

FACTSHEET

TITLE: SPECIAL PERMIT NO. 1423C, an amendment to the HIMARK ESTATES COMMUNITY UNIT PLAN, requested by Mark Hunzeker on behalf of Dru, Guy and David Lammler, to add land to the community unit plan; increase the assigned number of dwelling units from 240 to 300 in an area designated for multi-family; and to approve the site plan for the multiple family area, on property generally located at the northeast corner of South 84th Street & Old Cheney Road.

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: 01/12/00 and 01/26/00
Administrative Action: 01/26/00

RECOMMENDATION: Conditional Approval, with amendments as requested by the applicant, except Condition #1.1.19 (5-2: Duvall, Hunter, Krieser, Taylor and Schwinn voting 'yes'; Steward and Newman voting 'no'; Bayer and Hopkins absent).

STAFF RECOMMENDATION: Denial.

FINDINGS OF FACT:

1. The Planning staff recommendation to deny the proposed amendment to the Hi-Mark Estates Community Unit Plan is based upon the "Analysis" as set forth on p.008-012, concluding that the application does not conform to the Comprehensive Plan; the plan fails to demonstrate that it conforms to design standards; the plan is incomplete and lacks necessary information for a complete review; the reduction in the required number of parking spaces is justified by reducing the amount of pavement on this environmentally sensitive site; and there is no apparent justification to reduce the 40' setback between multiple family buildings and single family lots.
2. On January 12, 2000, the applicant requested a continuance of the public hearing for two weeks so that a request to waive the 40' setback between the multiple family buildings and Lot 48, I.T., and a request to waive the required parking ratio could be properly advertised see p.030).
3. The applicant's presentation is found on p.034-037, including proposed amendments to the conditions of approval (also see p.033). The applicant also submitted a letter from Gene D. Svensen, a landscape architect, in support of the applicant's proposed amendment to Condition #1.1.19 (see p.036). This letter states that "Many people would call the majority of the trees on this site as 'weed trees' or 'junk trees'."
4. Testimony in opposition is found on p.038. The issues of the opposition (Mike McKeeman) are access to his property and the future value of his property. The applicant's response to the opposition is found on p.040. The applicant also proposed amendment to Condition #1.1.2 such that the developer will provide a vehicular access easement from the west driveway in the site to Lot 48, I.T., for a single-family dwelling only. This amendment is an attempt to satisfy Mr. McKeeman's concern regarding access to his property.
5. The Planning Commission discussion is found on p.038-044.
6. A motion to not allow the increase in the number of dwelling units from 240 to 300 failed 3-4 (Taylor, Newman and Steward voting 'yes'; Duvall, Hunter, Krieser and Schwinn voting 'no'; Bayer and Hopkins absent).
7. The Planning Commission voted 5-2 to recommend conditional approval, with the amendments as requested by the applicant (p.033), except for the amendment to Condition #1.1.19. The Planning Commission further amended Condition #1.1.19 to require that the applicant "...identify the trees on the site that are 3" caliper or greater that will be removed." (See p.014 and p.043).
8. The applicant has filed a letter appealing the Site Specific conditions of approval (p.002). Therefore, the site plan has not yet been revised pursuant to the recommendation of the Planning Commission.

FACTSHEET PREPARED BY: Jean L. Walker
REVIEWED BY: _____
REFERENCE NUMBER: FS\CC\FSSP1423C

DATE: February 14, 2000
DATE: February 14, 2000

PIERSON, FITCHETT, HUNZEKER, BLAKE & KATT
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February 9, 2000

Paul Malzer
City Clerk, City of Lincoln
555 South 10th Street
Lincoln, NE 68508

Re: Special Permit 1423-C Hi-Mark Estates Community Unit Plan
Notice of Appeal

Dear Paul:

Notice is given that on behalf of the applicant, we appeal the action of the Planning Commission taken January 26, 2000 with respect to the above captioned special permit. Specifically, we appeal the imposition of the conditions: 1.1.1; 1.1.2; 1.1.3; 1.1.5; 1.1.9; 1.1.10; 1.1.11; 1.1.12; 1.1.13; 1.1.14; 1.1.15; 1.1.16; 1.1.18; 1.1.19; 1.1.20; 1.1.21; and 1.2.

