

FACTSHEET

TITLE: **CHANGE OF ZONE NO. 05006**, from AG Agricultural District to AGR Agricultural Residential District, requested by Olsson Associates on behalf of Lyle Mayer, on property generally located at the northeast corner of S.W. 84th Street and W. Pioneers Blvd.

STAFF RECOMMENDATION: **Denial**

ASSOCIATED REQUESTS: Letter of Appeal to Planning Commission action on Special Permit No. 05003, Meadow View 2nd Addition Community Unit Plan (05R-74).

FINDINGS OF FACT:

1. This change of zone and the associated Meadow View 2nd Addition community unit plan (Special Permit No. 05003) were heard at the same time before the Planning Commission, along with County Change of Zone No. 05007, County Special Permit No. 05004 and County Preliminary Plat No. 05001 in the Lancaster County jurisdiction.
2. The purpose of this change of zone from AG to AGR is to allow the development of 57 residential acreage units on 148.22 acres, more or less (29 units in the County jurisdiction and 28 units in the City jurisdiction).
3. The staff recommendation of **denial** is based upon the "Analysis" as set forth on p.4-6, concluding that this change of zone is not in conformance with the Comprehensive Plan. This area is shown as Agriculture and Green Space. S.W. 84th Street is not shown to be stripped by acreages.
4. Hub Hall is the contract purchaser and developer of the property. His testimony and that of the engineer, Mark Palmer, is found on p.8-9, and p. 10. The applicant is proposing to develop Meadow View 2nd Addition in order to add 57 lots, and to provide sufficient lagoon capacity for Meadow View 1st Addition, as well as the new lots.
5. There was no testimony in opposition.
6. On March 2, 2005, the majority of the Planning Commission agreed with the staff recommendation and voted 5-4 to recommend **denial** (Taylor, Carroll, Sunderman, Carlson and Pearson voting 'yes'; Krieser, Larson, Marvin and Bills-Strand dissenting).
7. The Lancaster County Board of Commissioners is scheduled to hold public hearing and action on the associated County Change of Zone No. 05007 on that portion of the property located in the County jurisdiction on April 5, 2005.

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: 03/02/05
Administrative Action: 03/02/05

RECOMMENDATION: **Denial** (5-4: Taylor, Carroll, Sunderman, Carlson and Pearson voting 'yes'; Krieser, Larson, Marvin and Bills-Strand dissenting).

FACTSHEET PREPARED BY: Jean L. Walker

DATE: March 28, 2005

REVIEWED BY: _____

DATE: March 28, 2005

REFERENCE NUMBER: FS\CC\2005\CZ.05006

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for March 2, 2005 PLANNING COMMISSION MEETING

P.A.S.: Meadow View 2nd Addition Community Unit Plan

Change of Zone #05006, Co. Change of Zone # 05007, Special Permit 05003, Co. Special Permit #05004, Preliminary Plat #05001

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: A Change of Zone from AG to AGR, a Community Unit Plan with build-through and preliminary plat for 57 acreage residential units. All in split City and County jurisdiction.

LOCATION: Northeast corner of SW 84th & W. Pioneers Blvd

LAND AREA: 148.22 acres, more or less.

CONCLUSION: The requested change of zone is not in conformance with the Lincoln/Lancaster County Comprehensive Plan and should be **denied**. If approved, the CUP can be conditionally approved to accommodate corrections needed. The Community Unit Plan, proposes to "cluster" the 57 acreage lots. Waivers requested are typical of a rural subdivision and are provided for in the code. A 20% bonus is being requested for green space preservation and an additional 20% for clustering. Build Through applies.

RECOMMENDATION:

Co. Change of Zone #05007 to AGR

Denial

Change of Zone #05006 to AGR

Denial

GENERAL INFORMATION

LEGAL DESCRIPTION: Portion of Lot 8 I T, in the SW 1/4 of Section 2, T9N, R5E of the 6th P.M., Lancaster County, Nebraska. Further described in attached legal.

EXISTING ZONING: AG Agriculture

EXISTING LAND USE: Farm land/pasture

SURROUNDING LAND USE AND ZONING: AG zoned to the east, south and west. AGR zoning to the north. Agricultural to the south, and agricultural and single family to the north and east. Acreage subdivision (Meadow View) adjacent to the north.

