

City Council Introduction: **Monday**, October 20, 2003
Public Hearing: **Monday**, October 27, 2003, at **5:30 p.m.**

Bill No. 03R-300

FACTSHEET

TITLE: **USE PERMIT NO. 134A**, requested by Kent Seacrest on behalf of Ridge Development Company and Southview, Inc., for approximately 44,875 sq. ft. of office floor area, with associated waiver requests, on property generally located at the northeast corner of the intersection of S. 27th Street and Yankee Hill Road.

STAFF RECOMMENDATION: Conditional Approval.

ASSOCIATED REQUESTS: Change of Zone No. 3408 (03-166) and Special Permit No. 2022 (03R-299)

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: 08/06/03
Administrative Action: 08/06/03

RECOMMENDATION: Conditional Approval, with amendment (9-0: Bills-Strand, Larson, Duvall, Carlson, Krieser, Taylor, Marvin, Schwinn and Steward voting 'yes').

FINDINGS OF FACT:

1. This amendment to Use Permit No. 134 and the associated Change of Zone No. 3408 and Special Permit No. 2022 at the northeast corner of S. 27th & Yankee Hill Road were heard before the Planning Commission at the same time as Change of Zone No. 3409 and Use Permit No. 149 at the northwest corner of S. 27th & Yankee Hill Road.
2. This is a request for 44,875 sq. ft. of office floor area with waivers to allow zero setbacks for Lots 5 - 8, Block 2; and to reduce the front yard setback from 50' to 40' along South 27th Street. The office area will serve as a buffer between the single family lots north of Grainger Parkway and the more intensive commercial uses to the south.
3. The staff recommendation of conditional approval, including approval of the waiver requests, is based upon the "Analysis" as set forth on p.5-7, concluding that, with minor modifications, this proposal generally complies with the Zoning Ordinance and the Comprehensive Plan.
4. The applicant's testimony is found on p.10-11, including a request to amend to add Condition #1.1.4 to clarify exterior building materials and facade.
5. There was no testimony in opposition.
6. On August 6, 2003, the Planning Commission agreed with the staff recommendation and voted 9-0 to recommend conditional approval, with amendment adding Condition #1.1.4, as requested by the applicant.
7. The Site Specific conditions of approval required to be completed prior to scheduling this application on the Council agenda have been satisfied and the revised site plan is attached (p.18).

FACTSHEET PREPARED BY: Jean L. Walker

DATE: October 13, 2003

REVIEWED BY: _____

DATE: October 13, 2003

REFERENCE NUMBER: FS\CC\2003\UP.134A

GENERAL INFORMATION:

LEGAL DESCRIPTION: CZ#3408 - See attached
SP#2022 and UP#134A - See attached.

EXISTING ZONING: O-3 Office Park and B-2 Planned Neighborhood Business

EXISTING LAND USE: Undeveloped.

SURROUNDING LAND USE AND ZONING:

North:	Residential under development	R-3
South:	Agriculture	AG
East:	Undeveloped (app'd for attached single-family residential)	R-4
West:	Residential under development	AG, R-4

ASSOCIATED HISTORY:

CPA#03014 - A Comprehensive Plan Amendment approved by the City Council on **July 14, 2003** and by the County Board on **July 15, 2003** locating a community commercial center at the intersection of South 27th Street and Yankee Hill Road.

UP#134 - Approved **April 5, 2002** allowing 316,450 square feet of commercial and office floor area.

PP#00029 and CZ#3298 - The preliminary plat of Pine Lake Heights South 4th was approved on **April 5, 2002**. This preliminary plat included commercial centers near the intersections of both South 27th Street and Yankee Hill Road, and South 40th Street and Yankee Hill Road, and R-3 and R-4 areas for residential development. The change of zone revised the zoning pattern previously approved with CZ#3105.

ANNEX #98005 - Approved **February 3, 1999**, the land within this preliminary plat was annexed along with approximately 450 acres of land southwest of the intersection of South 27th Street and Yankee Hill. An annexation agreement was also approved and subsequently amended **September 1, 2000**.

CZ #3105 - Approved in **February, 1999**, changed the zoning on this site from AG to R-3, R-4, B-2 and O-3.

CPA #94-31 - In **February, 1999**, this comprehensive plan amendment approved the S1/S2 Sub-area Plan.

COMPREHENSIVE PLAN SPECIFICATIONS:

- Page F 20** - Community Form -Development Principles
- Mix of office, retail and service uses
 - Transition of uses; less intense office uses near residential areas
 - Multiple vehicular connections between residential neighborhood and commercial center and multiple access points in and out of area

Page F25 - This site is designated for commercial land uses on the Land Use Plan.

Page F27 - Urban Growth Tiers - This site is within the City's Future Service Limit.

Page F38 - General Principles for all Commercial and Industrial Uses - Commercial and industrial districts in Lancaster County shall be located:

- within the City of Lincoln or incorporated villages;
- outside of saline wetlands, signature habitat areas, native prairie and floodplain areas (except for areas of existing commercial and industrial zoning);
- where urban services and infrastructure are available or planned for in the near term
- in sites supported by adequate road capacity – commercial development should be linked to the implementation of the transportation plan;
- in areas compatible with existing or planned residential uses;
- in areas accessible by various modes of transportation (i.e. automobile, transit and pedestrian).

Page F87 - Transportation Planning Principles

- A Balanced Transportation System - The concept of balance also applies to methods of transportation. While the system must function well for motor vehicles, it should also establish public transportation, bicycling, and walking as realistic alternatives now and into the future.

Page F91 - Other Areas

- All areas of the community should have safe, secure and reasonably direct pedestrian connections. Activities of daily living should be available within walking distance. Neighborhoods should include homes, stores, workplaces, schools, and places to recreate. Interconnecting streets, trails, and sidewalks should be designed to encourage walking and bicycling, reduce the number and length of automobile trips, and conserve energy.

UTILITIES: All utilities are available to serve this project.

TRAFFIC ANALYSIS: The site has multiple driveways to Grainger Parkway which is a full-turning movement intersection at South 27th Street. There is also access to South 30th Street which is a full-turning movement intersection at Yankee Hill Road. There is direct access to South 27th Street and Yankee Hill Road at both Jamie Lane and Williamson Drive, both of which are limited to right-in and right-out turning movements. Internal access is provided by a private roadway and a public access easement across all drives and parking stalls. South 27th Street is built to the rural cross-section standard; Yankee Hill Road is improved from South 14th Street to 450' beyond South 27th Street - from that point east the street is still a gravel road.

