

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for March 29, 2006 PLANNING COMMISSION MEETING

- PROJECT #:** Waiver of Design Standard #06002
- PROPOSAL:** Waive Sanitary Sewer Design Standard 2.1 which states that “The transfer of wastewater from one watershed to another by any means, such as a lift station or construction of a sanitary sewer which cuts through the ridge separating watersheds, shall not be permitted.”
- LOCATION:** South 84th Street and Rokeby Road.
- CONCLUSION:** This waiver request is a unique situation and generally conforms to the Comprehensive Plan, provided the applicants provide for the cost of oversizing the sanitary sewer and that there is adequate sewer capacity, without requiring substantial additional infrastructure costs.

RECOMMENDATION: Approval – of area included in Comprehensive Plan Amendment 06002 and Developer Agreement to pay for the cost of oversizing the sanitary sewer.

GENERAL INFORMATION:

LEGAL DESCRIPTION: South and East 1/2 of of Section 27-9-7, the North 1/2 of Section 34-9-7, the north 1/2 of 35-9-7 and all of Section 26-9-7 south of the railroad tracks, Lincoln, Lancaster County, Nebraska.

EXISTING LAND USE AND ZONING: Agricultural land with a few scattered houses, zoned AG Agricultural

SURROUNDING LAND USE AND ZONING:

North:	Unincorporated village of Cheney	R-1, I-1 and H-3
South:	Agricultural	AG Agricultural
East:	Agricultural	AG Agricultural
West:	Acreage subdivisions	AGR Agricultural Residential

ASSOCIATED REQUESTS: Comprehensive Plan Amendment #06002

ANALYSIS:

Note points 1 -12 of this report are repeated from CPA #06002 staff report. The application has three potential options of land being added to the Beal Slough basin from a basin that drains into Hickman:

- Option A 120 acres east of 70th and south of Rokeby
- Option B 380 acres between 70th and 84th on both sides of Rokeby

Option C 900 acres, including all the land in Option B, plus another 500 acres on the east side of 84th Street on both sides of Rokeby (excluding land in future Jensen Park)

1. This proposal is waive Sanitary Sewer Design Standard 2.1 which states that “The transfer of wastewater from one watershed to another by any means, such as a lift station or construction of a sanitary sewer which cuts through the ridge separating watersheds, shall not be permitted.”

2. The Comprehensive Plan on page F 77 states

“The City’s collection system, in general, will continue to be a gravity fed system that is designed to accommodate urbanization of drainage basins and sub-basins. This system encourages orderly growth within the natural drainage basin boundaries. This policy encourages urban growth from the lower portion of the drainage basin and prohibits pumping of wastewater across basin boundaries. Explore alternative methods, such as lift stations, where practical.”

3. The City has developed a temporary lift station policy. However, this area would not meet the criteria for that policy in that a lift station here would not be temporary. A trunk line to serve the “Hickman” basin is not even contemplated in the next 25 years or beyond. Also, the developer does not need a lift station to serve the eastern portion of this property.

4. There are five segments of the Beal Slough sanitary sewer lines which would impacted by this proposal, according to the Public Works and Utilities Department:

Sewer #

#1 40th to 56th Street: the **existing** sewer line is already over capacity. The City has plans for a relief sewer line of approximately 24 inches in size to serve the planned future development in Beal Slough basin. This sewer line is in the current Capital Improvement Program (CIP) for construction in the year 2008-2009. This sewer has capacity for additional 150 acres.

#2 56th Street to Pine Lake Road: the **existing** 27 inch sewer has capacity for at least the 400 additional acres proposed.

#3 Pine Lake Road to S. 70th Street: this is a **proposed** 24 to 18 inch sewer line generally east of Village Gardens. This sewer line is under design and was to be bid in April 2006 at a cost of approximately \$1 million. However, due to some design changes, it could cost up to \$1.5 million. The funds for this additional costs have not yet been identified. In order to serve the additional 380 or 900 acres proposed this sewer line would have to be oversized, further adding to the cost.

#4 70th Street to Yankee Hill Road, then south to Rokeby Road: The **proposed** sewer line from 70th to Yankee Hill Road was to be built by the City this year, but due to funding constraints it will not be built by the City. Krueger Development is discussing with the City building this sewer to Yankee Hill Road, then building the sewer line south of Yankee Hill through their proposed subdivision the “Woodlands at Yankee

Hill.” Since this sewer would be greater than 8 inches in size, the developer is eligible to be reimbursed through impact fees for this sewer. The developer is proposing that the developer build the sewer with the City reimbursing him for the cost through impact fees or wastewater utility revenues. The reimbursement is not funded in the current CIP.

