City Council Introduction: March 14, 2016
Public Hearing: March 21, 2016, 3:00 p.m.

Bill No. 16-22

FACTSHEET

TITLE: CHANGE OF ZONE NO. 16001
Grandview Estates Community Unit Plan -
(South 70th Street and Rokeby Road)

BOARD/COMMITTEE: Planning Commission

APPLICANT: Civil Design Group
on behalf of Rokeby Holdings, LLC

RECOMMENDATION: Approval (8-0 Cornelius, Harris, Lust, Sunderman, Corr, Weber, Scheer, and Hove voting 'yes'; Beecham absent).

STAFF RECOMMENDATION: Approval

OTHER DEPARTMENTS AFFECTED: None.

SPONSOR: Planning Department

OPPONENTS: None present at hearing.

REASON FOR LEGISLATION:

To change the zoning from AG Agriculture District and R-3 Residential District, on property generally located South 70th and Rokeby Road.

DISCUSSION/FINDINGS OF FACT:

1. This change of zone request and the associated Annexation No. 16001 (Bill #16-21) appeared on the Consent Agenda of the Planning Commission on March 2, 2016.

2. The purpose of this change of zone from AG to R-3 is to allow for an additional 29 acres to be final platted as part of the Grandview Estates Community Unit Plan Development.

3. The staff recommendation for conditional approval of the change of zone request is based upon the "Analysis" as set forth on pp.5-6, concluding that the change of zone to R-3 is in general compliance with the Zoning Ordinance and Comprehensive Plan.

4. On March 2, 2016, the Planning Commission agreed with the staff recommendation and voted 8-0 to recommend approval of this change of zone request.

5. On March 2, 2016, the Planning Commission also voted 8-0 to recommend approval of the associated Annexation No. 16001 (Bill #16-21).

FACTSHEET PREPARED BY: Geri Rorabaugh, Administrative Officer

DATE: March 7, 2016

REVIEWED BY: David R. Cary, Planning Director

DATE: March 7, 2016

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LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for March 2, 2016 PLANNING COMMISSION MEETING

Note: This is a combined staff report for related items. This report contains a single background and analysis section for all items.

PROJECT #: Annexation #16001
Change of Zone #16001

PROPOSAL: To annex approximately 28.87 acres, and change the zoning from AG Agriculture and R-3 Residential for Grandview Estates 1st Addition

LOCATION: South 74th Street and Rokeby Road

LAND AREA: Annexation #16001 - Approximately 28.87 acres
Change of Zone #16001 - Approximately 28.87 acres

CONCLUSION: The subject property is adjacent to the city limit, and the full range of municipal services can be provided if annexed. A change of zone to R-3 is consistent with the Future Land Use Map and compatible with the adjacent development. Both requests comply with the Zoning Ordinance and are consistent with the Comprehensive Plan.

RECOMMENDATION:	
AN#16001	Approval
CZ#16001	Approval

PROPOSED CITY COUNCIL DISTRICT ASSIGNMENT: District #2.

GENERAL INFORMATION:

LEGAL DESCRIPTION: AN#16001 - See attached legal description.
CZ#16001 - See attached legal description.

EXISTING ZONING: AG Agriculture

SURROUNDING LAND USE AND ZONING:

North:	Residential (under development), Agriculture	AG, R-3
South:	Agriculture	AG
East:	Agriculture	AG
West:	Residential (under development)	R-3

EXISTING LAND USE: Agriculture.

HISTORY:

JUN 2014 - Special Permit #14014 for the Grandview Estates CUP was approved. The CUP covered 109 acres with a site layout showing 316 dwelling units with an overall maximum allowed density of up to 760 dwelling units.

AUG 2014 - Annexation #14004 and Change of Zone #14017 covering approximately 27 acres were approved by the City Council so the first phase of the development could be final platted.

COMPREHENSIVE PLAN SPECIFICATIONS:

Pg 1.9 - The Future Land Use Map designates this site for urban density residential land uses.

