

FACTSHEET

TITLE: CHANGE OF ZONE NO. 17009 -
AG to AGR
(SW 27th Street and Roxbury Lane)

BOARD/COMMITTEE: Planning Commission

APPLICANT: Ryan Omel

RECOMMENDATION: Approval (9-0: Beckius, Corr, Edgerton, Finnegan, Harris, Washington, Weber, Scheer, and Hove voting 'yes').

STAFF RECOMMENDATION: Approval

OTHER DEPARTMENTS AFFECTED: N/A

SPONSOR: Planning Department

OPPONENTS: None present at hearing.

REASON FOR LEGISLATION: This request is for a change of zone from AG to AGR on 20.22 acres. There is AGR zoning to the east, north of the adjacent lots and south of this parcel.

DISCUSSION/FINDINGS OF FACT:

1. The staff recommendation of approval of the change of zone request is based upon the "Analysis" as set forth on pp.2-3, concluding that this request is in conformance with the 2040 Lincoln-Lancaster County Comprehensive Plan.
2. On May 24, 2017, this change of zone request appeared on the Consent Agenda of the Planning Commission. The associated Preliminary Plat No. 17004 was removed from the Consent Agenda for a separate public hearing.
3. On May 24, 2017, the Planning Commission voted 9-0 to recommend approval of this change of zone request.
4. On May 24, 2017, the Planning Commission also voted 9-0 to adopt Resolution No. PC-01552, approving the associated Preliminary Plat No. 17004.

FACTSHEET PREPARED BY: Geri Rorabaugh, Administrative Officer

DATE: May 26, 2017

REVIEWED BY: David R. Cary, Planning Director

DATE: May 26, 2017

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for MAY 24, 2017 PLANNING COMMISSION MEETING

PROJECT #: Change of Zone No.17009

PROPOSAL: From AG Agricultural to AGR Agricultural Residential

LOCATION: S.W. 27th Street and West Denton Road.

LAND AREA: 20.22 acres, more or less

EXISTING ZONING: AG Agricultural

CONCLUSION: This request is in conformance with the 2040 Lincoln-Lancaster County Comprehensive Plan.

RECOMMENDATION:	Approval
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GENERAL INFORMATION:

LEGAL DESCRIPTION: The South-Half of the Northwest Quarter of the Southwest Quarter of Section 21, Township 9 North, Range 6 East, Lancaster County, Nebraska.

EXISTING LAND USE: One single family dwelling and open space.

SURROUNDING LAND USE AND ZONING:

North: AG-Agricultural	Two single family dwellings on 10 acre parcels.
AGR-Agricultural Residential	North of the two 10 acre parcels an acreage development.
South: AGR- Agricultural Residential	Acreage development
East: AGR- Agricultural Residential	Acreage development
West: AG-Agricultural	Farm house and farm ground

ASSOCIATED APPLICATIONS: Preliminary Plat #17004

COMPREHENSIVE PLAN SPECIFICATIONS:

P. 2.7- Acknowledge the fundamental "Right to Farm." Preserve areas throughout the county for agricultural production by designating areas for rural residential development — thus limiting potential conflicts between farms and acreages.

P 2.7- Ensure that acreage and rural development preserve and protect environmentally sensitive areas, and maximize the preservation of our nonrenewable resources, such as land and fossil fuels. (P. 2.7)

P. 2.7- Support new commercial, residential, and industrial development within the incorporated towns in the county.

P. 7.12- LPlan 2040 supports the preservation of land in the bulk of the County for agricultural land and natural resource purposes. However it recognizes that some parts of the County are in transition from predominantly agricultural uses to a mix that includes more residential uses.

P.7.12- New acreage development is not encouraged in the Map 1.3: Growth Tiers with Priority Areas for Lincoln's three-mile extra territorial jurisdiction (ETJ), except for areas already platted, zoned, or designated for low density residential development.

P. 7.12- All proposals for acreages should be evaluated based on factors such as paved roads, adequate water quality and quantity, soil conditions for on-site wastewater management, availability of emergency services, agricultural productivity, land parcelization, the pattern of existing acreages, and plans for future urban development.

P. 7.12- Applications for acreage designation on the future land use map or rezoning to AGR, if planned for on-site wells, should be accompanied by information on water quality and quantity.

P. 7.12- Areas not designated for acreages should remain agriculturally zoned and retain the current overall density of 32 dwellings per square mile (1 dwelling unit per 20 acres).

P. 7.12- Grouping acreages together in specific areas will limit the areas of potential conflict between farms and acreages. It also may enable services to be provided more efficiently, by reducing the amount of paved routes, reducing the number and distance of school bus routes, and taking advantage of more effective rural water district service.

P. 7.12- Clustering lots in one portion of a development site, while preserving both farmland and environmental resources on the remainder, should continue to be encouraged in agriculturally-zoned areas. A considerable supply of acreage lots has been platted in recent years in this manner.

