

FACTSHEET

TITLE: **CHANGE OF ZONE NO. 15021**
Victory Park Planned Unit Development
(600 South 70th Street)

BOARD/COMMITTEE: Planning Commission

APPLICANT: Seniors Foundation VA Vision,
LLC & Victory Park LLC

RECOMMENDATION: Approval (7-0: Weber
Corr, Cornelius, Harris, Hove, Sunderman and
Scheer voting 'yes'; Lust and Beecham absent).

STAFF RECOMMENDATION: Conditional Approval

OTHER DEPARTMENTS AFFECTED: N/A

SPONSOR: Planning Department

OPPONENTS: None present at hearing.

REASON FOR LEGISLATION: To approve **CHANGE OF ZONE NO. 15021, Victory Park Planned Unit Development**, for a change of zone from P Public Use District to B-2 PUD, O-3 PUD, and R-4 PUD, generally located at the Veterans Administration Campus, 600 South 70th Street, for a Planned Unit Development District designation of said property; and for approval of a development plan which proposes waivers to Title 26 and Title 27 of the Lincoln Municipal Code with modifications to the Zoning Ordinance, to design and construct a mixed-use development providing housing, medical offices and services, commercial and accessory services.

DISCUSSION/FINDINGS OF FACT:

1. The staff recommendation of conditional approval for this change of zone request with proposed waivers to Title 26 and Title 27 of the Lincoln Municipal Code with modifications to the Zoning Ordinance, is based upon the "Analysis" as set forth on p.5-8. The "Analysis" concludes this development readies the VA Medical Center campus for mixed-use redevelopment, consistent with the Veterans Administration's announced intention to develop a new clinic facility in Lincoln and relinquish the current clinic, and consistent with the VA's lease of the campus to Seniors Foundation for the purposes of redevelopment and continued up-keep. The PUD is in conformance with the Comprehensive Plan. The staff presentation is found on p.12.
2. The waiver requests are set forth on p.2-3. The waivers are internal to the development and should not negatively impact adjacent properties or individual elements of the redevelopment.
3. The testimony of the applicant and representatives of the development team is found on p.12-16.
4. On August 5, 2015, the Planning Commission voted 7-0 to recommend conditional approval with amended conditions as offered by the applicant to the staff report dated July 24, 2015. (See Motion to Amend, p.17-18).

FACTSHEET PREPARED BY: Geri Rorabaugh, Administrative Officer

DATE: August 11, 2015

REVIEWED BY: David R. Cary, Acting Director of Planning

DATE: August 11, 2015

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LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for August 5, 2015 PLANNING COMMISSION MEETING
****As Revised and Recommended for Conditional Approval**
by Planning Commission: 08/05/15**

- PROJECT #:** Change of Zone No.15021 Planned Unit Development
- PROPOSAL:** From P Public Use District to B-2 PUD, O-3 PUD, and R-4 PUD
- LOCATION:** East side of S. 70th Street, north of S. Wedgewood Drive.
- LAND AREA:** 60 acres more or less
- EXISTING ZONING:** P Public Use District
- CONCLUSION:** This Planned Unit Development (PUD) readies the VA Medical Center campus for mixed use redevelopment, consistent with the Veteran Administration’s announced intention to develop a new clinic facility in Lincoln and relinquish the current clinic, and consistent with the VA’s lease of the campus to Seniors Foundation for the purposes of redevelopment and continued up-keep. The proposed waivers are internal to the development and should not negatively impact adjacent properties or individual elements of the redevelopment. The PUD is in conformance with the Comprehensive Plan.

RECOMMENDATION:	Conditional Approval
WAIVERS:	
<u>Subdivision Ordinance</u>	
26.15.020	
• Allow future submission as administrative amendments to the PUD of	Approval
1. Building configuration	
2. Site specific grading and drainage design	
3. Paving profiles/roadway cross-sections	
4. Storm sewer calculations	
5. Lot layout	
6. Street data	
7. Street trees	
26.23.125	
• Waive the requirement to provide pedestrian way when block length exceeds 1,000 feet	Approval

CZ# 15021 Victory Park PUD

26.23.130

- Waive the requirement that block lengths not exceed 1,320 feet Approval

Zoning Ordinance

27.72.020 and 27.72.030

- Allow heights are outlined on PUD notes for existing buildings and for Lots 9, 10, and 11 (45 feet rather than 35 feet) Approval

Design Standards

- Accept the existing roadways as private roadways Approval

GENERAL INFORMATION:

LEGAL DESCRIPTION: Lot 66, Irregular Tract located in the northwest quarter of Section 27-10-07, and the adjacent right-of-way of South 70th Street, in Lincoln, Lancaster County, NE.

EXISTING LAND USE: VA Medical Center

SURROUNDING LAND USE AND ZONING:

North:	R-3 Residential	Memory care residence, under construction
	B-1 Commercial	Bank, drug store
	O-2 Office	Offices
	R-1 Residential	Multi-family and single family housing
South:	R-1 Residential	Single family housing
East:	R-1 Residential	Multi-family and single family housing
West:	B-1 Commercial	Retail
	R-1 Residential	St. Elizabeth Medical Center

HISTORY:

1929	320 acre Leavitt farm acquired for a veterans hospital.
1930	Construction began on Lincoln VA Hospital, first patients accepted.
1931	April, formal dedication of Lincoln VA Hospital.
1956	Wooden cupola removed from main hospital building.
1983	VA Outpatient Clinic constructed.
1998	Cessation of in-patient services.
2011	VA selected Lincoln's Seniors Foundation to redevelop the VA Campus under an Enhanced Use Lease (EUL).
2012	Lincoln VA Hospital campus was listed on the National Register of Historic Places.

CZ# 15021 Victory Park PUD

2015 Veterans Administration solicited interest from property owners/developers for a new Lincoln VA outpatient clinic, to be built within the Lincoln Corporate limits. VA Medical Center developers are competing for selection to locate the new clinic on the northwest corner of the VA Medical Center campus. June 16, public meetings with veterans and neighbors.
July 7, 2nd public meeting with neighbors.
July 23, Planning Commission hearing on Redevelopment Plan; action scheduled for August 5; City Council hearing on Redevelopment Plan scheduled for August 10th

COMPREHENSIVE PLAN SPECIFICATIONS:

This property is shown as Public in the 2040 future land use map. Page 1.9

Placemaking Guiding Principles Page 4.9

Implement a public policy of the careful stewardship of significant, publicly owned historic resources, including a full and open examination of alternatives when major alterations or demolition are considered.

Seek incentives and regulatory support to maintain, rehabilitate, and minimize energy utilization of existing buildings in order to make it more feasible to rehabilitate and continue to use older buildings.

Business & Economy Guiding Principles

Seek to efficiently utilize investments in existing and future public infrastructure to advance economic development opportunities. (p.5.2)

Encourage and provide incentives for mixed uses in future developments. (p.5.2)

Develop infill commercial areas to be compatible with the character of the area. (p. 5.14)

Encourage a vertical mix of residential and commercial use types. (p.5.15)

Mixed Use Redevelopment Guiding Principles Page 6.2

Be located and designed in a manner compatible with existing or planned land uses.

Provide a diversity of housing types and choices throughout each neighborhood for an increasingly diverse population.

Create housing opportunities for residents with special needs throughout the city that are compatible with and integrated into residential neighborhoods.

Help to create neighborhoods that include homes, stores, workplaces, schools, and places to recreate.

Encourage residential mixed use for identified corridors and redeveloping Regional, Community, Neighborhood, and Mixed Use Office Centers identified as nodes.

Neighborhoods and Housing Guiding Principles Page 7.2

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

Preserve areas designated for multi-family and special needs housing in approved plans to support a distributed choice in affordable housing.

CZ# 15021 Victory Park PUD

UTILITIES: The federally owned campus has a mix of public and private utility service. This PUD and the related Redevelopment Plan and Redevelopment Agreement address extending public utilities throughout the campus.

TRAFFIC ANALYSIS: S. 70^h Street is an improved Major Arterial street.