We would appreciate having this matter scheduled at your earliest convenience. Thank you very much.

Sincerely,

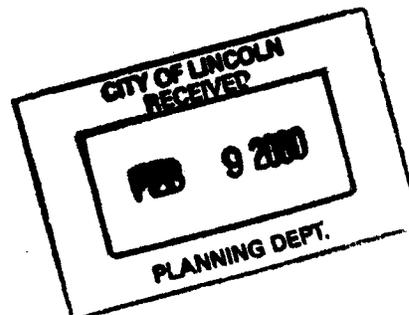


Mark A. Hunzeker
For the Firm

MAH:dd

cc: Jean Walker
Ray Hill

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002

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

P.A.S.: Special Permit #1423-C, HiMark Estates **DATE:** *Revised* January 14, 2000
****As Revised by Planning Commission 01/26/00****

PROPOSAL:

Add land to the community unit plan, increase the assigned number of dwelling units from 240 to 300 in an area designated multiple family, and approve the site plan for the multiple family area.

Waive the 40' setback between the multiple family buildings and the surrounding single family lots (Lot 48 I. T. and Lots 19, 20, and 21, Block 4 HiMark Estates Community Unit Plan.

Reduce the required number of parking spaces from 2 spaces per dwelling unit to 1.7.

GENERAL INFORMATION:

APPLICANT:

Dru, Guy, and David Lammle
HiMark Golf Course
9001 Pioneers Blvd.
Lincoln, NE 68520

CONTACT:

Mark Hunzeker
1045 Lincoln Mall, suite 200
Lincoln, NE 68508

LAND OWNERS:

HiMark Development, Inc.
D & M Development, L. L. C.
Jerome Hittner

LOCATION:

Northeast corner of S. 84th Street & Old Cheney Road

LEGAL DESCRIPTION:

AMENDED AREA:

Lot 2 I. T., All of Outlot "D" HiMark Estates 1st Addition, Outlot "D", & that part of Outlot "E" HiMark Estates Addition, the part of Outlot "E" is more particularly described as commencing at the Northwest corner of Lot 7, Block 2, HiMark Estates, thence N00° 00' 00"E (assumed bearing) along the west line of Lot 6, Block 2, HiMark Estates Addition 14.28 ' to the point of beginning, thence N76°30'07", 540.46' along the north line of Outlot "D", HiMark Estates Addition, thence continuing along said north line S89°54'36"W, 275.0' to the east right-of-way line of 84th Street, thence N00°05'27"W, 70.0' along said right-of-way line, thence N89°54'36"E, 275.0', thence S71°16'39"E, 555.01' to the west line of Lot 6, Block 2, HiMark Estates Addition, thence S00°00'00"E, 18.0' to the point of beginning, all located in the southwest ¼ of Section 11, T9N,R7E, Lincoln, Lancaster, Nebraska.

SIZE:

22.24 acres

EXISTING ZONING:

R-3 and AG (CZ#3228 proposes to change the AG to R-3)

EXISTING LAND USE:

A single family dwelling and vacant wooded area.

SURROUNDING LAND USE AND ZONING:

To the north is open space for golf course and is zoned R-3,
to the east is vacant and is zoned R-3,
to the south across Old Cheney Road is vacant, and is zoned R-3,
to the west and across S. 84th Street are single family acreages and zoned AG.

COMPREHENSIVE PLAN SPECIFICATIONS:

The Land Use Plan shows the site as Urban Residential.

The Land Use Plan designates the Antelope Creek corridor as Natural/Environmentally Sensitive. In addition, the Comprehensive Plan includes the following specifications relative to natural features and environmental resources:

- *"Extensive development within floodplains decreases the water retention capabilities of the land and can cause serious flooding downstream" (p. 153).*
- *"Maintaining the capacity of our flood ways and flood plains to contain and carry flood waters and prevent damage should be an important consideration in all planning and development" (p. 72).*
- *"Maintain, preserve and enhance existing wetlands and restore degraded wetlands" (goal, p. 70).*
- *"Protect natural stream corridors and enhance man-made open channels for the purpose of improving water quality and reducing flood damage and erosion while retaining open space" (goal, p. 70).*
- *"Make preservation, protection and enhancement of our natural resource and open space an integral part of the current and long range planning and development processes" (goal, p. 74).*
- *"Respect the natural character of areas by incorporating natural features into new developments and adjacent existing projects" (goal, p. 74).*

HISTORY:

In 1979, the land was changed from AA Rural and Public Use to AG Agricultural.

