

FACTSHEET

TITLE: CHANGE OF ZONE NO. 04075, Village Gardens Planned Unit Development, from AG Agricultural District to R-3 Residential PUD and B-3 Commercial PUD, requested by Olsson Associates on behalf of Village Gardens, L.L.C., on property generally located east of South 56th Street and south of Pine Lake Road.

STAFF RECOMMENDATION: Conditional approval, as revised on January 19, 2005.

ASSOCIATED REQUESTS: Annexation No. 040101 (05-14).

FINDINGS OF FACT:

1. This Planned Unit Development and the associated Annexation No. 04011 were heard at the same time before the Planning Commission.
2. The proposed Planned Unit Development consists of 348 dwelling units in the underlying R-3 zoned area and a maximum of 1,062 peak hour trips in the underlying B-3 zoned commercial area, with approximately 185,000 sq. ft. of commercial floor area. The applicant is also requesting to waive the preliminary plat process and modifications to the Zoning Ordinance, Land Subdivision Ordinance and City of Lincoln Design Standards as allowed through the PUD ordinance and as specified in the Development Plan.
3. The staff recommendation of conditional approval is based upon the "Analysis" as set forth on p.5-11, concluding that the proposed Planned Unit Development and annexation are in conformance with the Comprehensive Plan, the Zoning Ordinance and the Land Subdivision Ordinance. The departmental comments are found on p.37-44.
4. The amendments to the conditions of approval incorporated into the staff recommendation on January 5, 2005, are found on p.72-73.
5. The applicant's testimony and other testimony in support is found on p.14-15. The applicant agreed with the proposed amendments to the conditions of approval recommended by staff.
6. The "Development Plan" submitted by the applicant is found on p.45-71.
7. There was no testimony in opposition.
8. On January 5, 2005, the Planning Commission agreed with the staff recommendation and voted 6-0 to recommend conditional approval, with the amendments proposed by staff on January 5, 2005.
9. On January 5, 2005, the Planning Commission also voted 6-0 to recommend approval of the associated annexation request, subject to an annexation agreement.

FACTSHEET PREPARED BY: Jean L. Walker

DATE: January 24, 2005

REVIEWED BY: _____

DATE: January 24, 2005

REFERENCE NUMBER: FS\CC\2005\CZ.04075 PUD

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: 01/05/05
Administrative Action: 01/05/05

RECOMMENDATION: Conditional Approval, as revised by staff on January 5, 2005 (6-0: Marvin, Krieser, Sunderman, Taylor, Carlson and Bills-Strand voting 'yes'; Carroll, Larson and Pearson absent).

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for January 5, 2005 PLANNING COMMISSION MEETING

****As Revised by Staff and Recommended for Conditional Approval by
Planning Commission: January 5, 2005****

P.A.S.: Annexation #04011
Change of Zone #04075, Village Gardens Planned Unit Development

Note: This is a combined staff report for related items. This report contains a single background and analysis section for all items. However, there are separate conditions provided for each individual application.

PROPOSAL: To change the zone from AG, Agricultural to R-3, Residential Planned Unit Development and B-3 Commercial Planned Unit Development for 348 dwelling units and 1,062 peak hour trips in the commercial area (approximately 185,000 square feet of floor area).

LOCATION: East of S. 56th Street and south of Pine Lake Road.

LAND AREA: Annex: 75 acres, more or less.
PUD: 75 acres, more or less.

WAIVERS:

Request to waive preliminary plat process
Modifications to the Zoning and Subdivision Ordinances and Design Standards as allowed through the PUD ordinance and as specified in their development plan.

CONCLUSION: With conditions, the requests are in conformance with the Comprehensive Plan, Zoning and Subdivision Ordinance.

RECOMMENDATION:

Annexation	Conditional Approval
<u>Request to waive preliminary plat process</u>	<u>Approval</u>
<u>Modifications to the Zoning and Subdivision Ordinances and</u>	
<u>Design Standards as allowed through the PUD ordinance</u>	
<u>and as specified in their development plan.</u>	<u>Conditional Approval</u>

GENERAL INFORMATION:

LEGAL DESCRIPTION: See attached.

EXISTING ZONING: AG, Agricultural.

EXISTING LAND USE: Nursery, acreages.

SURROUNDING LAND USE AND ZONING:

North:	Acreages	R-3, Residential
South:	Residential, office	R-3, O-3, Office Park
East:	Acreages	AG
West:	Commercial, office	O-3

COMPREHENSIVE PLAN SPECIFICATIONS: This area is shown as commercial and residential in the Comprehensive Plan (F-25)

Areas of retail, office and service uses. Commercial uses may vary widely in their intensity of use and impact, varying from low intensity offices, to warehouses, to more intensive uses such as gas stations, restaurants, grocery stores or automobile repair. Each area designated as commercial in the land use plan may not be appropriate for every commercial zoning district. The appropriateness of a commercial district for a particular piece of property will depend on a review of all the elements of the Comprehensive Plan. (F-22)

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)

Affordable housing should be distributed throughout the region to be near job opportunities and to provide housing choices within every neighborhood. Encourage different housing types and choices, including affordable housing, throughout each neighborhood for an increasingly diverse population. (F-18)

“Transit, pedestrian, and bicycle networks should maximize access and mobility to provide alternatives and reduce dependence upon the automobile. Sidewalks should be provided on both sides of all streets, or in alternative locations as allowed through design standards or the Community Unit Plan process.

Many activities of daily living should occur within walking distance. Neighborhoods should include homes, stores, workplaces, schools and places to recreate.

Interconnected networks of streets, trails and sidewalks should be designed to encourage walking and bicycling and provide multiple connections within and between neighborhoods”. (F-66)

The key to both new and existing urban neighborhoods is diversity. For new neighborhoods, it is having a greater mix of housing types and land uses. New neighborhoods should have a variety of housing types and sizes, plus commercial and employment opportunities. Developing a pedestrian orientation of buildings and streets is also a priority for new areas. (F-71)

“Structure incentives to encourage more efficient residential and commercial development to make greater utilization of the community’s infrastructure. Incentives may include financial, process and/or regulatory conditions.

Revise pertinent codes and regulations in order to remove impediments to achieving mixed-use residential and commercial development.

Develop new design standards that encourage density, optimize infrastructure costs, and help lower the overall cost of property development.”. (F-72)

The ANNEXATION POLICY is found on pages F-154 and 155 of the Comprehensive Plan.

HISTORY: The Zone was changed from AA, Rural and Public Use to AG, Agricultural during the 1979 zoning update.

UTILITIES: A sanitary sewer service line is to be extended from the north. A 24" water main is existing in Pine Lake Road and S. 56th Street. Other utilities are available and will be extended into the site by the developer.

