to be 15' deep at the north property line. The sewer will run opposite street grades in NW 47<sup>th</sup> Street until the first east-west street (W. Thatcher Lane) in the Ashley Heights 1<sup>st</sup> Addition to the north. This will force the sewer to be deeper than 15'. No waivers of design standards for sewer depth have been approved for the Ashley Heights 1<sup>st</sup> development. The sewer in this plat must be designed to accommodate the sewer depth at the property line.
  8. The annexation agreement for this plat requires the developer pay for the equivalent of ½ the cost of a 6" water main in NW 48<sup>th</sup> Street. The developer is required to contribute ½ the cost of a 3-lane suburban cross-section street toward the future urban street paving of NW 48<sup>th</sup> Street.
- 
2. W. Faesy Place, W. Emily and W. Louse Lanes, W. Megan Court, and W. Jewel Street must be renamed because of existing street names that are similar or the same.
  3. §26.23 requires pedestrian access to be provided in blocks that exceed 1000'. Block 4 exceeds this standard and no waiver was requested or advertised. The applicant must show a pedestrian access in this block.
  4. The pedestrian easement is shown in Block 12 is proposed in an area with a significant grade change from the front of the lot to the rear. A more level location must be found to accommodate ADA grade requirements for this pedestrian sidewalk.
  5. As noted by the Public Works & Utilities Department the general design of the lots in relation to the grading plan is poor. Several lots have a 20' grade difference from front to back. The

Comprehensive Plan considers general desirability of lots. In this case, many lots are not desirable and the grading plan must be revised to eliminate steep grade differences.

6. There are several block lengths that do not meet design standards. W. Faesy Place can be extended northeast to NW 44<sup>th</sup> Street to help alleviate this problem. The engineer agreed to this at the January 22, 2003 meeting with Planning Department staff.
7. The request to waive block lengths is to preserve existing drainage areas which is consistent with the Comprehensive Plans efforts to preserve natural areas.
8. The request to waive double frontage lots is acceptable. The developer is required to provide screening between the rear of lots and the street.
9. Only 40' of right-of-way is required to be dedicated east of NW 45<sup>th</sup> Street and should be revised to reflect this standard.
10. The developer is required to pave all locale streets within and abutting this plat. W. Holdrege and NW 40<sup>th</sup> Streets must be paved with curb and gutter. The developer can delay the construction of these streets by submitting a phasing plan that is found acceptable to the Planning and Public Works & Utilities Departments.

#### **PRELIMINARY PLAT CONDITIONS:**

##### Site Specific:

1. After the subdivider completes the following instructions and submits the documents and plans and 6 copies to the Planning Department office, the preliminary plat will be scheduled on the City Council's agenda: (NOTE: These documents and plans are required by ordinance or design standards.)
  - 1.1 Revise the preliminary plat to show:
    - 1.1.1 The culvert in N.W. 48th Street to the satisfaction of the Public Works & Utilities Department.
    - 1.1.2 The sanitary sewer in the northeast corner of the plat to the satisfaction of the Public Works & Utilities Department.
    - 1.1.3 Sanitary sewer extended to the property lines at drainage basin entry points to the satisfaction of the Public Works & Utilities Department.
    - 1.1.4 An alternate location for the pedestrian easement in Block 12 leading to the multifamily area.
    - 1.1.5 Sanitary sewer to serve the multifamily area to the satisfaction of the Public Works & Utilities Department.

- 1.1.6 Grading in NW 41<sup>st</sup> Court, W. Faesy and NW 47<sup>th</sup> Streets to the satisfaction of the Public Works & Utilities Department.
- 1.1.7 A note on the plan indicating that a driveway for Lot 30, Block 12 (multi-family area) onto W. Holdrege Street will not be approved until a final site plan is approved.
- 1.1.8 Sanitary sewer in NW 47<sup>th</sup> Street to meet design standards to the satisfaction of the Public Works & Utilities Department.
- ~~1.1.9~~ ~~W. Faesy Place extended north to N 44<sup>th</sup> Street.~~  
**(\*\*Per Planning Commission, at the request of the applicant, 02/19/03\*\*)**
- 1.1.10 Street names to the satisfaction of the Planning Department.
- 1.1.11 Provide pedestrian access in Block 4 as required by Title 26.
- 1.1.12 A note on the plan indicating this area is within the airport environs district, construction must meet standards as set forth in §27.58 and §27.59 and a Avigation and Noise Easement Agreement must be signed.
- 1.1.13 Noise contours for the Airport Environs LDN per §27.58.080.
- 1.1.14 Revised CUP/Land Use Table so the church lot is not shown as a dwelling unit.
- 1.1.15 Revised waivers table to include the waiver to double frontage lots and waiver to block length in Block 4.
- 1.1.16 Pedestrian way easements over outlots. A general note on the site plan may indicate that final placement of the easement may be determined at time of construction of the pedestrian walks and filed directly with the Register of Deeds.
- 1.1.17 Removed language in Note #18 that implies a waiver to the height of the multi-family buildings.
- 1.1.18 Removed Note #5 because W. Holdrege is a local street.
- 1.1.19 Brian D. Carstens and Associates as engineer or petitioner on the plat.
- 1.1.20 Pedestrian easements highlighted on the site plan.

- 1.1.21 Pedestrian easement in Block 12 with a 5' easement instead of a 25' easement.
- 1.1.22 Add to Note #4 that a private drive to the church lot is to be determined at the time of building permit.
- 1.1.23 Landscaping per design standards for multifamily dwellings and lots backing onto public streets.
- 1.1.24 Right-of-way dedication for W. Holdrege Street to the satisfaction of the Public Works & Utilities and Planning Departments.
- 1.1.25 NW 48<sup>th</sup> Street grading to full build-out per subdivision standards.
- 1.1.26 Add a note on the plat and/or annexation agreement that the future dedication of N.W. 40<sup>th</sup> Street north of West Holdrege Street shall be contingent on request by the adjoining property owner to utilize it in order to facilitate subdivision of that property, and that the owner agrees to sign petitions for paving and street lighting and to not object to assessment districts for sanitary sewer, sidewalks and water construction.  
**(\*\*Per Planning Commission: 02/19/03\*\*)**
- 1.1.27 Add a note to the site plan indicating that all storm water detention/retention cells shall be constructed and maintained to drain within 48 hours and not allowed to become wildlife attractants. **(\*\*As revised by staff on February 3, 2003\*\*)**
- 1.2 Sign an Avigation and Noise Easement Agreement to the satisfaction of the Lincoln Airport Authority.
- 1.3 Submit a phasing plan to the satisfaction of the Planning and Public Works & Utilities Departments.
- 2. The City Council approves associated request:
  - 2.1 Annexation #02010
  - 2.2 Change of Zone #3390
  - 2.3 Special Permit #1995
  - 2.4 A modification to the requirements of the land subdivision ordinance to permit block lengths to exceed 1,320' in Block 4, Block 6 and Block 12 and to allow double frontage lots for Lots 1, 2, and 3, Block 8.

