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**Lincoln City - Lancaster County**

**PLANNING COMMISSION  
AGENDA**

**PLANNING COMMISSION**

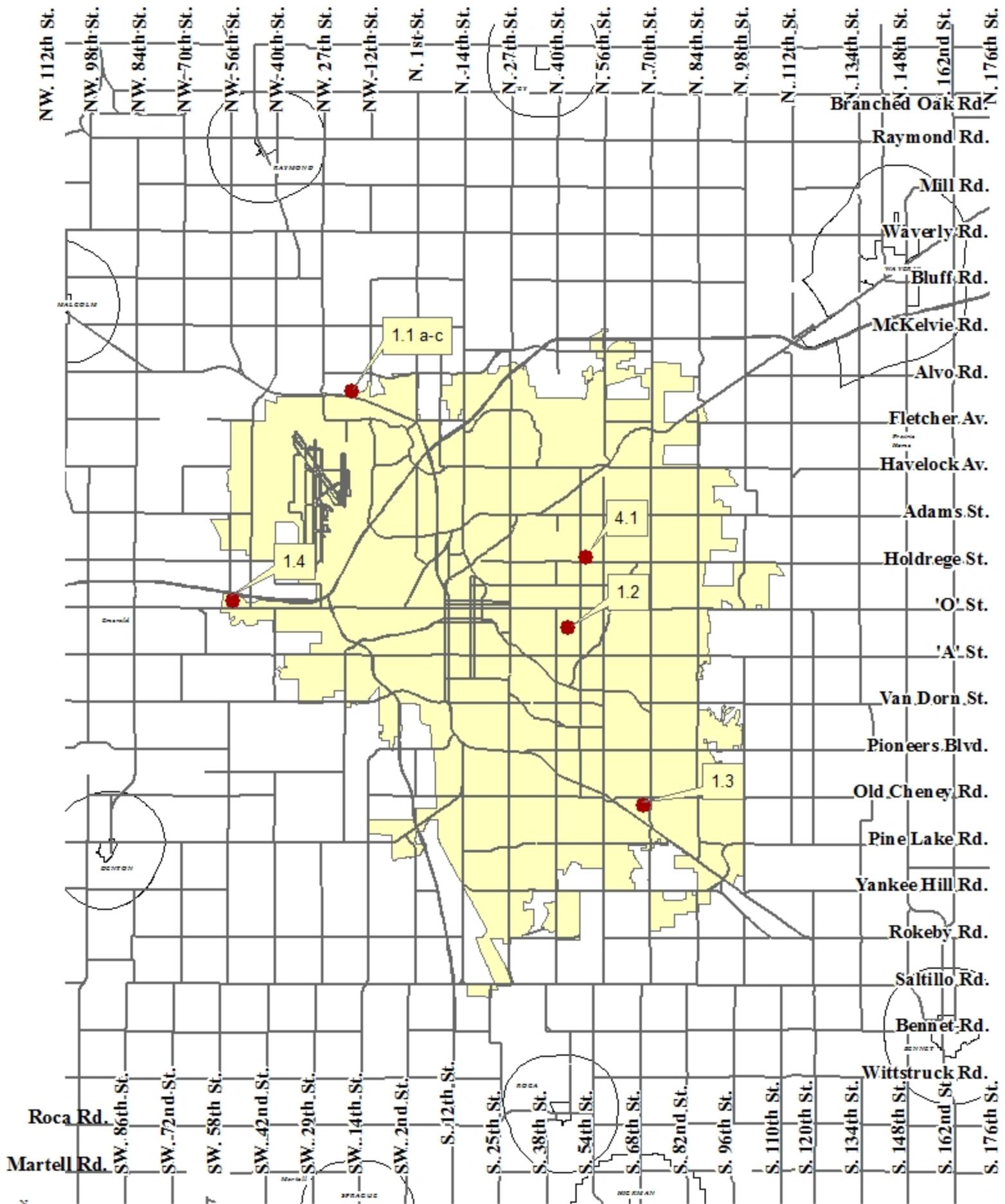
Chris Hove: Chair  
Dennis Scheer: Vice-Chair  
Cathy Beecham  
Michael Cornelius  
Tracy Corr  
Maja V. Harris  
Jeanelle R. Lust  
Lynn Sunderman  
Ken Weber

**PLANNING STAFF**

David R. Cary: Director  
Geri Rorabaugh: Administrative Officer  
Amy Huffman: Office Specialist

**April 13, 2016**

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Planning Commission Agenda Item Map

April 13, 2016

**NOTICE:** The Lincoln/Lancaster County Planning Commission will hold a public hearing on Wednesday, April 13, 2016, at 1:00 p.m., in Hearing Room 112 on the first floor of the County-City Building, 555 S. 10<sup>th</sup> St., Lincoln, Nebraska. For more information, call the Planning Department, (402) 441-7491.

The Lincoln/Lancaster County Planning Commission will meet on Wednesday, April 13, 2016, immediately following the regular Planning Commission meeting, to discuss the LRTP/Comprehensive Plan Updates, in Studio Room 113 of the County-City Building, 555 S. 10<sup>th</sup> Street, Lincoln, Nebraska.

**\*\*PLEASE NOTE:** The Planning Commission action is final action on any item with a notation of "FINAL ACTION". Any aggrieved person may appeal Final Action of the Planning Commission to the City Council or County Board by filing a Notice of Appeal with the City Clerk or County Clerk within 14 days following the action of the Planning Commission.

The Planning Commission action on all other items is a recommendation to the City Council or County Board.

## **AGENDA**

**WEDNESDAY, April 13, 2016**

Approval of minutes of the regular meeting held March 30, 2016.

**1. CONSENT AGENDA  
(Public Hearing and Administrative Action):**

**ANNEXATION AND RELATED APPLICATIONS:**

Page 01 1.1a Annexation No. 16005, to annex approximately 22.36 acres, more or less, on property generally located at West Silverado Court and Highway 34.  
**Staff recommendation: Conditional Approval**  
**Staff Planner: Andrew Thierolf, 402-441-6371, [athierolf@lincoln.ne.gov](mailto:athierolf@lincoln.ne.gov)**

Page 01 1.1b Change of Zone No. 16013, from AG Agricultural District to R-3 Residential District, for development of single-family lots, on property generally located at West Silverado Court and Highway 34.  
**Staff recommendation: Approval**  
**Staff Planner: Andrew Thierolf, 402-441-6371, [athierolf@lincoln.ne.gov](mailto:athierolf@lincoln.ne.gov)**

Page 15 1.1c Preliminary Plat No. 16001, Highland View 1st Addition, to reflect alterations to the street network to comply with the current block-length standards and modifications to the previously submitted grading and drainage plans, on property generally located at West Silverado Court and Highway 34.  
**\*\*FINAL ACTION\*\***  
**Staff recommendation: Approval**  
**Staff Planner: Andrew Thierolf, 402-441-6371, [athierolf@lincoln.ne.gov](mailto:athierolf@lincoln.ne.gov)**

**SPECIAL PERMITS:**

Page 33 1.2 Special Permit No. 16008, to allow for the conversion of an existing single-family dwelling into a dwelling for up to four members of a religious order, on property generally located at 543 South 46th Street.  
**\*\*FINAL ACTION\*\***  
**Staff recommendation: Conditional Approval**  
**Staff Planner: Rachel Jones, 402-441-7603, [rjones@lincoln.ne.gov](mailto:rjones@lincoln.ne.gov)**

Page 41 1.3 Special Permit No. 16011, for the construction and operation of a fiber optic utility building, on property generally located at the southwest corner of South 70th Street and Old Cheney Road. **\*\*FINAL ACTION\*\***  
**Staff recommendation: Conditional Approval**  
**Staff Planner: Brian Will, 402-441-6362, [bwill@lincoln.ne.gov](mailto:bwill@lincoln.ne.gov)**

Page 51 1.4 Special Permit No. 16013, for the installation of a 100-foot flag pole, on property generally located at 400 NW 56th Street**\*\*FINAL ACTION\*\***  
**Staff recommendation: Conditional Approval**  
**Staff Planner: Andrew Thierolf, 402-441-6371, [athierolf@lincoln.ne.gov](mailto:athierolf@lincoln.ne.gov)**

**2. REQUESTS FOR DEFERRAL:**

**3. ITEMS REMOVED FROM CONSENT AGENDA  
(Public Hearing and Administrative Action):**

3.1 \_\_\_\_\_

3.2 \_\_\_\_\_

**4. PUBLIC HEARING AND ADMINISTRATIVE ACTION**

**MISCELLANEOUS:**

- Page 61
- 4.1 Miscellaneous No. 16001, to review the proposed determination that the South University Place Redevelopment Area", as set forth in the South University Place Redevelopment Area Blight and Substandard Determination Study be declared a blighted and substandard area as defined in the Nebraska Community Development Law. The study area includes an estimated 37 acres, which consists of vacant and occupied commercial use, park/open space, single-family residential, vacant land and public uses, generally bounded by Holdrege Street and Francis Street, and 48th Street to 49th Street.
- Staff recommendation: Finding of Substandard and Blighted Conditions**  
**Staff Planner: Andrew Thierolf, 402-441-6371, [athierolf@lincoln.ne.gov](mailto:athierolf@lincoln.ne.gov)**

**AT THIS TIME, ANYONE WISHING TO SPEAK ON AN ITEM  
NOT ON THE AGENDA, MAY DO SO**

\*\*\*\*\*

**Adjournment**

**PENDING LIST:** *Special Permit No. 15064, to allow Avalon Event Paradise to be used for special events on property generally located at 12788 W. Roca Road.*  
*[01/06/15: Planning Commission voted 7-0 (Beecham and Lust absent) to place this item on Pending until such time that the applicant is ready to move forward.]*

**Planning Dept. staff contacts:**

David Cary, <i>Director</i> . . . . .	402-441-6364 . . . . .	<a href="mailto:dcary@lincoln.ne.gov">dcary@lincoln.ne.gov</a>
Stephen Henrichsen, <i>Development Review Manager</i> . . . . .	402-441-6374 . . . . .	<a href="mailto:shenrichsen@lincoln.ne.gov">shenrichsen@lincoln.ne.gov</a>
Paul Barnes, <i>Long Range Planning Manager</i> . . . . .	402-441-6372 . . . . .	<a href="mailto:pbarnes@lincoln.ne.gov">pbarnes@lincoln.ne.gov</a>
Michael Brienzo, <i>Transportation Planner</i> . . . . .	402-441-6369 . . . . .	<a href="mailto:mbrienzo@lincoln.ne.gov">mbrienzo@lincoln.ne.gov</a>
Tom Cajka, <i>Planner</i> . . . . .	402-441-5662 . . . . .	<a href="mailto:tcajka@lincoln.ne.gov">tcajka@lincoln.ne.gov</a>
Brandon Garrett, <i>Planner</i> . . . . .	402-441-6373 . . . . .	<a href="mailto:bgarrett@lincoln.ne.gov">bgarrett@lincoln.ne.gov</a>
Stacey Groshong Hageman, <i>Planner</i> . . . . .	402-441-6361 . . . . .	<a href="mailto:shageman@lincoln.ne.gov">shageman@lincoln.ne.gov</a>
Rachel Jones, <i>Planner</i> . . . . .	402-441-7603 . . . . .	<a href="mailto:rjones@lincoln.ne.gov">rjones@lincoln.ne.gov</a>
Andrew Thierolf, <i>Planner</i> . . . . .	402-441-6371 . . . . .	<a href="mailto:athierolf@lincoln.ne.gov">athierolf@lincoln.ne.gov</a>
Brian Will, <i>Planner</i> . . . . .	402-441-6362 . . . . .	<a href="mailto:bwill@lincoln.ne.gov">bwill@lincoln.ne.gov</a>
Kellee Van Bruggen, <i>Transportation Planner</i> . . . . .	402-441-6363 . . . . .	<a href="mailto:kvanbruggen@lincoln.ne.gov">kvanbruggen@lincoln.ne.gov</a>
Ed Zimmer, <i>Historic Preservation Planner</i> . . . . .	402-441-6360 . . . . .	<a href="mailto:ezimmer@lincoln.ne.gov">ezimmer@lincoln.ne.gov</a>

\* \* \* \* \*

**The Planning Commission meeting  
which is broadcast live at 1:00 p.m. every other Wednesday  
will be rebroadcast on Wednesdays at 7:00 p.m., Thursdays at 12:00 a.m. and  
Sundays at 12:30 p.m. on 5 City TV, Cable Channel 5.**

\* \* \* \* \*

**The Planning Commission agenda may be accessed on the Internet at  
<http://www.lincoln.ne.gov/city/plan/pcagenda/index.htm>**

**ACCOMMODATION NOTICE**

The City of Lincoln complies with Title VI of the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973 guidelines. Ensuring the public's access to and participating in public meetings is a priority for the City of Lincoln. In the event you are in need of a reasonable accommodation in order to attend or participate in a public meeting conducted by the City of Lincoln, please contact the Director of Equity and Diversity, Lincoln Commission on Human Rights, at 402 441-7624 as soon as possible before the scheduled meeting date in order to make your request.

# LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for April 13, 2016 PLANNING COMMISSION MEETING

**PROJECT #:** Annexation #16005 and Change of Zone #16013

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 annex approximately 22.36 acres and change the zoning from AG Agriculture to R-3 Residential on approximately 1.96 acres.

**LOCATION:** West Silverado Drive and Highway 34

**LAND AREA:** Annexation: 22.36 acres  
Change of Zone: 1.96 acres

**CONCLUSION:** The subject property is adjacent to the city limits, 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 adjacent development. Both requests comply with the Zoning Ordinance and are consistent with the Comprehensive Plan.

**RECOMMENDATION:**

Annexation #16005	Conditional Approval
Change of Zone #16013	Approval

**PROPOSED CITY COUNCIL DISTRICT ASSIGNMENT:** District #4

**GENERAL INFORMATION:**

**LEGAL DESCRIPTION:** See attached.

**EXISTING ZONING:** AG Agriculture, R-3 Residential

**SURROUNDING LAND USE AND ZONING:**

North:	Agriculture	AG Agriculture
South:	Residential	R-3 Residential
East:	Agriculture	AG Agriculture, R-3 Residential
West:	Agriculture	AG Agriculture

**EXISTING LAND USE:** Agriculture

**COMPREHENSIVE PLAN SPECIFICATIONS:**

P. 1.8 - This site is shown as Urban Density Residential on the Future Land Use Map.

P. 11.2 - Continue the City's growth policy of contiguous urban growth; urban development will occur in areas immediately abutting the city that reflect a logical and timely extension of urban infrastructure.

P. 12.6 - This site is shown as Tier I Priority A on the Priority Growth Areas Map.

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.

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.

**HISTORY:**

- August 2005 Preliminary Plat #05003 was approved for the Highland View subdivision, which covered approximately 155 acres.
- June 2006 Change of Zone #05022 from AG to R-3 was approved for approximately 50 acres in the southern portion of the Highland View subdivision.
- Annexation #05004 was approved for approximately 30 acres in the south and east portions of the Highland View subdivision.
- Conditional Zoning and Annexation Agreement (Bill No. 06R-114) was approved for the entire Highland View subdivision.
- July 2008 Final Plat #05111 Highland View Addition was approved in the southern portion of the Highland View subdivision.
- May 2015 Administrative Amendment #15012 to Preliminary Plat #05003 Highland View was approved to change the lot layout of two blocks and convert a cul-de-sac to a through street.
- August 2015 Final Plat #15036 Highland View 1<sup>st</sup> Addition was approved in the southern portion of the Highland View subdivision.

**ASSOCIATED REQUEST:** Preliminary Plat #16001

**SPECIFIC INFORMATION:**

**UTILITIES & SERVICES:**

Water and sewer are available immediately adjacent to the site. They will be extended into the area by the developer.

- A. **Sanitary Sewer:** A 10" sanitary sewer main is adjacent to the site along Highway 34.
- B. **Water:** A 16" water main is adjacent to the site along Highway 34.
- C. **Roads:** Access to the site is through a temporary access point off Highway 34. Per the existing Conditional Annexation and Zoning Agreement, two permanent access points will need to be added as the development is final platted.

- D. **Parks and Trails:** No future parks or trails are planned in this area.
- E. **Fire Protection:** The area is currently in the Raymond Rural Fire District. After annexation, fire protection will be provided by Lincoln Fire and Rescue.

**TRAFFIC ANALYSIS:** W Alvo Road and NW 12<sup>th</sup> Street are classified as urban collectors in the 2040 Comprehensive Plan. W Alvo Road is a gravel rural section road, and NW 12<sup>th</sup> Street has not been constructed south of Alvo Road. The streets are identified as a future project in the Comprehensive Plan to convert to two lanes plus turn lanes. The project is not given an anticipated date in the 2014/2015-2019/2020 Capital Improvement Program.

**ANALYSIS:**

1. This request is to annex approximately 22.36 acres and change of zone from AG to R-3 on approximately 1.96 acres.
2. Approximately 20.4 acres of the proposed annexation area had a change of zone from AG to R-3 in 2006, but was not annexed. This application proposes to annex the existing R-3 area as well as an additional 1.96 acres that would also be subject to a change of zone from AG to R-3.
3. Preliminary Plat #05003 was approved in 2005 for the Highland View subdivision. The southern portion of that plat has been final platted and developed into single family residences. The purpose of the annexation and change of zone is to continue development of single family residential in the Highland View subdivision.
4. Preliminary Plat #16001 Highland View 1<sup>st</sup> Addition is associated with this application. It modifies the existing Highland View Preliminary Plat, including areas within this annexation and change of zone request. Approximately 44 single family residential lots are shown in the annexation area.
5. A Conditional Annexation and Zoning Agreement (Bill No. 06R-114) was approved in 2006 for the entire area of Preliminary Plat #05003. The agreement applies to the area of this application.

6. The land is contiguous to the City limits on the south and east. The area is within the future service limits and Tier I Priority A as identified in the Comprehensive Plan. Tier I reflects the "Future Service Limit" where urban services and inclusion in the city limits is anticipated within the 30-year planning period. Priority A is comprised of undeveloped land within the City limits, as well as areas that are not yet annexed but which have approved preliminary plans such as preliminary plats, use permits, community unit plans, or planned unit developments.
7. The site is located within the Raymond Rural Fire District. 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 \$69.08 due to the District.
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.