The Neighborhood Center area is primarily a residential area, however, it allows live/work units, offices, and point of service uses. While this provides a wonderful opportunity to mix a variety of uses certain, challenges arose. Without knowing the likely mix of retail, office and residential uses it was hard for staff to determine the appropriate size for the water main. It was eventually determined that the final required size of the water main would be determined at the time of building permit. A note on the site plan should reflect this requirement.

TOPOGRAPHY: Rolling. The developer desires to maintain as much of the natural grade as possible. Due to this, a variety of street and sanitary sewer design standards are modified.

TRAFFIC ANALYSIS: Pine Lake Road and 56th Street are classified as Major Arterial streets and shown for 120' of right of way with 130' at the intersections. The applicant proposes a combination of right of way and easement for a total of 120' of right of way along Pine Lake Road. Staff agrees to this request only if the easement includes landscape, sidewalk, trail and public use purposes. Good planning requires the flexibility to be able to respond in the future to needs that may not be foreseen today. Pine Lake Road and S. 56th Street are presently paved as two-lane rural roads. Both roads are identified for widening in the current CIP, however, funding remains tentative.

The Public Works and Utilities Department requires right turn lanes at all intersections with Village Gardens on Pine Lake Road and S. 56th Street. Right turn lanes are required for commercial entrances, and others are necessary for safety purposes due to the number of access points exceeding the standard of 1/4 and 1/2 mile points.

Outside the area of the present request, the conceptual master plan indicates a street connection to the east property, which would cross the existing railroad. This street connection is conceptual at this time, however, staff believes a connection is necessary to maintain the connectivity of neighborhoods. Since a school is to be located in the Village Gardens/Thompson Creek area, this connectivity is crucial. Staff does not know when the railroad will be decommissioned, but believes that providing the potential for a connection in this approximate location is essential to plan for the long range development of this square mile area.

The Neighborhood Center area presented paving width challenges due to the potential mix of retail, office and residential, as previously mentioned. The Public Works and Utilities Department indicated that Kentwell Lane needed to be 33' wide paving versus the standard 27' wide paving of a local street. Staff and the developer eventually agreed to a modified paving section, which include a wider intersection opening, but narrows in locations for street trees and creates off street parking bays. This proposed paving section allows the developer to maintain a residential scale on the street and accommodate additional parking and traffic needs that may be necessary due to the mixed use.

The Comprehensive Plan shows a trail along the Beal Slough drainage way, east of this phase. Most of the trail will be determined with future phases of Village Gardens, however, a small portion is proposed to run along Blanchard Boulevard and connect to Pine Lake Road, where the trail will continue to the north. The Parks and Recreation Department does not know at this time whether or

not the trail will cross over or under Blanchard Boulevard. Most likely it will go under because the street is so close to the Pine Lake Road underpass and the trail will follow along Beals Slough. A note on the site plan indicates that the final trail location will be determined with the final plat.

PUBLIC SERVICE: An elementary school location is proposed south of this request in the conceptually master planned area. This site is contingent on LPS funding.

The Parks and Recreation Department indicated they will accept impact fees for this development. Future phases may require parkland dedication. Village Gardens will have several pocket parks throughout the development.

The Lincoln Fire and Rescue Department indicated they did not have any objections to the request. The nearest station is Station #6 located at 5051 S. 48th Street.

ENVIRONMENTAL CONCERNS: The Beal Slough flood control project will include one flood mitigation structure within the site. This is shown in an outlot as a pond on the site plan.

Flood plain regulations are not modified with this application. All regulations apply.

ANALYSIS:

1. This is a request for the annexation of 75 acres, and PUD to change the zoning district from AG, Agricultural to R-3, Residential (50 acres) for 199 primary dwelling units and 149 secondary dwelling units (for a total of 348 dwelling units) and B-3, Business (25 acres) for a maximum of 1,062 peak hour trips (approximately 185,000 square feet of floor area).
2. The applicant shows the area of request and includes a conceptual master plan for the rest of their property. The future anticipated phases are conceptual at this time.
3. The use zones, grading, street and block layout are provided with this application. A final lot layout will be determined at the time of final plat. Planning staff will use the proposed development plan standards to review the lot layout at the time of final plat. The street layout provides for alley access on most of the lots. It is the intent of the applicant to create pedestrian-scale streets, which means most of the buildings will be oriented toward the street with parking and transportation access in the rear of the buildings and lots. There are a number of large lots in the eastern portion of the tract which will have front access; however, the development standards are written to prevent accessory buildings (garages) to be closer than 45' to the front property line.
4. The applicant has provided a Development Plan Regulatory Modification Table of Contents. This document indicates how Sections 27.15 (R-3, Residential), 27.33 (B-3, Commercial), 27.67 (parking), 27.69 (signs), 27.70 (Additional Use Regulations), 27.71

(Additional Height and Area Regulations) have been modified for this PUD. Its purpose is to show changes relative to the wording in the City's documents and will not be part of the official PUD documents.

- a. Changes to the R-3 district (27.15) include adding the Village Garden Zone Matrices to indicate additional permitted uses in the R-3 district (including live/work units, office, retail, workshops, nurseries, bed and breakfast lodging, and secondary dwelling units). The document included allowing churches to cover up to 90% of the lot area with parking allowed in an easement or as part of a joint parking agreement. The lot coverage is no longer necessary with the change to the zoning ordinance that eliminated the coverage restriction. Elderly and retirement housing will be considered as permitted uses, subject to the total cap on residential units, and not require a special permit. Accessory uses and parking standards, signs, height and area regulations are modified as per the Development Plan.

Staff comment: The site plan shows a transition of uses from the commercial to low density residential. Staff believes this transition is consistent with the goals and objectives of the Comprehensive Plan.

- b. Modifications to the B-3 district (27.33) include provisions to provide for mixed use traditional neighborhood development. Permitted uses are modified to indicate additional uses as per the Village Garden Zone Matrices. Conditional uses are modified to indicate additional uses as per the Village Garden Zone Matrices. Health care facilities, convalescent or nursing homes and outpatient physical, occupational or vocational/rehabilitation therapy facilities are permitted uses, no longer special permitted uses. Accessory uses and parking standards, signs, height and area regulations are modified as per the Development Plan. The request transfers open space requirements for residential from the residential premise to off-premise community parks and open space in the PUD. The plan adds the environmental performance standards which are required in the B-2, B-5, I-2, I-3 and O-3 districts.
- c. Parking standards (27.67) are modified to refer to the development plan for specific parking requirements. The development plan adds that all B-3 parking shall be provided either on the same lot as the use, off-premise in the cross parking easement area (including on and off street parking) or shared parking. On and off street parking spaces may be included in the calculations to fulfill the parking requirements.