General:

3. Final Plats will be scheduled on the Planning Commission agenda after:
  - 3.1 You have completed or posted a surety to guarantee the completion of the public streets, private roadway improvements, sidewalks, sanitary sewer system, 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.
  - 3.2 The subdivider has signed an agreement that binds the subdivider, its successors and assigns:
    - 3.2.1 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.
    - 3.2.2 To complete the private improvement shown on the preliminary plat and Community Unit Plan.
    - 3.2.3 To maintain the outlots and private improvements on a permanent and continuous basis. However, the subdivider may be relieved and discharged of this maintenance obligation upon creating in writing a permanent and continuous association of property owners who would be responsible for said permanent and continuous maintenance. The subdivider shall not be relieved of such maintenance obligation until the document or documents creating said property owners association have been reviewed and approved by the City Attorney and filed of record with the Register of Deeds.
    - 3.2.4 To continuously and regularly maintain the street trees along NW 48<sup>th</sup> Street, the private roadways and landscape screens.
    - 3.2.5 To submit to the lot buyers and home builders a copy of the soil analysis.
    - 3.2.6 To pay all improvement costs.
    - 3.2.7 To comply with the provisions of the Land Preparation and Grading requirements of the Land Subdivision Ordinance.
    - 3.2.8 To construct the sidewalk in the pedestrian way easement in Lots 7 & 8, Block 12 and Lots 4, 39, 80 & 81, Block 6 at the same time as NW 46<sup>th</sup> Street, W. Faesy Place and W. Milton Road are paved and to agree that

no building permit shall be issued for construction on the adjacent lots on both sides of the easement until such time as the sidewalk in the pedestrian way easement is constructed.

- 3.2.9 To perpetually maintain the sidewalks in the pedestrian way easements at their own cost and expense.
- 3.2.10 To protect the trees that are indicated to remain during construction and development.
- 3.2.11 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.
- 3.2.12 To relinquish the right of direct vehicular access from Lots 22-26, Block 8, Lots 1-12, Block 1 to NW 48<sup>th</sup> Street except as shown on the site plan.
- 3.2.13 To inform all purchasers and users that the land is located within the turning zone of the Airport Environs District and that all construction shall be in conformance with the airport zoning requirements and the avigation and noise easement and covenant agreement.
- 3.2.14 To maintain all storm water detention/retention cells so that they drain within 48hours and are not allowed to become wildlife attractants.  
**(\*\*As revised by staff on February 3, 2003\*\*)**

Prepared by:

Becky Horner  
Planner



**ANNEXATION NO. 02010,  
CHANGE OF ZONE NO. 3390,  
SPECIAL PERMIT NO. 1995,  
HUB HALL HEIGHTS COMMUNITY UNIT PLAN,  
and  
PRELIMINARY PLAT NO. 02025,  
HUB HALL HEIGHTS**

**PUBLIC HEARING BEFORE PLANNING COMMISSION:**

February 5, 2003

Members present: Carlson, Newman, Krieser, Taylor, Bills-Strand, Steward and Schwinn; Larson and Duvall absent.

Staff recommendation: Approval of the annexation, subject to an Annexation Agreement; approval of the change of zone and conditional approval of the community unit plan and preliminary plat.

Becky Horner of the Planning staff submitted a letter from Barbara Erickson, an adjacent property owner, requesting deferral for two weeks to review the application with the developer. She is also asking for a condition of approval that NW 40<sup>th</sup> not be extended north along the east property line of the development from W. Holdrege Street.

Horner also submitted a letter from Lyle Loth, on behalf of the developer, also requesting a two week deferral in order to advertise an additional waiver of the extension of N.W. 40<sup>th</sup> Street on the preliminary plat.

Steward moved deferral for two weeks, with continued public hearing and administrative action scheduled for February 19, 2002, seconded by Carlson and carried 7-0: Carlson, Newman, Krieser, Taylor, Bills-Strand, Steward and Schwinn voting 'yes'; Duvall and Larson absent.

There was no testimony in support nor in opposition.

**CONT'D PUBLIC HEARING BEFORE PLANNING COMMISSION:**

February 19, 2003

Members present: Newman, Carlson, Taylor, Bills-Strand, Duvall and Schwinn; Krieser, Larson and Steward absent.

Staff recommendation: Approval of the annexation, subject to an annexation agreement; approval of the change of zone; and conditional approval of the community unit plan and preliminary plat.

There were no ex parte communications disclosed by the Commissioners.

## Proponents

1. **Hub Hall**, the developer, presented the application. He has met with City and has approval to proceed. We have called this plat "Heights" because it is one of the highest points in Lancaster County. There are lots of trees and lots of open space. The intent is to keep most of the trees except where a street may go through. He has counted 161 lots that back up to open space and to trees. The apartment units and 10 acres for the church site will help to improve the area. He believes this development will be a great improvement to the City.

2. **Brian Carstens** testified on behalf of the developer to discuss issues to be resolved. The extension of N.W. 40<sup>th</sup> Street is an issue. N.W. 40<sup>th</sup> was originally shown to be extended slightly north and then curve over to the east. The neighbor to the east finds this unacceptable. The developer worked with them to extend it straight north which was also unacceptable. They have also met with Dennis Bartels of Public Works, who suggests curving it over to the north and west. This would require filling 26' through the draw to get the road in with 6% slopes going down hill and would remove about 200' in width of trees through that draw. Carstens proposed that N.W. 40<sup>th</sup> Street not be extended north of Holdrege Street, and requested to add condition #1.1.26 to the preliminary plat: Delete future extension of N.W. 40<sup>th</sup> Street north of W. Holdrege.