**CONDITIONS OF APPROVAL:**

**Annexation #16005:**

Before the City Council approves the annexation:

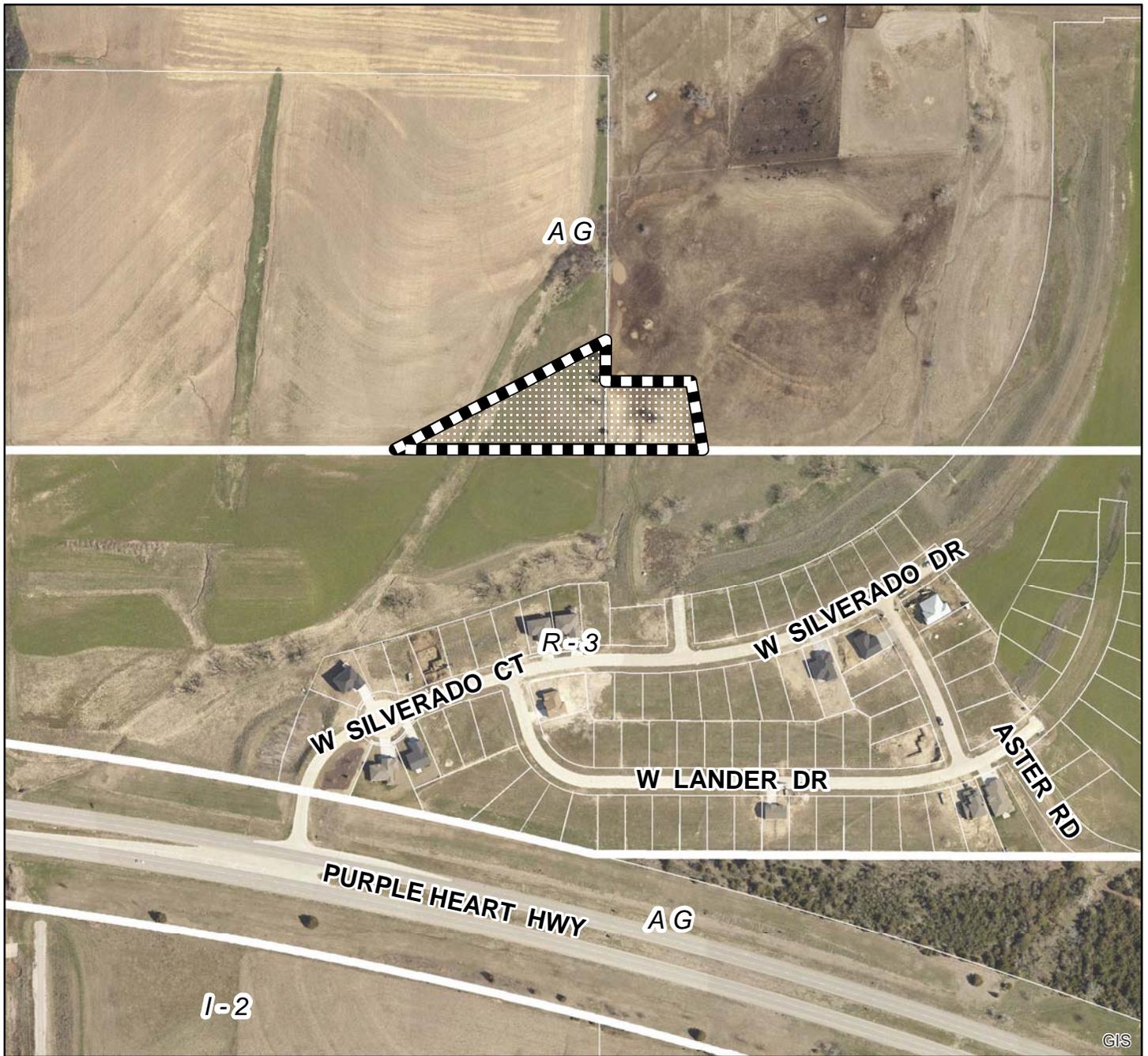
1. The applicant pays the City the \$69.08 due to the Raymond Rural Fire District.

Prepared by:

Andrew Thierolf, Planner  
April 4, 2016

**APPLICANT:** Starostka-Lewis, LLC  
429 Industrial Lane  
Grand Island, NE 68803

**CONTACT:** Mike Eckert  
Civil Design Group  
8535 Executive Woods Drive  
Lincoln, NE 68512

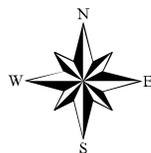


2013 aerial

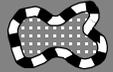
**Change of Zone #: CZ16013 (AG to R-3)  
Highland View  
W Silverado Dr & US Hwy 34**

**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



One Square Mile:  
Sec.33 T11N R06E

	Area of Application
	Zoning Jurisdiction Lines
	Lancaster County Jurisdiction



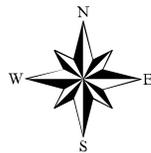


2013 aerial

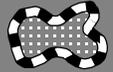
**Annexation #: AN16005**  
**Highland View**  
**W Silverado Dr & US Hwy 34**

**Zoning:**

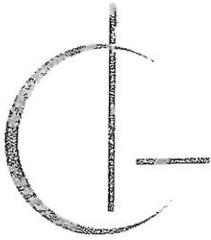
- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- O-1 Office District
- O-2 Suburban Office District
- O-3 Office Park District
- R-T Residential Transition District
- B-1 Local Business District
- B-2 Planned Neighborhood Business District
- B-3 Commercial 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



One Square Mile:  
 Sec.33 T11N R06E

	Area of Application
	Zoning Jurisdiction Lines
	Lancaster County Jurisdiction





# Civil Design Group, Inc.

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

www.civildg.com

March 16, 2016

Mr. David Cary, Director  
Lincoln/Lancaster County Planning Department  
555 S. 10<sup>th</sup> Street  
Lincoln, NE 68508

**RE: Annexation, Change of Zone and Amendment to Preliminary Plat for Highland View.  
Prelim Plat #05003**

Dear Mr. Cary:

Please find the attached applications for Annexation, Change of Zone and associated Amendment to the Preliminary Plat for Highland View Subdivision generally located at Hwy 34 and NW 12<sup>th</sup> Street. The annexation (22.36 acres) and change of zone (1.96 acres) are to continue the development of single family lots northwest of the existing lots.

The amendment to the preliminary plat is desired to reflect minor alterations to the street network to comply with the current block length standards as well as modifications to the previously submitted grading and drainage plans. The associated hydrology study for these revisions will be uploaded via Project Dox.

With this application we also submit the following:

- Plans uploaded via Project Dox
- PUD Administrative Amendment application and review fee of \$792.00
- Change of Zone application and review fee of \$792.00

We hope that the plans, this letter provides you will sufficient information to review this application. As always, please call at 402-434-8494 if you have any questions.

Sincerely,

*Mike Eckert*  
*JDS*

Mike Eckert, AICP

cc: Starostka-Lewis, LLC

## LIMITS OF ANNEXATION

### HIGHLAND VIEW

A legal description of a portion of Outlot 'A', Highland View 1<sup>st</sup> Addition and a portion of Lot 46 I.T. and Lot 42 I.T. located in the North Half of Section 33, Township 11 North Range 6 East of the 6<sup>th</sup> P.M., Lincoln, Lancaster County, Nebraska and more particularly described as follows.

Beginning at the Northwest corner of said Outlot 'A', Highland View 1<sup>st</sup> Addition  
Thence on an assumed bearing of S 89°58'00" E for a distance of 865.59' to a point on the north line of said Outlot 'A', Highland View 1<sup>st</sup> Addition;  
Thence on a bearing of N 62°35'25" E for a distance of 520.73';  
Thence on a bearing of S 0°32'35" W a distance of 89.99';  
Thence parallel to the north line of Outlot 'A' on a bearing of S 89°58'00" E a distance of 187.59';  
Thence on a bearing of S 9°59'56" E a distance of 152.33' to a point on the north line of said Outlot 'A', Highland View 1<sup>st</sup> Addition;  
Thence on the north line of said Outlot 'A', Highland View 1<sup>st</sup> Addition on a bearing of S 89°58'00" E a distance of 559.01';  
Thence on a bearing of S 40°52'50" W for a distance of 56.83';  
Thence on a bearing of S 46°01'32" W for a distance of 80.05';  
Thence on a bearing of S 51°17'25" W for a distance of 57.73' to the northeast corner of Lot 1, Block 3, Highland View Addition;  
Continuing on the rear lot lines of said Block 3 for the next 8 courses, thence on a bearing of S 54°10'31" W for a distance of 57.42';  
Thence on a bearing of S 57°49'19" W for a distance of 57.47';  
Thence on a bearing of S 61°37'32" W for a distance of 57.42';  
Thence on a bearing of S 65°11'46" W for a distance of 57.42';  
Thence on a bearing of S 69°03'40" W for a distance of 57.42';  
Thence on a bearing of S 72°39'11" W for a distance of 57.42';  
Thence on a bearing of S 76°27'47" W for a distance of 61.91';  
Thence on a bearing S 79°38'50" W for a distance of 140.62' to a point on the westerly right-of-way of W. Dubois Street;  
Thence continuing on the Westerly Right-of-way of W. Dubois Street on a bearing of S 4°22'45" E for a distance of 11.43' to the northeast corner of Lot 1, Block 1, Highland View Addition;  
Thence on the north line of said Lot 1 on a bearing of S 85°37'31" W for a distance of 119.89' to a point on the East line of Lot 2, Block 1, Highland View Addition;  
Thence on the east line of said Lot 2, Block 1, Highland View Addition on a bearing of N 5°23'24" W for a distance of 60.04' to the northeast corner of said Lot 2, Block 1, Highland View Addition;  
Thence continuing on the northern lot lines of said Block 1, Highland View Addition for the next 3 courses on a bearing of S 87°38'02" W for a distance of 88.16';

Thence on a bearing of S 71°03'16" W for a distance of 240.38';  
Thence on a bearing of S 74°31'15" W for a distance of 318.08' to the north property corner of Lot 11, Block 1, Highland View Addition;  
Thence on a bearing of S 24°46'12" W for a distance of 129.02', (to a point on the west line of Outlot 'A', Highland View Addition);  
Thence on a bearing of S 19°23'43" W for a distance of 111.14';  
Thence on a bearing of S 10°39'35" W for a distance of 60.86' to a point on the Northerly Right-of-Way of Highway 34;  
Thence on the northerly Right-of-Way of Highway 34 along a curve to the LEFT, having a radius of 11634.16' a delta angle of 03° 03' 09", and whose long chord bears N 81°9'52" W a distance of 619.75'  
Thence on the westerly line of Outlot 'A', Highland View 1<sup>st</sup> Addition on a bearing of N 0°29'19" E a distance of 642.84' to the point of beginning.  
Said described parcel contains 973,831.70 square feet (22.36 acres), more or less, subject to any and all easements, reservations, restrictions and conveyances of record.

## CHANGE OF ZONE AG TO R-3

### HIGHLAND VIEW

A portion of Lot 46 I.T. and Lot 42 I.T. located in the North half of Section 33, Township 11 North, Range 6 East of the 6<sup>th</sup> P.M., Lincoln, Lancaster County, Nebraska, and more particularly described as follows.

Beginning at the northwest corner of Outlot 'A', Highland View 1<sup>st</sup> Addition, thence along the North line of said Outlot 'A', Highland View 1<sup>st</sup> Addition on an assumed bearing of S 89° 58'00"E a distance of 865.59' to the point of beginning;

Thence on a bearing of N 62°35'25" E for a distance of 520.73';

Thence on a bearing of S 0°32'35" W for a distance of 89.99';

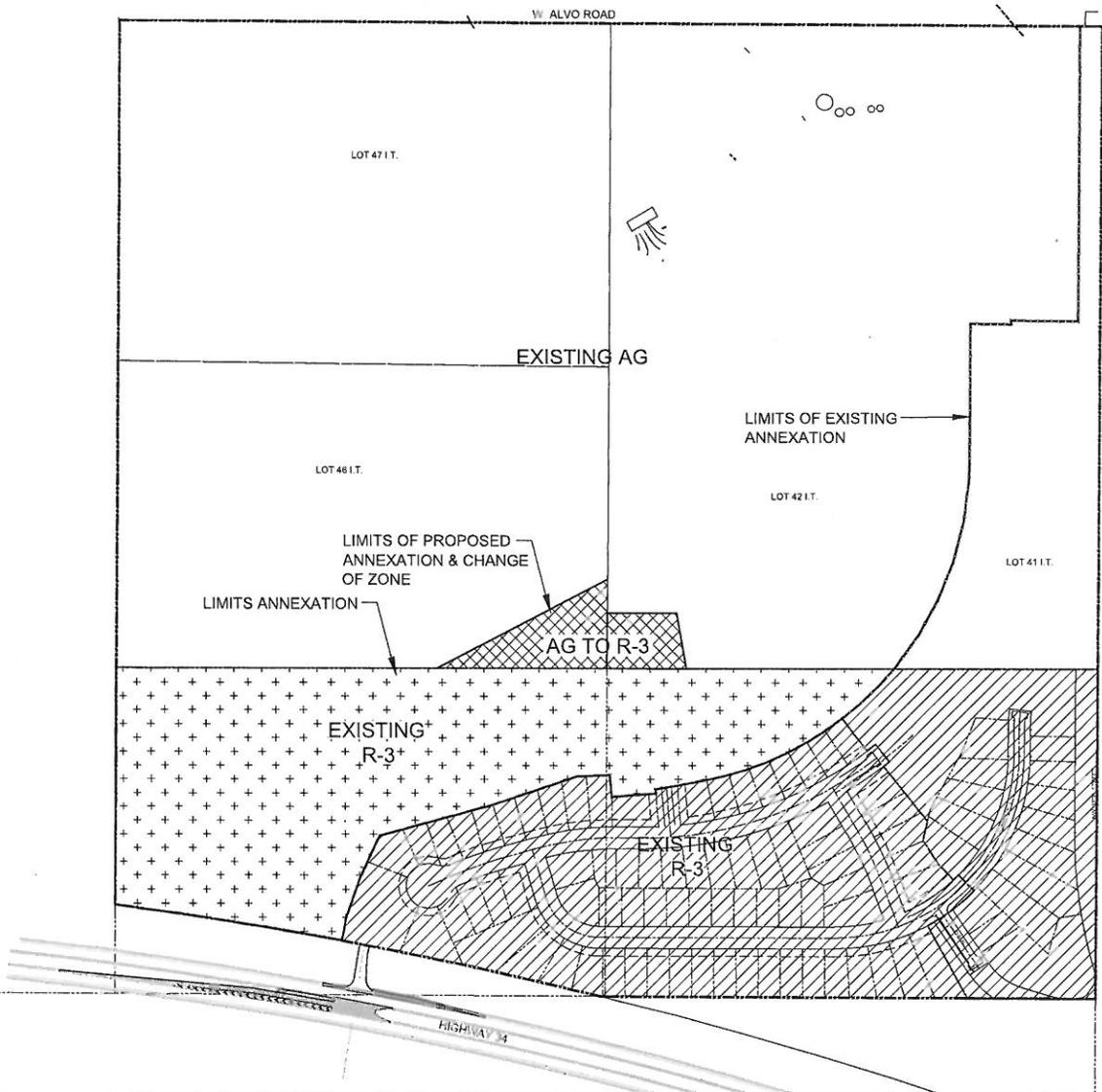
Thence parallel to the north line of Outlot 'A' on a bearing of S 89°58'00" E for a distance of 187.59';

Thence on a bearing of S 9°59'56" E for a distance of 152.33' to a point on the North line of said Outlot 'A', Highland View 1<sup>st</sup> Addition;

Thence on North line of Outlot 'A', Highland View 1<sup>st</sup> Addition, on a bearing of N 89°58'00" W for a distance of 675.46' to the point of beginning.

Said described parcel contains 85426.98 square feet (1.96 acres), more or less, subject to any and all easements, reservations, restrictions and conveyances of record.

DWG: F:\Projects\2015\20150225\Landplanning\Annex & COZ\150225\_COZ.dwg USER: jill Schuerman  
 DATE: Mar 16, 2016 2:47pm XREFS: 150225\_Xbase 150225\_Xbase\_CUP\_ONLY



drawn by: jds  
 checked by: -  
 project no.: 2015-0225  
 date: 03/16/2016

**CHANGE OF ZONE EXHIBIT  
 HIGHLAND VIEW  
 LINCOLN, NEBRASKA**

**Civil Design Group, Inc.**  
 8535 EXECUTIVE WOODS DR., SUITE 200  
 Lincoln, Nebraska 68512  
 Ph. 402-434-8494 Fax 866-215-8747  
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 CONSULTING ENGINEERS • LAND USE PLANNERS  
 CIVIL DESIGN • SITE DEVELOPMENT • PLANNING AND ZONING

EXHIBIT  
 1

# Current Project - Agency Review Report

Agency Name	User Name	Review Cycle	Review Status	Comments	Assignment
Building & Safety	christy eichorn	1	Corrections Required	A height permit needs to be approved by building and Safety prior to the first final plat. A note should be added to the Preliminary Plat that there shall be no point on any structure that exceeds 1368.7 NAVD88 per 27.59.	Individual
County Engineer	ken schroeder	1	Recommend Approval	This office made a limited review of "HIGHLAND VIEW" Annexation #AN16005 in the N ½ of Section 33, T11N, R6E located near Highway 34 and NW 12th Street and has no direct objections to the submittal, subject to development improvements following area annexation. March 29, 2016 (kds)	Individual
County Health	chris schroeder	1	Recommend Approval	The Lincoln-Lancaster County Health Department recommends approval of this application.	Individual
Development Review Manager	steve henrichsen	1	Corrections Required	see markups	Individual
Fire Department	patrick borer	1	Recommend Approval	LF&R recommends approval of this application.	Individual
LES	les reviews	1	Corrections Required	03/29/16 - Annexation /chg of zone review by LES distribution. Julie and Eric will work with Civil Design Group on new preliminary easement required due to a revised PUD. (This information will be passed directly to Jill S, Civil Designs Group in the next 2 weeks. JG, ES, SLS	First In Group
Planning Dept	brandon garrett	1	Recommend Approval	City Council District #4	Individual
Public Works - Engineering Services	bob simmering	1	Recommend Approval	3-28. Sewer capacity issue from 2006 agreement resolved; no further action required. 3-31. Several streets with grade in excess of 5% and six intersections at street grades in excess of 5%; provide justifications for grade and provision for ADA compliance. 4-1. Engineer has provided justification for grade and no further action is required.	First In Group
Public Works - Watershed Management	ben higgins	1	Corrections Required	- Include Pond details and culvert detail for W. Dubois Street on plans as well as existing and proposed with detention details and comparisons. - Final plat for Highland View Addition based on PP05003 shows no minimum opening elevations for existing lots south of Cell C. Need to survey lowest adjacent grade of each existing structure and provide report on to ensure won't get flooded Notes: - Will need sureties on each pond (\$10K each) - On EO for storm drains make sure meeting horizontal curvature requirements and keep within the city ROW	Individual
Public Works & Utilities - Wastewater	brian kramer	1	Recommend Approval		Individual
United States Post Office	kerry kowalski	1	Recommend Approval	Recommend approval on the condition all new delivery addresses are established in Centralized Box Units (CBUs) which will be purchased and installed at the developer's expense in a location mutually agreed upon by the developer and the US Postal Service.	First In Group



**LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT**

**for April 13, 2016 PLANNING COMMISSION MEETING**

**PROJECT #:** Highland View 1<sup>st</sup> Addition Preliminary Plat #16001

**PROPOSAL:** Preliminary plat for 571 single-family lots on approximately 156.97 acres.

**LOCATION:** West Silverado Drive and Highway 34

**LAND AREA:** 156.97 acres, more or less

**CONCLUSION:** With conditions the preliminary plat is in conformance with the Comprehensive Plan, Zoning Ordinance and Subdivision Ordinance.

<b>RECOMMENDATION:</b>	Conditional Approval
------------------------	----------------------

**GENERAL INFORMATION:**

**LEGAL DESCRIPTION:** See attached.

**EXISTING ZONING:** AG Agriculture, R-3 Residential

**EXISTING LAND USE:** Agriculture, Single Family Residential

**SURROUNDING LAND USE AND ZONING:**

North:	Agriculture	AG Agriculture
South:	Residential	R-3 Residential
East:	Agriculture	AG Agriculture, R-3 Residential
West:	Agriculture	AG Agriculture

**ASSOCIATED APPLICATIONS:** Annexation #16005, Change of Zone #16013

**COMPREHENSIVE PLAN SPECIFICATIONS:**

P. 1.8 - This site is shown as Urban Density Residential on the Future Land Use Map.

P. 11.2 - Continue the City's growth policy of contiguous urban growth; urban development will occur in areas immediately abutting the city that reflect a logical and timely extension of urban infrastructure.