ANALYSIS:

1. This project area, the VA Medical Center Campus, has served veterans' medical needs since 1930. It has been appropriately zoned P Public Use District based on its federal ownership and utilization. The Lincoln VA Hospital ceased in-patient services in 1998 but has continued the very active provision of outpatient services. In anticipation of creating a new Lincoln VA Clinic, the VA entered into a lease with the Seniors Foundation in 2011 to assume responsibility for maintaining and redeveloping the campus. The VA and the Foundation are currently finalizing terms of a 75-year Enhanced Use Lease (EUL). The VA is also continuing a process to select a site and developer for a new Lincoln VA Clinic. The VA Medical Center campus and Senior Foundation team are vying to be selected.
2. While the campus will remain in federal ownership, its redevelopment for a mix of uses requires rezoning. The Seniors Foundation proposal includes veterans' housing, senior citizen housing in a variety of forms (with a veterans' preference), medical office space, other commercial uses, and other housing types, in a blend of new construction and rehabilitated historic buildings. The application proposes areas of O-3 (Office Park District) PUD, B-2 (Planned Neighborhood Business District) PUD, and R-4 (Residential District) PUD.
3. The applicant held neighborhood meetings on June 16 and July 7, 2015. Based on input received at the first meeting, the conceptual site plan was revised, especially along the east and southeast edges of the campus. Taller buildings were relocated to more central positions on the campus and one-to-two story housing was located adjacent to neighboring single-family housing. Medical office buildings at the southwest corner of the site were set-back further from the south property line.
4. The first phase of the project would preserve the parade ground in front of the historic main hospital building, develop 70 units of Veterans Administration Supportive Housing (VASH) at a north-central location, and construct the first medical office building of approximately 80,000 square feet at the southwest corner of the site.
5. Requested Waivers:
 - a. Title 26, Section 26.15.020, to allow submission as future administrative amendments to the PUD of the following information:
 1. Building configuration

CZ# 15021 Victory Park PUD

2. Site specific grading and drainage design
3. Paving profiles/roadway cross sections
4. Storm sewer calculations
5. Lot layout
6. Street data
7. Street trees.

Discussion: The proposed redevelopment is described as a multi-phase, multi-year project, with only the first phase (VASH housing and first medical office building) firmly determined for immediate implementation. The site plan is therefore envisioned as largely conceptual in nature and several waivers are requested to defer information typically included in the PUD site plan. Conditions are offered in the staff recommendation addressing specific elements of this request. In general, in a long-term project the sequence and specific details of the various components need some flexibility to clarify over time. The conditions attempt to balance protection of neighboring property and the general public interest with sufficient flexibility to foster a successful project.

Public Works & Utilities Department (PWU) points out that the grading and drainage information is insufficient or erroneous including:

- Insufficient grading detail especially for ponds. Some ponds show no grading. No location shown for the south pond. No grading sheet shown for some ponds.
- No outlet culvert detail shown for ponds.
- The NE and N ponds show 6 feet plus berm above adjacent residences. This is too high, needs to be brought down to 2 feet or lower.
- Typical area/CN/Tc table missing. No table directly comparing exiting/post/post with pond shown.
- H&H memo incorrectly references Village Gardens and Beal Slough study.

Staff recommends a condition that no building permits be issued until grading and drainage plans are submitted to and approved by PWU.

The applicant indicates that a landscape plan will be developed and submitted for approval to the Nebraska State Historical Society and the VA prior to construction of streets. Staff recommends a condition that the plan also be submitted for approval to the Planning Director.

- b. Title 26, Section 26.23.125, to waive requirement of providing pedestrian way for block length exceeding 1,000 feet.

Discussion: The abutting existing neighborhood was platted without any sidewalk connections into the VA Campus on the south or east property lines. The Victory Park plans include sidewalk connections throughout the development and access to public sidewalks on S. 70th Street.

CZ# 15021 Victory Park PUD

- c. Title 26, Section 26.23.130, to waive requirement that block lengths not exceed 1,320 feet.

Discussion: The abutting existing neighborhood was platted without future street connections into the VA Campus. In addition, the VA campus is listed on the National Register of Historic Places and the VA requires that the most significant historic elements of the campus be preserved, including the historic layout of the Parade Ground, main hospital and attached north and south wing, and row of four historic staff residences north of the main hospital. These constraints dictate longer block lengths than 1,320 feet and are similar to the types of constraints (“a major street, school, park, or other man-made barrier, lake, or other natural barrier”) identified in the ordinance as permitted to result in longer blocks.

- d. Title 27, Section 27.72.020 and 27.72.030, to allow certain increases in allowed heights as described in the Victory Park PUD notes, and setbacks as dimensioned on the site plan.

Discussion: In general, most of the proposed construction would conform to height and setback requirements typical of the O-3, B-2, and R-4 zoning districts requested under the PUD. Exceptions would be to specify

- that the existing heights of the historic buildings to be retained are permitted,
- and that the cupola of the main hospital could be reconstructed,
- and that “Lot 9” in the northwest corner of the property be allowed 45 feet rather than 35 feet ordinarily permitted in the O-3 district,
- and that residential Lot 10 (VASH housing) and Lot 11 (multi-family senior apartments) be permitted 45 feet rather than the 35 feet ordinarily permitted in the R-4 district.

While the overall campus is approximately 60 acres, two factors in particular constrain areas appropriate for redevelopment--the need to preserve historic character, and the adjacency of a low-rise, single family residential neighborhood to the south and the east. The proposed redevelopment adjacent to the south and east property lines all would meet R-4 or O-3 height limits. The applicant requests the greater heights on three redevelopment lots more internal to the large campus and more remote from the adjacent houses “to provide market rents...[which] requires certain minimum density per acre.” The proposed separation between the taller apartments and the existing residential neighbors is considerably in excess of 100 feet. As the site plan has evolved, these three locations appear well chosen to absorb their impact within the site while still allowing some intensity of development on this large site.

- e. To permit the exiting roadways to be accepted as private roadways as currently designed and built.

CZ# 15021 Victory Park PUD

Discussion: The applicant requests that the campus redevelopment begin utilizing current roadways as private roadways. As development proceeds, most of the new roads would be developed to meet private roadway standards, while the main “loop” road defining the parade ground would be improved (and its construction documented) to meet public street standards, for possible future dedication as a public street. A condition proposed by staff addresses this future conversion.

6. In addition to the more substantive items addressed above, a number of minor “clean-up” items have been identified that can be rectified following Council approval, prior to issuance of building permits. These are listed as Site Specific Conditions 1.6 through 1.13.

Approval of this PUD accepts the conceptual site plan including areas designated as O-3 PUD, B-2 PUD, and R-4 PUD, and permits commercial uses and 600 dwelling units, and approval of the requested waivers, subject to the following conditions:

CONDITIONS OF APPROVAL:

Site Specific Conditions:

1. Before receiving building permits or before a final plat is approved the developer 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 of the planned unit development by the City Council.
 - 1.1 Revise and submit grading and drainage plan to Public Works and Utilities Department.
 - 1.2 Add a note that the street in Outlot A, when reconstructed, shall be built as a public street by Executive Order to the satisfaction of Public Works and Utilities Department ~~to the standards of a public street.~~
 - 1.3 Add a note that a perimeter landscape plan shall be submitted for approval of the Planning Director, prior to construction of roadways or sidewalks.
 - 1.4 Add to the General Notes:

All lot lines are conceptual and final plats may show different lot widths.

CZ# 15021 Victory Park PUD

- 1.5 Identify the two existing center signs on the site plan and Add to the General Notes, "Other than center signs, 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 Building & Safety Department prior to installation".
- 1.6 Substitute alternative street names acceptable to Planning Department for Veterans Drive and Victory Drive, as those names are already in use.
- 1.7 Delete height waivers covered in PUD Notes from Sheet 1 of 8.
- 1.8 Delete floor area and use notes from Lot 1 on Sheet 2 of 8.
- 1.9 Identify front yards and other setbacks on all lots on Sheet 1 of 8, as called for in PUD Notes.
- 1.10 On Land Use Chart, delete the entire first row of building titles to avoid confusion with approved land uses. In Column 9, delete the B-2 "dot" on this property. Define the "dot" in the Land Use Table.
- 1.11 On the Land Use Chart, add a row for "Multiple Family" and indicate "P" for permitted use by right for Lots 10 to 13.
- 1.12 Revise the Lot 10 Site Specific Plan (VASH housing site) to show sufficient space for street trees on the south side of the private roadway between the parking and the building.
- 1.13 Remove the listed waivers (since they are covered elsewhere in the PUD) from Sheet 3 of 8.
- 1.14 Clarify parking notes 3c~~b~~ and 3e on joint parking to the satisfaction of the Planning Department.
- 1.15 Clarify note 4e to state, "Two center signs are identified on the site plan. All other signage shall conform to Section 27.69.340 of the Lincoln Municipal Code (second sentence) regarding signs since they are submitted under separate sign permits."
- 1.16 Verification from the Register of Deeds that the letter of acceptance as required by the approval of the Planned Unit Development has been recorded.