Carstens requested that Condition #1.1.9 on the preliminary plat be deleted: W. Faesy Place extended north to No. 44<sup>th</sup> Street. Due to grading issues, it will not be possible to get the street up to No. 44<sup>th</sup> Street and the applicant believes a waiver of the block length is appropriate because of the topography of the site.

Carstens indicated that they will continue to work with staff on the street names (Condition #1.1.10).

## Opposition

1. **Barbara Erickson and Martin Erickson**, the owners of Lot 27, SW1/4 of 17-10-6, and the adjacent 5.25 acres, testified in opposition to the extension of N.W. 40<sup>th</sup> Street. They have lived on the land for 22 years and have planted over 400 trees. If N.W. 40<sup>th</sup> Street is extended north, they would request a condition that all of N.W. 40<sup>th</sup> be used by the new development and that none of their land be taken away. Currently, they are showing N.W. 40<sup>th</sup> curving right into the Erickson property. At first, they were running N.W. 40<sup>th</sup> Street right into the Erickson property. The Ericksons desire to keep their land and their trees as they exist. If the street is not built, the Ericksons request that a condition of approval require that the lots located along the Erickson property line allow for a 66' future right-of-way in case there is a N.W. 40<sup>th</sup> extended at some point in the future. Another concern is the location of the sewer system. Is it going to go through their property? They have not seen any plans on the sewer system.

Martin Erickson expressed concerns about the noise issues with regard to the airport, etc.

Carlson inquired of staff regarding the sewer. Dennis Bartels of Public Works indicated that the lot is not developable until sewer is available from the east or northeast. At some point in time, the sewer will have to either go across their lot or in close proximity to get sewer service to serve the apartments. The apartments cannot be gravity sewered straight north where the single family lots are proposed to

be served. The single family lots are sewerable today with extensions from Ashley Heights. In Bartels' estimation, the apartment complex will not be able to be served until such time as the Oak Creek sanitary sewer is extended or parallel sewer identified to bring it to the south end of the airport runway. It is probably not feasible to get sewer into this facility until such time as that trunk sewer is built and sewer is extended from the trunk sewer. At this point, it will be an 8" sanitary sewer that we would normally expect to see as development occurs. However, the city is not unknown to negotiate or condemn an easement. The city has ways to get the sewer through but the city would have to pay for the easement and restore the area that was disturbed.

Carlson noted that there are conditions placing the burden upon the landowner of the apartments. Bartels indicated that the City will not initiate a project to make it sewerable. If it was to go across the Erickson's property, it would have to happen through an assessment district and would take City Council action. We cannot arbitrarily build a sewer across their property.

Carlson inquired as to the long term road network in this area. Bartels referred to the county road and Holdrege Street. The road east of this property was vacated by the County. There are no streets east or north of the 40<sup>th</sup> & Holdrege intersection, and the staff has recommended the 40<sup>th</sup> Street intersection be shown there because the existing 40<sup>th</sup> Street right-of-way splits that property line. It would have to start at a point which would take right-of-way from both properties. It would help protect the development potential of that property. They have 30' of frontage. Bartels believes 40<sup>th</sup> is as good a location as we can get. There is only one street at the 1/4 mile point and this would put another access point at the 1/2 mile line giving us the standard quarter mile spacing of streets. This 40<sup>th</sup> Street is not a lot of benefit to Mr. Hall's project, but the bigger benefit was visioned to be the future potential subdivision of the properties to the east.

Carlson inquired as to current and proposed development to the east and north. Becky Horner of Planning staff advised that the property is outside the urban service area and it is all AG zoning. The area east of here is within the current noise contour and does not allow residential. The Airport Authority is studying that presently but nothing has been adopted at this time. This particular area is in Tier I. The area to the east is not. The area to the north is also Tier I.

Bills-Strand made further inquiry into N.W. 40<sup>th</sup> Street. Bartels indicated that he does not object to curving it to the west. But as you approach Holdrege Street, it seemed more appropriate to line the intersection of 40<sup>th</sup> Street up with 40<sup>th</sup> as it goes south of Holdrege. The plan is envisioning that 40<sup>th</sup> Street would bend to the east. We're just looking at 40<sup>th</sup> as a collector type street to provide local access. As you go further north, there is no way to tie it into an arterial street system. It is basically a local street beyond the intersection north of Holdrege. Bartels tried to consider the land uses, but there are no uses yet identified to the east. If it provides primary access to an industrial area, it may not be the best spot for a residential street. The city has no desire to go and condemn the right-of-way and force that street to be built until development occurs to the east. Holdrege Street is vacated east of 40<sup>th</sup> Street.

Ray Hill of Planning staff referred to the aerial photograph on page 56. The developer did not want to cross any more of the wooded area than is necessary. If 40<sup>th</sup> went straight north it would go through the middle of that wooded area. By swinging it to the east it moves away from and does not go through the wooded area. We have not required 40<sup>th</sup> Street along the east side of any of the residential

developments further to the north of this project. Typically, the grid system is for the mile sections. 48<sup>th</sup> Street is the north/south carrier through this area and to have another street parallel would not be appropriate.

Bills-Strand wondered what happens to the Erickson property if nothing is done with 40<sup>th</sup> Street and this plat is approved. Hill advised that whenever that area is available for development and for subdivision, then they would tie into the street system that is proposed in this area, just like this area has tied onto the development to the north. The staff did ask that a street extend to the east so that as that area does become available for development, it has a street pattern to tie onto.

Schwinn asked whether staff agrees with the developer that we do not want to do the evasive grading through the green space. Hill indicated that staff agrees with the layout as proposed. Staff is requesting the extension of N.W. 40<sup>th</sup> Street and the curving to the east is acceptable. The road would not have to be built until the Ericksons decide they want to subdivide or it is needed for the multi-family area in this development.

Carstens stated that the apartments will not be built until the sewer is brought in. West Gately Street has been relocated. The south right-of-way will touch the Erickson lot line but will never go through their property. It will only be adjacent.

Marvin Krout, Director of Planning, believes that a note can be added to the plat regarding this discussion about N.W. 40<sup>th</sup> Street and the language can be worked out between now and the City Council.

Public hearing was closed.