P. 12.6 - This site is shown as Tier I Priority A on the Priority Growth Areas Map

**HISTORY:**

- August 2005 Preliminary Plat #05003 was approved for the Highland View subdivision, which covered approximately 155 acres.
- June 2006 Change of Zone #05022 from AG to R-3 was approved for approximately 50 acres in the southern portion of the Highland View subdivision.
- Annexation #05004 was approved for approximately 30 acres in the south and east portions of the Highland View subdivision.
- Conditional Zoning and Annexation Agreement (Bill No. 06R-114) was approved for the entire Highland View subdivision.
- July 2008 Final Plat #05111 Highland View Addition was approved in the southern portion of the Highland View subdivision.
- May 2015 Administrative Amendment #15012 to Preliminary Plat #05003 Highland View was approved to change the lot layout of two blocks and convert a cul-de-sac to a through street.
- August 2015 Final Plat #15036 Highland View 1<sup>st</sup> Addition was approved in the southern portion of the Highland View subdivision.

**UTILITIES:** Water and sewer are available immediately adjacent to the site. They will be extended into the area by the developer.

**TRAFFIC ANALYSIS:** W Alvo Road and NW 12<sup>th</sup> Street are classified as urban collectors in the 2040 Comprehensive Plan. W Alvo Road is a gravel rural section road, and NW 12<sup>th</sup> Street has not been constructed south of Alvo Road. The streets are identified as a future project in the Comprehensive Plan to convert to two lanes plus turn lanes. The project is not given an anticipated date in the 2014/2015-2019/2020 Capital Improvement Program.

**PUBLIC SERVICE:** The nearest fire station is at 5435 NW 1<sup>st</sup> Street, approximately 0.2 miles from the entrance of the subdivision . The nearest schools are Schoo Middle School and Kooser Elementary School.

**ANALYSIS:**

1. The Highland View Preliminary Plat #05003 was approved in 2005. Administrative Amendment #15012 revised the lot layout for two blocks and reconfigured one street. Highland View 1<sup>st</sup> Addition Preliminary Plat revises the lot layout and grading for a majority of the subdivision.
2. The Highland View 1<sup>st</sup> Addition Preliminary Plat shows 571 single-family lots. Eighty-eight lots have been final platted in the southern portion of Highland View with many of them already built.
3. A Conditional Annexation and Zoning Agreement (Bill No. 06R-114) was approved in 2006 for the entire area of Preliminary Plat #05003. The agreement applies to the area of this application. Several items from the Agreement should be added to the Preliminary Plat cover sheet for clarity. Those items are listed as conditions of approval.
4. The Planning Commission approved three waivers in 2005:
  - (1) To allow sanitary sewer to run opposite of street grade for W Banff Street, W Dubois Street, NW Tahoe Drive, and NW 13<sup>th</sup> Street.
  - (2) To allow sanitary sewer to be constructed at a depth greater than 15 feet for W Dubois Street, W Silverado Drive, and NW Tahoe Drive.
  - (3) To allow block lengths to exceed 1,320 feet between cross-streets for Block 10.

A fourth waiver was approved by the Planning Commission with Waiver #15003 in 2015:

- (4) Lot width to depth ratio.

Waiver 3 is no longer required with the reconfigured block lengths. Waivers 1, 2, and 4 will continue if this preliminary plat is approved. Waivers 1 and 2 need to be modified to reflect revised street names, and Waiver 4 should be revised to provide more clarity about specific areas that do not meet the width to depth ratio.

5. Portions of this plat are in the airport inner approach zone, outer approach zone, or “shaded” turning zone per LMC 27.59. All structures within the inner approach zone are required to obtain a height permit prior to construction. A single height permit is requested for the remaining portions of the plat located within the outer approach and “shaded” turning zones. The airport zoning regulations allow a maximum building elevation of 1,368.7 feet. Based on the grading plan for the site, all structures within the R-3 district maximum height would be lower in elevation than 1,368.7 feet.

6. Block 21 has a block length of 1,504 feet. Per LMC 26.23.125 a pedestrian way is required for any block that exceeds 1,000 feet in length, although there are exceptions for blocks located along major streets. The block is located along two collector streets and would be exempt from the requirements of LMC 26.23.125; however, it serves as an important pedestrian connection to a future trail/sidewalk along Alvo Road that would allow access to Schoo Middle School and the Fallbrook subdivision, and a pedestrian way should be provided.
7. Banff Street is shown as one of the primary roads in the plat, and “Banff” may be confusing to spell. The applicant should consider replacing or swapping street names for W Banff Street to reduce potential confusion.
8. Public Works and Utilities reviewed the grading and drainage plan and had several comments, which are attached. Their comments must be addressed as a condition of approval.

**CONDITIONS OF APPROVAL:**

Site Specific:

1. The subdivider shall complete the following instructions and submits the documents and plans and 3 copies to the Planning Department office:
  - 1.1 Revise the preliminary plat as follows:
    - 1.1.1 Change the name of the plat to Highland View 1<sup>st</sup> Addition and remove language referencing Preliminary Plat #05003.
    - 1.1.2 Add a note to Sheet 1 that reads: “No point on any structure may exceed 1,368.7 NAVD88 per LMC 27.59. A height permit shall be approved by Building and Safety prior to the first final plat. A single height permit for the entire Preliminary Plat is in lieu of height permits for individual platted lots.”
    - 1.1.3 Add a note to Sheet 1 that reads: “No lots abutting NW12<sup>th</sup> Street shall be final platted until NW 12<sup>th</sup> Street adjoining the lots has been graded to match the lots, and no lots abutting NW 12<sup>th</sup> Street north of West Little Bear to Alvo Road shall be final platted until NW 12<sup>th</sup> Street adjoining those lots has been constructed as an Arterial Street Impact Fee Facility Improvement. No lots abutting Alvo Road shall be final platted until Alvo Road adjoining those lots has been constructed or a surety has been posted as an Arterial Street Impact Fee Facility

Improvement.” These conditions are from the 2006 Conditional Zoning and Annexation Agreement (Bill No. 06R-114).

- 1.1.4 Modify Site Specific Note 15 to add the sentence: “No more than 400 lots shall be final platted until there is a second permanent access paved road from this development to a system of continuous paved streets.” This condition is from the 2006 Conditional Zoning and Annexation Agreement (Bill No. 06R-114).
- 1.1.5 The following north-south streets should be renamed to numbered streets per LMC 26.23.110:
  - NW Bitterroot Drive
  - NW Denali Street
  - NW Red Castle Street
  - NW Tahoe Drive
  - NW Grand Teton Road
  - W Silverado Drive renamed to NW 13<sup>th</sup> Street north of W Missoula Street
- 1.1.6 Change NW Horton Court to W Beartooth Court.
- 1.1.7 Show street connecting W Silverado Drive and W Lander Drive as NW Tempest Drive.
- 1.1.8 Update waivers 1 and 2 to reflect revised street names.
- 1.1.9 Delete waiver 3.
- 1.1.10 Update waiver 4 to read: “Lincoln Subdivision Regulation Title 26, Section 26.23.140 to revise the lot width to depth ratio for Blocks 13 and 23.”
- 1.1.11 Provide acreage numbers for Outlots.
- 1.1.12 Provide pedestrian way through Block 21.
- 1.1.13 Straighten the pedestrian way in Outlots K and O to enhance pedestrian safety.
- 1.1.14 Delete General Site Notes 3, 7, 8, 11, and 12.
- 1.1.15 Update graphical representation of site plan items on Sheets 1-3 to match legend key.

1.1.16 Revise grading and drainage plan to the satisfaction of Public Works and Utilities.

2. Final Plats will be approved by the Planning Director after:

2.1 The required improvements are completed or a surety is posted 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.

The subdivider has signed an agreement that binds the subdivider, its successors and assigns:

to complete the street paving of public streets, and temporary turnarounds and barricades located at the temporary dead-end of the streets shown on the final plat within two (2) years following the approval of this final plat.

to complete the paving of private roadway, and temporary turnarounds and barricades located at the temporary dead-end of the private roadway shown on the final plat within two (2) years following the approval of this final plat.

to complete the installation of sidewalks along permanent outlots and pedestrian ways as shown on the final plat within four (4) years following the approval of this final plat.

to complete the installation of sidewalks along Alvo Road and NW 12<sup>th</sup> Street as shown on the final plat within two (2) years following the approval of this final plat.

to complete the public water distribution system to serve this plat within two (2) years following the approval of this final plat.

to complete the public wastewater collection system to serve this plat within two (2) years following the approval of this final plat.

to complete the enclosed public drainage facilities shown on the approved drainage study to serve this plat within two (2) years following the approval of this final plat.

to complete land preparation including storm water detention/retention facilities and open drainageway improvements to serve this plat prior to the installation of utilities and improvements but not more than two (2) years following the approval of this final plat.

to complete the installation of public street lights along streets within this plat within two (2) years following the approval of this final plat.

to complete the planting of the street trees along local streets within six (6) years following the approval of this final plat.

to complete the planting of the street trees along Alvo Road and NW 12<sup>th</sup> Street as shown on the final plat within two (2) years following the approval of this final plat.

to complete the installation of the street name signs within two (2) years following the approval of this final plat.

to complete the installation of the permanent markers prior to construction on or conveyance of any lot in the plat.

to timely complete any other public or private improvement or facility required by Chapter 26.23 of the Land Subdivision Ordinance which have not been waived but which inadvertently may have been omitted from the above list of required improvements.

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.

to comply with the provisions of the Land Preparation and Grading requirements of the Land Subdivision Ordinance.

to complete the public and private improvements shown on the preliminary plat.

to keep taxes and special assessments on the outlots from becoming delinquent.

to maintain the outlots and private improvements in a condition as near as practical to the original construction on a permanent and continuous basis.

to maintain the sidewalks in the pedestrian ways and all associated elements in a condition as near as practical to the original or as constructed condition in order to provide the user with a safe and convenient facility on a permanent and continuous basis.

to retain ownership of and the right of entry to the outlots in order to perform the above-described maintenance of the outlots and private improvements on a permanent and continuous basis. However, Subdivider(s) may be relieved and discharged of such maintenance obligations upon creating in writing a permanent and continuous association of property owners who would be responsible for said permanent and continuous maintenance subject to the following conditions:

- (1) Subdivider shall not be relieved of Subdivider's maintenance obligation for each specific private improvement until a registered professional engineer or nurseryman who supervised the installation of said private improvement has certified to the City that the improvement has been installed in accordance with approved plans.
- (2) The maintenance agreements are incorporated into covenants and restrictions in deeds to the subdivided property and the documents creating the association and the restrictive covenants have been reviewed and approved by the City Attorney and filed of record with the Register of Deeds.

Prepared by:

Andrew Thierolf, Planner  
April 4, 2016

**APPLICANT:** Starostka-Lewis, LLC  
429 Industrial Lane  
Grand Island, NE 68803

**CONTACT:** Mike Eckert  
Civil Design Group  
8535 Executive Woods Drive  
Lincoln, NE 68512

F:\DevReview\PP\16000\PP16001 Highland View 1st.adt.wpd

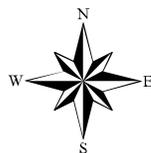


2013 aerial

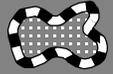
**Preliminary Plat #: PP16001  
Highland View 1st  
W Silverado Dr & US Hwy 34**

**Zoning:**

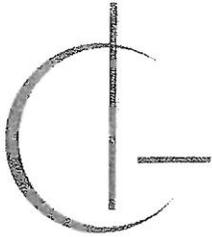
- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- O-1 Office District
- O-2 Suburban Office District
- O-3 Office Park District
- R-T Residential Transition District
- B-1 Local Business District
- B-2 Planned Neighborhood Business District
- B-3 Commercial 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



One Square Mile:  
Sec.33 T11N R06E

	Area of Application
	Zoning Jurisdiction Lines
	Lancaster County Jurisdiction





# Civil Design Group, Inc.

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

www.civildg.com

March 16, 2016

Mr. David Cary, Director  
Lincoln/Lancaster County Planning Department  
555 S. 10<sup>th</sup> Street  
Lincoln, NE 68508

**RE: Annexation, Change of Zone and Amendment to Preliminary Plat for Highland View.  
Prelim Plat #05003**

Dear Mr. Cary:

Please find the attached applications for Annexation, Change of Zone and associated Amendment to the Preliminary Plat for Highland View Subdivision generally located at Hwy 34 and NW 12<sup>th</sup> Street. The annexation (22.36 acres) and change of zone (1.96 acres) are to continue the development of single family lots northwest of the existing lots.

The amendment to the preliminary plat is desired to reflect minor alterations to the street network to comply with the current block length standards as well as modifications to the previously submitted grading and drainage plans. The associated hydrology study for these revisions will be uploaded via Project Dox.

With this application we also submit the following:

- Plans uploaded via Project Dox
- PUD Administrative Amendment application and review fee of \$792.00
- Change of Zone application and review fee of \$792.00

We hope that the plans, this letter provides you will sufficient information to review this application. As always, please call at 402-434-8494 if you have any questions.

Sincerely,

*Mike Eckert*  
*JDS*

Mike Eckert, AICP

cc: Starostka-Lewis, LLC

## PRELIMINARY PLAT LEGAL DESCRIPTION

LOTS 41, 42, 46, AND 47 LOCATED IN THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 11 NORTH, RANGE 6 EAST OF THE 6TH P.M., LANCASTER COUNTY, NEBRASKA AND THE FOLLOWING LOTS:

### HIGHLAND VIEW ADDITION

LOTS 1-35, BLOCK 1

LOTS 1-26, BLOCK 2

LOTS 1-8, BLOCK 3

LOTS 1-5, BLOCK 4

OUTLOT 'A'

### HIGHLAND VIEW 1ST ADDITION

LOTS 1-5, BLOCK 1

LOTS 1-9, BLOCK 2

OUTLOT 'A', 'B', 'C' AND 'D'

**GENERAL SITE NOTES**

1. LOT DIMENSIONS SHOWN ARE APPROXIMATE AND MAY VARY UP TO +/- FEET.
2. ALL DIMENSIONS AND CORNER POINTS ARE GIVEN IN FEET AND INCHES.
3. EASEMENTS ARE SHOWN AS BOLD LINES AND PROPERTY LINES AS DASHED LINES. ALL EASEMENTS TO BE KEPT CLEAR AND NOT TO BE USED FOR ANY OTHER PURPOSES UNLESS OTHERWISE SPECIFIED.
4. ALL DIMENSIONS TO BE KEPT CLEAR AND NOT TO BE USED FOR ANY OTHER PURPOSES UNLESS OTHERWISE SPECIFIED.
5. ALL DIMENSIONS TO BE KEPT CLEAR AND NOT TO BE USED FOR ANY OTHER PURPOSES UNLESS OTHERWISE SPECIFIED.
6. ALL DIMENSIONS TO BE KEPT CLEAR AND NOT TO BE USED FOR ANY OTHER PURPOSES UNLESS OTHERWISE SPECIFIED.
7. ALL DIMENSIONS TO BE KEPT CLEAR AND NOT TO BE USED FOR ANY OTHER PURPOSES UNLESS OTHERWISE SPECIFIED.
8. ALL DIMENSIONS TO BE KEPT CLEAR AND NOT TO BE USED FOR ANY OTHER PURPOSES UNLESS OTHERWISE SPECIFIED.
9. ALL DIMENSIONS TO BE KEPT CLEAR AND NOT TO BE USED FOR ANY OTHER PURPOSES UNLESS OTHERWISE SPECIFIED.
10. ALL DIMENSIONS TO BE KEPT CLEAR AND NOT TO BE USED FOR ANY OTHER PURPOSES UNLESS OTHERWISE SPECIFIED.
11. ALL DIMENSIONS TO BE KEPT CLEAR AND NOT TO BE USED FOR ANY OTHER PURPOSES UNLESS OTHERWISE SPECIFIED.
12. ALL DIMENSIONS TO BE KEPT CLEAR AND NOT TO BE USED FOR ANY OTHER PURPOSES UNLESS OTHERWISE SPECIFIED.

**SHEET INDEX**

SHEET 1	GENERAL SITE NOTES
SHEET 2	GENERAL SITE NOTES
SHEET 3	GENERAL SITE NOTES
SHEET 4	GENERAL SITE NOTES
SHEET 5	GENERAL SITE NOTES
SHEET 6	GENERAL SITE NOTES
SHEET 7	GENERAL SITE NOTES
SHEET 8	GENERAL SITE NOTES
SHEET 9	GENERAL SITE NOTES
SHEET 10	GENERAL SITE NOTES
SHEET 11	GENERAL SITE NOTES
SHEET 12	GENERAL SITE NOTES
SHEET 13	GENERAL SITE NOTES
SHEET 14	GENERAL SITE NOTES
SHEET 15	GENERAL SITE NOTES

**WAIVERS**

1. I, THE UNDERSIGNED, HEREBY WAIVE ALL RIGHTS AND CLAIMS TO THE PROPERTY OF THE CITY OF LINCOLN, NEBRASKA, IN CONNECTION WITH THE PRESENTATION OF THIS PRELIMINARY PLAT.
2. I, THE UNDERSIGNED, HEREBY WAIVE ALL RIGHTS AND CLAIMS TO THE PROPERTY OF THE CITY OF LINCOLN, NEBRASKA, IN CONNECTION WITH THE PRESENTATION OF THIS PRELIMINARY PLAT.
3. I, THE UNDERSIGNED, HEREBY WAIVE ALL RIGHTS AND CLAIMS TO THE PROPERTY OF THE CITY OF LINCOLN, NEBRASKA, IN CONNECTION WITH THE PRESENTATION OF THIS PRELIMINARY PLAT.
4. I, THE UNDERSIGNED, HEREBY WAIVE ALL RIGHTS AND CLAIMS TO THE PROPERTY OF THE CITY OF LINCOLN, NEBRASKA, IN CONNECTION WITH THE PRESENTATION OF THIS PRELIMINARY PLAT.