CZ# 15021 Victory Park PUD

Standard Conditions:

2. The following conditions are applicable to all requests:
 - 2.1 Before occupying buildings, all development and construction shall substantially comply with the approved plans.
 - 2.2 All privately-owned improvements shall be permanently maintained by the owner or an appropriately established homeowners association approved by the City Attorney.
 - 2.3 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.
 - 2.4 The terms, conditions, and requirements of the ordinance shall run with the land and be binding upon the developer, its successors and assigns.
 - 2.5 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:

Ed Zimmer, Planner
402-441-6360
ezimmer@lincoln.ne.gov

DATE: July 24, 2015

REVISED 8/5/2015

CZ# 15021 Victory Park PUD

APPLICANT: Seniors Foundation VA Vision, LLC & Victory Park LLC
One Burlington Place, 1004 Farnam St., Suite 400
Omaha, NE 68102
(402)930-3090
gachola@afreg.com

OWNER: U. S. Department of Veterans Affairs
600 South 70th Street
Lincoln, NE 68510
(402)332-6780
william.ackerman@va.gov

CONTACT: Kent Seacrest
1111 Lincoln Mall, Suite 350
Lincoln, NE 68508
(402)435-6000
kent@sk-law.com

Change of Zone No. 15021

**CHANGE OF ZONE NO. 15021, VICTORY PARK PUD
VETERANS ADMINISTRATION CAMPUS,
ON PROPERTY GENERALLY LOCATED AT
600 SOUTH 70TH STREET.**

PUBLIC HEARING BEFORE PLANNING COMMISSION:

August 5, 2015

Members present: Corr, Cornelius, Harris, Hove, Scheer, Sunderman, and Weber; Lust Beecham absent

Staff recommendation: Conditional Approval.

Hove disclosed an ex parte communication stating he met with Brad Korell of Olsson Associates recently and this application came up from the standpoint of understanding the relationship between Aging Partners, Seniors Foundation, and the Veterans Administration.

Staff Presentation: **Ed Zimmer of the Planning Department** came forward to say this item is related to Comprehensive Plan Conformance No. 15010, which was held over from the last meeting and is scheduled to have public hearing and action on this date as well.

Zimmer stated that this change of zone is the next step in a complex process. There are three categories of zoning that reflect the mix of uses that will develop over a long period of time. Up to 600 housing units are included in the final build-out. There is also office and commercial space adjusted by this plan and determined not by a cap but by available space and parking regulations.

This site plan includes buildings that have been set aside through the federal process of protecting historic resources, so while there are 60 acres total on site, the amount able to be developed is considerably less. The new development is carefully set to the back of the campus to maintain the vista of the historical character from the main road. The new development will also serve to maintain the necessary returns to support this property for the long-term lease that is involved. There is a strong team of people working on this project available today to answer questions. An amendment addressing some specific language will be presented. Planning Department is comfortable with the amendment and it is part of the recommendation for approval.

Applicant:

1. **Brad Korell, Olsson Associates**, came forward and introduced various members of the development team, including the Mary Ann Stallings and Tammy Ward from Seniors Foundation; lead developer George Achola from America First; Craig Geis of Sampson Construction, DaNay Kalkowski, legal representative with Seacrest &

Kalkowski, and lead engineer Mark Palmer with Olsson Associates. Also present, Duncan Fallon, current Site Director for the Lincoln Veterans Administration.

Korell stated that for the last 85 years the site has been home to the Veterans Hospital and hundreds of thousands of veterans from Nebraska and Iowa have received mental and medical and health care here. This year alone, over 15,000 veterans will make over 100,000 visits to this campus for medical care. However, the day is near when that will no longer be the case. The old hospital building was never designed to provide the scope of outpatient services needed by veterans today. The VA has been planning for several years for a new state-of-the-art outpatient clinic for Lincoln. Funding has been approved and the search for a new 100,000 square foot clinic to be located within City limits is underway. Soon the old hospital and the companion buildings will no longer be in service by the VA and they do not have the funding to repurpose and maintain the buildings and the grounds. Without a plan, those buildings will go dark.

Korell indicated that this plan will serve to keep the campus a vibrant and active part of the community, which preserves and respects the iconic historic nature of the original buildings and creates a center that provides housing and services to veterans and seniors who represent two of the fastest growing segments of the population. It envisions an investment of over \$72 million in new and repurposed buildings and infrastructure, provides over 400 units of new housing for vets and seniors, and adds significantly to the tax base while leveraging the current investment in infrastructure.

This project is extremely complex. There are approximately a dozen agencies involved who must sign off at various stages. October 1, 2015, is an important commencement date that must be met to preserve funding for veterans' housing from the Department of Housing and Urban Development. The project will evolve in phases. The exact details and dates of each phase are unknown at this time and it is difficult to say which parts might move ahead faster than others, though there is a clear picture of what phase one consists of.

Tax Increment Financing is critical to the success of this project. When the VA moves out, the development team assumes full liability of operations and maintenance of 170,000 square feet of building space and 59 acres of property. This represents a significant financial undertaking. In addition, over \$2 million will be spent to build infrastructure. The team has worked closely with the City, stakeholders, historic preservation agencies, and neighbors to enter into an agreement that ensures the redevelopment respects and maintains the historic and iconic nature of the VA Campus. Substantive changes were made based on input from neighbors. There were three town hall meetings and dozens of conversations to address concerns as well as possible.

The federal legislation authorizing this type of development by the VA has expired. This may be the only opportunity for a campus-wide redevelopment for many years. Korell thanked City staff for the tremendous amount of work spent on this project.

2. George Achola, America First Real Estate Group, came forward to state America First is a national development company based in Omaha who has developed,

owned, and managed property in 38 states and has significant experience developing affordable housing, market rate housing, student housing, and military and veterans housing, including the military housing in Bellevue and an award-winning project for veterans in Omaha. This project is the type America First seeks to do, and involves extensive partnerships with different groups who bring different resources, abilities and experiences to the table. Lincoln is going to benefit tremendously from this project. Most importantly, even though the VA is leaving the campus in its old form, it is hoped they remain in some capacity. This campus was dedicated for services to veterans and that will continue to be the primary focus.

Korell returned to say the first town hall meeting was held on June 16th with veterans. The second meeting included over 100 neighbors. Based on input received, there were three main issues, including the placement of the Veteran's Affairs Supportive Housing (VASH) which was initially proposed in the southeast corner. Neighbors felt it was too close and did not provide adequate transition from residential to the rest of the campus. Another issue of the neighbors involved the buffer zone between the neighbors along the south edge of the campus and the commercial parking and medical office buildings. The third issue relates to drainage and storm water runoff. There have been subsequent meetings and substantive changes have been made in the design plan based on them.

3. Craig Geis, Sampson Construction, came forward and stated that Sampson has been working for a number of years with the Seniors Foundation. Community involvement and interest in this project is tremendous. Plans were presented as soon as they were available and enough detail had been confirmed at the federal level. Adjustments were made based on neighbor input. The development group has responded to each and every question posed by neighbors and responses have been posted online. Many raised concerns about the view from individual yards; each homeowner with this concern was visited in person and concerns were discussed. It was obvious that the original position of the VASH housing was a legitimate concern. The buffer zones as originally proposed were enough by zoning standards but they were extended farther to save as many existing trees as possible.

