

FACTSHEET

TITLE: CHANGE OF ZONE NO. 09030, from R-3 Residential District to R-5 Residential District, requested by Continental Properties, on property generally located northeast of the intersection of South 91st Street and Heritage Lakes Drive.

STAFF RECOMMENDATION: Approval.

ASSOCIATED REQUESTS: Special Permit No. 09029, Heritage Lakes Drive Multi-Family Community Unit Plan (10R-50).

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: 01/27/10
Administrative Action: 01/27/10

RECOMMENDATION: Approval (8-0: Gaylor Baird, Carroll, Esseks, Francis, Larson, Partington, Sunderman and Taylor voting 'yes'; Cornelius absent).

FINDINGS OF FACT:

1. This change of zone request from R-3 Residential District to R-5 Residential District and the associated Heritage Lakes Drive Multi-Family Community Unit Plan (Special Permit No. 09029) were heard before the Planning Commission at the same time.
2. The purpose of this change of zone request is to allow for the development of the associated community unit plan for up to 270 multiple-family dwelling units on 11.47 acres, more or less, generally located northeast of the intersection of South 91st Street and Heritage Lakes Drive.
3. The staff recommendation to approve the change of zone request is based upon the "Analysis" as set forth on p.4-5, concluding that an apartment complex at this location is consistent with the Comprehensive Plan and is compatible with adjacent land uses and the surrounding neighborhood. The staff presentation is found on p.7. The additional information submitted to the Planning Commission in response to questions raised by Commissioner Esseks is found on p.24-25.
4. The applicant's testimony is found on p.8-9, and the record consists of three letters in support (p.26-28).
5. There was no testimony in opposition; however, the record consists of a petition in opposition signed by eight property owners in the Coffee Tree Townhouses located on South 94th Court, with concerns about property values, visual impact, light and noise pollution, parking, the proposed dog run and architectural compatibility (p.29). The applicant testified that the applicant held a neighborhood meeting and met separately with the developer of the Coffee Tree Townhouses and believes that their concerns have been addressed, including relocation of the dog park (See Minutes, p.8; Also see p.15-23).
6. On January 27, 2010, the Planning Commission agreed with the staff recommendation and voted 8-0 to recommend approval of the change of zone request (Cornelius absent).
7. On January 27, 2010, the Planning Commission also agreed with the staff recommendation and voted 8-0 to recommend conditional approval of the associated community unit plan special permit, with one amendment to relocate the dog park.

FACTSHEET PREPARED BY: Jean L. Preister

DATE: February 1, 2010

REVIEWED BY: _____

DATE: February 1, 2010

REFERENCE NUMBER: FS\CC\2010\CZ.09030+

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for January 27, 2010 PLANNING COMMISSION MEETING

****As Amended and Recommended for Conditional Approval
by Planning Commission: 01/27/10****

This is a combined staff report for related items. This report contains a single background and analysis section for all items. However, there are separate conditions provided for each individual application.

PROJECT #: ***Change of Zone #09030*** - From R-3 to R-5
Special Permit #09029 - Heritage Lakes Drive Multi-Family
Community Unit Plan (CUP)

PROPOSAL: To change the zoning from R-3 to R-5 and allow a CUP for up to 270 multiple-family dwelling units.

LOCATION: Northeast of the intersection of South 91st Street and Heritage Lakes Drive.

LAND AREA: Approximately 11.47 acres.

EXISTING ZONING: R-3 Residential

PROPOSED ZONING: R-5 Residential

WAIVER /MODIFICATION REQUESTS:

1. Adjust the parking requirement from 2 to 1.75 parking spaces per dwelling unit.
2. Adjust the sign requirements to place allowed signs at locations other than the drive entrance.

CONCLUSION: The parking requirement for apartments in R-5 is 1.75 spaces per dwelling unit, but 2 spaces per unit in a CUP. The rationale for a higher requirement in a CUP is that it could contain a mix of housing types, including single-family residential, which increases the parking demand when compared to apartments. In this case, the CUP contains only apartments and 1.75 is appropriate. The request to adjust the sign requirement only affects the location of one sign. Given the lack of access to, but frontage on South 91st Street (an arterial street), this request is also appropriate. An apartment complex at this location is consistent with the Comprehensive Plan, and is compatible with adjacent land uses and the surrounding neighborhood.

RECOMMENDATION:

Change of Zone #09030

Approval

Special Permit #09029

Conditional Approval

Waivers/modifications:

LMC 27.67.065

Parking from 2 to 1.75 spaces per unit

Approval

LMC 27.69.220

Allow signs at alternate locations

Approval

GENERAL INFORMATION:

LEGAL DESCRIPTION: See attached legal description.

EXISTING LAND USE: Vacant.

SURROUNDING LAND USE AND ZONING:

North:	Vacant, Residential	R-3, B-5
South:	Day Care Facility, Hospital	R-3
East:	Attached Single-family Residential	R-3
West:	Vacant	B-5

HISTORY:

May 2003 - Special Permit #2011 was approved by City Council for an early childhood care facility on the adjacent lot.

Jun 2003 - The Heritage Lakes Early Childhood Development Center Addition final plat was approved.

COMPREHENSIVE PLAN SPECIFICATIONS:

Page 17 - This site is designated as 'Residential-Urban Density' in the Land Use Plan.

Page 21 - Urban Growth Tiers - This site is inside the City Limit and the City's Future Service Limit.

Page 65 - Overall Guiding Principles - New residential development is generally discouraged in areas of environmental resources such as endangered species, saline wetlands, native prairies and in floodplain corridors. It is also strongly encouraged that adequate spacing be provided from pipelines and areas where hazardous chemicals could be used and stored. Property owners and residents along the pipeline should be notified about hazards and emergency actions.

Page 66 - Guiding Principles for New Neighborhoods

- Encourage a mix of housing types, single family, townhomes, apartments, elderly housing all within one area;
- Similar housing types face each other: single family faces single family, change to different use at rear of lot;
- Parks and open space within walking distance of all residences;
- Multi-family and elderly housing nearest to commercial area;
- Encourage shopping and employment uses to be at within the neighborhoods and within walking distance to most residences (which may also serve as locations for transit stops.)

Page 85 - Transportation Planning Principles - A Connected City. In Lincoln and Lancaster County, the unifying qualities of transportation will be emphasized. The transportation network will sustain the One Community concept by linking neighborhoods together. Neighborhoods, activity and employment centers, rural communities, and open lands will be connected by a continuous network of public ways.

