

City Council Introduction: **Monday**, September 13, 2004
Public Hearing: **Monday**, September 20, 2004, at **1:30 p.m.**

Bill No. 04R-237

FACTSHEET

TITLE: **USE PERMIT NO. 123C**, an amendment to Landmark Corporate Center, requested by North 33rd, L.L.C., to reduce the rear and side yard setbacks, on property generally located at North 33rd Street and Folkways Boulevard.

STAFF RECOMMENDATION: Conditional Approval, as revised.

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: Consent Agenda: 08/18/04
Administrative Action: 08/18/04

RECOMMENDATION: Conditional Approval, as revised (8-0: Carlson, Carroll, Krieser, Marvin, Pearson, Bills-Strand, Sunderman and Taylor voting 'yes'; Larson absent).

FINDINGS OF FACT:

1. This is a request to amend the use permit to waive the required 20' rear yard setback for Lots 11 and 19, Block 2, to accommodate driving aisles, and to waive the required 20' side yard setback between Lots 10 and 11, Block 2, for the location of a shared access drive.
2. The staff recommendation of conditional approval, as revised, is based upon the "Analysis" as set forth on p.3-4, concluding that the waivers of the rear and side yard setbacks are acceptable since this is an industrial park and some lots will have shared parking.
3. On August 18, 2004, this application appeared on the Consent Agenda of the Planning Commission and was opened for public hearing. No one came forward to speak.
4. On August 18, 2004, the Planning Commission agreed with the staff recommendation and voted 8-0 to recommend conditional approval, as set forth in the staff report dated April 28, 2004.
5. The Site Specific conditions of approval required to be completed prior to scheduling this application on the City Council agenda have been satisfied.

FACTSHEET PREPARED BY: Jean L. Walker

DATE: September 7, 2004

REVIEWED BY: _____

DATE: September 7, 2004

REFERENCE NUMBER: FS\CC\2004\UP.123C

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for August 18, 2004 PLANNING COMMISSION MEETING

P.A.S.: Use Permit 123C, Landmark Corporate Center

PROPOSAL: To waive the 20' rear yard setback of Lots 11 and 19, Block 2 to accommodate driving aisles and to waive the 20' side yard setback between Lots 10 and 11, Block 2 for the location of a shared access drive.

LOCATION: N. 33rd Street and Folkways Boulevard.

WAIVER REQUEST:

1. Waive the 20' rear yard setback of Lots 11 and 19, Block 2.
2. Waive the 20' side yard setback between Lots 10 and 11, Block 2 .

LAND AREA: Approximately 156 acres, more or less.

CONCLUSION: The waivers of the side yard setbacks are acceptable since this is an industrial park and some lots will have shared parking. The rear yard setback is acceptable ~~provided that the trail easement is relocated and drainage does not outlet onto the open space/wetland area to the east.~~ (**See p.21-22**)

<u>RECOMMENDATION:</u>	Conditional Approval
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GENERAL INFORMATION:

LEGAL DESCRIPTION: See attached.

EXISTING ZONING: I-3, Employment Center District, B-2, Planned Neighborhood Business District.

EXISTING LAND USE: Industrial center uses and undeveloped.

SURROUNDING LAND USE AND ZONING:

North:	Residential	R-3 and R-5, Residential,
South:	Undeveloped, commercial,	R-3, H-3, Highway Commercial, P , Public
East:	Undeveloped	P, R-3, AG, Agricultural
West:	Residential, commercial	R-5, B-5, Planned Regional Business, B-2, Planned Neighborhood Business, I-1, Industrial

HISTORY:

Use Permit #123B for Landmark Corporate Center was approved by City Council on **June 7, 2004.**

Use Permit #123A for Landmark Corporate Center was approved by City Council on **August 4, 2003**.

Annexation #99018, Change of Zone #3200, Preliminary Plat #99021, Use Permit #123 for Landmark Corporate Center were approved by City Council on **February 28, 2000**.