- #5 South of Rokeby Road: This would be a **new** sewer line only needed if this Comprehensive Plan Amendment is approved. To serve the whole additional 380 acres it would have a western and eastern branches, both of which would over 8 inches in size. If only 120 acres are served, then only the western branch would be needed. There is no funding for this sewer planned in the CIP, nor has the City considered building this sewer in the 2025 planning period.
5. The proposed sewer line wrapping around the hill would also serve land east of 84th Street, including the future Jensen and possibly serve part of Cheney. The Cheney system is constructed to drain to the northeast into a series of lagoons in the Stevens Creek basin. However, while this area could be served, there possibly would not be capacity in the existing Sewer #2 which is not proposed for oversizing. Serving land east of 84th Street would also probably add to sizing of the pipes in Sewer #1, #3, #4 and #5, all of which could add substantially to the costs.
 6. The City has stated that due to funding constraints and the fact that this additional area is not part of the natural drainage basin, that the City could not recommend approval of this amendment unless the property owners fund all of the additional cost required to serve the additional area. The applicant has proposed a separate developers agreement in which the developer would pay for the oversizing of Sewer #3 (east of Village Gardens), Sewer #4 (through the Woodlands) and the new Sewer #5. Oversizing of the existing Sewer #2 is not needed for 380 acres. The oversizing needs for Option C for a total of 900 acres is still under review.
 7. Due to the time limitations, the applicant has not yet received information on the sizing of Sewer #1. At this time, the applicant is proposing that impact fees be used to pay for the oversizing of Sewer #1 – which is not acceptable to the City. This item is still under discussion.
 8. If this proposal is not approved, the developers would typically grade this land substantially in order to “push” ridge line as much as possible. The applicant has stated this proposal could actually reduces the overall amount of earth moving.
 9. In the Woodlands at Yankee Hill proposal at 84th and Yankee Hill the City had already tentatively agreed to smaller scale proposal to transfer a perhaps 60+/- acres from Hickman into the Beal Slough basin by grading and running a sewer through the hill. The approval and details showing how this could be done by gravity were not included in the Woodlands PUD approved by the Planning Commission.
 10. This proposal would also “square off” the future city limits. Currently the ridge line of the Beal Slough basin would leave an area between 70th and 84th and Yankee Hill Road and Rokeby Road as unsewerable, even with substantial grading.

11. This proposal would be a more efficient use of future infrastructure investment. Eventually a water main would be built along 84th and Rokeby, and Rokeby Road would be paved from 70th to 84th Street. This additional area to be served would benefit from these improvements, without any additional cost. To serve the area ½ mile south of Rokeby, the existing asphalt paving might be useable, with some additional turn lanes, given that most of the traffic would use Rokeby Road.
12. This proposal adds to the number of acres flowing into the Salt Valley trunk line. This will impact the timing of the need for a Southwest Wastewater Facility (SWWF). The City is in the process of finding a location for this facility. With the current 2025 Plan, it is anticipated that the Salt Valley trunk line could serve all of Tier I without the need for the SWWF. However, by adding this 380 acres, the SWWF could be needed earlier than 2025. The cost of adding 900 acres is still under review.

This waiver is associated with Comprehensive Plan Amendment #06002. At this time, the total area to be served and the sanitary sewer capacity is still under review. Depending upon the results of that review, which ever area is included in the Comprehensive Plan Amendment should also be approved in the waiver, if the developer agrees to fund the cost of oversizing the sanitary sewer.

Prepared by:



