

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT
for FEBRUARY 18, 2015 PLANNING COMMISSION MEETING

PROJECT #: Annexation #15001
Change of Zone No.05054B Prairie Village North Planned Unit Development (PUD)

Note: 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.

PROPOSAL: To amend the existing Prairie Village North PUD by adding 22.5 acres and changing the zoning district from AG to R-3 PUD

LOCATION: N. 90th Street and Adams Street

LAND AREA: Annexation and Change of Zone: 22.5 acres, more or less

EXISTING ZONING: AG Agricultural

CONCLUSION: The area to be annexed and re-zoned is shown as part of the overall concept plan associated with the previously approved PUD. Subject to the recommended conditions of approval, these requests are in general compliance with the Zoning Ordinance and Comprehensive Plan.

RECOMMENDATION:

Annexation #15001

Change of Zone #05054B

Approval
Conditional Approval

PROPOSED CITY COUNCIL DISTRICT ASSIGNMENT: District #1

GENERAL INFORMATION:

LEGAL DESCRIPTION: See Attached

EXISTING LAND USE: Undeveloped

SURROUNDING LAND USE AND ZONING:

North:	AG Agricultural	Undeveloped
South:	AG Agricultural	Acreage development
East:	AG Agricultural	Undeveloped
West:	R-3 Residential	Single-family and attached single-family

HISTORY:

- October 16, 2014 AA#14026 to revise the lot and street layout and show grading/drainage and street profiles for the concept area was approved by the Planning Director.
- February 5, 2007 AN#06021 and CZ#05054A Prairie Village North PUD was approved by the City Council.
- March 2005 CZ#05054 Prairie Village North PUD was approved by the City Council

COMPREHENSIVE PLAN SPECIFICATIONS:

Distribute and preserve affordable housing throughout the community to be near job opportunities and to provide housing choices within existing and developing neighborhoods. (p.7.2)

Provide a wide variety of housing types and choices for an increasingly diverse and aging population. (P.7.2)

Encourage a mix of housing types all within one area. (P.7.10)

The 2040 Lincoln Area Future Land Use Plan identifies this area as Residential-Urban Density. (P.12.3)

The ANNEXATION POLICY- page 12.14 of the 2040 Comprehensive Plan.

Annexation policy is a potentially powerful means for achieving many of the goals embodied in the Plan's Vision. Annexation is a necessary and vitally important part of the future growth and health of Lincoln. The annexation policies of the City of Lincoln include but are not limited to the following:

The provision of municipal services must coincide with the jurisdictional boundaries of the City – in short, it is not the intent of the City of Lincoln to extend utility services (most notably, but not necessarily limited to, water and sanitary sewer services) beyond the corporate limits of the City.

The extension of water and sanitary sewer services should be predicated upon annexation of the area by the City. City annexation must occur before any property is provided with water, sanitary sewer, or other potential City services.

To demonstrate the City's commitment to the urbanization of land in Tier I Priority B, the City should annex land that is contiguous to the City and generally urban in character, as well as land that is engulfed by the City.

Land which is remote or otherwise removed from the limits of the City of Lincoln will not be annexed. Annually the City should review for potential annexation all property in Priority B for which basic infrastructure is generally available or planned for in the near term.

Annexation generally implies the opportunity to access all City services within a reasonable period of time.

UTILITIES: All utilities are available to serve this development.

TRAFFIC ANALYSIS: Adams Street is classified as a minor arterial

PUBLIC SERVICE:

The nearest fire station is located at Touzalin Avenue and Fremont Street.

The nearest elementary school is Kahoa located at 7700 Leighton Avenue.

ANALYSIS:

1. This is a request to amend the Prairie Village North PUD by annexing approximately 22.5 acres and change the zoning from AG to R-3 PUD. The amended PUD will increase the allowed density by 155 dwelling units, bringing the total allowed to 1,218. With the 22.5 acres addition, the overall PUD will be 222.17 acres.
2. The previous site plan for this PUD had shown the area of this application as conceptual. Although the area was shown as conceptual, details concerning lot layout, street layout and grading/drainage issues were evaluated for overall feasibility.
3. The only change to the PUD is for the new annexed area shown as Amended Limits on the site plan. There are no changes to the approved plan for the remaining area of the PUD.
4. All previous waivers will apply to this application. Waivers for the R-3 District were granted to reduce the minimum lot width to 35 feet and the front yard setback to 15 feet for single family lots.
5. The area of annexation and change of zone are shown as urban residential in the future land use plan.