Comprehensive Plan Amendment #94-03, "North 27th Street Subarea Plan" changing the designation of the northern portion to "Industrial" was approved on **September 18, 1996**.

The zoning designation in this area was revised during the **1979** Zoning Update from AA - Rural and Public Use to R-3 Residential west of the old railroad ROW, and AG Agricultural east of the railroad ROW.

COMPREHENSIVE PLAN SPECIFICATIONS:

This area is shown for a light industrial center and to the east the outlot area is shown as Environmental Resources in the Comprehensive Plan (F-39).

TRAFFIC ANALYSIS: N. 33rd Street is shown as an urban minor arterial.

ENVIRONMENTAL ISSUES: The outlot to the east is owned by the Lower Platte South Natural Resources District. The applicant indicated the waived rear yard setback will not cause additional drainage onto the outlot. The wetlands should not be impacted by this request. The Watershed Management Section of the Public Works and Utilities Department indicated in the August 5, 2004 memo to Planning that the wetlands will not be impacted by this request.

ANALYSIS:

1. This is a request to amend the use permit to waive the required rear yard setback of Lots 11 and 19, Block 2 and side yard setbacks between Lots 10 and 11, Block 2. The applicant indicates the justification for the waivers are due to the odd shapes of the lots. The waivers allow the construction of an access drive and driving aisles.
2. The applicant indicates that any additional drainage resulting from the construction of such driving aisles will be handled in accordance with the use permit grading and drainage plan. The applicant indicated a curb will be installed on the east side of the driving aisle and drainage will flow to the southeast corner of the lot where it will outlet in accordance with the drainage plan.
3. The I-3, Employment Center District is a relatively new district, established in August 1997. The intent of the district is for the "development of attractive office and light industrial facilities as employment centers for location of plant facilities or headquarters of major employers. The I-3 Employment Center District is also intended to provide such employment centers with the surrounding support uses, including complementary office and retail use complementing the general land use pattern of the community and assisting the implementation of the adopted goals and polices of the community" (§27.51).

4. Since the I-3 district operates more like a center, and allows the reduction of setbacks, planning staff believes the waivers will provide more flexibility to allow the district to operate more like a center so that lots can share access drives and driving aisles. Planning staff would like to see additional landscaping in the front yard setback. The applicant agreed to provide additional landscaping. A landscape plan was not submitted to verify this. The request for the rear yard setback is reasonable since no additional drainage will outlet into the wetland area and the Lower Platte South NRD does not oppose the waiver. The waiver should only be granted provided the trail easement is relocated to N. 33rd Street as recommended by the Parks and Recreation Department.
5. ~~The Parks and Recreation Department indicated they are concerned with the reduction of the rear yard setbacks, due to the future trail along the back of the lots. Parks and Recreation Department indicated that if the rear setbacks are waived then the trail should be relocated to N. 33rd Street. Parks and Recreation Department would like to see a ten foot trail along the east side of N. 33rd.~~
(Revised by staff 8/11/04, pursuant to p.21-22**)**
6. The Watershed Management section of the Public Works and Utilities Department had several comments which are attached. Revisions should be made to their satisfaction.
7. Public Works & Utilities Department, Building and Safety/Fire Prevention, Lincoln Lancaster County Health Department, and the Police Department did not object to the request.
8. The Lower Platte South NRD did not comment on the application, but has presumably been contacted by the applicant as indicated in the July 22, 2004 letter from DaNay Kalkowski.

CONDITIONS:

Site Specific:

1. After the applicant completes the following instructions and submits the documents and plans to the Planning Department office and the plans are found to be acceptable, the application will be scheduled on the City Council's agenda:
 - 1.1 Revise the landscape plan to show:
 - 1.1.1 Additional landscaping in the front yards of lots with reduced side and rear yard setbacks.
 - 1.2 Revise the site plan to show:
 - 1.2.1 Revisions to the satisfaction of the Watershed Management Section of the Public Works and Utilities Department.

