

FACTSHEET

TITLE: USE PERMIT NO. 04001, requested by Brian D. Carstens and Associates on behalf of Madonna Rehabilitation Hospital, to permit a 110,000 sq. ft. medical/office building, on property generally located at South 56th Street and Pine Lake Road.

STAFF RECOMMENDATION: Conditional Approval

ASSOCIATED REQUEST: Change of Zone No. 04035 (04-151); Special Permit No. 1713C, amendment to Aspen 3rd Addition Community Unit Plan (04R-193); and Street Vacation No. 04005 (04-152).

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: 05/26/04
Administrative Action: 05/26/04

RECOMMENDATION: Conditional Approval, with amendments (7-0: Marvin, Krieser, Carlson, Larson, Sunderman, Pearson and Carroll voting 'yes'; Bills-Strand declaring a conflict of interest; Taylor absent).

FINDINGS OF FACT:

1. This use permit and the associated Change of Zone No. 04035, Special Permit No. 1713C, Special Permit No. 04026 and Street Vacation No. 04005 were heard at the same time before the Planning Commission.
2. This proposed use permit allows a 110,000 sq. ft. office building with 45,000 sq. ft. of office/medical space. The associated special permit allows a 65,000 sq. ft. club/fitness center in the same two-story building.
3. The staff recommendation to approve this use permit is based upon the "Analysis" as set forth on p.4-6, concluding that, with conditions, the proposal is in conformance with the Comprehensive Plan and the zoning and subdivision ordinances.
4. The applicant had requested a waiver of tangent length at the intersection of Norris Lane and Allen Road, to which the staff had recommended denial; however, the applicant indicates that they are no longer requesting this waiver.
5. The applicant's testimony is found on p.9-10, including proposed amendments to the conditions of approval (p.30), to which the staff agreed.
6. Testimony in support is found on p.10, and the record consists of two e-mail communications in support (p.31-32). The neighborhood is more supportive of this proposal than the previous proposal for speculative office use, which is on the City Council's pending list.
7. There was no testimony in opposition.
8. On May 26, 2004, the Planning Commission agreed with the staff recommendation and voted 7-0 to recommend conditional approval, with the amendments requested by the applicant and with amendment adding the requirement for a parking study after 18 months of operation (Condition #6, p.8). Bills-Strand declared a conflict of interest and Taylor was absent.
9. The Site Specific conditions of approval required to be completed prior to scheduling this application on the City Council agenda have been satisfied and the revised site plan is attached (p.14-17).
10. The associated Special Permit No. 04026 for the club/fitness center was also adopted by the Planning Commission on May 26, 2004, Resolution No. PC-00870.

FACTSHEET PREPARED BY: Jean L. Walker

REVIEWED BY: _____

REFERENCE NUMBER: FS\CC\2004\UP.04001

DATE: July 26, 2004

DATE: July 26, 2004

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for May 26, 2004 PLANNING COMMISSION MEETING

As Revised by Planning Commission: 05/26/04

P.A.S.: Change of Zone #04035
Use Permit #04001
Special Permit #04026 (**Final Action by Planning Commission, PC-00870**)

PROPOSAL: Change the zoning from R-4, Residential to O-3, Office Park; Use Permit for 45,000 square feet of medical/office buildings and a special permit for a 65,000 square feet club/fitness center.

LOCATION: S. 56th St. and Pine Lake Rd.

WAIVER REQUEST: ~~Tangent length at the intersection of Norris Lane and Allen Road.~~
(Applicant is no longer requesting this waiver: 7/26/04**)**

LAND AREA: Use Permit, Special Permit and Change of Zone is 7.6 acres, more or less

CONCLUSION: with conditions the proposal is in conformance with the Comprehensive Plan, Zoning and Subdivision Ordinances. The waiver is not justified.

RECOMMENDATION:	
Change of Zone	Approval
<u>Use Permit</u>	<u>Conditional Approval</u>
Special Permit	Approval
WAIVER	
Tangent length at the intersection of Norris Lane and Allen Road	Denial

GENERAL INFORMATION:

LEGAL DESCRIPTION: A portion of Outlot E, Block 4, Aspen 5th Addition, a portion of Outlot A, Aspen 10th Addition, the future vacated right-of-way of Allen Road and a portion of Allen Road right-of-way located in the NE 1/4 of Section 20, Township 9 North, Range 7 East, Lancaster County, Nebraska.

EXISTING ZONING: R-4 Residential

EXISTING LAND USE: Undeveloped

SURROUNDING LAND USE AND ZONING:

North:	R-3 Residential	Single -family across Pine Lake Rd.
South:	R-4 Residential	Undeveloped
East:	B-2 Business	Undeveloped
West:	R-3 Residential	Single -family and attached two-family residential
	R-4 Residential	Undeveloped

ASSOCIATED APPLICATIONS:

Special Permit #1713C
Street & Alley Vacation #04005

HISTORY:

- Dec 10, 2003** Change of Zone #3429, Special Permit #1713B and Use Permit #155 were recommended for approval to City Council at Planning Commission. These projects are on pending at City Council.
- July 8, 2002** Use Permit 141, Thompson Creek, located southeast of S. 56th St. & Pine Lake Rd., to construct 76,000 s.f. of office space was approved by City Council.
- April 17, 2000** Special Permit 1713A, Aspen 3rd Addition CUP to adjust the front yard setback was approved by City Council.
- June 22, 1998** Use Permit 112 to construct a 30,000 s.f. office building at northwest corner of S. 56th St. & Pine Lake Rd. was approved by City Council.
- March 2, 1998** Special Permit 1713, Aspen 3rd Addition CUP for 382 dwelling units; Change of Zone 3098 for R-3 to R-4 and Preliminary Plat 97031, Aspen 3rd Addition was approved by City Council.
- June 16, 1997** Change of Zone 3037 for AG & R-3 to B-2 and O-3; Use Permit 97 for 100,000 s.f. of commercial use and Preliminary Plat 96027, Aspen 2nd Addition for 7 commercial lots and two outlots was approved by City Council.

COMPREHENSIVE PLAN SPECIFICATIONS:

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." (F-17)

"Interconnected networks of streets, trails, and sidewalks should be designed to encourage walking and bicycling, reduce the number and length of automobile trips, conserve energy and for the convenience of the residents." (F-18)

The land use plan for Lincoln and Lancaster County contains several general categories of land use types that are listed below. The maps displaying the land use plan are but one aspect of the Comprehensive Plan. The entire Comprehensive Plan should be referenced and considered when viewing the land use plan maps and for judging the appropriateness of the land uses they may display. (F-22)

The Land Use Plan identifies this area as urban residential. (F-25)

The land use plan displays the generalized location of each land use. It is not intended to be used to determine the exact boundaries of each designation. (F-27)

Based on the projected sector-by-sector employment growth rates, the Plan identifies the demand for approximately 21.5 million square feet of new space for retail, office and service uses over the next twenty five years. In general this is split between three major activity categories: retail uses near 7.37 million square feet; office uses at about 6.35 million square feet; and service uses approaching 7.75 million square feet. (F-37)

UTILITIES: Utilities are available to serve this development.

TRAFFIC ANALYSIS:

Pine Lake Rd. is classified as a minor arterial.

S. 56th St. is classified as a principal arterial.

Pine Lake Rd. from S. 40th St. to Nebraska Hwy 2 is identified in the 2025 Comprehensive Plan as a committed projects for 4 lanes + turn lanes. S. 56th St. from Pine Lake Rd. to Yankee Hill Rd. is identified in the 2025 Comprehensive Plan as a proposed project for 4 lanes + turn lanes.

PUBLIC SERVICE: The nearest fire station is located at S. 48th St. & Claire St. The nearest elementary school is Cavett Elementary located at 7701 S. 36th St.