On July 27, 1998, part of the site was changed from AG to R-3, the site was included in the HiMark Estates Community Unit Plan and the preliminary plat was approved.

During meetings on June 3rd and June 11th, 1999 the developer and the Planning Staff discussed revising the preliminary site plan to preserve the wetlands and trees on the site and to maintain the flood storage capacity of Antelope Creek, since a Community Unit Plan provides the opportunity to preserve natural features by shifting density from one portion of a site to another. Alternatives were discussed to cluster buildings outside of the

floodplain while maintaining the same density and to locate parking areas, rather than buildings, within the floodplain to reduce the amount of necessary fill.

On October 8, 1999, a representative of the developer met with the Planning Staff to discuss issues including keeping the buildings out of the floodplain, protecting the wetlands and the existing tree masses, and providing vehicular access to S. 88th Street.

SPECIFIC INFORMATION:

UTILITIES:

The existing water mains in Old Cheney and S. 88th Street are adequate to serve this apartment complex. A private system is shown on the plans. The complex will need to be served with a metered water service. Fire hydrants will be needed on this private system.

The existing and proposed sanitary sewers in this development are adequate to serve the apartment complex.

The Fire Department finds the fire hydrant spacing exceeds the 420 ft. maximum spacing as defined in the design standards.

TOPOGRAPHY:

Antelope Creek flows through the site and the land slopes towards the creek.

TRAFFIC ANALYSIS:

The December 6, 1999, Public Works & Utilities Department report states that the City administration is recommending 140' of right-of-way be preserved along major streets such as Old Cheney and 84th Street. Note that the comprehensive plan shows the need for a minimum of 120' of right-of-way along all 4 legs of this intersection. Public Works requests 70' of right-of-way from the centerline of 84th and Old Cheney Road adjacent to this C.U.P.

The 2 driveway locations shown on Old Cheney Road are not suitable for future median openings. It is anticipated that 88th Street and Old Cheney Road will be provided a median opening. Access from this development needs to be shown with a driveway to 88th Street. The driveway to Old Cheney Road east of Antelope Creek should be eliminated. All driveways must be

designed with the driveway approach in the right-of-way sloping from the sidewalk line to the curb of the public street. The plans do not show this. This will require significant changes to the grading plan.

Sidewalks are required along 84th Street, 88th Street and Old Cheney Road adjacent to this plan. The Himark preliminary plat shows a 20' bike trail easement along Antelope Creek. This is not shown on this plan.

PUBLIC SERVICE:

The nearest fire station is located at S. 84th & South Street.

REGIONAL ISSUES:

This plan reduces the storage available for flood water along Antelope Creek. No information was submitted on the amount of fill proposed to be placed in the 100 - year floodplain to accomplish this development.

No certification was provided by a qualified engineer indicating that the proposed development and grading within the floodway will cause no increase in the 100-year flood elevation.

ENVIRONMENTAL CONCERNS:

The impact of this development on the natural wooded area, wetlands, and floodplain.

AESTHETIC CONSIDERATIONS:

The Landscape plan exceeds the minimum design standards. However street trees are not included.

ALTERNATIVE USES:

Cluster or reconfigure the development outside the floodplain and preserve the natural wooded area.

ANALYSIS:

1. ***The purpose of a community unit plan:***

is to permit and to encourage creative design and in order to permit such creative design in buildings, open space and their interrelationship while protecting the health, safety and general welfare of existing and future residents of surrounding neighborhoods.

2. ***Open space:***

Nearly 40% of the land area is covered with buildings and pavement. The plan is not sensitive to the existing natural features including tree masses, wetlands, floodplain, and Antelope Creek.