**HIGHLAND VIEW  
PRELIMINARY PLAT #05003**

**AMENDMENT ENGINEER**  
Civil Design Group, Inc.  
1500 S. 10TH STREET, SUITE 100  
LINCOLN, NE 68502  
PHONE: 402.464.1000

**OWNERS**  
STANISLAU, LLC  
4700 N. 10TH STREET, SUITE 100  
LINCOLN, NE 68505  
PHONE: 402.464.1000

**PRELIMINARY PLAT LEGAL DESCRIPTION**

LOTS 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

**SITE SPECIFIC NOTES**

1. THE EXISTING LOT LINES ARE SHOWN AS DASHED LINES.
2. RIGHT-OF-WAY LINES ARE SHOWN AS SOLID LINES.
3. TOTAL AREA: 100,000 SQ. FT.
4. TOTAL LOTS: 100.
5. TOTAL ACRES: 2.28.
6. TOTAL BLOCKS: 10.
7. TOTAL STREETS: 10.
8. TOTAL PARKING SPACES: 100.
9. TOTAL UTILITY LINES: 100.
10. TOTAL TREE PLANTINGS: 100.
11. TOTAL LANDSCAPING: 100.
12. TOTAL FURNITURE: 100.
13. TOTAL SIGNAGE: 100.
14. TOTAL LIGHTING: 100.
15. TOTAL SECURITY: 100.
16. TOTAL MAINTENANCE: 100.
17. TOTAL INSURANCE: 100.
18. TOTAL TAXES: 100.
19. TOTAL FEES: 100.
20. TOTAL COSTS: 100.
21. TOTAL REVENUES: 100.
22. TOTAL PROFITS: 100.
23. TOTAL LOSSES: 100.
24. TOTAL EQUITY: 100.
25. TOTAL DEBT: 100.
26. TOTAL NET WORTH: 100.
27. TOTAL ASSETS: 100.
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## GENERAL SITE NOTES

1. LOT DIMENSIONS SHOWN ARE APPROXIMATE AND MAY VARY UP TO 10 FEET.
2. ALL DIMENSIONS ALONG CURVES ARE CHORD DISTANCES.
3. EASEMENTS AS SHOWN SHALL BE GRANTED FOR PUBLIC USE AND FOR SIDEWALKS. ALL SIDEWALKS ADJACENT TO STREETS ARE TO BE IN PUBLIC R.O.W. EXCEPT AS NOTED ALL OTHER WALKS ARE TO BE IN PEDESTRIAN EASEMENTS. PEDESTRIAN EASEMENTS TO BE 5 FEET WIDE IN PEDESTRIAN AREAS AND BIKE PATH EASEMENTS ARE TO BE 20 FEET WIDE. ALL SIDEWALKS ARE TO BE 4 FEET WIDE AND BIKE PATHS ARE TO BE 8 TO 12 FEET WIDE.
4. ALL PAVING RADIUS TO BE 20 FEET UNLESS OTHERWISE NOTED.
5. ALL INTERSECTION ANGLES SHALL BE 90 DEGREES UNLESS OTHERWISE NOTED.
6. ALL ELEVATIONS ARE BASED ON NAVD 1988 DATUM.
7. THE DEVELOPER AGREES TO COMPLY WITH PROVISIONS OF THE LAND SUBDIVISION ORDINANCE AND DESIGN STANDARDS FOR SUBDIVISIONS REGARDING LAND PREPARATION.
8. WITH EXCEPTION OF INSTALLATION, REPAIR AND DEVELOPMENT OF ROAD IMPROVEMENTS, STORM WATER AND DRAINAGE IMPROVEMENTS, UTILITIES, PEDESTRIAN SIDEWALKS AND TRAILS APPROVED WITH A PLAT OR COMMUNITY UNIT PLAN, ALL WETLANDS ON THE SITE NOT SHOWN TO BE MITIGATED ARE TO BE PRESERVED SUBJECT TO ANY WETLANDS IMPROVEMENT OR WETLANDS EXPANSION. THE WETLANDS, NATURAL DRAINAGE WAYS, AND FLOOD CORRIDOR SHOWN ON THE GRADING AND DRAINAGE PLAN SHALL BE PROTECTED AND PRESERVED AND FUTURE MAINTENANCE AND STORM WATER DRAINAGE IMPROVEMENTS CARRIED OUT WITH MINIMUM IMPACT.
9. THE WETLANDS, NATURAL DRAINAGE WAYS AND FLOOD CORRIDOR SHOWN ON THE GRADING AND DRAINAGE PLAN SHALL BE PROTECTED AND PRESERVED SUBJECT TO GENERAL NOTE 12 AND FUTURE MAINTENANCE AND STORM WATER DRAINAGE IMPROVEMENTS CARRIED OUT WITH MINIMUM IMPACT.
10. FINAL DESIGN FOR GRADING OF THE OPEN DITCHES AND DETENTION FACILITIES SHALL CONFORM TO THE CITY OF LINCOLN DESIGN STANDARDS REQUIRING PROVISIONS TO LIMIT DEGRADATION OF THE CHANNEL AND TO MAINTAIN A STABLE SLOPE BASED ON URBANIZED RUNOFF FROM THE WATERSHED.
11. ANY RELOCATION OF EXISTING L.E.S. FACILITIES WILL BE AT THE DEVELOPERS EXPENSE.
12. SINGLE FAMILY LOTS MAY BE USED AS SINGLE FAMILY ATTACHED LOT PROVIDED THAT THE LOT MEETS THE MINIMUM LOT AREA REQUIREMENT FOR A SINGLE FAMILY ATTACHED LOT LOCATED IN THE R-3 ZONE.

## WAIVERS

1. LINCOLN DESIGN STANDARDS, TITLE 2, CHAPTER 2.00, SECTION 3.6 TO ALLOW SANITARY SEWER TO RUN OPPOSITE OF STREET GRADE FOR W. BANFF STREET, W. DUBOIS STREET, NW. TAHOE DRIVE AND NW 13TH STREET.
2. LINCOLN DESIGN STANDARDS' TITLE 2, CHAPTER 2.00, SECTION 3.6 TO ALLOW SANITARY SEWER TO BE CONSTRUCTED AT A DEPTH GREATER THAN 15 FEET FOR W. DUBOIS STREET, W. SILVERADO DRIVE, AND NW. TAHOE DRIVE.
3. LINCOLN SUBDIVISION REGULATION TITLE 26, SECTION 26.23130 TO ALLOW BLOCK LENGTHS TO EXCEED 1320 FEET BETWEEN CROSS-STREETS FOR BLOCK 10.
4. LOT WIDTH TO DEPTH RATIO.

## SITE SPECIFIC NOTES

1. THE EXISTING ZONE IS AG. THE PROPOSED ZONE IS R-3.

2. RIGHT-OF-WAY WIDTHS AS SHOWN:

NW 12TH STREET -- 120'

LOCAL INTERIOR STREETS -- 60'

3. TOTAL USAGE:

BASE

571 SINGLE/TWO FAMILY LOTS

17 OUTLOTS

TOTAL BLOCKS -- 24

TOTAL LOTS -- 571

571 TOTAL UNITS

OUTLOTS & USE

OUTLOT 'A', 'B', 'C' - DETENTION/BLANKET UTILITY

OUTLOT 'D', 'E', 'F', 'G', 'H', 'I', 'J', 'K' - PEDESTRIAN WAY

OUTLOT 'L' - DETENTION/WETLANDS

OUTLOT 'M' - DETENTION

OUTLOT 'N' - OPEN SPACE

OUTLOT 'O', 'P', 'Q' - PEDESTRIAN WAY

LOTS 1-5,	BLK 1 -- SINGLE FAMILY
LOTS 1-13,	BLK 2 -- SINGLE FAMILY
LOTS 1-4	BLK 3 -- SINGLE FAMILY
LOTS 1-24	BLK 4 -- SINGLE FAMILY
LOTS 1-25	BLK 5 -- SINGLE FAMILY
LOTS 1-17	BLK 6 -- SINGLE FAMILY
LOTS 1-13	BLK 7 -- SINGLE FAMILY
LOTS 1-11	BLK 8 -- SINGLE FAMILY
LOTS 1-21	BLK 9 -- SINGLE FAMILY
LOTS 1-18	BLK 10 -- SINGLE FAMILY
LOTS 1-40 & 42-52	BLK 10 -- SINGLE FAMILY
LOTS 1-23	BLK 11 -- SINGLE FAMILY
LOTS 1-22	BLK 12 -- SINGLE FAMILY
LOTS 1-56	BLK 13 -- SINGLE FAMILY
LOTS 1-26	BLK 14 -- SINGLE FAMILY
LOTS 1-14	BLK 15 -- SINGLE FAMILY
LOTS 1-26	BLK 17 -- SINGLE FAMILY
LOTS 1-24	BLK 18 -- SINGLE FAMILY
LOTS 1-20	BLK 19 -- SINGLE FAMILY
LOTS 1-26	BLK 20 -- SINGLE FAMILY
LOTS 1-19	BLK 21 -- SINGLE FAMILY
LOT 1-14	BLK 22 -- SINGLE FAMILY
LOT 1-13	BLK 23 -- SINGLE FAMILY
LOTS 1-15	BLK 24 -- SINGLE FAMILY
LOTS 1-23	BLK 25 -- SINGLE FAMILY

6. DIRECT VEHICULAR ACCESS TO NW 12TH STREET IS RELINQUISHED EXCEPT WHERE SHOWN.

7. DIRECT VEHICULAR ACCESS TO HIGHWAY 34 IS RELINQUISHED EXCEPT WHERE SHOWN. THE ACCESS SHOWN IS TEMPORARY AND WILL BE RELINQUISHED ONCE TWO PERMANENT PAVED ACCESS ROADS FROM THIS DEVELOPMENT ARE ESTABLISHED. LOTS 35 & 36, BLOCK 11 WILL BE FINAL PLATTED AS AN OUTLOT UNTIL ACCESS TO HIGHWAY 34 IS RELINQUISHED.

8. DIRECT ACCESS TO ALVO ROAD IS RELINQUISHED EXCEPT WHERE SHOWN.

9. LOTS ABUTTING OUTLOT 'A' SHALL HAVE A MINIMUM OPENING ELEVATION 2' ABOVE THE 100 YEAR FLOOD PLAIN ELEVATION AS SHOWN ON THE GRADING & DRAINAGE PLAN.

10. SIDEWALKS SHALL BE BUILT ALONG THE WEST SIDE OF NW 12TH STREET. ONCE THE ALIGNMENT IS FINALIZED, THE DESIGN IS COMPLETED, AND IMPROVEMENTS TO NW 12TH STREET ARE WARRANTED.

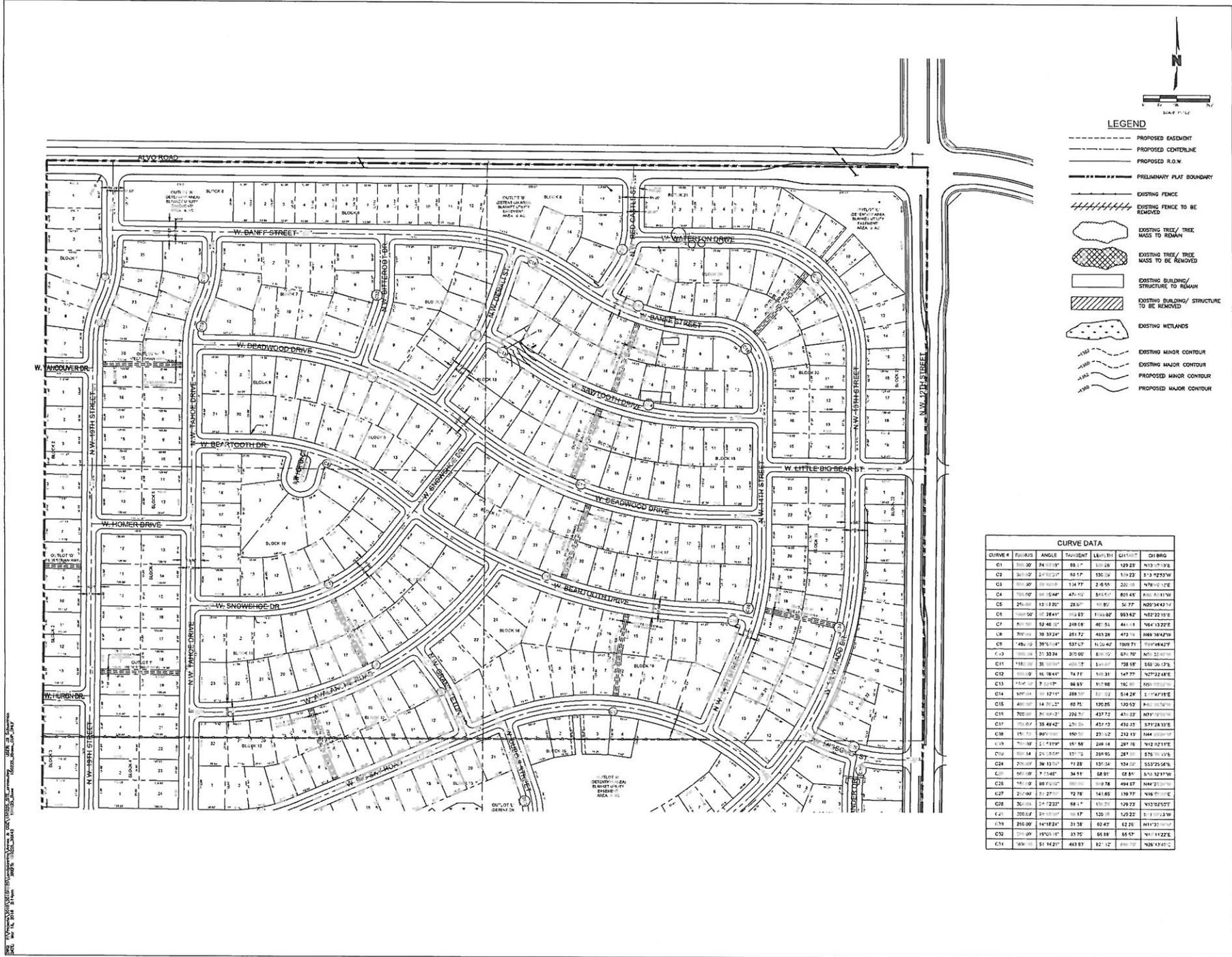
11. SIDEWALKS SHALL BE BUILT ALONG THE SOUTH OF ALVO ROAD ONCE IMPROVEMENTS TO ALVO ROAD ARE WARRANTED DUE TO THE PERMANENT CONNECTION FROM THE SUBDIVISION TO ALVO ROAD AND LOTS ARE FINAL PLATTED ABUTTING THE ROAD.

12. SIDEWALKS TO BE BUILT ON BOTH SIDES OF ALL INTERNAL STREETS.

13. BLANKET UTILITY EASEMENT IS GRANTED OVER OUTLOTS 'A', 'B', 'C' & 'D'.

14. THE GRANT OF AN AVIGATION & NOISE EASEMENT TO THE LINCOLN AIRPORT AUTHORITY IS A CONDITION OF APPROVAL FOR THIS PRELIMINARY PLAT AS ALL OR PART OF THE LAND IS LOCATED WITHIN THE AIRPORT ENVIRONS NOISE DISTRICT AND POTENTIALLY SUBJECTS THE LAND TO AIRCRAFT NOISE LEVELS WHICH MAY AFFECT USERS OF THE PROPERTY AND INTERFERE WITH ITS USE.

15. NO MORE THAN 115 LOTS SHALL BE FINAL PLATTED UNTIL THERE IS A PERMANENT ACCESS PAVED ROAD FROM THIS DEVELOPMENT TO A SYSTEM OF CONTIGUOUS PAVED STREETS. AT SUCH TIME AS THERE ARE TWO DEVELOPMENT PAVED ACCESS ROADS FROM THIS DEVELOPMENT, THE TEMPORARY ACCESS ROAD/CONNECTION TO PURPLE HEART HIGHWAY SHALL BE RELINQUISHED.



- LEGEND**
- PROPOSED EASIMENT
  - PROPOSED CENTERLINE
  - PROPOSED R.O.W.
  - PRELIMINARY PLAT BOUNDARY
  - EXISTING FENCE
  - EXISTING FENCE TO BE REMOVED
  - EXISTING TREE/ TREE MASS TO REMAIN
  - EXISTING TREE/ TREE MASS TO BE REMOVED
  - EXISTING BUILDING/ STRUCTURE TO REMAIN
  - EXISTING BUILDING/ STRUCTURE TO BE REMOVED
  - EXISTING WETLANDS
  - EXISTING MINOR CONTOUR
  - EXISTING MAJOR CONTOUR
  - PROPOSED MINOR CONTOUR
  - PROPOSED MAJOR CONTOUR

CURVE DATA						
CURVE #	PIERCES	ANGLE	TANGENT	LEN(T)H	CHORD	CH BNG
C1	300.00	24.0000	68.17	100.26	129.23	913.07328
C2	360.00	24.0000	68.17	100.26	129.23	213.92530
G3	300.00	24.0000	134.37	200.55	258.46	978.01370
C4	300.00	24.0000	134.37	200.55	258.46	801.48
C5	250.00	13.3200	28.50	66.89	50.77	829.244374
C5	100.00	13.3200	114.83	134.89	93.82	787.221370
C7	300.00	32.4600	219.68	46.51	44.64	768.132270
C8	300.00	32.4600	219.72	46.38	47.31	769.364270
C9	146.19	39.0147	57.07	10.00	10.00	777.884270
C10	100.00	27.3324	37.00	6.00	5.70	807.264270
C11	100.00	27.3324	37.00	6.00	5.70	807.264270
C12	100.00	16.9845	74.71	100.31	147.77	727.224270
C13	100.00	7.3370	66.63	67.08	76.20	800.004270
C14	100.00	39.3715	289.59	10.00	514.26	1174.41810
C15	480.00	14.0121	60.75	120.25	120.53	844.004270
C16	700.00	26.6621	226.70	437.72	431.02	807.004270
C17	100.00	35.4842	270.39	457.13	430.03	871.283370
C18	150.00	80.0000	190.00	23.00	212.13	744.004270
C19	700.00	11.7199	16.66	209.14	287.16	712.021170
C20	300.00	24.0000	134.37	200.55	258.46	876.004270
C21	250.00	36.8500	71.28	137.36	138.00	853.004270
C22	300.00	7.7147	34.11	68.91	68.91	848.004270
C23	146.19	39.0147	57.07	10.00	10.00	844.004270
C24	250.00	21.2700	72.78	141.65	139.77	748.004270
C25	300.00	24.7233	68.17	100.26	129.23	713.004270
C26	300.00	24.7233	68.17	100.26	129.23	213.92530
C27	300.00	14.1824	31.38	62.47	62.26	811.004270
C28	300.00	14.1824	31.38	62.47	62.26	741.112270
C29	300.00	14.1824	31.38	62.47	62.26	726.430270

  
 SCALE 1"=12'  
**Civil Design Group, Inc.**  
 1500 N. LINCOLN STREET, SUITE 200  
 LINCOLN, NEBRASKA 68502  
 PHONE: 402.426.1117  
 FAX: 402.426.1118  
 WWW.CIVILDG.COM

**REVISIONS**  

NO.	DATE	DESCRIPTION

**2016**  
 HIGHLAND VIEW ADDITION  
 ANNEXATION, CHANGE OF ZONE PRELIMINARY PLAT # \_\_\_\_\_  
 SITE PLAN - NORTH HALF  
 LINCOLN, NEBRASKA

drawn by: \_\_\_\_\_  
 checked by: \_\_\_\_\_  
 approved by: \_\_\_\_\_  
 project no.: 2016-022  
 drawing no.: 1  
 date: 3/16/2016

**SHEET 2 OF 15**





# Current Project - Agency Review Report

Agency Name	User Name	Review Cycle	Review Status	Comments	Assignment
Building & Safety	christy eichorn	1	Corrections Required	A height permit needs to be approved by building and Safety prior to the first final plat. A note should be added to the Preliminary Plat that there shall be no point on any structure that exceeds 1368.7 NAVD88 per 27.59.	Individual
County Engineer	ken schroeder	1	Recommend Approval	This office made a limited review of "HIGHLAND VIEW" Annexation #AN16005 in the N ½ of Section 33, T11N, R6E located near Highway 34 and NW 12th Street and has no direct objections to the submittal, subject to development improvements following area annexation. March 29, 2016 (kds)	Individual
County Health	chris schroeder	1	Recommend Approval	The Lincoln-Lancaster County Health Department recommends approval of this application.	Individual
Development Review Manager	steve henrichsen	1	Corrections Required	see markups	Individual
Fire Department	patrick borer	1	Recommend Approval	LF&R recommends approval of this application.	Individual
LES	les reviews	1	Corrections Required	03/29/16 - Annexation /chg of zone review by LES distribution. Julie and Eric will work with Civil Design Group on new preliminary easement required due to a revised PUD. (This information will be passed directly to Jill S, Civil Designs Group in the next 2 weeks. JG, ES, SLS	First In Group
Planning Dept	brandon garrett	1	Recommend Approval	City Council District #4	Individual
Public Works - Engineering Services	bob simmering	1	Recommend Approval	3-28. Sewer capacity issue from 2006 agreement resolved; no further action required. 3-31. Several streets with grade in excess of 5% and six intersections at street grades in excess of 5%; provide justifications for grade and provision for ADA compliance. 4-1. Engineer has provided justification for grade and no further action is required.	First In Group
Public Works - Watershed Management	ben higgins	1	Corrections Required	- Include Pond details and culvert detail for W. Dubois Street on plans as well as existing and proposed with detention details and comparisons. - Final plat for Highland View Addition based on PP05003 shows no minimum opening elevations for existing lots south of Cell C. Need to survey lowest adjacent grade of each existing structure and provide report on to ensure won't get flooded Notes: - Will need sureties on each pond (\$10K each) - On EO for storm drains make sure meeting horizontal curvature requirements and keep within the city ROW	Individual
Public Works & Utilities - Wastewater	brian kramer	1	Recommend Approval		Individual
United States Post Office	kerry kowalski	1	Recommend Approval	Recommend approval on the condition all new delivery addresses are established in Centralized Box Units (CBUs) which will be purchased and installed at the developer's expense in a location mutually agreed upon by the developer and the US Postal Service.	First In Group

**LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT**

**for APRIL 13, 2016 PLANNING COMMISSION MEETING**

**PROJECT #:** Special Permit No. 16008

**PROPOSAL:** A request per Section 27.63.090 Dwellings For Members of a Religious Order.

**LOCATION:** 543 South 46<sup>th</sup> Street

**LAND AREA:** 0.19 acres more or less

**EXISTING ZONING:** R-2 Residential Zoning

**CONCLUSION:** This special permit for a dwelling for members of a religious order, allowing up to 4 residents, should have no significant negative impact on surrounding properties. The house will continue to look like a single family dwelling. The house is within 1,000 feet of Cristo Rey Catholic Church, limiting traffic generation. The proposal is in conformance with the 2040 Comprehensive Plan and the Zoning Ordinance.

