

FACTSHEET

TITLE: ANNEXATION NO. 02012, requested by J. Michael Rierden on behalf of Gerald Maddox, to annex approximately 91.98 acres, more or less, generally located southeast of the intersection of South 27th Street and Yankee Hill Road.

STAFF RECOMMENDATION: Approval, subject to an Annexation Agreement

ASSOCIATED REQUESTS: Annexation Agreement (04R-107); Change of Zone No. 3423 (04-96); Special Permit No. 1999, Wilderness Hills Community Unit Plan (04R-108) and Use Permit No. 154 (04R-109).

FINDINGS OF FACT:

1. This annexation request and the associated change of zone, community unit plan and use permit were heard at the same time before the Planning Commission.
2. This property is being requested for annexation to allow a development of 640 single and multiple family residential units and 495,000 square feet of office/commercial floor area.
3. The staff recommendation of approval, subject to an annexation agreement, is based on the "Analysis" as set forth on p.4-6, concluding that the proposed annexation is consistent with the Comprehensive Plan.
4. The applicant's testimony is found on p.8-9.
5. Testimony in support by a representative of the Wilderness Ridge homeowners, with some reservations and concerns, is found on p.10, and the "Wilderness Ridge Neighborhood Comments" are found on p.18-20.
6. There was no testimony in direct opposition.
7. On November 12, 2003, the Planning Commission agreed with the staff recommendation and voted 8-0 to recommend approval, subject to an annexation agreement.

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: 11/12/03
Administrative Action: 11/12/03

RECOMMENDATION: Approval, subject to an Annexation Agreement (8-0: Larson, Carlson, Bills-Strand, Marvin, Duvall, Taylor, Krieser and Steward voting 'yes').

FACTSHEET PREPARED BY: Jean L. Walker

DATE: May 4, 2004

REVIEWED BY: _____

DATE: May 4, 2004

REFERENCE NUMBER: FS\CC\2004\ANNEX.02012

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for November 12, 2003 PLANNING COMMISSION MEETING

****As Revised and Recommended by Planning Commission: 11/12/03****

P.A.S.: **Annexation #02012** to annex 91.98 acres
Change of Zone #3423 from AG to R-3, R-5, O-3 and B-2
Special Permit #1999 for Community Unit Plan
Use Permit #154 for retail/commercial

PROPOSAL: To allow 640 single and multiple family residential units and 495,000 square feet of office/commercial floor area.

LOCATION: Southeast of the intersection of South 27th Street and Yankee Hill Road.

LAND AREA: Annexation #02012 91.98 Acres
Change of Zone #3423 111.5 Acres
Special Permit #1999 64.35 Acres
Use Permit #154 47.64 Acres

CONCLUSION: With the modifications noted in the conditions of approval, these requests are consistent with the intent of the Zoning and Land Subdivision Ordinances and the Comprehensive Plan.

RECOMMENDATION:

ANN#02012

Conditional Approval

GENERAL INFORMATION:

LEGAL DESCRIPTION: Annexation #02012 See attached.
Change of Zone #3423 See attached.
Special Permit #1999 See attached.
Use Permit #154 See attached.

EXISTING ZONING: AG Agriculture

EXISTING LAND USE: Agriculture, Residential

SURROUNDING LAND USE AND ZONING:

North:	Commercial/Office/Residential (under development)	R-3, R-4, O-3, B-2 (R-3, R-4, O-3, H-4 proposed)
South:	Agriculture	AG
East:	Agriculture	AG
West:	Residential & Golf Course	R-3

COMPREHENSIVE PLAN SPECIFICATIONS: CPC#03015 was approved on **July 16, 2003** designating a Community Center at the intersection of South 27th Street and Yankee Hill Road.

Page F17 - Maximize the community's present infrastructure investment by planning for residential and commercial development in areas with available capacity. This can be accomplished in many ways including encouraging appropriate new development on unused land in older neighborhoods, and encouraging a greater amount of commercial space per acre and more dwelling units per acre in new neighborhoods.

Page F18 - Encourage different housing types and choices, including affordable housing, throughout each neighborhood for an increasingly diverse population.

Page F20 & F21 - Principles of mixed-use development.

Page F23-24 - The area proposed for office/commercial development with this plan is designated as commercial on the Land Use Map of the Comprehensive Plan, and is consistent with CPC#03015.

Page F31 - Tier 1 Priority Areas - This site is within the Future Service Limit. The remainder of the section is within Tier 1, Priority Area A. That area within the Future Service Limit can be served by city utilities; those lands in Priority Area A are designated to received city services within the next 12 years.

Page F45 - Community Centers may vary in size from 300,000 to nearly a million square feet of commercial space. Typically, new Community Centers will range from 300,000 to 500,000 square feet. Community Centers are intended to be smaller in scale and intensity of uses than Regional Centers and serve a more targeted market and geographic area. Community Centers tend to be dominated by retail and service activities, although they can also serve as campuses for corporate office facilities and other mixed-use activities. When properly located, some light manufacturing or assembly when accessory to an office function may be allowed. One or two department stores or "big box" retail operations may serve as anchors to the Community Center with smaller general merchandise stores located between any anchors or on surrounding site pads, such as Edgewood Shopping Center at S. 56th Street and Highway 2.

Page F95 - The Bicycle and Trails Plan shows the trail crossing Yankee Hill Road at approximately South 33rd Street and extending across this site.

HISTORY: Revised application was submitted **September 19, 2003**.

Planning Director's letter was sent **January 29, 2003**.

Numerous meetings were held between the applicant and staff prior to and after submittal of the preliminary plat.

Preliminary Plat was submitted **December 24, 2002**.

UTILITIES: Water: Water is available to this development, and the water system shown to serve it is satisfactory.

