

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT
for FEBRUARY 18, 2015 PLANNING COMMISSION MEETING

PROJECT #: Use Permit No.15002 Highland Apartments

PROPOSAL: Develop 120 unit apartment complex.

LOCATION: NW 12th Street and Isaac Drive

LAND AREA: 5 acres, more or less

EXISTING ZONING: O-3 Office Park District

WAIVER REQUEST/MODIFICATION:

1. Increase the height from 35 feet to 40 feet.
2. Decrease the requirement for parking stalls from 2 per dwelling unit to 1.5 per dwelling unit.

CONCLUSION: The proposed multi-family project is a permitted use in the O-3 District. The waiver to increase the height is typical for a 3-story building. The waiver to reduce the parking is acceptable due to the number of 1 bedroom apartments.

RECOMMENDATION:	Conditional Approval
Waivers/modifications:	
1. Increase the height to 40 feet.	Approval
2. Decrease the required parking to 1.5 stalls per unit	Approval

GENERAL INFORMATION:

LEGAL DESCRIPTION: Lot 2, Highlands Coalition 4th Addition

EXISTING LAND USE: Undeveloped

SURROUNDING LAND USE AND ZONING:

North:	P Public	Highlands golf course
South:	O-3 Office Park	Undeveloped
East:	R-3 Residential	Church and single family houses
West:	P Public	Highlands golf course

HISTORY:

- January 5, 2004 Change of Zone #3425 to change the zoning from P to O-3 was approved by the City Council.
- January 5, 2004 Comprehensive Plan Conformance #03011 to declare Lot 2, Highlands Coalition 4th Addition surplus was approved by the City Council.

COMPREHENSIVE PLAN SPECIFICATIONS:

Distribute and preserve affordable housing throughout the community to be near job opportunities and to provide housing choices within existing and developing neighborhoods. (p.7.2)

Provide a wide variety of housing types and choices for an increasingly diverse and aging population. (P.7.2)

Encourage a mix of housing types all within one area. (P.7.10)

The 2040 Lincoln Area Future Land Use Plan shows this area as commercial. (P.12.3)

The land use plan displays the generalized location of each land use. It is not intended to be used to determine the exact boundaries of each designation. The area of transition from one land use to another is often gradual. (P.12.1)

UTILITIES: All utilities are available

TRAFFIC ANALYSIS: NW 12th Street is a minor arterial.

PUBLIC SERVICE:

The nearest fire station is at NW 1st Street and just north of West Highland Blvd.
The nearest elementary school is Fredstrom located at 5700 NW 10th Street.

ANALYSIS:

1. This is a request for a use permit to develop an apartment complex with 120 units. The site is zoned O-3.
2. The O-3 Zoning District requires a use permit prior to any development. Multiple-family dwellings are a permitted use in the O-3 District.
3. This parcel was declared surplus by the City Parks & Recreation Department in 2004. The land was not needed for park space or for the golf course.
4. The density shown is less than the allowed density. The O-3 District allows multiple-family dwellings at the density of one unit per 1,500 sq. ft. of lot area. With 5 acres the maximum density for this site is 145 dwelling units.
5. This site is within the Airport Environs Noise District and will require an Avigation

and Noise Easement. A height permit is also required at the time of building permit.

6. The applicant is requesting a waiver to increase the height from 35 feet to 40 feet. The applicant is requesting the increased height to allow increased floor to floor elevations for a 3-story building.
7. The applicant is also requesting a waiver to reduce the required parking from 2 stalls per unit to 1.5 stall per unit. Of the 120 apartments, 40 units will be 2-bedroom and the remaining 80 units will be one bedroom. Since the majority of the units will be one bedroom, the applicant is requesting the decrease in required parking. The applicant is also requesting that parking spaces located on a driveway approach to a garage (tandem parking) be counted toward required parking.

CONDITIONS OF APPROVAL:

This approval permits 120 dwelling units, a waiver to increase the height to 40 feet, to decrease the required parking to 1.5 stalls per unit and permit tandem parking.