3. ***Setbacks:***

The CUP design standards require multiple family buildings with more than two stories adjacent to single family lots to be setback at least 40 feet, but not less than the height of the multiple family building. The setback area is to be devoted only to trees, shrubs, grasses and other screening facilities. The two multiple family buildings located west of lots 19, 20, and 21 Block 4 are set back only 20' from the lot line of the proposed single family lots. The multiple family building located east of the existing single family lot at 84th and Old Cheney Road is set back only 20 feet from the lot line. The proposed height of the buildings does not exceed 35'.

The proposed 20' setback between the multiple family buildings and the single family lots is less than the standard 30' rear yard setback.

4. ***Density:***

The approved community unit plan permits 240 dwelling units in this area.

The Community Unit Plan design standards permit up to 15 dwelling units in a cluster in the R-3 zoning district. The proposed 300 dwelling units is less than the maximum cluster of 15 dwelling units per acre. However the standards state that the developer shall in no way assume that the City will grant the calculated maximum number of dwelling units. The City will also consider the character and density of the surrounding land area, the size and location of the buildings, the proposed open space, the amount of ground covered by buildings and pavement, and traffic volumes and circulation.

5. ***Vehicular access:***

The plan surrounds Lot 48 I.T. Unless vehicular access is provided from this plan, the only access to Lot 48 I. T. would be from 84th Street or Old Cheney Road which could be unsafe and increase congestion at the intersection of Old Cheney Road and S. 84th Street, two major streets.

The proposal includes two accesses from Old Cheney Road. The Public Works & Utilities Department recommends an access to S. 88th Street to accommodate left turns on and off Old Cheney Road and that the driveway east of Antelope Creek be eliminated.

All driveways must be designed with the driveway approach in the right-of-way sloping from the sidewalk line to the curb of the public street.

6. ***Drainage & Grading:***

The Public Works & Utilities Department states that the drainage & grading plan is incomplete and unsatisfactory.

The Lower Platte South NRD report states that only 11.6 acres are included in the drainage calculations, this leaves out several significant buildings with no runoff calculations.

Proposed contours on the Grading Plan do not appear to be shown in an established datum. The Grading Plan should be revised to show, at a minimum, all contours in City datum (which was required at the time this

project was submitted) and to indicate the datum used on the Grading Plan.

7. Floodplain:

This reach of Antelope Creek east of 84th Street is just outside of the FEMA study area limits and the boundaries of the 100-year floodplain and floodway have been provided by the applicant. Section 27.55.040(g) of the Floodplain Ordinance states that when base flood elevation data have not been provided on the official map, the City should "utilize any base flood elevation and floodway data available from a federal, state, or other source, as criteria for requiring that new construction, substantial improvements, or other developments in the floodplain meet the standards of this chapter."

While the floodplain and floodway limits have been provided, there appears to be no 100-year flood elevation included on the plans and it is not clear whether building areas are protected from flooding. The 100-year flood elevation should be indicated on the grading and drainage plan and all buildable areas should be shown to be one foot above the 100-year flood elevation.

The Public Works & Utilities Department states that no information is provided to document the existing flood plain and if this project causes any rise in the flood plain of Antelope Creek. Required information must include an analysis of the street crossing of Antelope Creek.

Calculations and supporting documentation must be provided to demonstrate how the floodplain and floodway limits were derived. This information needs to be submitted for review. In addition, it is not clear whether the floodway calculations assume the creation of the lake.

There is grading for a driveway bridge, lake, and water feature within the proposed floodway and no information has been submitted to show how these elements may or may not impact flows through Antelope Creek. The driveway crossing appears to create a dam through the center of Antelope Creek, however the grading information for this structure is incomplete.

The Lower Platte South NRD report states that there are many significant buildings in the floodplain and there appears to be an extensive amount of fill that is to be imported.

No information was submitted on the amount of fill proposed to be placed in the 100 - year floodplain to accomplish this development.

No certification was provided by a qualified engineer indicating that the proposed development and grading within the floodway will cause no increase in the 100-year flood elevation.

While buildings in the floodplain must be raised above the elevation of the 100 year floodplain, the Land Subdivision Ordinance allows roadways to be as low as one foot above the elevation of the 50 year floodplain.

8. *Storm water detention:*

The Public Works & Utilities Department states that the approved plan for HiMark shows a detention pond in this apartment site. None is shown on this plan.