Pg. 1.10 - This site is shown in Tier I, Priority B on the Growth Tier Map.

Pg 12.14 - The ANNEXATION POLICY 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.

The areas within Tier I Priority A that are not annexed serve as the future urban area for purposes of annexation per state statute and are appropriate for immediate annexation upon final plat. These areas have approved preliminary plans.

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.

Voluntary annexation agreements may limit or otherwise outline the phasing, timing or installation of utility services (e.g., water, sanitary sewer), and may include specific or general plans for the private financing of improvements to the infrastructure supporting or contributing to the land uses in the annexed area. The annexation of large projects may be done in phases as development proceeds.

The character of existing residential areas should be respected as much as possible during the annexation process. When low density "acreage" areas are proposed for annexation due to the City's annexation policy, additional steps should be taken to ease the transition as much as possible, such as public meetings, advance notice and written explanation of changes as a result of annexation. In general, many aspects of acreage life may remain unchanged, such as zoning or covenants. However, any annexation of existing residential areas will include some costs which must be the responsibility of property owners.

Annexation to facilitate the installation of improvements and/or possible assessment districts is appropriate if it is consistent with the annexation policies of the Plan listed above.

Plans for the provision of services within the areas considered for annexation shall be carefully coordinated with the Capital Improvements Program of the City and the County.

SPECIFIC INFORMATION:

UTILITIES & SERVICES:

A. **Sanitary Sewer:** Sanitary sewer is available in the adjacent phase of this development to the west, and can be extended by the developer to serve this phase.

B. **Water:** Water is also available in the adjacent phase of this development and can be extended as well.

C. **Roads:** All internal streets associated with Grandview Estates 1st Addition are local streets and will constructed by the developer as part of the development. Nearby arterial streets include South 70th Street and Rokeby Road, but neither is adjacent to this phase of the development.

South 70th Street is a two-lane, asphalt county road. It will not be improved to City standards at this time, but temporary turn lanes have been required to be installed by the developer. Rokeby Road is a gravel road, and improvements will be triggered at such time as lots are platted with access to it. This phase does not annex any land adjacent to Rokeby Road, so there will be no lots adjacent or access to it at this time.

D. **Parks and Trails:** The bike trail system extends south along South 70th Street, and then follows the drainage southeast before jogging east across the north edge of the area to be annexed with this request. Easements to accommodate the trail will be dedicated at the time of final plat consistent with the Grandview Estates community unit plan (CUP).

E. **Fire Protection:** After annexation, fire protection will be provided by Lincoln Fire Rescue (LFR). LFR recommends approval, noting that in response to the recently approved bond issue there will be new fire station built in southeast Lincoln, perhaps in the vicinity of South 70th Street and Pine Lake Road.

ANALYSIS:

1. These are related requests for both annexation and a change of zone, and are based upon the special permit for the Grandview Estates CUP.

2. The CUP approved in 2014 covered 109 acres, and showed a layout for 316 dwelling units. The associated annexation and change of zone for Phase I were approved at the same time. They covered 27 acres and authorized final plats to be submitted and approved so lots could be sold.

3. These requests constitute Phase II, and if approved will allow for an additional 29 acres to be final platted. Both requests are based upon, and consistent with, the site plan approved with the original special permit. One change noted on the site plan is the design of Rokeby Road, which will include roundabouts at intersections. The updated street design is shown on the site plan, and it resulted in a few minor street alignment and lot layout changes.

   The changes to the CUP are not significant enough that a major amendment is required. Rather, the changes can be approved by administrative amendment by the Planning Director. The amendment will need to be approved prior to recording any final plats of the area covered by these requests.

4. The area to be annexed is located within Tier I, Priority B of the Comprehensive Plan. All utilities, including public water and sewer, exist adjacent to the area of these requests in Phase I of the same development. The development can be served by the full range of city services.