CONDITIONS

This approval permits 1218 dwelling units, 600,000 square feet of commercial floor area with a maximum single retail use of 175,000 square feet north of Adams Street and 285,000 square feet of commercial floor area with a maximum single retail use of 50,000 square feet south of Adams Street.

Site Specific Conditions:

1. Before a final plat is approved the developer shall cause to be prepared and submitted to the Planning Department a revised and reproducible final plot plan

including 5 copies with all required revisions and documents as listed below upon approval of the planned unit development by the City Council.

- 1.1 Revise the PUD legal description to include all lots and blocks for each addition. Show the total acres for the entire PUD.
 - 1.2 Delete the boundary of the Amended limits of PUD. Only show the limits of the entire PUD.
 - 1.3 Add to the legend on pertinent sheets what the dot pattern and the cross hatch represent.
 - 1.4 Remove the unlabeled lines the cross Lots 22,26, 30 and 33, Block 16 and Lot 22, Block 2 on Sheet 1 and 2.
 - 1.5 Make corrections to the satisfaction of Public Works Watershed Management.
2. City Council approves associated Annexation #15001.
 3. Before receiving building permits, the developer shall provide the following documents to the Planning Department:
 - 3.1 Verification from the Register of Deeds that the letter of acceptance as required by the approval of the planned unit development has been recorded.
 4. Prior to the issuance of a building permit:
 - 4.1. The construction plans must substantially comply with the approved plans.

Standard Conditions:

5. The following conditions are applicable to all requests:
 - 5.1 Before occupying the dwelling units/buildings all development and construction shall substantially comply 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 physical location of all setbacks and yards, buildings, parking and circulation elements, and similar matters must be in substantial compliance with the location of said items as shown on the approved site plan.
- 5.4 The terms, conditions, and requirements of the ordinance shall run with the land and be binding upon the developer, its successors and assigns.
- 5.5 The applicant shall sign and return the letter of acceptance to the City Clerk. This step should be completed within 60 days following the approval of the special permit. The City Clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filling fees therefore to be paid in advance by the applicant. Building permits will not be issued unless the letter of acceptance has been filed.
- 5.6 The site plan as approved with this ordinance voids and supersedes all previously approved site plans, however all ordinances approving previous permits remain in full force and effect unless specifically amended by this ordinance.

Prepared by:

Tom Cajka
Planner

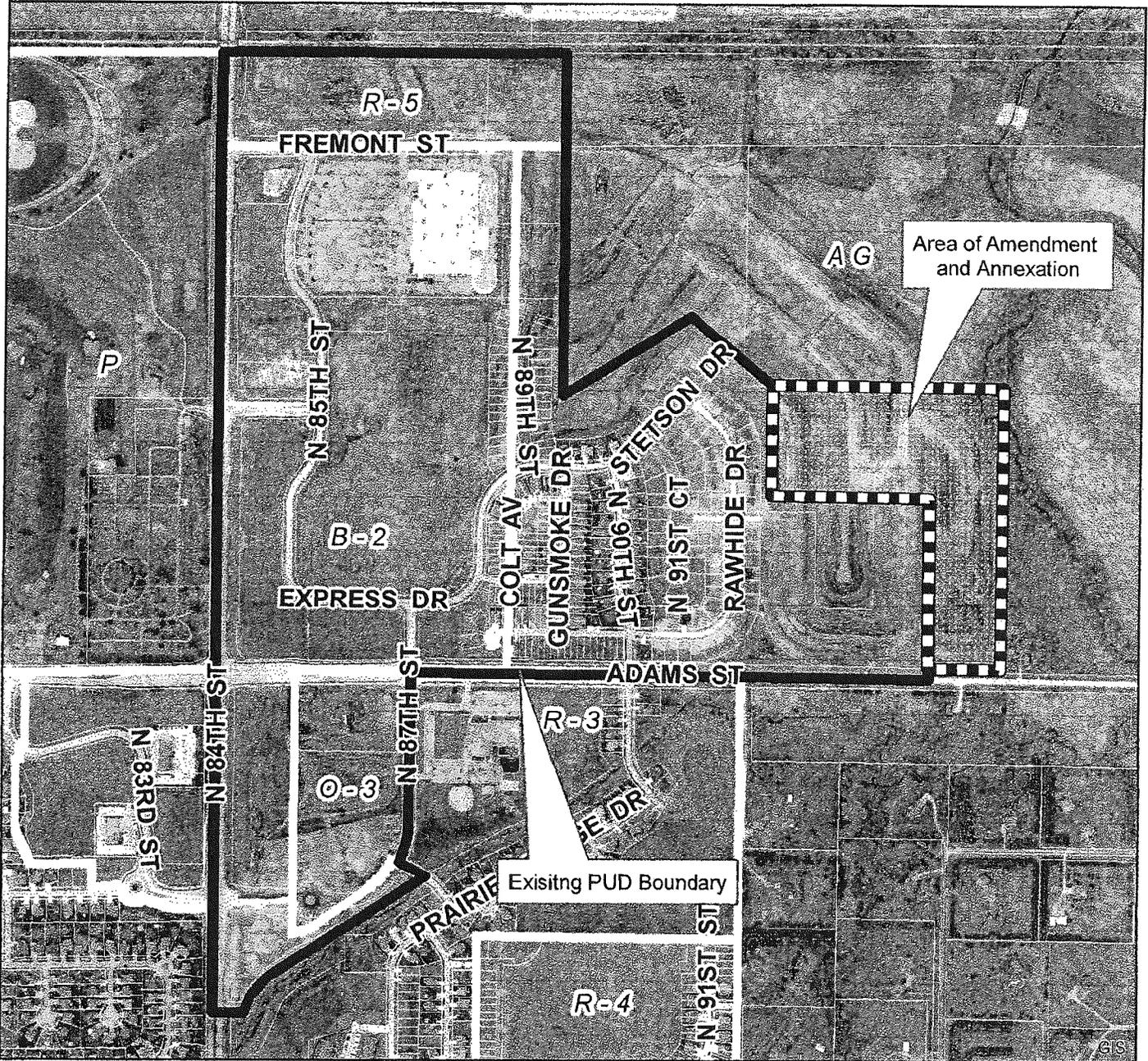
DATE: February 4, 2015

APPLICANT: Starostka-Lewis
429 Industrial Lane
Grand Island, NE 68803
402-499-4793

OWNER: Same as applicant

CONTACT: Mike Eckert
Civil Design Group
8535 Executive Woods Drive Suite 200
Lincoln, NE 68512
402-434-8494

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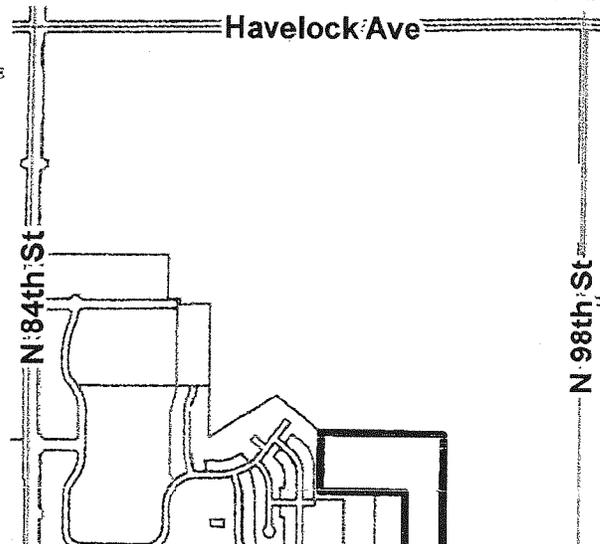
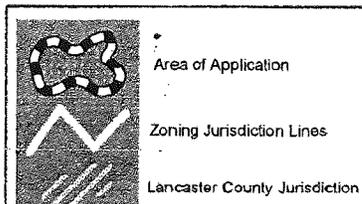
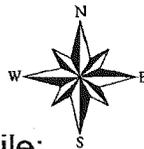


**Change of Zone #: CZ05054B &
Annexation #: AN14005
Prairie Village North
N 94th & Adams St
Zoning:**

2013 aerial

- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential 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