Page 95 - The Bicycle and Trails Plan shows the trail along South 91st Street.

TRAFFIC ANALYSIS: South 91st Street is designated as an Urban Minor Arterial street. Heritage Lakes Drive is a designated as a local street.

ANALYSIS:

1. This project consists of two requests. The first is a change of zone from R-3 Residential to R-5 Residential. The second is a special permit for a community unit plan to allow up to 270 multiple-family dwelling units (the applicant’s letter states 267 total units, but Sheet 4 of the plan set shows the correct number of 270 as confirmed by the applicant).
2. The project is proposed to be built in two phases, and the site plan shows the subject property divided into Lots 1 and 2 for this purpose. Phase I, to be located on Lot 1, is to be developed by the applicant. The developer of Phase II, which is to be located on Lot 2, is not known at this time.
3. Apartments are not a permitted use in the R-3 zoning district (except as part of a community unit plan), but are a permitted use in the R-5. The change of zone is necessary to allow the 270 dwelling units being requested. Per Design Standards, the applicable maximum allowed densities for a CUP are as follows:

R-3	6.96 units per acre	x 11.47 acres	= 79 total units
R-4	13.93 units per acre	x 11.47 acres	= 159 total units
R-5	*29.04 units per acre	x 11.47 acres	= 333 total units

*This is equal to the minimum requirement of 1,500 square feet of lot area per dwelling unit in the R-5 zoning district without a CUP.

4. Two waivers are requested:
 - A. Adjust the off-street parking requirement from 2 spaces per dwelling unit to 1.75 spaces per dwelling unit, and waive the one additional space required for the leasing office. The parking requirement for apartments in R-5 is 1.75 spaces per dwelling unit, but is 2 spaces per unit in a CUP. The rationale for a higher requirement in a CUP is that they often contain a mix of housing types, including single-family residential, which has a higher parking demand when compared to apartments. The parking standard for a CUP is therefore increased to compensate for the potential, overall increased demand. However, in this case the CUP contains only apartments and 1.75 spaces per unit is appropriate, including waiving the one space for the leasing office which typically only operates during normal business hours when parking demand is lightest. The site plan does include areas for potential expansion for up to 24 additional parking spaces if needed.

- B. Adjust the sign regulations. The sign code allows two, six-foot tall freestanding signs, each not exceeding 32 square feet in area at the entrance to the complex, and one wall sign not exceeding six square feet in area. An additional 32 square foot freestanding sign is allowed if the complex fronts onto, but does not have access to an arterial street. The applicant is proposing to locate one sign at the intersection of South 91st Street and Heritage Lakes Drive, and the other near the northwest corner of Lot 1 for better visibility. Two more signs will also be allowed at the north driveway entrance at the intersection of Pine Lake Road and South 91st Street. To offset the signs at alternate locations, the applicant has agreed to forego one of the allowed signs at the Pine Lake Road/South 91st Street intersection if they are the developer of Lot 2. If they are not the developer, the new owner will be allowed two signs, which would be appropriate to identify a different complex.
- 5. Access between the two potential lots is necessary, so a common access easement across both lots and a vehicular connection will be required. This will provide at least two access points for the overall development. Public Works notes that a stub to accommodate this common driveway needs to be built on Lot 1 and extended to the north lot line. The City would not support the change of zone from R-3 to R-5 without a CUP because of the need for the access easement.
 - 6. The applicant's request to waive or modify the following design standard was found to be acceptable subject to submittal of approved plans and is administratively approved:
 - A. The applicant requested to modify the design standard for pavement thickness. Public Works is open to alternate pavement options subject to their approval of plans prepared by a licensed civil engineer.
 - 7. A waiver to not provide curbs around all parking spaces was initially requested by the applicant, but has since been withdrawn.
 - 8. There are no specific requirements for recreation facilities associated with a CUP, other than the general requirement that they must be provided. Each is reviewed on a case-by-case basis, and the Parks and Recreation staff reviews such facilities for appropriateness. The applicant is proposing to provide a clubhouse, a pool, and an outdoor dog park to satisfy this requirement, noting it is appropriate given their market. Parks and Recreation has agreed to consider alternate facilities, but is asking that the applicant submit the justification and rationale in writing for staff to review and evaluate.
 - 9. There are several minor corrections/clarifications needed on the plans submitted which do not warrant individual explanation, but each is individually noted in the recommended conditions of approval.

Prepared by:

Brian Will, 441-6362, bwill@lincoln.ne.gov

Planner

January 13, 2010

**APPLICANT/
CONTACT:**

Kimberly Grimm
Continental 206 Fund, LLC
W134 N8675 Executive Parkway
Menomonee Falls, WI 53051
(262)502-5500

OWNER:

Andermatt, LLC
16934 Pella Drive
Adams, NE 68301
(402)432-8975

**CHANGE OF ZONE NO. 09030
and
SPECIAL PERMIT NO. 09029,
HERITAGE LAKES DRIVE MULTI-FAMILY
COMMUNITY UNIT PLAN**

PUBLIC HEARING BEFORE PLANNING COMMISSION:

January 27, 2010

Members present: Esseks, Gaylor Baird, Partington, Taylor, Francis, Larson, Lust and Sunderman; Cornelius absent.

Ex Parte Communications: None.

Staff recommendation: Approval of the change of zone and conditional approval of the community unit plan special permit.

These applications were removed from the Consent Agenda and scheduled for separate public hearing due to a letter received in opposition from owners of the Coffee Tree Townhouses.

Staff presentation: **Brian Will of Planning staff** submitted additional information for the record, including his response to questions posed by Commissioner Esseks and three letters in support.

Will advised that these are two related applications – the change of zone from R-3 to R-5 and a special permit for community unit plan. The property is located northeast of S. 91st Street and Heritage Lakes Drive. This proposal includes a community unit plan for a multi-family apartment complex for up to 270 units. This is a phased development and the plan provided by the applicant shows two lots – lot 1 for approximately 120 units in phase one, and lot 2 for approximately 150 units potentially in phase two. We do not know whether the applicant will be the developer of the second lot.

There are two waivers being requested: 1) reduction of the parking requirement from 2 spaces per unit to 1.75 spaces per unit, which staff does support; and 2) a request to locate the signs in alternate locations, which staff also supports.