P. 12.3 - this site is shown as low density residential on the 2040 Lincoln Area Future Land Use Plan and is in Tier 3 in the 2040 Priority Growth Areas.

UTILITIES: Each lot will have a private well and waste water system.

TRAFFIC ANALYSIS: S.W. 27th Street is a paved 2-lane County road from W. Denton road to W. Cardwell Road. It is gravel south of W. Cardwell Road which is north of the proposed development. S.W. 24th Street is a local County paved road.

PUBLIC SERVICE: This area is served by the Southwest Rural Fire District and the Lancaster County Sheriff.

ANALYSIS:

1. This request is for a change of zone from AG to AGR on 20.22 acres. There is AGR zoning to the east, north of the adjacent lots and south of this parcel.
2. The area of the requested change of zone is shown as Future Low Density Residential on the 2040 Future Land Use Map in the Lincoln and Lancaster County Comprehensive Plan.

3. The 2040 Comprehensive Plan on page 7.12 recommends that proposed acreage developments be evaluated based on the following factors:
 - A) **Paved roads;** S.W. 27th Street is a paved 2-lane County road from W. Denton road to W. Cardwell Road. It is gravel south of W. Cardwell Road. S.W. 24th Street is a paved road.
 - B) **Water quality and quantity;** Each lot will have a private well. Lincoln-Lancaster County Health Department has reviewed ground water information submitted by the applicant. Their conclusion is that it appears that there is adequate quantity of groundwater for this development.
 - C) **Soil conditions;** The majority of the parcel is prime farmland.
 - D) **On-site wastewater management;** Wastewater would most likely use private sewage systems.
 - E) **Availability of emergency services;** The Lancaster County Sheriff and Southwest Rural Fire would provide emergency services. This is an area with numerous nearby acreage development already adequately served by both agencies.
 - F) **Existing acreages;** There are acreage developments to the south and east of this site. There are no acreage developments immediately adjacent this site to the north, but there is an acreage development approximately 655 feet to the north. There are no acreage developments to the west.
4. The Comprehensive Plan encourages acreages to be grouped together into specific areas. There are existing acreages to the north, south and east. This property and the two parcels to the north are shown as Low-Density Residential in the Comprehensive Plan.
5. Two roads were extended to this property in anticipation of AGR zoning and acreage development on this property.

Prepared by:

Tom Cajka
Planner

DATE: May 10, 2017

APPLICANT: Ryan Omel
PO Box 303
Hickman, NE 68372
402-915-2672
Renebraska@gmail.com

OWNER: Same as applicant

CONTACT: Civil Design Group
Mike Eckert
8535 Executive Woods Drive, Suite 200
Lincoln, NE 68512
402-434-8494
Meckert@civildg.com

CHANGE OF ZONE NO. 17009

CONSENT AGENDA
PUBLIC HEARING & ADMINISTRATIVE ACTION
BEFORE PLANNING COMMISSION:

May 24, 2017

Members present: Beckius, Corr, Edgerton, Finnegan, Harris, Hove, Scheer, Washington and Weber.

The Consent Agenda consisted of the following items: **ANNEXATION NO. 17004, CHANGE OF ZONE NO. 3134E, CHANGE OF ZONE NO. 17009, PRELIMINARY PLAT NO. 17004, SPECIAL PERMIT NO. 1627B, COUNTY SPECIAL PERMIT NO. 08004B,** and **STREET AND ALLEY VACATION NO. 17004**

There were no ex parte communications disclosed.

PRELIMINARY PLAT NO. 17004 and **SPECIAL PERMIT NO. 1627B** were removed from the Consent Agenda to have separate Public Hearing and Action.

Washington moved approval of the remaining Consent Agenda, seconded by Weber and carried 9-0: Beckius, Corr, Edgerton, Finnegan, Harris, Scheer, Washington, Weber and Hove voting 'yes'.

Note: This is **FINAL ACTION** on PRELIMINARY PLAT NO. 17004, SPECIAL PERMIT NO. 1627B, and SPECIAL PERMIT NO. 08004B. This is a recommendation to the City Council or County Board on all other items.