HISTORY: Meadow View to the north was approved in 1998. The abutting land to the north was changed to AG to AGR in 1996 (CZ162). The abutting land to the northeast was changed from AG to AGR in 1995 (CZ 2915). This property was changed from AA Rural and Public Use to AG Agriculture with the adoption of the 1979 Zoning Update.

COMPREHENSIVE PLAN SPECIFICATIONS: The 2025 Comprehensive Plan shows this area as Agriculture and Green Space and Agriculture Stream Corridor along the stream. This is in Lincoln growth Tier III and one mile outside the Denton one mile. A cluster is permitted by special permit in the AG district. Build-Through applies in the city jurisdiction. In relation to clustering, the Comprehensive Plan states:

Currently, acreage development has occurred under two development scenarios: AG - Agricultural District (minimum of 20 acres per lot) and AGR - Agricultural Residential District (minimum of 3 acres per lot) with the possibility in both AG and AGR zoning districts of clustering units together in order to preserve more open space and agricultural areas and/or receive additional density bonuses under a community unit development. The complex issue of acreage development and other public objectives requires a large array of land use strategies (pg F 70)

Acknowledge the “Right to Farm” and preserve areas for agricultural productions throughout the county by designating specific areas in advance for rural residential so as to limit areas of potential conflict between farms and acreages (pg F 70)

Specific areas will be designated so that approximately 6% of the total population in the County can be accommodated on acreages. Grouping acreages together in a specific area enables services to be provided more efficiently, such as reducing the amount of paved roads, fewer and shorter school bus routes and more cost effective rural water district service. Grouping also reduces the amount of potential conflict points between farm operations and acreages. (F70)

Retain the current overall density of 32 dwellings per square mile (20 acre) for all agriculturally zoned land. Provide for an ability to divide two 3 acre lots per “40” acre parcel with conditions and administrative review and right of appeal. This would allow more flexibility for parcel size while retaining the overall density and assist in retaining farmable units of land. (F 70)

In determining areas of higher density rural acreage (200 units or more per square mile), numerous factors will be reviewed, such as but not limited to water and rural water districts, soil conditions, roads, agricultural productivity, land parcelization, amount of existing acreages, and plans for urban or town development. Acreages should develop in areas that best reflect the carrying capacity of that area for acreages. A performance criteria should be developed to review requests for acreage zoning and to determine where these standards can best be met. (F 70)

Development of a performance standard “point system” will allow the location of higher density rural acreage development in either “AG” or “AGR” where the review criteria can be met. This allows equal treatment across the county, maximum freedom of determination of marketing and sale, while locating those developments only in those areas where sufficient “points” can be accumulated to justify the development at the requested location.” (F 71)

Environmental Resources: Land and water masses which are of particular importance for maintenance and preservation, such as saline wetlands, native prairie, and some floodway and riparian corridors. Such areas may be either publicly or privately owned.

Agricultural Stream Corridor: Land intended to remain in open space, predominately in agricultural use, but that may also include parks, recreation fields, or parking areas when near future commercial, industrial, or public uses. Such areas will be primarily privately owned, but may also include some public ownership or easements. These areas are mostly in the 100 year floodplain, outside of the existing Lincoln urban development. (F 22)

Riparian, Floodplains, and Stream Corridors – Streams and their adjoining corridors snake their way through much of

Lancaster County. Throughout the region, surface water runoff flows into these stream corridors that typically consist of floodplains and riparian areas. These are instrumental in providing habitat and water infiltration benefits, along with serving as connectors to natural areas. (F55)

UTILITIES: This is not in a rural water district. Community waste water treatment and Individual well water is proposed. There are no public utilities available. The groundwater report indicates adequate quantity and quality.

TOPOGRAPHY: Rolling, sloping to the south and west.

TRAFFIC ANALYSIS: This is served by West Pioneer Blvd, West Van Dorn and S.W. 84th Street (State Spur 55-A). S.W. 84th Street is a paved road. West Van Dorn is a paved county road. W. Pioneer Road is a gravel county road.

PUBLIC SERVICE: This is in the Southwest Rural Fire District and the Haines Branch School District 69. This served by the Lancaster County Sheriff's Department

REGIONAL ISSUES: Expansion of the acreage areas. Clustering to preserve farm land and floodplain. Build-through

ENVIRONMENTAL CONCERNS: The Historic and Ecological resources survey shows no resources on this site. West Van Dorn was the general location of the 1862 Steam Wagon Road alignment. The soil rating on this land is 6.8 on a scale of 1 to 10 where 1 is the highest. This is not prime ag land. Approximately 20 % of this site, along the western edge, is in the 100 year flood plain. A small native prairie is located about 1/4 mile east of this proposal.