Sewer: The area within the proposed development can be served by gravity-fed sewer. However, the timing of the connection to the system must be coordinated with those parties responsible for extending

the sewer main to the intersection of South 27th Street and Yankee Hill.

Other: Electricity, gas, telephone, and cable television are available and can be provided to this development.

PUBLIC SERVICE: After annexation, the area will become part of the Lincoln Public School District, and all public services including Police and Fire will be provided by the City. The Fire Department notes in their review concern that new developments at the edge of the city are stretching their resources and response times without new fire stations to serve those areas.

TRAFFIC ANALYSIS: This site is bounded by South 27th Street and Yankee Hill Road, both principal arterial streets. Access to these streets is limited except for intersections located at Whispering Wind Blvd, Wilderness Hills Blvd, Private Roadway A, Private Roadway D, South 33rd Street, and a driveway at Lot 4, Block 1. Access within the development is provided by public streets, with internal access to the office/commercial areas and the townhouse/multiple-family areas provided by private roadways.

A traffic study was completed for this development, and the recommendations of that study are being included in the conditions of this report where appropriate. Except for a portion of Yankee Hill Road adjacent to the northwest corner of this site, South 27th Street and Yankee Hill Road have not yet been improved to four-lane streets as called for in the Comprehensive Plan. These streets must be improved prior to or in conjunction with this development. Any improvements, such as additional turn lanes and traffic signals needed as a result of this development beyond those covered by impact fees, will be the responsibility of the developer.

TOPOGRAPHY: The site is rolling farmland, characterized by a small draw that extends southeast to northwest through the middle of the development. The ground elevation in this portion of the mile section allows the site to be connected to the city's system by gravity-fed sanitary sewer.

BACKGROUND: The owner has been working very closely with the City in an attempt to master plan this entire mile section. The intent was to develop an integrated concept that provided for residential, commercial and office uses along with a school site, and a light industrial employment center. It was also a goal to preserve the natural terrain, particularly the drainage across the southern portion of the section.

The portion of Section 30 that can be served by city sanitary sewer is the area included in this request. A concept plan for the remainder of the section has been developed, and the owner will seek approval at such time as sewer service is available to serve that area.

CPC#03015, which allowed the designation of a community center at the intersection of South 27th Street and Yankee Hill Road, anticipated this project. The Comprehensive Plan assumes a neighborhood center in every square-mile section, in addition to the larger Commerce and Regional Centers shown at selected locations. This amendment allowed for an exchange in floor area between the Light Industrial Employment Center located on South 40th Street halfway between Yankee Hill and Rokeby Roads and the neighborhood center. The employment center was reduced by the amount the neighborhood center was increased, consistent with what is shown in the attached plan.

ANALYSIS:

1. While a portion of this site (Lot 32 at the northwest corner) is within the city limit, the majority is not and must be annexed before utilities can be extended to serve the site. The owner will be required to enter into an annexation agreement, which may stipulate, among other things, financial responsibility for any required improvements not covered by impact fees. These improvements may include turn lanes and traffic signals. The owner and Public Works must determine the extent of these improvements prior to this request being scheduled for City Council.
2. Relative to the applicable waivers, Public Works offered the following comments:
 - Sewer Design:** The waiver to allow sewer to flow opposite street grades is appropriate, however it is not acceptable to allow the sewer to extend along the centerline of the private roadways as the roadway would need to be closed for maintenance.
 - Sidewalks:** Public Works notes that sidewalks are needed along South 27th Street as well as Yankee Hill Road and the requested waiver is unsatisfactory. The applicant states that the designs of South 27th Street and Yankee Hill Road are to be done by the City as part of the Capital Improvement Program and that sidewalks should be part of those improvements. It is true that the sidewalks will be built with the road projects, however Title 26 (Land Subdivision) states it is the developer's responsibility to pay for sidewalks. An amendment to clarify that sidewalks along arterial streets are not covered by impact fees is currently being considered by the City Council.
3. This development will outlet to the trunk sewer originally built to serve Wilderness Ridge, west across South 27th Street. A formula was developed to be used to determine the connection fee for users of the line. This user should also be subject to the appropriate fee for connecting to that line.
4. Public Works noted traffic-study recommended turn-lane lengths for Private Road D at Yankee Hill Road (240'), and for Whispering Wind Blvd and South 27th Street (150'). A revised traffic study has since been submitted and is under review. The plans will need to be revised to show the necessary turn-lane lengths as determined by Public Works.
5. A waiver to landscaping in traffic circles and medians was requested, but there is no requirement for landscaping in these areas. However, any landscaping located within these areas beyond typical trees and turf must first be approved by the Parks and Recreation Department. A property owners association will be responsible for the maintenance of all landscaping within traffic circles, medians, boulevards, pocket parks, and outlots.
8. The Bicycle and Trail Plan provides for the trail system to extend through this area, and a crossing has been designated at South 33rd Street. This plan must be revised to show an underpass crossing at Yankee Hill Road east of South 33rd Street.

