

City Council Introduction: **Monday**, January 26, 2004

Public Hearing: **Monday**, February 2, 2004, at **1:30 p.m.**

Bill No. 04R-15

FACTSHEET

TITLE: **SPECIAL PERMIT NO. 1598A**, an amendment to the **Northern Lights Community Unit Plan**, requested by Brian D. Carstens and Associates, on behalf of Cameron Corporation, to change the approved multi-family units to townhouse units (360 dwelling units, including 156 as shown on the site plan with 204 unassigned units), with associated waiver requests, on property generally located at N. 84th and Holdrege Streets.

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission

Public Hearing: 11/26/03

Administrative Action: 11/26/03

RECOMMENDATION: Conditional Approval, with amendments (8-0: Krieser, Duvall, Bills-Strand, Marvin, Carlson, Taylor, Larson and Steward voting 'yes').

STAFF RECOMMENDATION: Conditional approval.

FINDINGS OF FACT:

1. The purpose of this proposed amendment to the Northern Lights Community Unit Plan is to change approved multi-family dwelling units to townhome and duplex units. The previous permit was approved for 360 dwelling units. This application is for 156 dwelling units. The applicant does not wish to reduce the number of dwelling units already approved from 360. The total allowed dwelling units shall remain at 360, with 204 unassigned units.
2. The applicant has requested the following waivers:
 - A. Preliminary plat process.
 - B. Drive platform standards.
 - C. Lot depth-to-width ratio.
 - D. Front yard setback.
 - E. Block length.
 - F. Turnaround radius of N. 81st Court, N. 81st Place and No. 82nd Place.
 - G. Landscape screening.The staff is recommending denial of the waiver of drive platform standards.
3. The staff recommendation of conditional approval, except for the waiver of drive platform standards, is based upon the "Analysis" as set forth on p.3-5, concluding that the proposal is in conformance with the Comprehensive Plan and the Zoning and Subdivision Ordinances.
4. The applicant's testimony is found on p.10. The applicant indicated that they have had further conversations with Public Works and requested to amend Condition #1.1.11 regarding the waiver of drive platform standards such that the ultimate design be to the satisfaction of Public Works & Utilities. Dennis Bartels of Public Works accepted the proposed amendment; however, he believes the final design may still require a waiver.
5. There was no testimony in opposition.
6. The Parks and Recreation Department submitted a proposed additional condition of approval regarding the requested easement for a future trail (p.25). The language requested by the Parks Department was amended into Condition #1.2.3.
7. On November 26, 2003, the Planning Commission agreed with the staff recommendation and voted 8-0 to recommend conditional approval, with the amendment to Condition #1.1.11 (p.6), as requested by the applicant, and amendment to Condition #1.2.3 (p.6), as requested by the Parks and Recreation Department.
8. The Site Specific conditional of approval required to be completed prior to scheduling this application on the City Council agenda have been satisfied.

FACTSHEET PREPARED BY: Jean L. Walker

REVIEWED BY: _____

REFERENCE NUMBER: FS\CC\2004\SP.1598A

DATE: January 20, 2004

DATE: January 20, 2004

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for November 26, 2003 PLANNING COMMISSION MEETING

****As Revised by Planning Commission: 11/26/03****

P.A.S.: Special Permit #1598A, Northern Lights Community unit Plan

PROPOSAL: To amend the community unit plan to change the approved multiple-family units to townhouse units.

LOCATION: Generally located at N. 84th and Holdrege Streets.

WAIVER REQUEST:

- Eliminate the preliminary plat process
- Drive platform standards
- Increase lot depth to width ratio
- Reduce front yard setback from 20' to 5' as shown
- Increase block length
- Turnaround radius of N. 81st Court, N. 81st Place and N. 82nd Place.
- Landscape screening

LAND AREA: Approximately 21.41 acres.

CONCLUSION: In conformance with the Comprehensive Plan and the Zoning and Subdivision Ordinances.

<u>RECOMMENDATION:</u>	Conditional Approval
Eliminate the preliminary plat process	Approval
Drive platform standards	<u>Approval Denial</u>
Increase lot depth to width	Approval
Reduce front yard setback from 20' to 5' as shown	Approval
Block length	Approval
Turnaround radius of N. 81 st Court, N. 81 st Place and N. 82 nd Place	Approval
Landscape screening	Conditional Approval

GENERAL INFORMATION:

LEGAL DESCRIPTION: Lots 1-3, Northern Lights 2nd Addition, located in the

EXISTING ZONING: R-5, Residential

EXISTING LAND USE: Undeveloped

SURROUNDING LAND USE AND ZONING:

North:	Open space	P, Public
South:	Commercial, undeveloped	B-2, Planned Neighborhood Business
East:	Commercial, office, undeveloped	B-2, O-3, Office Park
West:	Residential, open space	P, R-3, Residential

HISTORY: On December 2, 1996 City Council approved Special Permit #1598 for 360 dwelling units and Change of Zone #2943 from AG to R-5, Preliminary Plat #95022; Annexation #95005, and Comprehensive Plan Amendment #94-04.

This area was zoned AA, Rural and Public Use until it was updated to AG, Agriculture in 1979

COMPREHENSIVE PLAN SPECIFICATIONS: This area is shown as Urban Residential in the Comprehensive Plan (F-25).

Overall Guiding Principles indicates:

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

Guiding Principles for New Neighborhoods indicates:

Multi-family and elderly housing nearest to commercial area. (F-67)

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. (F-17)

Natural and environmentally sensitive areas should be preserved within neighborhoods. (F-17)

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

Connected green space; encourage linear connected green spaces as much as possible. (F-20)

The Trails and Bicycles Facilities Plan indicates this area for the preservation of a trail ROW (F-95).

TRAFFIC ANALYSIS: Holdrege Street is classified as a urban major arterial. Internal roads are private roadways. Northern Lights Drive is wider than a local street.