The September 1, 2000 amendment to the 1999 annexation agreement further defines the responsibilities between the City and the developer regarding off-site improvements in this area. Generally, the developer is financially responsible for improving Yankee Hill Road between Wilderness Ridge Drive and 450' east of South 27th Street, and for contributing to the cost of improving South 40th Street from 450' south of Yankee Hill Road north to where the pavement currently ends. Many of the remaining improvements to South 27th Street and to Yankee Hill Road in this area are the responsibility of the City.

Recommended improvements to the surrounding arterial street system are addressed in the traffic impact study submitted with this request. This study considers both this proposal and the one for a neighborhood business center northwest of the intersection of South 27th Street and Yankee Hill Road. However, Public Works notes in their review that the responsibility for all the recommended improvements in the traffic study has not been addressed, and recommends that the issue be resolved prior to consideration by City Council.

ANALYSIS:

1. When approved in 2002, Use Permit #134 allowed 316,450 square feet of office and commercial floor area. The office uses were located at the north one-third of the site, and the remainder was shown for commercial uses.
2. The floor area within this development has been reduced to 197,750 square and will accommodate an automobile dealership. The difference in floor area from what was previously approved has been moved to the west side of South 27th Street in the Stone Ridge Estates development. That proposal is requesting 151,000 square feet of neighborhood business floor area.
3. This plan shows a proposed layout that includes 197,750 square feet of floor area, however, the applicant is requesting that the approved floor area exceed this amount by 10%. This would provide for a total of 217,525 square feet to allow for minor deviations in building design and tenant preference. This is acceptable provided any increase in floor area above 197,750 up to the maximum 217,525 square feet is subject to review by administrative amendment. Any such request will be required to demonstrate that the increase does not exceed the limits established in the traffic study, and that it complies with all other requirements of the Zoning Ordinance and Design Standards.
4. A portion of the development is located in the O-3 district is subject to a use permit (UP#134A). The remainder is in the H-4 and subject to the requirements of that district and the special permit for planned service commercial. The floor area totals in the conditions of approval are separated out proportionately.
5. The project creates eight lots for commercial development surrounded by an outlot over which a common access easement is granted to the public. The requested waiver is to allow a 0' setback for all yards and allows for this lot configuration. In effect, the lots are building envelopes and structures are allowed to be built to the property line and the outlot provides separation from surrounding properties. This is a typical design strategy for this type of commercial development and the waiver is appropriate.
6. A reduction in the front setback along South 27th Street is requested as consideration for the required dedication for right-of-way. The dedication of 10 additional feet of right-of-way along South 27th Street is needed to help provide the 130' required within 700' of a major intersection. The same waiver was granted previously for Use Permit #134.
7. A waiver to the minimum lot area in the H-4 is requested from 15,000 to 4,000 square feet in area. As all fourteen lots are surrounded by the same outlot in a development approximately 30 acres in area, this waiver is appropriate.

8. The landscape plan shows required street trees and parking lot landscaping, but does not include the required screening for H-4 adjacent to a residential district. The plan must be revised to show the required screening. As noted in the Parks and Recreation Department review, additional street trees are required at the intersection of Jamie Lane and Williamson Drive and must be included on the revised landscape plan. Individual lot landscape plans will be submitted at the time of building permits per Use Permit Note #1.
9. The bike trail system extends along Yankee Hill Road in this area, and is located on the north side of the street adjacent to this project. If possible, the trail should be pulled away from the street to provide separation between pedestrian/bike and vehicular traffic. A prepared and graded platform must also be shown.
10. To enhance pedestrian access and connectivity with the surrounding residential areas, additional sidewalk connections are needed: three sidewalk connections from Lot 4 to South 30th Street including painted walkways across the parking lot; from Lot 2 to Jamie Lane including painted walkways across the parking lot; and, from Lots 1 and 11 to Jamie Lane including painted walkways across the parking lots.
11. Revisions to the grading and drainage plan and to the utility plan are required per the attached reviews from Public Works and Utilities. Public Works also notes that a waiver to storm water detention has been requested, as on-site detention is not provided on the plan. This is a waiver that may be approved administratively and has been granted by the Director of Public Works.
12. A discrepancy in the metes and bounds legal description was noted during review. It must be corrected prior to this item being forwarded to City Council.
13. Grainger Parkway extends across South 27th Street into the Stone Ridge Estates development. It must be shown on both sides of South 27th Street so correct alignment can be confirmed.
14. Public Works has noted additional revisions to the street layout: The intersection radii at South 27th Street and Jamie Lane, and at Yankee Hill Road and Williamson Drive must show the standard commercial vehicle radii; and, the south access drive to South 30th Street should be moved north to provide for vehicle stacking and reduce congestion at the intersection.
15. Public Works notes in their review that improvements to surrounding arterial streets were addressed in the June, 2003 traffic study for this area, but the assignment of financial responsibility has not been decided. This must occur prior to approval of this request.
16. This request is an appropriate use of land at this location. However, such developments must be designed to both integrate into the neighborhood and be accessible. To this end, the additional recommended sidewalk connections should be made, and additional screening beyond the minimum required by design standards should be provided between the development and the adjacent residential areas to the east, especially those adjacent to the auto-related businesses.

Additionally, the Comprehensive Plan calls for new commercial development to set a higher standard with regard to design aesthetics and compatibility with surrounding development. A note was included on the plans for Stone Ridge Estates across South 27th Street noting that

building materials and exterior treatments for the center are under design and would be submitted prior to the public hearing before the Planning Commission. The same consideration for this development would be beneficial and is encouraged. It is important that the facade of any building along Grainger Parkway not appear to be the back side of the building. Meters, air conditioning units and similar appurtenances should be located at the sides of buildings.

CONDITIONS:

Use Permit 134A

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 Corrections required per the Parks and Recreation Department's review.

1.1.2 A revised grading and drainage plan, and utility plan approved by Public Works and Utilities.

1.1.3 Add a note that states "FOR O-3 AREA ONLY: MINOR ADJUSTMENTS IN THE FLOOR AREA OF EACH BUILDING MAY MADE AT THE TIME OF BUILDING PERMITS PROVIDED THE TOTAL FLOOR AREA DOES NOT EXCEED 40,800 SQUARE FEET. ANY INCREASE IN FLOOR AREA ABOVE 40,800 UP TO THE MAXIMUM ALLOWED FLOOR AREA OF 44,875 MUST BE APPROVED BY ADMINISTRATIVE AMENDMENT.