5. The subject property is located within the Southeast Rural Fire District #1. Under State law, the District can petition for compensation from the annexing municipality for lost revenue based upon the amount of service area annexed. For voluntary annexations such as this one, any costs due to the district are to be borne by the developer. In this case, staff has conducted the financial analysis and there is no money due the District.

6. It is also the developer's responsibility to reach an agreement regarding any compensation due the Rural Water District #1 (RWD) as a result of the proposed annexation. This developer has previously settled with the RWD, and no additional claim of reimbursement will be as a result of this annexation.

7. Annexation and re-zoning of the area of these requests was anticipated by Phase I of this development. The annexation agreement signed between the City and the developer as part of the original development to assign financial responsibility for public infrastructure is being followed. It is still in effect, it covers the area of these requests, and does not have to be amended.

8. The site is designated for future urban density residential land uses on the Future Land Use Map, and these requests comply with the requirements of the Zoning Ordinance and Comprehensive Plan.

Prepared by:

_____
Brian Will, 441-6362, bwill@lincoln.ne.gov
February 16, 2016

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

OWNER: Rokeby Holdings, LLC
8020 O Street
Lincoln, NE 68510

CHANGE OF ZONE NO. 16001

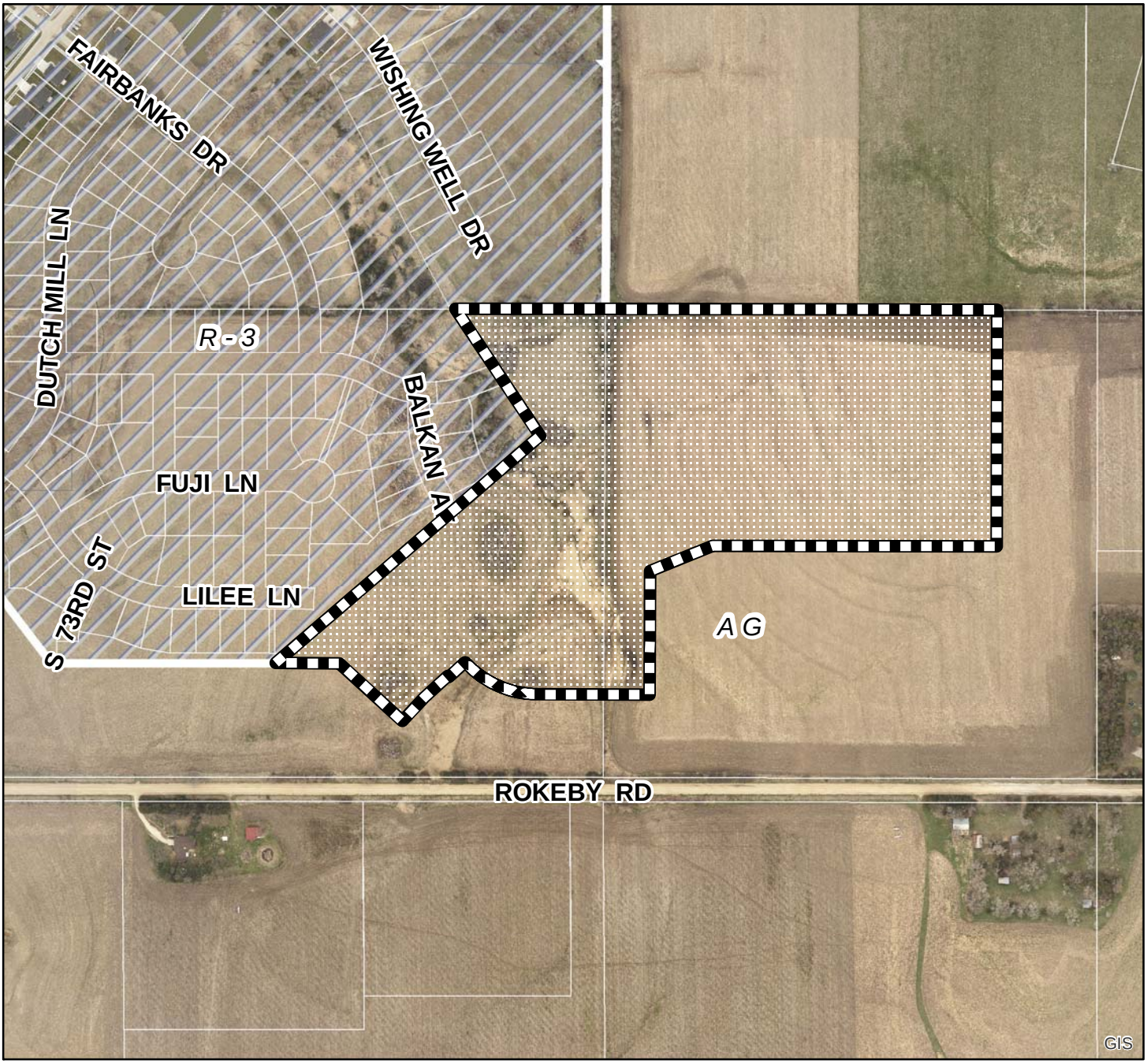
CONSENT AGENDA
PUBLIC HEARING & ADMINISTRATIVE ACTION
BEFORE PLANNING COMMISSION: **March 2, 2016**