<b>RECOMMENDATION:</b>	Conditional Approval
------------------------	----------------------

**GENERAL INFORMATION:**

**LEGAL DESCRIPTION:** The south 1/2 of Lot 121, Witherbee Gardens, located in the NW 1/4 of Section 29-10-7, Lincoln, Lancaster County, Nebraska.

**EXISTING LAND USE:** Single Family Residential

**SURROUNDING LAND USE AND ZONING:** This property is surrounded by R-2 Residential zoning consisting of single family residential uses. Tabitha Health Care Services is located across the intersection to the southeast.

**HISTORY:**

May 1979                      This area was changed from B Two-Family Dwelling District to R-2 Residential District.

**COMPREHENSIVE PLAN SPECIFICATIONS:**

P. 1.8 - This property is shown as Urban Density Residential in the 2040 Lincoln Area Future Land Use Plan.

P. 7.4 - Strategies for Neighborhoods and Housing

- Create housing opportunities for residents with special needs throughout the city that are integrated into and compatible with residential neighborhoods.

- Design and locate special needs housing to enhance the surrounding neighborhood.

**UTILITIES:** All utilities are available.

**TRAFFIC ANALYSIS:** South 46<sup>th</sup> Street and J Streets are local streets.

**AESTHETIC CONSIDERATIONS:** The outside of the house will not change. The inside of the house will be renovated to include two additional bedrooms.

**ALTERNATIVE USES:** Remain a single family residential use.

**ANALYSIS:**

1. This is a special permit for a Dwelling for Members of a Religious Order for Cristo Rey Catholic Church. This permit will allow the sisters to use an existing house as a single dwelling for up to four persons. The house is located approximately 1,000 feet from the Cristo Rey Church.
2. The special permit sets a ratio to determine density. Today the ratio for the R-2 zoning district is 1 resident per 2,000 square feet of lot area. This site has 8,070 square feet of lot area. This special permit would allow a maximum of four persons based on this ratio.
3. This application meets the two requirements of the special permit including that the dwelling be a single housekeeping unit and that the parking requirements of 27.67 be met. Two additional bedrooms will be constructed in the basement. The basement is already equipped with two egress windows and a fire sprinkler system will be installed per building code.
4. The parking requirement for a Dwelling for Members of a Religious Order is one space for every three residents. Four residents would require two parking stalls. There is a standalone two stall garage on the lot that satisfies the parking requirement.
5. The impact of this change will be minimal on the neighborhood. The sisters are within walking distance of the church so there will be no significant increase in traffic.

**CONDITIONS OF APPROVAL:**

Per Section 27.63.090, Dwellings for Members of a Religious Order this approval permits up to 4 persons for members of a religious order in a single family dwelling.

**Site Specific Conditions:**

1. Before receiving building permits the permittee shall cause to be prepared and submitted to the Planning Department a revised and reproducible final plot plan including **3** copies with all required revisions and documents as listed below:
  - 1.1 Add to the General Notes: "Significant changes to the foot print of the house will require an administrative amendment."
  - 1.2 Add to the General Notes, "Signs need not be shown on this site plan, but need to be in compliance with chapter 27.69 of the Lincoln Zoning Ordinance, and must be approved by Building & Safety Department prior to installation".
2. Provide Verification from the Register of Deeds that the letter of acceptance as required by the approval of the special permit has been recorded.

**Standard Conditions:**

3. The following conditions are applicable to all requests:
  - 3.1 The construction plans must substantially comply with the approved plans.
  - 3.2 The physical location of all setbacks and yards, buildings, parking and circulation elements, and similar matters be in substantial compliance with the location of said items as shown on the approved site plan.
  - 3.3 The terms, conditions, and requirements of this resolution shall run with the land and be binding upon the Permittee, its successors and assigns.
  - 3.4 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 therefor to be paid in advance by the applicant. Building permits will not be issued unless the letter of acceptance has been filed.

Prepared by

Rachel Jones, Planner  
402-441-7603  
rjones@lincoln.ne.gov

**DATE:** March 30, 2016

**APPLICANT:** Catholic Bishop of Lincoln  
P.O. Box 80328  
Lincoln, NE 68501-0328

**CONTACT:** Rev. Ramon Decaen  
4245 J Street  
Lincoln, NE 68510

**OWNER:** Same as applicant

F:\DevReview\SP\16000\SP16008 J Street Convent Renovation.rkj.wpd

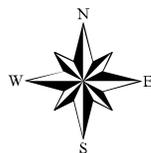


2013 aerial

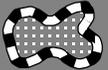
**Special Permit #: SP16008**  
**S 46th St & J St**

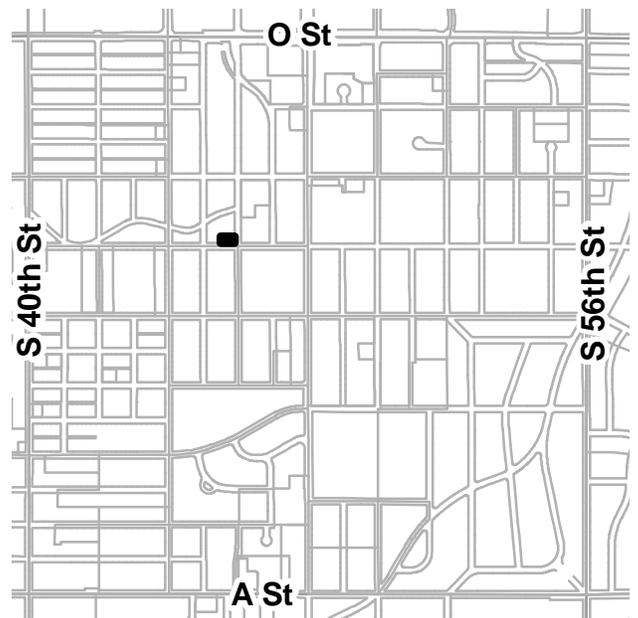
**Zoning:**

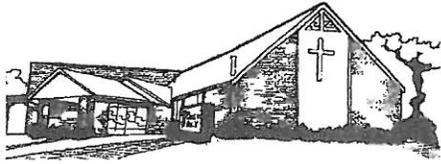
- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- O-1 Office District
- O-2 Suburban Office District
- O-3 Office Park District
- R-T Residential Transition District
- B-1 Local Business District
- B-2 Planned Neighborhood Business District
- B-3 Commercial 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



One Square Mile:  
 Sec.29 T10N R07E

	Area of Application
	Zoning Jurisdiction Lines
	Lancaster County Jurisdiction





Cristo Rey Catholic Church  
4245 J Street  
Lincoln, NE 68510

Phone: (402) 488-5087  
Fax: (402) 488-8370  
Email: [cristorey@windstream.net](mailto:cristorey@windstream.net)

March 14, 2016

City of Lincoln  
Planning Department  
555 S. 10 Street, Suite 213  
Lincoln, NE 68508

Dear Planning Department,

Attached with this letter is the Special Permit application for a new special permit for a Dwelling for Members of a Religious Order (27.63.090). The Catholic Bishop of Lincoln has recently purchased the property at 543 South 46 Street. The intention is to repair and renovate this property to be used by a religious order. There will be a maximum of 4 sisters residing at the address. The intention is to add two bedrooms in the basement. The basement is already equipped with 2 egress windows. Each new bedroom will have an egress window.

Enclosed you will find the check for \$330 for the Special Permit. If you have any questions, you may contact me at 402-937-5103 or [sacerdos4life@hotmail.com](mailto:sacerdos4life@hotmail.com)

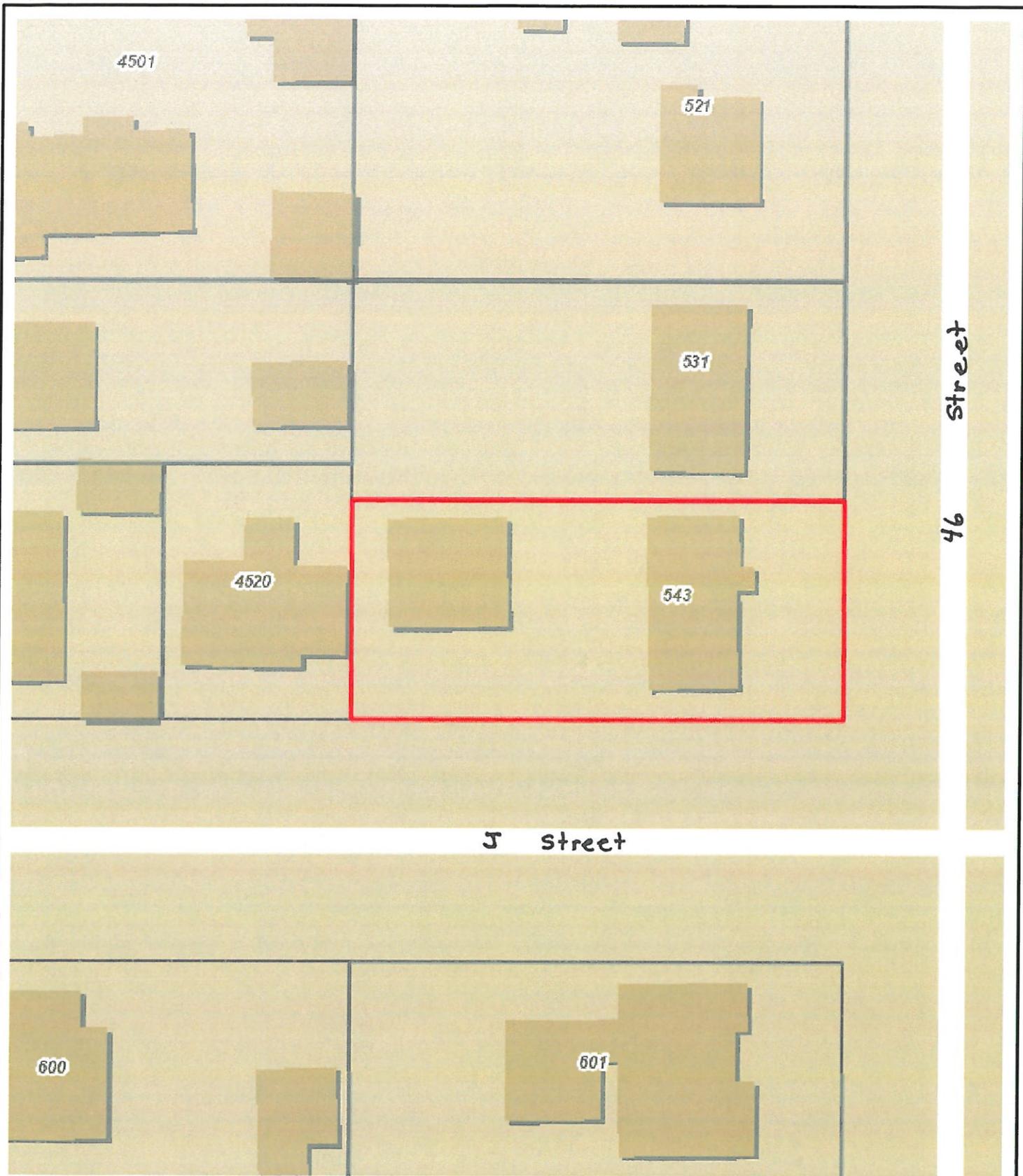
En Cristo Rey,

---

Fr. Ramón Decaen  
Pastor  
Cristo Rey Catholic Church

## Current Project - Agency Review Report

Agency Name	User Name	Review Cycle	Review Status	Comments	Assignment
Building & Safety	christy eichorn	1	Recommend Approval		First In Group
County Health	chris schroeder	1	Recommend Approval	The LLCHD recommends approval of this special permit.	Individual
Development Review Manager	steve henrichsen	1	Recommend Approval	Note: There will be no changes to the site in terms of parking or additions to the building. The lot has a two car garage and only two parking stalls are required.	Individual
Emergency Communications	Kelly Davila	1	Pending		Individual
Fire Department	Patrick Borer	1	Pending		Individual
LES	les reviews	1	Recommend Approval	3/21/2016 No Comments	First In Group
Parks & Recreation	mark canney	1	Recommend Approval		First In Group
Planning Dept	brenda thomas	1	No Review Required		First In Group
Public Works - Engineering Services	harry kroos	1	Recommend Approval		First In Group
Public Works - Watershed Management	ben higgins	1	No Review Required		Individual
Public Works & Utilities - Wastewater	brian kramer	1	No Review Required		Individual
Public Works & Utilities - Water	Public Works & Utilities - Water	1	Pending		First In Group
Stronger Safer Neighborhoods	Jon Carlson	1	Pending		Individual
Windstream	Jon Littrell	1	Pending		First In Group



**Lancaster County/City of Lincoln GIS Map**

convent



Printed: Mar 12, 2016

DISCLAIMER: The information is presented on a best-efforts basis, and should not be relied upon for making financial, survey, legal or other commitments. If you have questions or comments regarding the data displayed on this map, please email [ags@lincoln.ne.gov](mailto:ags@lincoln.ne.gov) and you will be directed to the appropriate department.

## LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for April 13, 2016 PLANNING COMMISSION MEETING

**PROJECT #:** Special Permit No. 16011 - Allo Communications at Sheridan Lutheran Church

**PROPOSAL:** A request per Section 27.63.225 for Public Utility and Cable Television Purposes

**LOCATION:** 6955 Old Cheney Road

**LAND AREA:** 17.26 acres more or less

**EXISTING ZONING:** R-3 Residential

**CONCLUSION:** While not a public utility company, Allo Communications will be a utility provider for digital communications services via a fiber optic network. The network is now under construction and will be designed to serve residential, commercial and public customers. The proposed shelter is similar in size and shape to a typical out-building for storage found in both residential and commercial areas, where it is a permitted accessory use. Given it is located in an open area at the edge of a parking lot, and has ancillary facilities such as a back-up generator and utility box, screening is appropriate to buffer the visual impact of the facility to make it less visible. Screened and built according to the design guidelines listed in the recommended conditions of approval, this use at this location complies with the Zoning Ordinance and is consistent with the Comprehensive plan.

<b>RECOMMENDATION:</b>	Conditional Approval
------------------------	----------------------

### GENERAL INFORMATION:

**LEGAL DESCRIPTION:** Lot 1, Hawkswood Estates 2<sup>nd</sup> Addition, Lancaster County, Nebraska.

**EXISTING LAND USE:** Church and associated parking lot.

**SURROUNDING LAND USE AND ZONING:**

North:	Church parking lot	R-3
South:	Single-family Residential	R-1
East:	Single-family Residential	R-3
West:	Single-family Residential	R-1

**ASSOCIATED APPLICATIONS:**

**COMPREHENSIVE PLAN SPECIFICATIONS:**

**Page 1.9** - The future Land Use Map of the Comprehensive Plans designates urban residential land uses for this area.

**Page 4.4** - Placemaking - Current Practice

-The community values efficient and effective telecommunications while also desiring to minimize adverse impacts of this rapidly evolving infrastructure on our rural and urban environments. Capitol view corridors, historic landmarks and districts, environmentally sensitive areas, and predominantly residential neighborhoods are not preferred locations. Unobtrusive locations on public property; co-locations on existing towers, buildings, and structures; and commercial and industrial areas with minimal impact on residences are preferred. The City has adopted zoning provisions to state the community’s preferences. Combined with guidance from the design review boards, community residents and the telecommunications industry can be well-served.

**Page 11.3** - Information Technology Guiding Principles

-Information technology programs and regulations must be flexible enough to adapt to advances in technology.

-The development of a well designed fiber optic network to serve residential, business, education, and public facilities is very important. This network is a priority to ensure a high quality of life, serve as an economic development tool, and provide efficient public services.

**Page 11.19** - Information technology

-Information technology is subject to rapid and dramatic change. The nature of the industry continues to push the limits of the technology. Various technologies converge to create new, integrated products and services. The concept of “telecommuting” portends a city where people may be able to work from most any site – including their own home. In the economy of the future, information is likely to become the primary product. This product can be “manufactured” at sites other than traditional factories and offices.

**Page 11.20** - Strategies for Information Technology

-Support efforts to maintain, expand, and upgrade the community’s information technology infrastructure.

-Explore efforts to increase access to information technology for all members of Lincoln and Lancaster County, especially within minority, low income, disabled, rural, and aging communities.

-Further the cooperation between the City and County and local universities and colleges in applying information technology throughout the community.

-Encourage the underground placement of existing wired facilities, thus supporting a more reliable information technology infrastructure.

-Promote regional cooperation in the formation of information technologies alliances.

-Endorse the on-going cooperation of City, County, and State governments to integrate information technology in the delivery of their services to the community.

-Investigate means for expanding the maintenance, development, and application of Geographic Information Systems data among public and private sector users.