ANALYSIS:

1. This is an application to revise an existing special permit for a community unit plan to change approved multi-family dwelling units to town-home and duplex units. The previous permit was approved for 360 dwelling units, this application is for 156 dwelling units. The applicant does not wish to reduce the number of dwelling units already approved from 360.

The total allowed dwelling units shall remain at 360.

2. This request reduces overall density, which is encouraged in the Comprehensive Plan. However, it does provide a variety of housing choices in the area, which is also encouraged in the Comprehensive Plan. The proposed use does provide a transition of uses to the commercial zoning. There is existing single family to the west and multifamily is provided to the east across 84th Street.
3. The lack of on street parking may be a problem. The number of proposed driveways will limit parking along the private roadways. Planning staff recommends some parking pockets be provided south of Northern Lights Drive. A limited number of off street stalls were provided north of Northern Lights Drive, but a significant number of dwelling units south of Northern Lights Drive will need to have some additional off street parking. Additional off street parking stalls may reduce the number of lots. The Public Works and Utilities Department indicates that additional parking should be provided for the same reasons as indicated above.
4. The Public Works and Utilities Department indicated that the request to waive the platform length for Addison Lane is not acceptable and they request revisions to this street platform. Their comments are attached.
5. Public Works and Utilities Department indicates that some of the proposed lots that take access to Northern Lights Drive that will be across from the commercial development on the south side of Northern Lights Drive. Consideration should be given to eliminating or reconfiguring these units. Also, these units are located east of the intersection of North Woods Drive and Northern Lights Drive. A considerable amount of commercial traffic will utilize this portion of Northern Lights Drive in front of the proposed homes.
6. The Public Works and Utilities Department indicates that grades need to be revised to meet existing grades, further explanation is in their attached report.
7. The Public Works and Utilities Department does not object to the waiver to reduce the turnaround radius provided that the developer can demonstrate that the turnaround will accommodate a standard AASHTO BUS design vehicle as per design standards. Other street revisions are required and indicated in the attached memo.
8. The requested front yard setback waivers are probably unnecessary because there is an outlot between the lots and the street. Planning staff has applied the same principles to these situations because they have the same effect as if they were abutting the street. In this case the request to allow a front yard setback waiver is reasonable.
9. Street names must be adjusted. N. 81st Street exists parallel to the proposed N. 81st Street. The designation of "Place" is only used for dead end streets, Northern Lights Place is not a dead end street, it is an intersection. The street name "Addison" is used in another part of Lincoln.

10. The landscape plan should show screening of off street parking stalls abutting the residential lots.
11. At least one sidewalk should be extended from the end of N. 81st Court to Holdrege Street. Sidewalks must be shown along Holdrege Street.
12. Indicate existing trees, trees to remain and to be removed on the grading plan. The previously approved plan was required to minimize grading along the park in order to protect the existing trees. This must be confirmed with this plan.
13. The Parks and Recreation Department had several comments, which are indicated in their attached memo. Parks and Recreation Department requests to have a 20' trail easement along the west portion of this property. The Trails and Bicycles Facilities Plan indicates this area for the preservation of trail ROW .
14. The Parks and Recreation Department requests a connection from this development to the proposed trail ROW.
15. The Building and Safety Department of Fire Prevention and Life Safety Codes indicated that some of the fire hydrants do not meet standards. The site plan must be revised to show fire hydrant spacing to meet standards.
16. Comments have not been received by the Lincoln Electric System, Building and Safety, Lincoln Public Schools or US Post Office. Additional revisions may be requested.
17. Landscape screening is required around the perimeter of the entire CUP of 50% from 6' - 15'. The east portion of the site does not show screening. There is a steep grade differential to the east. The Landscaping and Screening Design Standards allows for grade differences to be counted toward screening, however, the grade difference must be on the lot of the project. The request for a waiver is acceptable to the Planning Department in this case provided that a note should be added to the site plan indicating that should the grade be lowered to the east, screening shall be provided by the developer.

CONDITIONS:

Site Specific:

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 Street name changes to the satisfaction of the Planning Department.

1.1.2 At least 17 (one per 4-plex unit south of Northern Lights Drive)

additional off street parking stalls south of Northern Lights Drive to the satisfaction of the Planning Department.

- 1.1.3 Revise the numbering of the lot and block configuration so that sections of townhouses have distinct block numbers.
 - 1.1.4 Revisions to the satisfaction of the Public Works & Utilities Department.
 - 1.1.5 Extend one sidewalk from the end of N. 81st Court to sidewalks along Holdrege Street.
 - 1.1.6 Remove item #4 from the "Waivers" table.
 - 1.1.7 Existing trees, trees to remain and to be removed on the grading plan.
 - 1.1.8 Trail easement to the satisfaction of the Parks and Recreation Department.
 - 1.1.9 Fire hydrants on the site utility plan to the satisfaction of the Fire Prevention and Life Safety Codes Department.
 - 1.1.10 Revisions to the satisfaction of L.E.S., L.P.S., U.S.P.S., Building and Safety Department or the Fire Department, if necessary.
 - 1.1.11 Drive platform standards, to the satisfaction of Public Works & Utilities.
(Per Planning Commission, at the request of the applicant and agreed upon by staff, 11/26/03**)**
- 1.2 Revise the landscape plan to show:
- 1.2.1 Screening of parking stalls to meet Design Standards Chapter 3.5.
 - 1.2.2 Street trees along Holdrege Street and Northwoods Drive.
 - 1.2.3 ~~Trail to the satisfaction of the Parks and Recreation Department.~~
The applicant shall identify and reserve a twenty-foot (20') wide public access easement for future development of a commuter recreation trail in the event that North 84th Street is widened and there is not adequate area with the right-of-way to accommodate a trail adjacent to the roadway in compliance with the design standards for arterial streets. The alignment of the pedestrian access easement shall be generally parallel to the existing tree mass, in a location mutually acceptable to the owner and the Parks and Recreation Director. The trail easement shall be graded in conjunction with the adjoining townhouse development in a manner to allow for future construction of a commuter/recreation trail meeting Americans with Disabilities Act (ADA)

guidelines. (****Per Planning Commission, at the request of the Parks & Recreation Department, 11/26/03****)

1.2.4 Recreation facilities to the satisfaction of the Parks and Recreation Department.

1.2.5 A note indicating that in the event the grade is decreased on the property to the east, in the location of the landscaping waiver that screening will be provided to meet City of Lincoln Design Standards.