The NRD report states that a project of this size should have a detention facility. The NRD requests design calculations for the detention facility.

9. *Wetlands:*

The NRD report requests a plan for mitigation due to the loss of wetlands for the east drainage area.

A large portion of the wetlands on the site, particularly those along a tributary to Antelope Creek, appear to be impacted by the proposed development. During the June 3rd meeting the developer agreed to determine whether a 404 permit had already been obtained or would be required for the impact to the wetlands on the site. However, no additional information regarding this was submitted with the plans.

10 *Erosion control:*

The NRD report states that the plan gives no indication as to what is planned and where to control erosion. The plan must show specific BMP's to review. This project is too large to be controlled by a single silt fence on each side of the drainage.

11. *Comprehensive Plan:*

The plan does not conform with goals of the Comprehensive Plan regarding floodplain management; maintenance, preservation, and enhancement of existing wetlands; protection of natural stream corridors; and respect of natural character of areas.

The Zoning Ordinance requires that conditions be imposed that are appropriate and necessary to ensure compliance with the comprehensive plan and protect the health, safety, and general welfare in the issuance of a special permit.

12. *Parking:*

The application includes a request to reduce the parking requirements from two parking spaces per dwelling unit to 1.7. The City Council may reduce the parking requirements to no less than 1.5 spaces per dwelling unit when the application includes justifying the reduction. While the application did not specifically mention the justification, reducing the amount of pavement in this environmental sensitive area is acceptable justification.

STAFF CONCLUSION:

1. The plan does not conform to the Comprehensive Plan.
2. The plan fails to demonstrate that it conforms to design standards.
3. The plan is incomplete and lacks necessary information for a complete review.
4. The reduction in the required number of parking spaces is justified by reducing the amount of pavement on this environmental sensitive site.
5. There is no apparent justification to reduce the 40' setback between multiple family buildings and single family lots.

STAFF RECOMMENDATION:

Denial

However, if after public hearing the Planning Commission choose to approve the application the following are suggested conditions:

CONDITIONS:

Site Specific:

1. After the applicant completes the following instructions and submits the documents and plans to the Planning Department office and the plans are found to be acceptable, the application will be scheduled on the City Council's agenda:
 - 1.1 Revise the site plan to show:
 - 1.1.1 Fire hydrants as approved by the Lincoln Fire Department.
 - 1.1.2 A vehicular access easement from ~~a~~ the west driveway in this site to Lot 48 I.T. for a single-family dwelling only. (**Per Planning Commission 01/26/00**)
 - 1.1.3 A 25-foot wide easement for vehicular access from a driveway to S. 88th Street. (**Per Planning Commission 01/26/00**)
 - ~~1.1.4 The driveway access to Old Cheney Road east of Antelope Creek eliminated. (**Per Planning Commission 01/26/00**)~~
 - 1.1.5 Sidewalks along S. 84th Street, Old Cheney Road, and S. 88th Street.
 - ~~1.1.6 A 20' wide bike trail easement along Antelope Creek. (**Per Planning Commission 01/26/00**)~~
 - ~~1.1.7 Parking reduced to 2 parking spaces per dwelling unit. (Deleted by Staff on 01/14/00)~~
 - ~~1.1.8 A 40' setback between the multiple family buildings and Lot 48 I.T. and Lots 19, 20, and 21 Block 4. (**Per Planning Commission 01/26/00**)~~
 - 1.1.9 A drainage & grading plan, including all necessary floodplain information as approved by the Public Works & Utilities Department and Planning Staff.

- 1.1.10 Driveways at public streets designed as approved by the Public Works & Utilities Department.
- 1.1.11 The elevation of the 100 year floodplain with the building areas one foot above the 100 year floodplain.
- 1.1.12 The amount of fill imported to the 100 year floodplain.
- 1.1.13 Storm water detention as approved by the Public Works & Utilities Department.
- 1.1.14 The number of parking spaces in each row of parking and the number of spaces in each garage.
- 1.1.15 A certificate signed by a qualified engineer indicating that the proposed development and grading within the floodway will cause no increase in the 100-year flood elevation.
- 1.1.16 An erosion control plan as approved by the Low Platte South Natural Resources District.
- ~~1.1.17 The buildings moved outside the 100 year flood plain and the parking areas in the floodplain not raised more than 1 foot below the 50 year flood plain. (**Per Planning Commission 01/26/00**)~~
- 1.1.18 Utility easements as requested by LES.
- 1.1.19 Add street trees to the landscape plan and identify the trees on the site that are 3" caliper or greater that will be removed the trees on the site that will be removed. (**Per Planning Commission 01/26/00**)
- 1.1.20 A maximum of ~~240~~ 300 dwelling units. (**Per Planning Commission 01/26/00**)
- 1.1.21 The new right-of-way along Old Cheney Road and S. 84th Street as shown on the plans approved in April 1997 and the buildings setback no less than the standard 20' from the new right-of-way.