-Consider ways to maximize use of the public rights-of-way and public easements that support multiple applications including information technology facilities. This can include consideration of right-of-way management for utility separation, coordination of work in the ROW, and compensation for usage.

### **ANALYSIS:**

1. Allo Communications is beginning construction of a fiber optic network to provide tv, internet and phone service. The system will require several fiber optic utility buildings throughout the city for the purpose of management of the system.
2. The subject facility is located near the southern portion of the 17-acre Sheridan Lutheran Church site. Located just off the south edge of the parking lot, the facility occupies a 65' x 50' (3,250 sq. ft.) lease area. The application notes that the utility building is a concrete modular structure with a shingled pitch roof.
3. The site plan shows a 14.25' x 30' (428 sq. ft.) utility building, with an external backup generator and utility box. No landscaping is shown, but the application notes it will have grass and landscaping surrounding the building. There is a lack of vegetation on this part of the site, and any structure would be highly visible without screening. The building does not warrant a solid screen around the entire lease area, but adequate landscaping is necessary enhance compatibility with a generally residential-in-character area. Included as a recommended condition of approval is the requirement that the applicant provide a landscape plan to the satisfaction of the Planning Department to accomplish this.
4. The outside generator is noted as needing to operate once week for approximately 30 minutes. The operating sound level is noted to be 61db at 23 feet. That noise level is equivalent to conversation in a restaurant, background music, or an air conditioning unit at 100'. At that level, it is consistent with typical daytime noise levels found in residential neighborhoods. The hours of operational testing should be limited to daytime hours, however.
5. The applicant provided a list of additional design criteria which the building is intended to meet. It includes the following:
  - A. 100% brick exterior to match the existing church building.
  - B. Paint color scheme to match the existing church building.

- C. The building will have two exterior wall mounted air conditioning units.
  - D. The building will have an asphalt shingled roof with a 6:12 pitch consistent with the roofing materials of the church.
  - E. The above grade utility boxes will not exceed 3' x 3' x 3' in size.
6. The above criteria limit the design of the building to that of an accessory structure that would be allowed in residential areas, and is consistent with the residential character of the area. A height limit is not included, but accessory buildings are limited to 15' in height, and that height limit should apply here as well.
7. Accessory buildings are a permitted use in the residential zoning districts, and can be up to 2,000 sq. ft. in area in residential neighborhoods. At approximately 430 sq. ft. in area, this building is well below that maximum limit.
8. If constructed as proposed and with appropriate landscaping, the visual impact of the facility from surrounding properties will be minimal. Subject to the recommended conditions of approval, this facility complies with the Zoning Ordinance and is consistent with the Comprehensive Plan.

**CONDITIONS OF APPROVAL:**

Per Section 27.63.225 this approval permits a fiber optic utility building.

**Site Specific:**

1. Before receiving building permits the permittee shall cause to be prepared and submitted to the Planning Department three copies of a revised final site plan with all required revisions as listed below:
- 1.1 Add the following notes:
    - A. 100% brick exterior to match the existing church building.
    - B. Paint color scheme to match the existing church building.
    - C. The building is limited to two exterior wall mounted air conditioning units.
    - D. The building will have an asphalt shingled roof with a 6:12 pitch consistent with the roofing materials of the church.
    - E. The above grade utility boxes will not exceed 3' x 3' x 3' in size.
    - F. Hours of operational testing of the back-up generator unit are limited to the hours of 6 a.m. to 6 p.m., Monday through Friday.
    - G. The maximum height of the utility building or any associated facilities shall not exceed 15' in height.
  - 1.2 Submission of a screening/landscaping plan to the satisfaction of the Planning Director.

**Standard:**

2. The following conditions are applicable to all requests:
  - 2.1 Before starting the operation all development and construction shall substantially comply with the approved plans.
  - 2.2 All privately-owned improvements, including landscaping and recreational facilities, shall be permanently maintained by the Permittee or an appropriately established homeowners association approved by the City.
  - 2.3 The physical location of all setbacks and yards, buildings, parking and circulation elements, and similar matters be in substantial compliance with the location of said items as shown on the approved site plan.
  - 2.4 The terms, conditions, and requirements of this resolution shall run with the land and be binding upon the Permittee, its successors and assigns.
  - 2.5 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 therefor to be paid in advance by the applicant. Building permits will not be issued unless the letter of acceptance has been filed.

Prepared by:

---

Brian Will, 441-6362, [bwill@lincoln.ne.gov](mailto:bwill@lincoln.ne.gov)  
Planner  
March 30, 2016

**CONTACT/  
APPLICANT:**

Jeff Kuene  
Allo Communications LLC  
610 Broadway Street  
Imperial, NE 69033  
855-633-7822

**OWNER:**

Sheridan Lutheran Church  
6955 Old Cheney Road  
Lincoln, NE 68516  
402-926-8092

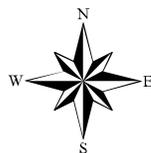


2013 aerial

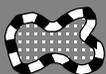
**Special Permit #: SP16011**  
**S 70th St & Old Cheney Rd**

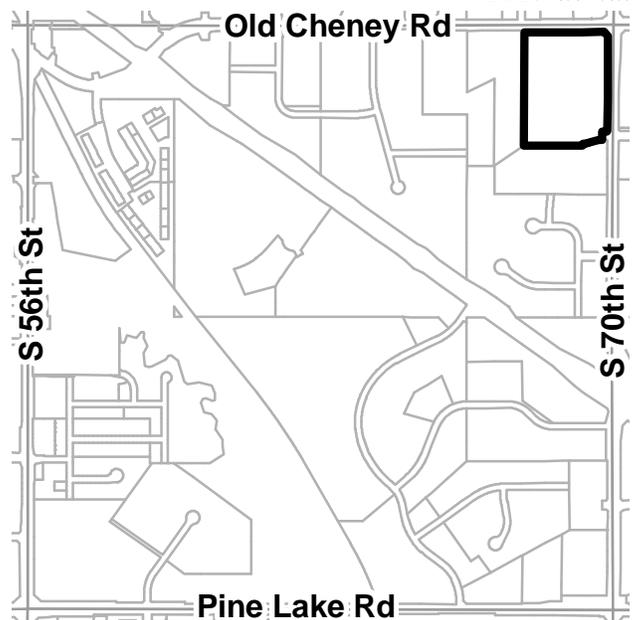
**Zoning:**

- 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
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- 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.16 T09N R07E

	Area of Application
	Zoning Jurisdiction Lines
	Lancaster County Jurisdiction





March 24, 2016

Brian Will  
Planning Department  
555 South 10<sup>th</sup> St., Suite 213  
Lincoln, NE 68508

Re: Allo Communications  
Special Permit for Utility Purposes  
Multiple locations, Lincoln NE  
Olsson Project # 015-3315

Mr. Will,

I would like to clarify a number of issues regarding the Special Permit submittals for Allo Communications:

Allo plans to build only one Central Office facility in Southeast Lincoln. Southeast Lincoln is the first quadrant of the City to have Fiber service installed. Timing of construction for this Central Office is critical to Allo to maintain their schedule of fiber optic installation. At the time of Special Permit submittal, Allo did not have purchase/lease agreements signed with landowners. Allo also needs Special Permit approval, which is not guaranteed at either location. Allo decided to submit a Special Permit application for both locations to provide a backup site if either location did not eventuate. If both Special Permits are approved, Allo will request one Special Permit be rescinded once they have all agreements signed.

The proposed building will not be permanently staffed. It is anticipated that staff may visit the building once a week for maintenance purposes. The building is the distributed central office for the Allo Fiber-to-the-Home system. All fiber optics in this quadrant of the city will terminate in this central office building, where the fiber optics will be lit and managed. The central offices will be connected via fiber optics to back each other up in the case of equipment failure, and they will be equipped with backup DC power as well as generators in the event of power failure. The generator will be a 45 Kw Natural Gas powered generator. It will be operated once a week for approximately 30 minutes during daytime hours. The level of sound is 61Db measured at 23 feet. Allo will contract with a landscape company for lawn and landscape maintenance.

The building is a concrete modular structure that will be delivered to each location. Allo will add brick facing to the building. A shingled pitched roof with guttering will be added to maintain a residential appearance. The color of the brick and shingles will match the predominant colors utilized in the neighborhood. Each facility will have grass and landscaping surrounding the building. There are no plans for fencing as the facility will be monitored by Video Surveillance.



The attached image is a good example of how these buildings will look when complete. Brester Construction is planned to be the General Contractor coordinating the building placement and construction.

Feel free to contact me with any questions which you may have.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark C Palmer', with a long horizontal flourish extending to the right.

Mark C Palmer  
Olsson Associates

cc: Jeff Kuenne, Allo Communications  
Steve Ingracia, Olsson Associates

## Brian Will

---

**To:** Brian Will  
**Subject:** Additional Facility Design Criteria

This facility is internal to the Church property and is well screened by berms and trees on 70<sup>th</sup> Street. This area for the special permit is 80' inside the property. The following notes below would apply to this facility:

1. The Building will have 100% brick exterior that matches the existing Church buildings. No concrete block masonry will be visible on the exterior of the building.
2. Paint color shall be similar to the colors utilized on the existing church buildings.
3. The exterior of the building will include two wall mounted air conditioning units.
4. The building will have asphalt shingled pitched roof with 6:12 minimum pitch minimum and will be consistent with the other roofing materials on the Church.
5. No above grade utility boxes or structures greater than 9 cubic feet (3'x3'x3') will be permitted within the area of the Special Permit.
6. The Building design will be subject to approval from the Church. A letter approving the design from the Church is required prior to gaining building permit approval.

**LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT**

**for April 13, 2016 PLANNING COMMISSION MEETING**

**PROJECT #:** Special Permit No. 16013

**PROPOSAL:** A request per Section 27.63.250 for Permitted Use Exceeding the Maximum Height Permitted in District to allow a 100-foot flagpole that exceeds the maximum district height of 55 feet.

**LOCATION:** 400 NW 56<sup>th</sup> Street

**LAND AREA:** 25 acres, more or less

**EXISTING ZONING:** H-4, General Commercial

**CONCLUSION:** This request is consistent with the requirements of the Zoning Ordinance and Design Standards. The pole will be required to meet all Building and Safety Codes and be outside all required setbacks. It should have no adverse impact on the surrounding properties.

<b>RECOMMENDATION:</b>	Conditional Approval
------------------------	----------------------

**GENERAL INFORMATION:**

**LEGAL DESCRIPTION:** Lot 39 located in the SW 1/4 of Section 19-10-06.

**EXISTING LAND USE:** Light Industrial

**SURROUNDING LAND USE AND ZONING:**

North:	Interstate 80	
South:	Agriculture	AG Agriculture
East:	Agriculture, Commercial	H-4 General Commercial, H-1 Interstate Commercial
West:	Agriculture, Commercial	H-4 General Commercial

**COMPREHENSIVE PLAN SPECIFICATIONS:**

Page 1.9 - This site is identified as Commercial on the Future Land Use Map.

Page 4.3 - Key entryways provide indelible "first impressions" of a community.

Page 4.3 - Site identified as a Capitol View Corridor.

Page 4.6 - The 400-foot State Capitol is the key historic, architectural, and geographic landmark of the city and surrounding countryside. Views to the Capitol are highly valued by the people of Lancaster County and the State of Nebraska and should be protected and enjoyed for generations.

Page 4.6 - Major entryways to Lincoln including Interstate 80 and its exits...should be studied, protected, and enhanced to create and express community pride.

**TOPOGRAPHY:** The site is generally flat and the flagpole will be located at the same grade as the surrounding buildings.

**AESTHETIC CONSIDERATIONS:** The flagpole is located within a Capitol View Corridor and within view of Interstate 80 and Highway 6.

**ANALYSIS:**

1. This site is located along NW 56<sup>th</sup> Street between Interstate 80 and Highway 6. The Crete Carrier corporate headquarters and central dispatch are located on the site. The applicant is looking to construct three flagpoles on the site: a 100-foot pole for a 30-foot by 20-foot American flag, and two 45-foot poles for a State of Nebraska flag and University of Nebraska flag. This special permit is to allow a 100-foot pole that is taller than the district height. The 45-foot poles are permitted in the district.
2. The 55-foot height limit of the H-4 district can be exceeded with an approved special permit per Lincoln Municipal Code (LMC) Section 27.63.250.
3. This special permit has been used three previous times to allow flag poles to exceed the maximum height of the district.

2002 - Special Permit #1987 which permitted a 100-foot flag pole to display a 30-foot by 20-foot American flag at N. 1<sup>th</sup> Street and W. O Street, which is in an I-1 zoning district with a 75-foot height limit. The site is located within a Capitol View Corridor.

2003 - Special Permit #2018 which permitted a 100-foot flag pole to display a 50-foot by 30-foot American flag at N. 84<sup>th</sup> Street and Hwy. 6, which is in an I-1 zoning district with a 75-foot height limit.

2010 - Special Permit #10027 which permitted an 80-foot flag pole to display a 30-foot by 20-foot American flag at N. 27<sup>th</sup> Street and Wildcat Drive, which is in an H-3 zoning district with a 55-foot height limit.

4. Chapter 3.25 of the City of Lincoln Design Standards requires that the proposal not adversely impact views of the Capitol Building Tower. This site is within the Capitol View Corridor that extends from downtown along West O Street and Interstate 80. This application was reviewed by the Capitol Environs Commission to determine level of impact on the corridor.

Based on analysis of probable impact of a flagpole on the critical view of Capitol tower for westbound Interstate 80 traffic, the proposal should have no negative impact on the view of the Capitol. The Capitol Environs Commission recommended approval by a 4-0 vote.

5. This site is within the Airport Environs District; however, no Avigation Easement is required for flagpoles. This site is also located within the Airport Hazard Area inside a Turning Zone. Since the flagpole is over 75 feet a Height Permit is required.
6. There is no fall zone specified in the LMC for flag poles; however Chapter 27.68 (Wireless Facilities) does specify a fall zone for broadcast towers equal to half the height of the tower at its base. In this instance the fall zone would be 50 feet. The site plan shows the flagpole set back 77 feet from the nearest lot line. Additionally, flags are not allowed to cross property lines. A flag that is 30 feet by 20 feet as proposed by the applicant would not cross the property line.

**CONDITIONS OF APPROVAL:**

Per Section 27.63.250 for Permitted Use Exceeding the Maximum Height Permitted in District this approval permits a 100-foot flagpole as shown on the site plan and exhibits to exceed the 55-foot height limit in the H-4 district.

**Site Specific Conditions:**

1. Before receiving building permits provide the following documents to the Planning Department:
  - 1.1 Verification from the Register of Deeds that the letter of acceptance as required by the approval of the special permit has been recorded.

**Standard Conditions:**

2. The following conditions are applicable to all requests:
  - 2.1 Before occupying the structure all development and construction shall substantially comply with the approved plans.

- 2.2 The physical location of all setbacks and yards, buildings, parking and circulation elements, and similar matters be in substantial compliance with the location of said items as shown on the approved site plan.
- 2.3 The terms, conditions, and requirements of this resolution shall run with the land and be binding upon the Permittee, its successors and assigns.
- 2.4 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, filing fees therefor to be paid in advance by the applicant.

Prepared by

Andrew Thierolf  
Planner

**DATE:** April 1, 2016

**APPLICANT/  
OWNER:** Crete Carrier Corporation  
PO Box 81228  
Lincoln, NE 68501

**CONTACT:** Gus Ponstingl  
MAPCO, Inc  
PO Box 30581  
Lincoln, NE 68503

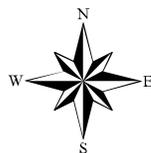
F:\DevReview\SP\16000\SP16013 Crete Carrier flag pole.adt.wpd



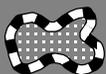
**Special Permit #: SP16013**  
**NW 56th St & W O St**

**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



One Square Mile:  
 Sec. 19 T10N R06E

	Area of Application
	Zoning Jurisdiction Lines
	Lancaster County Jurisdiction



2013 aerial



March 15, 2016

City Staff & Andrew Thierolf  
555 S 10th St, Ste 213  
Lincoln, NE, 68508 USA  
Work 402-441-7491

Dear Andrew,

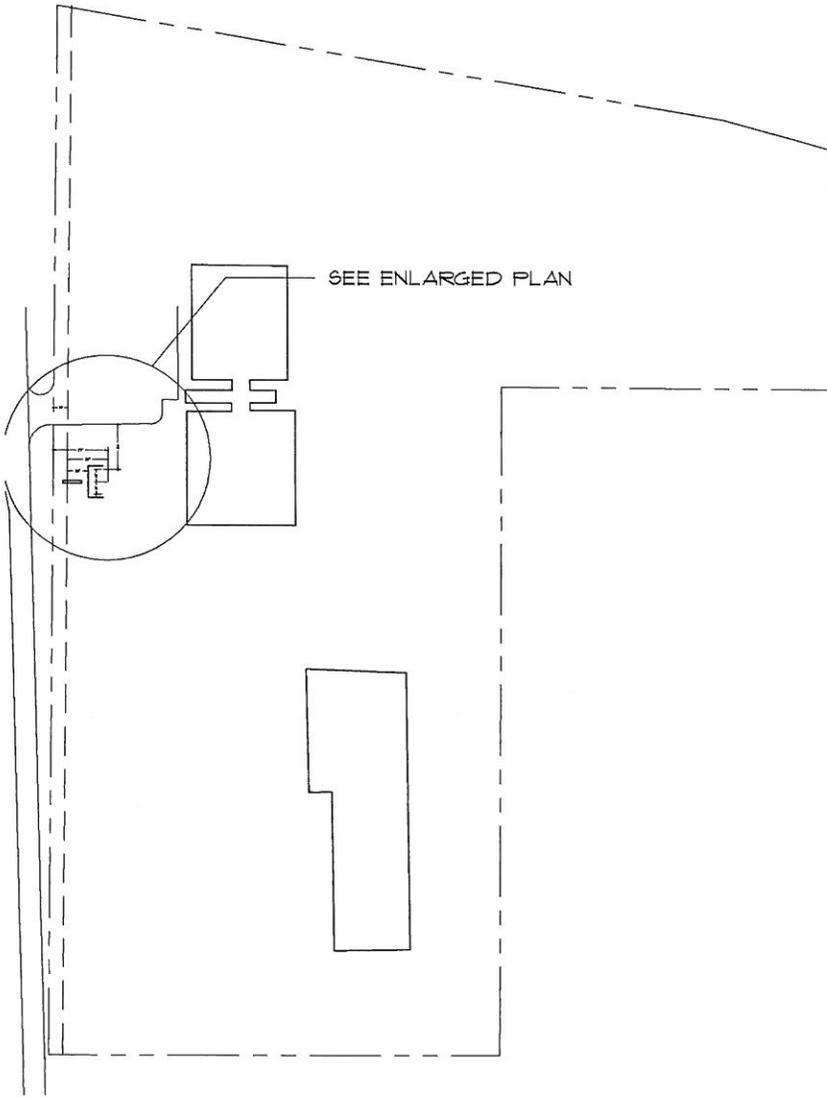
We are submitting an application for a Special Permit for the following project: Crete Carrier Corp. Flag Poles. Crete Carrier Corp. would like to install 3 new flag poles: 1 is will be 100' high, and 2 will be 45' high. 1 of the poles does not meet the 45' max height requirements for the H-4 District. There is a provision for an additional 10' to a total of 55', if the pole is moved 10' further from the setback line. Crete Carrier Corp. would their tallest pole to be visible from the highway.