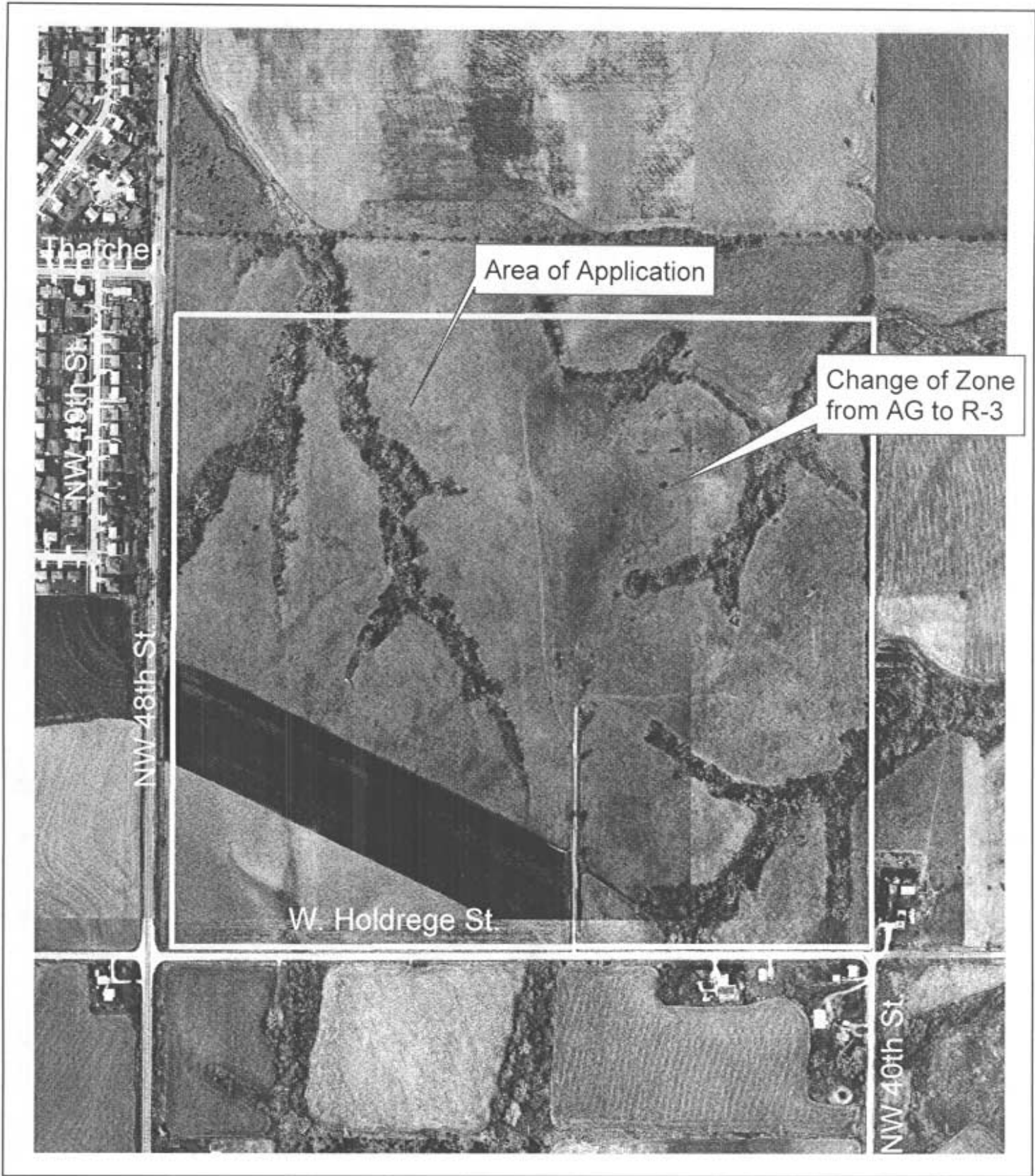
**PRELIMINARY PLAT NO. 02025,**

**HUB HALL HEIGHTS**

**ADMINISTRATIVE ACTION BY PLANNING COMMISSION:**

February 19, 2003

Bills-Strand moved to approve the staff recommendation of conditional approval, with amendments deleting Condition #1.1.9 and adding Condition #1.1.26, such that dedication of the right-of-way would only be triggered at the request of the adjoining property owner (specific language to be drafted by staff prior to City Council), seconded by Taylor and carried 6-0: Newman, Carlson, Taylor, Bills-Strand, Duvall and Schwinn voting 'yes'; Krieser, Larson and Steward absent.