Stephen Henrichsen, 441-6374, shenrichsen@lincoln.ne.gov

Date: March 15, 2006

Applicant: Developments Unlimited LLP
8020 O Street
Lincoln, NE 68510

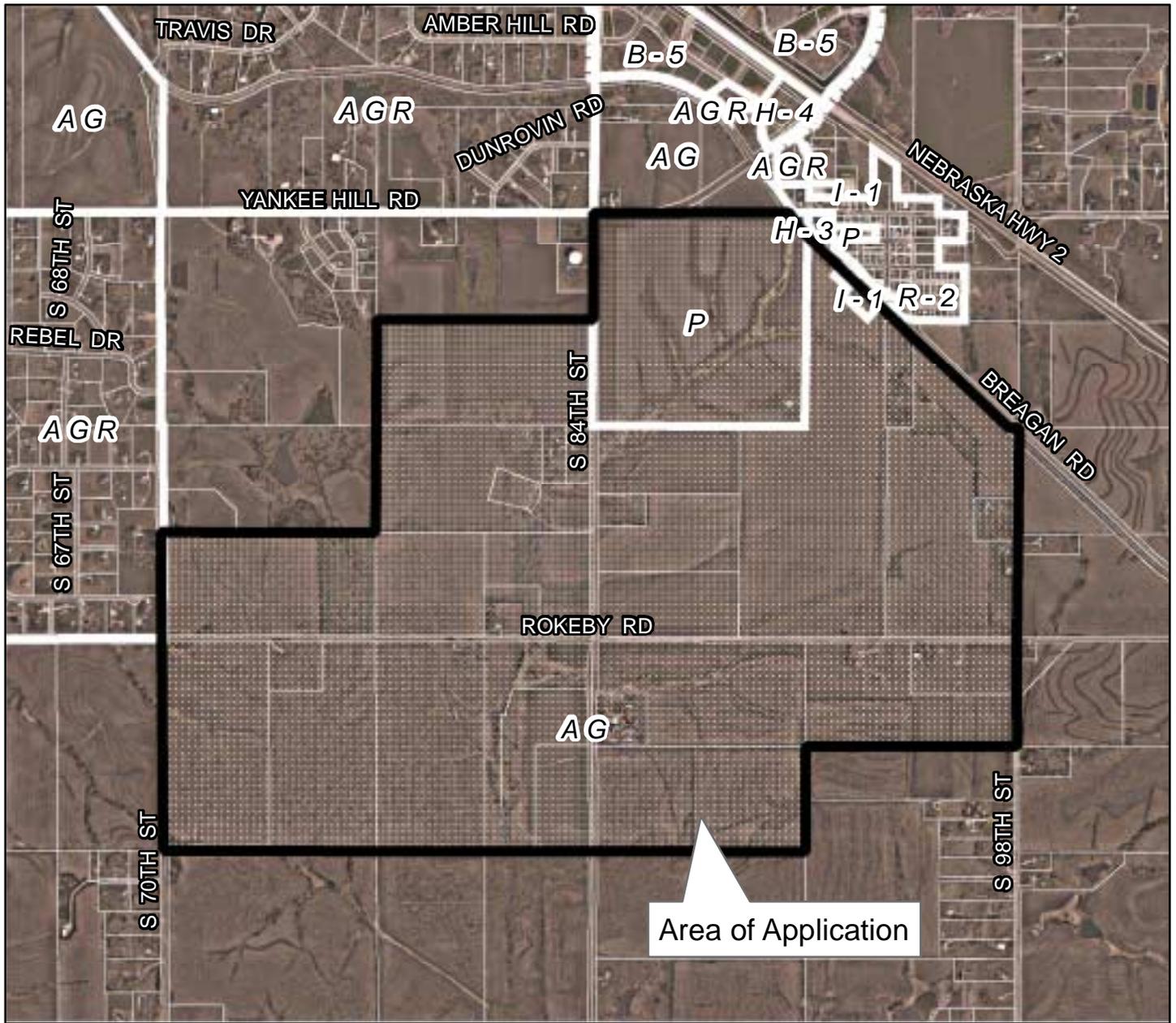
Contact: DaNay Kalkowski
Seacrest & Kalkowski
1111 Lincoln Mall, Suite 350
Lincoln, NE 68508
435-6000

Owners:

- | | |
|----------|--|
| Option A | Developments Unlimited |
| Option B | Developments Unlimited
Dorothy Davis
Catholic Bishop of Lincoln
Carlton Talcott
Marion Talcott
Milton and Carol Talcott |

Fred and Janet Smith
Bernita and Clinton Daharsh Trustees
Jerry Stricker
Lee & Mary Hunt (option to Krueger Development)

Option C Owners in addition to those above:
Talcott Land & Cattle Inc.
Charles and June Marquardt
City of Lincoln (future Jensen Park)
Howard and Frances Kaye
Lee and Mary Hunt
Carlton Talcott
Milton Talcott et al
James & Sheryl Hunt et al
Delmar & Florence Denison