AESTHETIC CONSIDERATIONS: na

ALTERNATIVE USES: All uses allowed in the AG district. Seven 20+ acre lots. An AG cluster.

ANALYSIS:

1. This request is for a Change of Zone, Special Permit for a Community Unit Plan with build-through and a Preliminary Plat for 57 acreage residential lots. Private, paved, internal streets are proposed. A 20% dwelling unit bonus is being requested for preservation of the farm land/green space and an additional 20% bonus is requested for clustering. This site is in both the City and County zoning jurisdiction.
2. Community waste lagoons are proposed to serve the subdivision and the abutting subdivision to the north. Individual water wells are proposed. The water report indicates adequate water quality and quantity.
3. This request is not in conformance with the Comprehensive Plan. This area is shown as Agriculture and Green Space. S W 84th is not shown to be stripped by acreages.

4. This request is in both the jurisdiction of the City of Lincoln and Lancaster County and requires approval by both bodies.
5. The Health Department notes the need for lagoon reserve areas for a backup lagoon.
6. Public Works and Utilities notes several issues/revisions to sanitary sewer, grading and streets.
7. Norris Public Power is requesting easements on all lots.
8. Building and Safety notes the need for base flood elevations and floodplain permits.
9. The County Engineer letter of January 31, 2005, notes several adjustments, including: the need for floodplain permits, maximum flood elevations, approval of the NDOR for connection to SW 84th Street, and the need for paving 1/4 of a mile from S.W. 77th to S.W. 84th Street and bridge replacement on W. Pioneers Blvd. if a connection is made to W. Pioneers Blvd.
10. This design includes provisions for Build -Through in the area of new development but does not appear to meet the BTA code requirements for one acre lots in the cluster and not more than the 40% of the total area can be developed.
11. This design reflects many of the normal adjustments to accomplish a cluster style of acreage subdivision through the CUP.
12. Waivers are requested for street lights, sidewalks, block length, street trees, and screening. These are typical waivers required, provided for and appropriate for agriculture/acreage clusters. Yards are adjusted from AGR to AGR and R-3 standards as part of the cluster. Recent amendments no longer required the waiver for street lights, screening, sidewalks and street trees.
13. The requested waiver to perpendicular lot lines is justified in that it is used sparingly to fit street curves and create more useable lots.
14. The Public Works and Utilities note they do not have sufficient information to agree to the waiver of sewer lines flowing opposite the street grade.
15. The flood plain area is about 20% of the parcel and is retained as an outlot.
16. As requested by the County Board, no scoring is provided on this application.
17. The existing AG zoning would allow seven to eight dwellings. The density calculations for the project with the change of zone are as follows;

148.22 acres total

45. acres of AGR at 0.27 dwelling per acre (city) =		12.15 dwellings
x 1.20 bonus for clustering	=	14.58 dwellings
x 1.20 bonus for preservation	=	17.49 dwellings

102 acres / 3 acres (county)	=	34 dwellings
x 1.20 bonus for preservation	=	40.8 dwellings
Total county and city 40.8+17.49	=	58.29

Permitted with the change to AGR	58 dwellings
Requested	57 units on 57 lots

18. The S. W. 77th Cir. cul de sac at W. Pioneer is not justified. The connection could be barricaded but not opened or build until annexation or until the bridge is replaced on W. Pioneer. The street name must be revised by replacing "circle" with "street".

19. Some acreage review issues can be addressed in this report:

a) Water/rural water,

The ground water report indicate adequate quantity and quality water. This is not in a rural water district.

b) Road access and paving,

There is pavement via Van Dorn and SW 84th Street. W. Pioneers Blvd is a county gravel road. The bridge would have to be replaced and the road paved if this was a primary connection out of the plat. No more than 40 lots shall be final platted before two platted streets exits are constructed.

c) Soil rating,

The soil is not prime ag land of the county.

d) Development of the area/land parcelization,

The land in this area is substantially split into smaller acreage parcels to the north. There are some older acreage lots to the west. The area to the south, east and southwest are still in larger farmed parcels

e) Existing acreages,

There is acreage development in this immediate area, to the north, with some to the west.

f) Conflicting farm uses,

There are no farm feeding operation or other conflicting farm uses noted.

g) Environmental issues,

There are no known environmental issues with this land. There is flood plain and probably wetlands on the west.

h) Impact on other governmental entities,

This will increase demand for service on the Sheriff, Rural Fire, School and others and increased traffic on rural roads. The level of impact is not known.