~~1.2.2 A trail easement on the east side of N. 33rd Street to the satisfaction of the Parks and Recreation Department.~~
(Revised by staff 8/11/04, pursuant to p.21-22**)**

~~1.3 Provide grading plan demonstrating runoff to the satisfaction of the Public Works and Utilities Department.~~
(Revised by staff 8/11/04, pursuant to p.21-22**)**

2. This approval permits a waiver of the 20' rear yard setback of Lots 11 and 19, Block 2 to accommodate driving aisles and a waiver of the 20' side yard setback between Lots 10 and 11, Block 2 for the location of a shared access drive.

General:

3. Before receiving building permits:
 - 3.1 The permittee shall have submitted a final plan including 6 copies.
 - 3.2 The construction plans shall comply with the approved plans.

STANDARD CONDITIONS:

4. The following conditions are applicable to all requests:
 - 4.1 Before occupying the industrial buildings all development and construction shall have been completed in compliance with the approved plans.
 - 4.2 All privately-owned improvements shall be permanently maintained by the owner or an appropriately established owners association approved by the City Attorney.
 - 4.3 The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
 - 4.4 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
 - 4.5 The applicant shall sign and return the letter of acceptance to the City Clerk within 30 days following the approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filing 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.

Prepared by:

Becky Horner
Planner

DATE: April 28, 2004

APPLICANT: Don Linscott
OWNER: North 33rd LLC
300 N 44th Street, Suite 100
(402)467-1234

CONTACT: DaNay Kalkowski
Seacrest and Kalkowski, P.C.
1111 Lincoln Mall, Suite 350

USE PERMIT NO. 123C

CONSENT AGENDA

PUBLIC HEARING & ADMINISTRATIVE ACTION

BEFORE PLANNING COMMISSION:

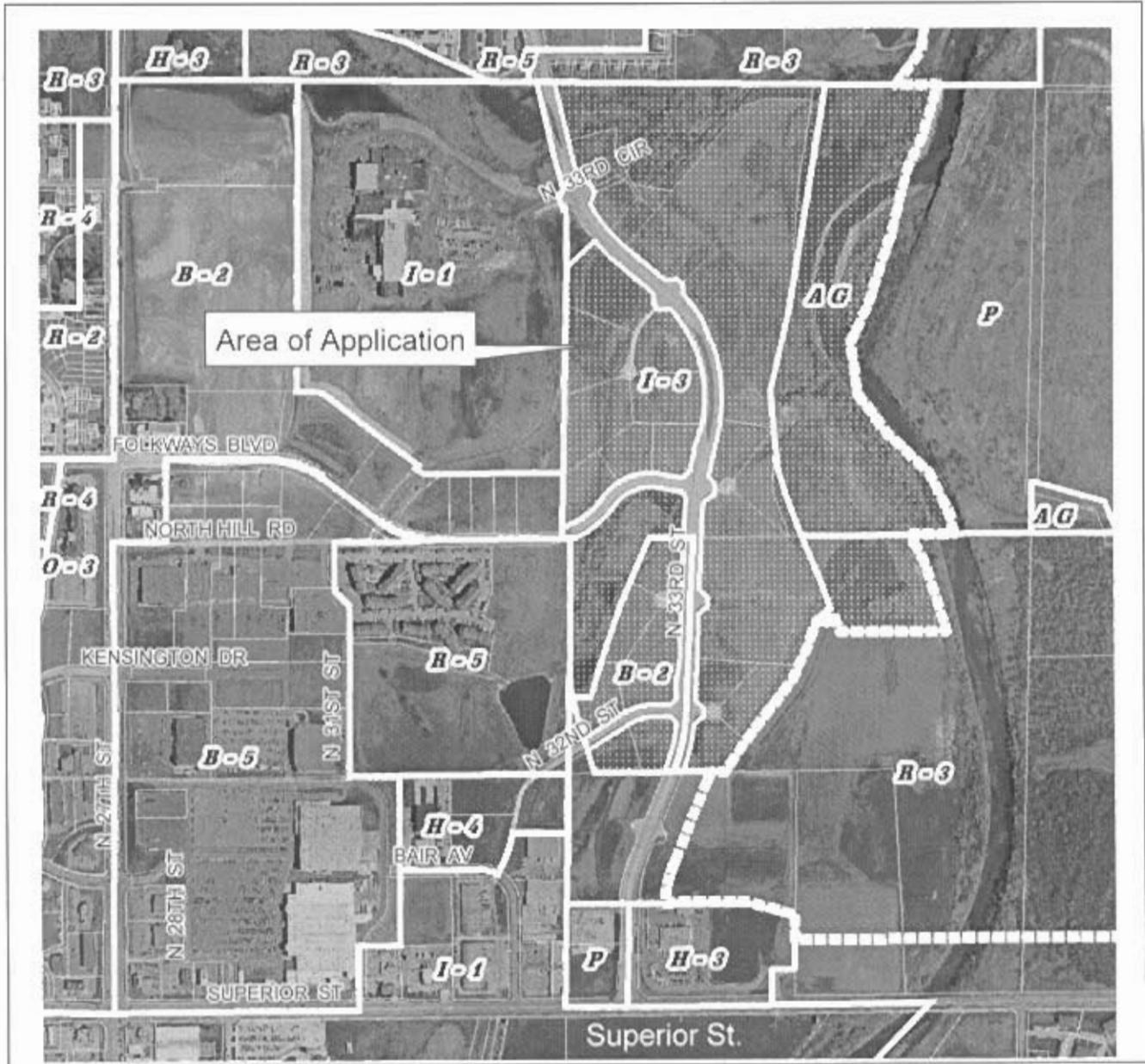
August 18, 2004

Members present: Carlson, Carroll, Krieser, Marvin, Pearson, Bills-Strand, Sunderman and Taylor; Larson absent.

The Consent Agenda consisted of the following items: **CHANGE OF ZONE NO. 04043; CHANGE OF ZONE NO. 04047; CHANGE OF ZONE NO. 04048; SPECIAL PERMIT NO. 1692C, Amendment to the WILDERNESS RIDGE COMMUNITY UNIT PLAN; USE PERMIT NO. 126B; USE PERMIT NO. 117A; USE PERMIT NO. 123C; SPECIAL PERMIT NO. 04004A, Amendment to the STONE BRIDGE CREEK COMMUNITY UNIT PLAN; and COUNTY FINAL PLAT NO. 04075, OAK PRAIRIE ESTATES.**

Item No. 1.1, Change of Zone No. 04043, and Item No. 1.6, Special Permit No. 04004A, were removed from the Consent Agenda and scheduled for separate public hearing.

Marvin moved to approve the remaining Consent Agenda, seconded by Carroll and carried 8-0: Carlson, Carroll, Krieser, Marvin, Pearson, Bills-Strand, Sunderman and Taylor voting 'yes'; Larson absent.



2002 aerial

Use Permit #123C N. 33rd & Folkways Landmark Corporate Center

Zoning:

- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- R-C Residential Conservation District
- O-1 Office District
- O-2 Suburban Office District
- O-3 Office Park District
- R-T Residential Transition District
- B-1 Local Business District
- B-2 Planned Neighborhood Business District
- B-3 Commercial District
- 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. 6 T10N R7E



SEACREST & KALKOWSKI, P.C.