Waiver #06002

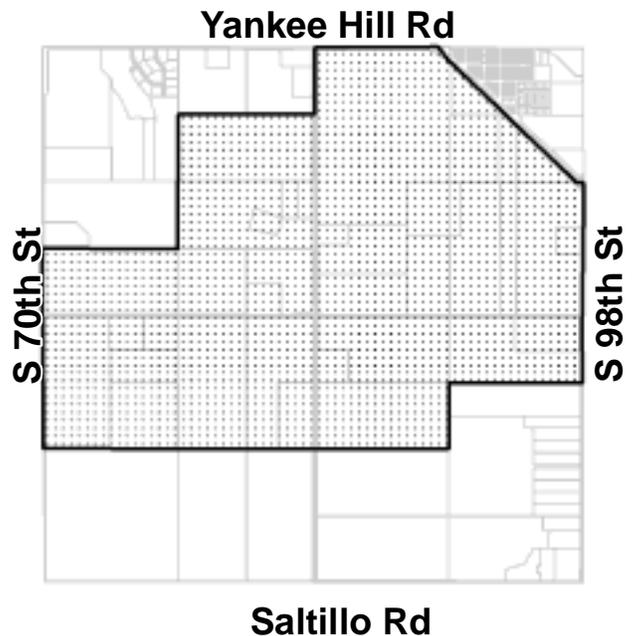
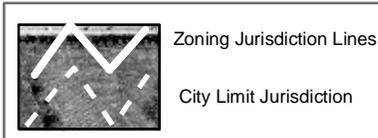
S 84 St & Rokeby Rd

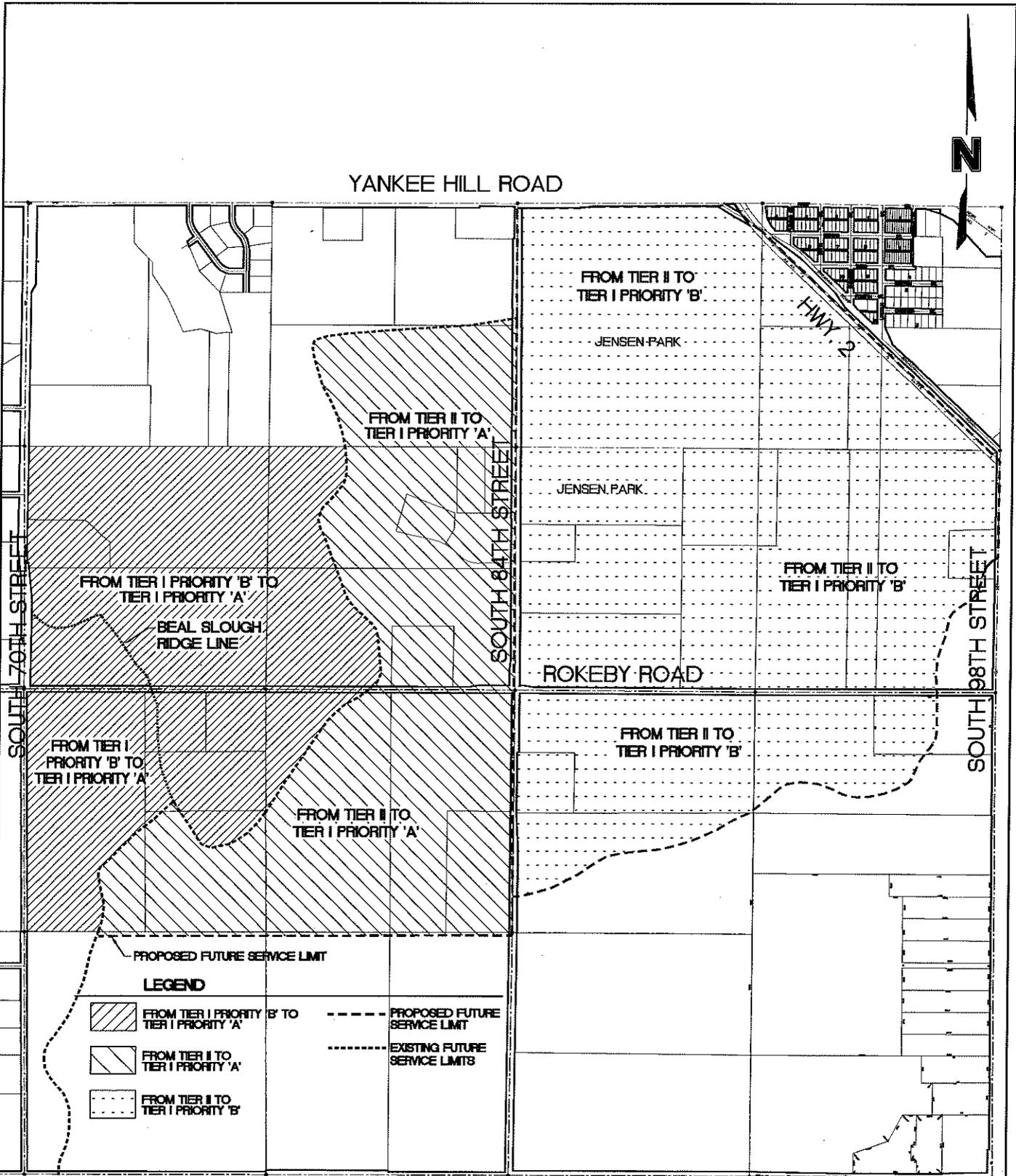
Four Square Miles
 Sec. 26 T09N R7E
 Sec. 27 T09N R7E
 Sec. 34 T09N R7E
 Sec. 35 T09N R7E