2. This approval permits 360 dwelling units, 156 shown on the site plan with 204 unassigned units, and variances to design standards for lot depth to width, block length, landscape screening, and front yard setbacks, and drive platform standards, as shown on the site plan. (****Per Planning Commission, at the request of the applicant and agreed upon by staff, 11/26/03****)

The waiver of the preliminary plat process shall only be effective for a period of ten (10) years from the date of the city's approval, and shall be of no force or effect thereafter. If any final plat on all or a portion of the approved community unit plan is submitted five (5) years or more after the approval of the community unit plan, the city may require that a new community unit plan be submitted, pursuant to all the provisions of section 26.31.015. A new community unit plan may be required if the subdivision ordinance, the design standards, or the required improvements have been amended by the city; and as a result, the community unit plan as originally approved does not comply with the amended rules and regulations.

General:

3. Before receiving building permits:
- 3.1 The permittee shall have submitted a revised and reproducible final plan including 7 copies and the plans are acceptable.
 - 3.2 The construction plans shall comply with the approved plans.
 - 3.3 Final Plats shall be approved by the City.
4. Final Plats will be approved by the Planning Director after:
- 4.1 The subdivider has 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.

- 4.2 Final Plats shall be approved by the Planning Director after the subdivider has signed an agreement that binds the subdivider, its successors and assigns:
- 4.2.1 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.
 - 4.2.2 To complete the private improvements shown on the Community Unit Plan.
 - 4.2.3 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.
 - 4.2.4 To continuously and regularly maintain the street trees along the private roadways and landscape screens.
 - 4.2.5 To submit to the lot buyers and home builders a copy of the soil analysis.
 - 4.2.6 To pay all improvement costs.
 - 4.2.7 To comply with the provisions of the Land Preparation and Grading requirements of the Land Subdivision Ordinance.
 - 4.2.8 To protect the trees that are indicated to remain during construction and development.
 - 4.2.9 To properly and continuously maintain and supervise the private facilities which have common use or benefit, and to recognize that there may be additional maintenance issues or costs associated with providing for the proper functioning of storm water detention/retention facilities as they were designed and constructed within the development, and that these are the responsibility of the land owner.
 - 4.2.10 To relinquish the right of direct vehicular access to Holdrege Street except as shown.

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 applicant shall sign and return the letter of acceptance to the City Clerk within 30 days following the approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filling fees therefor to be paid in advance by the applicant.
6. The site plan as approved with this resolution voids and supersedes all previously approved site plans, however all resolutions approving previous permits remain in force unless specifically amended by this resolution.

Prepared by:

Becky Horner
Planner

DATE: October 28, 2003

APPLICANT: Cameron Corporation
3900 Pine Lake Road #1
Lincoln, NE 68516
(402)730-8548

OWNER: Northern Lights L.L.C.
and Clayton K. Yeutter Trust
P.O. Box 22296
Lincoln, NE 68542

CONTACT: Brian D. Carstens and Associates
601 Old Cheney Road, Suite C
Lincoln, NE 68512
(402)434-2424

**SPECIAL PERMIT NO. 1598A,
AN AMENDMENT TO THE NORTHERN
LIGHTS COMMUNITY UNIT PLAN**

PUBLIC HEARING BEFORE PLANNING COMMISSION:

November 26, 2003

Members present: Krieser, Duvall, Bills-Strand, Marvin, Carlson, Taylor, Larson and Steward.

Planning staff recommendation: Conditional approval.

Ex Parte Communications: None.

Ray Hill of Planning staff submitted a letter from Lynn Johnson, the Director of Parks & Recreation, requesting that a condition be added regarding the requirement for the trail that goes through this project:

The applicant shall identify and reserve a twenty-foot (20') wide public access easement for future development of a commuter recreation trail in the event that North 84th Street is widened and there is not adequate area with the right-of-way to accommodate a trail adjacent to the roadway in compliance with the design standards for arterial streets. The alignment of the pedestrian access easement shall be generally parallel to the existing tree mass, in a location mutually acceptable to the owner and the Parks and Recreation Director. The trail easement shall be graded in conjunction with the adjoining townhouse development in a manner to allow for future construction of a commuter/recreation trail meeting Americans with Disabilities Act (ADA) guidelines.

Proponents

1. Brian Carstens appeared on behalf of the **Cameron Corporation**. This is a townhome project on a site previously approved for 360 apartments. This amendment proposes 156 dwelling units. Carstens agreed with all conditions of approval, including the additional condition requested by the Parks Department.

With regard to the staff recommendation to deny the waiver of the drive platform standards, Carstens indicated that the applicant has been working with Public Works and would like to receive approval of that waiver, subject to final design approval by Public Works & Utilities.

Marvin inquired as to the price range of the homes. Carstens indicated that they would be the same type as those located at about 91st & Pine Lake Road, which are in the \$123,000-\$125,000 range.