Staff Comment: The majority of the lots are prohibited from driveways from the streets which will provide additional on street parking spaces. Additionally, shared parking is routinely encouraged where there are non-concurrent parking demands. In the Village Center the parking arrangement is such that the vehicles are backed into the angular parking spaces along the private roadways. This type of parking is used in other parts of the country. It provides easier and safer access to the trunk of the car or rear opening in trucks and vans and allows greater view of on coming traffic when leaving the parking space.

- d. Signs (27.69) are modified to add language to allow directional, educational and informational signs to be attached to any natural object. Signs are modified only to allow neighborhood centers to have up to two on-premises wall signs or projecting signs each, not to exceed eight square feet of sign area (used to identify home occupations), in the neighborhood general area these signs are limited to one sign and are limited to two square feet of area (to identify home occupations, transitional lot uses, the name of the premises or occupants thereof or similar information). Neighborhood identification signs are no longer limited to two, but rather are allowed at all neighborhood entrances. The regulations allow signs up to 20 square feet in area to identify multi-family buildings or subdivision area to be located in the front yard setback or building line district. Additional sign regulations are modified as per the Development Plan.

Staff comment: Planning staff does not agree to allowing signs to be attached to natural objects without the review of the Planning Director. Staff discussed this with the applicant and they were not opposed to adding language that allows the Planning Director to review the subdivision entrance signs that will be attached to a natural object.

The applicant expressly eliminated the requirement that signs be moved at the owners expense, when necessary for public use when in a Building Line District. The Building Line District is reserved for future road projects and is required so that there is no material loss of structures, signs, etc. when the City purchases right-of-way for road projects. The elimination of this requirement will have no effect so long as at least 50' of public street is dedicated along S 56th Street and Pine Lake Road.

- e. The applicant requests Section 27.69.340 Permitted Signs for General Planned Unit Developments be replaced with the standards for the R-3 and B-3 districts (as modified by the applicant).

Staff comment: Sign regulations are provided for in previous sections.

- f. Section 27.70.010 Additional Use Regulations for Home Occupations. The applicant's request is to allow non-family members to be employed in the home occupation under specific guidelines as indicated in their Transect Zone Matrices. Presently the Zoning Ordinance limits home occupations to 20% of the floor area of the dwelling unit. The applicant's request is to increase that amount to a maximum of 2,500 square feet in live/work buildings in the Neighborhood Center and 1,000 square feet or a maximum of 50% of the building footprint in the Neighborhood General and Neighborhood Edge. Home occupations are limited to office uses. Point-of-service uses are prohibited.

Staff Comment: The Transect Zone Matrix requires home occupations with non-family member employees to provide additional off street parking stalls. Staff believes this request is acceptable because it is limited to office uses and includes a provision for additional off street parking stalls for employees.

- g. A proposed amendment to Section 27.70.030 Additional Use Regulations for Subdivision Promotion Activity allows the language to read as follows: “There shall be no sign on the premises other than those permitted in Chapter 27.69 and by the Village Gardens Development Plan.” The development plan allows additional subdivision entrance signs.

Staff Comment: This was discussed previously with the sign regulations.

- h. Section 27.71.040 Additional Height and Area Regulations for Construction and Use of Accessory Buildings restricts accessory buildings to be used for no more than two domestic employees employed on the premises under a special permit. The applicant proposes to remove these restrictions and allow accessory buildings to be occupied as secondary dwelling units (in certain use zones as indicated in the development plan).

Staff Comment: Staff believes this makes full use of available and future infrastructure and is consistent with the goals of the Comprehensive Plan. The overall residential density is maintained with the R-3, Residential district. Density is being transferred from proposed outlots.

- i. The applicant’s request is to allow open unenclosed porches to project into a front yard up to 12 feet (the Zoning Ordinance permits a 10' projection). The development plan further restricts the front porch specifications.

Staff Comment: This is appropriate and helps create a pedestrian scale for the streetscape.

- j. Presently canopies in the front yard are allowed in the B-3 district but are limited to a 5 foot setback from the property line. The applicant’s request is to eliminate that restriction. Canopies cannot encroach into the right-of-way.

- k. Section 27.71.210 Additional Height and Area Regulations for Enlargement and Alteration of Lots limits (in cases where additional right of way has been acquired by a governmental agency, making a lot less than the required minimum area) the new construction, enlargement, extension or conversion of any structures or open land uses in the “R” districts to lots not less than 4,000 square feet with an average lot width of not less than 40 feet. The applicant proposes to amend this section to allow lots as small as 1,440 square feet with an average lot width of 18 feet to fall under this provision.

Staff Comment: Staff is not sure if this section will ever be used. The only roads which may require additional acquisition are 56th Street and Pine Lake Road, both of which have a 50' from centerline Building Line District. This is less than the acquired right-of-way and easement area. The PUD process allows the modification of minimum lot size, and this application in particular has requested to amend that by showing smaller than typical lots and additional uses only allowed by the PUD. Staff feels this change is unnecessary.

- I. The applicant's request is to reduce the minimum separation between a building and a pedestrian way easement from 10 feet to three feet. The pedestrian easement is proposed to be 11' and the minimum separation between a pedestrian way easement and a building will be 3'. The Zoning Ordinance presently requires a 5' easement with 10' separation on each side. The applicant indicated the justification for the reduction is so that the pedestrian walks fit the scale of the neighborhood.

5. The Development Plan Regulatory Modifications indicate that within the Land Subdivision Ordinance Sections 26.19.035 (Final Plat Additional Information), 26.23.040 (Development Plan Standards Streets and Other Public Way Widths), have been modified.

- a. The applicant plans to provide a final as built landscape plan to the Parks and Recreation Department upon completing the planting of the street trees. The developer will bond for the screening based on a per linear foot estimate.

Staff Comment: The Parks and Recreation Department indicated this was acceptable.

- b. Section 26.23.040 indicates alleys shall be 20 feet in width. The applicant proposes 14.5 feet wide alleys (in designated outlots) and a minimum of 10 feet at the street entry point.
- c. Chapter 26.23.125 requires pedestrian sidewalks when block lengths exceed 1,000 square feet in length. The applicant's request is to waive this requirement in Block 5 due to the existing flood way and the desire to not install facilities in the flood way. Staff determined that a pedestrian sidewalk is not needed in this location because it is designated as floodway and a waiver is not required.
- d. Minimum lot depth along major streets is required to be at least 120'. The applicant's request is to reduce this depth because the lots are oriented so that the side of the lot is adjacent the major street, rather than the rear of the lot. A minimum front yard setback will still be maintained.
- e. Street trees on major streets will be in the public right of way. Section 26.27.090 states that trees along major streets should be on private property. The Parks and Recreation Department indicated this is acceptable and amendments to the Land Subdivision Ordinance are presently underway requiring street trees in major streets that are 120' in width or wider.