The 3 poles will be located in their front yard, as shown on the site plan enclosed. The pole would site approximately 77' from the property line, or 57' from the setback line. They would like to fly an American Flag 30'x 20' in size on that pole. The other 2 flags would be UNL's big N on a red background, and the State of NE flag.

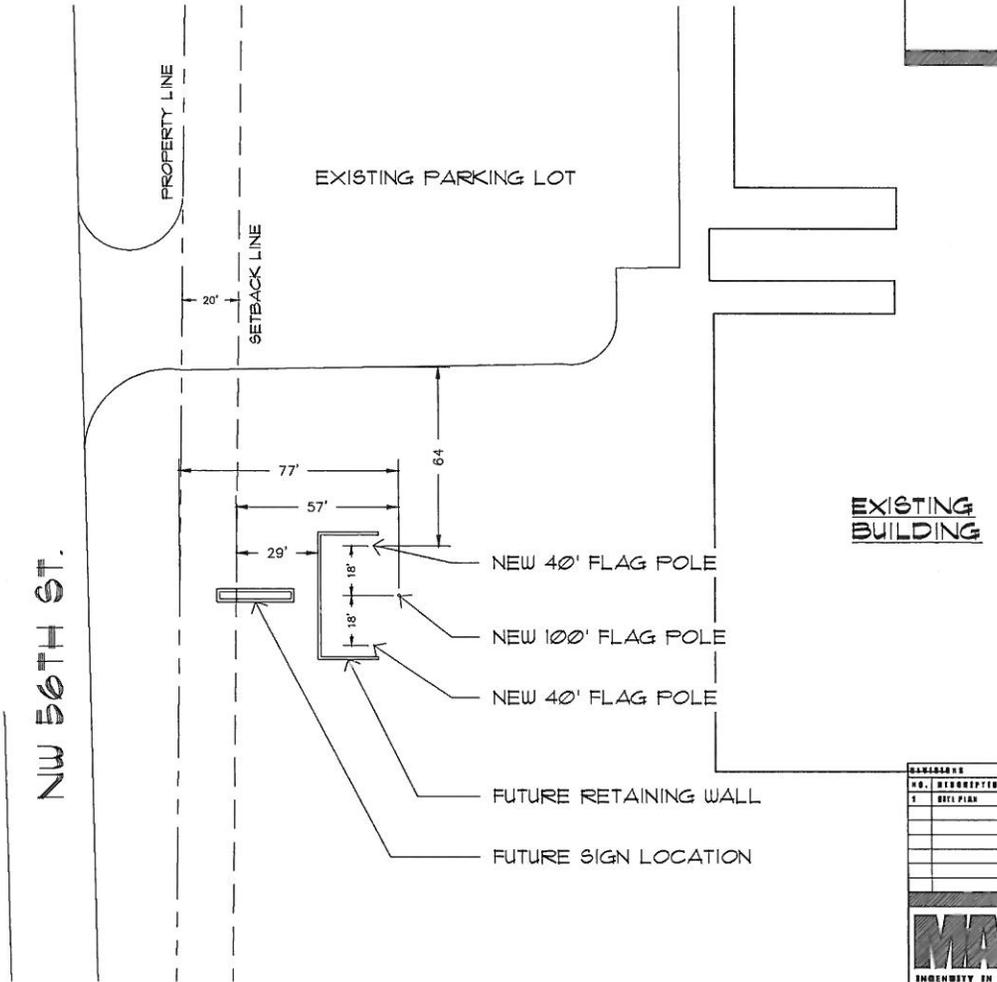
Thank you for your consideration,

August Ponstingl  
President  
MAPCO, INC.  
402 770 2272

Included: Site Plan for Signage and Flag Poles  
Application for Special Permit  
Check for \$792.00



**SITE PLAN**



**ENLARGED SITE PLAN**

DATE: 2/3/2010

PROJECT NAME:

**CRETE CARRIER CORPORATION  
NEW SIGNAGE**

NO.	DESCRIPTION	DATE
1	REV. PLAN	2-3-10

**MAPCO**  
ENGINEERS IN OREGON

7000 N. BOND STREET, ST. GEORGE, OREGON 97138-2272

**SITE PLAN  
C1.0**

PRELIMINARY  
NOT FOR  
CONSTRUCTION



## Current Project - Agency Review Report

Agency Name	User Name	Review Cycle	Review Status	Comments	Assignment
Airport Authority	jon large	1	Recommend Approval	27.58 - This is within the Airport Environs District, however since just a pole, no Avigation Easement. 27.59 - This is within the Airport Hazard area, inside of a Turning Zone. Since over 75' in a Turning Zone, a Height Permit should be required.	First In Group
Building & Safety	christy eichorn	1	Recommend Approval	The flag can not cross over the property line. Sign permit will be required.	First In Group
Development Review Manager	steve henrichsen	1	Corrections Required		Individual
Historic Districts/Capitol Environs	edward zimmer	1	Recommend Approval	Reviewed by Nebraska Capitol Environs Commission March 24, 2016. Staff noted request is in a Capitol view corridor designated in LPlan 2040. Based on analysis of probable impact of flagpole on the critical view to Capitol tower for westbound traffic on I-80, staff recommended that proposal had no negative impact on the view to Capitol. Jon Weinberg moved concurrence with the staff analysis, seconded by Laging. Motion passed 4-0 (Searcy, Dionisopolis, Laging, Weinberg).	First In Group
Planning Dept	brenda thomas	1	No Review Required		First In Group



## LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for April 13, 2016 PLANNING COMMISSION MEETING

**PROJECT:** Miscellaneous #16001  
*South University Place Redevelopment Area Blight and Substandard Determination Study*

**PROPOSAL:** *The South University Place Redevelopment Area Blight and Substandard Determination Study*

**CONCLUSION:** The South University Place Redevelopment Area qualifies as substandard and blighted within the definition set forth in the Nebraska Community Development Law, Nebraska State Statutes § 18-2103, as determined by the *South University Place Redevelopment Area Blight and Substandard Determination Study*. The Substandard and Blight Determination Study is consistent with the redevelopment and revitalization activities identified in Lincoln-Lancaster County 2040 Comprehensive Plan.

### **RECOMMENDATION:**

Finding that there is a reasonable presence of substandard and blighted conditions in the South University Place Redevelopment Area as per § 18-2103 (11) Nebraska Revised Statutes.

### **GENERAL INFORMATION:**

**LOCATION:** An area generally located northeast of N. 48<sup>th</sup> and Holdrege Streets, bounded by N. 48<sup>th</sup> Street on the west and N. 49<sup>th</sup> on the east, but also including the entirety of University Place Park.

**LAND AREA:** 37 acres, more or less

**PURPOSE:** Nebraska Community Development Law, Nebraska State Statutes § 18-2109 requires the Planning Commission to review whether an area is substandard and blighted. A recommendation of the Planning Commission is required to be provided to the City Council prior to a redevelopment area being declared blighted and substandard.

**LEGAL DESCRIPTION:** Block 129, University Place Addition; Block 4, Lots 7-10, and Block 5, Mills Subdivision; Blocks 6 -10, Block 11 except north 71.5' of Lots 1 and 2, Blocks 21-22, and Block 35, Mills Addition to University Place, Lincoln, Lancaster County, Nebraska.

**COMPREHENSIVE PLAN SPECIFICATIONS:**

From the 2040 Lincoln/Lancaster County Comprehensive Plan:

***Guiding Principles for Business and Economy***

*Promote and foster appropriate, balanced, and focused future economic growth that maintains the quality of life of the community.*

*Seek to efficiently utilize investments in existing and future public infrastructure to advance economic development opportunities. (p. 5.2)*

***Guiding Principles for Mixed Use Redevelopment***

*Target existing underdeveloped or redeveloping commercial and industrial areas in order to remove blighted conditions and more efficiently utilize existing infrastructure. (p. 6.2)*

**ANALYSIS:**

1. This is a request to determine whether the South University Place Redevelopment Area should or should not be declared substandard and blighted per § 18-2103 (11) Nebraska Revised Statutes. After an area is declared substandard and blighted, the City may proceed with the preparation and approval of a Redevelopment Plan. Redevelopment activities may include utilizing Tax Increment Financing (TIF) from private development to pay for public infrastructure and improvements.
2. The Urban Development Department hired a consultant who conducted the study to determine whether or not there was a presence of substandard or blighting conditions in the study area per § 18-2103 (11) Nebraska Revised Statutes.
3. The area comprises 37 acres. According to the land use categories identified in the Blight Study, approximately 5.1% of the land is in single family residential use, 57.7% is park/open space, 10.3% is commercial, 23.3% is developed as street right-of-way, and 4.0% is vacant.
4. All of the land within the study area is inside the City of Lincoln corporate limits.

5. Current zoning in the area is B-1 Local Business, O-2 Suburban Office, R-2 Residential, H-2 Highway Business, and P Public.
6. The Urban Development Department requests the determination study be reviewed by the Planning Commission for conformance with the Comprehensive Plan.
7. A **substandard** area is defined in the Nebraska Revised Statutes as containing a predominance of buildings or improvements with at least one of four conditions present:
  1. Dilapidation/deterioration
  2. Age or obsolescence
  3. Inadequate provision for ventilation, light, air, sanitation or open spaces
  4.
    - a) High density of population and overcrowding;
    - b) The existence of conditions which endanger life or property by fire and other causes; or
    - c) Any combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime, and is detrimental to the public health, safety, morals or welfare.
8. According to the Blight Study, the area qualifies as **substandard** because all of the four factors were found to have a strong presence in the study area.
  - A) Dilapidation, deterioration, age or obsolescence of structures is evident in that more than 74% of structures are in deteriorated or deteriorating condition (Blight Study Page 5).
  - B) Based on field evaluation 81% of structures are over 40 years of age (Page 5).
  - C) Conditions which result in inadequate provision for sanitation are evidenced by water and sewer mains which at least 45 years of age with some segments at least 70 years of age (Page 6).
  - D) Conditions which endanger life or property by fire and other causes are evidenced by the presence of flammable materials (Page 6).
9. A **blighted** area is defined in the Nebraska Revised Statutes as having the presence of one or more of the twelve following conditions:
  1. A substantial number of deteriorated or deteriorating structures;
  2. Existence of defective or inadequate street layout;
  3. Faulty lot layout in relation to size, adequacy, accessibility or usefulness;
  4. Insanitary or unsafe conditions;
  5. Deterioration of site or other improvements;
  6. Diversity of ownership;

7. Tax or special assessment delinquency exceeding the fair value of the land;
  8. Defective or unusual conditions of title;
  9. Improper subdivision or obsolete platting;
  10. The existence of conditions which endanger life or property by fire or other causes;
  11. Any combination of such factors, substantially impairs or arrests the sound growth of the community, retards the provision of housing accommodations or constitutes an economic or social liability;
  12. Is detrimental to the public health, safety, morals, or welfare in its present condition and use; and in which there is at least one of the following conditions:
    - a) Unemployment in the designated blighted area is at least one hundred twenty percent of the state or national average;
    - b) The average age of the residential or commercial units in the area is at least 40 years;
    - c) More than half of the plotted and subdivided property in the area is unimproved land that has been within the City for 40 years and has remained unimproved during that time;
    - d) The per capita income of the designated blighted area is lower than the average per capita income of the city or City in which the area is designated; or
    - e) The area has had either stable or decreasing population based on the last two decennial censuses.
11. The study found the following seven **blighting** factors to be present to a strong extent in the study area:
- A) A substantial number of deteriorated or deteriorating structures (Page 8).
  - B) Faulty lot layout in relation to size, adequacy, accessibility or usefulness (Page 8).
  - C) Deterioration of site improvements (Page 8).
  - D) Improper subdivision or obsolete platting (Page 8).
  - E) Conditions which endanger life or property by fire and other causes (Page 8).
  - F) Other environmental and blighting factors, including economically and socially undesirable land uses with functional and economic obsolescence (Page 8).
  - G) The average age of the residential and commercial units in the area is estimated at 91 and 65 years, respectively (Page 9).

12. The study finds there is at least a reasonable distribution of all four factors that constitute an area as substandard within the study area, and out of 12 possible factors that constitute an area blighted, seven are strongly present in the area. Therefore it is the conclusion of the study that sufficient conditions and factors meet the criteria of substandard and blight as evidenced in the Blight Study. These factors present a serious barrier to the planned and coordinated development of the area, have created an environment that negatively impacts private sector investment in the area, and serve as a detriment to the overall healthy economic growth and physical development of the community.
13. The Blight Study is on file with the Urban Development Department and the Planning Department.

Prepared by:

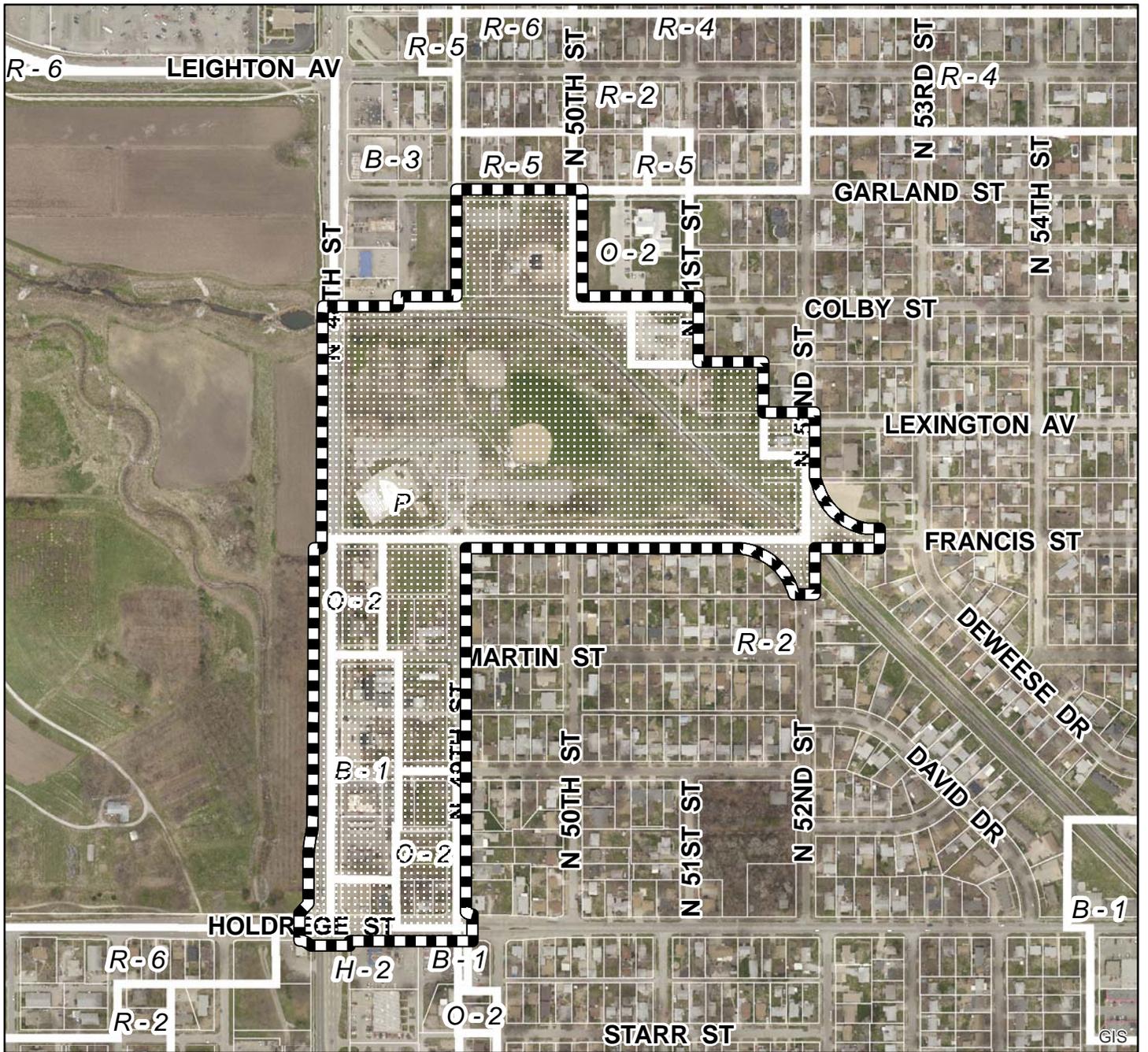
Andrew Thierolf, Planner

**DATE:** April 1, 2016

**APPLICANT:** Urban Development Department  
555 S. 10<sup>th</sup> Street, Ste. 205  
Lincoln, NE 68508

**CONTACT:** Wynn Hjermstad  
Urban Development Department  
555 S. 10<sup>th</sup> Street, Ste. 205  
Lincoln, NE 68508  
402-441-8211  
[whjermstad@lincoln.ne.gov](mailto:whjermstad@lincoln.ne.gov)

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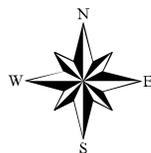


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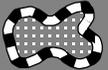
**Miscellaneous #: MISC16001**  
**South University Place**  
**N 48th St & Holdrege St**

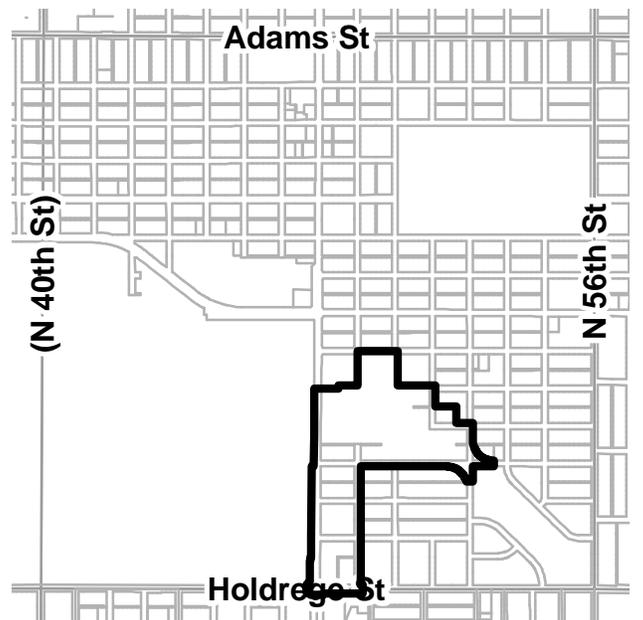
**Zoning:**

- 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
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- 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.17 T10N R07E

	Area of Application
	Zoning Jurisdiction Lines
	Lancaster County Jurisdiction



March 16, 2016

David Cary, Director  
City of Lincoln-Lancaster County Planning Department  
555 S. 10<sup>th</sup>  
Lincoln, NE 68508

Dear David:

Enclosed is the *South University Place Redevelopment Area Blight and Substandard Determination Study*. The Study was completed in March 2016 by Hanna:Keelan Associates, P.C.

Please forward the Study to the Planning Commission for their earliest consideration and review for conformity with the Comprehensive Plan. My understanding is that it should be on the April 13, 2016 Planning Commission agenda.

If you have questions or need additional information, please contact me at 441-8211 or by e-mail at [whjermstad@lincoln.ne.gov](mailto:whjermstad@lincoln.ne.gov). Thank you.

Sincerely,



Wynn S. Hjermstad, AICP  
Community Development Manager

cc: Dave Landis, Director, Urban Development

enc.