Site Specific Conditions:

1. The permittee shall cause to be prepared and submitted to the Planning Department a revised and reproducible final plot plan including 5 copies with all required revisions and documents as listed below upon approval before receiving building permits.
 - 1.1 Delete Notes 1,4,5,6,7,8,9,10,11,12,13, 23 and 24 from the General Notes. They are not necessary.
 - 1.2 Add the following note to the General Notes, "Parking spaces located on a driveway approach to a garage shall count toward required parking."
 - 1.3 Make corrections to the Grading and Drainage Plan per Public Works Watershed Management.
2. Prior to the issuance of a building permit:
 - 2.1 The construction plans substantially comply with the approved plans.
 - 2.2 Provide documentation that an avigation and noise easement to the Lincoln Airport Authority on all or that part of the land located within the Airport Environs Noise District has been received by the Lincoln Airport Authority

Standard Conditions:

3. The following conditions are applicable to all requests:
 - 3.1 Before occupying the dwelling units all development and construction is to substantially comply with the approved plans.
 - 3.2 All privately-owned improvements, including landscaping and recreational facilities, are to be permanently maintained by the Permittee or an appropriately established homeowners association approved by the City.
 - 3.3 The physical location of all setbacks and yards, buildings, parking and circulation elements, and similar matters must be in substantial compliance with the location of said items as shown on the approved site plan.
 - 3.4 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
 - 3.5 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 therefore to be paid in advance by the applicant. Building permits will not be issued unless the letter of acceptance has been filed.

Prepared by

Tom Cajka
Planner

DATE: February 3, 2015

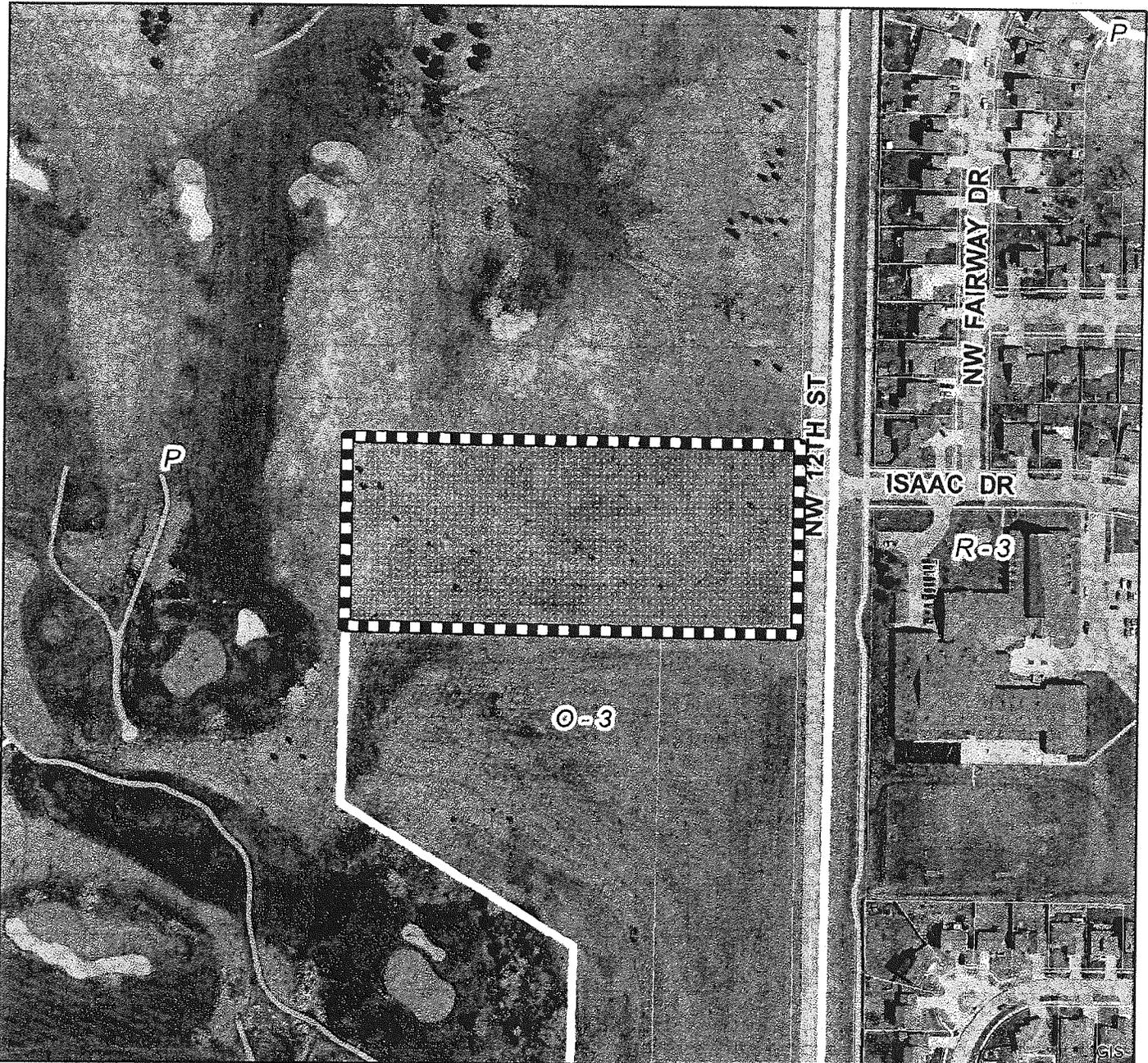
APPLICANT: T&N Investments
5649 S. 31st St. Suite #2
Lincoln, NE 68516
402-483-1130