6. The applicant's request is to modify the Design Standards for Land Subdivision Regulations as follows:

- a. Transfer sanitary sewer from one basin to another.
- b. Sanitary sewer location because of existing sewer main .
- c. Horizontal alignment because of existing sewer main.
- d. Sanitary sewer depth to maintain natural grades.
- e. Add local public street intersections with major streets.
- f. Public street intersection tangents to maintain natural grades.
- g. Cul-de-sac geometry to maximize open space.

- h. Center island size to maximize open space.
 - i. Public and private street approach grades to reduce land disturbance.
 - j. Public and private vertical street curves to reduce land disturbance.
 - k. Public and private roadway widths
 - l. Public street transverse slopes
 - m. Private alley pavement.
 - n. Sidewalk alignment to allow some meandering within open space areas.
 - o. Sidewalk width shall be a minimum of 5'. (increased from 4')
 - p. Sidewalk approach grades to reduce land disturbance.
 - q. Screening to be shown with building permit.
 - r. Fence screens may slope with the ground when combined with landscape plantings for desirable effect.
 - s. Only parking lot screening is required.
 - t. No screening required for lots backing onto the railway.
 - u. No screening required for B-3 abutting residential.
 - v. Staking only trees that need additional support.
 - w. Street tree species are modified.
7. A commercial layout is not provided with this application. Commercial development will be regulated by a trip cap rather than floor area. The trip cap is directly related to the length of the turn lanes in S. 56th Street and Pine Lake Road. As each lot is developed trip generated by the use will be tabulated by the Building and Safety Department at time of building permit to make sure the development does not exceed the 1,062 peak hour trips.
 8. The Public Works and Utilities Department has several comments which are indicated in their attached December 22, 2004 memo. The Watershed Management Department did not have time to respond and their comments are forthcoming.
 9. The Lincoln Electric System indicated they require a 15' easement along Pine Lake Road for their distribution line.
 10. The Development Plan modifies front and side yard setbacks for residential lots. Lots that back or side onto Pine Lake Road are proposed for modification. Planning staff believes that a minimum 20' setback should be maintained along Pine Lake Road.
 11. The Development Plan and Modifications Table submitted by the applicant are extensive and not part of this report, however they are available on the internet associated with the staff report at the following website:
<http://www.ci.lincoln.ne.us/city/plan/pcagenda/index.htm>
 12. Annexation policy:
 - ! Land which is remote from the limits of the City of Lincoln will not be annexed; land which is contiguous and generally urban in character may be annexed; and land which is engulfed by the City should be annexed.
 - ! Annexation generally implies the opportunity to access all City services. Voluntary annexation agreements may limit or otherwise outline the phasing,

timing or installation of utility services (i.e., water, sanitary sewer) and may include specific or general plans for the private financing of improvements to the infrastructure supporting or contributing to the land uses in the annexed area.

- ! Plans for the provision of services within the areas considered for annexation should be carefully coordinated with the Capital Improvements Program of the city and the county."

Staff Comment: The request for annexation meets the City's annexation policy.

PLANNED UNIT DEVELOPMENT CONDITIONS:

Site Specific:

1. After the applicant completes the following instructions and submits the documents and plans to the Planning Department office and the plans are found to be acceptable, the application will be scheduled on the City Council's agenda:
 - 1.1 Revise the site plan to show:
 - 1.1.1 A note on the site plan indicating that the final location of the trail will be determined by the Parks and Recreation Department at the time of final plat.
 - 1.1.2 Changes to the satisfaction of the Public Works and Utilities Department.
 - 1.1.3 LES easements
 - 1.1.4 Show the easement along Pine Lake Road is for "~~landscape, sidewalk/trail and public use street~~ purposes" and revise Note 36 to state, "The public street easement along Pine Lake Road is granted for purposes of public streets, underground utilities and appurtenances related thereto, sidewalks and landscaping". (****As revised by staff and recommended by Planning Commission, 01/05/05****)
 - 1.1.5 Revise Section 27.69.030(I) to indicate that signs may be attached to natural objects only with the approval of the Planning Director.
 - 1.1.6 Add a note to the site and development plan that all residential lots along Pine Lake Road will have a front yard setback of 20' from Pine Lake Road. (****As revised by staff and recommended by Planning Commission, 01/05/05****)
 - 1.1.7 Add a note indicating that bike racks will be a part of the commercial development.
 - 1.1.8 Add a note indicating a sales building will be located within Block 1 of the B-3 commercial area and will remain until 75% of the commercial area is built out.

(As revised by staff and recommended by Planning Commission,
01/05/05**)**

2. This approval permits 348 dwelling units in the underlying R-3 zoned area and a maximum of 1,062 peak hour trips in the underlying B-3 zoned commercial area. The requirements in the R-3 and B-3 districts are modified as indicated in the Planned Unit Development District Development Plan and waives the preliminary plat process. **(**As revised by staff and recommended by Planning Commission, 01/05/05**)**

General:

3. Before receiving building permits:
 - 3.1 The permittee shall have submitted a revised and reproducible final plan.
 - 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 buildings all development and construction shall have been completed in compliance with the approved plans and the Development Plan.
 - 4.2 All privately-owned improvements shall be permanently maintained by the owner or an appropriately established property owners association approved by the City Attorney.
 - 4.3 The site plan and the Development Plan accompanying this planned unit development shall be the basis for all interpretations of uses, setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
 - 4.4 This ordinance's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.

- 4.5 The City Clerk shall file a copy of the ordinance approving the planned unit development and the letter of acceptance with the Register of Deeds. The Permittee shall pay the recording fee in advance.

Prepared by:

Becky Horner
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Planner

DATE: December 28, 2004

APPLICANT: Village Gardens LLC
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OWNER: Same

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**ANNEXATION NO. 04011
and
CHANGE OF ZONE NO. 04075,
VILLAGE GARDENS PLANNED UNIT DEVELOPMENT**

PUBLIC HEARING BEFORE PLANNING COMMISSION:

January 5, 2005

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

Staff recommendation: Approval of the annexation, subject to an annexation agreement; and conditional approval of the PUD.

Ex Parte Communications: None.

Becky Horner of Planning staff submitted revised conditions of approval.