One Square Mile:
Sec. 11 T10N R07E



CHANGE OF ZONE AG TO R-3 PUD AND ANNEXATION LEGAL DESCRIPTION

Legal description of a part of Lot 48 I.T., located in the Southeast Quarter of Section 11, Township 10 North, Range 7 East of the Sixth P.M., Lincoln, Lancaster County, Nebraska and more particularly described as follows:

Beginning at the Southeast Corner of Lot 48 I.T., said point being on the North 50.00' Right-of-way Line of Adams Street thence Northerly on the East line of Lot 48 and on the East Line of the West Half of the Southeast Quarter of Section 11 and on an assumed bearing of N 00°22'02" E for a distance of 1429.99'; Thence N 89°18'20" W for a distance of 1175.19' to point on the Westerly Line of Lot 48; Thence on the Westerly Line of Lot 48 the following courses; S 00°25'48" W for a distance of 560.01'; Thence S 89°18'20" E for a distance of 803.72'; Thence S 00°04'58" W for a distance of 870.02' to the Southeast Corner of Lot 48, said point also being on the North 50.00' Right-of-way Line of Adams Street; Thence on the South Line of Lot 48 and the North 50.00' Right-of-way Line of Adams Street, S 89°18'19" E for a distance of 367.76' to the **Point of Beginning** and having a calculated area of 22.50 acres more or less.

Subject to any and all easements and restrictions of record.

DWG: F:\Projects\2015\201500016\1500016_PUD\1500016_coz.dwg
 DATE: Feb 25, 2015 8:39am
 USER: Jill Schuermann
 XREFS:

drawn by: jds
 checked by: -
 project no.: 2015-0016
 date: 02/25/2015

CHANGE OF ZONE & ANNEXATION EXHIBIT
PRAIRIE VILLAGE NORTH
LINCOLN, NEBRASKA



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 8535 EXECUTIVE WOODS, DR., SUITE 200
 Lincoln, Nebraska 68512
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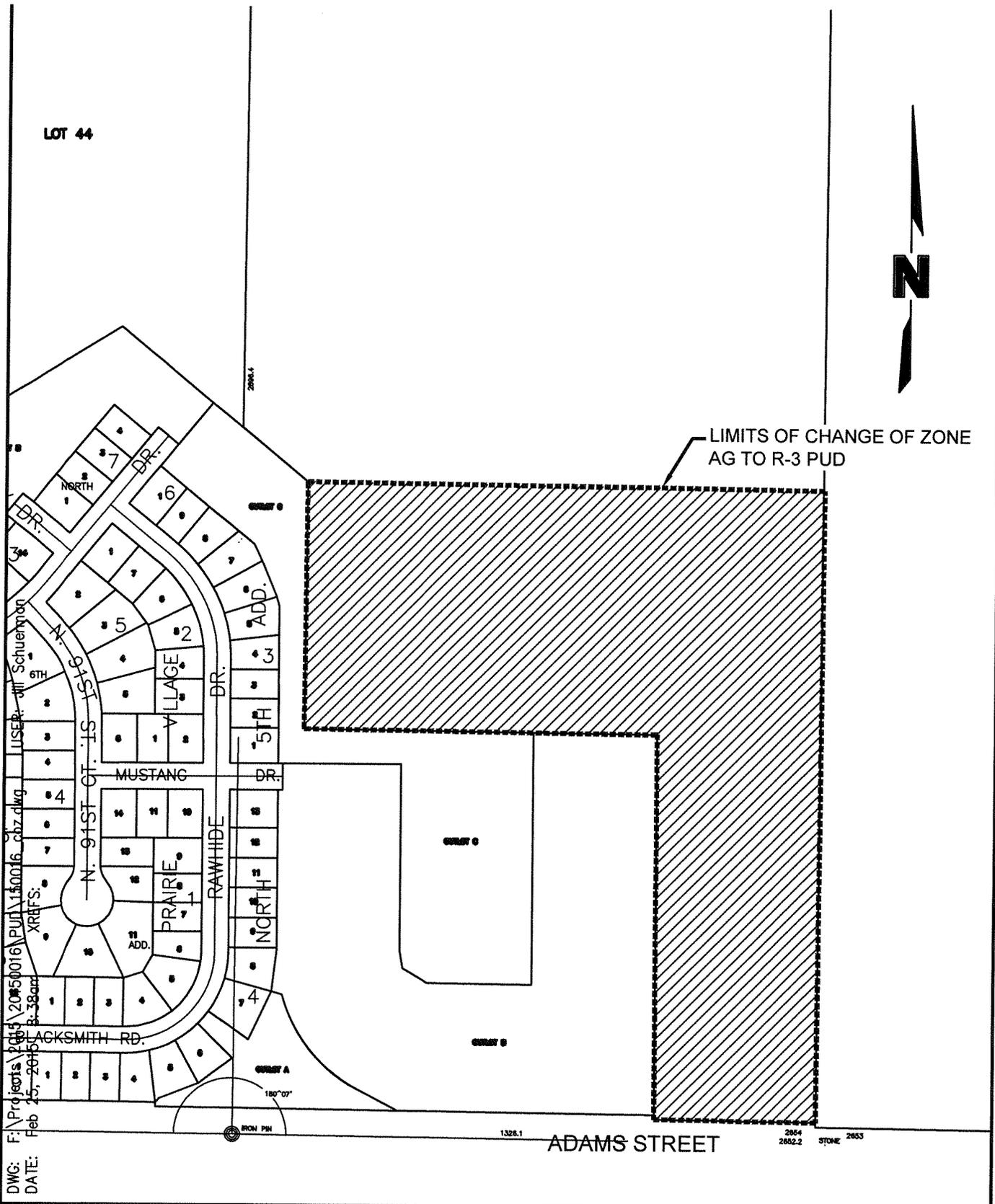
EXHIBIT