1111 LINCOLN MALL, SUITE 350
LINCOLN, NEBRASKA 68508-3905

TELEPHONE (402) 435-6000
FACSIMILE (402) 435-6100

KENT SEACREST
E-MAIL: kent@sk-law.com

DANAY KALKOWSKI
E-MAIL: danay@sk-law.com

July 30, 2003

HAND DELIVERY

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

RE: Amendment to Use Permit No. 123, Landmark Corporate Center – Additional Information

Dear Marvin:

On July 20, 2004 we requested an amendment to Use Permit No. 123 for Landmark Corporate Center to permit the waiver of the rear yard setback along the east side of Lots 11 and 19, as well as a waiver of the side yard setbacks between Lots 10 and 11. We indicated that because of the triangular shape of Lots 11 and 19, as well as their location at the end of cul-de-sacs, a rear yard waiver is needed to accommodate driving aisles that will allow two way traffic along the backs of Lots 11 and 19. Any additional drainage resulting from the construction of such driving aisles will be handled in accordance with the Use Permit grading and drainage plan. For example, on Lot 11 a curb will be installed on the east side of the driving aisle and drainage will flow to the southeast corner of the lot where it will outlet in accordance with the drainage plan.

If you have any questions or need any additional information, please let me know.

Yours very truly,


DANAY KALKOWSKI
For the Firm

Enclosure

cc: Don Linscott
Dan Shulz

SEACREST & KALKOWSKI, P.C.

1111 LINCOLN MALL, SUITE 350
LINCOLN, NEBRASKA 68508-3905

TELEPHONE (402) 435-6000
FACSIMILE (402) 435-6100

KENT SEACREST
E-MAIL: kent@sk-law.com

DANAY KALKOWSKI
E-MAIL: danay@sk-law.com

July 22, 2003

HAND DELIVERY

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

RE: Amendment to Use Permit No. 123, Landmark Corporate Center

Dear Marvin:

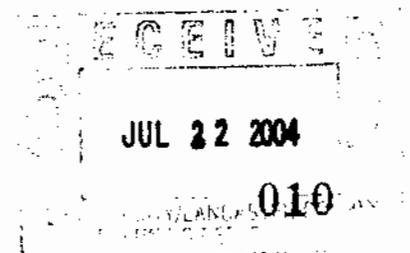
Our law firm represents North Thirty-Third LLC, the owner of Lots 10, 11 and 19 shown on Use Permit No. 123 ("Lots"). North Thirty-Third is requesting an amendment to Use Permit No. 123 for Landmark Corporate Center to permit the a waiver of the rear yard setback along the east side of Lots 11 and 19 and a waiver of the side yard setbacks between Lots 10 and 11. All three of the Lots are triangular in shape and are located at the end of cul-de-sacs. The shape of the Lots has created challenges in laying out buildings and drives on the Lots. The waivers are needed to accommodate a shared common access between Lots 10 and 11, and driving aisles along the backs of Lots 11 and 19.

The rear yard of Lots 11 and 19 abut Outlot B, shown on Use Permit No. 123, which is open green space. Outlot B was transferred by North Thirty-Third to the Lower Platte South Natural Resources District ("NRD") after Use Permit No. 123 was approved. We had an opportunity to meet with NRD representatives Glenn Johnson and Dan Shulz to discuss the proposed rear yard waiver request for Lots 11 and 19 on June 29, 2004. The NRD is not opposed to the waiver request.

The side yard waiver request only affects the common boundary between Lots 10 and 11. The waiver allows the construction of a common drive between the two Lots that provides for better traffic circulation and one joint curb cut onto the cul-de-sac. North Thirty-Third is willing to add additional landscaping to other areas within the Lots to compensate for any loss of landscaping in the side yards.

Enclosed please find the following information supporting the amendment request:

1. City of Lincoln Zoning Application
2. Application fee in the amount of \$740
3. 21 copies of the site plan
4. Ownership Certificate



July 22, 2004
Page 2

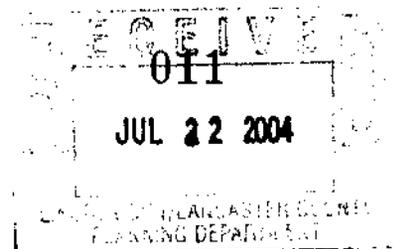
Thank you for your consideration of this request. We look forward to working with the City on this amendment. If you have any questions regarding the above, please call.