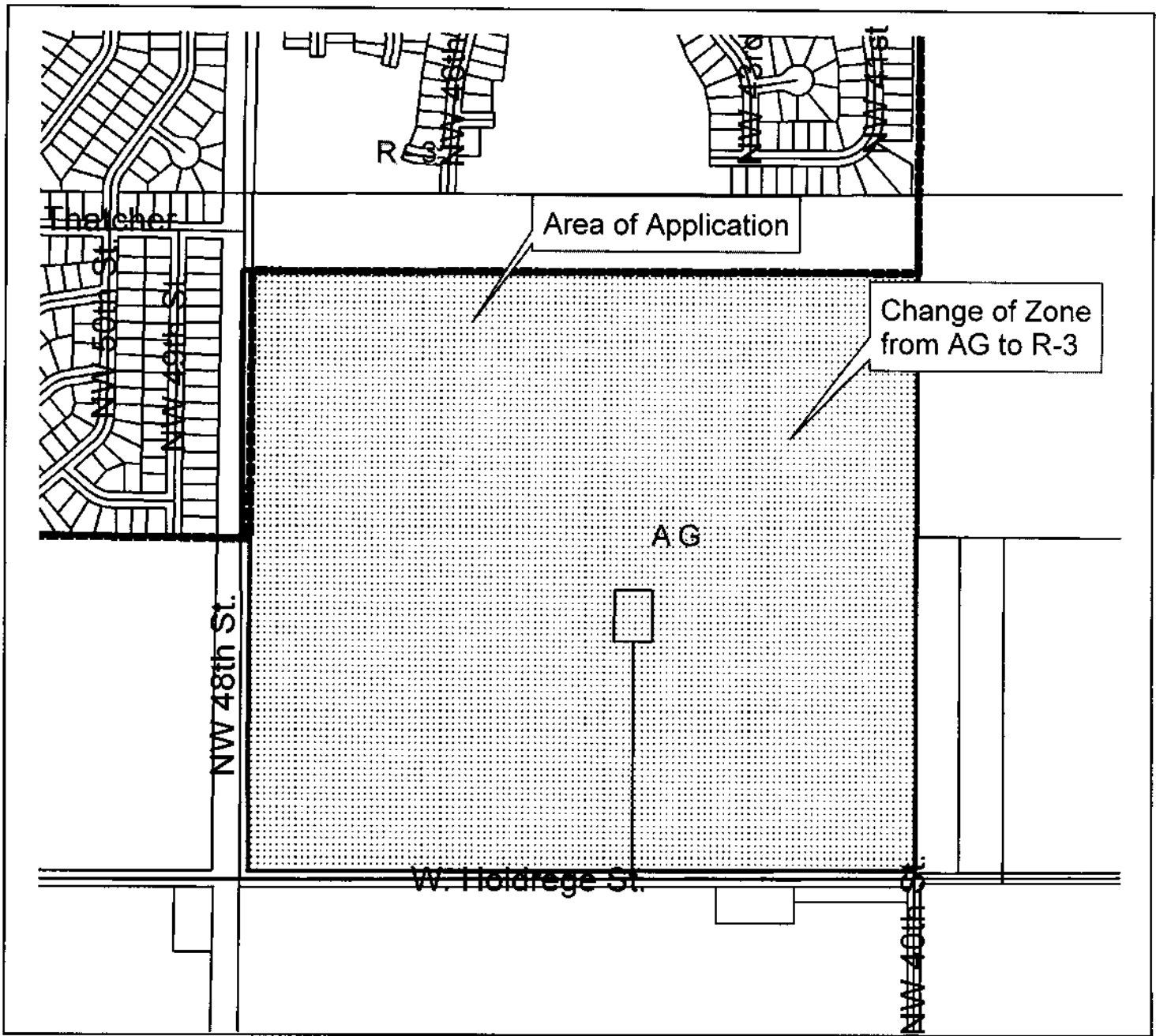


**Preliminary Plat #02025**  
**Change of Zone #~~3290~~ 3390**  
**Hub Hall Heights**  
**NW 48th & W Holdrege**



021

Lincoln City - Lancaster County Planning Dept.  
1999 Aerial

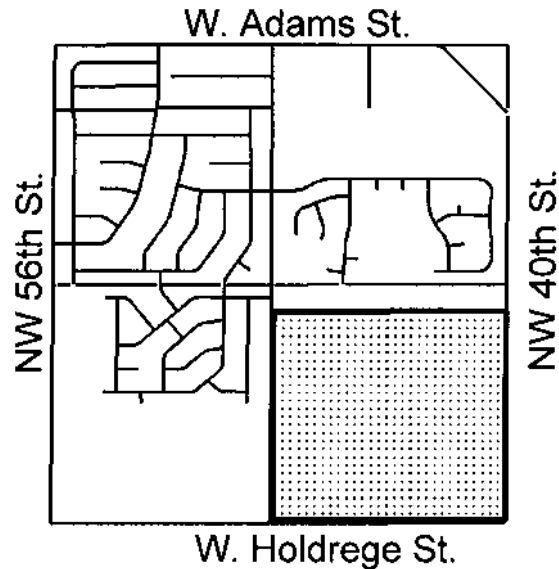
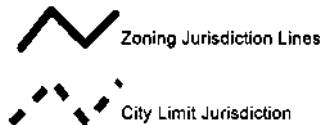


**Preliminary Plat #02025**  
**Change of Zone #~~3390~~ 3390**  
**Hub Hall Heights**  
**NW 48th & W Holdrege**

**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. 18 T10N R6E



022



November 6, 2002

**LYLE L. LOTH, P.E./L.S.**

Suite A - 601 Old Cheney Road  
Lincoln, NE 68512

Phone (402) 421-2500  
Fax (402) 421-7096

Email: lyle@espeng.com

Mr. Marvin Krout  
Director of Planning  
City of Lincoln/ Lancaster County  
555 South 10th Street  
Lincoln, NE 68508

RE: HUB HALL HEIGHTS  
PRELIMINARY PLAT & COMMUNITY UNIT PLAN  
CHANGE OF ZONE ('AG' TO 'R-3') & ANNEXATION

Dear Mr. Krout,

On behalf of Hubert H. Hall, we submit the above mentioned applications for your review. This site contains 142.39 acres and is currently zoned 'AG' and we are proposing 'R-3' with a C.U.P..

The area of the project is located outside the city limits. We are requesting to be annexed into the city limits at this time.

We have completed density calculations which shows 953 units are the total units allowed. We are proposing to develop 357 single-family lots/units, one multi-family lot with 400 units, one future church lot, 195 unassigned units and 5 outlots. The unassigned units shall be used to add single family, duplex lots and/or single family attached. The proposed development has public streets with public water, public sanitary sewer and public storm sewer to serve the site. There will be a Homeowners Association for maintenance of the outlots, which serves as detention and open space.

We have shown a right-of-way dedication 60 feet along N.W. 48th Street. It has come to our knowledge that the development to the north (Ashley Heights), was allowed to dedicated only 40 feet of right-of-way. If there is a possibility for us to match that it would allow us to increase the lot depth adjacent to N.W. 48th Street and may allow more grading alternatives for the public sidewalk.

We are requesting the following waivers to maintain existing drainage, tree masses and natural topography:

1. Block length on the east side of N.W. 46th Street from 1,320 feet to 1,763.75 feet. Block length on the south side of W. Hall Drive from 1,320 feet to 1,410.84 feet. Block length on the east and south side of N.W. 45th Street/W. Keady Lane/N.W. 41st Street from 1,320 feet to 2,260.71 feet. Block length on the north and west side of W. Keady Lane/N.W. 41st Street from 1,320 feet to 1,354.25 feet.

NOV - 6 2002

023

Page 2

Please contact me if you have any further questions.