I) Plans of other towns,
NA

Prepared by:

Mike DeKalb, 441-6370, mdekalb@lincoln.ne.gov
Planner
February 22, 2005

APPLICANT: Mark Palmer
Olson Associates
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Lincoln, NE 68508
(402) 474 - 6311

OWNER: Lyle Mayer
10101 W. Van Dorn Street
Denton, NE 68339
(402) 438 - 3770

CONTACT: Mark Palmer
(402) 474 - 6311

**CITY CHANGE OF ZONE NO. 05006
and COUNTY CHANGE OF ZONE NO. 05007,
CITY SPECIAL PERMIT NO. 05003 and
COUNTY SPECIAL PERMIT NO. 05004,
MEADOW VIEW 2ND ADDITION COMMUNITY UNIT PLAN;
and COUNTY PRELIMINARY PLAT NO. 05001,
MEADOW VIEW 2ND ADDITION,**

PUBLIC HEARING BEFORE PLANNING COMMISSION:

March 2, 2005

Members present: Sunderman, Krieser, Taylor, Larson, Carroll, Marvin, Carlson, Pearson and Bills-Strand.

Staff recommendation: Denial.

Ex Parte Communications: None.

Proponents

1. Hub Hall presented the proposal, stating that he has developed Meadow View Estates as far as he can. The original addition is in place with only two lots that are not yet built upon. The 1st Addition has been final platted and the roads have been graded but NDEQ has said they do not have adequate capacity in the lagoon to put in the infrastructure for the 1st Addition. He has tried to purchase 10 acres from an adjacent property owner. Instead of 10 acres, the adjacent owner has offered to sell 160 acres, and Hall has a contract to purchase the 160 acres.

This plat allows service to Meadow View 1st and 57 one-acre tracts known as Meadow View 2nd Addition. He needs the 2nd Addition approved to complete the 1st Addition. He has dedicated over 30 acres to green space on S.W. 84th Street in the 1st Addition and will continue to have open space in 2nd Addition along S.W. 84th. There will only be one access point onto S.W. 84th.

Hall believes that Meadow View has been a great addition to Lancaster County and he received a special environmental award from the City/County Health Department and the County Board for this development.

Hall noted that the County Commissioners have applauded this type of development with the large areas devoted to open space. Hall thought he had adequate lagoon capacity for the Original and 1st Addition, and he was surprised when it was discovered that he needed more capacity.

Hall intends to continue the integrity of Meadow View Estates. He believes this development fits well in Lancaster County. The report signifies that this is not prime agricultural land, and Hall believes this 2nd Addition fits well with the acreages that are already established and it is a good use of the land.

N.W. 84th is an asphalt road; W. Van Dorn is an asphalt road; West Pioneers is not asphalt—it is gravel, that is why they did not connect to Pioneers, but to 84th Street instead.

Pearson inquired about the lagoon situation in phase one. Hall explained that he had the plans approved and NDEQ said he could not use any additional land because it would be in the floodplain. He believes it will be 50 years before they fill up the two lagoons they already have, but not according to NDEQ.

Mark Palmer of Olsson Associates, noted that it looks like a lot of open space that could provide for the lagoon, by their remaining property was dedicated as conservation easements and that is the problem the developer is running into.

Palmer also added that this development connects to S.W. 84th Street because it is the asphalt road. The floodplain was mapped off the USGS contours and it is not accurate as to where the draws and floodplain reflect today. This development is impacting the floodplain where it crosses the roadways. The developer will comply with the floodplain requirements. The lagoon on the north end is to serve a portion of Meadow View. There are also lagoons on the south side.

There was no testimony in opposition.

Staff questions

Carlson confirmed with staff that this property is not shown in the Comprehensive Plan for acreage development because we should not be stripping S.W. 84th Street with acreages. DeKalb concurred. Carlson is seeking to find the impact of being close to a paved road because the County Board has asked us not to use the point system. DeKalb stated that if it is not shown in the Comprehensive Plan, there is a presumption of denial; then staff looks at other circumstances and criteria to suggest that it should be approved. When Meadow View came, it was not a phase I, phase II. In fact, with split jurisdiction, the Council approved the subdivisions immediately to the east, and this parcel was owned by another individual and was between existing acreages and approved plats. At that time, there was no representation that this would extend further to the south. The Comprehensive Plan does not show it. If it does expand to the south, the rest of the roads are gravel.