OWNER: Same as applicant

CONTACT: Brad Marshall
Olsson Associates
601 P Street

Lincoln, NE 68508
402-458-5672

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Files\Content.Outlook\ZA72SAO2\UP15002 Highland Apartments tjc.wpd

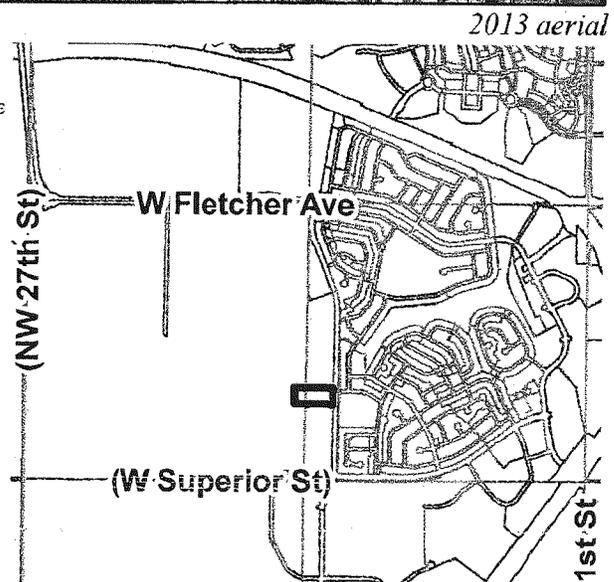
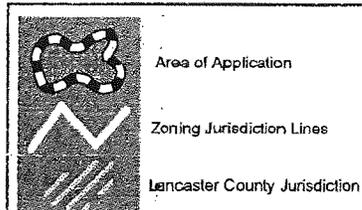