2005 aerial

Zoning:

- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- R-C Residential Conservation District
- O-1 Office District
- O-2 Suburban Office District
- O-3 Office Park District
- R-T Residential Transition District
- B-1 Local Business District
- B-2 Planned Neighborhood Business District
- B-3 Commercial District
- B-4 Lincoln Center Business District
- B-5 Planned Regional Business District
- H-1 Interstate Commercial District
- H-2 Highway Business District
- H-3 Highway Commercial District
- H-4 General Commercial District
- I-1 Industrial District
- I-2 Industrial Park District
- I-3 Employment Center District
- P Public Use District





drawn by: jds
 checked by: -
 project no.: 2005-0020
 date: 03/15/2006

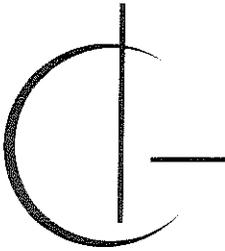
**COMP PLAN AMENDMENT
 OPTION 'C'
 LINCOLN, NEBRASKA**

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 Lincoln, Nebraska 68506
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 www.civildg.com

CONSULTING ENGINEERS • LAND USE PLANNERS
 CIVIL DESIGN • SITE DEVELOPMENT • PLANNING AND ZONING

EXHIBIT

1



Civil Design Group, Inc.

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

March 2, 2006

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

Re: S. 84th & Rokeby Road – Waiver of Design Standards
CDG Project No. 2005-0020

Dear Marvin:

On behalf of Developments Unlimited, LLP, I am submitting a waiver of Sanitary Sewer Design Standard Section 2, 2.1 – Drainage Area Restriction, to request transfer of wastewater from one watershed to another by means of a sanitary sewer that cuts through the ridge separating the watersheds. The area which would be subject to this waiver is detailed on that attached exhibit and is consistent with the area submitted in two previous Comprehensive Plan Amendments (Option “A” and Option “B”) for the properties generally located near S. 70th and Rokeby and S. 84th and Rokeby.

In conjunction with this submittal we submit the following information:

Waiver of Design Standards Application
Waiver of Design Standards Filing Fee - \$125.00
Sanitary Sewer Wavier Exhibit

I hope that this letter in conjunction with the exhibit provide you with enough information to review this waiver. This waiver is indented to apply for both Option “A” and Option “B” of the Comprehensive Plan Amendment that was submitted on these sites. In an effort to facilitate the review process, please feel free to call me at (402) 434-8494 so that I can address any questions you may have.