ANALYSIS:

1. This application request is to change the zone from R-4 residential to O-3 office; a use permit for 45,000 square feet of office/medical space, and a special permit for a 65,000 square feet club/fitness center. The office space and the club are to be located in one-two story building. The special permit is within the boundary of the Use Permit.
2. The area within the change of zone would eliminate 140 multiple family units and replace it with office buildings and a club. This proposed development generally is in conformance with the 2025 Comprehensive Plan. However it departs from the Plan by eliminating the potential for apartments to be part of the mix of housing in this area. Amendments have been approved in the past two years or are pending that would eliminate sites for over 2000 apartment units. It is understandable that developers do not want to hold on to land for this purpose when there is little demand. However, it will have a cumulative effect on our goals for density and housing mix in the city.
3. The proposed club/fitness center will be operated by Madonna Rehabilitation Hospital, a non-profit organization. Madonna will provide exercise, therapy, education, nutrition, counseling and sports enhancement training. In addition to persons receiving rehabilitation care, Madonna will also offer individual memberships to the Lincoln community. The preliminary plans for the club/fitness center identifies the following uses:

1. Recreation Areas

gymnasium
two racquetball courts
cardio/fitness equipment
weight room
running track

2. Aquatic Center

lap pool/therapy pool 75'L x four 7' lanes
heated therapy pool 20' x 20'
whirlpool
sauna
mens/women locker rooms
family changing area

3. Community/Commons Area

reception
lounge
daycare

4. Administrative Area

office
employee restroom
break room

5. Instructional Areas

classrooms
exercise rooms
therapy rooms

4. By Special Permit clubs are allowed in residential districts. Clubs are defined by the Zoning Ordinance in Section 27.03.160 as follows:

“A building or facility owned or operated by persons associated for a social, educational, or recreational purpose, not operated primarily for profit nor to render a service which is customarily carried on as a business, and which is generally restricted to members and their guests using the facility for the purpose for which they have associated; this shall not include a church building, or the occasional accessory use of a private residence as a meeting place.”

5. Section 27.63.200 (b) requires that clubs with more than twenty parking spaces are required to be located on major streets. This facility will have more than twenty spaces and is located on Pine Lake Street which is considered a major arterial street.
6. The site plan identifies 334 parking stalls. The parking requirement for medical office is one space per 225 square feet. The proposed medical office building is 45,000 square feet; this would require 200 parking stalls.

Section 27.63.200 ©) requires that clubs conform with the parking regulations and that additional parking regulations and buffering may be imposed. The parking regulations do not specifically address this type of recreational club. The applicant estimated required parking based on the various types of use. Based on the uses outlined in number 3 above, 210 stalls would be needed.

A total of 410 parking stalls are required based on the size of the medical office building and the uses of the club/fitness center. An additional 76 parking stalls must be identified on the site plan to provide 410 parking stalls. Section 27.27.080 (h) of the Zoning Ordinance states; Upon request of the applicant. the City Council may, after report and recommendation of the Planning Commission, may amend the required parking spaces.

7. In the parking analysis attached, the applicant states the uses shall have non-concurrent parking demands in accordance with Section 27.67.040(f2) of the zoning ordinance. The Planning Department and Building & Safety Department do not agree with the applicant that these uses are non-concurrent. Persons using the medical office building will also be using the fitness center for physical rehabilitation. In addition to patients, the general membership will also be using the fitness center at the same time. Excessive parking is a waste of resources and creates more storm water runoff, but the applicant should provide additional justification to support the reduced parking demands.
8. This application is in association with Special Permit #1713C and Street Vacation #04005.

CONDITIONS: Use Permit #04001

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 the correct legal description.
 - 1.1.2 the purpose of Outlot D
 - 1.1.3 utility easements as requested by the LES report of May 7, 2004
 - 1.1.4 delete the note "physician parking".
 - 1.1.5 add "and Use permit at the end of note 1 & 2.
 - 1.1.6 show the location of all free-standing signs on the site plan.

- 1.1.7 add a note to the landscape plan that states final landscape plan shall be submitted with building permit.
- 1.1.8 identify the sanitary sewer main in Allen Rd. on the utility plan and note that it is to be removed.
- 1.1.9 make corrections per Public Works & Utilities memo.
- 1.1.10 identify ~~410~~ 334 parking stalls on the site plan and the potential location of an additional 76 parking stalls which can be added if the applicant cannot justify that the uses have nonconcurrent parking demands in accordance with Section 27.67.040(f)(2) of the zoning ordinance. (**Per Planning Commission: 05/26/04**)
- 1.1.11 revise the plans to remove the driveway connection from the round-a-bout at Norris Lane and allen Road to the east. (**Per Planning Commission: 05/26/04**)
- 1.1.12 revise the plans to add additional landscaped berms on the west side of Norris Lane, between Pine Lake Road and Allen Road. (**Per Planning Commission: 05/26/04**)

2. This approval permits a 110,000 square feet office building.

General:

3. Before receiving building permits:

- 3.1 The permittee shall have submitted a revised 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 CONDITIONS:

4. The following conditions are applicable to all requests:

- 4.1 Before occupying the office building 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 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.
5. The site plan as approved with this resolution voids and supersedes all previously approved site plans, however all resolutions approving previous permits remain in force unless specifically amended by this resolution.
6. The applicant shall conduct a parking study after 18 months of operation and provide it to the city. (**Per Planning Commission: 05/26/04**)

Prepared by:

Tom Cajka
441-5662, tcajka@ci.lincoln.ne.us
Planner

DATE: May 12, 2004

APPLICANT: Madonna Rehabilitation Hospital
5401 South St.
Lincoln, NE 68506
(402) 489-7102

OWNER: Aspen
4750 Normal Blvd. Suite 3
Lincoln, NE 68506
(402) 323-8200

CONTACT: Brian D. Carstens & Associates
603 Old Cheney Rd. Suite C
Lincoln, NE 68512
(402) 434-2424

**CHANGE OF ZONE NO. 04035;
USE PERMIT NO. 04001;
SPECIAL PERMIT NO. 04026;
SPECIAL PERMIT NO. 1713C, AN AMENDMENT
TO THE ASPEN 3RD ADDITION COMMUNITY UNIT PLAN;
and
STREET & ALLEY VACATION NO. 04005**

PUBLIC HEARING BEFORE PLANNING COMMISSION:

May 26, 2004

Members present: Marvin, Krieser, Carlson, Larson, Sunderman, Pearson and Carroll; Bills-Strand declaring a conflict of interest; Taylor absent.

Staff recommendation: Approval of the change of zone; conditional approval of the use permit, special permit and community unit plan; and a finding of conformance with the Comprehensive Plan on the street vacation.

Ex Parte Communications: None.

Tom Cajka of Planning staff submitted a letter from Jan and Bill Norris in support.

Proponents

1. Tom Huston appeared on behalf the applicant, **Madonna Rehabilitation Hospital**. Madonna has been looking for a site for its proactive health and fitness facility. It is a health plaza with a combination of uses. This health plaza would bring together multiple disciplines and services in one structure to enable Madonna to further its mission. Madonna has been a leader in rehabilitation health services.

Huston submitted proposed amendments to the conditions of approval on the use permit, community unit plan and special permit. The neighbors requested that Madonna delete one of the connections from the roundabout to the east. That connection has been eliminated and Public Works is in agreement. The applicant is proposing to add some landscape berming area west of Norris Lane on the west side of the structure.

The third amendment deals with the parking. This was the toughest issue in dealing with this project because of the combination of uses. The site plan reflects 334 parking stalls based upon Madonna's projection of the nonconcurrent parking demands for this facility. 200 parking spaces will be required for the medical office portion. There is no exact formula when it comes to the health club, and it is a tough analysis. The staff did refer back to the analysis done for the YMCA at Densmore Park, and that parking lot was overbuilt and has created an unnecessary amount of runoff. Madonna is confident in its accurate depiction of the nonconcurrent parking demand. There

is sufficient room to add 76 stalls if determined to be necessary at some point and the applicant does not object that the site plan be amended to reflect where those 76 stalls would be located. If Madonna determines, or it is determined through a complaint process, that there is parking on the streets, Madonna will build the additional parking stalls.

Pearson asked to see the location on the site plan where the additional parking stalls would be located.

Carroll inquired as to the trigger mechanism for that additional parking. Huston stated that the nonconcurrent parking provision under the parking section of the zoning ordinance does not have a good trigger mechanism--it does not have a mechanism to measure the parking demand for this kind of facility, either. It would be either through city inspection or city enforcement. Typically it is a complaint process by the public. If there is a complaint, Huston would like the opportunity for Madonna to conduct a study of the peak time parking demands to determine the appropriate number of stalls to be constructed. The staff report indicates 410, which is just a best educated guess. Carroll suggested adding a condition that a parking study be done after one full year of operation. Huston hesitated to accept such a condition because if 334 is adequate, he is not sure they should be required to do a parking study. If we find out a year from now that we haven't built enough stalls, then they could conduct a study. It would be his concern to overbuild the parking lot from the outset. Carroll's concern is that they are budgeting construction dollars and they won't have the money to build the spaces if they are needed. Huston indicated that he would be receptive to adding some language to Condition #1.1.10 that the applicant would produce a parking study upon request of the city within 18 months.