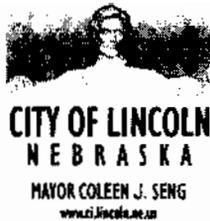
Yours very truly,


DANAY KALKOWSKI
For the Firm

Enclosure

cc: Don Linscott
Dan Shulz





**PUBLIC WORKS AND
UTILITIES DEPARTMENT**

MEMORANDUM

Date: August 5, 2004

To: Becky Horner, Planning

From: Ben Higgins, PWU

Subject: *Landmark Corporate Center review by Watershed Management*

cc: *Chad Blahak, Devin Biesecker, Dennis Bartels, Nicole Fleck-Tooze, PWU*

Listed below are WSM draft comments on the Landmark Corporate Center amendment. The comments are based on receiving and reviewing sheet 1 of 6 (Site Plan).

1. From the review of the Site Plan sheet there are no storm drainage easements (so assuming no pipes) draining directly to shown wetland areas. This being the case there isn't a issue with drainage to wetlands that I am aware of other than Item 2 below.
2. It is recommended to have a note on the plans that there should be no direct connections from impervious areas (i.e. parking lots, buildings, etc) to existing and mitigated wetland areas.
3. Note 15: Elevations are shown in city datum. City codes state for preliminary plats (26.15.020(a)) that datum should be based on NAVD 1988 datum. This is also required and necessary for base flood elevation information (26.24.030(a)).
4. Note 24: This note should read "The minimum floor elevation for every structure will be 1 foot above the 100 year base flood elevation (unless a waiver to allow flood proofing is requested and approved)." Currently it states "The minimum (unless a waiver to allow flood proofing is requested)."
5. The floodway line should be clearly delineated all the way through the property, it is currently not clearly shown where it lies in the southern portion of the property.
6. The outer floodplain delineation line is not shown. It needs to be shown. The inner floodplain delineation needs to be deleted as this is not reflected on the official FEMA map.

7. The base flood elevation is provided as one elevation. From a review of the floodplain maps and the profile map it is our interpretation that the floodplain is slightly higher (0.2 feet +/-) than the elevation currently shown. As stated in Item 3 an elevation has to be provided that is in NAVD 1988 datum and clearly stated as such.

8. The language for the permanent conservation easement over all outlots needs to be reviewed prior to approval of this amendment. Also a letter from the conservation or resource agency needs to be provided indicating their willingness to take over outlots B and C prior to approval of this amendment (see Note 43 on plans).

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Memo



To: Becky Horner, Planning Department

From: Mark Canney, Parks & Recreation

Date: August 2, 2004

Re: Landmark Corporate Center

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. The Parks Department is not opposed of waiver as long as developer is willing to relocate trail easement to 33rd Street – the east side as an alternative to the proposed location. The proposed location would result in the building potentially being 5' away from the trail location.
2. A grading plan must be submitted demonstrating runoff of building.

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



IMPORTANT



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 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.



Permit # **DRF04107**

Address

Job Description: **Development Review - Fire**

Location: **LANDMARK CORPORATE CENTER**

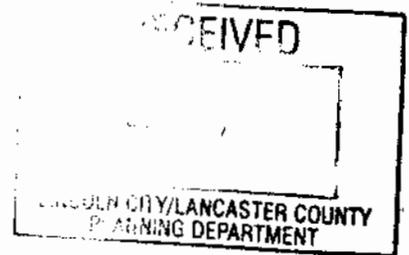
Special Permit:

Preliminary Plat:

Use Permit: **Y 123C**

CUP/PUD:

Requested By **BECKY HORNER**



Status of Review: **Approved**

07/27/2004 1:22:57 PM

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

BOB FIEDLER

Comments: **approved**

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
- 2000 NFPA 101 Life Safety Code
- 2000 Local Amendments International Firecode
- Applicable NFPA National Fire Code Standards



MICHAEL WOOLMAN
<lpd737@CJIS.CI.LINC
OLN.NE.US>

07/28/2004 07:52 AM

To: R Homer <RHomer@ci.lincoln.ne.us>
cc:
Subject: Landmark Corporate Center

Ms. Horner,

The Lincoln Police Department does not object to the Landmark Corporate Center UP# 123C.