1.1.4 Add the following language to Note 17: "IN THE O-3 ZONE, AT LEAST 60% OF THE EXTERIOR FACADE ON EACH SIDE OF THE BUILDING SHALL CONSIST OF BRICK, STONE OR CULTURED STONE, AND ROOFS SHALL BE SLOPED WITH A MINIMUM SLOPE OF 5:12." (**Per Planning Commission, at the request of the applicant and agreed upon by staff, 8/06/03**)

1.2 Provide a legal description for the O-3 area subject to this use permit.

2. This approval permits 44,875 square feet of office floor area with waivers to allow 0' setbacks for Lots 5 - 8, Block 2; and, to reduce the front setback from 50' to 40' along South 27th Street.

General:

3. Before receiving building permits:

3.1 The permittee shall have submitted a revised and reproducible final plan including 5 copies and the plans are acceptable.

3.2 The construction plans shall comply with the approved plans.

3.3 Final Plats shall be approved by the City.

Standard:

4. The following conditions are applicable to all requests:

4.1 Before occupying any buildings 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 property owners 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 applicant shall sign and return the letter of acceptance to the City Clerk within 30 days following the approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filling fees therefor to be paid in advance by the applicant.

Prepared by:

Brian Will
Planner

July 24, 2003

APPLICANT/

OWNER:

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(402) 436-3111

CONTACT:

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Lincoln, NE 68508
(402) 435-6000

**CHANGE OF ZONE NO. 3408;
SPECIAL PERMIT NO. 2022,
PLANNED SERVICE COMMERCIAL CENTER;
and USE PERMIT NO. 134A
(Northeast corner of S. 27th & Yankee Hill Road)
and
CHANGE OF ZONE NO. 3409;
and USE PERMIT NO. 149
(Northwest corner of S. 27th & Yankee Hill Road)**

PUBLIC HEARING BEFORE PLANNING COMMISSION:

August 6, 2003

Members present: Bills-Strand, Larson, Duvall, Carlson, Krieser, Taylor, Marvin, Steward and Schwinn.

Staff recommendation: Approval

Ex Parte Communications: Dan Marvin reported that he had a conversation with the applicant.

Proponents

1. Kent Seacrest appeared on behalf of **Ridge Development Company and Southview, Inc.** These proposals are for the northeast and northwest corners of 27th Street and Yankee Hill Road. The northwest corner is already zoned O-3 and B-2. The proposal basically keeps the O-3 and changes the B-2 into H-4 to permit auto dealerships. The west side is then proposed to be designated as B-2, which would then be the neighborhood center and services.

Seacrest reminded the Commission that both of these corners were in front of the Commission during the recent Comprehensive Plan Annual Review and this Commission unanimously recommended both of these reconfigurations, along with commercial further to the south.

With regard to the waiver of the front yard requirement, Seacrest pointed out that the proposal shows front yards up against all the public streets; however, the proposal shows a common parking lot with multiple buildings around that parking lot, and the parking lot is an outlot. The parking is to be shared with a business association. In order to make that outlot, they end up with a building site virtually having no front yard as they abut the parking lot or private roadway. This is a layout that is allowed and staff thought it rational in this case.

Seacrest then addressed the waiver request to reduce the front yard along South 27th Street from 50' to 40'. While the Comprehensive Plan calls for the public way corridor to be 120' right-of-way, it also calls for 130' near the intersections to allow dual left turn lanes. The dilemma is that we have not put those standards into the ordinances and design standards so it is not real clear how it is to

be handled when the city wants additional right-of-way. Seacrest pointed out that the 40' has been allowed in almost every commercial center in the last 10 years.

Seacrest advised that they did have neighborhood meetings, which were not well attended, and he believes the applicant addressed any and all concerns that were raised.

Seacrest then submitted motions to amend the conditions of approval on Special Permit No. 2022, Use Permit No. 134A and Use Permit No. 149. The motion to amend adds Condition #1.1.12 to Special Permit No. 2022, concerning the design standards for the buildings. They do have buildings with double fronts on the street and the common parking area and staff wanted to be sure there was not an ugly back side. Condition #1.1.12 is an attempt to note on the plan such things as the brick, stone, cultured stone, etc. The buildings will be dressed up. This same condition is proposed to be added as Condition #1.1.14 on the Use Permit No. 134A, and also as Condition #1.1.11 on Use Permit No. 149.

With regarding to the landscaping up against the residential neighborhood on the B-2 side, the applicant has agreed with staff to double the trees, which is the proposed amendment to Condition #1.1.2 on Use Permit No. 149. The proposed amendment to Condition #1.1.4 on Use Permit No. 149 deletes the sidewalk connection from Lot 4 to the drive entrance at Grainger Parkway. Staff thought that Lot 4 should have a connectivity to the "big box", but there is another sidewalk that provides sufficient access. Staff has agreed that it would be redundant for sidewalks to be so close to one another.

Seacrest believes that staff agrees with the proposed amendments.

There was no testimony in opposition.

Brian Will of Planning staff agreed with the proposed amendments to the conditions of approval. Steward referred to the added condition regarding the building materials and wondered why they would allow synthetic stucco on this list. Seacrest stated that the synthetic stucco is only allowed on a building over 30,000 sq. ft. The proposed building must meet the speculations of a national car dealer and their prototype for their buildings across the country is a white looking building. It is a situation that they checked out and tried to talk with the national company but they would not "bend" their rules.

CHANGE OF ZONE NO. 3408

ADMINISTRATIVE ACTION BY PLANNING COMMISSION:

August 6, 2003

Bills-Strand moved approval, seconded by Duvall.

Carlson believes the developer did a good job. They did their homework and it shows.

Motion for approval carried 9-0: Bills-Strand, Larson, Duvall, Carlson, Krieser, Taylor, Marvin, Schwinn and Steward voting 'yes'.

SPECIAL PERMIT NO. 2022

ADMINISTRATIVE ACTION BY PLANNING COMMISSION:

August 6, 2003

Bills-Strand moved to approve the staff recommendation of conditional approval, with the amendments as proposed by the applicant, seconded by Duvall.

Carlson stated that he supports the motion, but he pointed out that the Comprehensive Plan does call for pedestrian connectivity and more pedestrian consideration in commercial areas. He thinks we are starting to see that and he appreciates it.

Motion for conditional approval, with amendments, carried 9-0: Bills-Strand, Larson, Duvall, Carlson, Krieser, Taylor, Marvin, Schwinn and Steward voting 'yes'.

USE PERMIT NO. 134A

ADMINISTRATIVE ACTION BY PLANNING COMMISSION:

August 6, 2003

Bills-Strand moved to approve the staff recommendation of conditional approval, with the amendments as requested by the applicant, seconded by Duvall and carried 9-0: Bills-Strand, Larson, Duvall, Carlson, Krieser, Taylor, Marvin, Schwinn and Steward voting 'yes'.