During the second meeting, Geis noted that the neighbors on southeast were much more comfortable with the adjustments but the people on the south were concerned about how the medical office would block views. Elevations were created to show how the building is set much lower from yards so while it will still be visible, it will not be as big an obstruction as first imagined. The concerns of neighbors have been anticipated and incorporated as the design has developed. There is no doubt it is not the green space that existed before but as much sensitivity as possible is being given to these matters. Of course, not everyone agrees, but there has been civil discussion on the part of both parties.

4. In response to a request of Commissioner Corr, **Mark Palmer of Olsson Associates**, came forward to review the elevation drawings that were shown to the neighbors on the south. Korell said the building has not been designed specifically, however, the illustration shows where it will be located in proximity to the houses, the change in slopes, and that the building is approximately seven feet lower. There were also concerns about parking lot lights so the parking area points away from neighbors. There is a 40-foot buffer where no construction will occur. The building is approximately 100 feet from neighbors.

5. **DaNay Kalkowski, Seacrest & Kalkowski**, offered proposed amendments to the staff report, stating the proposed amendment was reviewed with staff and is intended to provide further clarity on a few items. The first note to Item 1.2 reflects that Outlot A will be constructed as a public street to the satisfaction of the Public Works and Utilities Department. This allows for more flexibility while it is being constructed. Item 1.3 addresses a request to provide a landscape plan prior to construction. The landscaping along the perimeter will be provided, which is the area of most concern. As the applicant comes forward for building permits for interior sites, specific plans will be provided at that time, which is fairly standard. They are also proposing a change to Items 1.5 and 1.15, relative to signage on the property. There are two existing center-identification signs that the development team would like to maintain. The amendment clarifies that they will be identified on the plan and the wording indicates all additional signing will comply with the sign ordinance.

Hove clarified that the existing signs are along on 70th Street rather than O Street. Kalkowski confirmed.

Corr asked if Outlot A is currently a circular drive. Kalkowski said yes.

Item 1.14 provides clarification of the PUD notes being amended for parking – noting that it should be 3 "c" instead of 3 "b".

Harris asked about the public process for neighbors in the future, since the plan is largely conceptual at this point. Zimmer said this sets the broad framework for the project. Whether or not there is a public process depends on the substance of changes, noting that some future development could be handled administratively, but significant changes would come through a public process. The project also goes through City Council. The diminution of comments over the course of successive public meetings demonstrates how many concerns were addressed.

Corr asked if compromise was reached and both sides were happy with the outcome. Zimmer said he could not speak for all of the neighbors, but it is fair to say substantial changes were made to the plan in response to neighborhood concerns. The redevelopment plan also had public airing before Historic Preservation Commission and will go on to City Council, so this has had a significant public process.

Hove suggested that as a veteran, he hopes that the development team considers including veterans on the board to make sure their input is represented.

6. Mary Ann Stalling, Seniors Foundation, came forward to state that there are three veterans on the board. In 2011, a veteran appeared before the board in favor of the lease because it was seen as a way to combine forces with other agencies to provide more services.

ACTION BY PLANNING COMMISSION:

August 5, 2015

Harris moved approval, seconded by Sunderman.

Hove said this is a good use of the facility, the zoning changes make sense. He supports it.

Corr expressed appreciation for the team for working with the neighbors. The unknowns of the project cause her some nervousness. It could be helpful if a neighborhood representative also served on the board as a liaison. Maintenance was not kept up in these buildings; hopefully, that will not happen again so the life of the buildings can be extended as long as possible.

Harris said this is great project and a needed one. She added that neighbors and citizens who still have concerns have another opportunity to appear before City Council.

Zimmer pointed out that the motion was made without the amendment offered by the applicant.

Harris made a friendly revision to her motion to include the amendment as suggested by the applicant. Motion carried 7-0: Lust and Beecham absent.

MOTION TO AMEND

I hereby move to amend Change of Zone #15021 Victory Park PUD as follows:

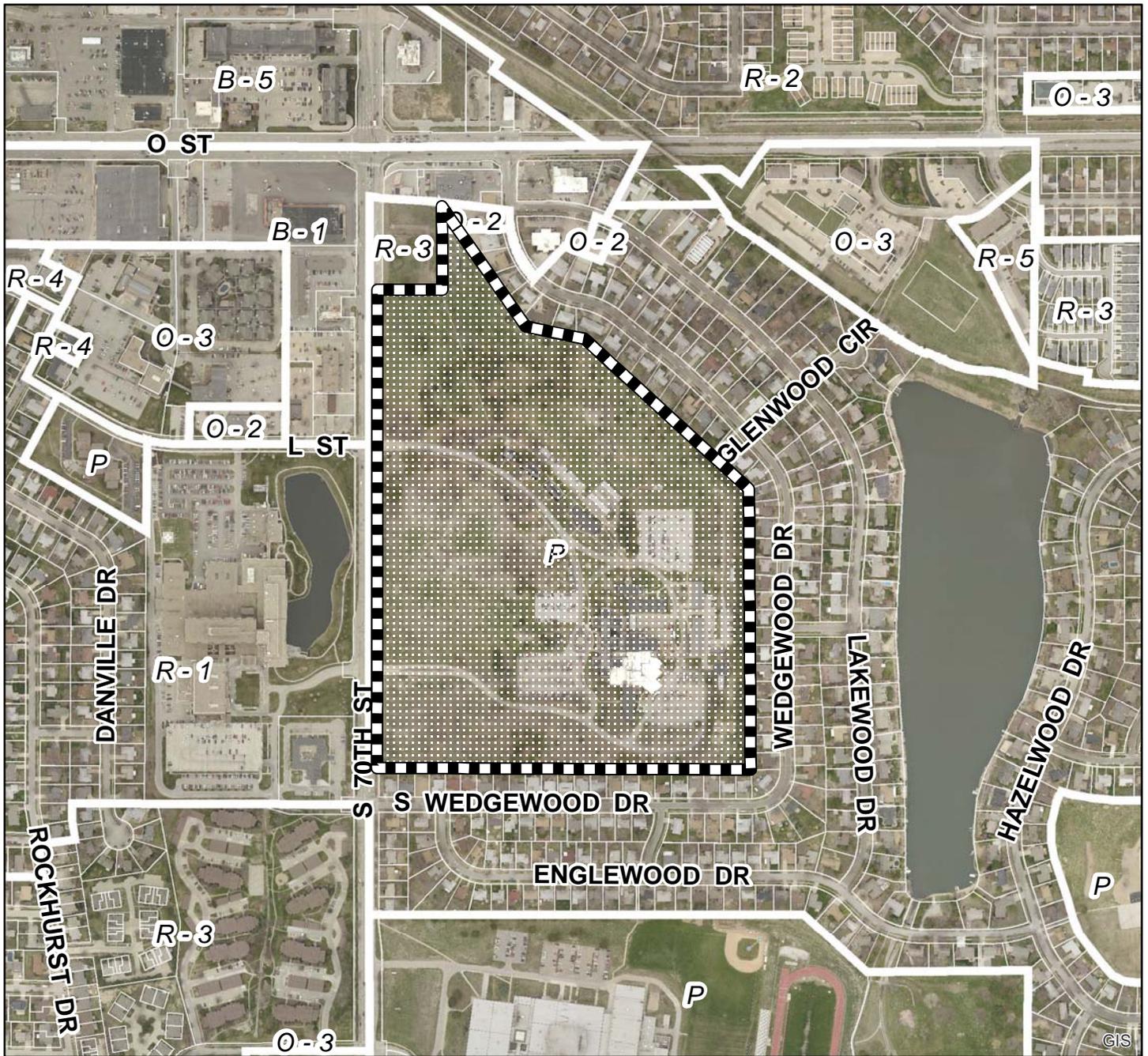
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 - 1.2 Add a note that the street in Outlot A, when reconstructed, shall be built as a public street by Executive Order to the satisfaction of Public Works and Utilities Department ~~to the standards of a public street.~~
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 - 1.4 Add to the General Notes:

All lot lines are conceptual and final plats may show different lot widths.
 - 1.5 Identify the two existing center signs on the site plan and Add to the General Notes, "Other than center signs, 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 Building & Safety Department prior to installation."
 - 1.6 Substitute alternative street names acceptable to Planning Department for Veterans Drive and Victory Drive, as those names are already in use.
 - 1.7 Delete height waivers covered in PUD Notes from Sheet 1 of 8.
 - 1.8 Delete floor area and use notes from Lot 1 on Sheet 2 of 8.
 - 1.9 Identify front yards and other setbacks on all lots on Sheet 1 of 8, as called for in PUD Notes.
 - 1.10 On Land Use Chart, delete the entire first row of building titles to avoid confusion with approved land uses. In column 9, delete the B-2 "dot" on this property. Define the "dot" in the Land Use Table.