2 of 2

LOT 44



LIMITS OF CHANGE OF ZONE
AG TO R-3 PUD



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 USER: Jill Schuerman
 DATE: Feb 25, 2015 8:38am
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 XREFS:

DWG: jds
 DATE: 01/25/2015
 checked by: -
 project no.: 2015-0016
 date: 01/25/2015

CHANGE OF ZONE & ANNEXATION EXHIBIT
PRAIRIE VILLAGE NORTH
LINCOLN, NEBRASKA

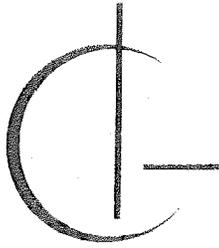


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EXHIBIT
1 of 2

Public Works Watershed Management

1. Lot 23, block 15 appears to have a portion within the floodplain. This needs to be corrected either by adjusting lot, or obtaining a LOMA or LOMR-F to remove it.
2. Sheets 2, 3, & 6: Add into Legend items for Floodplain, Floodway, and Minimum Flood Corridor Easement. Also label the Minimum Corridor Easement as "Minimum Flood Corridor Easement".
3. Detention Pond 3 (Outlot E): Please provide additional information related to this detention pond in regards to grading, elevations, outlet structure, and where it drains too & how? Until Adams is built or development to the east is built, the flows out from this detention cell need to be conveyed downstream effectively without adversely impacting anyone.
4. Add directional flow arrows to the rear lots 33 through 36 to indicate flow to the north.
5. Please update General site note #8, which references note 11, as note 11 appears to have been changed.



Civil Design Group, Inc.

Consulting Engineers & Land Use Planners
Civil Design • Site Development • Planning & Zoning

www.civildg.com

January 21, 2015

Mr. David Cary, Acting Director
City of Lincoln /Lancaster County
555 South 10th Street, Room 213
Lincoln, NE 68508

**Re: Annexation Request and Amendment to Prairie Village North PUD #05054B
CDG Project No. 2015-0016**

Dear David:

On behalf of Starostka Lewis, LLC., we submit an application to Amend the Prairie Village North PUD by annexing an additional 22.50 acres of adjacent land. This land will be occupied by single family homes.

In conjunction with this submittal we submit the following information:

Planned Unit Development Application
Planned Unit Development Filing Fee - \$3,762.00
Plans will be uploaded to ProjectDox

I hope that this letter in conjunction with the plans provide you with enough information to review this annexation request and PUD amendment. In an effort to facilitate the review process, please feel free to call me at (402) 434-8494 so that I can address any questions you may have.

Sincerely,

Mike Eckert, AICP

Encl