CHANGE OF ZONE NO. 3409

ADMINISTRATIVE ACTION BY PLANNING COMMISSION:

August 6, 2003

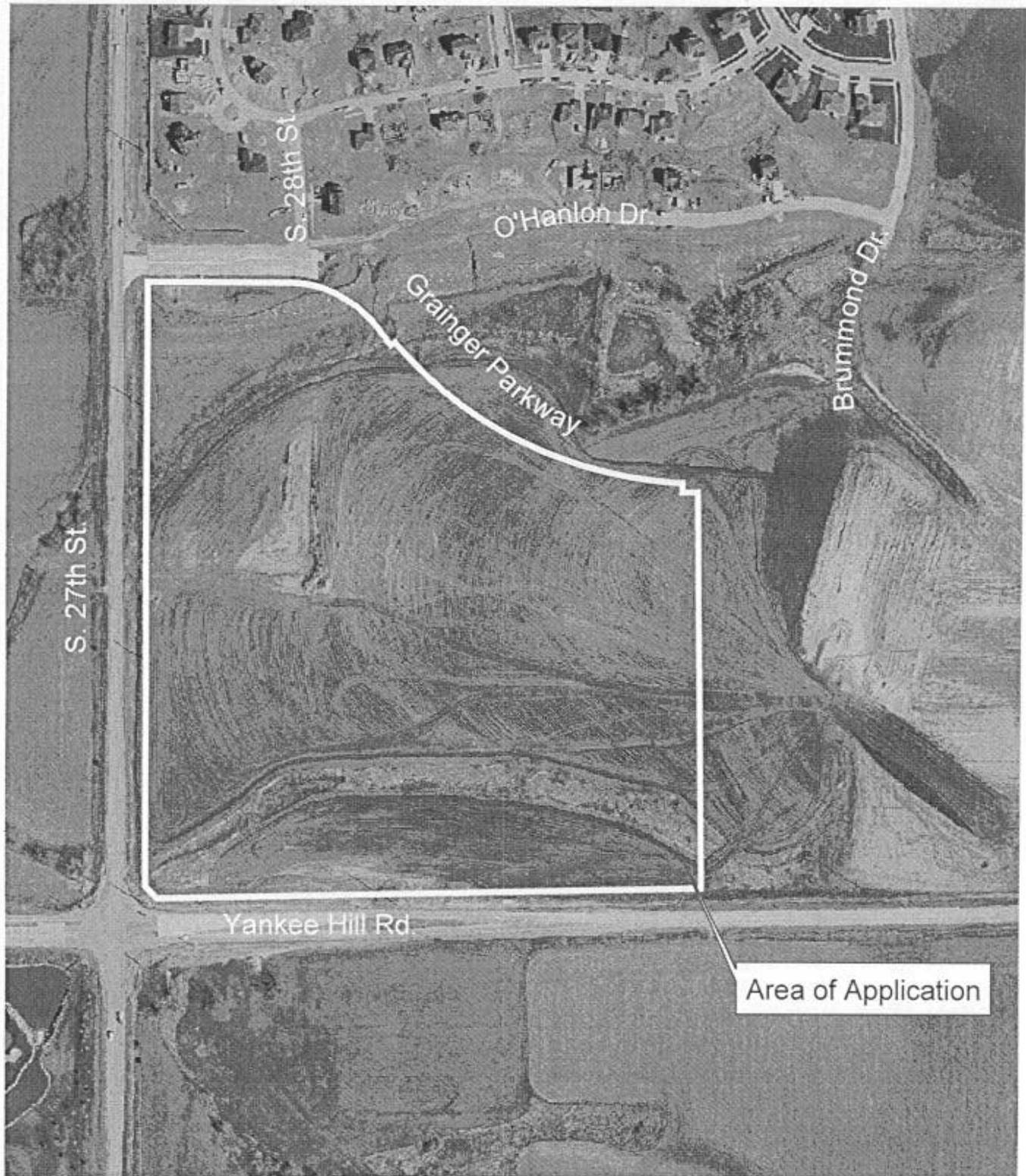
Steward moved approval, seconded by Bills-Strand and carried 9-0: Bills-Strand, Larson, Duvall, Carlson, Krieser, Taylor, Marvin, Schwinn and Steward voting 'yes'.

USE PERMIT NO. 149

ADMINISTRATIVE ACTION BY PLANNING COMMISSION:

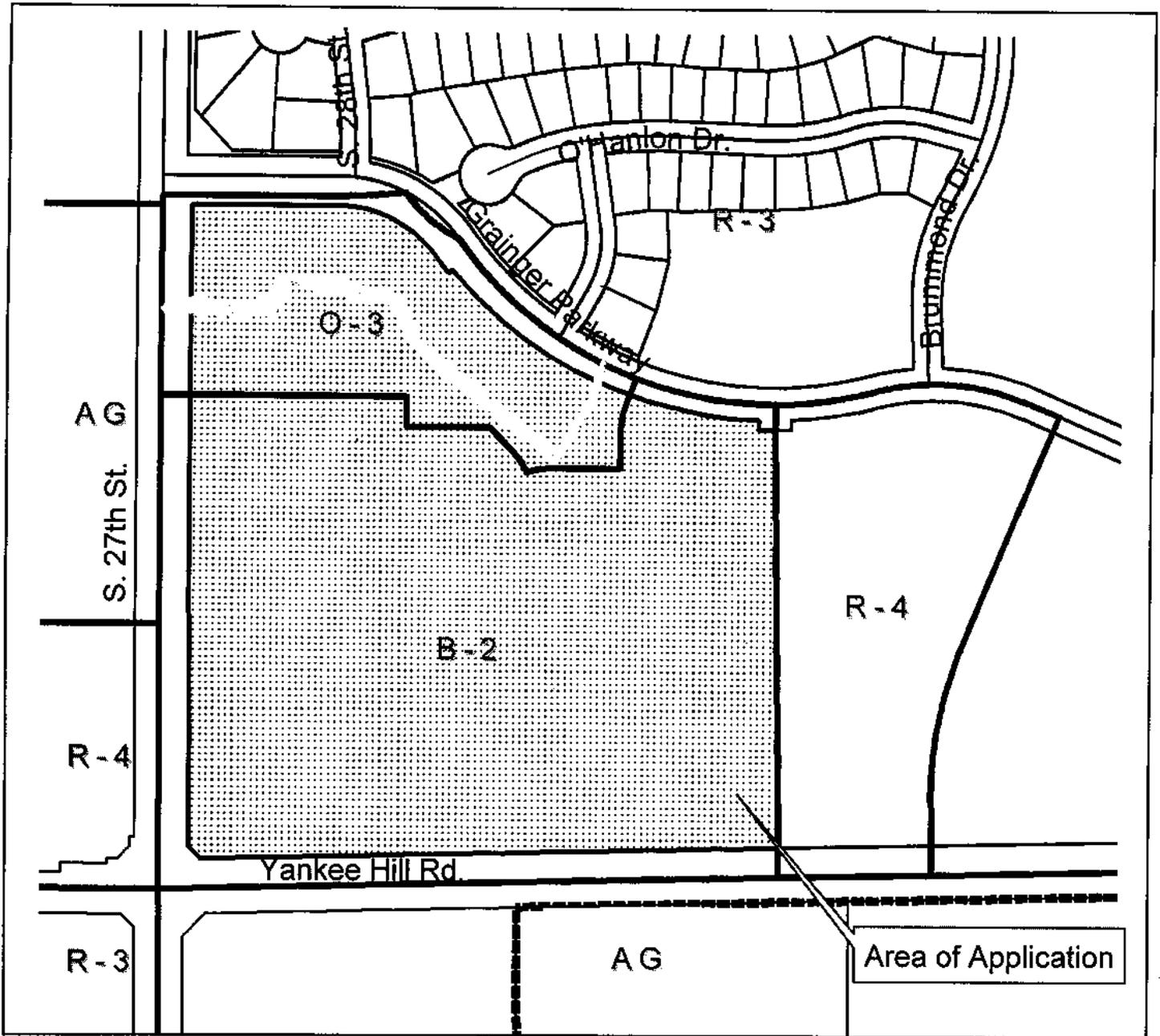
August 6, 2003

Steward moved to approve the staff recommendation of conditional approval, with the amendments as requested by the applicant, seconded by Bills-Strand and carried 9-0: Bills-Strand, Larson, Duvall, Carlson, Krieser, Taylor, Marvin, Schwinn and Steward voting 'yes'.



**Special Permit #2022
Use Permit #134A
S. 27th & Yankee Hill Rd.**



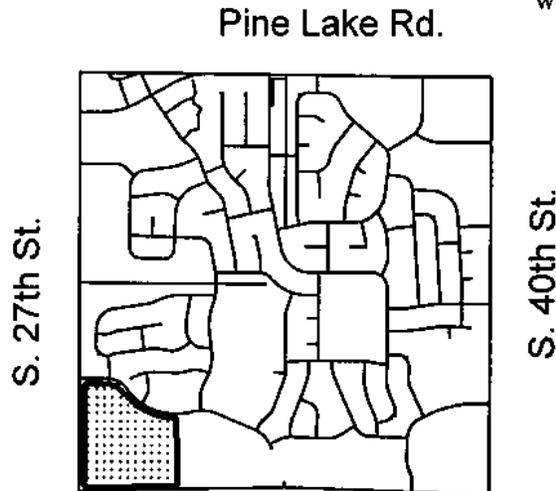
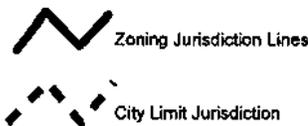


**Special Permit #2022
Use Permit #134A
S. 27th & Yankee Hill Rd.**

Zoning:

One Square Mile
Sec. 19 T9N R7E

- 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
- B-4 Lincoln Center Business District
- B-6 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