DeKalb pointed out that if this development is approved, the connection to the road to the south does not have to be done until the city annexes or the county replaces the bridge and asphalts the road.

With regard to the sewer system, DeKalb advised that the city and county did approve the cluster subdivisions, which had been engineered by a private consulting firm and the approval was contingent upon approval by state DEQ. They did approve it, and it was constructed. What has happened is that they are getting more generation of effluent than the lagoon can handle. That is the reason for an additional lagoon to the south. There are multiple opportunities.

Carroll referred to #10 in the staff analysis regarding build-through, noting that this proposal does not follow build-through as far as the cluster area, and not all of the site is developable. DeKalb clarified that it does follow the build-through; however, the County has no provision for build-through and this development is in split jurisdiction. Within the cluster they are providing the ghost plat; they do meet

the 40% maximum developable area for build-through and have indicated that the areas in the outlot (floodplain) are reserved for future development when the city gets there. They do meet the build-through requirements.

Pearson inquired whether phase one of this development was in the Comprehensive Plan. DeKalb responded that it was not, and it was not phased. Meadow View came in as a change of zone by another owner to AGR. He did not have a plat with it and he was already straddled by the existing acreages to the west.

Response by the Applicant

In terms of stripping of acreages along S.W. 84th Street, Palmer pointed out that with the build-through approach, they are leaving open space adjacent to 84th Street. It is reserved for future development. The whole development is planned for the build-through approach. S.W. 84th would be allowed to develop into something other than residential. Palmer acknowledged that he is new at the build-through regulations, so he understands that they do need to scale down the amount of land that is being used for the lots and they will work with staff on that. Palmer agreed with all conditions of approval set forth in the staff report.

CITY CHANGE OF ZONE NO. 05006

ACTION BY PLANNING COMMISSION:

March 2, 2005

Larson moved approval, seconded by Marvin.

Carlson stated that he will vote against based on the guidance of the Comprehensive Plan. It is specific about providing sufficient land for development and it is specific about not stripping in the County and not clustering acreages. The Comprehensive Plan also calls for the point system, but we are not using it and thus do not know whether this is a "sweet spot" or not. After that we have a Comprehensive Plan that talks about not sprawling out in the County.

Pearson stated that she will vote against this, also. It is not on a paved road and there is no point system to evaluate it fully. It is adjacent to a development that was not in the Comprehensive Plan, either. We are being asked to approve 57 additional units on 148 acres so that they can provide for additional land for a lagoon that doesn't fit on the first property. She does not want to approve a development so that someone can increase the size of their lagoon.

Motion for approval failed 4-5: Krieser, Larson, Marvin and Bills-Strand voting 'yes'; Sunderman, Taylor, Carroll, Carlson and Pearson voting 'no'.

Carlson moved denial, seconded by Pearson.

Marvin commented that normally he is not real enthused about acreages, but this one does sit next to a road and he does not believe we are taxing the system by putting it next to an asphalt road. In addition, it is certainly next to other homeowners who are not here in opposition. These are acreages that are next to other acreages and he thinks it is a reasonable accommodation; it complies with the build-through standards; and has good water.

Pearson wondered about the thickness of S.W. 84th Street. Unless it has a 6 or 8 inch base, it is not up to county standards. She is also concerned about the lagoons. We are increasing the area of lagoons and adding more lagoons, which are above ground fields for septic, which she does not believe is the best way to handle the septic. She would rather see it developed wiser down the road rather than putting in three lagoons.

Bills-Strand believes it is a subdivision that was well-built and it received an environmental award so she will vote in favor.

Motion to deny carried 5-4: Taylor, Carroll, Sunderman, Carlson and Pearson voting 'yes'; Krieser, Larson, Marvin and Bills-Strand voting 'no'. This is a recommendation to the City Council.

COUNTY CHANGE OF ZONE NO. 05007

ACTION BY PLANNING COMMISSION:

March 2, 2005

Carlson moved denial, seconded by Pearson and carried 5-4: Taylor, Carroll, Sunderman, Carlson and Pearson voting 'yes'; Krieser, Larson, Marvin and Bills-Strand voting 'no'. This is a recommendation to the Lancaster County Board.