9. All streets within this development are local streets, and should be designed to function as such. Beyond what is needed to provide for turn lanes, South 33rd Street and Whispering Wind Blvd should be tapered down to the standard width of 27' for a local street.
10. Waivers to setbacks for the B-2 have been requested for the front along Wilderness Hills Blvd and Yankee Hill Road. A waiver to the rear yard setback between B-2 and R-5 has also been requested. The reduction in setbacks is offset by the inclusion of two private pocket parks. The total reduction in setback amounts to approximately 2.2 acres in area, and the applicant has agreed to ensure the combined area of the pocket parks is equivalent. This is an appropriate compromise that allows for a greater utilization of the land dedicated to commercial use, but still provides an equal area for active recreation in exchange where the overall benefit to the community is roughly the same. The plan must also be revised to show that the waiver to setback in the B-2, except Lots 17 and 18, is to parking areas, not to building envelopes. Lots 17 and 18 should be limited to small office buildings to continue the concept of using office buildings as a transition.
11. There is one exception, however, where the reduction in setback to 20' in the B-2 is not appropriate. Office is generally used as a buffer between commercial and residential throughout the development except Lots 9-12, Block 1 where the B-2 is adjacent to residential. In this area, the amount of screening needs to be increased to provide an adequate buffer between the commercial and residential in this area. In this area, the minimum setback should be 30'. This will allow for a staggered double-row of trees (one-half coniferous). The result should be a 100% screen at least 15' in height.
12. A waiver to lot area and width is requested to allow 4,000 square foot lots 40' in width for single-family and 25' in width for two-family, and to allow 2,000 square foot lots 20' in width for townhomes, all in the R-3. The waivers are typical for a residential CUP such as this one, and will allow for greater flexibility and density in the development of the residential component.
13. A waiver to building height is requested to allow buildings up to 60' in the O-3, and up to 50' in the B-2 and R-5. As part of the Comprehensive Plan Amendment, some of the rationale for allowing the additional floor area was that at least 45,000 square feet of it had to be on the second floor of buildings. These waivers will accommodate more compact development and higher floor area ratios (FAR) which are generally desired in commercial areas. The increase in height is appropriate towards the center of the commercial development, however Lots 17 and 18, Block 1 should be limited to the district height.
14. As noted previously, a portion of the commercial allowed at this location was for a neighborhood center. The intent is to provide for the everyday uses such as grocery, pharmacy, and dry cleaning close to home to minimize vehicle outside the neighborhood. The "Town Center" must include at least 100,000 square feet of neighborhood retail floor area to provide for these uses.
15. Sidewalks that are convenient to the residents of the R-5 residential area should be provided through the parking lots between the dwelling units and the commercial buildings in the town center. One purpose of mixed-use is to encourage pedestrian trips.

CONDITIONS:

Annexation #02012

1. The applicant will enter into an annexation agreement with the City of Lincoln.

Prepared by:

Brian Will, AICP
Planner
October 30, 2003

**APPLICANT/
OWNER:**

Gerald Maddox
Lincoln Federal Bancorp, Inc.
1101 N Street
Lincoln, NE 68508

CONTACT:

J. Michael Rierden
645 M Street
Lincoln, NE 68508

**ANNEXATION NO. 02012;
CHANGE OF ZONE NO. 3423;
SPECIAL PERMIT NO. 1999,
WILDERNESS HILLS COMMUNITY UNIT PLAN;
and
USE PERMIT NO. 154**

PUBLIC HEARING BEFORE PLANNING COMMISSION:

November 12, 2003

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

Staff recommendation: Approval of the annexation, subject to an annexation agreement; approval of the change of zone; and conditional approval of the community unit plan and use permit.

Ex Parte Communications: None.

Proponents

1. Mike Rierden appeared on behalf of the applicants, presenting this first phase in a rather large development. His client has either fee simple title or land under contract for this entire section, with the exception of a portion in the lower southern corner. This proposal seeks to develop about 112 acres of the total mixed used development of approximately 580 acres.

Rierden explained that the changes of zone are for R-3 (to allow residential development to urban density, basically single family and townhomes); over to the east would be R-5 (higher density residential allowing for apartment and multi-family or townhome development). One of the goals of the Comprehensive Plan is to have higher density residential next to commercial. Going to the west, there is some B-2, which would allow for commercial development--retail, office, restaurants, etc., and then over on the 27th Street side would be the O-3 zoning, which allows for office buildings and which would be a good buffer for the properties to the west across 27th Street. Up in the corner of the B-2 zoning would be a landmark such as you see on the golf course with a waterfall, boulders, and moving water to fit well within the theme already developed on the property to the west.

Rierden stated that the developer has not yet determined whether the R-5 will be multi-family or townhomes. However, one of the conditions of approval requires paths or pedestrian easements to hook the R-5 to the town center, located on what would be 30th Street, and then the rest of the retail development would be larger buildings and parking. The office and restaurant uses would be along Yankee Hill Road and there will be office uses along 27th Street. The balance of the residential would be R-3 in character.

Rierden explained that one of the signatures of this development is going to be a boulevard extending from 27th Street east almost over to 40th Street that will hook up with one of the other

elements of this master plan, which would be an employment center. The R-3 would be single family or townhomes.

With regard to the “town center”, Rierden believes this will be unique to Lincoln – it is a design lifestyle living with a significant amount of outdoor eating and coffee shops, neighborhood type retail uses, with a circle in the middle for people to gather, which could be blocked off for festivals—a real pedestrian oriented type of town center.

Rierden also submitted design criteria for the town center to which the developer has committed. Rierden then submitted proposed amendments to the conditions of approval which he believes the developer and the staff have agreed upon.

Steward inquired whether the developer has any notions for residences above the retail in the town center. Rierden indicated that they do have thoughts about having office above but have not discussed residential units on the upper floor; however, he believes it could be considered. Right now there is a provision for some office on the second floor of the town center.

With regard to the amendments to the conditions of approval submitted, Rierden deleted “and pedestrian way easements” from his amendment to Condition #1.1.12 of the special permit and Condition #1.1.13 of the use permit. He also suggested adding, “each containing approximately one acre” to the amendment to Condition #1.1.3 of the use permit.