Esseks expressed an interest in the vegetative and other buffers between the proposed apartment development on the west and the rather substantial, almost luxury duplexes on the east. He indicated that he would be more confident about the proposal with sufficient buffer to prevent sight or sound pollution. Will provided a graphic for reference – in addition to a natural drainage area (public sewer easement), there are significant existing trees and foliage, so there is an area that cannot be developed which is already a natural built-in buffer. The design standard for screening will require that some additional screening be provided to the townhouses and to the day care, basically trees. In the larger sense, with the apartments being considered residential, there is screening required and he believes that sufficient screening is being provided.

Larson inquired about the height of the buildings and the location of the dog run. Will stated that out of concern raised by the neighbors, the dog run will be moved. The maximum height for the R-5 zoning district is 35'. There is no adjustment to the height being requested by the applicant and he believes the proposed buildings will be somewhat less than the 35'.

Larson inquired how close the apartments will be to the eastern boundary. Will stated that the distance appears to be at least 150', if not more.

Proponents

1. Kimberly Grimm, Vice President of Development for **Continental Properties**, W134 N8675 Executive Parkway, Menomonee Falls, Wisconsin, presented the proposal. This will be a phased development, with the first phase of four buildings at the corner of 91st & Heritage Lakes Drive. The developer has attempted to be very sensitive and considerate of the existing residents to the east. Building #4 is the closest building to the townhomes. From that building to the property line is about 130'. It is about 180' to the back of the existing townhome. The developer has also tried to create a lot of green space; parking pods instead of one large parking lot; and garages in the center of the site to be less visible.

Grimm acknowledged that they did not locate the dog "park" in the right location. She has talked with the neighbors and agreed that the dog park will be moved to between buildings 2 and 3. This is not a dog run. It is a fenced-in area so that residents who have pets can take their dogs or cats and let them run without a leash within the dog park area. It will have grass, screening, trash receptacles, and benches, and the animals cannot be left unattended.

Grimm pointed out that there is a significant grade change between this property and the townhomes. Based on survey information, the finished floor elevation of Building #4 will be an 8 to 11 foot difference from the finished floor of the townhomes. The townhomes will be looking into the hillside and the existing trees. The developer has committed to leave the existing trees. The residents that live in those townhomes will be looking through the canopy of trees into the hillside as opposed to looking at the side of the building in this development.

Every side of the building has architectural interest, as opposed to just the front of the building. These buildings are not the typical three-story walk-up buildings. There are no exposed staircases. Every unit has direct access into their unit. They will be compatible with the other neighborhood structures. The whole building will have articulation.

Grimm also advised the Commission that they attempted to reach out to the neighbors well beyond the 200' required notification. All of the townhome residents were notified, as well as the Vintage Heights Homeowners Association. She met with the townhome developer and she reached out to the people signing the letter in opposition. She has also had conversation with the Montessori School. Grimm has volunteered to keep in contact with the neighborhood throughout the project. The residents suggested that the townhome developer be their spokesperson and she will maintain communication with him.

Grimm also pointed out that the City's Comprehensive Plan does show this site as residential urban density. This site is located on an arterial street. This is a good transitional use between the commercial and residential to the east. The applicant agrees with the staff report and recommendation and agrees with the conditions of approval.

Lust asked the applicant to address the concern by the opposition for anticipated loss of property values. Grimm knows that a lot of residents will feel that way. Continental Properties owns 4200 apartment units throughout the country. A lot of them are located adjacent to single family homes and they have not encountered any issues. Grimm offered to submit an article by Urban Land Institute that states that it is a myth about multi-family apartments decreasing the value of single family homes.

Francis inquired about the apartment unit sizes and the typical tenant occupancy. Grimm stated that within each building there is a mix of unit type – 10% are studio; 40% are one-bedroom; 40% are two-bedroom; and 10% are three-bedroom. The typical resident profile and that which the developer targets are teachers, health care professionals, etc. The rents are a little higher than most apartment communities, thus attracting a more professional clientele.

Larson inquired about the difference in elevation between the townhouses and the apartments. Grimm reiterated that the apartments will be higher than the townhouses because of the hill. At street level, the first floor of the townhome is at an elevation of about 1394. The finished floor of the apartment building will be at an elevation of 1402. So the townhouses will look through the trees into the hillside. The apartment building height will be 33 feet, the clubhouse will be around 25 feet and garages about 15 feet.

Leirion requested that the applicant address some of the other concerns, such as parking lot lighting. Grimm stated that the applicant will comply with the city's lighting ordinance. They do want the lighting on site to be at a safe level, but they do not want it to be like a commercial center parking lot. Again, because Building #4 is pushed so far to the east and because they did not put a parking lot on the east side of Building #4, there should not be any light spillage to the residential to the east.

There was no testimony in opposition.

Sunderman asked staff whether the movement of the dog park requires a change in the conditions of approval. Will suggested that if the Planning Commission wants to address that concern, it could be made a condition of approval. Currently, there is nothing in the conditions that would require it to be moved.

Response by the Applicant:

Grimm agreed that the relocation of the dog park to be between Building 2 and Building 3 could be made a condition of approval.

CHANGE OF ZONE NO. 09030
ACTION BY PLANNING COMMISSION:

January 27, 2009

Taylor moved approval, seconded by Esseks and carried 8-0: Esseks, Gaylor Baird, Partington, Taylor, Francis, Larson, Lust and Sunderman voting 'yes'; Cornelius absent. This is a recommendation to the City Council.

SPECIAL PERMIT NO. 09029

ACTION BY PLANNING COMMISSION:

January 27, 2009

Taylor moved to approve the staff recommendation of conditional approval, with amendment to require relocation of the dog park to be located between Building 2 and Building 3, seconded by Lust.

Francis stated that she is excited about apartments being located here and excited that there is a different scale of apartments within the buildings. It will be a nice mixture. This will be a nice alternative for employees of the Heart Hospital who need to be no more than 20 minutes away because of on-call status.

Taylor likes the idea that it addresses some of the neighbors' concerns about the quality of the properties that will be in that area and he thinks it will actually raise values of other properties.

Sunderman pointed out that it is a nice transition to the east – single family homes followed by single family attached homes to these apartments and then into the commercial uses – following the standard of less intense to more intense uses. It will be a nice addition.

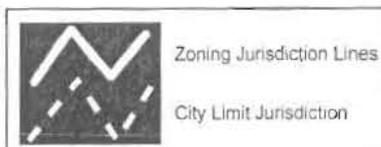
Motion for conditional approval, as amended, carried 8-0: Esseks, Gaylor Baird, Partington, Taylor, Francis, Larson, Lust and Sunderman voting 'yes'; Cornelius absent. This is a recommendation to the City Council.