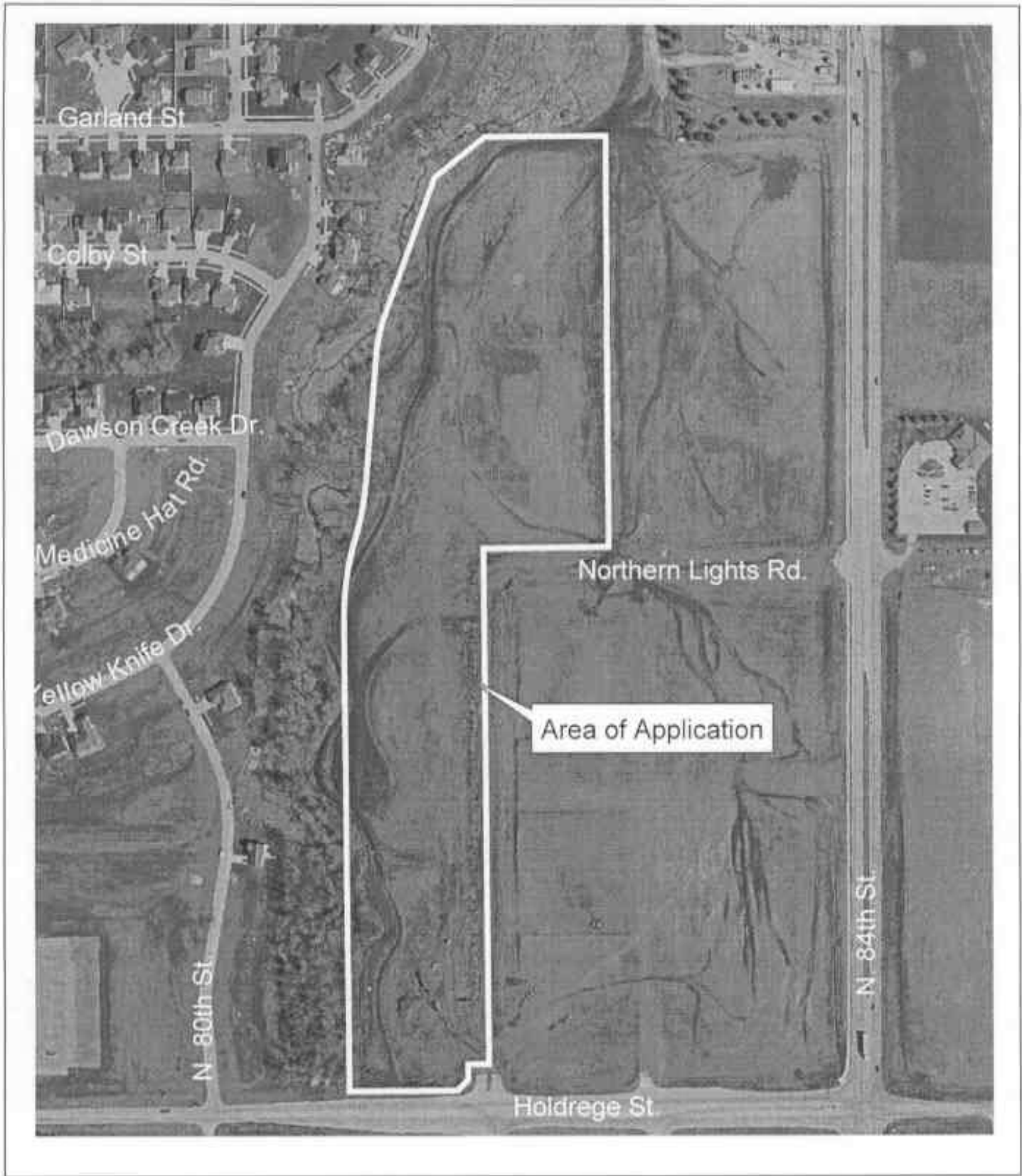
There was no testimony in opposition.

Carlson asked staff to respond to the drive platform standard waiver request. Dennis Bartels of Public Works believes that what they have been discussing with the applicant still requires a waiver, but he believes there is opportunity for them to work with the applicant to get closer to the design standard. The main problem is meeting the requirement for 3% or flatter platform as it approaches the intersection at both ends. As now shown on the site plan, it is a 7% platform. Bartels believes they can reach agreement on a platform, although it may still be shorter than the design standards. Therefore, Bartels would agree to approval of the waiver, subject to a final design acceptable to Public Works.

ADMINISTRATIVE ACTION BY PLANNING COMMISSION:

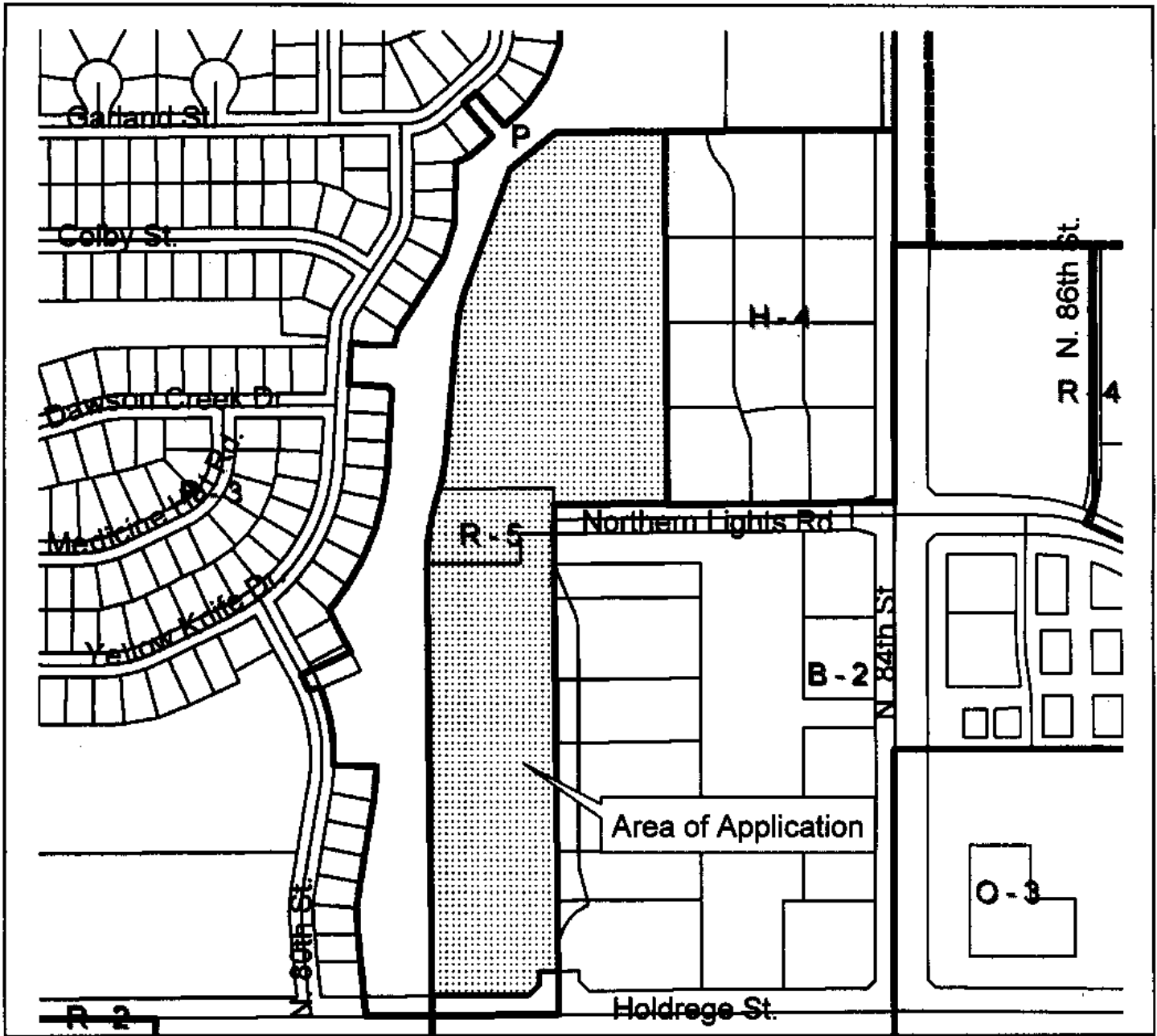
November 26, 2003

Larson moved to approve the staff recommendation of conditional approval, with amendments, adding the Parks Department condition and approving the drive platform waiver, subject to approval by Public Works & Utilities, seconded by Bills-Strand, and carried 8-0: Krieser, Duvall, Bills-Strand, Marvin, Carlson, Taylor, Larson and Steward voting 'yes'.



**Special Permit #1598A
N. 84th & Holdrege St
Northern Lights CUP**



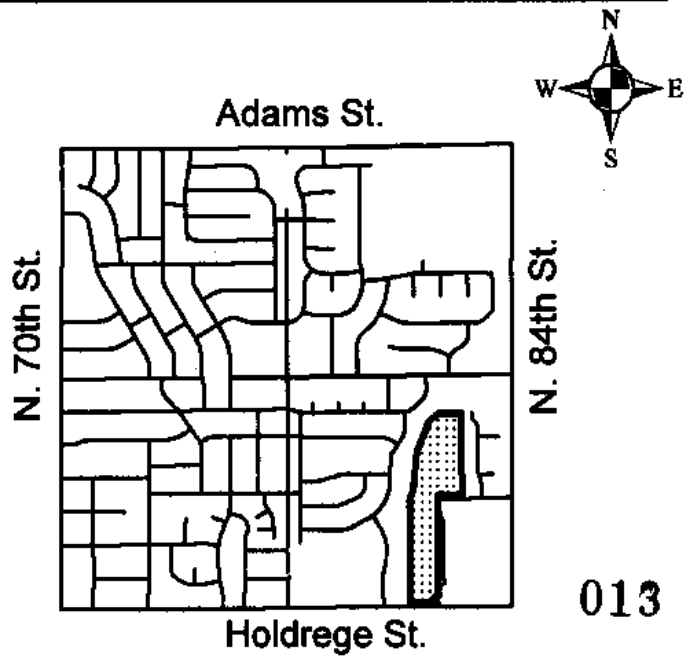
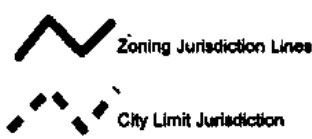


Special Permit #1598A
N. 84th & Holdrege St
Northern Lights CUP

Zoning:

- R-1 to R-4 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-8 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. 15 T10N R7E