Rierden also noted that the use permit Conditions #1.1.2 and #1.1.15 talk about the design criteria being applicable to “all buildings” in the B-2 zoning. Rierden requested that the language be changed to specify that it is applicable to the “town center buildings”. He also noted that staff wants to make sure the buildings outside of the town center do follow a certain design criteria. The developer has not had time to develop anything for the retail boxes or office buildings and restaurants. Therefore, Rierden proposed adding Condition #1.1.17 to the use permit, “Design criteria for the other buildings in the community center, other than the town center, will be developed by the applicant with written approval of the Planning Director”.

The applicant withdrew the waiver requests to which the staff has recommended denial, i.e. sidewalks and sanitary sewer design standards to allow sewer to flow under the centerline of the roadway.

Carlson recalled that some floor area was shifted from the employment center over to the new commercial area. Rierden acknowledged that they have switched the Community Center to 27th & Yankee Hill Road. Brian Will of Planning staff explained that the previous Comprehensive Plan amendment did reduce the light industrial employment center on the west side of this square mile section, and moved it to this corner. In addition, this corner was allowed to include a neighborhood center that is planned for every square mile section. Rierden added that there are approximately 77 acres on 40th Street for the employment center; however, the developer is in discussion with staff on that because there are some drainage issues in that particular area so it may not end up being 77 acres. In approving this, Carlson believes we have removed the opportunity somewhere else, and Rierden does not believe that to be true.

2. Christine Jackson, 9030 Whispering Wind Road in Wilderness Ridge, submitted comments received from residents of Wilderness Ridge. The Wilderness Ridge residents are supporting this proposal, with some reservations. They commend the developer for looking at the entire section at once.

--They do have concerns regarding the size of the development. It was originally showed to the Wilderness Ridge residents as 325,000 sq. ft. – if we add the area to the north (currently planned), it is becoming a very sizable development. When compared to SouthPointe, it does start to look like a pretty large development by adding the community center.

--The Wilderness Ridge residents have talked with the developer about box stores and it was indicated that they are not looking at large box stores such as Walmart, nor quite the size of Kohl's on 84th Street.

--Another neighborhood concern is landscaping and appropriate screening along 27th Street, and Jackson believes this issue has been addressed.

--Lighting is an issue because the Wilderness Ridge neighbors like their rural standards. Jackson pointed out that there was some agreement previously with Williamson Honda to reduce the lighting after the businesses have closed, and she would like to see the same consideration for the dimming of the lights in this development.

--The neighbors are very supportive of the sidewalks. They would like to see this as a very walkable area.

--The neighbors would like consideration for school buses and transit bus stops. They do not have any in Wilderness Ridge at this time.

--The builder has noted his intention to use monument signs and no pole signs, which the neighbors support.

--Jackson requested that the Planning Commission carefully consider the city services that extend to the southern border of the city. There are fire and safety issues and the neighbors would like to see that type of planning for this area of the city.

--Traffic is a concern. 27th and Yankee Hill is going to be a very large intersection with a lot of traffic. Jackson requested that there be parallel planning of the streets as well as the development in a parallel fashion instead of development coming first and the streets coming later. She also requested that there be a traffic study. Now is the time to try to make decisions and changes if needed. We know that 27th Street will be a major south entrance to the city from the beltway and we know that there is some discussion regarding how those entryways to the city would look. There should be opportunity to work with the developers on this issue.

There was no testimony in opposition.

Response by the Applicant

With regard to Dr. Jackson's comments, Rierden stated that the developer will continue to work with the neighborhood and will look into the options for lighting, etc.

Carlson asked Rierden whether there are conditions to address the neighborhood comments about the maximum single building floor area. Rierden stated that there are no conditions; however, the staff report indicates an allowable maximum amount of square footage and the developer is allowed to allocate that total as the developer deems appropriate and as the market dictates. Steward suggested that the applicant note the neighborhood's preference. Rierden agreed and said that they would try to take that into consideration. These use permits are presented with the building envelopes, and as long as the developer does not try to go beyond the total square footage allowable, there are changes that are made. Rierden assured that the developer will keep the neighborhood concerns well in mind.

Bills-Strand stated that she is a resident of Wilderness Ridge and inquired about the a traffic study for this area. With the closing of 14th Street we're starting to see what it is going to be like. Brian Will of Planning staff advised that the applicant was required to do a traffic study with this proposal. Relative to improvements to South 27th and Yankee Hill Road, those are going to be city-funded projects in the CIP. Chad Blahak of Public Works further advised that Yankee Hill will now be paved from 27th to 40th. As far as widening or improvements, Blahak suggested that typically, with a development that abuts existing rural cross-sections with major entrances, Public Works does require deceleration lanes. With this one, Public Works is suggesting that the widening of 27th Street and Yankee Hill Road be built in conjunction with the commercial development. These streets are in the current CIP. The CIP schedule shows 27th Street from Pine Lake Road to Rokeby in the 2005-06 construction schedule, which does not take into account available funding, and then Yankee Hill Road from 27th to 40th was shown in the 2003-04 or 2004-05 construction schedule, still dependent on funding.

Bills-Strand inquired whether the paving of 40th Street will be extended to Yankee Hill Road to take some of the traffic off of 27th Street. Blahak indicated that to be part of the 27th to 40th Yankee Hill project. We know where the signals are recommended to be located.

Steward inquired about police and fire stations, even though it is beyond the scope of this application but was mentioned by Dr. Jackson. Brian Will stated that, as with all preliminary plats, Police and Fire are included in the review process. We make sure they are given the opportunity to start looking at procuring sites before development occurs. Police and Fire have reviewed this proposal and are not interested in securing any future fire stations in this square mile. However, with the applicant having a development concept plan for the entire mile section, a part of the process included involving LPS, which is looking at a future school site within this section. We have made provision where necessary for those public facilities.

