

City Council Introduction: **Monday**, April 11, 2005
Public Hearing: **Monday**, April 18, 2005, at **1:30** p.m.

Bill No. 05-43

FACTSHEET

TITLE: CHANGE OF ZONE NO. 05018, from AGR Agricultural Residential District to R-3 Residential District, requested by Paula Dicero of Associated Engineering on behalf of Ron Tonniges, on property generally located on the east side of S. 84th Street, south of Old Cheney Road.

STAFF RECOMMENDATION: Approval.

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: Consent Agenda, 03/30/05
Administrative Action: 03/30/05

RECOMMENDATION: Approval (9-0: Carlson, Carroll, Krieser, Larson, Marvin, Pearson, Bills-Strand, Sunderman and Taylor voting 'yes').

FINDINGS OF FACT:

1. This proposed change of zone was heard by the Planning Commission in association with Special Permit No. 05011 for authority to develop Vintage Hills Community Unit Plan for 38 dwelling units on 12.85 acres, more or less.
2. The staff recommendation of approval is based upon the "Analysis" as set forth on p.3, concluding that the proposed change of zone is in conformance with the Comprehensive Plan, which identifies this area as urban residential.
3. On March 30, 2005, this application appeared on the Consent Agenda of the Planning Commission and was opened for public hearing. No one came forward to speak.
4. On March 30, 2005, the Planning Commission agreed with the staff recommendation and voted 9-0 to recommend approval of the change of zone.
5. On March 30, 2005, the Planning Commission also adopted Resolution No. PC-00916 approving the associated Vintage Hills Community Unit Plan. The Planning Commission action on the community unit plan is final, unless appealed to the City Council by April 13, 2005.

FACTSHEET PREPARED BY: Jean L. Walker

DATE: April 4, 2005

REVIEWED BY: _____

DATE: April 4, 2005

REFERENCE NUMBER: FS\CC\2005\CZ.05018

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for March 30, 2005 PLANNING COMMISSION MEETING

P.A.S.: Change of Zone No.05018

PROPOSAL: From AGR Agricultural Residential to R-3 Residential

LOCATION: East side of S. 84th street, south of Old Cheney Rd.

LAND AREA: 12.85 acres, more or less

CONCLUSION: The proposed change of zone is in conformance with the comprehensive plan.

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| <u>RECOMMENDATION:</u> | Approval |
|-------------------------------|----------|

GENERAL INFORMATION:

LEGAL DESCRIPTION: Lot 16, Irregular tract, located in the NW 1/4 of Section 14, Township 9 North, Range 7 East, Lancaster County, NE

EXISTING ZONING: AGR Agricultural Residential

EXISTING LAND USE: Single family house

SURROUNDING LAND USE AND ZONING:

| | | |
|--------|------------------------------|------------------------------------------|
| North: | AGR Agricultural Residential | Church |
| South: | R-3 Residential | Undeveloped, Boulder Ridge subdivision |
| East: | R-3 Residential | Undeveloped, Vintage Heights subdivision |
| West: | AGR Agricultural Residential | Single family houses and golf course |

ASSOCIATED APPLICATIONS:

Special Permit #05011, Vintage Hills Community Unit Plan

COMPREHENSIVE PLAN SPECIFICATIONS:

Maximize the community's present infrastructure investment by planning for residential and commercial development in areas with available capacity. This can be accomplished in many ways including encouraging appropriate new development on unused land in older neighborhoods and encouraging a greater amount of commercial space per acre and more dwelling units per acre in new neighborhoods." (F-17)

Encourage different housing types and choices, including affordable housing, throughout each neighborhood for an increasingly diverse population. (F-18)

The Land Use Plan identifies this area as urban residential. (F-25)

Guiding principles for new neighborhoods includes:

1. Similar housing types face each other: single family faces single family, change to different use at rear of lot;
2. Parks and open space within walking distance to all residences;
3. Pedestrian orientation; shorter block lengths, sidewalks on both sides of all roads (F-67)

HISTORY:

October 25, 2004 Special Permit #1762B, Vintage Heights Community Unit Plan was adopted by City Council.

September 13, 2004 Special Permit #04011, Boulder Ridge Community Unit Plan, was adopted by City Council.

September 13, 2004 Change of Zone #04017, AGR to R-3, was adopted by City Council.

January 20, 2004 Annexation #03005 was approved by City Council.

UTILITIES: All utilities are available to serve this lot.

TRAFFIC ANALYSIS: S. 84th street is classified as a principal arterial.

PUBLIC SERVICE: Station 12 is the nearest fire station, located at S. 84th St. and Van Dorn St.

The nearest elementary schools is Maxey, located at 5200 S. 75th St., however, Maxey is at capacity. Future students will need to attend other schools.