- 1.11 On the Land Use Chart, add a row for “Multiple Family” and indicate “P” for permitted use by right for Lots 10 to 13.
- 1.12 Revise the Lot 10 Site Specific Plan (VASH housing site) to show sufficient space for street trees on the south side of the private roadway between the parking and the building.
- 1.13 Remove the listed waivers (since they are covered elsewhere in the PUD) from Sheet 3 of 8.
- 1.14 Clarify parking notes 3c~~b~~ and 3e on joint parking to the satisfaction of the Planning Department.
- 1.15 Clarify note 4e to state, “Two center signs are identified on the site plan. All other signage shall conform to Section 27.69.340 of the Lincoln Municipal Code ~~(second sentence) regarding signs since they are submitted under separate sign permits.”~~
- 1.16 Verification from the Register of Deeds that the letter of acceptance as required by the approval of the Planned Unit Development has been recorded.

Requested by: SEACREST & KALKOWSKI, PC, LLO on behalf of Applicant



2013 aerial

Change of Zone #: CZ15021
Victory Park PUD
S 70th & O St

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

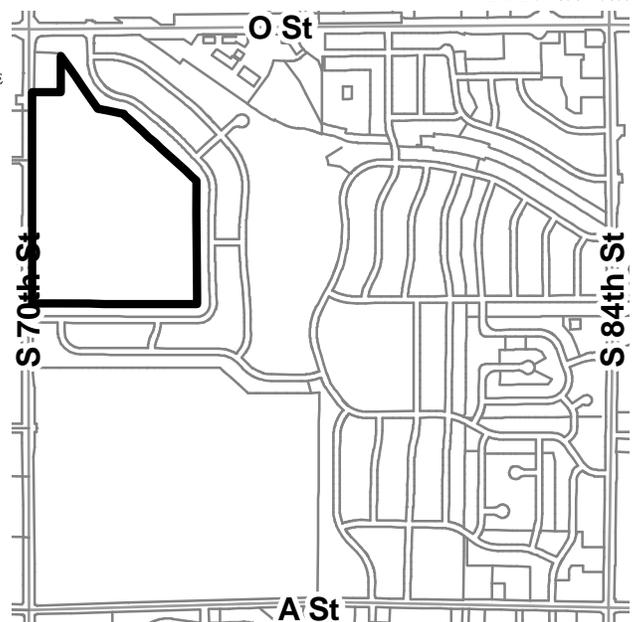
One Square Mile:
 Sec.27 T10N R07E



Area of Application

Zoning Jurisdiction Lines

Lancaster County Jurisdiction



VICTORY PARK PLANNED UNIT DEVELOPMENT LOT 1 SITE SPECIFIC PLAN

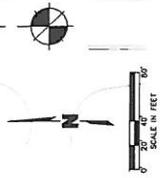
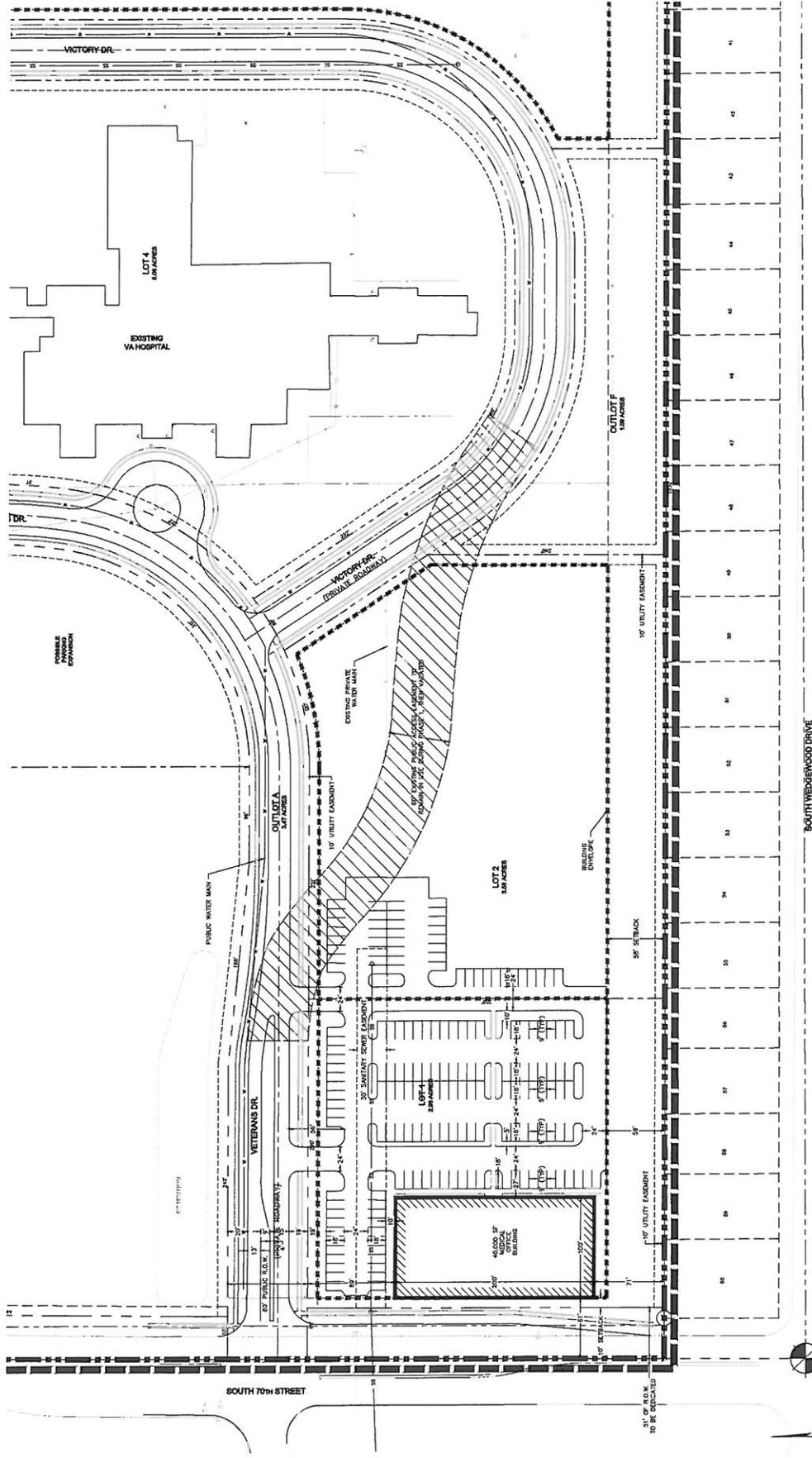
ENGINEER & PREPARER
OLSSON ASSOCIATES
LINCOLN, NE 68508
PHONE: (402) 474-6311

DEVELOPER
SENeca FOUNDATION, INC. W-020
C/O OLSSON ASSOCIATES
ONE WILSON WAY, SUITE 100
LINCOLN, NE 68508
PHONE: (402) 330-3090

NOTE

- EXISTING UTILITY DRIVE (ROWWAY) TO BE RELOCATED TO THE SOUTH SIDE OF LOT 1. SHALL TOP TO THE EXISTING MAIN IN SOUTH 70TH STREET.
- EXISTING UTILITY DRIVE (ROWWAY) TO BE RELOCATED TO THE SOUTH SIDE OF LOT 1. SHALL TOP TO THE EXISTING MAIN IN SOUTH 70TH STREET.