ANNEXATION NO. 02012

ADMINISTRATIVE ACTION BY PLANNING COMMISSION:

November 12, 2003

Taylor moved approval, subject to an annexation agreement, seconded by Bills-Strand and carried 8-0: Larson, Carlson, Bills-Strand, Marvin, Duvall, Taylor, Krieser and Steward voting 'yes'.

CHANGE OF ZONE NO. 3423

ADMINISTRATIVE ACTION BY PLANNING COMMISSION:

November 12, 2003

Taylor moved approval, seconded by Carlson and carried 8-0: Larson, Carlson, Bills-Strand, Marvin, Duvall, Taylor, Krieser and Steward voting 'yes'.

SPECIAL PERMIT NO. 1999,

WILDERNESS HILLS COMMUNITY UNIT PLAN.

ADMINISTRATIVE ACTION BY PLANNING COMMISSION:

November 12, 2003

Taylor moved to approve the staff recommendation of conditional approval, with the amendments proposed by the applicant, seconded by Carlson and carried 8-0: Larson, Carlson, Bills-Strand, Marvin, Duvall, Taylor, Krieser and Steward voting 'yes'.

USE PERMIT NO. 154

ADMINISTRATIVE ACTION BY PLANNING COMMISSION:

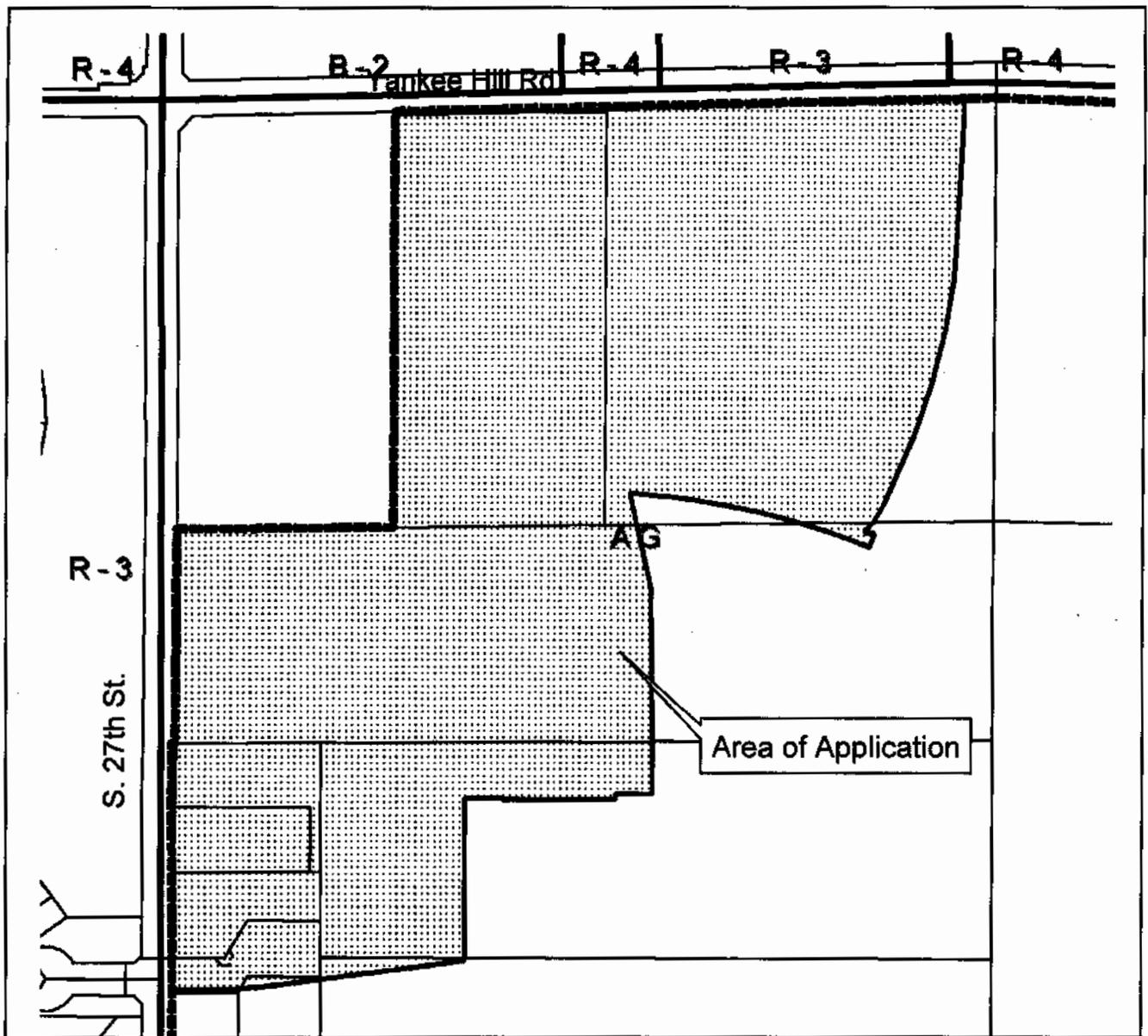
November 12, 2003

Taylor moved to approve the staff recommendation of conditional approval, with the amendments proposed by the applicant, seconded by Marvin.

Carlson commended the developer for the "forward thinking" as far as design with the town center, mixed use, and connecting the multi-family with direct pedestrian access, ultimately pulling people into that area. In general, Carlson urged the judicious use of the floor area.

Steward added his personal encouragement that as long as we're modeling and stretching the envelope for design like the town center, that the mixed use opportunities be considered as much as possible. He thinks we are ready for that in this community and this would be a great opportunity for it to be seen and understood.

Motion carried 8-0: Larson, Carlson, Bills-Strand, Marvin, Duvall, Taylor, Krieser and Steward voting 'yes'.