Sergeant Michael Woolman
Lincoln Police Department

**LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT
INTER-OFFICE COMMUNICATION**

TO: Becky Horner

DATE: June 23, 2003

DEPARTMENT: Planning

FROM: Chris Schroeder

ATTENTION:

DEPARTMENT: Health

CARBONS TO: Bruce Dart, Director
EH File
EH Administration

SUBJECT: Landmark Corporate
Center UP #123A

The Lincoln-Lancaster County Health Department (LLCHD) has reviewed the proposed use permit amendment, and does not, at this time, have any further comment.

CERTIFICATE OF OWNERSHIP

TO WHOM IT MAY CONCERN:

FILE NO: 11106

The undersigned, hereby certifies the following real property title data to be true and correct as taken from the records of LANCASTER County, Nebraska regarding title to the following described real estate:

Parcel 1: Outlot A, Outlot C and Outlot E, Landmark Corporate Center Addition, Lincoln, Lancaster County, Nebraska.

Parcel 2: Lot 1, Block 1; Lots 2 and 3, Block 2; Lots 1 and 3, Block 3; Lot 2, Block 4; Lots 1, 2, 3, 4 and 5, Block 5; Lots 1, 2, 4, 5, 6, 7 and 8, Block 6; Outlot B and Outlot D, Landmark Corporate Center Addition, Lincoln, Lancaster County, Nebraska.

Parcel 3: Units A & C, Landstar Condominium, a condominium, Lincoln, Lancaster County, Nebraska, in accordance with the Declaration recorded September 18, 2002 as Inst. No. 2002-62588 and amended by First Amendment to Declaration recorded October 4, 2002 as Inst. No. 2002-67453 in the office of the Register of Deeds of Lancaster County, Nebraska. (Part of what was formerly known as Lot 2, Block 1, Landmark Corporate Center Addition)

Parcel 4: Unit B, Landstar Condominium, a condominium, Lincoln, Lancaster County, Nebraska, in accordance with the Declaration recorded September 18, 2002 as Inst. No. 2002-62588 and amended by First Amendment to Declaration recorded October 4, 2002 as Inst. No. 2002-67453 in the office of the Register of Deeds of Lancaster County, Nebraska. (Part of what was formerly known as Lot 2, Block 1, Landmark Corporate Center Addition)

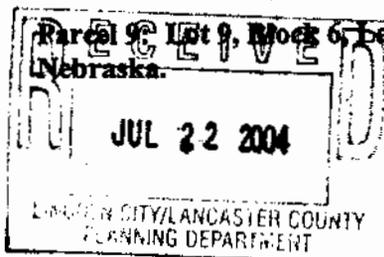
Parcel 5: Lot 1, Block 2, Landmark Corporate Center Addition, Lincoln, Lancaster County, Nebraska.

Parcel 6: Lot 2, Block 3, Landmark Corporate Center Addition, Lincoln, Lancaster County, Nebraska.

Parcel 7: Lot 1, Block 4, Landmark Corporate Center Addition, Lincoln, Lancaster County, Nebraska.

Parcel 8: Lot 3, Block 6, Landmark Corporate Center Addition, Lincoln, Lancaster County, Nebraska.

Parcel 9: Lot 9, Block 6, Landmark Corporate Center Addition, Lincoln, Lancaster County, Nebraska.