ANALYSIS:

1. This is a request for a change of zone from AGR to R-3. The 2025 Comprehensive Plan identifies this area as urban residential.
2. This property abuts property zoned R-3 on the east and south side.
3. The approval of this application would allow the area to develop as urban residential keeping in character with the adjacent neighborhood.
4. This property was annexed in January 2004.

Prepared by:

Tom Cajka
Planner

DATE: March 14, 2005

APPLICANT: Ron Tonniges
4620 Pioneer Greens Ct.
Lincoln, NE 68526

OWNER:

CONTACT: Paula Dicero
Associated Engineering
1232 High St. Suite 3
Lincoln, NE 68502

**CHANGE OF ZONE NO. 05018
and
SPECIAL PERMIT NO. 05011,
VINTAGE HILLS COMMUNITY UNIT PLAN**

**CONSENT AGENDA
PUBLIC HEARING & ADMINISTRATIVE ACTION
BEFORE PLANNING COMMISSION:**

March 30, 2005

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

The Consent Agenda consisted of the following items: **SPECIAL PERMIT NO. 05012; CHANGE OF ZONE NO. 05018; SPECIAL PERMIT NO. 05011, VINTAGE HILLS ADDITION COMMUNITY UNIT PLAN; SPECIAL PERMIT NO. 05013; COUNTY SPECIAL PERMIT NO. 05010, TIEDEMAN ACRES COMMUNITY UNIT PLAN; COUNTY PRELIMINARY PLAT NO. 05002, TIEDEMAN ACRES, and MISCELLANEOUS NO. 05005.**

Item No. 1.1, Special Permit No. 05012; Item No. 1.4a, County Special Permit No. 05010; and Item No. 1.4b, County Preliminary Plat No. 05002, were removed from the Consent Agenda and scheduled for separate public hearing.

Taylor moved to approve the remaining Consent Agenda, seconded by Marvin and carried 9-0: Carlson, Carroll, Krieser, Larson, Marvin, Pearson, Bills-Strand, Sunderman and Taylor voting 'yes'.

Note: This is final action on Special Permit No. 05011, Vintage Hills Addition Community Unit Plan, and Special Permit No. 05013, unless appealed to the City Council within 14 days.



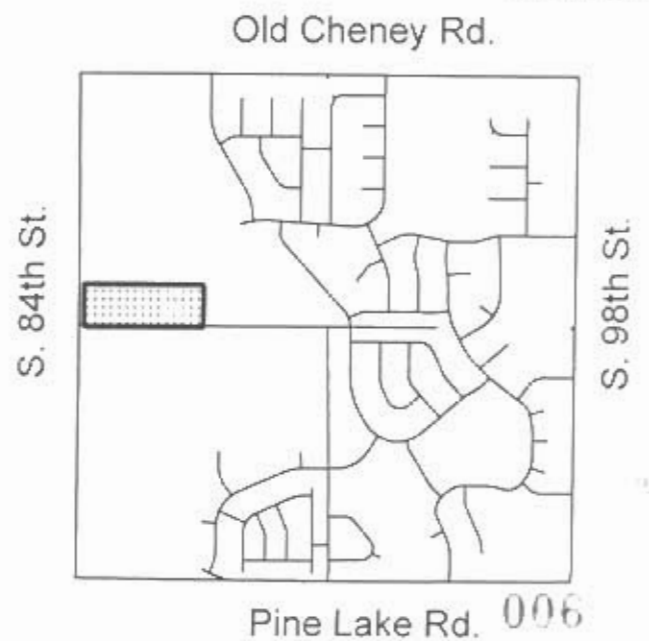
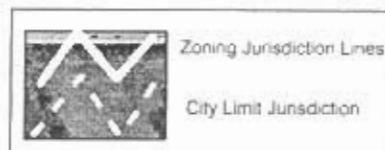
2002 aerial

Special Permit #05011 Change of Zone #05018 S. 84th & Old Cheney Rd.