Proponents

1. Dick Campbell, 6201 Pine Lake Road, presented the proposal. The Campbell family and business has been in this community for over 90 years and has been located in many different areas of the community. The Campbell nursery production facility at 56th & Pine Lake Road is surrounded by the city on two of three sides and closely on the fourth side. The developer entered into a charrette in January of 2001, to bring as many parties as possible together that could be affected to discuss this intense design project, including the surrounding neighbors and governmental departments. An open house was held every evening of the charrette to allow input. City staff was very helpful and a plan was crafted that the developer believes made a great deal of sense and they laid out a street network. They also took into consideration the timing of this development with the anticipated city improvements. This last June, they held a second charrette and included more city departments and revisited the original plan done in 2001, to check and make sure that it was still the correct plan and then brought forward refinements to the plan and tested it to make sure that they were addressing the issues that needed to be addressed. Another open house was held in September, 2004. There was great participation in the open houses.

Campbell then proceeded to describe the concept of the plan being the “traditional neighborhood development” (TND). The main thing about it is that it has quality architecture with emphasis on beauty and aesthetics and most importantly on human comfort and sense of space. There is great deal of attention to interconnections, the walkability, alleys with garages, and presents the home rather than presenting the garage. It brings the home closer to the sidewalk and creates natural human interaction, and moves some of the activities we have moved to our back yard to a total yard environment.

There will be a great diversity of housing types. It includes all kinds of architectural styles, all kinds of price ranges, and all kinds of different availability for different age needs. If done correctly, someone could move into this neighborhood and move through all of the changes in their life in different housing opportunities without ever leaving the neighborhood.

The developer recognizes that this property has many important things that should be maintained, including a tremendous amount of amenities, including mature trees which will be maintained; it has been the nursery site and the garden center will remain as a part of the urban village. The grading on this site will only be done where absolutely necessary. The intent is to replicate many of the great neighborhoods that have been accomplished in this community over time which work with the natural terrain.

Campbell showed slides for orientation to the site. The master plan encompasses 240 acres. LPS had purchased a future elementary site along Yankee Hill Road. The developer has worked with LPS and they have agreed to move their site to be more internal to the site so that it becomes more walkable. From Pine Lake Road they are proposing a boulevard which will come clear down through the mile section, called Blanchard Boulevard, being the epitome of a Sheridan Boulevard, with the only difference being a 24' wide median. The important thing is the interconnection of the streets. The sidewalks will be 5 feet wide to create some interaction and connectivity.

Campbell explained that the total development will be done in three phases – today is the original 80 acres purchased by his parents in 1960. He showed the layout of the first phase and the street network. As things would evolve, the area around the garden center would develop into the urban village and the residential moves to the east and south from there.

The developer is in the process of working with Public Works on some green infrastructure practices. There are going to be many very creative partnerships with many of the city departments, including Parks.

Campbell stated that this development complies with the tenets of new urbanism, including a development that is walkable from end to end; there is a civic core and a mix of uses and amenities; there is an interconnected street network; there are recognizable boundaries; the plan provides for chance meetings and privacy with a variety of housing types.

Two architectural firms have been selected, Studio NRG and BBH. They have also selected 15 qualified builders as part of the development team. This is a joint venture with many local companies.

Campbell then recited the Village Gardens Mission Statement.

2. DaNay Kalkowski complimented and thanked the city staff for their help, cooperation and willingness to work through the many details. This is the first PUD to come forward under the new PUD ordinance. It has been a great vehicle for this project and necessary to bring a project with some flexibility. The developer/applicant agreed with the staff conditions of approval, as amended by staff today.

There was no testimony in opposition.

ANNEXATION NO. 04011

ACTION BY PLANNING COMMISSION:

January 5, 2005

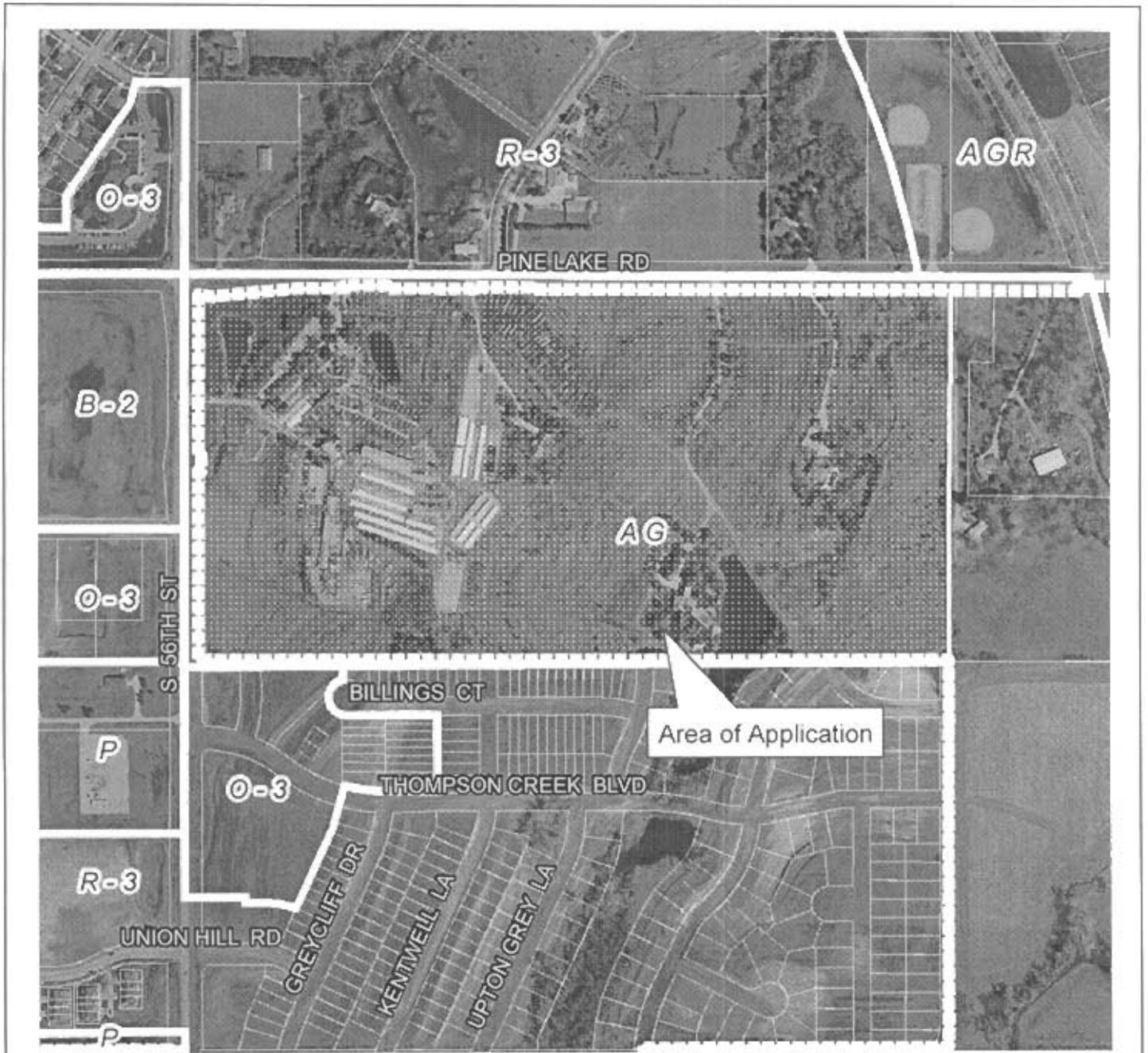
Marvin moved to approve the staff recommendation of approval, subject to an annexation agreement, seconded by Sunderman and carried 6-0: Marvin, Krieser, Sunderman, Taylor, Carlson and Bills-Strand voting 'yes'; Carroll, Larson and Pearson absent. This is a recommendation to the City Council.