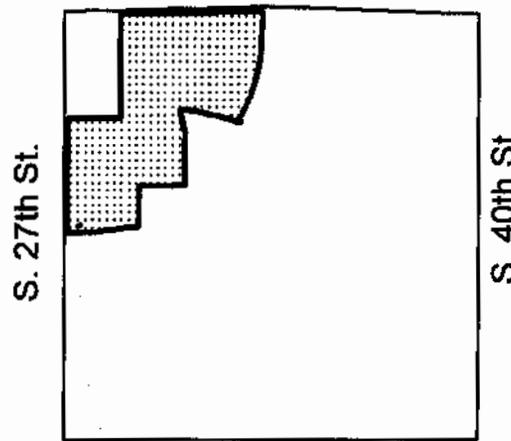
Annexation #02012 S. 27th St. & Yankee Hill Rd.

Zoning:

- R-1 to R-4 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-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. 30 T09N R7E

Yankee Hill Rd.

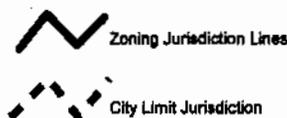


S. 27th St.

S. 40th St.

Rokeby Rd.

014



Drawn By: NLH
Dwg.: WilderHill_anex
Date: 10/29/03

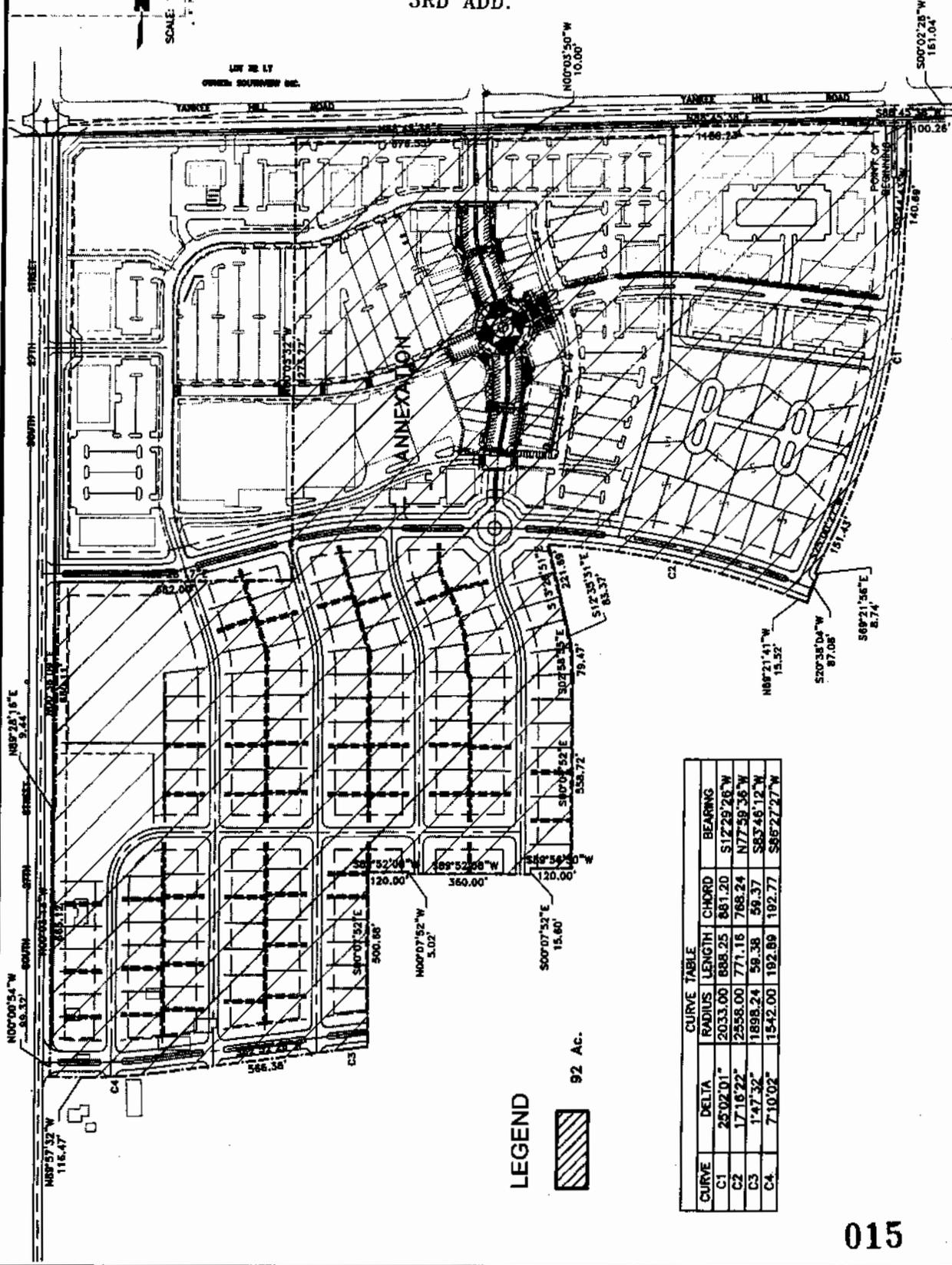
**WILDERNESS HILL
ANNEXATION BOUNDARY EXHIBIT**
Lincoln, Nebraska

630 N. Corner Blvd.
Ste. 105
Lincoln, NE 68505
Pl. 402-464-4011



**HEIGHTS SOUTH
3RD ADD.**

SCALE: 1"=400'



LEGEND
 92 AC.