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

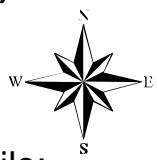
2016 aerial




**Preliminary Plat #: PP17004 &
Change of Zone #: CZ17009 (AG to AGR)
Cedar Ridge
SW 27th St & W Denton Rd**

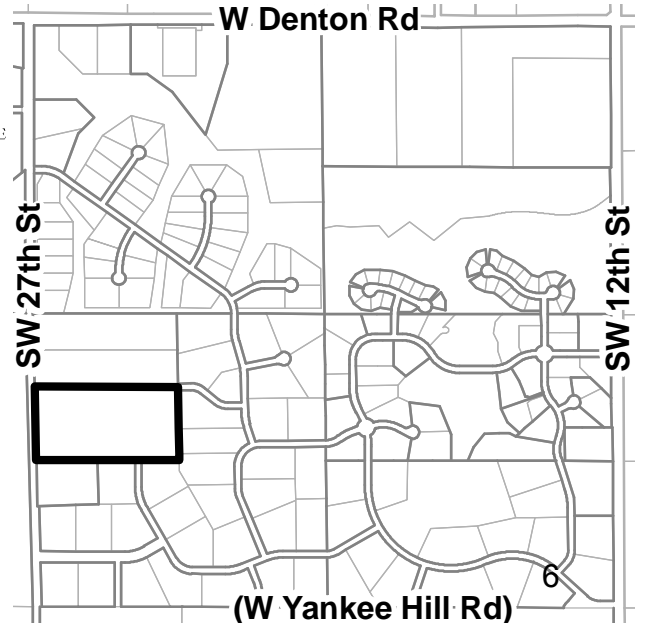
Zoning:

- 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
- 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.21 T09N R06E



	Area of Application
	Zoning Jurisdiction Lines
	Lancaster County Jurisdiction



CEDAR RIDGE
CHANGE OF ZONE
LEGAL DESCRIPTION

A legal description of the South-Half of the Northwest Quarter of the Southwest Quarter of Section 21, Township 9 North, Range 6 East, of the 6th P.M., Lincoln, Lancaster County, Nebraska and more particularly described as follows:

Beginning at the Northwest Corner of the South-Half of the Northwest Quarter of the Southwest Quarter of said Section 21, thence Easterly on the North Line of the South-Half of the Northwest Quarter of the Southwest Quarter, on an assumed bearing of S 89°52'24" E for a distance of 1331.62' to the Northeast Corner of the South-Half of the Northwest Quarter of the Southwest Quarter; Thence S 00°58'37" E on the East Line of the South-Half of the Northwest Quarter of the Southwest Quarter for a distance of 662.72' to the Southeast Corner of the South-Half of the Northwest Quarter of the Southwest Quarter; Thence N 89°53'07" W on the South Line of the South-Half of the Northwest Quarter of the Southwest Quarter for a distance of 1326.96' to the Southwest Corner of the South-Half of the Northwest Quarter of the Southwest Quarter;
Thence N 01°22'44" W on the West Line of the South-Half of the Northwest Quarter of the Southwest Quarter for a distance of 663.10' to the Point of Beginning, and having a calculated area of 20.22 acres more or less.

Subject to any and all easements and restrictions of record.



Civil Design Group, Inc.

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

www.civildg.com

May 10, 2017

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

**Re: Change of Zone & Preliminary Plat Application for Cedar Ridge
S.W. 27th Street & W. Roxbury Lane, CDG Project No. 2016-0332**

Dear Mr. Cary:

On behalf of Ryan Omel we submit the enclosed application for a preliminary plat for 5 acreage lots and the associated change of zone from AG to AGR on 20.22 acres generally located at S.W. 27th Street and W. Roxbury Lane. The change of zone is from AG to AGR on this land that is consistent with the surrounding land use pattern and is designated as future agricultural residential land in the 2040 Comprehensive Plan. S.W. 24th Street will be constructed as part of the platting process and a future roadway is shown to adhere to the build-thru standards.

We are working with Watershed Management & Planning staff to provide a phasing of the required detention and water quality elements and the ROW and roadway construction of this development. The project will have 3 phases. Phase 1 will include a final plat that creates a 13.31 acre lot for the existing house and two new additional lots on the southern property line. Due to the negligible increase in runoff from the two new houses and 275' of gravel roadway, we are requesting a waiver of detention for this phase. SW 24th Street will be dedicated and built to the northern property line of the two lots abutting it. Phase 2 would occur when the 13.31 acre lot is further subdivided into three lots. Commensurate detention and water quality features will be required at that time as well as the dedication of ROW for the extension of SW 24th St to the plat northern property line. Phase 3 is the ultimate build-thru conversion of the lots when land is provided City of Lincoln sewer and water services. A phasing sheet has been added to plan sets for reference with associated notes regarding phasing obligations.

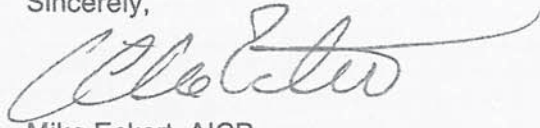
We are requesting a waiver of the block length requirement due to the lot size of 3.01 acres required for individual wastewater systems and the road network associated with such lots.

With this application, we submit the following items:

Applications for a Preliminary Plat & Change of Zone
Preliminary Plat Fee - \$4283.00
Change of Zone Fee – 988.00
Plan Sets uploaded via Project Dox

I hope that this letter in conjunction with the plans assists you in reviewing these applications. Please feel free to call me at (402) 434-8494 so that I can address any questions you may have.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Eckert", with a long, sweeping horizontal stroke extending to the right.

Mike Eckert, AICP

cc: Ryan Omel

/Volumes/share/F/Projects/2016/20160332/Landplanning/Doc/160332Prelim Plat app 05-10-17.doc