- LEGEND**
- PRIORITY LINE
 - PROPOSED ACCESS EASEMENT
 - PROPOSED SANITARY SEWER
 - PROPOSED WATER MAIN
 - EXISTING WATER MAIN
 - EXISTING WATER MAIN
 - BUILDING SETBACK
 - LINE OF P.U.D.
 - LINE OF P.U.D.
 - EXISTING TREES TO PRESERVE



SEACREST & KALKOWSKI, PC, LLO

1111 LINCOLN MALL, SUITE 350
LINCOLN, NEBRASKA 68508-3910

TELEPHONE (402) 435-6000
FACSIMILE (402) 435-6100

KENT SEACREST
E-MAIL: kent@sk-law.com

DANAY KALKOWSKI
E-MAIL: danay@sk-law.com

July 8, 2015

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

Re: Victory Park Planned Unit Development (“PUD”)

Dear David:

Our office represents Seniors Foundation VA Vision (“SF VA Vision”) who is an affiliate of the Seniors Foundation, a 501 (c) (3) nonprofit corporation (“Seniors Foundation”) and Victory Park, LLC (“Developer”). The purpose of this letter is to transmit the enclosed City of Lincoln Planning Department Application Request Form and to provide further background information.

The Lincoln VA hospital and related campus was originally built in 1930. In 1995 the U.S. Department of Veterans Affairs (“Veterans Affairs”) converted the inpatient hospital into an outpatient clinic. The VA campus was placed on the National Historic Registry in 2012. Congress recently decided that the current VA campus improvements needed to be replaced. In turn, Congress authorized and funded a capital lease that will allow the design and construction of a new 100,000 square feet outpatient Veterans clinic in the City of Lincoln. The process of siting the new clinic is under way.

What this now means is that the Veterans Affairs existing outpatient clinic will be vacating the VA hospital and possibly leaving and shutting down the VA campus completely, unless Veterans Affairs chooses to construct the new outpatient clinic on the northwest part of the VA campus. New viable land uses need to be implemented before the historical buildings are boarded up. To avoid this undesirable situation, Veterans Affairs went through a competitive process and selected the Seniors Foundation to identify the new potential land uses and to help save and reuse the historical buildings.

SF VA Vision is in the final stages of negotiating an Extended Use Lease with Veterans Affairs to lease the historic VA Campus land and buildings (collectively “Property”) for a term of seventy-five years. The Extended Use Lease will permit private sector land use transformation while protecting the historical integrity of the VA campus.

Victory Park is the new name of the proposed mixed-use redevelopment project. Victory Park will focus on housing, medical care and services and accessory uses for Veterans and seniors. When

completed, the proposed redevelopment project may be a national model serving two of the nation's fastest growing populations –Veterans and seniors– while perpetuating the historical attributes of the Lincoln VA campus.

Victory Park will focus on providing three core elements to a currently underserved group of Veterans and seniors:

1. Medical Care - consistent with the campus' historical mission of providing high quality health care to the region's Veterans, Victory Park will continue to provide a place for the delivery of medical care to Veterans, seniors and the greater Lincoln community and eastern Nebraska. The development plan optimizes this delivery system by leveraging our proximity to St. Elizabeth Regional Medical Center and other nearby healthcare facilities and provides convenient access to the entire Lincoln region.

2. Housing - Victory Park will provide newly constructed housing specifically dedicated to Veterans and seniors. Our vision is to provide high quality, well maintained rental housing with immediate access to Veteran and senior services and medical care.

3. Senior Services - the presence of Seniors Foundation and Aging Partners and their demonstrated track record of providing services to senior citizens further enhances the development plan and creates a holistic campus of living, learning and care experiences that will be unparalleled in the Lincoln community.

For your information, we have enclosed the current Master Plan for the VA campus. The Master Plan may change over time based upon market conditions and community needs and will be implemented in phases over several years.

Seniors Foundation and the Developer held two separate town hall meetings for Veterans and the neighborhood stakeholders on June 16, 2015. Based upon the town hall comments and concerns, the Master Plan was revised and presented to a second neighborhood stakeholder meeting on July 7, 2015 and was more favorably received.

The Property's legal description is attached to this letter. Key highlights of the PUD Site Plan include:

First Phase:

- Updating and preserving the open space parade grounds in front of the VA clinic, extending to 70th Street to protect the corridor view at the front of the historic 1930s-era building;
- 70 units, three-story residential building for veterans, including key support service;
- The first of two 80,000 square foot medical office buildings (two stories) in the southwest corner of the VA campus, across the street from St. Elizabeth Regional Medical Center; and,
- Rehabilitation of the south wing of the VA clinic building for Aging Partners' administrative offices and senior services. VA will continue to operate its

outpatient clinic in the balance of the main building until its new clinic is completed.

Subsequent Phases:

- Community Based Outpatient Clinic (CBOC) (subject to possible selection by Department of Veterans Affairs)
- Additional medical offices and clinics;
- Twenty-eight four-plex residential housing units;
- 70 unit, 3-story housing apartment buildings;
- Three, 42 unit residential housing units with club house
- Repurposing the remaining portion of the 175,000 square foot existing VA clinic building for residential, office, health and wellness training and counseling, lifestyle resources, internet access and training, nutritional and exercise, behavioral health services, and service referral resources for veteran and senior citizens;
- Rehabbing the former red brick officer and medical staff houses into offices, retail, services and housing associated with senior or veteran services; and,
- Other office support, health, retail, and/or residential housing choices for seniors and veterans and their families.

The Developer is making the following applications and requests for development of the Property:

1. Changes of Zone. The Developer is requesting a change of zone from P to a B-2 PUD, O-3 PUD and R-4 PUD.
2. Requested Modifications: The PUD includes the following modifications or waivers to Title 26 and Title 27 of the Lincoln Municipal Code:
 - a. Title 26- Section 26.15.020 – To allow information on or accompanying a preliminary plat, final plat or building permit for the PUD to be submitted with future administrative amendments, including:
 1. Building configuration
 2. Site specific grading and drainage design
 3. Paving profiles/roadway cross sections
 4. Storm sewer calculations
 5. Lot layout
 6. Street data
 7. Street trees will be part of a landscape plans that will be approved by Nebraska State Historic Preservation Office, a division of the Nebraska State Historical Society and the U.S. Department of Veterans Affairs prior to construction of the streets.
 - The final future phase land use(s) is unknown at this time. Thus, the final building footprint, grading, drainage, paving, stormwater,

lot layout and street data is unknown at this time. When the land use is determine, then these important matters will be presented to the City for review and approval prior to issuance of a building permit.

- b. Title 26 – Section 26.23.125 – Pedestrian way for block length exceeding 1,000’.
 - The final plat of the abutting existing neighborhood did not provide for a sidewalk connection. There will be a future sidewalk circulation pattern along the internal roadways of the Property and this future sidewalk pattern will provide access points to the public sidewalk located on South 70th Street.
- c. Title 26 – Section 26.23.130 – To allow block length to exceed 1,320’.
 - The final plat of the abutting existing neighborhood did not provide for a future street connection. In addition, the unified campus is larger than 10 acres in size and thus cannot meet the block length standard.
- d. Title 27 – Section 27.72.030 – To allow height limitations of buildings described in the Victory Park PUD Notes.
 - In order to provide market rents, Veterans and seniors facilities of this nature requires a certain minimum density per acre. In order to provide necessary buffer protections to the abutting neighborhood, this requires certain buildings to have additional height as noted on the enclosed Victory Park PUD Notes. Furthermore, some of the existing historic buildings exceed the City’s zoning height limitations. The Developer seeks an increase in height of the project to create a larger setback and greater buffer from the existing neighboring residences, while still accommodating the minimum density.
- e. The existing roadways are permitted as private roadways as currently designed and built.

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

1. City Application Form for Changes of Zone with legal descriptions attached.
2. Application fees in the amount of \$3,792.00.
3. Victory Park Master Plan
4. Victory Park PUD Notes

Mark Palmer with Olsson Associates will submit the Site Plan to ProjectDox upon notification from the planning staff.

We appreciate your consideration of the above requests and look forward to working with you on this exciting new Seniors/Veterans mixed use development for the City. If you require further information or have any questions, please do not hesitate to contact Mark Palmer at mpalmer@olssonassociates.com, (402) 458-5632, or the undersigned.