Yankee Hill Rd. 014

USE PERMIT NO. 134A

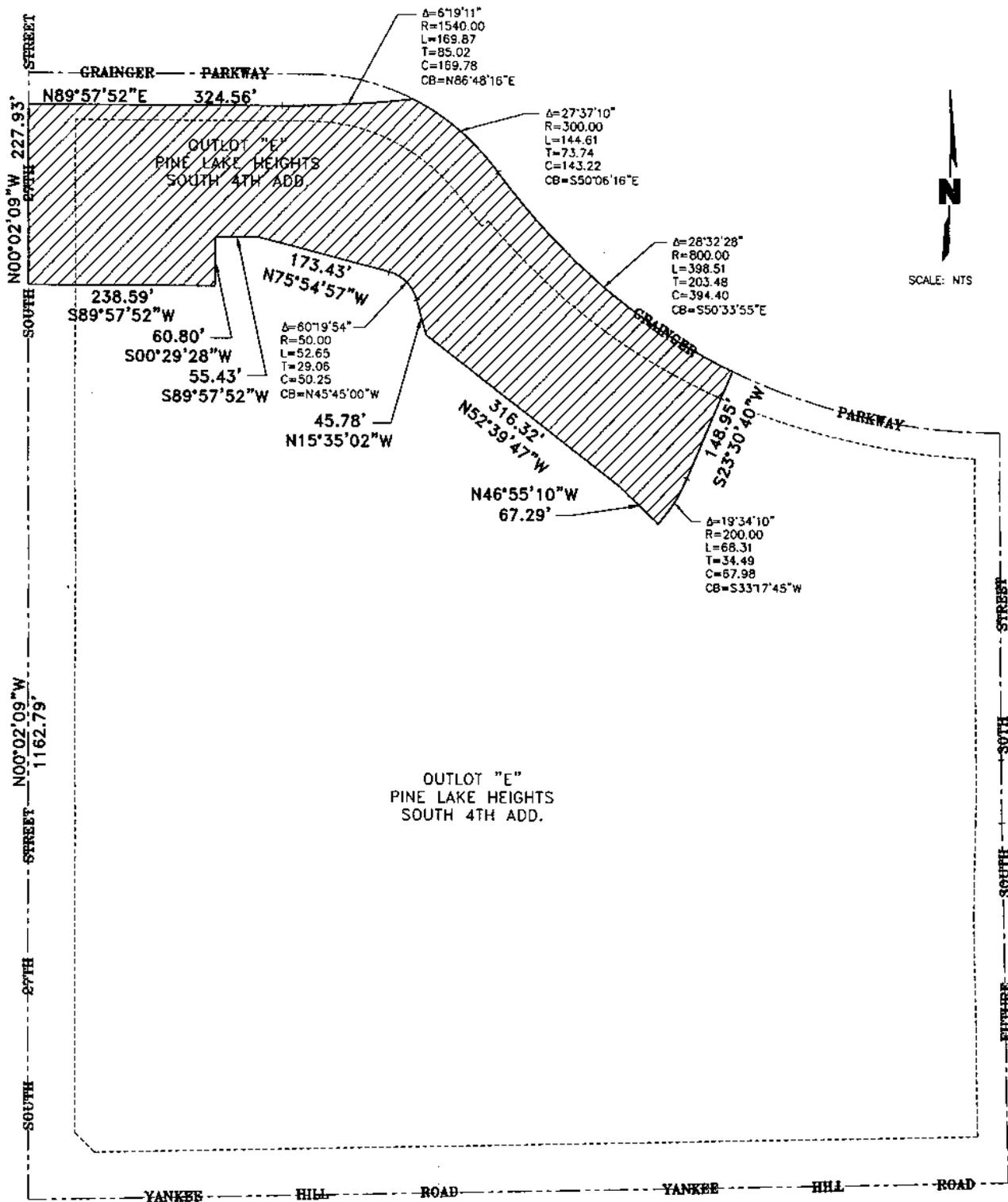
LEGAL DESCRIPTION

A TRACT OF LAND COMPOSED OF A PORTION OF OUTLOT "E" PINE LAKE HEIGHTS SOUTH 4TH ADDITION, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 9 NORTH, RANGE 7 EAST OF THE 6TH P.M., CITY OF LINCOLN, LANCASTER COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER, THENCE ON AN ASSUMED BEARING OF NORTH 00 DEGREES 02 MINUTES 09 SECONDS WEST ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 1162.79 FEET TO A POINT, SAID POINT BEING THE TRUE POINT OF BEGINNING, THENCE CONTINUING NORTH 00 DEGREES 02 MINUTES 09 SECONDS WEST ALONG SAID WEST LINE, A DISTANCE OF 227.93 FEET TO A POINT, THENCE NORTH 89 DEGREES 57 MINUTES 52 SECONDS EAST, A DISTANCE OF 324.56 FEET TO A POINT OF CURVATURE, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A RADIUS OF 1,540.00 FEET, ARC LENGTH OF 169.87 FEET, DELTA ANGLE OF 06 DEGREES 19 MINUTES 11 SECONDS, A CHORD BEARING OF NORTH 86 DEGREES 48 MINUTES 16 SECONDS EAST, AND A CHORD LENGTH OF 169.78 FEET TO A POINT OF CURVE OF A NON TANGENT CURVE, SAID POINT BEING ON THE CENTER LINE OF GRAINGER PARKWAY RIGHT-OF-WAY, THENCE ALONG A CURVE IN A CLOCKWISE DIRECTION, HAVING A RADIUS OF 300.00 FEET, ARC LENGTH OF 144.61 FEET, DELTA ANGLE OF 27 DEGREES 37 MINUTES 10 SECONDS, A CHORD BEARING OF SOUTH 50 DEGREES 06 MINUTES 16 SECONDS EAST ALONG SAID CENTER LINE, AND A CHORD LENGTH OF 143.22 FEET TO A POINT OF REVERSE CURVATURE, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A RADIUS OF 800.00 FEET, ARC LENGTH OF 398.51 FEET, DELTA ANGLE OF 28 DEGREES 32 MINUTES 28 SECONDS, A CHORD BEARING OF SOUTH 50 DEGREES 33 MINUTES 55 SECONDS EAST ALONG SAID CENTER LINE, AND A CHORD LENGTH OF 394.40 FEET TO A POINT, THENCE SOUTH 23 DEGREES 30 MINUTES 40 SECONDS WEST, A DISTANCE OF 148.95 FEET TO A POINT, THENCE ALONG A CURVE IN A CLOCKWISE DIRECTION, HAVING A RADIUS OF 200.00 FEET, ARC LENGTH OF 68.31 FEET, DELTA ANGLE OF 19 DEGREES 34 MINUTES 10 SECONDS, A CHORD BEARING OF SOUTH 33 DEGREES 17 MINUTES 45 SECONDS WEST, AND A CHORD LENGTH OF 67.98 FEET TO A POINT, THENCE NORTH 46 DEGREES 55 MINUTES 10 SECONDS WEST, A DISTANCE OF 67.29 FEET TO A POINT, THENCE NORTH 52 DEGREES 39 MINUTES 47 SECONDS WEST, A DISTANCE OF 316.32 FEET TO A POINT, THENCE NORTH 15 DEGREES 35 MINUTES 02 SECONDS WEST, A DISTANCE OF 45.78 FEET TO A POINT OF A NON TANGENT CURVE, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A RADIUS OF 50.00 FEET, ARC LENGTH OF 52.65 FEET, DELTA ANGLE OF 60 DEGREES 19 MINUTES 54

SECONDS, A CHORD BEARING OF NORTH 45 DEGREES 45 MINUTES 00 SECONDS WEST, AND A CHORD LENGTH OF 50.25 FEET TO A POINT OF TANGENCY, THENCE NORTH 75 DEGREES 54 MINUTES 57 SECONDS WEST, A DISTANCE OF 173.43 FEET TO A POINT, THENCE SOUTH 89 DEGREES 57 MINUTES 52 SECONDS WEST, A DISTANCE OF 55.43 FEET TO A POINT, THENCE SOUTH 00 DEGREES 29 MINUTES 28 SECONDS WEST, A DISTANCE OF 60.80 FEET TO A POINT, THENCE SOUTH 89 DEGREES 57 MINUTES 52 SECONDS WEST, A DISTANCE OF 238.59 FEET TO THE POINT OF BEGINNING, SAID TRACT CONTAINS A CALCULATED AREA OF 198,213.46 SQUARE FEET OR 4.5504 ACRES, MORE OR LESS.