013

BRIAN D. CARSTENS & ASSOCIATES
 LAND USE PLANNING
 RESIDENTIAL & COMMERCIAL
 DESIGN

400 OLD CHERRY ROAD
 SUITE 100
 LINCOLN, NE 68502

PHONE: (402) 441-4444
 FAX: (402) 441-4444
 WWW: WWW.BDCARSTENS.COM

**NORTHERN LIGHTS
 TOWNHOMES**

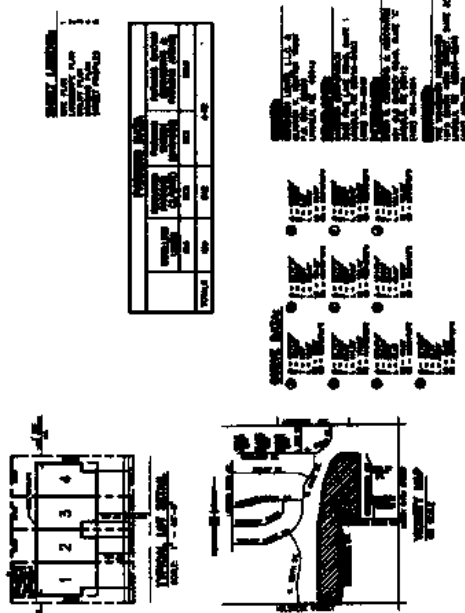
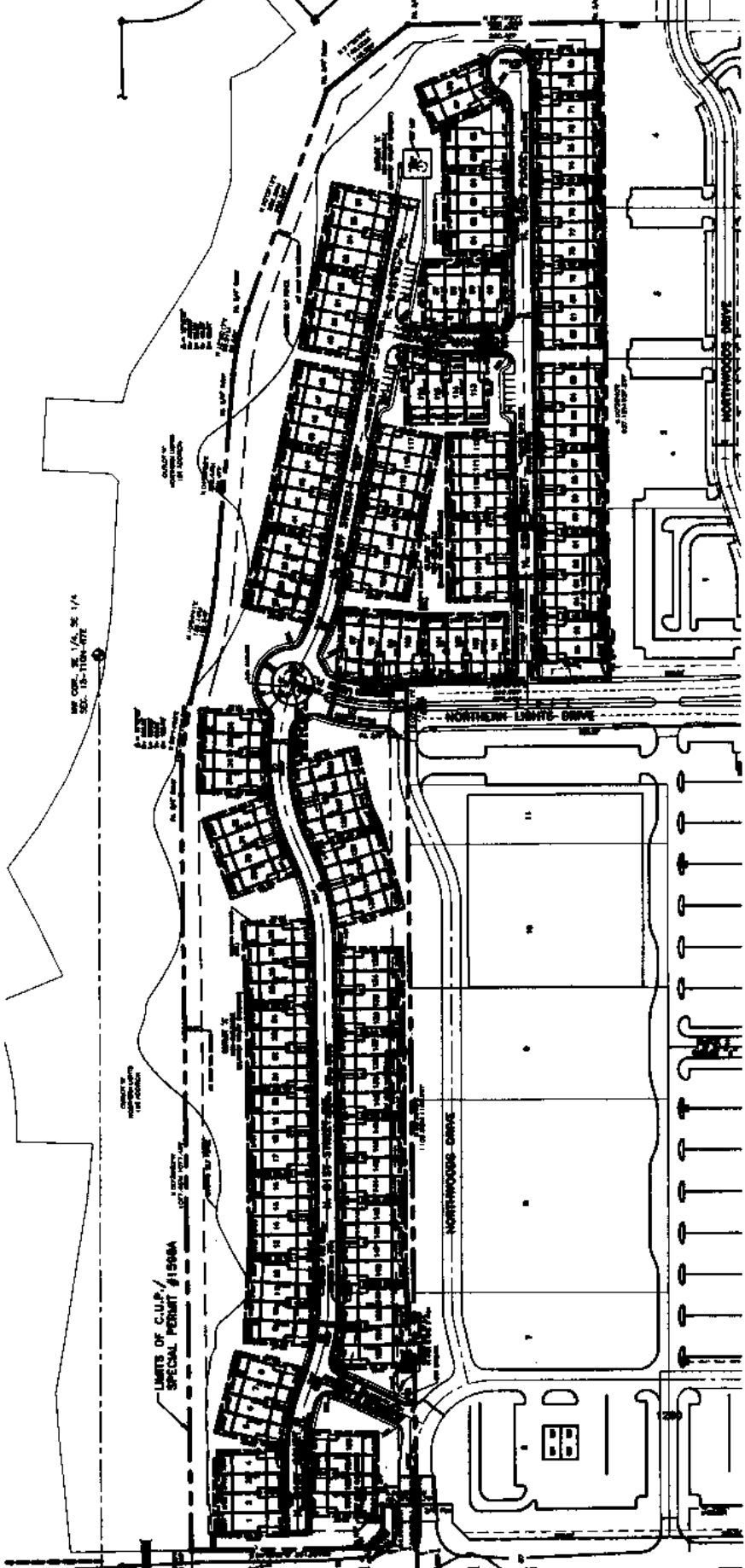
SPECIAL PERMITS
 CITY OF LINCOLN
 #1596A

NORTHWOODS DR. &
 HOLLIDAY ST.
 LINCOLN, NE

SITE PLAN

SCALE: 1/4"=1'-0"

PROPERTY OWNER:
 BDCARSTENS

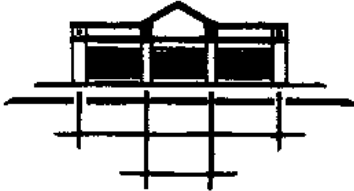


GENERAL NOTES:

1. THE CITY OF LINCOLN HAS REVIEWED THIS PLAN AND HAS GRANTED A SPECIAL PERMIT FOR THE DEVELOPMENT OF THIS PROJECT.
2. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CITY OF LINCOLN AND THE STATE OF NEBRASKA.
3. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CITY OF LINCOLN AND THE STATE OF NEBRASKA.
4. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CITY OF LINCOLN AND THE STATE OF NEBRASKA.
5. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CITY OF LINCOLN AND THE STATE OF NEBRASKA.
6. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CITY OF LINCOLN AND THE STATE OF NEBRASKA.
7. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CITY OF LINCOLN AND THE STATE OF NEBRASKA.
8. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CITY OF LINCOLN AND THE STATE OF NEBRASKA.
9. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CITY OF LINCOLN AND THE STATE OF NEBRASKA.
10. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CITY OF LINCOLN AND THE STATE OF NEBRASKA.

GENERAL NOTES:

1. THE CITY OF LINCOLN HAS REVIEWED THIS PLAN AND HAS GRANTED A SPECIAL PERMIT FOR THE DEVELOPMENT OF THIS PROJECT.
2. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CITY OF LINCOLN AND THE STATE OF NEBRASKA.
3. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CITY OF LINCOLN AND THE STATE OF NEBRASKA.
4. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CITY OF LINCOLN AND THE STATE OF NEBRASKA.
5. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CITY OF LINCOLN AND THE STATE OF NEBRASKA.
6. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CITY OF LINCOLN AND THE STATE OF NEBRASKA.
7. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CITY OF LINCOLN AND THE STATE OF NEBRASKA.
8. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CITY OF LINCOLN AND THE STATE OF NEBRASKA.
9. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CITY OF LINCOLN AND THE STATE OF NEBRASKA.
10. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CITY OF LINCOLN AND THE STATE OF NEBRASKA.



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

October 16, 2003

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

**RE: NORTHERN LIGHTS TOWNHOMES- SPECIAL PERMIT# 1598-A
HOLDREGE STREET AND NORTHWOODS DRIVE**

On behalf of the Cameron Corporation, we submit Special Permit #1598-A for your review. Northern Lights Townhomes consists of 37- four-plex/ townhome units and four duplex/ single family attached units for a total of 156 dwelling units. Each unit will be built on its own platted lot. All lots will take access to private roadways that will be owned and maintained by a home owners association. The water and sanitary sewer will be public. Each two story unit is approximately 1,700 square feet and has a 2 stall attached garage and parking for two additional vehicles in the driveway.