Use Permit #: UP15002
Highland Apartments
NW 12th St & Isaac Dr

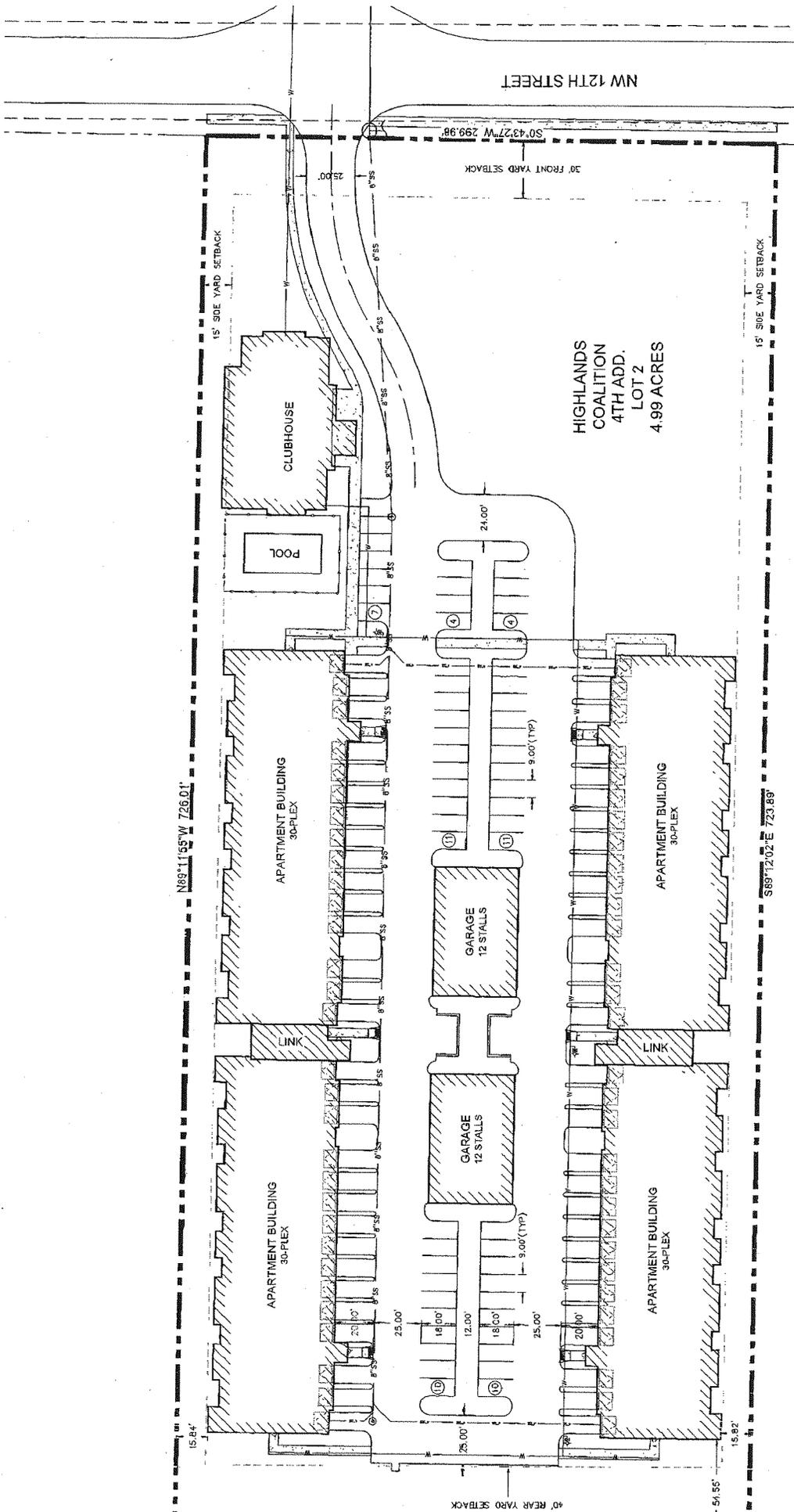
Zoning:

- R-1 to R-3 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

One Square Mile:
 Sec.04 T10N R06E
 Sec.03 T10N R06E



2013 aerial



GENERAL NOTES

1. CONTRACTOR TO PRESERVE ALL SURVEY CONTROL.
 2. PRIOR TO MOVING OFF THE JOB THE CONTRACTOR SHALL NOTIFY THE ENGINEER AND REQUEST A FINAL WALK-THROUGH OF THE CONSTRUCTION SITE.
 3. LOCATION AND ELEVATIONS OF IMPROVEMENTS TO BE MET (OR AVOIDED) BY WORK TO BE DONE SHALL BE CONFIRMED BY THE CONTRACTOR THROUGH FIELD EXPLORATIONS PRIOR TO CONSTRUCTION. CONTRACTOR SHALL REPORT TO THE DEVELOPER'S ENGINEER, CITY INSPECTOR, OR DEVELOPER'S ENGINEER FIELD REPRESENTATIVE ANY DISCREPANCIES BETWEEN HIS MEASUREMENTS AND THESE PLANS.
 4. THE EXISTENCE AND LOCATION OF UNDERGROUND UTILITY PIPES AND STRUCTURES SHOWN ON THESE PLANS WERE OBTAINED BY A SEARCH OF AVAILABLE RECORDS TO THE BEST OF OUR KNOWLEDGE CONSTITUTES ALL KNOWN FACILITIES. HOWEVER, THE CONTRACTOR IS REQUIRED TO TAKE DUE PRECAUTIONARY MEASURES TO PROTECT ANY EXISTING UTILITIES OR STRUCTURES LOCATED AT THE WORK SITE. IT IS THE CONTRACTOR'S RESPONSIBILITY TO CONTACT UNDERGROUND SERVICE ALERT @ 1-800-331-5666 IN ADVANCE OF ANY EXCAVATION FOR THE MARK-OUT OF THE LOCATION OF UTILITIES AND NOTIFICATION OF COMMENCEMENT OF WORK.
 5. BEFORE EXCAVATING FOR THIS CONTRACT, THE CONTRACTOR SHALL FIELD VERIFY LOCATION OF UNDERGROUND UTILITIES. CONTRACTOR SHALL MAKE EXPLORATION EXCAVATIONS AND LOCATE EXISTING UNDERGROUND UTILITIES SUFFICIENTLY AHEAD OF CONSTRUCTION TO PERMIT REVISIONS TO PLAN IF REVISIONS ARE NECESSARY BECAUSE OF ACTUAL LOCATION OF EXISTING FACILITIES.
 6. CONTRACTOR IS REQUIRED TO TAKE PRECAUTIONARY MEASURES TO PROTECT THE UTILITY LINES SHOWN AND ANY OTHER EXISTING LINES NOT OF RECORD OR NOT SHOWN ON THESE PLANS.
 7. THE CONTRACTOR SHALL USE CAUTION AROUND ANY EXISTING UTILITIES OR IMPROVEMENTS LOCATED ON SITE. HE SHALL BE RESPONSIBLE FOR THE REPAIRS OF SUCH STRUCTURES WHEN BROKEN OR OTHERWISE DAMAGED BY THE NEW CONSTRUCTION.
 8. ALL SPOIL MATERIAL SHALL BE REMOVED FROM THE STREET ROW, UTILITY EASEMENT, OR ACCESS EASEMENT BY THE CONTRACTOR. SPOIL MATERIAL SHALL BE DEPOSITED WITHIN THE SITE DEVELOPMENT BOUNDARY IN AREAS DESIGNATED BY THE DEVELOPER'S ENGINEER. THE MATERIAL SHALL BE STOCKPILED OR SPREAD AS DIRECTED BY THE ENGINEER. NO SEPARATE PAYMENT SHALL BE MADE FOR DISPOSAL OF SPOIL MATERIAL; IT SHALL BE CONSIDERED SUBSIDIARY TO THE PRICE BID.
 9. A PORTABLE RESTROOM FACILITY WILL BE REQUIRED ON-SITE DURING CONSTRUCTION ACTIVITIES.
 10. ANY ON-SITE FUELING WILL COMPLY WITH LOCAL, STATE, AND FEDERAL REQUIREMENTS.
 11. A CONCRETE TRUCK WASHOUT WILL BE LOCATED ON LOT 'X', BLOCK 'X' OF DEVELOPMENT NAME, ADDITION, OR AS APPROVED BY THE ENGINEER.
 12. THE CONTRACTOR SHALL REPAIR OR REPLACE ALL EROSION CONTROL MEASURES DAMAGED BY CONSTRUCTION ACTIVITIES.
 13. EXISTING UTILITY LINES, EITHER OVERHEAD OR UNDERGROUND, AND PERMANENT STRUCTURE WITHIN THE PROPERTY LINES SHALL BE KEPT FREE OF DAMAGE BY CONTRACTOR'S OPERATIONS. IF SUCH UTILITY OR STRUCTURE IS DAMAGED, IT SHALL BE RESTORED AT THE CONTRACTOR'S EXPENSE. IF ANY UTILITY LINES OR STRUCTURES ARE DAMAGED DURING OPERATIONS, THE CONTRACTOR SHALL NOTIFY THE ENGINEER IMMEDIATELY FOR FURTHER INSTRUCTIONS.