CITY SPECIAL PERMIT NO. 05003

ACTION BY PLANNING COMMISSION:

March 2, 2005

Carlson moved to deny, seconded by Pearson and carried 6-3: Sunderman, Taylor, Carroll, Marvin, Carlson and Pearson voting 'yes'; Krieser, Larson and Bills-Strand voting 'no'. This is final action, unless appealed to the City Council within 14 days.

COUNTY SPECIAL PERMIT NO. 05004

ACTION BY PLANNING COMMISSION:

March 2, 2005

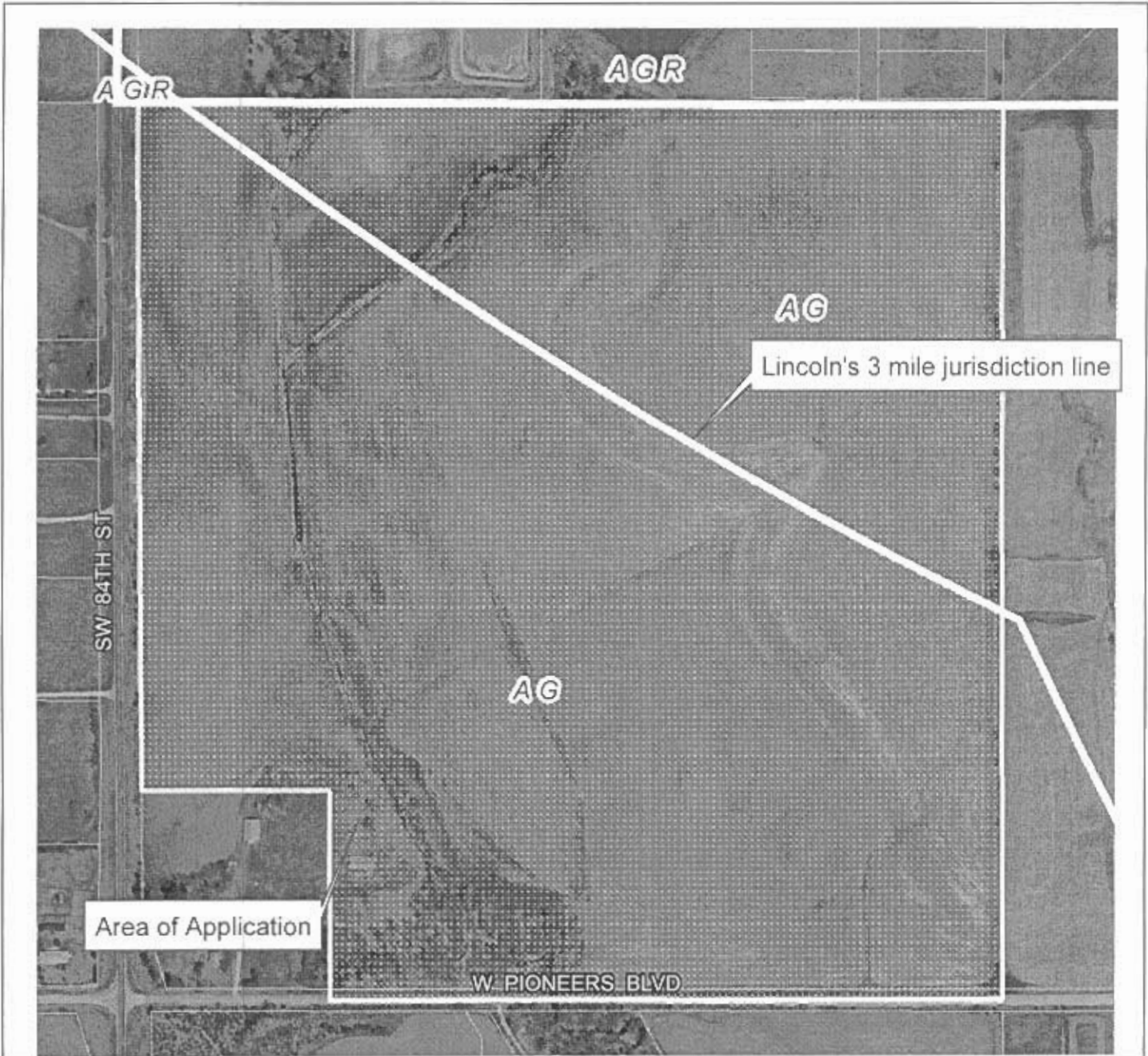
Carlson moved to deny, seconded by Pearson and carried 6-3: Sunderman, Taylor, Carroll, Marvin, Carlson and Pearson voting 'yes'; Krieser, Larson and Bills-Strand voting 'no'. This is a recommendation to the Lancaster County Board.