Members present: Cornelius, Corr, Harris, Hove, Lust, Weber, Scheer, and Sunderman; Beecham absent.

The Consent Agenda consisted of the following items: **ANNEXATION NO. 16001 and CHANGE OF ZONE NO. 16001.**

There were no ex parte communications disclosed.

Lust moved approval of the Consent Agenda, seconded by Scheer and carried 8-0: Cornelius, Corr, Harris, Lust, Sunderman, Weber, Scheer and Hove voting 'yes'; Beecham absent.



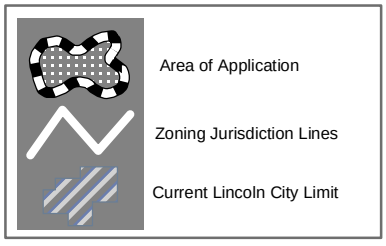
2013 aerial

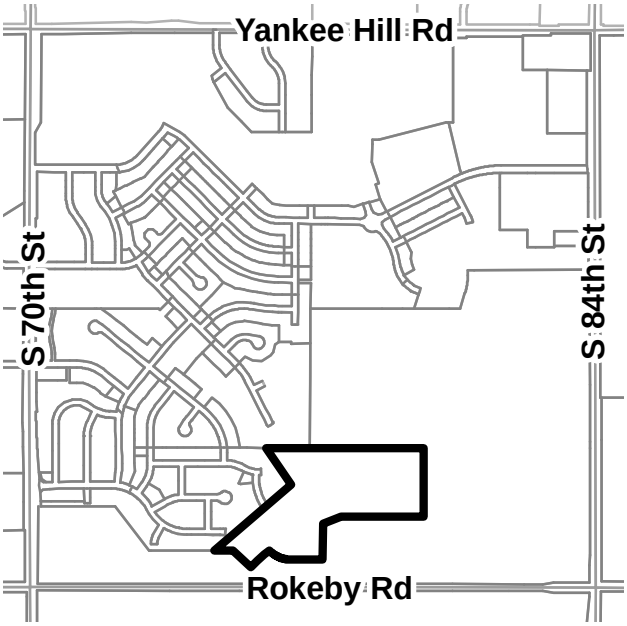
Annexation #: AN16001 and
Change of Zone # CZ16001 (AG - R-3)
Grandview Estates 1st Addition
S 70th St & Rokeby Rd

One Square Mile:
Sec.27 T09N R07E

Zoning:

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
P	Public Use District





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Civil Design Group, Inc.