Sunderman inquired whether the applicant is still requesting the waiver of the tangent length. Huston stated that that waiver request has been eliminated.

2. Roger Ehlers, 7226 Sugar Creek Circle, testified in support, if the proposed amendments submitted by the applicant are approved. The neighborhood and the developers have worked together and they solved two of their problems in about 5 minutes. It has been a real cooperative effort. There was a different proposal for this area a few months ago, and this is a much better proposal. It takes out all the apartments and leaves in the 10 units of housing. It is an attractive building. He has a little concern about the height of the building, but it will be a good sound buffer from Pine Lake Road. He is not sure the neighborhood would like the additional parking in the open area. The amendment to break off that road is important because one of the biggest concerns was traffic coming down into that area. That change will eliminate 95% of the traffic that could have come down into the residential area.

Marvin inquired whether Norris Lane will satisfy the west-bound traffic onto Pine Lake Road. Ehlers believes that it will. It will give the 10 new units an outlet. We were worried about the road from Stephanie Lane and with the break they won't be able to come down there.

There was no testimony in opposition.

Staff questions

Pearson inquired whether they can build the additional parking in Block 5 which is shown as an outlot. Tom Cajka of Planning staff advised that they would not be able to build a parking lot there without a special permit for parking in residential zoning or a change of zone to O-3. Cajka believes that the additional parking would be on the outlot. There is no room for additional parking next to the office building.

Carroll asked whether staff would be acceptable to requiring a parking study in 18 months. Cajka agreed; however, the applicant could do something as simple as checking the parking during peak times.

Marvin inquired about Outlot B. Cajka advised that Outlot B is open space for a buffer between the existing townhomes and the new facility.

CHANGE OF ZONE NO. 04035

ADMINISTRATIVE ACTION BY PLANNING COMMISSION:

May 26, 2004

Marvin moved approval, seconded by Pearson and carried 7-0: Marvin, Krieser, Carlson, Larson, Sunderman, Pearson and Carroll voting 'yes'; Bills-Strand declaring a conflict of interest; Taylor absent. This is a recommendation to the City Council.

USE PERMIT NO. 04001

ADMINISTRATIVE ACTION BY PLANNING COMMISSION:

May 26, 2004

Carroll moved to approve the staff recommendation of conditional approval, with the amendments requested by the applicant, and to add a condition that the applicant will conduct a parking study after 18 months of operation and provide it to the city, seconded by Marvin and carried 7-0: Marvin, Krieser, Carlson, Larson, Sunderman, Pearson and Carroll voting 'yes'; Bills-Strand declaring a conflict of interest; Taylor absent. This is a recommendation to the City Council.

SPECIAL PERMIT NO. 04026

ADMINISTRATIVE ACTION BY PLANNING COMMISSION:

May 26, 2004

Carroll moved to approve the staff recommendation of conditional approval, with the amendment to Condition #3.3 requested by the applicant, seconded by Krieser and carried 7-0: Marvin, Krieser, Carlson, Larson, Sunderman, Pearson and Carroll voting 'yes'; Bills-Strand declaring a conflict of interest; Taylor absent. This is final action, unless appealed to the City Council by filing a letter of appeal with the City Clerk within 14 days of the action by the Planning Commission.

SPECIAL PERMIT NO. 1713C

ADMINISTRATIVE ACTION BY PLANNING COMMISSION:

May 26, 2004

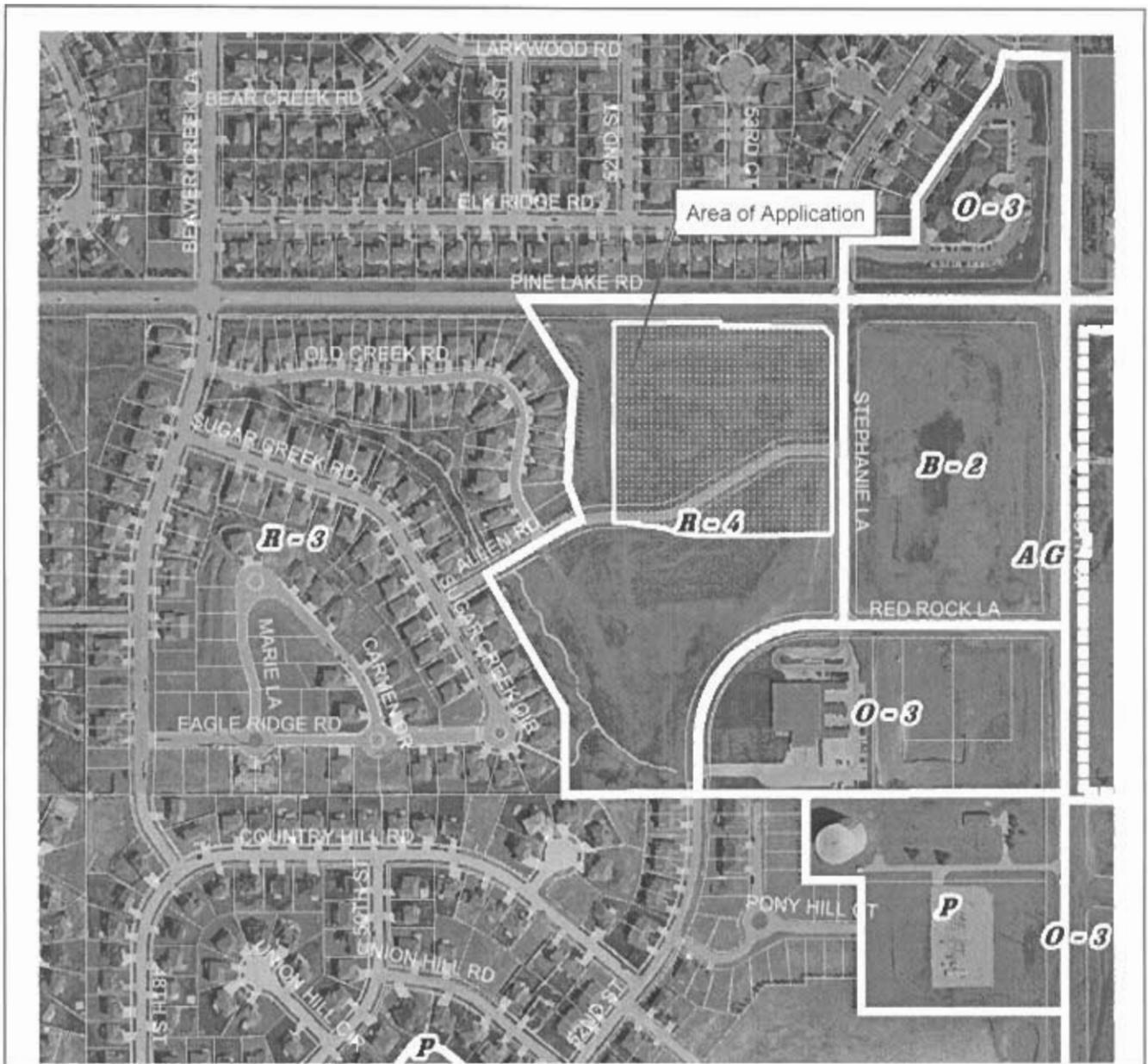
Carroll moved to approve the staff recommendation of conditional approval, with the amendments requested by the applicant, seconded by Krieser and carried 7-0: Marvin, Krieser, Carlson, Larson, Sunderman, Pearson and Carroll voting 'yes'; Bills-Strand declaring a conflict of interest; Taylor absent. This is a recommendation to the City Council.

STREET & ALLEY VACATION NO. 04005

ADMINISTRATIVE ACTION BY PLANNING COMMISSION:

May 26, 2004

Carroll moved a finding of conformance with the Comprehensive Plan, seconded by Krieser and carried 7-0: Marvin, Krieser, Carlson, Larson, Sunderman, Pearson and Carroll voting 'yes'; Bills-Strand declaring a conflict of interest; Taylor absent. This is a recommendation to the City Council.