CHANGE OF ZONE NO. 04075

ACTION BY PLANNING COMMISSION:

January 5, 2005

Carlson moved to approve the staff recommendation of conditional approval, as revised, seconded by Sunderman and carried 6-0: Marvin, Krieser, Sunderman, Taylor, Carlson and Bills-Strand voting 'yes'; Carroll, Larson and Pearson absent. This is a recommendation to the City Council.



2002 aerial

**Change of Zone #04075
Annexation #04011
Village Gardens PUD
S. 56th & 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-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. 21 T9N R7E



Zoning Jurisdiction Lines
City Limit Jurisdiction





VILLAGE GARDENS
THE ART OF *Traditional Living*

October 27, 2004

Mr. Marvin Krout, Director
Planning Department, City of Lincoln
County-City Building
555 South 10th Street
Lincoln, NE 68508

Mr. Ray Hill
Planning Department, City of Lincoln
County-City Building
555 South 10th Street
Lincoln, NE 68508

Re: Village Gardens Phase I PUD Submittal

Dear Marvin and Ray,

On behalf of Village Gardens LLC, enclosed, please find the following for the above-mentioned project:

1. Change of Zone Application, Legal Descriptions
2. PUD Application Fee - \$500.00
3. Cover Sheet – 21 copies
4. Site Plan - 21 copies.
5. Grading and Drainage Plans - 9 copies.
6. Preliminary Street Profiles - 5 copies.
7. Soils Report - 1 copy.
8. Drainage Study - 3 copies.
9. Village Gardens Development Plan – 21 copies
10. Village Gardens Regulatory Modifications – 21 copies
11. Traffic Study – 3 copies.

We are requesting a phased *PUD* on the property shown on the enclosed site plan, all located in the Section 21, T9N, R7E of the 6th PM, City of Lincoln, Lancaster County, Nebraska (approximately 220 acres). We are requesting the PUD and annexation in phases: the first phase of the PUD and annexation will include approximately eighty acres of this property and the remaining balance would be developed in two additional PUD and annexation phases.

We want to thank you and the rest of the City Staff for all their great input, suggestions and support. As you know, we have met with City Staff on numerous occasions including our design

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VILLAGE GARDENS

THE ART OF *Traditional Living*

Charette in June of this year and most recently on Thursday September 30th to review the proposed site plan and gain preliminary comments. We have also had various meetings with the Public Works Department, Parks and Rec Department, Law Department and Building and Safety Department to discuss the specifics of our plan, annexation agreement and infrastructure requirements. These meetings have proven to be very helpful. We have been able to address most of the concerns voiced at the meetings in our submission. Some of the concerns we have addressed include reviewing the sight triangle criteria, adding additional numbered streets for ease of identification, finalizing ROW requirements on Pine Lake Road and specifying the PM Trip count for the Village Center area.

One item that was not altered was the inclusion of an alley south of Minter Lane. This alley area is the common boundary between Village Gardens LLC and Hampton's Thompson Creek. Currently, an alley is shown on Hampton's Thompson Creek's plans but it is their intention to have that alley removed. Hampton's team has asked us to reflect this intent on our plans since the grade of the land and a goal of preserving trees makes it difficult to construct an alley in that area. With our good neighbor policy we have reflected this request not to show the alley on our plans.

We are submitting specific standards for the Village Gardens project unlike most other conventional projects in an attempt to create the first full-scale Traditional Neighborhood Development (TND) in Lincoln. As you are aware, to ensure the tenants of Traditional Neighborhood Development are adhered to we have modified some of the current City standards and codes. This submission therefore includes the Village Gardens Development Plan, including the Village Gardens Regulatory Modifications document that will help your staff understand and review our submission.

The Village Gardens Regulatory Modifications documentation lists the specific modifications and waivers on the project rather than stating those matters on the site plan or in this letter. At the beginning of Village Gardens Regulatory Modifications documentation is a key to which ordinances and design standards we are altering as part of the PUD process and the specific sections within each ordinance or standard that we have made proposed changes. We know this submittal will be new and different, but we look forward to the opportunity to continue working with your staff to move the Village Gardens project forward.

Village Gardens LLC will comprise both a mixed-center retail on the corner of 56th and Pine Lake Road (proposed B-3 underlying zoning) in addition to a residential neighborhood (proposed R-3 underlying zoning) comprising a variety of housing types from Rowhouses to Courtyard apartments to Single family Cottage homes up to Manor homes. Our dwelling unit and PM Trip Count numbers are listed on the Cover Sheet of the PUD Map Sheets.

Specific engineering or legal questions can be addressed to Tim Gergen, Olsson & Associates (474-6311) and Kent Seacrest (435-6000) respectively. Otherwise, please contact myself if you

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CITY OF LANCASTER, IOWA
ENGINEERING DEPARTMENT



VILLAGE GARDENS
THE ART OF *Traditional Living*

have any questions or require additional information. We look forward to working with all of you on the Village Gardens PUD.