COUNTY PRELIMINARY PLAT NO. 05001

ACTION BY PLANNING COMMISSION:

March 2, 2005

Carlson moved to deny, seconded by Pearson and carried 6-3: Sunderman, Taylor, Carroll, Marvin, Carlson and Pearson voting 'yes'; Krieser, Larson and Bills-Strand voting 'no'. This is a recommendation to the Lancaster County Board.



2002 aerial

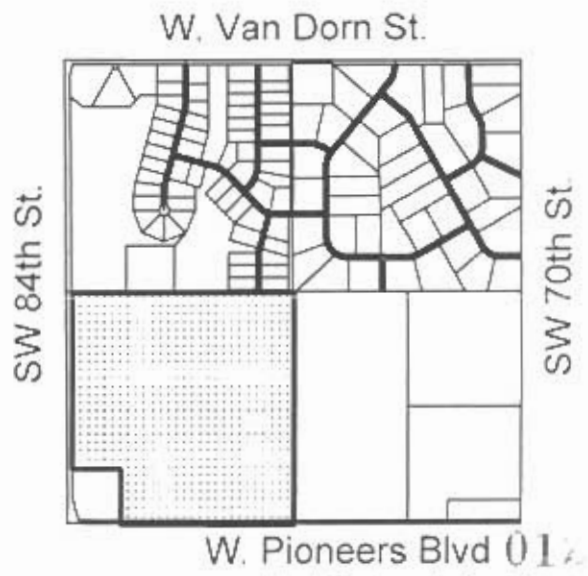
County Prelim. Plat #05001
 Co. Change of Zone #05007
 Change of Zone #05006
 Co. Special Permit #05004
 Special Permit #05003
 Meadow View 2nd Add
 SW 84th & W Pioneers Blvd

One Square Mile
 Sec. 2 T9N R5E

- 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



Zoning Jurisdiction Lines
 City Limit Jurisdiction



LEGAL DESCRIPTION

A LEGAL DESCRIPTION FOR A TRACT OF LAND COMPOSED OF A PORTION OF LOT 8 I.T., LOCATED IN THE SOUTHWEST QUARTER OF SECTION 2, TOWNSHIP 9 NORTH, RANGE 5 EAST OF THE 6TH P.M., LANCASTER COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 8 I.T., SAID POINT BEING THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER, SAID POINT BEING THE TRUE POINT OF BEGINNING, THENCE WEST ALONG THE SOUTH LINE OF SAID LOT 8 I.T., SAID LINE BEING THE SOUTH LINE OF SAID SOUTHWEST QUARTER, ON AN ASSUMED BEARING NORTH 89 DEGREES 50 MINUTES 16 SECONDS WEST, A DISTANCE OF 2,007.22 FEET TO A POINT LOCATED 617.50 FEET EAST OF THE WEST LINE OF SAID SOUTHWEST QUARTER, THENCE NORTH 00 DEGREES 28 MINUTES 15 SECONDS WEST ALONG A LINE LOCATED 617.50 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 610.04 FEET TO A POINT, THENCE NORTH 89 DEGREES 50 MINUTES 16 SECONDS WEST ALONG A LINE LOCATED 610.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 557.10 FEET TO A POINT OF INTERSECTION WITH THE WEST LINE OF SAID LOT 8 I.T., SAID POINT BEING ON THE EAST LINE OF SOUTH WEST 84TH STREET RIGHT-OF-WAY, SAID POINT BEING 60.43 FEET EAST OF THE WEST LINE OF SAID SOUTHWEST QUARTER, THENCE NORTH 00 DEGREES 25 MINUTES 56 SECONDS WEST ALONG THE WEST LINE OF SAID LOT 8 I.T., SAID LINE BEING THE EAST LINE OF SOUTH WEST 84TH STREET RIGHT-OF-WAY, A DISTANCE OF 2,034.84 FEET TO THE NORTHWEST CORNER OF SAID LOT 8 I.T., SAID POINT BEING ON THE NORTH LINE OF SAID SOUTHWEST QUARTER, SAID POINT BEING 61.80 FEET EAST OF THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER, THENCE SOUTH 89 DEGREES 49 MINUTES 15 SECONDS EAST ALONG THE NORTH LINE OF SAID LOT 8 I.T., SAID LINE BEING THE NORTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 2,575.46 FEET TO THE NORTHEAST CORNER OF SAID LOT 8 I.T., SAID POINT BEING THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER, THENCE SOUTH 00 DEGREES 12 MINUTES 00 SECONDS EAST ALONG THE EAST LINE OF SAID LOT 8 I.T., SAID LINE BEING THE EAST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 2,644.02 FEET TO THE POINT OF BEGINNING, SAID TRACT CONTAINS A CALCULATED AREA OF 6,456,279.55 SQUARE FEET OR 148.2158 ACRES, MORE OR LESS.