Change of Zone #04035

2002 aerial

Use Permit #04001

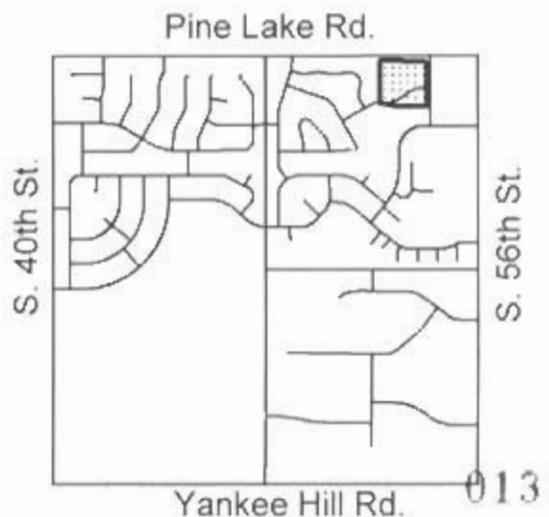
Special Permit #04026

Stephanie Ln & Pine Lake 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-7 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. 20 T9N R7E

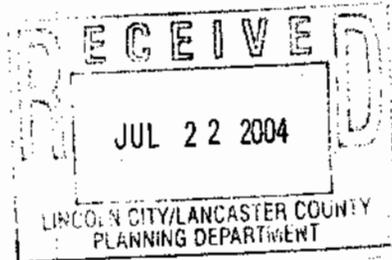




BRIAN D. CARSTENS AND ASSOCIATES
LAND USE PLANNING RESIDENTIAL & COMMERCIAL DESIGN
601 Old Cheney Road, Suite C Lincoln, NE 68512 Phone: 402.434.2424

July 22, 2004

Mr. Marvin Krout, AICP
Director of Planning
City of Lincoln/ Lancaster County
555 South 10th Street
Lincoln, NE 68508



RE: ASPEN 3RD ADDITION- COMMUNITY UNITE PLAN/ SPECIAL PERMIT #1713C
CHANGE OF ZONE # 04035 FROM 'R-4' TO 'O-3'
USE PERMIT #04001/ SPECIAL PERMIT #04026 - MADONNA

Dear Marvin,

On behalf of Madonna Rehabilitation Hospital and William G. Krein and Aspen, we are supplying 8 ½ x 11 copies of the site plan and landscape plan showing the revisions as per the Planning Commission and the revisions as requested by William G. Krein.

Lots 27 through 30, Block 4 have been revised to allow all the proposed lots to be buildable. The landscape plan has been updated to show the existing trees located in Outlot 'A'. The sidewalk shown in Outlot 'A' has been modified to show the actual placement. A portion of the sidewalk will be relocated in Outlot 'A'.

A pipe design chart has been added to the Grading Plan as per the memorandum dated July 21, 2004 by Chad Blahak.

Please feel free to contact me if you have any further questions or comments.

Sincerely,

Brian D. Carstens

cc: Dan Steinbach- Madonna
Bill Krein
Scott Sullivan

Enclosures: 8 ½ x 11 Reductions
2 Copies of Sheets 1 through 5 of 5

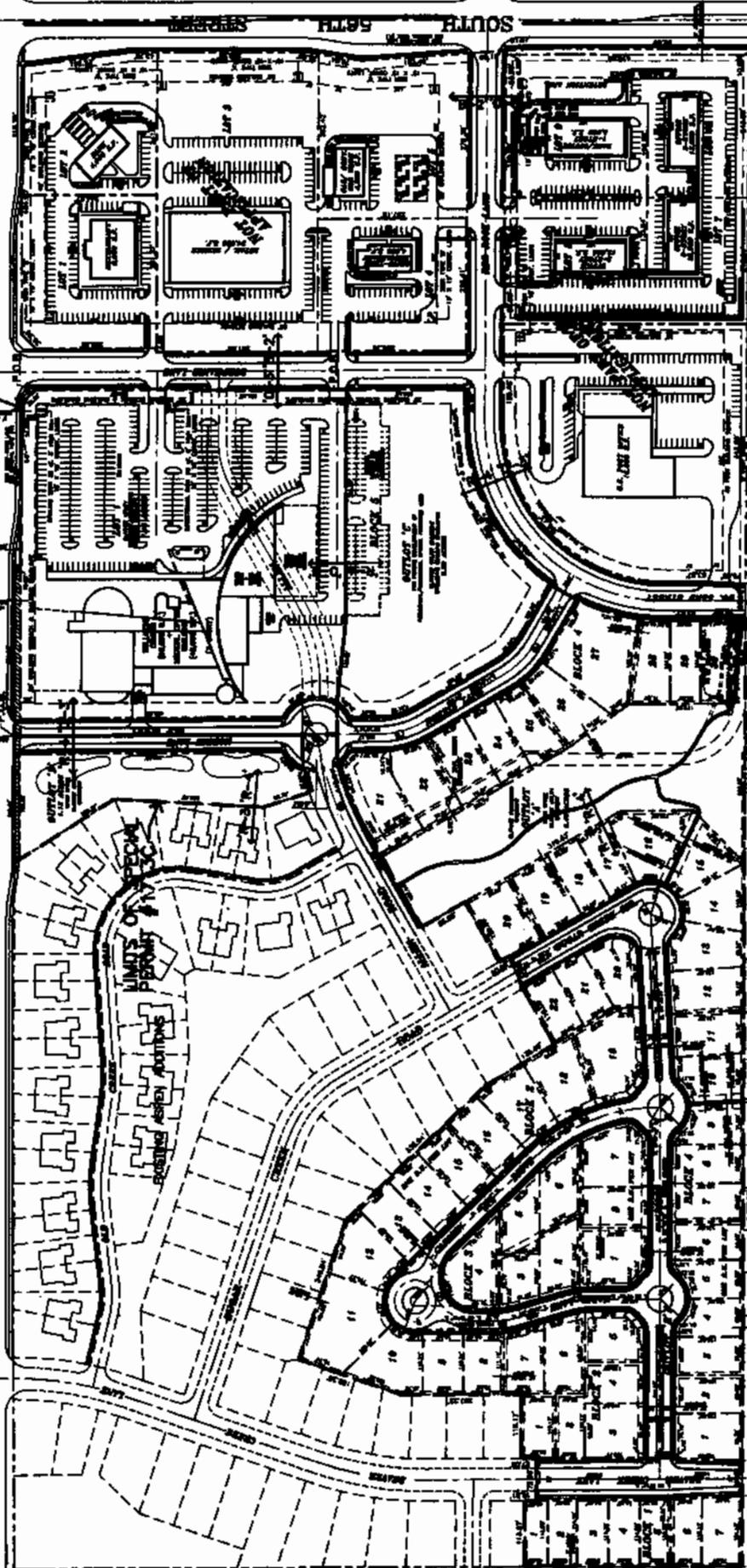
RECEIVED

JUL 22 2004

CITY OF LANCASTER COUNTY
PLANNING DEPARTMENT

ASPEN 3RD ADDITION
COMMUNITY UNIT PLAN / SPECIAL PERMIT #1713C
USE PERMIT #04001 & SPECIAL PERMIT #04026

LIMITS OF USE PERMIT #04001
& SPECIAL PERMIT #04026



LIMITS OF SPECIAL PERMIT #1713C

PERMITS EVALUATION
This plan was reviewed on 07/22/04
and found to be in compliance with
the applicable codes and standards.
ISSUED: 07/22/04
BY: [Signature]