This site was previously approved in December of 1996 for 360 multi-family units. The site is bordered by Holdrege Street to the South, by an existing drainage way and single family lots to the west, a detention cell and single family lots to the north, and proposed office and retail uses to the east.

We are requesting the following waivers to the subdivision and zoning ordinance.

Request waiver of the Preliminary Plat procedures.

Request waiver to allow the Planning Director to approve final plats, including dedication of right of way that is in conformance with the approved Special Permit/ C.U.P.

Request waiver to block length on the west side North 81st Street, due to the existing drainage way to the west and there is no opportunity for street connections.

Request waiver of the 3/1 depth to width ratio to allow for the subdivision as shown on the Special Permit/ C.U.P plans

Request waiver of the required front yard from 20' to 5' in various locations as listed on the plans. These waivers are all internal to the project, and appear to be side yards as you drive into and through the development.

Page 2

Request waiver of platform approach for Addison Lane (Private Roadway) to Northwoods Drive (Private Roadway).

Request any and all waivers that we missed while preparing the applications and plans. You know... the ones that always catch us after the project is advertised for public hearing!

Please feel free to contact me if you have any further questions.

Sincerely,



Brian D. Carstens

cc. Breck and Blake Collingsworth

Enclosures: 24 copies of sheet 1 of 5
8 copies of sheets 2 through 5 of 5
8-1/2" x 11" reductions of the plans
Application for Special Permit (C.U.P.)
Application fees of \$2,750.00
Certificate of ownership

**REQUESTED WAIVIERS FOR
NORTHERN LIGHTS TOWNHOMES CUP #1598A**

We are requesting the following waivers to the subdivision and zoning ordinance.

Waiver of the Preliminary Plat procedures.

Waiver to block length on the west side North 81st Street, due to the existing drainage way to the west and there is no opportunity for street connections.

Waiver of the 3/1 depth to width ratio to allow for the subdivision as shown on the Special Permit/ C.U.P plans

Waiver of the required front yard from 20' to 5' in various locations as listed on the plans. These waivers are all internal to the project, and appear to be side yards as you drive into and through the development.

Waiver of platform length for the intersection of Addison Lane (Private Roadway) and Northwoods Drive (Private Roadway).

Waiver of required screening to be located on adjacent B-2 ground to the east, immediately, west of Northwoods Drive. The screening will be more effective closer to Northwoods Drive because the topography is higher.

Waiver of Sanitary Sewer running against street grade in North 82nd Street.

Waiver of a 30 foot turnaround ^{radius} in lieu of a 43.5 foot turnaround at North 81st Court, North 81st Place and North 82nd Place.

Memorandum

To:	Becky Horner, Planning Department
From:	Chad Blahak, Public Works and Utilities
Subject:	Northern Lights Town Homes CUP #1598A
Date:	11/12/03
cc:	Randy Hoskins

Engineering Services has reviewed the submitted CUP #1598A Northern Lights Town Homes, located north of Holdrege Street and east of 84th Street, and has the following comments:

Sanitary Sewer - A waiver of design standards is needed for running sanitary sewer against street grade in North 82nd Place. Public Works would approve this waiver provided that the plans be revised to show that the sewer does not violate the maximum 15' depth requirement.

Water Mains - The water system for this plat is satisfactory.

Grading/Drainage - The proposed grading plan does not appear to match the proposed contours for grades in the southern portion of future North Woods Drive. The proposed contours need to be revised to match with the future North Woods Drive grades. It appears that a retaining wall may be needed match future North Woods Drive.

The grading contours along the eastern property line of the north portion of the CUP do not match existing or proposed future grades to the east. If a retaining wall is intended it must be labeled and clearly shown on the plans. If a retaining wall is not intended, the grading needs to be revised accordingly.

The proposed grading at the north end of 81st Street and 82nd place is incomplete. The grading contours need to be correctly tied in to existing or future proposed grades along all boundaries of the CUP.

Streets - Show that the proposed roundabout can accommodate a standard AASHTO BUS design vehicle as per design standards.

Label existing and proposed geometry in Northern Lights Drive.

Numerous horizontal curves shown will require waivers for minimum tangent length according to design standards. It appears that the need for these waivers can be eliminated with minimal adjustment to the roadway alignments.

A waiver for design standards for permanent dead end turnarounds needs to be requested for 81st Court and 81st Place. Public Works would approve this waiver with the exception that in lieu of no turnaround, a 30' turnaround be provided as it appears that

minimal adjustments to the site plan would be necessary.

Public Works does not approve the request for a waiver of design standards for platform length at the intersection of Addison and North Woods Drive. The excessive slopes combined with short street length could cause hazardous conditions. Adjustments to the site plan may be necessary to eliminate the need for this waiver.

General - Numerous concerns have been raised on previous town home projects about the lack of on street parking given the close packed drive ways. Some additional on street parking is being shown in the north portion. Consideration should be given to providing addition on street parking for the southern portion of the site.

Some of the proposed lots that take access to Northern Lights Drive that will be across from the commercial development on the south side of Northern Lights Drive. Consideration should be given to eliminating these units. Also, these units are located east of the intersection of North Woods Drive and Northern Lights Drive. A considerable amount of commercial traffic will utilize this portion of Northern Lights Drive in front of the proposed homes.

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 between the storm sewer inlets and 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.



Dennis L Roth

10/20/2003 08:57 PM

To: Rebecca D Horner/Notes@Notes

cc:

Subject: re: Northern Lights Townhomes

PROJ NAME: NMorthern Lights Townhomes
PROJ NMBR: CUP/PUD # 1598-A
PROJ DATE: 10/17/03
PLANNER: Becky Horner

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

PROPOSED

Addison Ln

EXISTING

Addison Ct

Addison Ct currently exists in SE Lincoln running west off S 77th between Phares and Glynoaks, final plat approved but not developed.