Sincerely,

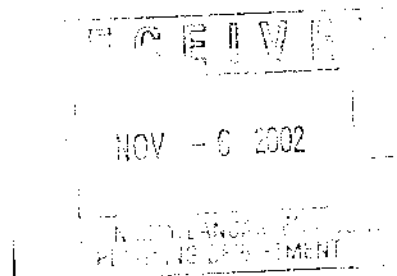


Lyle L. Loth

cc. Hubert H. Hall  
Brian D. Carstens

ENCLOSURES:

- 21 copies of sheet 1 of 8
- 6 copies of sheets 2 through 8 of 8
- Application for a Special Permit & Change of Zone
- Application for a Preliminary Plat
- Certificate of Ownership
- Application fees of \$2,985.00
- 8-1/2" x 11" reductions of the plans
- 3 copies of Preliminary Soils Analysis
- 2 copies of Storm Water Detention Calculations



024



# Memorandum

---

<b>To:</b>	Becky Horner, Planning Department
<b>From:</b>	Chad Blahak, Public Works and Utilities
<b>Subject:</b>	Hub Hall Heights Addition Preliminary Plat and C.U.P./Special Permit
<b>Date:</b>	1/22/03
<b>cc:</b>	Randy Hoskins Dennis Bartels Nicole Fleck-Tooze Virendra Singh Ben Higgins

Engineering Services has reviewed the re-submitted preliminary plat and community unit plan for Hub Hall Heights Addition, located east of N.W. 48th Street, north of Holdrege Street and has the following additional comments & clarifications concerning this plat::

The existing culvert in N.W. 48th Street needs to be shown as per the meeting.

The sanitary sewer needs to be revised in the north east corner of the plat. It is currently located under the dam of a proposed detention facility. This is unacceptable.

Sanitary sewer has not been extended to the property lines at drainage basin entry points into the development as per the planning directors letter dated December 10, 2002.

The proposed alternate to serve the proposed apartment complex with a lift station is unsatisfactory. The apartment lot cannot be developed until a sewer outlet is available from the east.

The grading in N.W. 41st Court, West Faesy Street, and N.W. 47th Street needs to be revised as per the meeting January 22, 2003. Due to the large grade changes front to back across several areas on this plat Public works recommends that the grading plan and /or lot layout be revised to provide more desirable lots for building.

Public Works does not approve any drive way location for Lot 30 Block 12 onto Holdrege Street until a final site plan and use for the lot is approved.

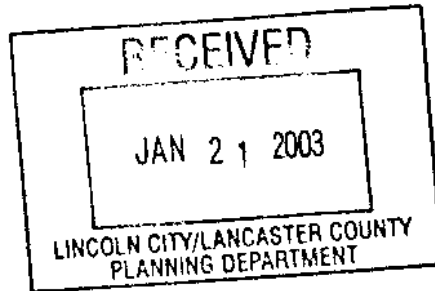
The information shown on the preliminary plat relating to the public water main system, public sanitary sewer system, and public storm sewer system has been reviewed to determine if the

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 connecting 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.

I:\FILES\sieceb\wp\Pre-Plat-Memos\Hubhallheights-memo3.wpd

# M e m o r a n d u m

**To:** Becky Horner, Planning Department  
**From:** <sup>CS</sup> Chad Blahak, Public Works and Utilities  
**Subject:** Hub Hall Heights Addition Preliminary Plat and C.U.P./Special Permit  
**Date:** January 21, 2003  
**cc:** Randy Hoskins  
Dennis Bartels  
Nicole Fleck-Tooze  
Virendra Singh  
Ben Higgins



Engineering Services has reviewed the re-submitted preliminary plat and community unit plan for Hub Hall Heights Addition, located east of Northwest 48th Street, north of Holdrege Street and has the following comments:

- Public Works has additional concerns about the grading and drainage plan and wishes to meet with the developers engineer to discuss said issues and required revisions to the drainage study and grading plan.
- The sanitary sewer in Northwest 47th Street is shown to be 15' deep at the north property line. The sewer will run opposite street grade in Northwest 47 Street until the first east-west street in the Ashley Heights 1st Addition development to the north. This will force the sewer to be deeper than 15'. No waivers of design standards for sewer depth have been approved for the Ashley Heights 1st development. The sewer in this plat will be less than 15' deep at the property line.
- Sanitary sewer has not been extended to the property lines at drainage basin entry points into the development as per the planning directors letter dated December 10, 2002.
- The proposed alternate to serve the proposed apartment complex with a lift station is unsatisfactory. The apartment lot cannot be developed until a sewer outlet is available from the east.
- The annexation agreement for this plat should require this development to pay for the equivalent of ½ the cost of a 6" water main for its frontage on the existing and proposed 16" and 12" main in Northwest 48th Street.
- Public Works does not approve any drive way location for Lot 30 Block 12 onto Holdrege Street until a final site plan and use for the lot is approved.

- This developer should be required to make a contribution toward the future urban street paving of Northwest 48th Street. With other plats, Public Works has recommended a contribution equivalent to  $\frac{1}{2}$  the cost of a 3 lane suburban cross-section street. Allowing the plat adjacent to Northwest 48th Street without requiring an urban cross section is an exception to subdivision ordinance requirements.
- 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 connecting 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.

**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 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 # DRF03001

Address

Job Description: Development Review - Fire

Location: HUB HALL HEIGHTS

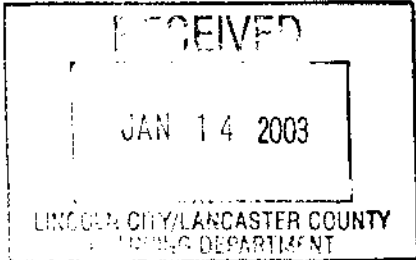
Special Permit: Y 1995

Preliminary Plat: Y 02025

Use Permit:

CUP/PUD:

Requested By BECKY HORNER



Status of Review: Denied

01/10/2003 11:28:09 AM

Reviewer: FIRE PREVENTION/LIFE SAFETY CODE

BOB FIEDLER

Comments: apartment complex will require private fire hydrant system.

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

- 2000 International Building Code and Local Amendments
- 2000 International Residential 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
- 2000 Uniform Fire Code and Local Amendments
- Applicable NFPA National Fire Code Standards

**LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT  
INTER-OFFICE COMMUNICATION**

**TO:** Becky Horner

**DATE:** November 27, 2002

**DEPARTMENT:** Planning

**FROM:** Chris Schroeder  
Ron Marquart

**ATTENTION:**

**DEPARTMENT:** Health

**CARBONS TO:** Bruce Dart, Director  
EH File  
EH Administration

**SUBJECT:** Hub Hall Heights  
PP #02025, CZ #3390  
SP #1995, Annex #02010

The Lincoln-Lancaster County Health Department (LLCHD) has reviewed the plat for the proposed Hub Hall Heights and conducted an on-site visit. There are no existing homes on this proposed plat. This plat consists of native prairie grassland and narrow tree growth areas in the drainage ways. The following items are noted:

- Water supply is proposed to be the City of Lincoln Water System.
- Sewage is proposed to be the Lincoln Wastewater System.
- 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.
- Provisions should be made for retaining as much tree mass as possible. Alternately, the applicant will need to plan for disposal of tree waste by burying on site, grinding, offering for firewood or hauling to the landfill. Permits for open burning of tree waste within the city limits will not be approved and applications for burning within the 3-mile zone are unlikely to be approved.