CAMP PERMIT LEGAL DESCRIPTION

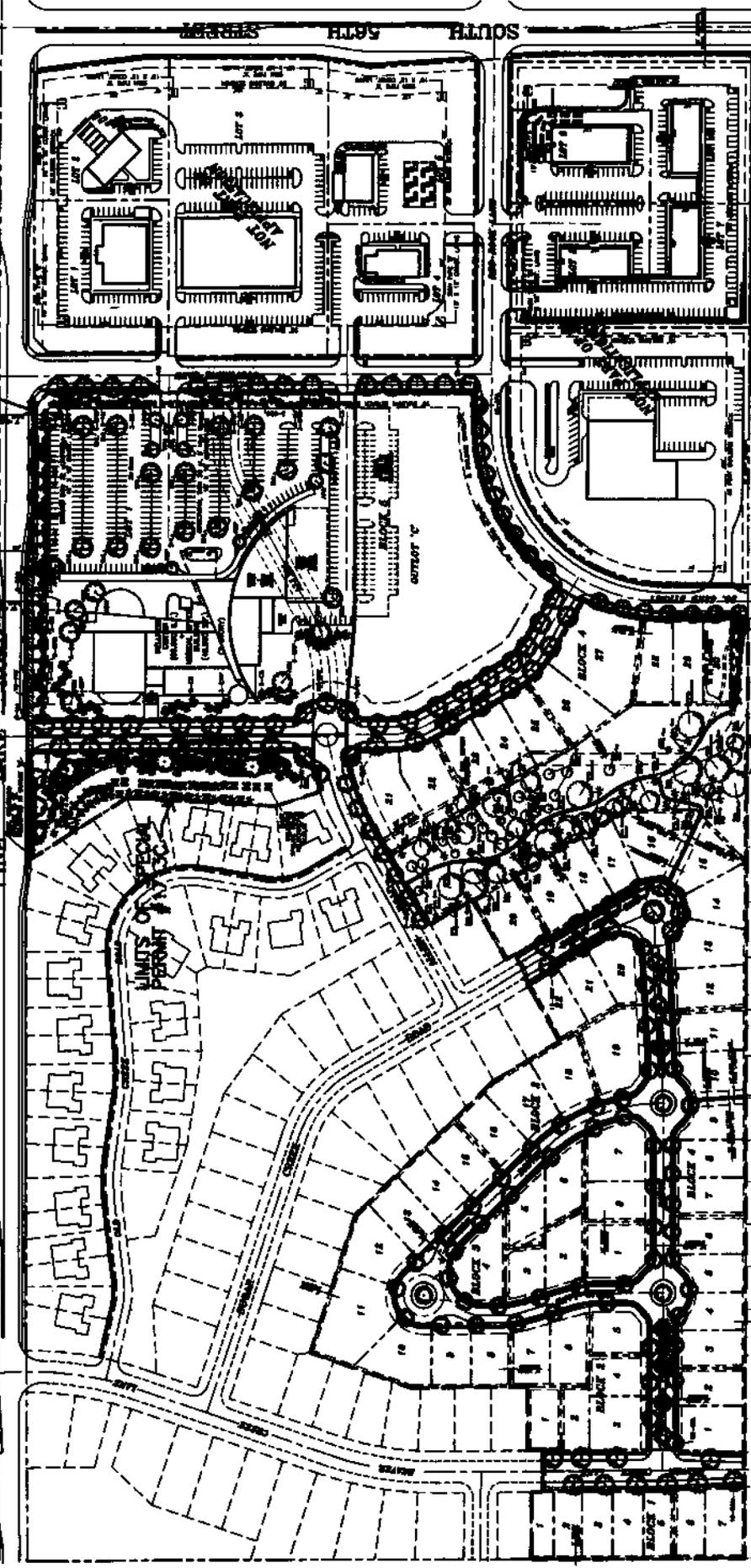
RECEIVED

JUL 22 2004

ASPEN 3RD ADDITION
COMMUNITY UNIT PLAN/
USE PERMIT #04001 & SPECIAL PERMIT #1713C

LIMITS OF USE PERMIT #04001
& SPECIAL PERMIT #04026

CITY OF LANCASTER COUNTY
PLANNING DEPARTMENT



STREET TREE SCHEDULE - C.U.P. & U.P.

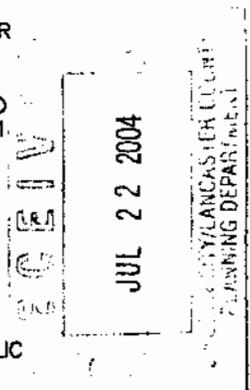
LIMITS OF SPECIAL PERMIT #1713C

GENERAL NOTES:

1. THE OWNER/ DEVELOPER RESERVES THE RIGHT TO BUILD ANYWHERE WITHIN THE BUILDING ENVELOPES SHOWN ON THIS COMMUNITY UNIT PLAN AND USE PERMIT.
2. BUILDING HEIGHT SHALL NOT EXCEED 35 FEET (R-3 & R-4) AND 45 FEET (O-3).
3. DIRECT VEHICULAR ACCESS TO PINE LAKE ROAD IS HEREBY RELINQUISHED EXCEPT AT STEPHANIE LANE AND NORRIS LANE AS SHOWN ON THIS COMMUNITY UNIT PLAN AND USE PERMIT.
4. COMMON AND PUBLIC ACCESS EASEMENTS ARE HEREBY GRANTED OVER ALL PRIVATE DRIVES, DRIVING AISLES, PARKING STALLS AND SIDEWALKS SHOWN.
5. ALL EXTERIOR LIGHTING SHALL COMPLY TO THE DESIGN STANDARDS AS ADOPTED BY THE CITY OF LINCOLN.
6. PUBLIC STREETS AND PRIVATE ROADWAYS SHALL BE SURFACED WITH 6 INCHES OF PORTLAND CEMENT OR 5 INCHES OF PORTLAND CEMENT BASE AND 2-1/2 INCHES OF ASPHALTIC CONCRETE SURFACE OR 6 INCHES OF ASPHALTIC CONCRETE. ALL PUBLIC STREETS AND PRIVATE ROADWAYS SHALL HAVE A 5 INCH CROWN AND A 6 INCH RAISED CURB.
7. ALL PRIVATE ROADWAYS AND PUBLIC STREETS SHALL BE 27 FEET WIDE UNLESS OTHERWISE NOTED. ALL PUBLIC STREETS SHALL BE BUILT TO CITY OF LINCOLN STANDARDS.
8. SIDEWALKS ALONG PRIVATE ROADWAYS SHALL BE A MINIMUM OF 4 FEET IN WIDTH AND LOCATED A MINIMUM OF 4 FEET FROM THE BACK SIDE OF THE CURB. SIDEWALKS SHALL BE A MINIMUM OF 4 INCH THICK CONCRETE, 5 INCH THICK AT DRIVEWAY CROSSINGS.
9. ALL PARKING AREAS SHALL BE SURFACED WITH A MINIMUM OF 5 INCHES OF CLASS 'A' PORTLAND CEMENT OR 6 INCHES OF ASPHALTIC CONCRETE. A 6 INCH RAISED CURB BARRIER SHALL BE PROVIDED AT THE PERIMETER.
10. THIS COMMUNITY UNIT PLAN CONTAINS 67 SINGLE FAMILY LOTS (WHICH CAN BE COMBINED TO CREATE DUPLEX STRUCTURES. A MINIMUM OF 1 DUPLEX UNIT PER LOT ALLOWED ON LOTS 1 THROUGH 7, BLOCK 1, LOTS 1 THROUGH 22, BLOCK 2, LOTS 1 THROUGH 8, BLOCK 3 AND LOTS 1 THROUGH 20, BLOCK 4).
11. THIS USE PERMIT CONTAINS 1 LOT WITH 65,000 S.F. WELLNESS CENTER AND 45,000 S.F. OFFICE/MEDICAL USES IN A 2-STORY BUILDING.
12. ALL CURVILINEAR DIMENSIONS ARE CHORD LENGTHS.
13. PUBLIC SIDEWALKS SHALL BE 4 FEET IN WIDTH AND INSTALLED ON BOTH SIDES OF ALL PUBLIC STREETS SHOWN ON THIS COMMUNITY UNIT PLAN/USE PERMIT AND THE SOUTH SIDE OF PINE LAKE ROAD.
14. PRIVATE ROADWAYS, MEDIANS AND CENTER ISLANDS IN THE PUBLIC RIGHT-OF-WAY SHALL BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION.
15. OUTLOT 'A' SHALL BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION ALL RESIDENCE WITHIN THE LIMITS OF ASPEN 3RD ADDITION COMMUNITY UNIT PLAN/ SPECIAL PERMIT SHALL HAVE THE RIGHT TO USE OUTLOT 'A'.
16. OUTLOT 'D' SHALL BE MAINTAINED BY THE OWNER OF LOT 1, BLOCK 5 AND SHALL REMAIN AS OPEN SPACE. THE OWNERSHIP OF OUTLOT 'D' MAYBE TRANSFERRED TO THE ADJACENT TOWNHOMES/ASSOCIATION.
17. SIGNAGE SHALL BE AS PER CHAPTER 27.69.044 L.M.C., HOWEVER POLE SIGNS SHALL BE PROHIBITED.
18. NON-ABUTTING SANITARY SEWER AGREEMENTS, BETWEEN THE OWNER OF OUTLOT 'A' AND THE OWNERS OF LOTS 26, 27, 28, 29 AND 30, SHALL BE FILED WITH THE REGISTER OF DEEDS PRIOR TO THE FINAL PLAT.
19. THE SANITARY SEWER AND WATER LINE REMOVAL SHOWN IN ALLEN ROAD SHALL BE APPROVED THROUGH THE EXECUTIVE ORDER PROCESS.