Sincerely,



Carrie Campbell
Village Gardens Director of Development

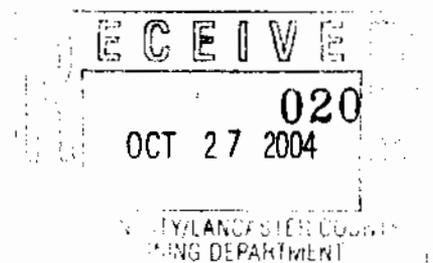
Encls

cc with Site Plan:

Mayor Coleen Seng
Jon Camp
Scott Wieskamp, Lincoln Public Schools
Tom White and John Brager, Ridge Development Company
John and Tom Schleich, Southview Inc.
Bob Lewis, Hampton Development Services

cc with encls:

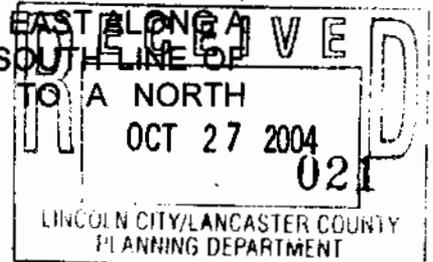
Kent Seacrest, Seacrest & Kalkowski, P.C.
Tim Gergen, Olsson Associates



PUD LEGAL DESCRIPTION

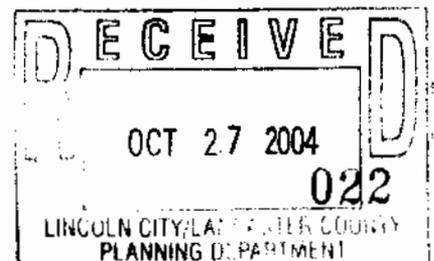
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CORNER OF SAID LOT 34 I.T., THENCE SOUTH 00 DEGREES 01 MINUTES 58 SECONDS WEST ALONG A EAST LINE OF SAID LOT 34 I.T., SAID LINE BEING A WEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 5.00 FEET TO A NORTH CORNER OF SAID LOT 34 I.T., THENCE SOUTH 89 DEGREES 58 MINUTES 02 SECONDS EAST ALONG A NORTH LINE OF SAID LOT 34 I.T., SAID LINE BEING A SOUTH LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 1,538.62 FEET TO THE NORTHEAST CORNER OF SAID LOT 34 I.T., SAID POINT BEING ON THE EAST LINE OF SAID NORTHWEST QUARTER, THENCE SOUTH 00 DEGREES 16 MINUTES 19 SECONDS WEST ALONG THE EAST LINE OF SAID LOT 34 I.T., SAID LINE BEING THE EAST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 1,269.14 FEET TO THE SOUTHEAST CORNER OF SAID LOT 34 I.T., THENCE NORTH 89 DEGREES 57 MINUTES 40 SECONDS WEST ALONG A SOUTH LINE OF SAID LOT 34 I.T., A DISTANCE OF 2,584.05 FEET TO THE SOUTHWEST CORNER OF SAID LOT 34 I.T., THENCE NORTH 00 DEGREES 04 MINUTES 00 SECONDS EAST ALONG A WEST LINE OF SAID LOT 34 I.T., SAID LINE BEING THE EAST LINE OF SOUTH 56TH STREET RIGHT-OF-WAY, A DISTANCE OF 643.00 FEET TO A WEST CORNER OF SAID LOT 34 I.T., THENCE SOUTH 89 DEGREES 56 MINUTES 00 SECONDS EAST ALONG A NORTH LINE OF SAID LOT 34 I.T., SAID LINE BEING A SOUTH LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 10.00 FEET TO A WEST CORNER OF SAID LOT 34 I.T., THENCE NORTH 00 DEGREES 04 MINUTES 00 SECONDS EAST ALONG A WEST LINE OF SAID LOT 34 I.T., SAID LINE BEING A EAST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 55.00 FEET TO A WEST CORNER OF SAID LOT 34 I.T., THENCE NORTH 89 DEGREES 56 MINUTES 00 SECONDS WEST ALONG A SOUTH LINE OF SAID LOT 34 I.T., SAID LINE BEING A NORTH LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 10.00 FEET TO A WEST CORNER OF SAID LOT 34 I.T., THENCE NORTH 00 DEGREES 04 MINUTES 00 SECONDS EAST ALONG A WEST LINE OF SAID LOT 34 I.T., SAID LINE BEING A EAST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 548.31 FEET TO THE POINT OF BEGINNING, SAID TRACT CONTAINS A CALCULATED AREA OF 3,279,091.77 SQUARE FEET OR 75.27 ACRES, MORE OR LESS.

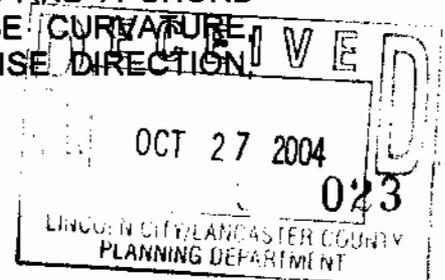
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RESIDENTIAL(Underlying R-3) LEGAL DESCRIPTION

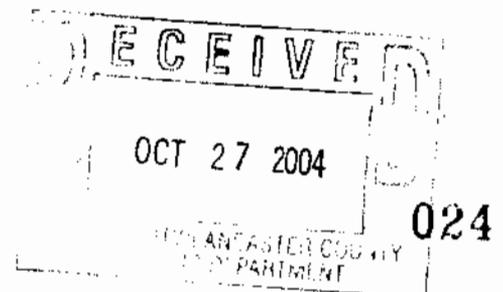
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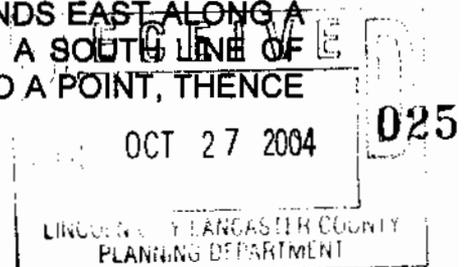
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COMMERCIAL (underlying B-3) LEGAL DESCRIPTION

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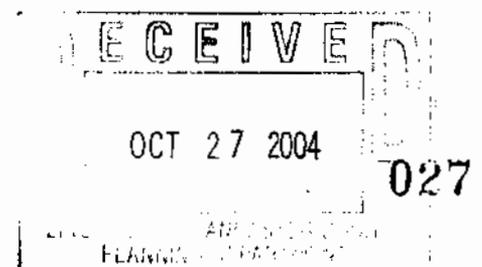
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OCT 27 2004
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LINCOLN CITY/LAN...
PLANNING DEPARTMENT

THENCE NORTH 89 DEGREES 56 MINUTES 00 SECONDS WEST ALONG A SOUTH LINE OF SAID LOT 34 I.T., SAID LINE BEING A NORTH LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 10.00 FEET TO A WEST CORNER OF SAID LOT 34 I.T., THENCE NORTH 00 DEGREES 04 MINUTES 00 SECONDS EAST ALONG A WEST LINE OF SAID LOT 34 I.T., SAID LINE BEING A EAST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 548.31 FEET TO THE POINT OF BEGINNING, SAID TRACT CONTAINS A CALCULATED AREA OF 1,089,142.67 SQUARE FEET OR 25.00 ACRES, MORE OR LESS.