- continued -

018

MOST RECENT CONVEYANCES:

Parcel 1:

Grantee: Lower Platte South Natural Resources District, a political subdivision of the State of Nebraska

Inst. No.: 2001-21060

Date of Instrument: January 26, 2001

Date Filed: April 26, 2001

Parcel 2 - Lot 1, Block 1 and Lots 1, 6-8, Block 6:

Grantee: North Thirty-Third LLC, a Nebraska limited liability company

Inst. No.: 2001-21059

Date of Instrument: October 25, 2000

Date Filed: April 26, 2001

Parcel 2 - Lots 1 & 3, Block 3; Lot 2, Block 4; Lots 1-5, Block 5 and OLD:

Grantee: North Thirty-Third LLC, a Nebraska Limited Liability Company

Inst. No.: 99-18551

Date of Instrument: March 25, 1999

Date Filed: April 1, 1999

Parcel 2 - Lots 1 & 3, Block 3:

Grantee: North Thirty-Third LLC, a Nebraska limited liability company

Inst. No.: 2000-60710

Date of Instrument: December 8, 2000

Date Filed: December 19, 2000

Parcel 2 - Lot 1, Block 1; Lots 2-3, Block 2; Lots 1-2 & 4-8, Block 6 and OLB:

Grantee: North Thirty-Third LLC, a Nebraska limited liability company

Inst. No.: 99-30597

Date of Instrument: May 27, 1999

Date Filed: June 2, 1999

Parcel 3 - Unit A:

Grantee: FB Northstar, LLC, a Nebraska limited liability company

Inst. No.: 2002-75936

Date of Instrument: October 29, 2002

Date Filed: October 30, 2002

Parcel 3 - Unit C:

Grantee: FB Northstar, LLC, a Nebraska Limited Liability

Inst. No.: 2003-4803

Date of Instrument: December 31, 2002

Date Filed: January 15, 2003

Parcel 4:

Grantee: Michael D. Raasch and Diane K. Raasch, husband and wife, as joint tenants with right of survivorship, and not as tenants in common
Inst. No.: 2003-109124
Date of Instrument: October 30, 2003
Date Filed: October 31, 2003

Parcel 5:

Grantee: Folkways Circle, L.L.C., a Nebraska Limited Liability Company
Inst. No.: 2003-72773
Date of Instrument: July 24, 2003
Date Filed: July 25, 2003

Parcel 6:

Grantee: National Strength and Conditioning Association, a Nebraska nonprofit corporation
Inst. No.: 2002-83952
Date of Instrument: November 21, 2002
Date Filed: November 22, 2002

Parcel 7:

Grantee: First Nebraska Educators Credit Union
Inst. No.: 2003-24853
Date of Instrument: March 18, 2003
Date Filed: March 18, 2003

Parcel 8:

Grantee: Joie Investments, LLC, a Nebraska Limited Liability Company
Inst. No.: 2002-37701
Date of Instrument: June 10, 2002
Date Filed: June 11, 2002

Parcel 9:

Grantee: Lincoln School District Leasing Corporation, a Nebraska nonprofit corporation
Inst. No.: 2001-21058
Date of Instrument: October 25, 2000
Date Filed: April 26, 2001

This search does not pass on the marketability of title, nor as to the legality or sufficiency of any instrument or proceeding in the chain of title to said real estate. This search is not an opinion of title or a guaranty of title.

MEMORANDUM

DATE: August 11, 2004
TO: Planning Commission
FROM: Becky Horner, Planning Department
SUBJECT: Use permit 123C, Landmark Corporate Center
COPY: Applicant

After a meeting between the applicant, Parks and Recreation, Law and Planning Departments, the Parks and Recreation Department submitted revised comments which are attached.

Please strike from the staff report:

Analysis #5

Conditions #1.2.2 and #1.3

The content of analysis #5 and both conditions were related to Parks and Recreation Department previous memo and are no longer necessary.

Memo



To: Becky Horner, Planning Department

From: Mark Canney, Parks & Recreation

Date: August 10, 2004

Re: Landmark Corporate Center (Revised Comments)

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. The trail location as proposed on the site plan is an acceptable location and should remain as drawn.

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