WAIVERS:

1. THE PRELIMINARY PLAT PROCEDURE.

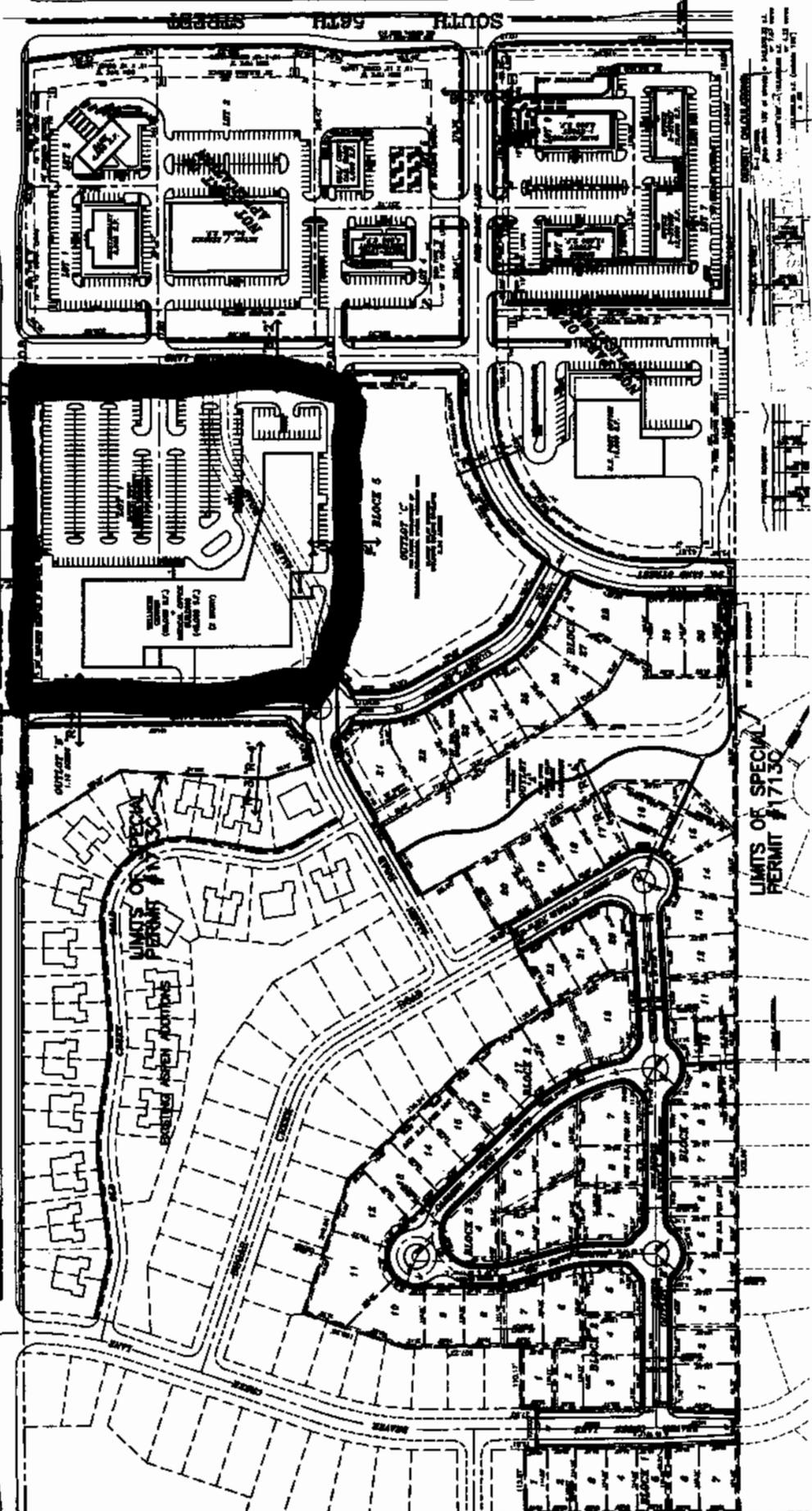




ASPEN 3RD ADDITION

LIMITS OF USE PERMIT #
& SPECIAL PERMIT #

USE PERMIT #
& SPECIAL PERMIT #



LIMITS OF SPECIAL PERMIT #17150

APR 29 2004

RECEIVED

Memorandum

To:	Tom Cajka, Planning Department
From:	Chad Blahak, Public Works and Utilities
Subject:	Aspen 3rd Addition Special Permit #04026 Use Permit #04001 CUP #1713C
Date:	5/13/04
cc:	Randy Hoskins

Engineering Services has reviewed the Aspen 3rd Addition Special Permit, located on the south west corner of 56th and Pine Lake Road, and has the following comments:

Sanitary Sewer - The following comments need to be addressed.

(1.1) There is existing sanitary sewer in the portion of Allen Road that is will need to be abandoned. This sewer needs to be shown on the utility plan. The sewer removal will need to be approved through the Executive Order process.

(1.2) Lots 26-29 Block 4 do not have adjacent sanitary sewer. If these are intended to be served by the sanitary line in Outlot A information needs to be provided showing permission to construct the services across the private property.

Water Mains - The following comments need to be addressed.

(2.1) The removal of the existing water main in the portion of Allen Road that is proposed to be vacated will need to be approved through the Executive Order process.

(2.2) A 6" water main connection to the 24" water main in Pine Lake Road needs to be shown in Norris Road north of the proposed roundabout.

Grading/Drainage - The following comments need to be addressed.

(3.1) The drainage plan showed storm sewer calculations using residential land use assumptions. The calculations need to be revised to show the use of the appropriate commercial assumptions. Addition revisions may be required to the existing storm sewer as a result of these changes.

Streets - The following comments need to be addressed.

(4.1) Information is required confirming that adequate site distance is provided for the left in no left out intersection of Norris Lane and Pine Lake road. Also, this developer is responsible for the cost of the additional design and construction costs associated with the right turn lane and left turn lane in Pine Lake Road at this intersection.

(4.2) Information needs to be provided showing that the geometry for the proposed turnaround meets the requirements for all turning movements using the standard ASSHTO Bus design vehicle as per design standards.

(4.3) The proposed grades show the need for a waiver of design standards for approach platform for the proposed roundabout. This waiver must be requested with justification to the satisfaction of Public Works or the street grades need to be revised to show the standards 3% platform grade. Public Works feels that this issue should be resolved prior to Planning Commission as significant changes to the site plan may be necessary to accommodate design standards.

(4.4) The justification provided for the requested waiver for tangent length on the approach to the roundabout are not satisfactory. The tangent requirement is necessary to provide adequate site distance for reaction time as drivers approach street intersections.

General - The comments listed above represent a preliminary review of this submittal. Additional comments may be required for subsequent submittals based on information requested in this report.

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.

Memo



To: Tom Cajka, Planning Department

From: Mark Canney, Parks & Recreation

Date: May 11, 2004

Re: Aspen 3rd Addition

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

1. All outlot areas to be maintained by the developer and/or future homeowners association.
2. Please provide a copy of the landscape plan for the roundabout.

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



IMPORTANT

All revisions to plans must include:

Return this report with two sets of corrected plans. The corrections noted below are required to be made to the plans prior to issuance of a permit. Please indicate under each item where the correction is made by plan sheet number or plan detail number.

A separate set of plans for review and final approval must be submitted by the licensed installing contractor/s if fire suppression systems, sprinklers, dry powder, fire alarm systems or underground tanks are installed.

Plan Review

Permit # **DRF04064**

Address

Job Description: **Development Review - Fire**

Location: **ASPEN 3RD ADDITION**

Special Permit: **Y 04026**

Preliminary Plat:

Use Permit: **Y 04001**

CUP/PUD: **Y 1713C**

Requested By: **TOM CAJKA**

Status of Review: **Denied**

05/04/2004 1:16:19 PM

Reviewer: **FIRE PREVENTION/LIFE SAFETY CODE**

BOB FIEDLER

Comments: **need site utility plan showing hydrant locations**

Current Codes in Use Relating to Construction Development in the City of Lincoln:

- 2000** International Building Code and Local Amendments
- 2000** International Residential Code and Local Amendments
- 1994** Nebraska Accessibility Guidelines (Patterned after and similar to ADA guidelines)
- 1989** Fair Housing Act As Amended Effective March 12, 1989
- 1979** Zoning Ordinance of the City of Lincoln as Amended including 1994 Parking Lot Lighting Standards
- 1992** Lincoln Plumbing Code (The Lincoln Plumbing Code contains basically the 1990 National Standard Plumbing Code and local community Amendments.)
- 1999** National Electrical Code and Local Amendments
- 1997** Uniform Mechanical Code and Local Amendments
- 1994** Lincoln Gas Code
- 1994** NFPA 101 Life Safety Code
- 2000** Uniform Fire Code and Local Amendments
- Applicable NFPA National Fire Code Standards

27.63.200 Permitted Special Use: Clubs.

Clubs may be allowed by special permit in the AG, AGR, R-1, R-2, R-3, R-4, R-5, O-1, and O-3 zoning districts under the following conditions:

(a) The application shall include the following information: Type of activity, expected peak use and building capacity, anticipated time of peak activity, and expected expansion of facilities.