**Change of Zone #09030 and
Special Permit #09029
S 91st St & Heritage Lakes Dr
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. 23 T09N R7E



2007 aerial



LEGAL DESCRIPTION

THE REMAINING PORTION OF OUTLOT A, HERITAGE LAKES EARLY CHILDHOOD DEVELOPMENT CENTER, AN ADDITION TO THE CITY OF LINCOLN, LANCASTER COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID OUTLOT A, THENCE S 00°54'48" E (ASSUMED BEARING) A DISTANCE OF 878.11 FEET; THENCE S 19°17'46" E A DISTANCE OF 73.13 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF HERITAGE LAKE DRIVE AND THE POINT OF CURVATURE OF A 426.77 FOOT RADIUS CURVE, CONCAVE TO THE SOUTH; THENCE WESTERLY, ALONG SAID CURVE AND SAID NORTH LINE, THROUGH A CENTRAL ANGLE OF 02°04'18", AN ARC DISTANCE OF 15.43 FEET, THE CHORD OF SAID CURVE BEARS N 73°57'39" W, A DISTANCE OF 15.43 FEET TO THE POINT OF COMPOUND CURVATURE OF A 431.35 FOOT RADIUS CURVE, CONCAVE TO THE SOUTH; THENCE WESTERLY, ALONG SAID CURVE AND SAID NORTH LINE, THROUGH A CENTRAL ANGLE OF 08°33'09", AN ARC DISTANCE OF 64.39 FEET, THE CHORD OF SAID CURVE BEARS N 77°45'18" W, A DISTANCE OF 64.33 FEET TO THE SOUTHEAST CORNER OF LOT 1, HERITAGE LAKES EARLY CHILDHOOD DEVELOPMENT CENTER; THENCE N 17°50'40" W, A DISTANCE OF 53.78 FEET TO A CORNER OF SAID LOT 1; THENCE N 06°23'12" E, A DISTANCE OF 168.58 FEET TO A CORNER OF SAID LOT 1; THENCE N 83°55'34" W, A DISTANCE OF 155.82 FEET TO A CORNER OF SAID LOT 1; THENCE S 76°04'26" W, A DISTANCE OF 163.31 FEET TO A CORNER OF SAID LOT 1; THENCE S 13°55'34" E, A DISTANCE OF 249.50 FEET TO A CORNER OF SAID LOT 1; THENCE S 63°04'54" W, ALONG SAID NORTH LINE OF HERITAGE LAKE DRIVE, A DISTANCE OF 408.86 FEET; THENCE N 64°45'06" W, A DISTANCE OF 30.19 FEET A POINT ON THE EAST RIGHT OF WAY LINE OF SOUTH 91ST STREET AND THE POINT OF CURVATURE OF A 935.00 FOOT RADIUS CURVE, CONCAVE TO THE SOUTHEAST; THENCE NORTHERLY, ALONG SAID CURVE AND SAID EAST LINE, THROUGH A CENTRAL ANGLE OF 40°51'23", AN ARC DISTANCE OF 666.73 FEET, THE CHORD OF SAID CURVE BEARS N 05°36'25" E, A DISTANCE OF 652.69 FEET TO THE POINT OF COMPOUND CURVATURE OF A 282.00 FOOT RADIUS CURVE, CONCAVE TO THE SOUTHEAST; THENCE NORTHEASTERLY, ALONG SAID CURVE AND SAID EAST LINE, THROUGH A CENTRAL ANGLE OF 10°14'56", AN ARC DISTANCE OF 50.44 FEET, THE CHORD OF SAID CURVE BEARS N 31°09'37" E, A DISTANCE OF 50.38 FEET TO THE POINT OF REVERSE CURVATURE OF A 318.00 FOOT RADIUS CURVE, CONCAVE TO THE NORTHWEST; THENCE NORTHEASTERLY, ALONG SAID CURVE AND SAID EAST LINE, THROUGH A CENTRAL ANGLE OF 05°20'30", AN ARC DISTANCE OF 29.65 FEET, THE CHORD OF SAID CURVE BEARS N 33°36'50" E, A DISTANCE OF 29.64 FEET TO THE POINT OF REVERSE CURVATURE OF A 930.00 FOOT RADIUS CURVE, CONCAVE TO THE SOUTHEAST; THENCE NORTHEASTERLY, ALONG SAID CURVE AND SAID EAST LINE, THROUGH A CENTRAL ANGLE OF 09°07'43", AN ARC DISTANCE OF 148.17 FEET, THE CHORD OF SAID CURVE BEARS N 35°30'26" E, A DISTANCE OF 148.02 FEET; THENCE N 47°39'24" E, ALONG SAID EAST LINE OF SOUTH 91ST STREET, A DISTANCE OF 46.63 FEET; THENCE N 46°39'36" E, ALONG SAID EAST LINE, A DISTANCE OF 120.16 FEET; THENCE N 36°29'04" E, ALONG SAID EAST LINE, A DISTANCE OF 38.52 FEET TO THE POINT OF CURVATURE OF A 935.00 FOOT RADIUS CURVE, CONCAVE TO THE SOUTHEAST; THENCE NORTHEASTERLY, ALONG SAID CURVE AND SAID EAST LINE, THROUGH A CENTRAL ANGLE OF 23°37'51", AN ARC DISTANCE OF 385.63 FEET, THE CHORD OF SAID CURVE BEARS N 64°29'24" E, A DISTANCE OF 382.90 FEET TO THE POINT OF BEGINNING. CONTAINING AN AREA OF 499,737.59 SQUARE FEET, 11.47 ACRES, MORE OR LESS.