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

www.civildg.com

February 3, 2016

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

Re: Request for Annexation and Change of Zone
Grandview Estates First Addition SP 14051A
CDG Project No. 2015-0181

Dear David:

On behalf of Rokeby Holdings LTD, we submit the above applications for an addition for the annexation and change of zone from AG to R-3 for 28.87 acres within the approved CUP area. Some slight road/lot modifications have been made in the area of Carpathian Lane, Lilee Lane and Friedman Street. The city decided to raise the street profile of Rokeby Road so in turn Carpathian Lane was shifted to the east and Friedman Street was also shifted to the east.

With these applications we also submit the following items:

Applications for Change of Zone and Annexation
Change of Zone Fee - $792.00
Site and Design Plans uploaded via ProjectDox

I hope that this letter in conjunction with the plans sets provides you with enough information to review these applications. 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 gDS

Mike Eckert, AICP

cc: Rokeby Holdings LTD

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Office 402•434•8494 8535 Executive Woods Dr., Suite 200 • Lincoln, NE 68512 Fax 866•215•8747

GRANDVIEW ESTATES FIRST ADDITION
AMENDED COMMUNITY UNIT PLAN

COMMUNITY UNIT PLAN
LEGAL DESCRIPTION

GENERAL NOTES

SURVEYOR'S CERTIFICATE

APPROVAL

CENTERLINE CURVE DATA						
CURVE #	RADIUS	DELTA	TANGENT	LENGTH	CHORD	CHORD BEARING
C1	450.00'	[illegible]	[illegible]	355.94'	[illegible]	N44°58'[illegible]
C2	450.00'	53°27'00"	[illegible]	[illegible]	403.11'	N68°15'57"
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
C8	300.00'	44°01'58"	132.00'	[illegible]	240.[illegible]	[illegible]
C9	[illegible]	[illegible]	[illegible]	23.[illegible]	21.[illegible]	[illegible]
C7	300.00'	11°40'	30.[illegible]	60.[illegible]	59.[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	90.00'	[illegible]	[illegible]	[illegible]
C6	[illegible]	64°16'	30.00'	[illegible]	[illegible]	[illegible]
C5	30.00'	[illegible]	[illegible]	16.[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]	777.66'	757.03'	[illegible]
C11	[illegible]	[illegible]	46.00'	[illegible]	[illegible]	[illegible]
C10	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
C14	[illegible]	31°00'	[illegible]	2[illegible]	240.00'	[illegible]
C15	[illegible]	31°00'	[illegible]	240.00'	240.00'	[illegible]
C16	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
C17	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
C18	[illegible]	[illegible]	62.[illegible]	[illegible]	2[illegible]	N11[illegible]
C19	[illegible]	131°53'	31.00'	46.[illegible]	45.[illegible]	[illegible]

LEGEND

Boundary Curve Table						
Curve #	Length	Radius	Delta	Chord Direction	Chord Length
[illegible]	31.[illegible]	8079.34	0.53	N11° 16' 21"W	31.00
[illegible]	172.33	287.00	34.39	S70° 40' 13"E	171.24
[illegible]	33.49	432.00	4.44	N65° 08' 36"W	33.48