(b) Clubs with an off-street parking demand of twenty spaces or more as determined by the city shall be located on major streets. Clubs with an off-street parking demand of less than twenty spaces as determined by the city may be located on any street.

(c) Parking requirements shall as a minimum be in conformance with the provisions of Chapter 27.67. Additional parking regulations, parking ingress and egress, location control, and buffering may be imposed. No parking shall be permitted in any required yard. The application shall include applicant's estimate of the parking needs of the proposed club.

(d) Height and area requirements shall as a minimum be in conformance with requirements of the district in which the use is located; additional requirements may be imposed. In the R-4, R-5, O-1, and O-3 districts, the buildings shall not cover over thirty-five percent of the total area of the lot. In the AG, AGR, R-1, R-2, and R-3 districts, the buildings shall not cover over fifteen percent of the total area of the lot; provided, however, the Planning Commission may adjust the percent of lot coverage to permit a club in an existing building. Except where abutting a nonresidential district, buildings shall be set back from all yard lines a distance of not less than one foot for each one foot of building height; provided, however, the Planning Commission may adjust this requirement for existing buildings. Visual screening shall be required in any yard that abuts a residential district. (Ord. 16570 §1; March 7, 1994: prior Ord. 15763 §6; October 29, 1990: Ord. 13162 §1; June 29, 1981: Ord. 12657 §11; August 6, 1979: Ord. 12571 §323; May 8, 1979).

27.63.210 Permitted Special Use: Elderly or Retirement Housing.

Housing and related facilities for the elderly, either individually or in groups including accessory uses, shall be allowed by special permit in the R-1, R-2, R-3, R-4, R-5, R-6, R-7, and R-8 zoning districts under the following conditions:

(a) The height and yard requirements of the district in which the proposed use is located may be adjusted to provide flexibility in the placement of buildings and to provide compatibility with surrounding uses except that solar access to adjacent buildings or potential buildings on lands under other ownership shall not be reduced by such adjustment.

(b) The minimum lot area of the district, or density requirement, shall not apply; provided, however, that the maximum number of units allowed shall be the greater of those permitted in the underlying zoning district or the community unit plan without bonuses, unless modified by subsection (h) below.

(c) Parking areas or buildings that are of a substantially different character or size than those normally found in that district or neighborhood shall be landscaped and screened in conformance with the standards adopted by resolution of the City Council, and the requirements of Chapter 27.67.

(d) The proposed use shall not have any adverse or detrimental effect upon the values of the surrounding real property.

(e) One dwelling unit in an elderly housing project may be designated as a caretaker unit and the occupants thereof shall not be subject to the age requirements otherwise applicable to occupants of such a project.

January 12, 2004

Madonna Wellness Center**Preliminary Required Parking Analysis**

The following is a preliminary analysis of anticipated required parking stalls calculated using the preliminary program analysis of the Center. Parking numbers were calculated using Lincoln Municipal Code Zoning Handbook, Chapter 27.67 Parking.

1.0 Recreation Areas

1.1	Gymnasium – 1 Court Provided	
	Team Members 20	
	Coaches 2	
	Observers 10 (50% of Participants)	
	Turnover 32	
	64 / 3 = 22*	
	Officials 3	
	<i>*Using Calculation Method 27.67.040(d) 11(ii)</i>	
	Total	25 Stalls
1.2	Two Racquetball Courts	
	4/Court x 2 Courts 8	
	Total	8 Stalls
1.3	Cardio/Fitness Equipment Area – 1600 s.f.	
1.4	Weight Room 60'x40' - 2400 s.f.	
	4000x80% = 2400/100 = 24	
	(Assume 40% is area between machines.	
	Allow 100 s.f. average area per machine.	
	Assume 1 user per machine)	
	Total	24 Stalls
1.5	Running Track -12'W x 1/9 Mile	
	3 Lanes of running	
	Assume 4 users per lane	
	Total	12 Stalls
	Recreation Area Sub Total	69 Stalls

2.0 Aquatic Center

2.1	Lap Pool / Therapy Pool - 75'L x four 7' Lanes (2100 s.f.)	
2.2	Heated Therapy Pool - 20'x20' pool (400 s.f.)	
2.3	Whirlpool – 400 s.f.	
	2100 + 400 + 400 = 2900/100 = 29	
	(One stall / 100 s.f. of water surface)	
	Total	29 Stalls
2.4	Sauna / Steam Area(s) – 300 s.f.	
2.5	Men's / Women's Locker Rooms – 3400 s.f.	
2.6	Family Changing Area – 250 s.f.	
	300 + 3400 + 250 = 3950 / 300 = 13	
	(One stall / 300 s.f. per O-3 zoning)	
	Total	13 Stalls
	Aquatic Center Sub Total	42 Stalls

3.0 Community / Commons Areas

- 3.1 Entry Vestibule / Reception
- 3.2 Snack Bar / Lounge / Juice Bar – 2 Employees
- 3.3 Children's Daycare – 2 Instructors
- 3.4 Retail Display Case – 1 Employee
 $2 + 2 + 1 = 5$ total employees
 (Assume 1 stall / employee)

Community Areas Sub Total **5 Stalls**

4.0 Administrative Areas

- 4.1 Reception Desk Workspace - Three Employees
- 4.2 Executive Office – One Employee
- 4.3 Business Office Areas – Four Employees
- 4.4 Copy / File Storage Room
- 4.5 Employee Restroom
- 4.6 Break Room
 $3 + 1 + 4 = 8$ total employees
 (Assume 1 stall / employee)

Administrative Area Sub Total **8 Stalls**

5.0 Instructional Areas

- 5.1 Educational Classrooms
 Seminar Room – $900 \text{ s.f.} / 50 = 18$
 (One stall / 50 s.f. per 27.67.040(d) 7)
 Three Small Class Rooms @ 400 s.f. each
 $1200 \text{ s.f.} / 50 = 24$
 (One stall / 50 s.f. per 27.67.040(d) 10)
Total **42 Stalls**
- 5.2 Exercise Rooms - Two Studios @ 900 s.f. each
 Participants $30 / 3 = 10^*$
 Instructors 2
 * Using Calculation Method 27.67.040(d) 11(ii)
Total **12 Stalls**
- 5.3 Therapy Rooms - 400 s.f.
 $400 \text{ s.f.} / 300 = 2$
 (One stall / 300 s.f. per O-3 zoning)
Total **2 Stalls**

Instructional Areas Sub Total **56 Stalls**

6.0 Support Areas

6.1 Storage Areas

- Gymnasium Equipment Storage
- Pool Equipment Storage
- Classroom/Exercise Equipment Storage

6.2 Pool Equipment Room – 20'x40' – 1 Employee

6.3 Mechanical Equipment Room(s)

- Boiler / Chiller Room
- Electrical / Communications Hub

6.4 Custodial Room – 1 Employee

6.5 Elevator Cab / Equipment

1 + 1 = 2 total employees
(Assume 1 stall / employee)

Circulation Spaces – 8350 s.f.

8350 s.f. / 300 = 28

(One stall / 300 s.f. per O-3 zoning)

Support Areas Sub Total

30 Stalls

Recreation Center Parking Requirements

210 Stalls

7.0 Medical Facility

20,000 s.f. proposed / 225 = 89

20,000 s.f. future / 225 = 89

(One stall / 225 s.f. per 27.67.040(d) 4)

Medical Facility Parking Requirements (Immediate)

89 Stalls

Medical Facility Parking Requirements (Future)

89 Stalls

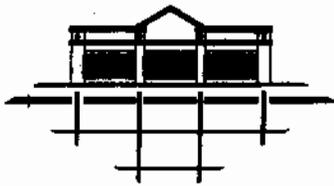
Per 27.67.040 (f) 2, for uses located in an O-3 district, uses that have non-concurrent parking demand may join their parking facilities so as to reduce aggregate parking requirements. Assuming the Medical facility's peak hours of operation would be from 8am-4pm, and the Recreation Center's peak hours of operation would be before 8am and after 4pm, we may consider these uses non-concurrent.

The Zoning Handbook also requires that the number of additional spaces required were joint parking not allowed need not be provided physically, but sufficient land shall be reserved in the event that future uses may not have non-concurrent parking demand. In lieu of providing land space for these parking stalls, we suggest a condition be set that if the use of either facility changes, that parking requirements must be met within the current parking provided.