- 1.2 Calculations and supporting documentation to demonstrate how the floodplain and floodway limits were derived and to demonstrate the impact of the proposed structures within the floodplain and floodway.
- ~~1.3 A 404 permit regarding the wetlands on the site. (**Per Planning Commission 01/26/00**)~~
2. This approval permits a maximum of ~~240~~ 300 dwelling units. (**Per Planning Commission 01/26/00**)

General:

3. Before receiving building permits:
 - 3.1 The permittee shall have submitted a revised and reproducible final plan including 5 copies as approved.
 - 3.2 The construction plans shall comply with the approved plans.
 - 3.3 The Final Plat shall be approved by the City.
 - 3.4 Prior to Council action on this permit, the applicant shall agree with the Parks and Recreation Department upon a suitable bike trail easement between 84th Street and Old Cheney Road. (**Per Planning Commission 01/26/00**)
 - 3.5 The 404 permit shall be obtained prior to the fill of any wetlands on the site. (**Per Planning Commission 01/26/00**)

STANDARD CONDITIONS:

4. The following conditions are applicable to all requests:
 - 4.1 Before occupying the dwelling units all development and construction shall have been completed in compliance with the approved plans.
 - 4.2 All privately-owned improvements shall be permanently maintained by the owner or an appropriately established homeowners association approved by the City Attorney.

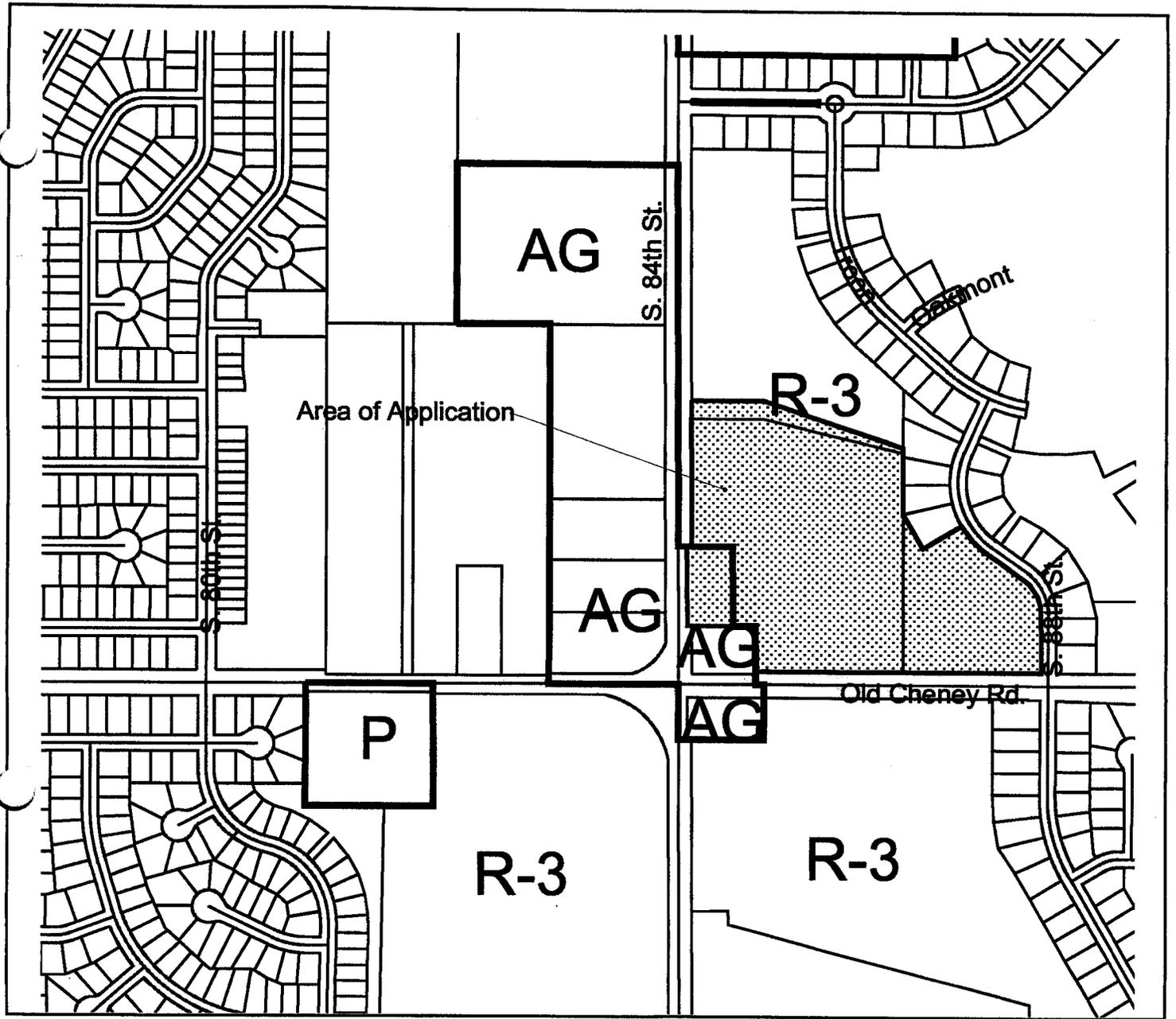
- 4.3 The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
 - 4.4 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
 - 4.5 The City Clerk shall file a copy of the resolution approving the permit and the letter of acceptance with the Register of Deeds. The Permittee shall pay the recording fee in advance.
5. The site plan as approved with this resolution voids and supersedes all previously approved plans for this site, however all resolutions approving previous permits remain in force unless specifically amended by this resolution.