October 10, 2003
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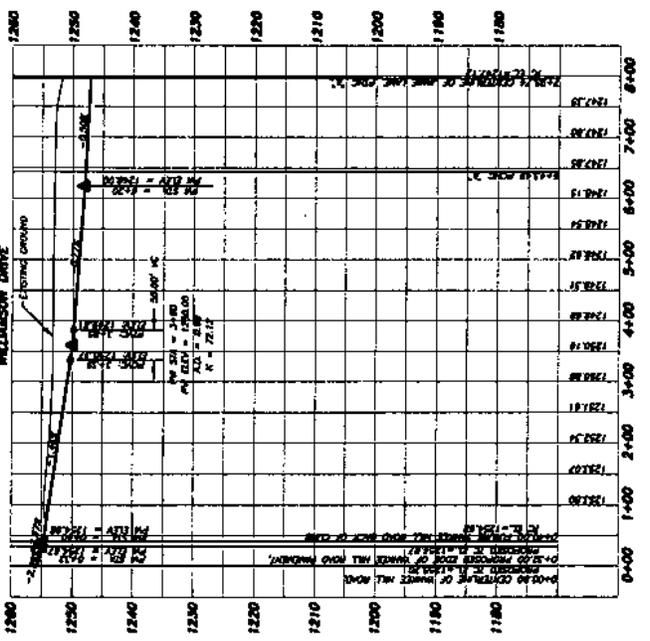
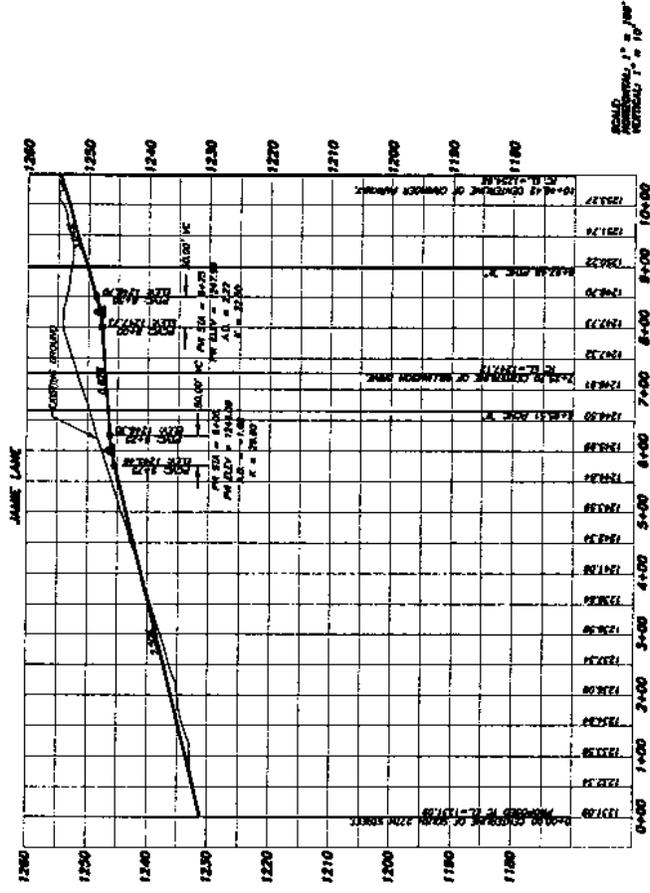
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DATE: 11/15/2023
TIME: 10:00 AM
PROJECT: PRELIMINARY STREET PROFILES
DRAWN BY: [Name]
CHECKED BY: [Name]

PRELIMINARY STREET PROFILES
PINE LAKE HEIGHTS SOUTH 6TH ADDITION
AMENDMENT TO USE PERMIT #134 & SPECIAL PERMIT #2023

UNCLERK, NE
2023

REVISIONS



VERTICAL CURVE: 1" = 10' HORIZONTALLY: 1" = 100'

SEACREST & KALKOWSKI, P.C.

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TELEPHONE (402) 435-6000
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E-MAIL: danay@sk-law.com

July 25, 2003

HAND DELIVERY

Brian Will
Planning Department
County-City Building
555 South 10th Street
Lincoln, NE 68508

RE: Stone Ridge Estates Commercial Center and Pine Lake Heights South 4th Addition

Dear Brian:

The purpose of this letter is to clarify the amount of commercial square footage that is being requested for each of the above sites. Ridge Development Company and Southview, Inc. are requesting the ability to construct up to 166,100 square feet of commercial uses on the Stone Ridge Estates Commercial Center. This represents 110% of the 151,000 square feet of commercial uses currently shown on the site plan. Ridge Development Company and Southview, Inc. are requesting the ability to construct up to 217,525 square feet of commercial uses within Pine Lake Heights South 4th Addition. This number also represents 110% of the square footage of commercial uses currently shown on the site plan.

If you have any questions or need any additional information, please give me a call.

Very truly yours,



DANAY KALKOWSKI
For the Firm

Enclosure

SEACREST & KALKOWSKI, P.C.

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May 15, 2003

HAND DELIVERY

Marvin Krout
Planning Director
County-City Building
555 South 10th
Lincoln, NE 68508

RE: Submittals for S. 27th Street and Yankee Hill Road Commercial Center

Dear Marvin:

Our law firm represents Ridge Development Company ("Ridge") and Southview, Inc. ("Southview"), the owners of the following tracts of property:

(i) NE Tract: a 30 acre tract located on the northeast corner of S. 27th Street and Yankee Hill Road. This Tract is currently zoned O-3 and B-2 and is subject to existing Use Permit No. 134.

(ii) NW Tract: a 16 acre tract located northwest of the S. 27th Street and Yankee Hill Road intersection. The major road entrance into this tract is approximately one-fourth mile north of the intersection of S. 27th Street and Yankee Hill Road at Grainger Parkway. This Tract is currently zoned AG.

Ridge and Southview are submitting applications for both the NE Tract and the NW Tract at the same time so that they can be reviewed together. Both Tracts are part of the Commercial Center designation currently shown in the Comprehensive Plan Annual Review as Comprehensive Plan Proposed Amendment No. 14.

NE TRACT

Ridge and Southview are requesting a slight reconfiguration of the O-3 zoning lines on the NE Tract, as well as a change of zone from B-2 to H-4. An amendment to existing Use Permit No. 134 is requested for the O-3 area showing office and a bank uses. A special permit for planned service commercial is requested for the H-4 area. The planned service commercial development includes a mix of retail uses, restaurants and a full service automobile dealership. The O-3 and H-4 areas show a combined total of 211,600 square feet.

In addition, Ridge and Southview are requesting a zoning text amendment to the planned service commercial special permit provision to allow automobile/truck wash facilities as an approved use within a planned service commercial development. Automobile/truck wash

facilities are permitted as a conditional use in the H-2 and H-3 zones, and automobile wash facilities are permitted as a conditional use in the B-2 zone and a permitted use in the B-5 zone. Automobile, motorcycle, and four-wheel truck sales, along with automobile repair, including vehicle body repair shops, are approved uses with a planned service commercial development. We think it is appropriate to allow automobile/truck wash facilities to also be located in the H-4 zone as part of a planned service commercial development. Because a planned service commercial development is a permitted special use in the H-4 zone, the City will have an opportunity to review site plans for automobile/truck wash facilities to insure it is compatible with abutting land uses.

We are requesting that the following waivers be added to the above mentioned project:

1. *To reduce the required front yard setback from 50' to 40' along South 27th Street and Yankee Hill Road in the H-4 zone.*

An additional 10' of right of way is being dedicated for South 27th Street and Yankee Hill Road. There is additionally a 10' pedestrian and landscape easement being dedicated. We are requesting a corresponding setback waiver for this 10' right of way dedication.

2. *A waiver of the internal yard setbacks to 0' for lots 1 thru 12, block 2.*

The proposed lots are surrounded by Outlot "A" that accounts for all parking and setback requirements.

3. *To waive the minimum lot sizing in the H-4 zoning from 15,000 SF to 4,000 SF.*

This waiver is in conjunction with waiver request #2. The proposed lots are surrounded by Outlot "A" that accounts for all parking and setback requirements. The lots are specifically for the buildings and are therefore substantially smaller.