Project Gross Parking Requirements

(with joint parking incorporated)

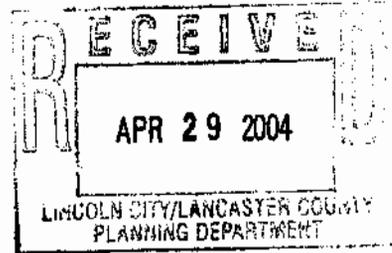
210 Stalls



BRIAN D. CARSTENS AND ASSOCIATES
LAND USE PLANNING RESIDENTIAL & COMMERCIAL DESIGN
801 Old Cheney Road, Suite C Lincoln, NE 68512 Phone: 402.434.2424

April 29, 2004

Mr. Marvin Krout, AICP
Director of Planning
City of Lincoln/ Lancaster County
555 South 10th Street
Lincoln, NE 68508



RE: ASPEN 3RD ADDITION- COMMUNITY UNIT PLAN/ SPECIAL PERMIT
CHANGE OF ZONE FROM 'R-4' TO 'O-3'
USE PERMIT/ SPECIAL PERMIT - MADONNA

Dear Marvin,

On behalf of Madonna Rehabilitation Hospital and William G. Krein and Aspen, we submit the following applications for your review.

As you are aware, Madonna has been looking for a site for a proposed 'wellness center' and associated medical office space for quite some time. This site at Stephanie Lane and Pine Lake Road has been selected.

We are proposing a 65,000 square foot 'wellness center' and 45,000 square feet of medical office space to be located in one- two story building. We are proposing 300 on-site parking stalls. The Special Permit for a recreational facility will cover the 'wellness center' and the Use Permit will cover the medical office space.

We will be vacating the existing Allen Road right of way, from the West line of Stephanie Lane to east line of the proposed Norris Lane. The proposed Norris Lane will provide vehicular access from Pine Lake Road to the new round-a-bout at Allen Road then continues south to South 52nd Street/ Red Rock Lane.

We are proposing 10 single family lots on the west side of Norris Lane that back up to the existing commons area. The remaining portion of the site, Outlot C, Block 5 will remain 'R-4' for future residential/ residential special permitted uses by Madonna.

We are requesting a waiver to the Preliminary Plat procedures, as this is a C.U.P., Use Permit, and Special Permit that show the same level of detail. We are also requesting a waiver to the tangent length in Allen Road and Norris Lane as they approach the proposed round-a-bout.

Page 2

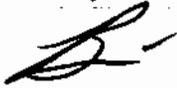
We feel this waiver is justified, as vehicles need to slow down to maneuver around the round-a-bout. This will aid to slow down vehicles traveling through this area.

We have been working with the Public Works Department and HWS to work out details for the Norris Lane/ Pine Lake Road intersection. We feel we have come to an agreement for the geometrics.

Outlot D will be an open space/ buffer from the existing townhomes to the west. Madonna has been looking at the possibility of deeding this outlot to the adjacent townhomes for their use.

We are anxious to move this project forward as soon as possible. Please feel free to contact me if you have any further questions or comments.

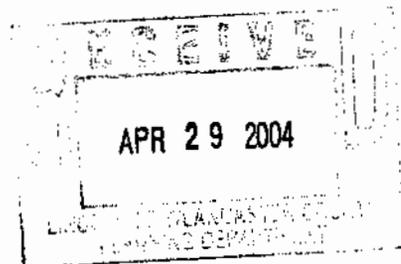
Sincerely,



Brian D. Carstens

cc: Dan Steinbach- Madonna
Bill Krein
Scott Sullivan

Enclosures: 24 copies of sheet 1 of 5
8 copies of sheets 2 thru 5 of 5
Applications for Change of Zone, Use Permit, Special Permit (2)
Application Fees
Petitions to vacate public right of way
Certificate of Ownership
8-1/2" x 11" reductions of the plans



FAX COVER SHEET

If you have difficulty with this transmission, please
Call (402) 483-9803.

Date: 5/14/04

To: Tom Cajka

Company: City Planning

Fax Number: 441-6377

From: Kathy Short for Mike Fenello



Madonna
Rehabilitation Hospital

Total number of pages,
Including this page: 1

Our fax number is (402) 486-8285

Madonna Rehabilitation Hospital's ProActive Health and Fitness, a non-profit facility, will provide exercise, therapy, education, nutrition, counseling and sports enhancement training. Madonna professionals—including physical, occupational and nutritional therapists, exercise specialists, psychologists and physicians—will specifically design and coordinate a program for each individual. ProActive will be at the core of a comprehensive health plaza that will bring together multiple disciplines and complementary healthcare services under one roof, including a medical office building in which physician visits and therapies will take place at the same location.

Madonna wants to help the people of our community become more proactive to health, not just reactive to illness. Therefore, as an extension of Madonna's existing services and model of care, ProActive Health and Fitness will offer individual memberships to the Lincoln community.

5401 South St. * Lincoln, NE 68506* (402) 489-7102* 1-800-675-5448

CONFIDENTIALITY NOTICE

The documents accompanying this telecopy transmission contains confidential information belonging to the sender which is legally protected. The information is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance of the contents of this telecopied information is strictly prohibited. If you received this telecopy in error, please immediately notify us by telephone to arrange for return of the original documents to us.

029

MOTIONS TO AMEND

USE PERMIT #04001

- 1.1.10 Identify 334 parking stalls on the site plan and the potential location of an additional 76 parking stalls which can be added if the applicant cannot justify that the uses have non-current parking demands in accordance with Section 27.67.040(f)(2) of the zoning ordinance.
- 1.1.11 Revise the plans to remove the driveway connection from the round-a-bout at Norris Lane and Allen Road to the east.
- 1.1.12 Revise the plans to add additional landscaped berms on the west side of Norris Lane, between Pine Lake Road and Allen Road.

SPECIAL PERMIT #1713C

- 1.1.^b Revise the plans to remove the driveway connection from the round-a-bout at Norris Lane and Allen Road to the east.
- 1.1.^{b7} Revise the plans to add additional landscaped berms on the west side of Norris Lane, between Pine Lake Road and Allen Road.

SPECIAL PERMIT #04026

- 3.3 The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of initial and future parking and circulation elements and similar matters.

IN SUPPORT

ITEM NO. 3.5a,b,c,d,e:
(p.175 - Public Hearing: 5/26/04)

CHANGE OF ZONE 04035
~~USE PERMIT 04001~~
SPECIAL PERMIT 04026
SPECIAL PERMIT 1713C
STREET VACATION 04005

Thomas J Cajka
05/26/2004 08:00 AM

To: Jean L Walker/Notes@Notes
cc:
Subject: Change of zone & Permits #4.5a,b,c,d,e

----- Forwarded by Thomas J Cajka/Notes on 05/26/2004 08:00 AM -----



"Jan and Bill Norris"
<jnorris@inebraska.com>
m>
05/25/2004 06:00 PM

To: <tcajka@ci.lincoln.ne.us>
cc:
Subject: Change of zone & Permits #4.5a,b,c,d,e

We support Madonna's request to change the zoning to O-3 on the area described in 3.5a; the Use permit No. 04001; the special permit No. 04026; the special permit No. 1713C and Permit No. 94995. The neighborhood will benefit by this type of facility. We also very much want the 10 single family dwellings in Special Permit No. 1713C. These homes will be next to the common area which is directly behind our house. These homes will complete the development nicely.

Thank you - Bill and Jan Norris

IN SUPPORT

ITEM NO. 3.5a,b,c: CHANGE OF ZONE NO. 04035

d,e: ~~USE PERMIT NO. 04001~~

SPECIAL PERMIT NO. 04026

SPECIAL PERMIT NO. 1713C

SAV. 04005



"Max Thielbar"
<mthielbar@neb.rr.com>
m>

05/15/2004 05:15 PM

To: <plan@ci.lincoln.ne.us>

cc: (p.175 - Public Hearing -5/26/04)

Subject: Change of Zone No. 04035: Special Permit No. 1713C: Use Permit No. 04001: Street and Alley Vacation No. 04005

My wife and I are writing regarding the above items and wish to make the following comments. We live at 7252 Sugar Creek Circle which is just adjacent to the area where the above changes will occur. We believe that this will be a great addition to the area and highly recommend that approval be given by the Planning Commission.

We know that Madonna will be a great neighbor and their presence will greatly enhance the neighborhood.

Sincerely,

Max E. and Doris E. Thielbar