Very truly yours,



KENT SEACREST
For the Firm

Enclosures

cc: Mayor Chris Beutler, City of Lincoln
Councilman Jon Camp, Lincoln City Council
Ed Zimmer, Planning Department
Steve Henrichsen, Planning Department
Wynn Hjermstad, Urban Development Department
Alan Hackman, Project Manager, Lincoln VA Enhanced-Use Lease, VA Office of Asset Enterprise Management
B. Don Burman, Director, VA Nebraska-Western Iowa Health Care System (VA NWIHCS)
Duncan Fallon, Site Manager, Lincoln Community-Based Outpatient Clinic, VA NWIHCS
Will Ackerman, Public Affairs Director, VA NWIHCS
Mark Palmer, Olsson Associates
Mary Ann Stallings
Tammy Ward, Executive Director, Seniors Foundation
Dominic Vaccaro, America First Real Estate Group
George Achola, America First Real Estate Group
Craig Gies, Sampson Construction Co., Inc.
Brad Korell, Olsson Associates
Kent Seacrest, Seacrest & Kalkowski, PC, LLO

LEGAL DESCRIPTION
PLANNED UNIT DEVELOPMENT

A TRACT OF LAND COMPOSED OF LOT 66 I.T., LOCATED IN THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 10 NORTH, RANGE 7 EAST OF THE 6TH P.M., CITY OF LINCOLN, LANCASTER COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 27; THENCE SOUTH ON THE WEST LINE OF SAID NORTHWEST QUARTER ON AN ASSUMED BEARING OF SOUTH 00 DEGREES 01 MINUTES 57 SECONDS WEST, A DISTANCE OF 195.21 FEET TO THE MOST NORTHWEST CORNER OF SAID LOT 66 I.T., SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE SOUTH 80 DEGREES 46 MINUTES 45 SECONDS EAST, ALONG A NORTH LINE OF SAID LOT 66 I.T. A DISTANCE OF 33.43 FEET TO A POINT; THENCE SOUTH 00 DEGREES 01 MINUTES 57 SECONDS WEST, ALONG AN EAST LINE OF SAID LOT 66 I.T., SAID LINE BEING 33.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID NORTHWEST QUARTER A DISTANCE OF 372.84 FEET TO A POINT; THENCE SOUTH 89 DEGREES 59 MINUTES 28 SECONDS EAST, ALONG A NORTH LINE OF SAID LOT 66 I.T., SAID LINE BEING THE SOUTH LINE OF LOT 65 I.T. AND ITS EXTENSION, A DISTANCE OF 261.40 FEET TO A NORTH CORNER OF SAID LOT 66 I.T., SAID POINT BEING THE SOUTHEAST CORNER OF SAID LOT 65 I.T.; THENCE NORTH 00 DEGREES 00 MINUTES 10 SECONDS WEST, ALONG A WEST LINE OF SAID LOT 66 I.T., SAID LINE BEING THE EAST LINE OF SAID LOT 65 I.T., A DISTANCE OF 311.72 FEET TO A NORTH CORNER OF SAID LOT 66 I.T., SAID POINT BEING A NORTHEAST CORNER OF SAID LOT 65 I.T., SAID POINT BEING LOCATED ON THE SOUTHWEST LINE OF LOT 1, BLOCK 6, WEDGEWOOD MANOR; THENCE SOUTH 35 DEGREES 47 MINUTES 29 SECONDS EAST, ALONG A NORTHEAST LINE OF SAID LOT 66 I.T., SAID LINE BEING A SOUTHWEST LINE OF SAID BLOCK 6 WEDGEWOOD MANOR, A DISTANCE OF 572.78 FEET TO AN EAST CORNER OF SAID LOT 66 I.T., SAID POINT BEING A WEST CORNER OF LOT 6, BLOCK 6, WEDGEWOOD MANOR; THENCE SOUTH 81 DEGREES 37 MINUTES 37 SECONDS EAST, ALONG A NORTH LINE OF SAID LOT 66 I.T., SAID LINE BEING A SOUTH LINE OF SAID BLOCK 6, WEDGEWOOD MANOR, A DISTANCE OF 232.84 FEET TO A NORTH CORNER OF SAID LOT 66 I.T., SAID POINT BEING A SOUTH CORNER OF LOT 8, BLOCK 6, WEDGEWOOD MANOR; THENCE SOUTH 47 DEGREES 40 MINUTES 12 SECONDS EAST, ALONG A NORTHEAST LINE OF SAID LOT 66 I.T., SAID LINE BEING A SOUTHWEST LINE OF SAID BLOCK 6, WEDGEWOOD MANOR, A DISTANCE OF 898.37 FEET TO A WEST CORNER OF SAID LOT 66 I.T., SAID POINT BEING THE NORTHWEST CORNER OF LOT 21, BLOCK 6, WEDGEWOOD MANOR; THENCE SOUTH 00 DEGREES 22 MINUTES 39 SECONDS EAST, ALONG AN EAST LINE OF SAID LOT 66 I.T., SAID LINE BEING A WEST LINE OF SAID BLOCK 6, WEDGEWOOD MANOR, A DISTANCE OF 1130.77 FEET TO THE SOUTHEAST CORNER OF SAID LOT 66 I.T., SAID POINT BEING THE NORTHWEST CORNER OF LOT 37, BLOCK 6, WEDGEWOOD MANOR; THENCE SOUTH 89 DEGREES 58 MINUTES 04 SECONDS WEST, ALONG THE SOUTH LINE OF SAID LOT 66 I.T., SAID LINE BEING THE NORTH LINE OF SAID BLOCK 6, WEDGEWOOD MANOR AND ITS EXTENSION, A DISTANCE OF 1532.42 FEET TO THE SOUTHEAST CORNER OF SAID LOT 66 I.T., SAID POINT BEING ON THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 27; THENCE NORTH 00 DEGREES 01 MINUTES 57 SECONDS EAST, ALONG THE WEST LINE OF SAID LOT 66 I.T., SAID LINE BEING THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 27, A DISTANCE OF 2301.59 FEET TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 2,610,496.76 SQUARE FEET OR 59.93 ACRES, MORE OR LESS.