Enclosed please find the following information supporting the requests for the NE Tract:

1. City of Lincoln Zoning Application
2. Certificate of Ownership
3. Application fee in the amount of \$1,365
4. 21 copies of the site plans
5. 9 copies of the grading/drainage plan
6. 9 copies of the landscape plan
7. 9 copies of the profile sheet

NW TRACT

Ridge and Southview are requesting a change of zone from AG to B-2 for the NW Tract, as well as a use permit for a 151,000 square feet neighborhood center. The neighborhood center contains a mix of uses including a grocery store.

We are requesting that the following waivers be added to the above mentioned project:

1. *To allow parking aisles to abut the private roadway.*

To maintain vehicular circulation through the site, the private roadway is shown along the front of the large Grocery / Commercial / Restaurant building. This private roadway intersects the driving aisles of the parking lot to the east. The private roadway has been discussed with Dennis Bartels at Public Works.

2. *A waiver to the design standards of Lincoln to not construct a sidewalk on the east side of South 26th Street (Private Roadway).*

This waiver is in conjunction with waiver request #1. Adequate room is not available to provide a sidewalk on the east side of South 26th Street due to the parking lot islands and drive aisles.

3. *A waiver to the design standards of Lincoln to allow curve "3" to have a radius of less than 150'*

The private roadway turns approximately 90 degrees at curve "3", however, a 30' driveway continues westward along the southern side of lots 1 and 2. This intersection functions as a "T" intersection rather than a 90 degree bend. The curve waiver has been discussed with Dennis Bartels at Public Works.

4. *A waiver of the internal yard setbacks to 0' for lots 1 thru 8, block 1.*

The proposed lots are surrounded by Outlot "A" that accounts for all setback requirements.

5. *To reduce the required front yard setback from 50' to 40' along 27th Street.*

An additional 10' of right of way is being dedicated for South 27th Street. This increases the South 27th Street right of way to 60' (measured from centerline). There is an additional 10' pedestrian and landscape easement being dedicated. We are requesting a corresponding waiver for the 10' right of way dedication from the required 50' setback.

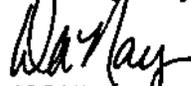
Enclosed please find the following information supporting the requests for the NE Tract:

1. City of Lincoln Zoning Application
2. Certificate of Ownership
3. Application fee in the amount of \$1,170
4. 21 copies of the site plans
5. 9 copies of the grading/drainage plan
6. 9 copies of the landscape plan
7. 9 copies of the profile sheet

Olsson Associates has been working with Public Works to complete a traffic study that encompasses the uses on both the NE Tract and NW Tract. The traffic study will be submitted under separate cover next week.

We look forward to working with you on these projects. If you have any questions regarding the above, please call me or Kent Seacrest at the number listed above, or Mark Palmer with Olsson Associates.

Yours very truly,



DANAY KALKOWSKI

For the Firm

Enclosure

cc: Mayor-Elect Coleen Seng
Council Member Jonathan Cook
Ridge Development Company
Southview, Inc.
Jerry Williamson
Jim Williamson

M e m o r a n d u m

To: Brian Will, Planning Department
From: Chad Blahak, Public Works and Utilities
Subject: Pine Lake Heights South 4th Addition Special Use Permit
Date: 7/23/03
cc: Randy Hoskins

Engineering Services has reviewed the Special Use Permit for Pine Lake Heights South 4th, located west of future South 30th Street between Yankee Hill Road and Grainger Parkway, and has the following comments:

Water Main - The water main in Jamie Lane near Grainger Parkway is shown to be located under paving. There appears to be room enough for the water main to be located behind the back of curb as per design standards.

Since the development is to be served via a public water main, the method of service will need to be approved through the building permit process.

Sanitary Sewer - The sanitary sewer system for this project is satisfactory.

Grading/Drainage - The storm sewer in area D1 needs to be adequate to capture and carry the overflow for storms greater than the 10yr storm from areas B1-B4 and C1 as the storm sewers in these areas are designed for the 10yr storm.

Although the pipe size for area F1 is adequate, the flow volume for the 100yr storm will require multiple inlets and possibly additional storm sewer. The storm sewer shown is satisfactory for the Use Permit, however, the construction plans will need to be reviewed at the time of plumbing permit submittal.

The storm sewer shown connecting to the South 30th Street storm sewer will need to be public and be located in a 30' public storm sewer easement as it drains portions of public right of way.

A waiver of storm water detention ¹⁵needs to be requested. This waiver ¹⁵would be supported by public works as detention has been provided upstream and downstream of this project on property owned by this developer.

Streets - Show Grainger Parkway on both the east and west side of South 27th Street to ensure that the lane configurations line up.

Brian Will, Planning Department

Page 2

July 23, 2003

Change the intersection radii at 27th and Jamie Lane and Yankee Hill and Williamson Drive to standard commercial vehicle radii.

The south access drive to South 30th Street should be moved further north to reduce congestion near the 30th and Yankee Hill intersection.

Recommended improvements to the surrounding arterial street system have been addressed in the Pine Lake Heights South 4th Addition & Stone Ridge Estates Traffic Impact Analysis dated June 2003 prepared by Olsson Associates. However, responsibility for these improvements have not been addressed. As a result of land use changes and the development of the north west corner of 27th and Yankee Hill, the responsible parties for the improvements need to be discussed and agreed upon prior to the approval of this use permit.

General - The information shown on the preliminary plat relating to the public water main system, public sanitary sewer system, and public storm sewer system has been reviewed to determine if the sizing and general method providing service is satisfactory. Design considerations including, but not limited to, location of water main bends around curves and cul-de-sacs, connection of fire hydrants to the public main, temporary fire hydrant location, location and number of sanitary sewer manholes, location and number of storm sewer inlets, location of storm sewer manholes and junction boxes, and the method of connection storm sewer inlets to the main system are not approved with this review. These and all other design considerations can only be approved at the time construction drawings are prepared and approved.

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Memo

To: Brian Will, Planning Department
From: Mark Canney, Parks & Recreation
Date: May 20, 2003
Re: Pine Lake Heights S. 4th Addition SP 2022

Staff members of the Lincoln Parks and Recreation Department have conducted a plan review of the above-referenced application/proposal and have the following comments:

1. A trail needs to be shown running parallel to Yankee Hill Road. Pull the trail away from the street if possible. A platform needs to be prepared and graded for the trail.
2. Please correct spelling errors in the plant table (i.e. Plumilio Mugo Pine and Sunstation Barberry).
3. Street trees are required along the intersection of Jamie Lane and Williamson Drive. Please include tree species and location on revised landscape plan.

If you have any additional questions, comments or concerns, please feel free to contact me at 441-8248. Thank you.