Because the two streets will not align, MOST STRONGLY RECOMMEND an ALTERNATE name be chosen.

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

STREETS:

PRIVATE: Addison Ln, Conner Ave, Northern Lights Dr and Pl, Northwoods Dr,
N 81 Ct, Pl and St, N 82 Pl and St

COMMENTS:



IMPORTANT



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.



Permit # **DRF03125**

Address

Job Description: **Development Review - Fire**

Location: **NORTHERN LIGHTS TOWNHOMES**

Special Permit:

Preliminary Plat:

Use Permit:

CUP/PUD: **Y 1598-A**

Requested By **BECKY HORNER**

Status of Review: **Denied**

10/20/2003 11:36:45 AM

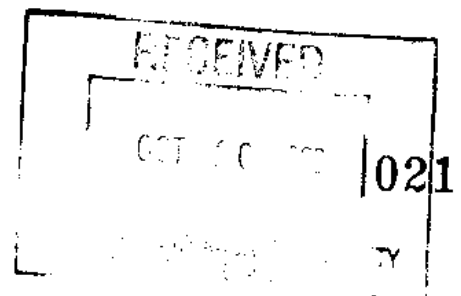
Reviewer: **FIRE PREVENTION/LIFE SAFETY CODE**

BOB FIEDLER

Comments: **need site utility plan showing fire hydrants.**

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



Memo



To: Becky Horner, Planning Department

From: Mark Canney, Parks & Recreation

Date: October 21, 2003

Re: Northern Lights Townhomes 1598-A

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

1. A 20' trail easement should be provided on the west side of the property for future potential trail .
2. Street trees are required along Northwoods Drive. Pull back the screening to allow room for the street trees.
3. Street trees are required along Holdrege.
4. Consider providing an east-west connection at the end of outlot C to connect residential areas.
5. Please provide an outdoor recreation plan that includes a ½ court basketball court, tot lot, shaded seating area, and pedestrian access.
6. Tot lot needs to comply with National Consumer Safety Standards.

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

INTER-DEPARTMENT COMMUNICATION



DATE: October 31, 2003
TO: Becky Homer, City Planning
FROM: Sharon Theobald
Ext. 7640
SUBJECT: DEDICATED EASEMENT - Special Permit #1598-A
DN # 18N-82E

Attached is the Site Plan for Northern Lights Townhomes.

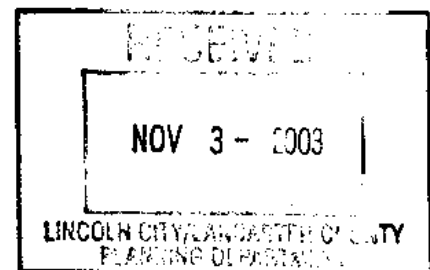
In reviewing the dedicated transmission line or other electrical easements shown on this plat, LES does not warrant, nor accept responsibility for the accuracy of any such dedicated easements.

ALLTEL, Time Warner Cable, and the Lincoln Electric System will require the additional easements marked in red on the map, along with a blanket utility easement over Outlot "A", as already noted on the Plat Map.

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



Richard J Furasek

To: Rebecca D Horner/Notes@Notes

10/31/2003 03:47 PM

cc:

Subject: Northern Lights townhouses

After reviewing the plans for CUP/PUD 1598-A, the only concern is that some of the hydrants are located at longer distances then 400 feet. I think design standards are for 400 feet between hydrants. By my calculations, the distance is greater then this in a couple of areas, especially along North 81st north of Addison Lane. It would be nice to have the hydrants at least at design standard. Please reply if I have missed some hydrants or am calculating wrong.

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

Memorandum

November 26, 2003

TO: Lincoln City - Lancaster County Planning Commission Members
FR: Lynn Johnson, Parks and Recreation *Lynn Johnson*
RE: Special Permit No. 1598A, an amendment to the Northern Lights Community Unit Plan
Cc: Marvin Krout, Planning
Becky Horner, Planning
Brian Carstens, Brian D. Carstens and Associates

The purpose of this memo is to provide additional information regarding the requested easement for a future trail paralleling the western boundary of the area of application for Special Permit No. 1598A.

A trail easement along the west side of the drainage channel between Holdrege and Leighton Streets was established with the Northern Lights Community Unit Plan (CUP). This trail location was consistent with the Comprehensive Plan at that time which depicted future trails adjacent to North 84th Street, and along the drainage channel through the Northern Lights development. Subsequently, a trail was constructed along the west side of North 84th Street in tandem with arterial street improvements. City staff in cooperation with the developer of the Northern Lights CUP determined that two public trails located approximately ¼ mile apart were a duplication of public facilities and amended the CUP to eliminate the requirement for the developer to construct the trail. However, the trail easement was reserved for trail construction in the event that North 84th Street is widened and there is not adequate area for an adjoining trail within the right-of-way.

We are requesting that the aforementioned trail easement be retained in conjunction with consideration of the proposed amendment to the Northern Lights CUP. Previously it had been agreed that the trail easement would generally follow the western boundary of the tree massing along the drainage channel. This alignment minimizes impact to the existing tree massing and riparian areas along the drainage channel. It also provides a reasonable demarcation between more manicured landscape areas associated with the multi-family residential area to the west, and the greenway along the drainage channel to the east.

We request that the following condition be added to Special Permit #1598A, an amendment to the Northern Lights Community Unit Plan:

The applicant shall identify and reserve a twenty-foot wide public access easement for future development of a commuter recreation trail in the event that North 84th Street is widened and there is not adequate area with the right-of-way to accommodate a trail adjacent to the roadway in compliance with the design standards for arterial streets. The alignment of the pedestrian access easement shall be generally parallel to the existing tree mass, in a location mutually acceptable to the owner and the Parks and Recreation Director. The trail easement shall be graded in conjunction with the adjoining townhouse development in a manner to allow for future construction of a commuter/recreation trail meeting American with Disabilities Act (ADA) guidelines.

Thank you for your consideration