SHEET INDEX

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[illegible]	SHEET 2
[illegible]	SHEET 3
[illegible]	SHEET 4
GRADING/DRAINAGE PLAN	SHEET 5
[illegible] PLAN	SHEET 6
[illegible] PLAN	SHEET 7
[illegible] PLAN	SHEET 8
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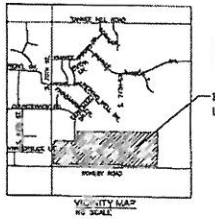
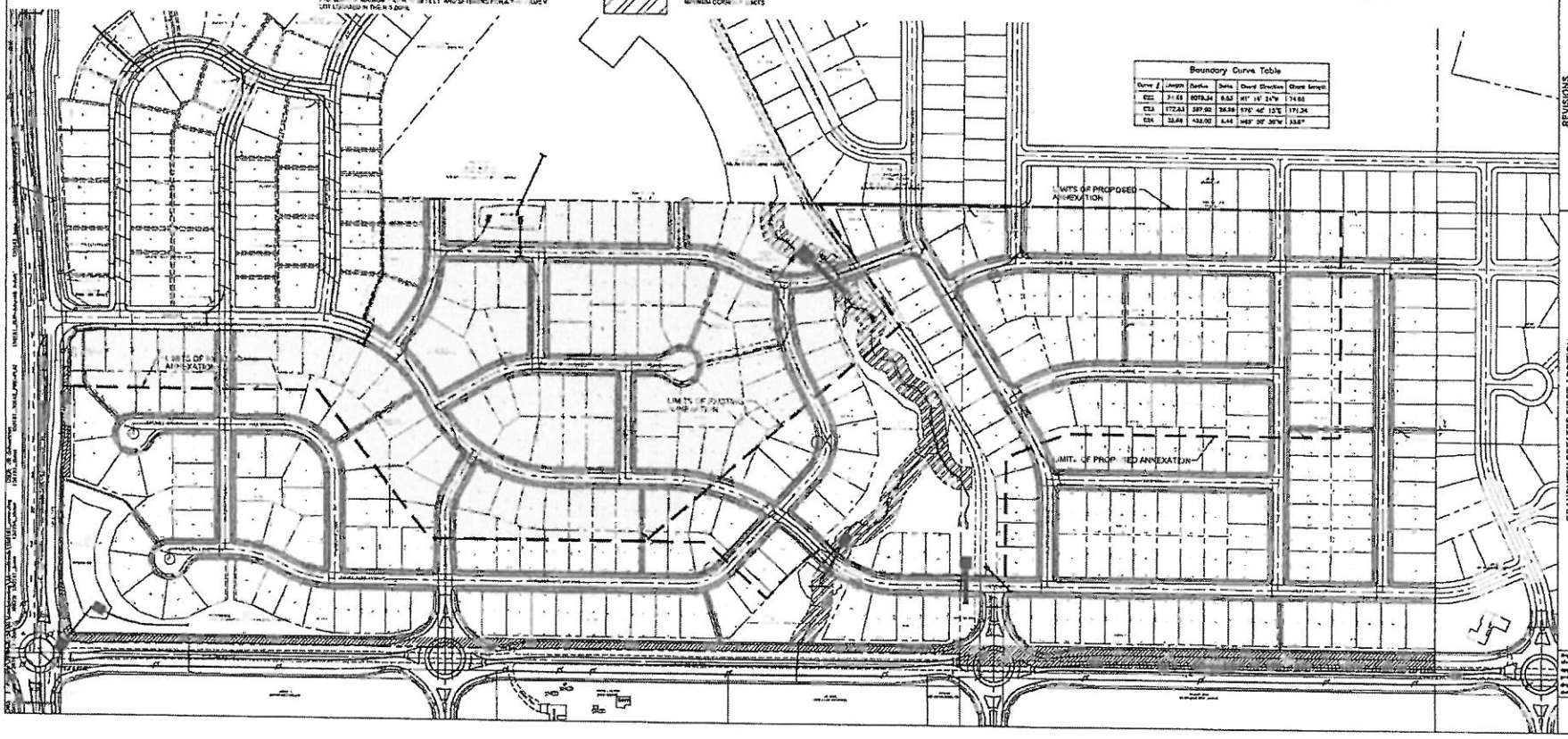


VICINITY MAP
NO SCALE

OWNER & DEVELOPER

ENGINEER

SURVEYOR



Civil Design Group, Inc.