January 13, 2005
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County Prelim. Plat #05001
Co. Change of Zone #05007
Change of Zone #05006
Co. Special Permit #05004
Special Permit #05003
Meadow View 2nd Add
SW 84th & W Pioneers Blvd OI



OLSSON ASSOCIATES
ENGINEERS • PLANNERS • SCIENTISTS • SURVEYORS

January 20, 2005

Mr Marvin Krout
Planning Department , City of Lincoln
County-City Building
555 South 10th Street
Lincoln, NE 68508

Re: Meadow View 2nd Addition Community Unit Plan
OA Project No. 2004-1172

Dear Mr. Krout,

Enclosed please find the following for the above-mentioned project:

1. Site Plan - 21 copies.
2. Drainage and Grading Plan - 9 copies.
3. Street Profile Plans - 5 copies.
4. City of Lincoln Change of Zone Application and Exhibit
5. City of Lincoln Application for Special Permit (C.U.P.)
6. Lancaster County Change of Zone Application and Exhibit
7. Lancaster County Application for Special Permit (C.U.P.)
8. Lancaster County Application for Preliminary Plat
9. \$1,145 for City Applications
10. \$2,370 for County Applications
11. Soils Report - 1 Copy
12. Water Report - 1 Copy
13. Ownership Certificate
14. 8-1/2" x 11" Reductions of Plans

On behalf of the developer, Highway 15, Inc., we submit the following Community Unit Plan for your review.

Meadow View 2nd Addition is located at the northeast corner of S.W. 84th and W. Pioneers Blvd., directly to the south of Meadow View 1st addition. The site contains approximately 147 acres and is currently zoned AG. We are proposing to change the zone to AGR and develop 57 one acre lots. Each lot will have its own water well and the site will have a community wastewater system. The private roadways within the development will be 6" thick asphalt.

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The lagoon system is being designed not only to accommodate this development, but to serve 33 lots in the existing Meadow View 1st Addition. The lagoon system that was designed for that development was found to be undersized.

At this time we are not proposing to take access from West Pioneers Blvd. Our access points are S.W. 78th Street and S.W. 84th Street. We have discussed the S.W. 84th access with the NDOR. The state does not have access control on this portion of the roadway. Our proposed intersection meets all City of Lincoln and Lancaster County intersection sight distance requirements.

We are requesting a 20% C.U.P. bonus and a 20% greenspace preservation bonus.

A portion of this development is subject to the recently approved BTA requirements. Therefore we have provided a transitional or "ghost" plat, showing easements for future roadways and utilities and a possible future lot configuration. Outlots "B" and "C" are shown on the plans as reserved for future urban development.

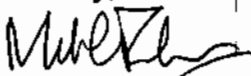
We are requesting the customary waivers to the land subdivision ordinance for block length, sidewalks, street trees, street lighting and landscape screening, as each lot is at least one acre and we are not being annexed into the City of Lincoln at this time.

We are also requesting the following additional waivers:

1. A waiver to allow lot lines that are not at right angles to the row and access easements.
2. A waiver to the minimum width to depth ratio for lots in the transitional plat.
3. A waiver to the requirement of a preliminary plat on the portion which lies inside of the City of Lincoln's 3 mile jurisdiction.
4. To allow sanitary sewer to flow opposite street grades where necessary to serve all lots.

Please contact us if you have any questions or require additional information.

Sincerely,



Mark C. Palmer, PE

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