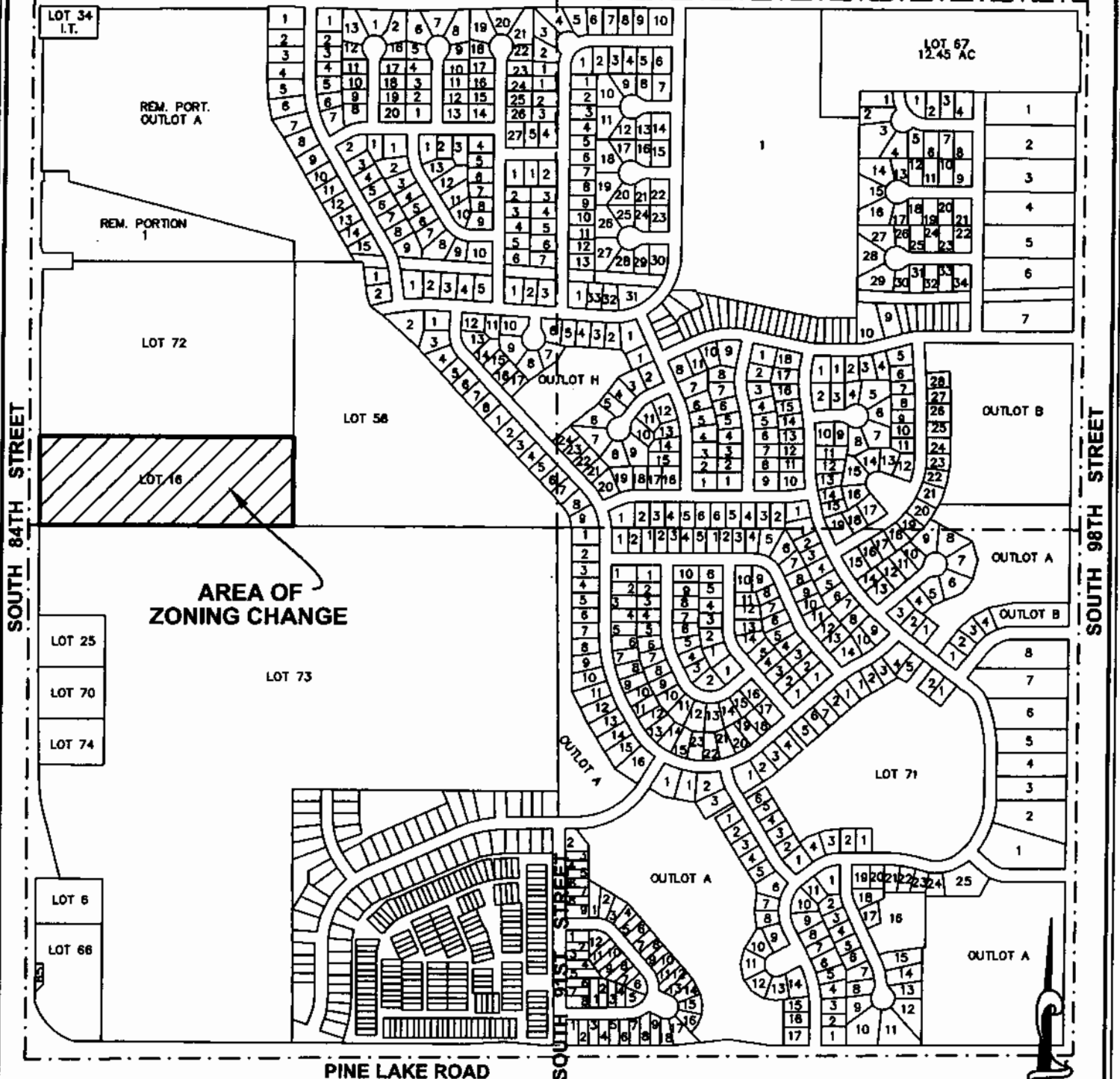
Zoning:

- 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

One Square Mile
Sec. 14 T9N R7E



OLD CHENEY ROAD



AREA OF ZONING CHANGE

LEGAL DESCRIPTION

LOT 16, IRREGULAR TRACT, LOCATED IN THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 9 NORTH, RANGE 7 EAST OF THE PRINCIPAL MERIDIAN, LINCOLN, LANCASTER COUNTY, NEBRASKA AND MORE FULLY DESCRIBED AS FOLLOWS:

REFERRING TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 14; THENCE ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER ON AN ASSUMED BEARING OF S89°49'10"E, 50.00 FEET TO THE POINT OF BEGINNING; THENCE N00°10'28"W, 439.78 FEET; THENCE S89°50'25"E, 1271.19 FEET; THENCE S00°28'38"E, 440.27 FEET; THENCE N89°49'10"W, 1273.52 FEET TO THE POINT OF BEGINNING AND CONTAINING AN AREA OF 12.85 ACRES, MORE OR LESS.

SCALE: N.T.S.

| SHEET NO. | NO. | DATE | REVISION |
|-----------|-----|------|----------|
| 1 of 1 | | | |

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|------------------|
| PROJ. NO. 1146 |
| DATE: 02-19-2008 |
| DESIGN BY: PSD |
| DRAWN BY: PSD |
| CHECKED BY: PSD |

VINTAGE HILLS ADDITION
ZONING EXHIBIT
 CHANGE OF ZONE FROM AGR TO R-3
 LINCOLN, NEBRASKA


ASSOCIATED ENGINEERING, PC
 1232 High Street, Suite 3
 Lincoln, NE 68502
 Phone: 402.441.5760
 Fax: 402.441.5761

VINTAGE HILLS ADDITION
LEGAL DESCRIPTION

LOT 16, IRREGULAR TRACT, LOCATED IN THE NORTHWEST QUARTER OF SECTION 14,
TOWNSHIP 9 NORTH, RANGE 7 EAST OF THE 6TH PRINCIPAL MERIDIAN, LINCOLN,
LANCASTER COUNTY, NEBRASKA.