RECEIVED

DEC 30 2009

Lincoln/Lancaster Co.
Planning Department

December 29, 2009

Mr. Brian Will
CITY OF LINCOLN
Planning Department
555 South 10th Street, Suite 213
Lincoln, NE 68508

RE: Continental 206 Fund LLC
Heritage Lakes Drive Multifamily Development
Northeast Corner of 91st Street and Heritage Lakes Drive
Lincoln, NE

Dear Brian:

Attached is the submittal package for the re-zoning of the above referenced property from R-3 to R-5 with a Community Unit Plan overlay along with the Preliminary Plat. The following items are attached for your review and comment:

- Re-Zoning Application dated December 29, 2009
- Preliminary Plat Application dated December 29, 2009
- Check dated December 28, 2009 in the amount of \$1,850.00
- Agent Authorization Letter from Andermatt, L.L.C. dated December 29, 2009
- Project Description/Narrative dated December 29, 2009 prepared by Continental
- Community Unit Plan Cover Sheet dated December 29, 2009 prepared by HWS
- Parcel Layout Sheet dated December 29, 2009 prepared by HWS
- Conceptual Site Plan dated December 29, 2009 prepared by Continental
- Conceptual Utility Plan dated December 29, 2009 prepared by Continental
- Concept Drainage Plan dated December 29, 2009 prepared by RA Smith National
- Letter regarding Concept Drainage Plan dated December 23, 2009 prepared by RA Smith National
- Conceptual Building Elevations dated December 21, 2009 prepared by CBA Architects

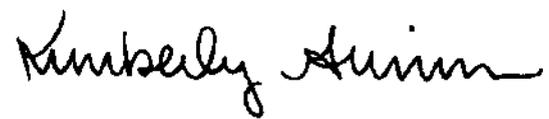
As we discussed on the phone, due to the amount of snow cover on the property, we could not complete an accurate topographical survey. It was agreed that we could provide conceptual information on the finished floor elevations and utilities for this submittal. Once we are able to complete an accurate topographic survey, we will provide additional information on the grading, finished floor elevations, and utilities for the City staff review and approval. We anticipate being able to obtain this survey information prior to the submittal of the final plat.

December 29, 2009

Page 2

If you have any questions or need additional information, please contact me at 262/532-9319.
Thanks for working with us on this project.

Sincerely,
CONTINENTAL PROPERTIES COMPANY, INC.

A handwritten signature in black ink that reads "Kimberly Grimm". The signature is written in a cursive, flowing style.

Kimberly Grimm
Vice President of Development



January 18, 2010

Mr. Brian Will
CITY OF LINCOLN
Planning Department
555 South 10th Street, Suite 213
Lincoln, NE 68508

RE: Continental 206 Fund LLC
Heritage Lakes Drive Multifamily Development
Northeast Corner of 91st Street and Heritage Lakes Drive
Lincoln, NE

Dear Brian:

As you are aware, Continental hosted a Neighborhood Meeting in Lincoln on January 13, 2010 to inform neighboring property owners of our plans for the Heritage Lakes Drive Multifamily project. As an update, please find attached the following items regarding the meeting:

- Property Owner Notification List
- Property Owner Notification Exhibit
- Neighborhood Meeting Sign-In Sheet
- Neighborhood Meeting Summary

While in Lincoln we met with Mr. Gary Kort at Heritage Builders, the owner of the townhome lots to the east of the site. After his review of our proposed building plans and site plan, Mr. Kort stated that he is pleased with and supportive of our project.

In addition, we have been in contact with Mr. Shawn Lang, President of Vintage Heights Homeowners Association. Continental has provided Mr. Lang with a project description that will be distributed to the Vintage Heights residents in an upcoming newsletter.

If you have any questions or need additional information, please contact me at 262/502-5500. Thanks again for working with us on this project.

Sincerely,
CONTINENTAL PROPERTIES COMPANY, INC.

A handwritten signature in black ink, appearing to read "Erik Hahn", written in a cursive style.

Erik Hahn

NEIGHBORHOOD MEETING NOTIFICATION LIST

CHRISTOPHER & TRACY BRESTER 6400 BLACKSTONE RD LINCOLN, NE 68526	MARY L KATZ REVOCABLE LIVING TRUST 15813 E CACTUS WREN CT FOUNTAIN HILLS, AZ 85268	JOSHUA W SEVERIN 7120 S 97 ST LINCOLN, NE 68526
LESLIE & LEWIS, SHAWN MONROE 2941 S 16 ST LINCOLN, NE 68502	HAROLD HARPSTER REVOCABLE TRUST 7142 S 94 CT LINCOLN, NE 68526	GREGG A VANIER 7146 S 94 CT LINCOLN, NE 68526
JANET L GUENZEL 1530 TRELAWNEY DR LINCOLN, NE 68512	JOHN & KRISTIE BOEHM 7200 S 97 ST LINCOLN, NE 68526	BRENT BEHRENS & HILARY KRUSE 7206 S 94 LINCOLN, NE 68526
DENNIS & PATRICIA BEHRENS 416 N 19 ST BEATRICE, NE 68310	ROGER & ANN SEVERIN 9201 PIONEER CT LINCOLN, NE 68512	BARBARA J JACOBSON 7215 S 94 CT LINCOLN, NE 68526
RICHARD & DOROTHY ECKSTROM REVOCABLE TRUST 7219 S 94 CT LINCOLN, NE 68526	CHRISTOPHER & SHEILA ROBERTS 7221 S 95 ST LINCOLN, NE 68526	EDGAR & JODI OSBORN 7230 S 95 ST LINCOLN, NE 68512
WENDELL & SHARON TACKETT 7232 S 96 CT LINCOLN, NE 68526	WILLIAM & MARY SCHWANER 7234 S 94 CT LINCOLN, NE 68526	MICHAEL L SMITH 7238 S 94 CT LINCOLN, NE 68526
MAY CUSTOM HOMES & CABINETS 9400 HOLDREGE ST LINCOLN, NE 68505	BRUCE SCHWARTZ SCHWARTZ CONSTRUCTION 10201 CROMWELL DR LINCOLN, NE 68516	TOBIE & ZACHARIAH TEMPELMEYER 7310 S 95 CT LINCOLN, NE 68526
CARRIE L EDIGER 7320 S 95 CT LINCOLN, NE 68526	JOHN & DIANE DUDLEY 7320 S 96 CT LINCOLN, NE 68526-6035	BARRY J & KELLY NELSON 7321 S 96 CT LINCOLN, NE 68526-6035
RICHARD & DEBORAH HOLT 7330 S 95 CT LINCOLN, NE 68526	JOAN MARIE KIPLE 7333 S 96 CT LINCOLN, NE 68526	DENISE A ZANGARI 7400 S 95 CT LINCOLN, NE 68526
DENNIS & JAMIE ERICKSON 7401 S 95 CT LINCOLN, NE 68526-9667	SAMUEL & PATRICIA BOON 7410 S 95 CT LINCOLN, NE 68526	JAMES RYAN & FRANCES THOMPSON 7415 S 95 ST LINCOLN, NE 68526