REVISIONS

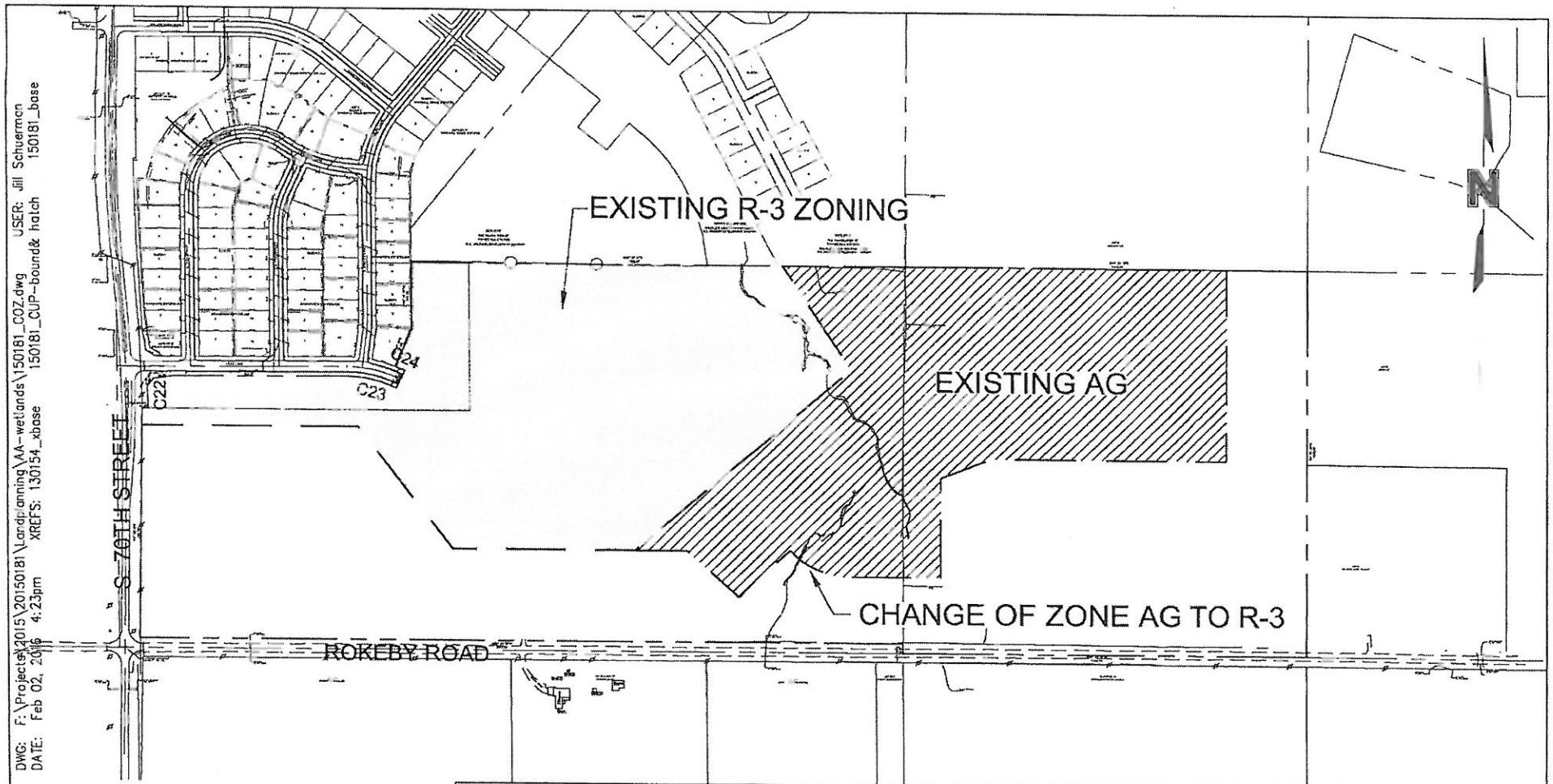
GRANDVIEW ESTATES FIRST ADDITION
AMENDED COMMUNITY UNIT PLAN #14015A

COVER SHEET

LINCOLN, NEBRASKA

2415

SHEET
1 OF 19



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DATE: Feb 02, 2016 4:23pm XREFS: 130154_xbase 150181_CUP-bound& hatch 150181_base