**-LES** INTER-DEPARTMENT COMMUNICATION

DATE November 19, 2002  
TO Becky Horner, City Planning  
FROM Sharon Theobald  
(Ext. 7640)  
SUBJECT DEDICATED EASEMENTS  
DN #18N-44W

Attached is the Preliminary Plat for Hub Hall Heights.

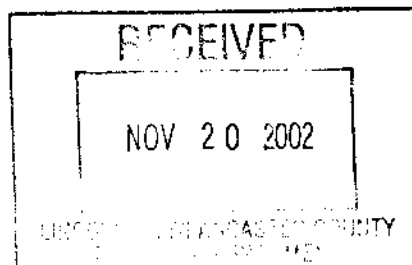
**In reviewing the dedicated transmission line or other electrical easements shown on this plat, LES does not warrant, nor accept responsibility for the accuracy of any such dedicated easements.**

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 and a blanket utility easement, excluding building envelopes, over Lot 30, Block 11.

*Sharon Theobald*

ST/ss  
Attachment  
c: Terry Wiebke  
Easement File

OFFICE\O\DEDEAS.Frm



**Richard J Furasek**

To: Rebecca D Horner/Notes@Notes

11/08/2002 09:46 AM

cc:

Subject: Hub Hall Heights

I have reviewed the preliminary plat#02025, special permit #1995, CZ#3390, and annex#02010 and find it acceptable to department's standards and am awaiting the final plat to see where fire hydrants are placed.

Richard J. Furasek  
Assistant Chief Operations  
Lincoln Fire & Rescue  
1801 Q Street  
Lincoln Ne. 68508  
Office 402-441-8354  
Fax 402-441-8292





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

To: R Horner <RHorner@ci.lincoln.ne.us>  
cc:  
Subject: Hub Hall Heights

11/11/2002 11:06 AM

Becky,

The Lincoln Police Department has no objections to the Hub Hall Heights SP #1905 and PP #02025.

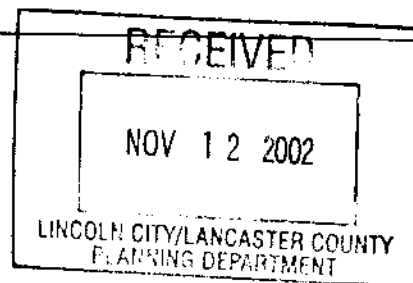
Michael S. Woolman  
Planning Sergeant  
Lincoln Police Department

SUPERVISOR, CUSTOMER SERVICE SUPPORT



November 8, 2002

Becky Horner  
City-County Planning Department  
555 So 10 St  
Lincoln NE 68508-3992



**SUBJECT: Hub Hall Heights**

Becky,

I have reviewed the above-mentioned request.

I find no concerns on behalf of the United States Postal Service and would agree with this proposal as submitted.

Please feel free to call me with any questions.

Thank you,

A handwritten signature in cursive script that reads "Rod L. Faulkner".

Rod L. Faulkner  
Acting Customer Service Support Supervisor

ROD FAULKNER  
ACTING SUPV, CUST SERV SUPPORT  
700 R ST RM 201  
LINCOLN NE 68501-9662  
(402) 473-1627  
FAX: (402) 473-1796

034

# Memo



**To:** Becky Horner, Planning Department

**From:** Mark Canney, Parks & Recreation

**Date:** November 12, 2002

**Re:** Hub Hall Heights SP 1995 PP 02025 CZ 3390 Annex # 02010

---

Staff members of the Lincoln Parks and Recreation Department have conducted a plan review of the above-referenced application/proposal and have no comments.

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



Dennis L Roth

To: Rebecca D Horner/Notes@Notes

01/26/2003 08:05 PM

cc:  
Subject: re: HUB HII Heights

PROJ NAME: Hub Hall Heights  
PROJ NMBR: PP 02025 SP 1995  
PROJ DATE: 06/06/03  
PLANNER: Becky Horner

Finding TWO DUPLICATE/SIMILAR sounding names in our geobase for the street name proposed in this project, other than those which are an extension of an existing street.

PROPOSED

W Louise  
W Jewel

DUPLICATE/SIMILAR SOUNDING

Lewis missed this on the first go around  
W Joel

STRONGLY RECOMMEND alternate names be selected in order to elimiunate any confusion to emergency responders.

Dennis "denny" Roth, ESD II/CAD Admin  
Emergency Communications 9-1-1 Center

STREETS: NW 40, NW 41 CT, NW 41 ST, NW 44 ST, NW 45 ST, NW 46 ST, NW 48 ST  
W BEWLEY CT, W FAESY PL, W FLANDER ST, W GARY GATELY ST, W HUB HALL  
DR, W HANCOCH CT,  
W HOLDREGE ST, W JAMES ST, W JEWEL ST, W KEADY LA, W LOUISE LA, W  
LUDWIG CIR, W LUDWIG DR,  
W MARTI CIR, W MEGAN LA, W MILTON DR, W PATTY LA, W REBECCA LA,



Stephen S Henrichsen

12/27/02 02:59 PM

To: Marvin S Krout/Notes@Notes, Ray F Hill/Notes@Notes  
cc: Virendra A Singh/Notes@Notes, Michael D Brienzo/Notes@Notes,  
Kelly K Sieckmeyer/Notes@Notes, Kent R Morgan/Notes@Notes,  
Rebecca D Horner/Notes@Notes  
Subject: West Holdrege, NW 40th to NW 48th

Marvin

As you requested I have searched through the Comp Plan in regards to West Holdrege, NW 40th to NW 48th, which is adjacent to the Hub Hall Heights preliminary plat and CUP.

This segment of road is unclassified currently and is NOT shown on any of future Functional Classification maps of the Comp Plan. It is NOT shown as future arterial nor collector and is not shown for future improvement.

A portion from NW 48th, east approximately 1/4 mile (maybe NW 44th) is shown on the "Tier I and II Right-of-Way" for 120 feet of ROW. This would appear to be done to reflect the intersection improvement of N. W. 48th Street and West Holdrege west of N.W. 48th to NW 70th. Intersection improvements often continue several blocks in all directions and onto roads that are not otherwise shown for improvement.