AEPC/AE&S

Associated Engineering, P.C. • Associated Engineering & Surveying

February 22, 2005

Tom Cajka
Lincoln-Lancaster County Planning Department
555 South 10th Street – Suite 213
Lincoln, NE 68508

RE: **CUP Special Permit for Vintage Hills Addition**
Located east of South 84th St., south of Old Cheney Rd.
AE-PC Job # 1145

Dear Mr. Cajka;

On behalf of Ron Tonniges, we are submitting an application for Vintage Hills Addition Community Unit Plan, Special Permit, with waiver of the Preliminary Plat. With this application, we request a change of zone from AGR to R-3.

This property is located on the east side of South 84th Street, south of Old Cheney Road. It is surrounded by the proposed Boulder Ridge Addition to the south, Vintage Heights Addition to the east, New Covenant Baptist Church to the north, and Faith Bible Church to the west. Total area of this development is 12.85 acres. It contains 28 single-family lots, 10 attached single-family lots, and 3 outlots. The outlots are designated for green space, blanket utilities and on-site detention. A small playground / park is located in Outlot B.

This submittal reflects the build-out of South 84th Street, along with the proposed Boulder Ridge and Vintage Heights developments. A 5-foot wide public sidewalk runs parallel to the East Side of South 84th Street. Vehicular access to South 84th Street will be through the proposed Boulder Ridge to the South.

South 84th Court is a 27-foot wide private roadway continuing north from the proposed Boulder Ridge. A four-foot sidewalk will be parallel to the East Side of South 85th Court and will connect to South 84th Street at the north and the proposed Boulder Ridge at the south.

Owner/ Developer:

Ron Tonniges
4620 Pioneer Greens Court
Lincoln, NE 68526
(402) 432-1207

Authorized Agent:

Associated Engineering, PC
Tom Medhi, Paula Dicero
1232 High Street - Suite 3
Lincoln, NE 68502
(402) 441-5790

Associated Engineering, PC
157 Main Street
Elkhorn, NE 68022-3348
Ph: (402) 289-5040 • Fax (402) 933-8200
email: tmedhi@ae-pc.com

Associated Engineering, PC
1232 High Street, Suite 3
Lincoln, NE 68502
Ph: (402) 441-5790 • Fax (402) 441-5791
Email: pdicero@ae-pc.com

With this submittal, we respectfully request the following waivers:

1. Pursuant to section 26.15.030(d) of the LMC, waiver to the preliminary plat process with the special permit for a community unit plan to take its place.
2. Waiver to grant the planning director authority to approve an administrative final plat that conforms to the special permit for the community unit plan.
3. Waiver to grant the planning director authority to approve administrative final plats even though there are public streets or private roadways.
4. Waiver to rear yard setback on lots 1 through 10, block 1 from 24 feet to 10 feet. (The townhouse units in these lots will need a 30-foot setback from the roadway in order to accommodate a sidewalk, green area, and driveway. The green area behind the townhouses is extended by the use of outlot B, which has a minimum width of 20 feet. Rear yards from the lots to the east of the townhouse lots maintain a 24-foot setback, giving a minimum green space between the building envelopes of 54 feet.)
5. Pursuant to title 26.23.140(c) Waiver to "Radial Lot Line" between Lots 20 & 21, Block 2 and Lots 1 & 2, Block 3 in order to accommodate a better positioning of the house on these lots.
6. Waiver to design standards for a four-foot sidewalk abutting Lots 1 through 10, Block 1 to be 4 feet off back of curb in order to line up with proposed sidewalk location in Boulder Ridge.

The following owners hold interest and / or property adjacent to Vintage Hills Addition:

New Covenant Baptist Church
6000 South 84th Street
Lincoln, NE 68516

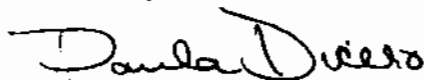
Glen E. & Inez M. Herbert
8540 Chaparral Court
Lincoln, NE 68520

Pine Lake Development
3801 Union Drive
Lincoln, NE 68516

Faith Bible Church
6201 South 84th Street
Lincoln, NE 68516

We look forward to working with you as we proceed through the development review process. Should you have any questions, please contact me at 441-5790.

Sincerely,



Paula Dicero
Planning Project Manager