CURVE	DELTA	RADIUS	LENGTH	CHORD	BEARING
C1	25°02'01"	2033.00	684.25	881.20	S12°29'26"W
C2	17°16'22"	2558.00	771.16	788.24	N77°59'56"W
C3	1°47'32"	1898.24	56.38	56.37	S83°46'12"W
C4	7°10'02"	1542.00	192.89	192.77	S86°22'27"W

LEGAL DESCRIPTION ANNEX

A TRACT OF LAND LOCATED IN SECTION 30, TOWNSHIP 9 NORTH, RANGE 7 EAST OF THE 6TH P.M., LANCASTER COUNTY, NEBRASKA. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

REFERRING TO THE NORTH QUARTER CORNER OF SAID SECTION; THENCE S00°02'58"W ON AN ASSUMED BEARING ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION, A DISTANCE OF 50.01 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF YANKEE HILL ROAD; THENCE S88°45'38"W ALONG SAID SOUTH LINE, A DISTANCE OF 100.26 FEET TO THE POINT OF BEGINNING; THENCE S00°02'28"W, A DISTANCE OF 161.04 FEET; THENCE S05°44'43"W, A DISTANCE OF 140.69 FEET TO THE POINT OF CURVATURE OF A NON TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 25°02'01", A RADIUS OF 2,033.00 FEET, AN ARC LENGTH OF 888.25 FEET, A CHORD LENGTH OF 881.20 FEET AND A CHORD BEARING OF S12°29'26"W; THENCE ALONG SAID CURVE, A DISTANCE OF 888.25 FEET; THENCE S25°00'27"W, A DISTANCE OF 151.43 FEET; THENCE S69°21'56"E, A DISTANCE OF 8.74 FEET; THENCE S20°38'04"W, A DISTANCE OF 87.08 FEET; THENCE N69°21'41"W, A DISTANCE OF 15.52 FEET TO THE POINT OF CURVATURE OF A NON TANGENT CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 17°16'22", A RADIUS OF 2,558.00 FEET, AN ARC LENGTH OF 771.16 FEET, A CHORD LENGTH OF 768.24 FEET AND A CHORD BEARING OF N77°59'36"W; THENCE ALONG SAID CURVE, A DISTANCE OF 771.16 FEET; THENCE S13°28'51"E, A DISTANCE OF 221.69 FEET; THENCE S12°35'31"E, A DISTANCE OF 83.37 FEET; THENCE S02°58'55"E, A DISTANCE OF 79.47 FEET; THENCE S00°07'52"E, A DISTANCE OF 63.45 FEET; THENCE CONTINUE SOUTHERLY ALONG SAID LINE, A DISTANCE OF 495.27 FEET; THENCE S89°56'50"W, A DISTANCE OF 120.00 FEET; THENCE S00°07'52"E, A DISTANCE OF 15.60 FEET; THENCE S89°52'08"W, A DISTANCE OF 360.00 FEET; THENCE N00°07'52"W, A DISTANCE OF 5.02 FEET; THENCE S89°52'08"W, A DISTANCE OF 120.00 FEET; THENCE S00°07'52"E, A DISTANCE OF 500.68 FEET TO THE POINT OF CURVATURE OF A NON TANGENT CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 01°47'32", A RADIUS OF 1,898.24 FEET, AN ARC LENGTH OF 59.38 FEET, A CHORD LENGTH OF 59.37 FEET AND A CHORD BEARING OF S83°46'12"W; THENCE ALONG SAID CURVE, A DISTANCE OF 59.38 FEET; THENCE S82°52'26"W, A DISTANCE OF 566.38 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 07°10'02", A RADIUS OF 1,542.00 FEET, AN ARC LENGTH OF 192.89 FEET, A CHORD LENGTH OF 192.77 FEET AND A CHORD BEARING OF S86°27'27"W; THENCE ALONG SAID CURVE, A DISTANCE OF 192.89 FEET; THENCE N89°57'32"W, A DISTANCE OF 116.47 FEET; THENCE ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SOUTH 27TH STREET FOR THE NEXT 4 COURSES, N00°00'54"W, A DISTANCE OF 99.32 FEET; THENCE N00°03'13"W, A DISTANCE OF 665.12 FEET; THENCE N89°28'16"E, A DISTANCE OF 9.44 FEET; THENCE N00°36'09"E, A DISTANCE OF 660.11 FEET; THENCE N89°28'17"E, A DISTANCE OF 682.00 FEET; THENCE N00°03'32"W, A DISTANCE OF 1,273.77 FEET; THENCE N88°45'38"E, A DISTANCE OF 676.55 FEET; THENCE N00°03'50"W, A DISTANCE OF 10.00 FEET; THENCE N88°45'38"E, A DISTANCE OF 1,138.23 FEET TO THE POINT OF BEGINNING. CONTAINING 91.98 ACRES, MORE OR LESS.

Richard J Furasek

To: Brian J Will/Notes@Notes

10/10/2003 10:37 AM

**cc:
Subject: Wilderness Hills**

After reviewing the plans for special Permit #1999, Use permit # 154, and Annex. # 02012, we find it acceptable from the perspective of our department. We have access to the area and water doesn't seem to be an issue. The only concern is stretching our resources and response times to these areas without having new fire stations to provide the service that the people of Lincoln expect.

**Richard J. Furasek
Assistant Chief Operations
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1801 Q Street
Lincoln Ne. 68508
Office 402-441-8354
Fax 402-441-8292**

City/County Planning Commission – November 12, 1:00 PM Wilderness Hills – Wilderness Ridge Neighborhood Comments

General Comment - The developers should be complimented on their plan to "Master Plan" this entire mile section. While the November 12 Planning Commission action only discusses the northeast corner of this development, we are hopeful that the Planning Commission and Planning Department staff are considering this action as part of a larger development plan and are thinking more broadly. How are the edges of the development complimenting the currently developed, or shortly to be developed boundaries of this section of land? Have a new fire station and police station been planned? Knowing that there is interest in sustainable development, does this development reflect these design and development concepts? How does this development fit the City's Master Plan?