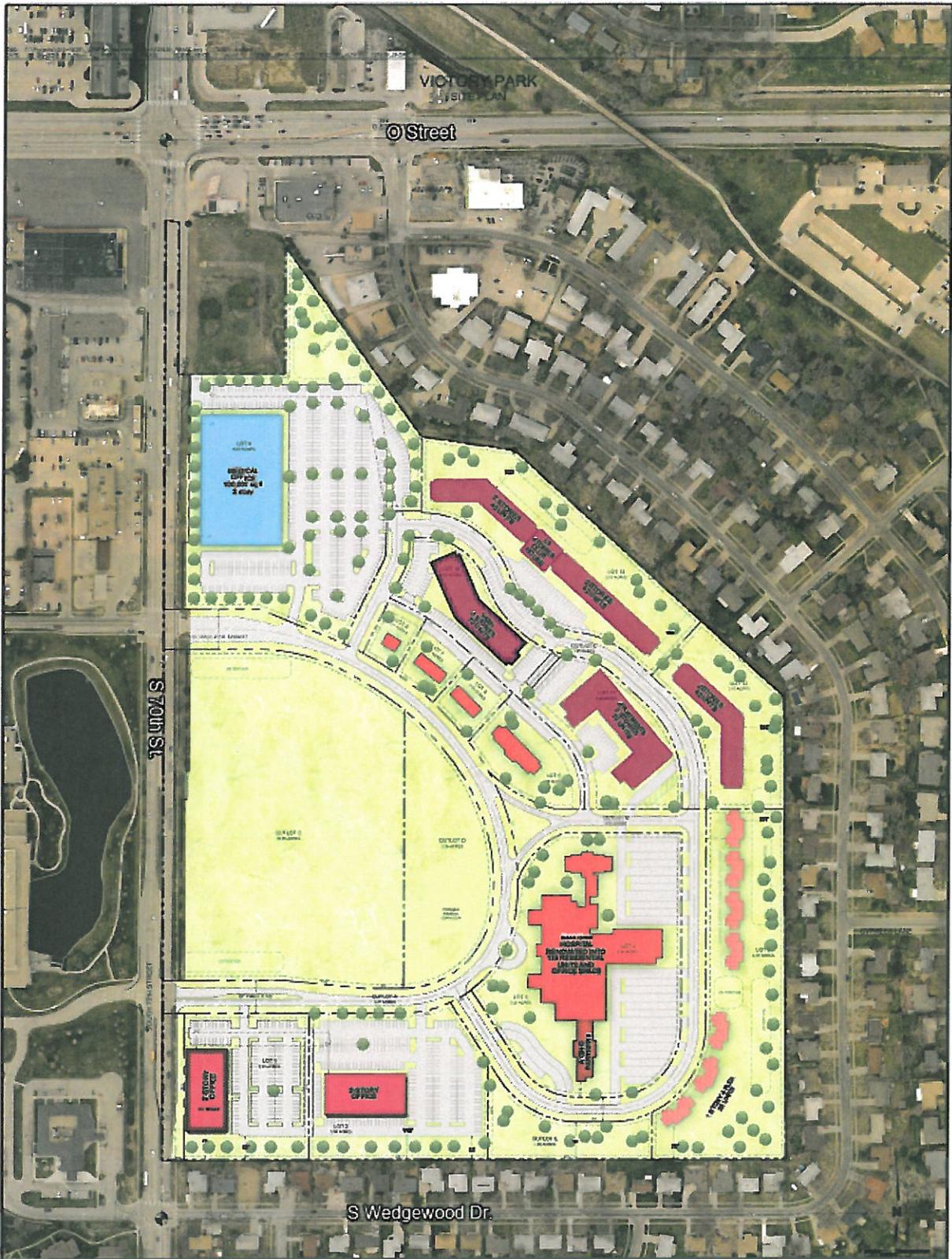


Exhibit B

Victory Park Project
Lincoln, NE

OLSSON ASSOCIATES
01/27/2015
P:\Projects\12-1022_LINCOLN\0111

1. Land Use.
 - a. See Victory Park PUD Land Uses Chart.
 - b. PUD permits a maximum of 600 dwelling units. For residential health care facilities, the number of persons allowed may be calculated using an equivalent to the dwellings units assigned to the lot.

2. Height and Lot Regulations:
 - a. **Commercial Lots** – Lots 1, 2, 4, 5, 6, 7, 8, 9 and Outlots D, E & F. Subject to the O-3 Office Park zoning districts except for
 - i. Height: Lot 4 permits the existing hospital height, plus additional height necessary if the cupola is ever rebuilt on the structure; Lots 5, 6, 7 & 8 permits the existing building heights; and 45' on Lots 9.
 - ii. Setbacks: Any setback lines shown on the Site Plan.
 - b. **Residential Lots** – Lots -3, 10, 11, 12, and 13. Subject to the R-4 Residential zoning district, except for
 - i. Height: 45 feet on Lots 10 & 11.
 - ii. Setbacks: Any setback lines shown on the Site Plan.
 - c. **Existing Buildings** – The existing portion of the building shown on the Site Plan on Lots 4 will remain. The existing buildings shown on the Site Plan on Lots 5, 6, 7 and 8 will remain.
 - d. **Adjustments** -- Lots, outlots, roadways, easements, detention facilities, building envelopes, and parking areas are approximate and may be adjusted by administrative amendment.

3. Parking:
 - a. All required parking spaces do not need to be provided on the same lot for any use, provided such parking is located with three hundred feet.
 - b. Except for Special Conditions, the general parking requirements for “Residential Lots” in the PUD shall be one and a half (1.5) parking space per dwelling units, provided that, Lot 3 (VASH Housing) shall be one parking stall per dwelling unit.
 - c. Except for Special Conditions, the general parking requirements for “Commercial Lots” in the PUD shall be one parking stall per 300 square feet.
 - d. Parking is not required for any use operated by a City, County, State or federal government agency.
 - e. Shared parking between lots is permitted. The aggregate parking requirement shall be computed on the basis of providing the parking required for that use or those uses having concurrent parking demand that have the largest parking demands as determined by the parking matrix (Section 27.67.020) and any addition conditions in Chapter 67; provided, however, that the number of additional spaces that would be required in the absence of this paragraph need not be provided physically, but sufficient land shall be reserved in the even that future uses may not have nonconcurrent parking demand. For the purpose of determine the adequacy of the joint parking arrangement,

all such joint parking use shall be authorized by a written agreement between the City and all parties to such use.

4. Additional Notes:

- a. Direct Vehicular Access shall be relinquished from South 70th Street, except as shown.
- b. Administrative Amendments shall be required for future grading, detention, street alignments, utility locations, street profiles, and site plans.
- c. Lots may be created without frontage to a public or private street if they have a public access easement.
- d. Fences, dumpsters, decorative structures and accessory buildings are not shown on the plans but are allowed if they are outside of the sight triangles and setbacks and are in conformance with all applicable ordinance and codes.
- e. All signage shall conform to Section 27.69.340 of the Lincoln Municipal Code, unless specifically modified by the City Council. Details of signage shall be shown at the time of building permits.
- f. Easements as shown shall be granted for public use and for sidewalks. All sidewalks adjacent to streets are to be in public ROW, except as noted all other walks are to be in pedestrian easements. Pedestrian easements to be 5 feet wide in pedestrian areas and all sidewalks are to be 4 feet wide at a minimum. Sidewalk shall be located so that a minimum of 9 feet is maintained between the curb and may curve to preserve vegetation. Exact location of all easements shall be shown at the time of final plats.
- g. Eaves, overhangs, window swings, door swings, air conditioner units, etc. may encroach over the setback line and pedestrian zones. Encroachments are not allowed over property lines and must conform to building and life safety codes.
- h. South 70th Street right turn lanes:
 1. South entrance: Occupancy permits for any new building constructed on Lot 1 or on Lot 2 will require the installation of the south entrance right turn lane on South 70th Street as shown on the Site Plan.
 2. Middle entrance: Occupancy permits for any new building constructed on Lot 9 will require the installation of the middle entrance right turn lane on South 70th Street as shown on the Site Plan.
 3. North entrance: Occupancy permits for any new building constructed on Lot 9 will require the installation of the north entrance right turn lane on South 70th Street as shown on the Site Plan.
 4. The sidewalk on S. 70th Street shall be relocated so that a minimum of 9 feet is maintained between the curb and sidewalk.
- i. The design of any exterior new buildings will comply with the Design Guidelines for New Construction that have been approved by Nebraska State Historic Preservation Office, a division of the Nebraska State Historical Society and the U.S. Department of Veterans Affairs. This is noted for information purposes only, and is not a requirement to be verified by the City at time of building permit.
- j. After approval of the P.U.D., building permits, certificates of occupancy and final plats of the property will be issued or approved upon general compliance with the

Development Plan as approved, or as amended. In circumstances where there are minor variations from the Development Plan, the Planning Director or his designee, shall review the proposal and determine if the proposal is in general conformance with the spirit and intent of the approved P.U.D.

- k. The site plan is conceptual mixed use plan and will be subject to the terms and conditions of the Victory Park Redevelopment Agreement, between Seniors Foundation, Victory Park, LLC and the City of Lincoln, a may be amended.
- l. Landscape screening along the east and south lot lines will meet the design standards for multifamily development.

Victory Park PUD Land Uses Chart

PUD Uses	Medical Offices	Townhomes	Historical Buildings	Medical Office/Retail	Apartments	Parade Grounds	Outlot F
Lots	1 & 2	3	4, 5, 6, 7 & 8	9	10, 11, 12 & 13	Outlots D E	Outlot F
B-2 Planned Neighborhood Business District Uses (exclude restaurants with drive thru); allow residential on the first floor			●	●			
Non Residential Health Care Facility			P	P			
Residential Health Care Facility			P	P	P		
On-sale alcohol beverages*			*				
O-3 Office Park District Uses	●			●			
R-4 Residential District		●			●		
Elderly and Retirement Housing					P		
All uses in Education and Instruction Use Group	P						
Recreation uses, outdoor						P P	P
Parking lots as primary use						P	P

P = Permitted use by right; does not require special permit

* Subject to the conditions of Section 27.63.680 and 27.685. However, the spacing requirements of Section 27.63.680 and 27.685 do not apply to the residential uses within the Victory Park PUD.