 14. HANDICAP PARKING INDICATOR SIGNS CAN BE WALL-MOUNTED IN FRONT OF ACCESSIBLE STALLS.
 15. THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS PRIOR TO COMMENCING CONSTRUCTION.
 16. ALL DIMENSIONS ARE TO THE EDGE OF PAVEMENT, FACE OF BUILDING, OR BACK OF CURB. FOLLOW WRITTEN DIMENSIONS ALWAYS. DO NOT SCALE. DIMENSIONS ARE IN FEET UNLESS OTHERWISE NOTED.
 17. CONTRACTOR IS RESPONSIBLE FOR ALL TRAFFIC CONTROL & SAFETY MEASURES.
18. ALL DISABLED PARKING STALLS SHALL BE IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT (FEDERAL REGISTER/ VOL. 58 NO. 144/ RULES AND REGULATIONS).
 19. CONTRACTOR SHALL NOTIFY THE APPROPRIATE UTILITY COMPANIES TO COORDINATE CONNECTIONS.
 20. CONTRACTOR SHALL BE RESPONSIBLE FOR EROSION AND DUST CONTROL, ANY DAMAGE FROM BLOWING DUST OR EROSION AND RUNOFF FROM THE SITE SHALL BE REPAIRED BY THE CONTRACTOR AT NO ADDITIONAL COST TO THE OWNER.
 21. THE CONTRACTOR IS RESPONSIBLE FOR PROTECTION OF ALL PROPERTY CORNERS.
 22. THE DEVELOPER AGREES TO COMPLY WITH THE DESIGN STANDARDS OF THE CITY OF LINCOLN FOR EROSION CONTROL AND SEDIMENTATION DURING AND AFTER LAND PREPARATION AND FURTHER TO SUBMIT A SEEDING AND MAINTENANCE SCHEDULE BEFORE SITE GRADING IS COMPLETE.
 23. ALL PAVING RADII TO BE 20' UNLESS OTHERWISE NOTED.
 24. TOTAL USAGE:
120 - MULTI-FAMILY UNITS
1 - CLUBHOUSE
121 - TOTAL UNITS
 25. ALL DISABLED PARKING STALLS SHALL BE IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, (FEDERAL REGISTER/VOL. 58, NO. 144/RULES AND REGULATIONS).
 26. THE DEVELOPER AGREES TO COMPLY WITH PROVISIONS OF THE LAND SUBDIVISION ORDINANCE REGARDING LAND PREPARATION.
 27. THE DEVELOPER AGREES TO PROVIDE AN AREA LIGHTING PLAN AND CALCULATIONS FOR THE DRIVEWAYS AND PARKING LOT IN ACCORDANCE WITH THE CITY OF LINCOLN STANDARDS AT BUILDING.
 28. REQUIRED SETBACKS ARE NOTED.
 29. THE DEVELOPER RESERVES THE RIGHT TO BUILD ANYWHERE WITHIN THE BUILDABLE LOT EXCEPT WHERE PERIMETER SETBACKS RESTRICT CONSTRUCTION.
 30. A LANDSCAPE PLAN SHALL BE PROVIDED AT THE TIME OF BUILDING PERMIT AND SHALL BE IN ACCORDANCE WITH CHAPTER 3.5 AT THE DESIGN STANDARDS FOR SCREENING AND LANDSCAPING.
 31. PROPOSED WATER SERVICE FOR DEVELOPMENT WILL BE MASTER METERED INSIDE ONE OF THE APARTMENT OR CLUBHOUSE BUILDINGS.
 32. REQUIRED YARDS SHALL BE ACCORDING TO O-3 ZONING.
 33. DETENTION FACILITIES WILL BE PROVIDED IN ACCORDANCE WITH THE CITY OF LINCOLN DRAINAGE CRITERIA MANUAL.
 34. PROPOSED FINISHED FLOOR ELEVATIONS ARE PRELIMINARY AND MAY VARY AT TIME OF BUILDING PERMIT.
 35. PARKING IS CONCEPTUAL AND WILL BE DETERMINED AT TIME OF BUILDING PERMIT.
 36. 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 THE BUILDING AND SAFETY DEPARTMENT PRIOR TO INSTALLATION.
 37. DETENTION CELL CONFIGURATION SHOWN ON GRADING PLAN IS CONCEPTUAL AND WILL BE DESIGNED IN ACCORDANCE WITH DRAINAGE ANALYSIS.