# BLIGHT & SUBSTANDARD DETERMINATION STUDY

## *EXECUTIVE SUMMARY*

### Purpose of Study

The purpose of this **Blight and Substandard Determination Study** is to apply the criteria set forth in the **Nebraska Community Development Law**, Section 18-2103, to the designated **South University Place Redevelopment Area** in Lincoln, Nebraska. The results of this **Study** will assist the City in declaring the **South University Place Redevelopment Area** as both **blighted and substandard**.

### Location

The referenced **South University Place Redevelopment Area**, in the City of Lincoln, Nebraska, includes the following **Property ID and Legal Description**:

#### University Place Park:

1. **University Place Addition:** All of Block 129 including parcel numbers 17-17-408-00-1000 and 17-17-408-00-2000.
2. **Mills Subdivision:** Block 4, Lots 7-10 and all of Block 5. **Mills Addition to University Place:** All of Blocks 6 through 10 and all of Block 11 except for the north 71.5' of Lots 1 and 2. All included in parcel number 17-17-435-008-000.

#### Individual Blocks:

3. **Mills Addition to University Place:** All of Block 21, including parcel numbers 17-17-428-00-7000; 17-17-428-2000; 17-17-428-00-3000; 17-17-428-00-4000 and 17-17-428-00-5000.
4. **Mills Addition to University Place:** All of Block 22, including parcel number 17-17-441-011-000.
5. **Mills Addition to University Place:** All of Block 35, including Lots 1 through 11, parcel numbers 17-17-441-00-1000; 17-17-441-00-2000; 17-17-441-00-3000; 17-17-441-00-4000; 17-17-441-00-5000; 17-17-441-00-7000 and 17-17-441-00-8000. **Speechley Place:** Block 35, including Lots A through F, parcel numbers 17-17-441-00-4000; 17-17-441-01-3000; 17-17-441-01-2000; 17-17-441-01-1000; 17-17-441-01-0000; and 17-17-441-00-9000

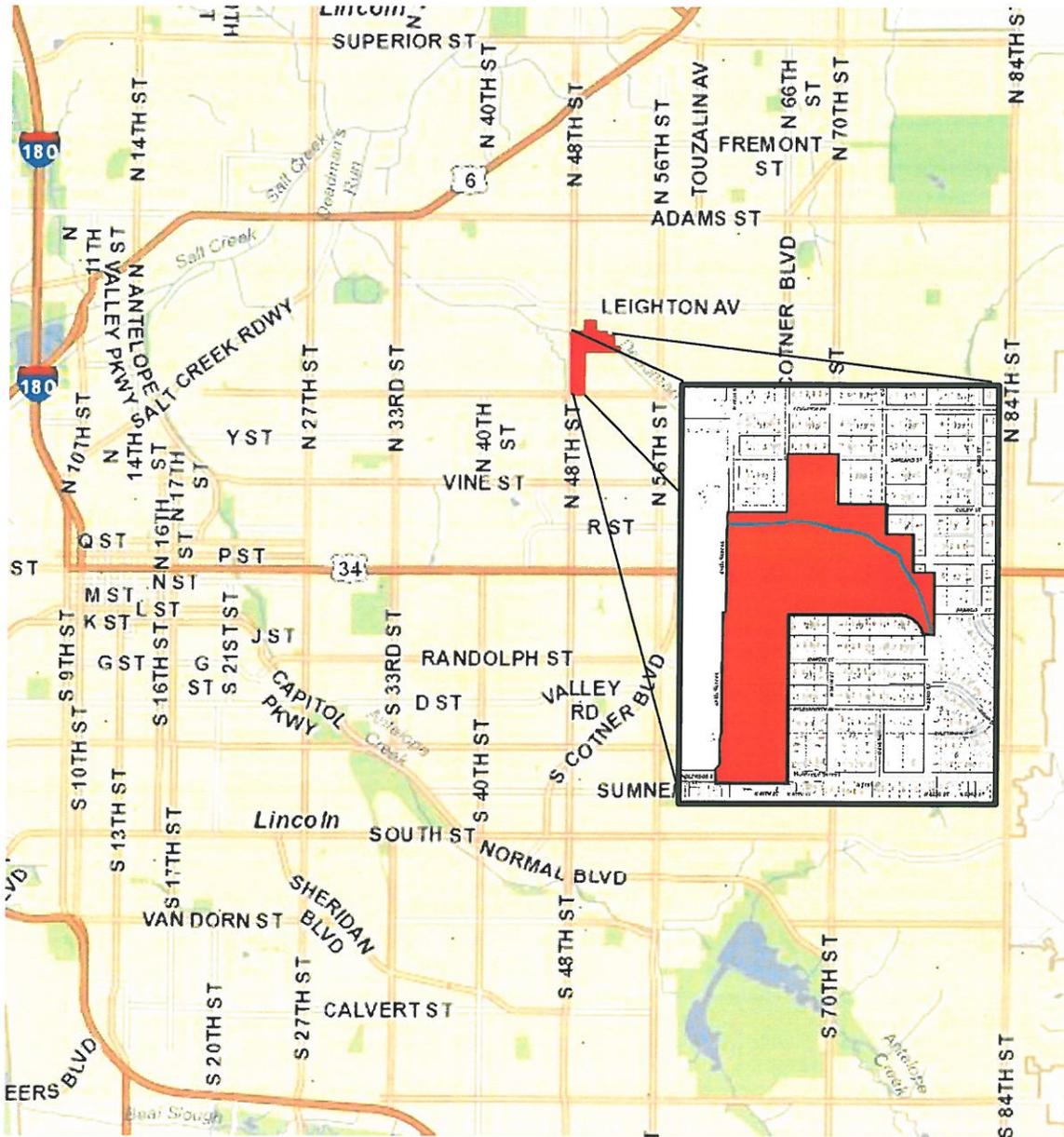
**Illustration 1, Context Map**, identifies the location of **South University Place Redevelopment Area** in relation to the City of Lincoln. The area equals an estimated 37 acres. The primary public streets within the **Redevelopment Area** are 48<sup>th</sup> and Holdrege Streets. Generally, the **Area** is comprised of vacant commercial buildings, several older residential structures, active business use buildings and the City's University Place Park environs, which includes an open drainage creek-Deadman's Run.

Lincoln, Nebraska

Blight & Substandard Determination Study  
South University Place Redevelopment Area

# CONTEXT MAP

SOUTH UNIVERSITY PLACE REDEVELOPMENT AREA  
LINCOLN, NEBRASKA



## LEGEND

REDEVELOPMENT AREA

**HANNA:KEELAN ASSOCIATES, P.C.**  
**COMMUNITY PLANNING & RESEARCH**

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## ILLUSTRATION 1

Lincoln, Nebraska  
Blight & Substandard Determination Study  
South University Place Redevelopment Area

This **blight and substandard evaluation** included a detailed **exterior structural survey of 31 structures**, field inventory, conversations with City of Lincoln staff and a review of available reports and documents containing information which could substantiate the existence of **blight and substandard conditions**.

### ***SUBSTANDARD AREA***

As set forth in the Nebraska legislation, a **substandard area** shall mean one in which there is a predominance of buildings or improvements, whether nonresidential or residential in character, which by reason of the presence of the following factors:

1. Dilapidated/deterioration;
2. Age or obsolescence;
3. Inadequate provision for ventilation, light, air, sanitation or open spaces;
4. (a) High density of population and overcrowding; or  
(b) The existence of conditions which endanger life or property by fire and other causes; or  
(c) Any combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime, and is detrimental to the public health, safety, morals or welfare.

### ***BLIGHTED AREA***

As set forth in the Section 18-2103 (11) Nebraska Revised Statutes (Cumulative Supplement 1994), a **blighted area** shall mean "an area, which by reason of the presence of the following factors:

1. A substantial number of deteriorated or deteriorating structures;
2. The advanced age and associated condition of structures;
3. Faulty lot layout in relation to size, adequacy, accessibility, or usefulness;
4. Insanitary or unsafe conditions due to the age, small diameter of water mains;
5. Deterioration of site or other improvements due to nearly 40 percent of the parcels having overall site conditions rated as "fair";
6. Diversity of ownership;
7. Tax or special assessment delinquency exceeding the fair value of the land;
8. Defective or unusual conditions of title;
9. Improper subdivision or obsolete platting;

10. The existence of conditions which endanger life or property by fire or other causes;
11. Any combination of such factors, substantially impairs or arrests the sound growth of the community, retards the provision of housing accommodations or constitutes an economic or social liability; and
12. Is detrimental to the public health, safety, morals or welfare in its present condition and use; and in which there is at least one or more of the following conditions exists;
  1. Unemployment in the study or designated blighted area is at least one hundred twenty percent of the state or national average;
  2. The average age of the residential or commercial units in the area is at least 40 years;
  3. More than half of the plotted and subdivided property in an area is unimproved land that has been within the City for 40 years and has remained unimproved during that time;
  4. The per capita income of the study or designated blighted area is lower than the average per capita income of the City or Village in which the area is designated; or
  5. The area has had either stable or decreasing population based on the last two decennial censuses."

While it may be concluded the mere presence of a majority of the stated **Factors** may be sufficient to make a finding of **blight and substandard**, this evaluation was made on the basis that existing **Blight and Substandard Factors** must be present to an extent which would lead reasonable persons to conclude public intervention is appropriate or necessary to assist with any development or redevelopment activities. Secondly, the distribution of **Blight and Substandard Factors** throughout the **South University Place Redevelopment Area** must be reasonably distributed so basically good areas are not arbitrarily found to be blighted simply because of proximity to areas which are **blighted and substandard**.

On the basis of this approach, South University Place Redevelopment Area is found to be eligible as "blighted" and "substandard", within the definition set forth in the legislation. Specifically:

***SUBSTANDARD FACTORS***

Of the Four Substandard Factors, set forth in the Nebraska Community Development Law, all four Factors represent a “strong presence” within the Area. The Substandard Factors are generally distributed throughout the Redevelopment Area.

**TABLE 1  
SUBSTANDARD FACTORS  
SOUTH UNIVERSITY PLACE REDEVELOPMENT AREA  
LINCOLN, NEBRASKA**

- |    |   |   |
|----|---|---|
| 1. | Dilapidated/deterioration.  | ☒ |
| 2. | Age or obsolescence.  | ☒ |
| 3. | Inadequate provision for ventilation, light, air, sanitation or open spaces.      | ☒ |
| 4. | Existence of conditions which endanger life or property by fire and other causes. | ☒ |

Strong Presence of Factor           ☒

Reasonable Presence of Factor   ☒

No Presence of Factor           ○

Source: Hanna:Keelan Associates, P.C., 2016.

**Strong Presence of Factor -**

The results of the field survey identified 23 structures, or 74 percent of the 31 total structures in the **South University Place Redevelopment Area** as being in a ***Deteriorating or Dilapidated*** condition. This Factor is a **strong presence** throughout the Area.

Based on the results of a field survey analysis, approximately 25, or 81 percent of the 31 total buildings are ***40+ years of age*** (built prior to 1976). The Factor of ***Age or Obsolescence*** is a **strong presence** throughout the Area.

The conditions which result in *Inadequate Provision for Ventilation, Light, Air, Sanitation or Open Space* are a **strong presence** throughout the **South University Place Redevelopment Area**. City of Lincoln Public Works Staff described municipal water and sewer mains that primarily serve the **Area** as being appropriately sized and in good condition, but segments of mains and service lines are 45+ years of age, with some segments being 70+ years of age. Public Works Staff also estimated that the majority of the privately owned service lines were constructed with outmoded materials and will need to be replaced to support redevelopment in the **Area**.

The field analysis determined that the **Substandard Factor Existence of Conditions Which Endanger Life or Property** by fire and other causes is a **strong presence** throughout the **Area**. The primary contributing elements include the existence of deteriorating and dilapidated buildings that are comprised of wood structural components and masonry buildings containing combustible elements and fixtures. Additionally, the oldest segments of water and sewer mains, as well as privately owned service lines within the **Redevelopment Area** were constructed of outmoded materials, which are 45+ years of age, with some segments being 70+ years of age. These utility lines will need to be replaced to sustain current and future redevelopment efforts.

The **Area** includes Deadman's Run, an open drainage creek area. A study of the water flow capacity of Deadman's Run is currently being completed by the U.S. Corp of Engineers, in partnership with the City and Lower Platte South Natural Resource District. There are three underground storm drainage systems in the **Area** that all drain to Deadman's Run; 48<sup>th</sup> Street (33 years of age), 49<sup>th</sup> Street (47 years of age) and 49<sup>th</sup> and Garland (59 years of age).

*The prevailing substandard conditions, evident in buildings and the public infrastructure, as determined by the field survey, include:*

1. Deteriorating and Dilapidated structures;
2. Advanced Age of structures;
3. "Fair" to "poor" overall site conditions;
4. Wooden buildings and masonry buildings containing combustible elements and fixtures, are potential fire hazards;
5. The oldest segments of water, sanitary sewer and storm water mains throughout the South University Place are 70+ years of age and constructed of outmoded materials.

**BLIGHT FACTORS**

Of the 12 **Blight Factors** set forth in the **Nebraska Community Development Law**, seven represent a **strong presence**, two are present to a **reasonable extent** and two represent **little or no presence** throughout the **Redevelopment Area**. The Factor, “defective or unusual condition of title,” was not reviewed. All **Blight Factors** are reasonably distributed throughout the **Area**.

**TABLE 2  
BLIGHT FACTORS  
SOUTH UNIVERSITY PLACE REDEVELOPMENT AREA  
LINCOLN, NEBRASKA**

- |     |  |    |
|-----|--|----|
| 1.  | A substantial number of deteriorated or dilapidated structures.                      | ☒  |
| 2.  | Existence of defective or inadequate street layout.                                  | ☐  |
| 3.  | Faulty lot layout in relation to size, adequacy, accessibility or usefulness.        | ☒  |
| 4.  | Insanitary or unsafe conditions.   | ☐  |
| 5.  | Deterioration of site or other improvements.   | ☒  |
| 6.  | Diversity of Ownership.  | ○  |
| 7.  | Tax or special assessment delinquency exceeding the fair value of land.              | ○  |
| 8.  | Defective or unusual condition of title.   | NR |
| 9.  | Improper subdivision or obsolete platting.   | ☒  |
| 10. | The existence of conditions which endanger life or property by fire or other causes. | ☒  |
| 11. | Other environmental and blighting factors.   | ☒  |
| 12. | One of the other five conditions.  | ☒  |

<b>Strong Presence of Factor</b>	☒
<b>Reasonable Presence of Factor</b>	☐
<b>Little or No Presence of Factor</b>	○
<b>NR = Not Reviewed</b>	NR

Source: Hanna:Keelan Associates, P.C., 2016.

## Strong Presence of Factor –

***Deteriorated or Dilapidated Structures*** are present to a **strong extent** in **South University Place Redevelopment Area**. A total of 23 structures, or 74 percent of the 31 total structures were documented as deteriorating or dilapidated.

***Faulty Lot Layout*** is a **strong presence** throughout the **South University Place Redevelopment Area**. Commercial uses were developed along the City Blocks located south of Francis Street that generally ignored the original platted lots.

***Deterioration of Site or Other Improvements*** is a **strong presence** throughout **South University Place Redevelopment Area**. An estimated 29 parcels, or 76 percent of the total 38 parcels were observed to have “fair” to “poor” overall site conditions. Also, 16 parcels had sidewalks in “fair” condition and an additional parcel was in “poor” condition. This results in approximately 44.7 percent of the parcels having substandard sidewalks.

***Improper Subdivision or Obsolete Platting*** is a **strong presence** throughout the **Redevelopment Area**. City Blocks in the southern portion of the **Area** contains many commercial buildings that were constructed with no regard for the platted lots that originally existed.

The ***Existence of Conditions Which Endanger Life or Property*** by fire or other causes is a **strong presence** throughout the **Area**. Conditions associated with this **Factor** include the existence of wood buildings and masonry buildings containing combustible elements and fixtures. Additionally, portions of the **South University Place Redevelopment Area** have water mains that were constructed of obsolete materials, are 45+ years of age, some 70+ years of age, and are undersized by current engineering standards.

The **Area** includes Deadman’s Run, an open drainage creek area. A study of the water flow capacity of Deadman’s Run is currently being completed by the U.S. Corp of Engineers, in partnership with the City and Lower Platte South Natural Resource District. There are three underground storm drainage systems in the **Area** that all drain to Deadman’s Run; 48<sup>th</sup> Street (33 years of age), 49<sup>th</sup> Street (47 years of age) and 49<sup>th</sup> and Garland, (59 years of age).

In regards to ***Other Environmental and Blighting Factors***, economically and socially undesirable land uses, with functional and economic obsolescence, are a **strong presence** throughout the **Area**. The **Area** contains buildings that are deteriorating with outmoded infrastructure. Several buildings, primarily commercial, are dilapidated and too small to support modern uses or needs of the **Area**. A **Phase I Environmental Site Assessment** was completed on properties that front on North 48<sup>th</sup> Street, between Aylesworth and Holdrege Streets, as well as a home located along Holdrege Street. It was determined that the former gas station, located at the northeast corner of 48<sup>th</sup> and Holdrege Streets, has a **“recognized environmental condition”**.

*One of the Required Five Additional Blight Factors* has a **strong presence** throughout **South University Place Redevelopment Area**. Based on the field analysis and records of the Lancaster County Assessor's Office, the estimated average age of the residential properties is 91 years and the average age of commercial buildings is 65 years of age, both of which exceed the required criteria of being at least 40 years of age.

**Reasonable, Little or No Presence of Factor -**

*Existence of Defective or Inadequate Street Layout* is a **reasonable presence** in the **South University Place Redevelopment Area**, due to the lack of, or presence of sidewalks in "fair" to "poor" condition, and a lack of effective pedestrian/vehicular safety devices.

*Insanitary or Unsafe Conditions* are a **reasonable presence** throughout the entire **Area**. Conditions contributing to this **Factor** include the presence of deteriorating and dilapidated buildings that are 40+ years of age and segments of water and sewer mains and privately owned service lines were constructed of outmoded materials that are estimated to be 45+ years of age, with some segments at 70+ years of age and in need of replacement.

*Diversity of Ownership* is of **little or no presence** throughout the **Area**. Research of public records from the Lancaster County Assessor's Office indicates that the Redevelopment Area has eight owners within the **Redevelopment Area**.

*Tax or Special Assessment Delinquency Exceeding the Fair Value of Land* is of **little or no presence** throughout the **Area**. Research of public records from the Lancaster County Assessor's Office confirmed that Real Estate Taxes, Real Estate Values and Tax Exempt properties do not negatively impact lands within the **Area**.

The Factor *Defective or Unusual Condition of Title* was not reviewed.

Conclusion

It is the conclusion of the Consultant that the number, degree and distribution of **Blight and Substandard Factors**, as documented in this **Executive Summary**, are beyond remedy and control solely by regulatory processes in the exercise of the police power and cannot be dealt with effectively by the ordinary operations of private enterprise without the aids provided in the **Nebraska Community Development Law**. It is also the opinion of the Consultant that the findings of this **Blight and Substandard Determination Study** warrant designating **South University Place Redevelopment Area** as "**substandard**" and "**blighted**."

The conclusions presented in this **Study** are those of the Consultant engaged to examine whether conditions of **blight and substandard** exist. The Lincoln City Council should review this Study and, if satisfied with the summary of findings contained herein, may adopt a resolution making a **finding of blight and substandard** and this **Study** a part of the public record.