PHILLIP & JOYCE KNAUB
7420 S 95 CT
LINCOLN, NE 68526

AMY RUNYAN
7430 S 95 CT
LINCOLN, NE 68526

PINE LAKE PROPERTIES LLC
ATTN: MARLIN AUSDEMORE
PO BOX 82585
LINCOLN, NE 68501

KATHRYN M SHREVE
REVOCABLE TRUST
7440 S 95 CT
LINCOLN, NE 68526

JOHN & AMY MCCRACKEN
9500 COTSWOLD LN
LINCOLN, NE 68526

EDWARD & COTY RING
1605 VAN DORN ST
LINCOLN, NE 68502

MICHAEL & JILL COX
9510 COTSWOLD LN
LINCOLN, NE 68526

BRIAN & CHRISTINE CATLIN
9510 KOI ROCK DR
LINCOLN, NE 68526

MICHAEL, MATT, ANGELA BEHRENS
9515 KOI ROCK DR
LINCOLN, NE 68526

NATHAN & SARA TAULBEE
9520 COTSWOLD LN
LINCOLN, NE 68516

WILLIAM & JENNIFER NELSON
9520 KOI ROCK DR
LINCOLN, NE 68516

JEFFRE & CHRISTINE CHADWICK
5635 MARGO DR
LINCOLN, NE 68510

DARREN & CRYSTAL PROUTY
9535 COTSWOLD LN
LINCOLN, NE 68526-6000

ROGER & STEPHANIE BUMGARNER
9540 COTSWOLD LN
LINCOLN, NE 68526-9775

WILLOW RIDGE HOMES LLC
7700 HUNTERS RIDGE RD
LINCOLN, NE 68516

TAMERA L COLLIER
9550 COTSWOLD LN
LINCOLN, NE 68526

DONALD, CLEMENTSON & JUDITH
HELMUTH
9555 COTWOLD LN
LINCOLN, NE 68526

IRONWOOD BUILDERS LLC
PO BOX 6615
LINCOLN, NE 68506

NICHOLAS & ELIZABETH STROPE
1731 OAKDALE AVE
LINCOLN, NE 68506

MATT DARINGER & JEN BECWAR
9605 COTSWOLD LN
LINCOLN, NE 68526

DOUGLAS & SANDRA CHAPIN
9615 COTSWOLD LN
LINCOLN, NE 68526

KENNETH & MEGAN MEIER
1510 S 195 CIR
OMAHA, NE 68130

DAWN D AUGER
9540 FIRETHORN LN
LINCOLN, NE 68520

TRAVIS & STEPHANIE MEYER
9630 COTSWOLD LN
LINCOLN, NE 68526

RYBAK HOMES LLC
12555 NW 98 ST
MALCOLM, NE 68402

JOSEPH & JODY STEINBACH
1931 SCOTCH PINE TRL
LINCOLN, NE 68512

ANDERMATT LLC
16934 PELLA RD
ADAMS, NE 68301

ASPEN INVESTMENTS LLC
1225 L ST UNIT 501
LINCOLN, NE 68508

EIGER CORP
16934 PELLA RD
ADAMS, NE 68301

HB II INC
5950 VANDERVOORT DR STE B
LINCOLN, NE 68516

HERITAGE LAKES LLC
5950 VANDERVOORT DR STE #B
LINCOLN, NE 68516

NEBRASKA HEART HOSPITAL LLC
7500 S 91 ST
LINCOLN, NE 68506

Brian Will
City of Lincoln Planning Department
555 South 10th Street
Lincoln, NE 68508

Vintage Heights Homeowners Assoc.
Attn: Shawn Lang, President
6443 Gabrielle Drive
Lincoln, NE 68526

Heritage Lakes Drive Multifamily Neighborhood Meeting

91st Street & Heritage Lakes Drive, Lincoln, NE

January 13, 2010

	Name	Address	Phone	E-Mail
1	Pat & Ann Dixon	7410 South 95th St	483-7171	pdixon@windstream.net
2	Barb Jacobson	7215 So. 94th Ct	483-2116	barbara.jacobson@gmail.com
3	Mike Smith	7278 S. 94th Ct		
4	David & Torie Schmidt	3727 Stockwell	484-3671 (H)	
5	Aspen Child Dev Center	9300 Heritage Lakes Dr.	483-5511	
6	Nancy L. Eckstrom	7219 S 94 Ct - 68524	RECKSTRON@WEBB, RR.COM	trxschmidt@webb.net rr.com
7	Ed Ring	9501 Cotswold Ln	770-0319	ed@edwardskane.com
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NEIGHBORHOOD MEETING SUMMARY – JANUARY 13, 2010
HERITAGE LAKES DRIVE MULTIFAMILY PROJECT

Kimberly Grimm and Erik Hahn of Continental hosted a Neighborhood Meeting on Wednesday January 13, 2010 at 6:30pm, at the AmericInn South in Lincoln. The purpose of the meeting was to introduce the Heritage Lakes Drive Multifamily project to interested property owners in the vicinity of the site and also as an early effort to hear their comments and begin conversations regarding their concerns, if any.

Prior to the meeting, approximately fifty meeting notifications were sent the week of December 27, 2009, to include property owners within the Heritage Lakes Subdivision (east of the site), the Nebraska Heart Hospital, Aspen Montessori School, and the Vintage Heights Neighborhood Association to the north. Of those notified, seven of the surrounding property owners attended the evening of the 13th.

Continental provided key information about the development, such as number of units and that the residences will be for-rent, market rate apartments. The project timeline and upcoming Plan Commission and City Council meeting dates were discussed at the meeting. During the description of the project, all of those who attended provided Continental with insightful questions and concerns regarding the project. Listed below are the topics that were discussed during the meeting:

- Residents asked about the difference between City of Lincoln R3 Zoning and City of Lincoln R5 zoning and the need to rezone for the resulting higher unit count. After Continental described the proposed buildings and the R5 district that best accommodates apartment uses, there were no longer any major objections to the zoning change.

- Continental reviewed the conceptual building plans and elevations with the meeting attendees to assure them that the proposed buildings will be a good fit within the neighborhood. Individual features of the buildings such as materials, building articulations, roofline interest, and direct access entries to units were discussed at length. The neighbors present at the meeting agreed that the proposed building will be of an acceptable quality and architecturally consistent with the pre-existing neighborhood.

- Continental described that it will own and operate the property, employing one property manager on and one maintenance technician on site.