Steve

037

---

# MEMORANDUM

---

To: Planning Commission  
From: Becky Horner, Planning Dept. *BH*  
Date: February 3, 2003  
RE: Additional information and condition for Hub Hall Heights Preliminary Plat #02025

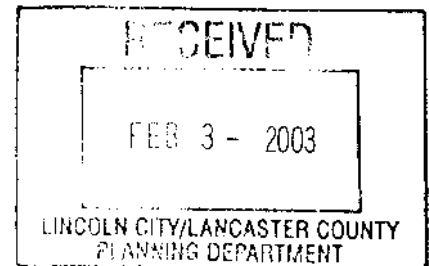
Please add the following conditions to the preliminary plat as requested by the Lincoln Airport Authority (attached):

- 1.1.26 Add a note to the site plan indicating that all storm water detention/retention cells shall be constructed and maintained to drain within 48 hours and not allowed to become wildlife attractants.
- 3.2.14 To maintain all storm water detention/retention cells so that they drain within 48 hours and are not allowed to become wildlife attractants.



January 31, 2003

Ms. Becky Horner, Project Planner  
Lincoln/Lancaster County Planning  
555 South 10<sup>th</sup>  
Lincoln, NE 68508



Subject: Lincoln Airport, Lincoln, NE  
Preliminary Plat  
Hub Hall Heights

Ms. Horner:

After reviewing the preliminary plat we have the following comments:

It appears that the eastern portion of the development may be between the Ldn65 and Ldn70 lines, per the Airport Environs Noise District Map. At a minimum, the appropriate line (either Ldn65 or Ldn70) should be shown on the map. Any construction between the Ldn65 and Ldn70 should be required to meet all requirements of Chapter 27.58.

Also, any portion of the development within the Airport Environs Noise District 1 will require an avigation easement per Chapter 27.58.080.

Second, it appears that a significant portion of the development is on property that has an elevation above 1,248'. Please refer to Chapter 27.59 of the Lincoln Municipal Code and its associated Lincoln Airport Zoning Map. Per Chapter 27.59, development in the "shaded" areas should be required to go through the height permitting process to ensure they do not exceed allowable structure heights.

Finally, bird strikes are an ever present risk around airports in general and wildlife attractants, such as storm water detention/retention cells, in close proximity to airports only serve to increase those risks. It has been our experience that storm water detention/retention cells, if not properly maintained, can easily turn into such attractants.

In an effort to reduce the risk, the FAA has distributed guidance on the siting of wildlife attractants in the attached Advisory Circular. Note in Section 1-3 the FAA recommends a separation of 10,000 feet between aircraft movement areas and wildlife attractants at airports serving turbine (jet) powered aircraft.

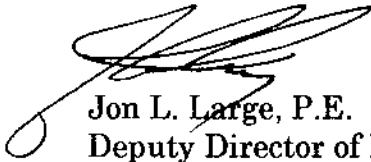
Ms. Becky Horner  
January 31, 2003  
Page 2

Due to the proximity of this development to the airport and given the number of detention areas in the development, the developer must assure that all proposed storm water detention cells will be constructed, and maintained, to drain within 48 hours and not be allowed to become wildlife attractants.

If you have any questions or comments, please advise.

Sincerely,

AIRPORT AUTHORITY

A handwritten signature in black ink, appearing to read 'Jon L. Large', with a large, stylized initial 'J'.

Jon L. Large, P.E.  
Deputy Director of Engineering

JLL/lb



(p.41 - Public Hearing - 2/5/03)

Feb 3, 2003

To Planning Commission,

Barbara K. Eickens and Martin V. Eickens own property adjacent to these development plans; Brian D. Carstens and Assoc permit no. 1995. Our property is Lot 27 SW 17-10-6.

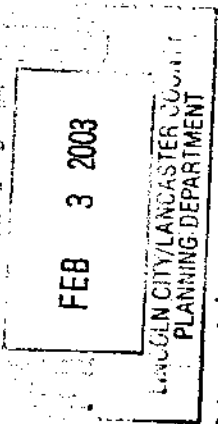
We are requesting a deferral of this application for two weeks to give us time to review the impact that this plan will have on our property.

As a condition of approval, we request NW 40<sup>th</sup> St not be extended north from W. Holdrege St. If public works does request that NW 40<sup>th</sup> St be extended north we would like the following condition of approval.

As a condition of approval of this special permit no 1995, we request NW 40<sup>th</sup> St be entirely located on the developer's land. Currently on the plans only half of the proposed right-of-way is located within the special permit and the other proposed right-of-way is located on our property Lot 27 SW 17-10-6.

As a condition of approval we request lots located on NW 41<sup>st</sup> St be platted to allow 33 ft of future right-of-way of NW 40<sup>th</sup> St on the developer's land. 041

Barbara K. Eickens



ITEM NO.1.3a,b,c,d: ANNEX. 02010

CHANGE OF ZONE 3390

SPECIAL PERMIT NO. 1995

PREL. PLAT NO. 02025

(p.41 - Public Hearing - 2/5/03)



February 4, 2003

LYLE L. LOTH, P.E./L.S.

Mr. Marvin S. Krout  
 Director of Planning  
 City of Lincoln  
 555 South 10th Street  
 Lincoln, NE 68508

Suite A - 601 Old Cheney Road  
 Lincoln, NE 68512

Phone (402) 421-2500  
 Fax (402) 421-7096

Email: lyle@espeng.com

RE: HUB HALL HEIGHTS - PRELIMINARY PLAT #02025

Dear Marvin,

On behalf of our client we would like to request a waiver of the extension of N.W. 40th Street to the north of West Holdrege Street which was requested by the Planning Department in the letter dated December 10, 2002. Due to the request we are also asking for a 2 week deferral to allow this waiver to be advertised.

The reason for the waiver has originated from the conversations with the property owners to the east of the project. Barbara K. Erickson and Martin V. Erickson have expressed major concerns with N.W. 40th Street. We have shown various versions of N.W. 40th Street to Becky Horner and the Ericksons'. We believe it is in our clients best interest to request a waiver of N.W. 40th Street since there is no possible connection to the north.

Sincerely,

A handwritten signature in black ink that reads 'Lyle L. Loth'.

Lyle L. Loth