Size of Development – This current development is planning 325,000 of retail and office space, excluding the adjacent office buildings, restaurants, and other retail establishments along 27th Street & Yankee Hill Road. This development is a little over 50% of the retail space found at South Pointe Pavilion. Given the build out of the other adjacent corners, does total square feet of three of the corners at this intersection equal or exceed that of a regional shopping center? If yes, then why not analyze it as a regional commercial center and not as a series of interrelated community centers?

What is the market demand for all this commercial development? Is there now or is there projected in the future an "unsatisfied sales potential" requiring all this commercial space? Or will this development take business away from existing businesses such as Edgewood, Bishop Heights and downtown? Is there a market analysis demonstrating the "public good" served by this development? Is there an economic development plan for this market area?

Building Size – We would like to see the maximum building size to not exceed 75,000 square feet. (Note: The current Kohl's on 84th Street is 81,514 sq. ft.) Big-box stores, as are currently permitted under B-2 zoning, that are greater than 75,000 should not be permitted. Per discussions with the developer, the development, as currently envisioned, does not exceed 2-story buildings. We would like to see this included in the final zoning and permits.

Building Form and Texture Requirements – While we appreciated the lifestyle center design concept presented, having the same consistent design applied to building form and texture on the box retailers not located on the town center would be appreciated. The same attention to the design of the rear elevation of the box retailers should also be a requirement of the development.

Landscaping – Additional landscaping to provide screening along 27th street should be encouraged. The developers noted their interest in increasing the minimum landscaping requirements. Having additional landscaping specifically cited in the special permits is needed.

Lighting - Dimming of parking lot lights to during non-business hours is requested. Reducing the parking lot lighting ½ hour after closing, like the Williamson Honda agreement, would be appreciated. We are opposed to late night entertainment establishments that will require lights till early morning hours.

Sidewalks – We are very supportive of the staff’s recommendation that the sidewalk requirements not be waived. Having this development as one that is “walkable” between residential and commercial developments is to be commended.

School and Transit Bus Pickups – Have these been incorporated into the design? In Wilderness Ridge they were not. Given that the planned residential neighborhood will have many school aged children, appropriate planning would be appreciated.

Signage – We would like to affirm monument signage only and then only for tenants adjacent to 27th or Yankee Hill Roads. No pole signs.

Police and Fire Stations - The staff reports notes that new developments at the edge of the city are stretching their resources and response times without new fire stations to serve those areas. The police department may agree. Is the Planning Commission also “master planning” the construction of these city service zones into its planning? Given this is another square mile of development; we would recommend that now is the time to set aside land for these critical city services.

Streets & Other City Improvements - We are concerned that construction to widen 27th Street and Yankee Hill Road, installation of street lights, trees, need to parallel the development of this corner. Without parallel construction, we envision major traffic problems and a very busy intersection at 27th and Yankee Hill Road, similar to the intersection at 27th & Pine Lake Road. We would encourage the developer to develop the Yankee Hill Road as the development’s primary entrance, not 27th Street. This would compliment the other commercial development planned for 27th Street and would focus traffic away from the neighborhoods.

There should be a signalized major pedestrian crossing at 27th and Whispering Wind Blvd, with sidewalks, so that a pedestrians will be able to cross 27th and continue walking into the commercial development - both north and south - and into the residential development. Again, this will promote a walkable environment between the neighborhoods. Will residents on the east side of 27th Street be using golf carts to access the golf course? Has there been consideration of the inter-relationship between the two developments?

Traffic – We would encourage the Planning Commission and City/County officials to review the traffic impact on the 27th Street corridor as it relates to current and future development in the next couple of years. Also, the sight line at 27th and Whispering Wind Blvd. is dangerous now. This needs to be fixed before this development opens. We would encourage a traffic study be completed that reflects all the local development combined along 27th and Yankee Hill. What

are we going to be facing there in the future? Hopefully this study would reflect the amount of neighborhood versus community traffic and plan accordingly.

Storm Water - What is the total square footage of impermeable surface of this development? Will there be a net increase in storm water discharge from this site? What is the cumulative storm water discharge from all the development on the NE, NW and SE corners? Where will this storm water go? What volumes in cubic feet per second? What is the storm water quality control on all of these parking lots? What happens to all the cigarette butts, motor oil, antifreeze, rubber, Styrofoam containers and other litter? Will it be flushed across the road and eventually - -- like flotsam and jetsam --- into the detention (landscaping) ponds and thus eventually into Wilderness Park? Is there a screen or at least a grill somewhere along this water course? Understanding that Wilderness Ridge Golf Course residential development had to meet stringent wastewater discharge controls to protect Wilderness Park, we are hopeful that similar discussions have occurred with the developer.

Impact Fees - We would request that the City use this developer's impact fees for this development to improve the streets, lighting, etc. associated with this development in a timely manner.

South Beltway - As part of the South Beltway, a new entrance to Lincoln will be established. It appears from all planning documents that 27th Street will be a major new entrance into the City. Has the Planning Commission begun reviewing the architectural elements, landscaping, and streetscape it wishes create from its 27th Street entrance off the Beltway? Our recommendation is that planning for this southern entrance be shared with the developers so that this development reflects the standards that City/County is embracing.

Final Comment - Only when we consider this proposed action in the context of the entire one square mile section being planed, will we be able to appreciate its positive and adverse impacts. We are supportive, but ask that the Planning Commission and staff continue to think long-term about the development in a broader context versus "planning" this section of the City in a piece-meal fashion. A longer-term vision should identify long-term problems that could have been addressed at this stage of development.