- Residents expressed much concern regarding the proposed location of the dog park, near the eastern property line. Continental recognized the proximity could be potentially bothersome to the neighboring townhomes and agreed to relocate the dog park area approximately 400 feet to the west between proposed buildings 2 & 3.

- Residents questioned the preservation of the existing tree line along the east property line of the site and the potential for additional landscape screening adjacent to the townhomes. Continental stated that the intent is to preserve the existing tree line. There is a need to connect to the existing sanitary sewer line which is west of the tree line. When asked by the residents what the landscape plan for the project will look like, Continental described that a landscape plan had not yet been completed, but reassured the residents that the landscape plan will comply with City of Lincoln landscape regulations.
- Residents questioned the impact of the proposed land use on trip counts allocated to the property. Continental responded that a copy of the traffic report for the overall PUD was completed years ago contemplating development on this parcel. Continental stated that the roads were built to accommodate the subject site, and the City is not requiring an updated traffic study or requiring any road improvements for phase I.
- David & Trixie Schmidt, owners of Aspen Child Development Center, were present and expressed support of the multifamily project and proposed development. Mr. Schmidt also stated that prior to the development of their daycare, they had been told by the owner of the property (Kelvin Korver of Andermatt LLC) that the intended use of the parcel was slated to be either apartments or office. Continental's current proposed use for the site is consistent with that statement.
- Barb Jacobson, a resident of a townhome unit east of the site, voiced concern regarding site lighting being projected by the development into her home to the west of the site. Continental responded that lighting on the site will be sufficient to provide tenants safe access to their units, but not intense enough to create any significant light pollution that will be bothersome to the neighbors.
- Dorothy Eckstrom, a resident of a townhome unit east of the site inquired if there was any potential for the units to be developed as Section 8 Housing. Continental responded that this project will not be Section 8 Housing and that it has not developed any Section 8 Housing in its current portfolio. Continental also explained that there is not a governing body that can force the development to be Section 8 Housing, but the development will comply with Federal Fair Housing regulations.
- Another resident asked if Continental had any idea who will be building the project. Continental responded that McShane Construction had been selected as general contractor for the project and that the current intent is to hire a local contractor to perform the site work.
- The neighbors asked how much Continental will be charging for rent. Continental described that rent per unit will range between \$575-1300 per month.

- Trixie Schmidt, the owner of the Aspen Child Development Center asked if Continental would perform pedophile checks in the screening of their residents, particularly due to the proximity of proposed building 4 overlooking the school's playground. Continental responded with absolute certainty that those types of checks would be performed prior to accepting tenant applications. Continental described that during the resident application process, criminal background screening, credit checks, and rental history reference checks are all completed by Continental's property management.
- Residents asked what kind of siding will be put on the proposed buildings. Continental described that we are looking at vinyl siding for the buildings.
- The residents of Heritage Lakes asked if future tenants will have access to the private community trail surrounding the lake within their neighborhood. They also described that Nebraska Heart Hospital employees are currently prohibited from using the private trails. Continental responded that they were uncertain if access to the trails had been discussed through existing negotiations with the land owner and would confirm.

Jean Preister

To: PC Members
Cc: Brian Will
Subject: Additional Information: Item No. 4.1a&b: Change of Zone No. 09030 and Special Permit No. 09029: Heritage Lakes Multi-Family.

PC Members --

I apologize for not getting this out to you yesterday. I will also have copies for you at today's hearing.

--Jean Preister, Administrative Officer
Planning Department
441-6365

From: J. Dixon Esseks [mailto:jesseks@msn.com]
Sent: Tuesday, January 26, 2010 5:08 PM
To: Brian Will
Cc: Jean Preister; Marvin S. Krout; Steve S. Henrichsen
Subject: Re: Heritage Lakes Drive Multifamily CUP

Brian,

Thank you very much for the very clear and persuasive answers. I, for one, would like to see them in the record.

If no one else raises the questions, I will probably ask about the buffer and about the placement of the dog park. I like very much your response also to the issue of transition from detached single-family to apartment units. I drove past the property this afternoon and agree that the proposed layout (except for the dog park) would satisfy contemporary text book authors.

Gratefully,

Dick

----- Original Message -----

From: Brian Will
To: 'J. Dixon Esseks'
Cc: Jean Preister ; Marvin S. Krout ; Steve S. Henrichsen
Sent: Tuesday, January 26, 2010 3:27 PM
Subject: RE: Heritage Lakes Drive Multifamily CUP

Dick,

-In addition to natural separation and buffer provided by the existing trees and foliage in the drainage way between the two developments, the Design Standards will require a 50% screen from 6' to 15' in height on the apartment complex site adjacent to the lot lines bordering the both townhomes and the day care center. Parking lot screening to 3' in height will also be required, but it won't have much impact along the east lot line.

-In the summary of the 1/13/10 meeting between the applicant and the neighborhood that is attached to the staff report, Continental Properties represented to the neighbors that they would agree to move to the dog park to the west

side of the complex increasing the separation from the townhomes to the east. As I read that, I think they intend to make that change to their site plan, but they could be asked to confirm it during the public hearing.

-Regarding the proximity of these land uses to one another, it is my understanding that apartments have been a part of the larger, overall development scheme since since this area was annexed for the Prairie Lakes Shopping Center back in 2000. I think the Comp Plan would tell us that the layout of the residential land uses in this area is textbook, with the single-family dwellings on the east, followed by the attached single-family (townhomes) in the middle, and the apartments sited at the west edge serving as both a buffer and transition to the shopping center further to the west across South 91st Street. While we all perhaps acknowledge that multiple-family dwellings have somewhat different operating characteristics when compared to single-family dwellings, they are still residential in nature and are considered a compatible land use.

Thanks for raising these issues in advance of the public hearing, and I will attempt to more fully address them if you choose to discuss them during the public hearing. I have copied Jean Preister so she can forward my response to the other Commissioners for their information.

From: J. Dixon Esseks [mailto:jesseks@msn.com]
Sent: Tuesday, January 26, 2010 10:03 AM
To: Brian Will
Subject: Heritage Lakes Drive Multifamily CUP

Brian,

What will be the nature of required screening between the established duplexes to the East and the apartment-house development? And should the CUP require something more substantial so that the duplex residents will not experience excessive noise and sight "pollution"?

--Can we require that the dog run not be adjacent to the backyards of three duplexes?