Application Review Request

	<p>Review 1:</p>	
<p>Building & Safety (Bob Fiedler)</p>	<p> <input checked="" type="radio"/> Corrections Needed for Review <input type="radio"/> Insufficient Information for Review <input type="radio"/> Recommend Denial <input type="radio"/> Recommend Approval with Conditions <input checked="" type="radio"/> Recommend Approval <input type="radio"/> No Review Required </p> <p>Review 1:</p>	
<p>Public Works (Ben Higgins)</p>	<p> <input checked="" type="radio"/> Corrections Needed for Review <input type="radio"/> Insufficient Information for Review <input type="radio"/> Recommend Denial <input type="radio"/> Recommend Approval with Conditions <input type="radio"/> Recommend Approval <input type="radio"/> No Review Required </p> <p>Review 1:</p> <ol style="list-style-type: none"> 1. Need minimum top width of 14' between top of bank on east side of detention pond and ROW line (currently is 10') 2. Need minimum Side slope of 4:1, currently is 3:1 3. Provide stage, storage, discharge table for detetnion pond. Also provide top of bank elevation and 100 year pond elevation (need minimum 1' of freeboard) 4. Site Plan needs to show this as an outlot for detention (currently shown as lot 2) 5. Have Parks review, drains to their property 	
<p>Emergency Communications (Kelly Davila)</p>	<p> <input type="radio"/> Corrections Needed for Review <input type="radio"/> Insufficient Information for Review <input type="radio"/> Recommend Denial <input type="radio"/> Recommend Approval with Conditions <input type="radio"/> Recommend Approval <input type="radio"/> No Review Required </p> <p>Review 1:</p>	
<p>United States Post Office (Kerry Kowalski)</p>	<p> <input type="radio"/> Corrections Needed for Review <input type="radio"/> Insufficient Information for Review <input type="radio"/> Recommend Denial <input checked="" type="radio"/> Recommend Approval with Conditions <input type="radio"/> Recommend Approval <input type="radio"/> No Review Required </p> <p>Review 1:</p> <p>Recommend approval with the condition that all deliveries are established in Centralized Box Units(CBUs) that will be purchased and installed at the developer expense in a location mutually agreed upon by the US Postal Service and the Developer.</p>	
<p>Airport Authority (Jon Large)</p>	<p> <input type="radio"/> Corrections Needed for Review <input type="radio"/> Insufficient Information for Review <input type="radio"/> Recommend Denial <input checked="" type="radio"/> Recommend Approval with Conditions <input type="radio"/> Recommend Approval <input type="radio"/> No Review Required </p> <p>Review 1:</p> <p>27.58 - This proposal is within the Airport Environs Noise District and will require an Avigation and Noise Easement</p> <p>27.59 - This proposal is within a Turning Zone and will need to comply with all requirements of the Chapter. In addition, the proposal appears to be within the "shaded" area above Elevation 1248 and will require a Height Permit.</p>	
<p>Building & Safety (Terry Kathe)</p>	<p> <input type="radio"/> Corrections Needed for Review <input type="radio"/> Insufficient Information for Review <input type="radio"/> Recommend Denial <input type="radio"/> Recommend Approval with Conditions <input checked="" type="radio"/> Recommend Approval <input type="radio"/> No Review Required </p> <p>Review 1:</p>	
<p>Public Works (Buff Baker)</p>	<p> <input type="radio"/> Corrections Needed for Review <input type="radio"/> Insufficient Information for Review <input type="radio"/> Recommend Denial <input type="radio"/> Recommend Approval with Conditions <input checked="" type="radio"/> Recommend Approval <input type="radio"/> No Review Required </p>	