drawn by: jds checked by: - project no.: 2015-0181 date: 02/02/2016	**CHANGE OF ZONE & ANNEXATION EXHIBIT GRANDVIEW ESTATES FIRST ADD. LINCOLN, NEBRASKA**	Civil Design Group, Inc. 8535 EXECUTIVE WOODS DR., SUITE 200 Lincoln, Nebraska 68512 Ph. 402-434-8494 Fax 866-215-8747 www.civildg.com CONSULTING ENGINEERS• LAND USE PLANNERS CIVIL DESIGN• SITE DEVELOPMENT• PLANNING AND ZONING	EXHIBIT 1 OF 2

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

A legal description of Lot 73 of Irregular Tracts located in the South Half of the Southwest Quarter and the South Half of the Southeast Quarter of Section 27, Township 9 North, Range 7 East, of the 6th P.M., Lincoln, Lancaster County, Nebraska and more particularly described as follows:

Beginning at the Northwest Corner of Lot 73 of Irregular Tracts, said point being the Northeast Corner of "Grandview Estates 1st Addition", said point also being on the North Line of the South Half of the Southwest Quarter of said Section 27; thence Southeasterly on the Line common to Lot 73 and the Easterly Line of "Grandview Estates 1st Addition" on an assumed bearing of S 33°37'04" E for a distance of 420.19'; Thence S 49°19'46" W, continuing on the Line common to Lot 73 and the Easterly Line of "Grandview Estates 1st Addition" for a distance of 959.69' to the Southeast Corner of "Grandview Estates 1st Addition"; Thence S 89°56'10" E for a distance of 175.55'; Thence S 47°29'03" E for a distance of 236.08'; Thence N 42°30'57" E for a distance of 88.70'; Thence N 47°26'32" E for a distance of 87.99'; Thence with a non-tangential curve turning to the right with an arc length of 3.86', with a radius of 570.00', with a chord bearing of S 42°21'50" E, with a chord distance of 3.86'; Thence N 47°49'48" E for a distance of 60.00'; Thence with a non-tangential curve turning to the left with an arc length of 224.75', with a radius of 270.00', with a chord bearing of S 66°01'01" E, with a chord distance of 218.32'; Thence S 89°51'50" E for a distance of 309.15'; Thence N 00°08'10" E for a distance of 341.00'; Thence N 68°20'05" E for a distance of 185.80'; Thence S 89°51'50" E for a distance of 781.49'; Thence N 00°08'10" E for a distance of 652.43' to the Northeast Corner of Lot 73,said point also being on the North Line of the South Half of the Southeast Quarter of said Section 27; Thence N 89°54'12" W on the North Line of Lot 73 and the North Line of the South Half of the Southeast Quarter of Section 27 for a distance of 1079.00' to the Northwest Corner of the South Half of the Southeast Quarter of Section 27;
Thence N 89°57'47" W on the North Line of Lot 73 and the North Line of the South Half of the Southwest Quarter of Section 27 for a distance of 412.27' to the Point of Beginning, and having a calculated area of 28.87 acres more or less.

Subject to any and all easements and restrictions of record.

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DATE: Mar 02, 2016 8:32am XREFS: 130154_xbase 150181_CUP-bound& hatch 150181_base

drawn by: jds checked by: - project no.: 2015-0181 date: 03/02/2016	**CHANGE OF ZONE & ANNEX. EXHIBIT GRANDVIEW ESTATES FIRST ADD. LINCOLN, NEBRASKA**	Civil Design Group, Inc. 8535 EXECUTIVE WOODS, DR., SUITE 200 Lincoln, Nebraska 68512 Ph. 402-434-8494 Fax 866-215-8747 www.civildg.com CONSULTING ENGINEERS • LAND USE PLANNERS CIVIL DESIGN • SITE DEVELOPMENT • PLANNING AND ZONING	EXHIBIT 2 OF 2