--A transition from duplexes to apartments at the back of the duplexes seems reasonable to me. But is there anything about the juxtaposition of these particular properties that might make such a transition inappropriate here?

Thank you for considering these questions.

Dick

J. Dixon Esseks, Ph.D.
Center for Great Plains Studies
University of Nebraska at Lincoln
1155 Q St.
PO Box 880214
Lincoln NE 68588-0214
402-310-1540 (cell)
402-472-0463 (fax)
402-420-7678 (home)
jesseks@msn.com

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Jean Preister

To: DErickson@horizonholding.com
Cc: Marvin S. Krout; Brian Will; Steve S. Henrichsen;
chahn@cproperties.com; imartin@cproperties.com
Subject: Support: Item No. 4.1a&b: Change of Zone No. 09030 and Special
Permit No. 09029, Heritage Lakes Multi-Family

Dear Mr. Erickson:

Thank you for submitting your comments in support, which have now become part of the record on these applications. A copy is being forwarded to each Planning Commission member for their consideration prior to the public hearing, which begins today at 1:00 p.m.

If you have any questions about the public hearing or this process, please do not hesitate to contact me.

--Jean Preister, Administrative Officer
Planning Department
441-6365

From: Dennis Erickson [mailto:DErickson@horizonholding.com]
Sent: Tuesday, January 26, 2010 2:55 PM
To: Brian Will
Subject: Development Northeast corner of 91st and Heritage lakes drive

Brian,

I am a home owner in Heritage Lakes at 7401 S. 95th Street. As I am unable to attend the planning meeting tomorrow I would like to pass along my support for this project. I believe this will be a great addition to the entire neighborhood.

Sincerely,

Dennis Erickson

"We proudly serve great food with exceptional service in a clean, safe environment for our guests and team members."

Dennis Erickson
President
Horizon Holding Inc.
6101 S. 58th St. Ste B
Lincoln NE 68516
PH- 402-421-6400 ext. 118
Fax -402-421-6050
Cell -402-450-1635

Jean Preister

To: ed@edwrdsstone.com
Cc: Marvin S. Krout; Brian Will; Steve S. Henrichsen;
ehahn@cproperties.com; imartin@cproperties.com
Subject: Support: Item No. 4.1a&b: Change of Zone No. 09030 and Special
Permit No. 09029: Heritage Lakes Multi-Family apartments @ 91st and
Pinelake

Dear Mr. Ring:

Thank you for submitting your comments in support, which have now become a part of the record on these applications. A copy is being forwarded to each Planning Commission member for their consideration at the public hearing today, which begins at 1:00 p.m.

If you have any questions about the public hearing or this process, please do not hesitate to contact me.

---Jean Preister, Administrative Officer
Planning Department
441-6365

From: Brian Will

From: Edward's Stone [mailto:ed@edwardsstone.com]
Sent: Tuesday, January 26, 2010 4:02 PM
To: Brian Will
Subject: apartments @ 91st and Pinelake

Brian,
I am just writing to let you know I am in support construction of apartments by Continental Properties Company, Inc at approximately 91st and Pinelake Rd (Heritage Lakes Dr). I am a resident of Heritage Lakes (9501 Cotswold Ln) and I feel this will be a great addition to our community.
Best regards,

Ed Ring
President
O: 402.421.7625
F: 402.438.8360



327

Jean Preister

To: roger@ironwoodlincoln.com
Cc: Marvin S. Krout; Steve S. Henrichsen; Brian Will;
ehahn@cproperties.com; imartin@cproperties.com
Subject: Support: Item No. 4.1a&b: Change of Zone No. 09030 and Special
Permit No. 09029: Heritage Lakes Multi-Family

Dear Mr. Bumgarner:

Thank you for submitting your comments in support, which have now become part of the record on these applications. A copy is being forwarded to each Planning Commission for their consideration prior to the public hearing, which begins at 1:00 today.

If you have any questions about the public hearing or this process, please do not hesitate to contact me.

--Jean Preister, Administrative Officer
Planning Department
441-6365

From: Roger Bumgarner [mailto:roger@ironwoodlincoln.com]
Sent: Tuesday, January 26, 2010 8:24 PM
To: Brian Will
Subject: Heritage Lakes Multi-Family

Hi Brian,

I live in Heritage Lakes, and I just wanted to show my support for the proposed development at 91st & Heritage Lakes Dr. I think any new development in this part of town is a great thing, and the proposal by this developer/builder seems like a step in the right direction. As a builder, I think this part of Lincoln suffers from a lack of proper development, and people are therefore pushed to SW Lincoln. I would be happy to see this project move forward.

Have a great day,

Roger Bumgarner
Ironwood Builders
402.580.7955 Cell
866.901.6110 Fax

www.ironwoodlincoln.com

RECEIVED

To: City of Lincoln Planning Commission
From: Residents of Coffee Tree Townhome Association
Re: Change of Zone #09030 and Special Permit #09029
Date: January 23, 2010

JAN 25 2010

Lincoln/Lancaster Co.
Planning Department

Dear Members:

This letter is in regard to the Change of Zone #09030 and Special Permit #09029 for South 91st Street & Heritage Lakes Drive. These changes sought by Continental Properties, of Menomonee Falls, WI, are of particular concern to the residents of the Coffee Tree Townhouses located on South 94th Ct.

As homeowners in this area, these proposed changes may have the following impact on our properties:

- The anticipated loss of our property values due to the encroachment of multi-unit apartments
- The visual impact would be negative due to height and density of placement on the property, i.e. as many as 270 units
- The audible impact would be negative due to the noise level that 270+ open parked vehicles (i.e. car alarms, etc.) and the potential for over 540 people to be residing on a condensed site (comprised of one, two and three bedroom units)
- The lack of attached garages would promote open parking, unsightly detached garages and after-dark flood lighting
- A proposed "dog run" could harbor many barking dogs and foul odors
- The units being proposed are not architecturally consistent with the existing buildings within Heritage Lakes. Additionally, the materials being proposed are not of high quality and are not aesthetically attractive (vinyl siding, etc.)

Barbara J. Jacobson
7215 South 94th Ct.

PC PR
7206 S. 94th Ct

Richard and Dorothy
Jacobson

Janet Alenzel
7156 So. 94th Ct.

Kilay Belmers
7206 S. 94th Ct

7219 S 94th Ct

Michael L Smith
7238 S. 94th Ct.

Mary Schwaner
7234 So 94th Ct
Wilbur Schwaner
7234 So 94th Ct