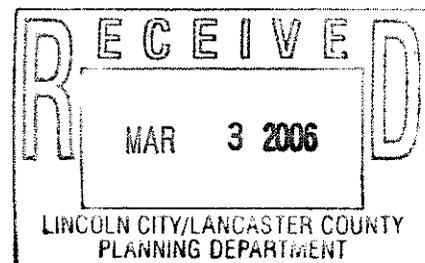
Sincerely,

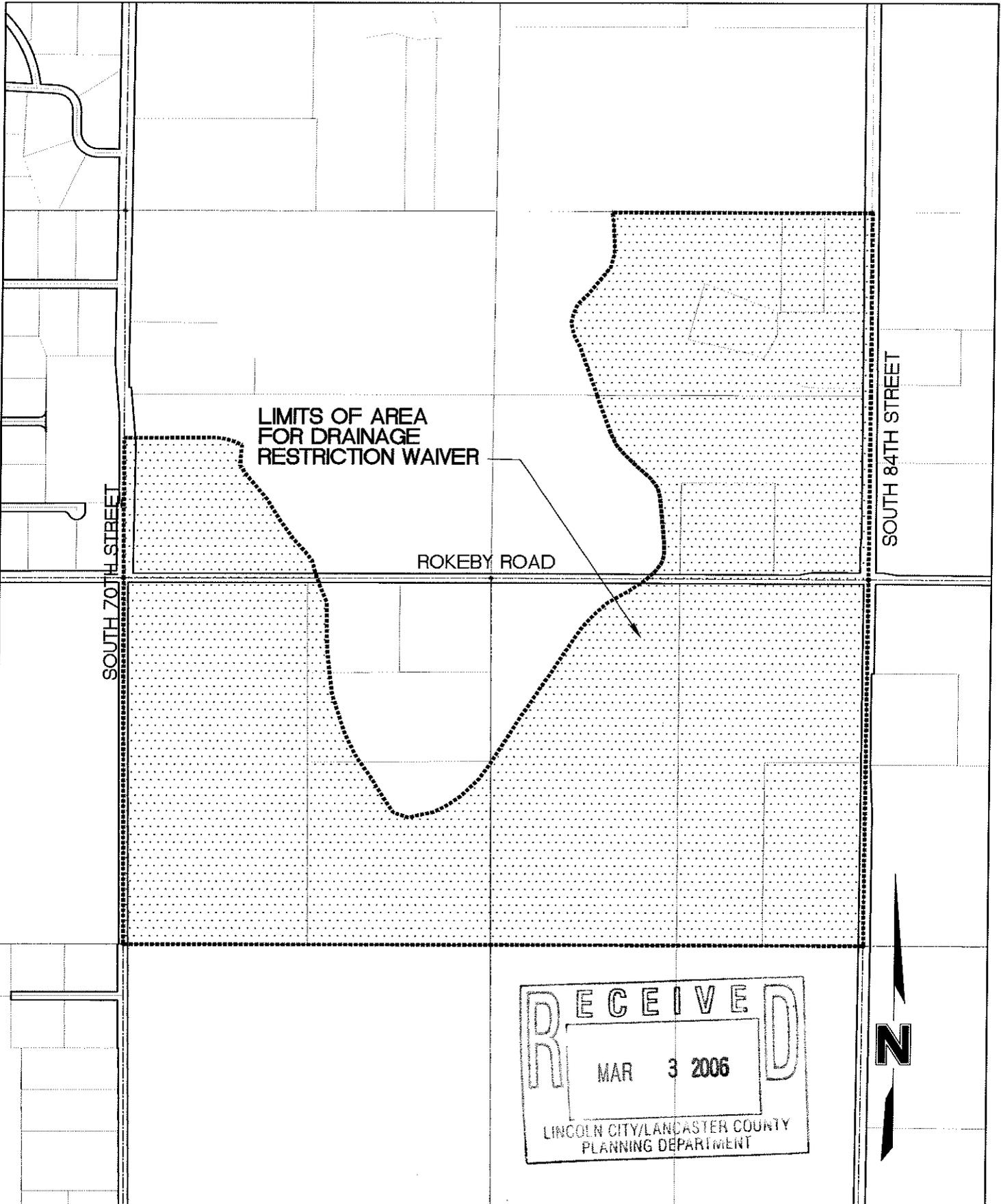
Mike Eckert, AICP

Encl/jds

cc: Developments Unlimited, LLP
Seacrest & Kalkowski

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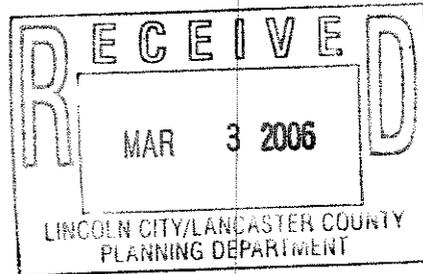


LIMITS OF AREA
FOR DRAINAGE
RESTRICTION WAIVER

ROKEBY ROAD

SOUTH 70TH STREET

SOUTH 84TH STREET



drawn by: jds
checked by: -
project no.: 2005-0020
date: 03/02/2006

SEWER WAIVER
EXHIBIT
LINCOLN, NEBRASKA

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EXHIBIT