Prepared by:



Ray Hill
Planner

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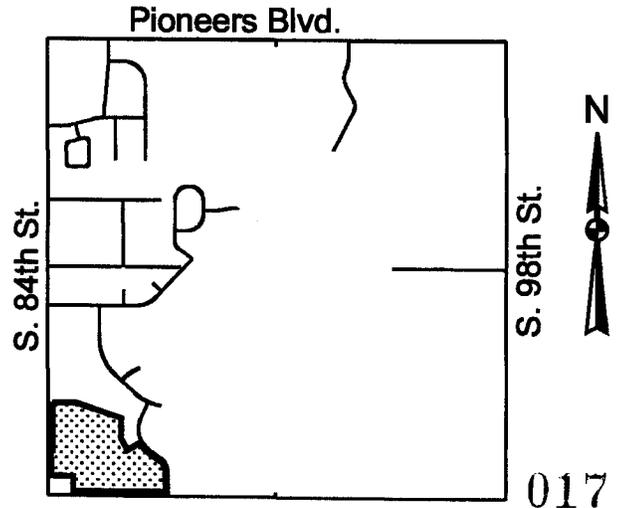
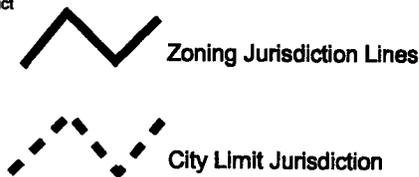


**Special Permit #1423C
Amendment to Himark Estates CUP
84th & Old Cheney Rd.**

Zoning:

- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- R-C Residential Conservation District
- O-1 Office District
- O-2 Suburban Office District
- O-3 Office Park District
- R-T Residential Transition District
- B-1 Local Business District
- B-2 Planned Neighborhood Business District
- B-3 Commercial District
- P-4 Lincoln Center Business District
- H-2 Planned Regional Business District
- H-3 Interstate Commercial District
- H-4 Highway Business District
- I-1 Highway Commercial District
- I-2 General Commercial District
- I-3 Industrial District
- P Industrial Park District
- P Employment Center District
- P Public Use District

One Square Mile
Sec. 11 T9N R7E



Old Cheney Rd.