Application Review Request

	<p>Review 1: 1/29/15</p>	
<p>County Health (Chris Schroeder)</p>	<p> <input type="radio"/> Corrections Needed for Review <input type="radio"/> Insufficient Information for Review <input type="radio"/> Recommend Denial <input type="radio"/> Recommend Approval with Conditions <input checked="" type="radio"/> Recommend Approval <input type="radio"/> No Review Required </p> <p>Review 1: Developers are responsible for all mosquito control issues during the building process and all outlots, green-spaces, and/or natural corridors subsequently controlled by the owner, tenant, occupant, lessee, or otherwise, for that subdivision would be responsible for vectors of zoonotic disease in those areas.</p> <p>All wind and water erosion must be controlled during construction. The Lower Platte South Natural Resources District should be contacted for guidance in this matter.</p> <p>During the construction process, the land owner(s) will be responsible for controlling off-site dust emissions in accordance with Lincoln-Lancaster County Air Pollution Regulations and Standards Article 2 Section 32. Dust control measures shall include, but not limited to application of water to roads, driveways, parking lots on site, site frontage and any adjacent business or residential frontage. Planting and maintenance of ground cover will also be incorporated as necessary.</p>	
<p>Fire Department (Patrick Borer)</p>	<p> <input type="radio"/> Corrections Needed for Review <input type="radio"/> Insufficient Information for Review <input checked="" type="radio"/> Recommend Denial <input checked="" type="radio"/> Recommend Approval with Conditions <input checked="" type="radio"/> Recommend Approval <input type="radio"/> No Review Required </p> <p>Review 1: LF&R recommends approval of this application. Travel time from our closest fire station is 2.289 minutes to cover 7,592 feet. Approximately a mile and a half.</p>	
<p>Windstream (Jeff Poland)</p>	<p> <input type="radio"/> Corrections Needed for Review <input type="radio"/> Insufficient Information for Review <input type="radio"/> Recommend Denial <input checked="" type="radio"/> Recommend Approval with Conditions <input type="radio"/> Recommend Approval <input type="radio"/> No Review Required </p> <p>Review 1:</p>	
<p>Public Works (Bob Simmering)</p>	<p> <input type="radio"/> Corrections Needed for Review <input type="radio"/> Insufficient Information for Review <input type="radio"/> Recommend Denial <input checked="" type="radio"/> Recommend Approval with Conditions <input type="radio"/> Recommend Approval <input type="radio"/> No Review Required </p> <p>Review 1:</p>	
<p>Urban Development (Steve Werthmann)</p>	<p> <input type="radio"/> Corrections Needed for Review <input type="radio"/> Insufficient Information for Review <input type="radio"/> Recommend Denial <input checked="" type="radio"/> Recommend Approval with Conditions <input type="radio"/> Recommend Approval <input type="radio"/> No Review Required </p> <p>Review 1:</p>	



January 21, 2015

Mr. David Cary
Acting Planning Director
Planning Department
555 South 10th St., Suite 213
Lincoln, NE 68508

Re: Highland Apartments
NW 12th Street & Isaac Drive
Use Permit
Olsson Project No. 015-0119

Dear David:

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

1. Use Permit Application
2. Special Permit Submittal Fee (\$1,452)
3. 1 – 8 ½ x 11 copy of the site plan and notes

A. Requests.

We are submitting this application for a Use Permit in the existing zoned O-3 to permit multi-family dwellings (apartments) on behalf of the developer, T&N Investments, LLC. T&N Investments, LLC has a purchase agreement with the City of Lincoln for the property and will be closing on the property in February 2015.

B. Site Plan.

A preliminary site plan has been submitted to the planning department prior to this submittal for comments. Staff performed a preliminary review and provided comments, which have been addressed. The site plan includes four 30-plex buildings for a total of 120 dwelling units. The property is adjacent to the Highlands Golf course property to the north and west. The property abuts NW 12th street to the east and is contiguous with O-3 zoned property to the south.



C. Waivers.

1. The current zoning, 0-3, allows a maximum height of 35'. We are requesting that the maximum height of the apartment buildings be increased to 40' to allow increased floor to floor elevations for a 3-story apartment.
2. The 0-3 zoning district requires 2 parking stalls per dwelling unit. This requirement may be reduced to one and one-half parking spaces per dwelling unit but must be approved by City Council. Each 30-plex building will include 20 single bed/efficiency units and 10 two bed units. Since the majority of the apartment rooms will only include one bed, the applicant requests that the ratio for required parking stalls be allowed to be one and one-half parking spaces per dwelling unit.

If you require further information or have any questions, please call me at (402) 458-5672.

Sincerely,

A handwritten signature in cursive script that reads 'Brad J. Marshall'.

Brad J. Marshall, P.E.

CC Jim Tomasek, T&N Investments, LLC