Sheet 1 of 3
Date: DEC. 29, '99

Lincoln City - Lancaster County Planning Dept.



**Special Permit #1423C
Amendment to Himark Estates CUP
84th & Old Cheney Rd.**



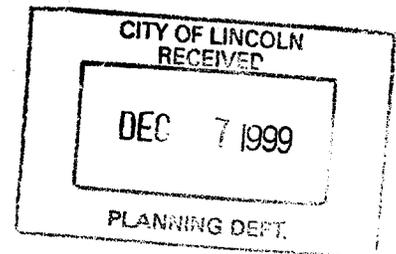
Sheet 2 of 3

Date: DEC. 29, '99

Photograph Date: 1999

013

Memorandum



To: Ray Hill, Planning Department
From: Dennis Bartels, Public Works and Utilities Department
Subject: Himark Estates C.U.P
Date: December 6, 1999
cc: Allan Abbott, Jim Morgan, Virendra Singh

Public Works has reviewed the Himark Estates amended C.U.P at the northeast corner of 84th and Old Cheney and has the following comments:

1. The existing water mains in Old Cheney and S. 88th Street are adequate to serve this apartment complex. The complex will need to be served with a metered water service. Fire hydrants will be needed on this private system. A private system is shown on the plans.
2. The existing and proposed sewers in this development are adequate to serve the apartment complex.
3. The drainage and grading plan submitted is incomplete and unsatisfactory.

The grading and drainage adjacent to Old Cheney and 84th Street needs to account for and match grading for a future urban cross-section street, the rights-of-way will be graded fill width to drain back to the curb and gutter section paving. The grading plan shows grades below the existing and proposed paving at the property line. The grading plan needs to match right-of-way proposed on Old Cheney and 84th Street as identified in the approved Southeast Fringe Roadways Functional Plans. This plan shows right-of-way required beyond the existing 50' from centerline that presently exists.

The plan shows a pipe storm sewer under 88th Street being extended across this project to Antelope Creek. No information is given concerning the size of the proposed extension or calculations to verify the sizing. This pipe is an extension of a public storm sewer and will therefore need to be public to an outlet. It needs to be located in a 30' easement. I question the routing of the storm sewer. I recommend that it be routed west through the parking lot rather than the angled alignment shown between buildings.

No information is provided to document the existing flood plain and if this project causes any rise in the flood plain of Antelope Creek. This must include an analysis of the street crossing of Antelope Creek.

The approval plan for Himark shows a detention pond in this apartment site. None is shown on this plan.

4. The City administration is recommending 140' of right-of-way be preserved along major streets such as Old Cheney and 84th Street. Note that the comprehensive plan shows the need for a minimum of 120' of right-of-way along all 4 legs of this intersection. Public Works requests 70' of dedication along 84th and Old Cheney Road adjacent to this C.U.P.
5. The 2 driveway locations shown on Old Cheney Road are not suitable for future median openings. It is anticipated that 88th and Old Cheney will be provided a median opening. Access from this development needs to be shown with a driveway to 88th Street. The driveway to Old Cheney Road east of Antelope Creek should be eliminated. All driveway must be designed with the driveway approach in the right-of-way sloping from the sidewalk line to the curb of the public street. The plans do not show this. This will require significant changes to the grading plan.
6. Sidewalks are required along 84th Street, 88th Street and Old Cheney Road adjacent to this plat. The Himark preliminary plat shows a 20' bike trail easement along Antelope Creek. This is not shown on this plan.



INTER-DEPARTMENT COMMUNICATION

TO Ray Hill, City Planning
SUBJECT DEDICATED EASEMENTS
DN #50S-91E

DATE December 6, 1999
FROM Sharon Theobald
(Ext. 7640)

Attached is the HiMark Estates CUP.

ALLTEL, Time Warner Cable, and the Lincoln Electric System will require blanket utility easements, excluding building envelopes, over the entire development.

It should be noted, any relocation of existing facilities will be at the owner/developer's expense.

Sharon Theobald

ST/ss
Attachment
c: Terry Wiebke
Easement File

OFFICEFO/DEDEAS.Fm