October 11, 2004

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Village Gardens – Phase I Only
Estimated Developer Contribution
Using January 1, 2005 Impact Fee Schedule
 (schedule includes recent inflation adjustment)

Calculated December 15, 2004

I:\village\p\VillageGardensContribution.123

	Dwelling Units	Number of Meters	Water Meter Size	Total Contribution				
				Water System	Water Distribution	Waste-water	Arterial Street	Park & Trail
Single Family Detached	100	100	3/4"	\$51,000.00	\$31,700.00	\$40,900.00	\$187,600.00	\$32,600.00
Single Family Detached	50	50	1"	\$42,500.00	\$26,400.00	\$34,100.00	\$93,800.00	\$16,300.00
Single Family Attached	49	49	3/4"	\$24,990.00	\$15,533.00	\$20,041.00	\$48,559.00	\$13,426.00
Multi-Family (50) & Accessory Units (50)	100	100	3/4"	\$51,000.00	\$31,700.00	\$40,900.00	\$114,200.00	\$19,300.00
Dwelling Unit Subtotal	299							
	Floor Area							
Office, General	35,000	1	1 1/2"	\$1,701.00	\$1,056.00	\$1,363.00	\$96,425.00	n/a
Office, Medical	25,000	1	1 1/2"	\$1,701.00	\$1,056.00	\$1,363.00	\$131,550.00	n/a
Retail (Shopping Ctr 100,000- 249,000)	95,000	3	1 1/2"	\$5,103.00	\$3,185.00	\$4,089.00	\$235,980.00	n/a
Restaurant, Sit Down	10,000	2	1 1/2"	\$3,402.00	\$2,110.00	\$2,726.00	\$30,750.00	n/a
Restaurant, Fast Food	13,000	2	1 1/2"	\$3,402.00	\$2,110.00	\$2,726.00	\$42,250.00	n/a
Drive In Bank	7,000	1	1"	\$850.00	\$528.00	\$682.00	\$37,233.00	n/a
Floor Area Subtotal (not incl. garden ctr)	185,000							
Grand Total Contribution = \$1,549,868				\$185,649.00	\$115,356.00	\$148,890.00	\$1,018,347.00	\$81,626.00

ARTERIAL STREET BY LAND USE CATEGORY

Beginning January 1, 2005

Land Use Type	Unit of Measure	Fee Per Unit
Residential		
Single-Family Detached	Dwelling	\$1,876.00
Single-Family Attached /Duplex	Dwelling	\$991.00
Multi-Family	Dwelling	\$1,142.00
Multi-Family Elderly/ Retirement	Dwelling	\$287.00
Mobile Home	Pad Site	\$1,031.00
Retail/Commercial		
Shopping Ctr (<100,000 sf)	1000 sq. ft.	\$2,755.00
Shopping Ctr (100,000-299,999 sf)	1000 sq. ft.	\$2,484.00
Shopping Ctr (300,000-499,999 sf)	1000 sq. ft.	\$2,396.00
Shopping Ctr (500,000-999,999 sf)	1000 sq. ft.	\$2,204.00
Shopping Ctr (1 million sf+)	1000 sq. ft.	\$2,133.00
Bank	1000 sq. ft.	\$5,319.00
Convenience Store with Gasoline Sales	1000 sq. ft.	\$3,482.00
Movie Theater	1000 sq. ft.	\$2,052.00
Restaurant, Fast Food	1000 sq. ft.	\$3,250.00
Restaurant, Sit-Down	1000 sq. ft.	\$3,075.00
Hotel/Motel	Room	\$671.00
Office/Institutional		
Office, General	1000 sq. ft.	\$2,755.00
Office, Medical	1000 sq. ft.	\$5,262.00
Hospital	1000 sq. ft.	\$1,326.00
Nursing Home	1000 sq. ft.	\$519.00
Church	1000 sq. ft.	\$814.00
Day Care Center	1000 sq. ft.	\$3,418.00
Elementary/Secondary School	1000 sq. ft.	\$303.00
Industrial		
Light Industrial/ Industrial Park	1000 sq. ft.	\$1,694.00
Manufacturing	1000 sq. ft.	\$1,357.00
Warehouse	1000 sq. ft.	\$958.00
Mini-Warehouse	1000 sq. ft.	\$280.00
Recreational		
Amusement Park	Acre	\$4,272.64
Bowling Alley	1000 sq. ft.	\$3,817.00
Golf Course	Hole	\$2,955.00
Golf Driving Range	Tee	\$1,357.48
Health Club	1000 sq. ft.	\$2,316.00
Miniature Golf Course	Hole	\$367.70

Note: Fee per SFE is rounded in table for purposes of display.

WATER SYSTEM FEE PER METER

Beginning January 1, 2005

Meter Size	SFEs/ Meter	Fee Per SFE	Fee Per Meter Size
3/4"	1.00	\$510	\$510.00
1"	1.67	\$510	\$850.00
1-1/2"	3.33	\$510	\$1,701.00
2"	5.33	\$510	\$2,722.00
3"	10.67	\$510	\$5,443.00
4"	16.67	\$510	\$8,505.00
6"	33.33	\$510	\$17,010.00
8"	53.33	\$510	\$27,215.00
10"	76.67	\$510	\$39,122.00

WATER DISTRIBUTION FEE PER METER

Beginning January 1, 2005

Meter Size	SFEs/ Meter	Fee Per SFE	Fee Per Meter Size
3/4"	1.00	\$317	\$317.00
1"	1.67	\$317	\$528.00
1-1/2"	3.33	\$317	\$1,055.00
2"	5.33	\$317	\$1,689.00
3"	10.67	\$317	\$3,377.00
4"	16.67	\$317	\$5,277.00
6"	33.33	\$317	\$10,554.00
8"	53.33	\$317	\$16,888.00
10"	76.67	\$317	\$24,274.00

WASTEWATER FEE PER METER

Beginning January 1, 2005

Meter Size	SFEs/ Meter	Fee Per SFE	Fee Per Meter Size
3/4"	1.00	\$409	\$409.00
1"	1.67	\$409	\$682.00
1-1/2"	3.33	\$409	\$1,363.00
2"	5.33	\$409	\$2,181.00
3"	10.67	\$409	\$4,362.00
4"	16.67	\$409	\$6,816.00
6"	33.33	\$409	\$13,632.00
8"	53.33	\$409	\$21,811.00
10"	76.67	\$409	\$31,353.00

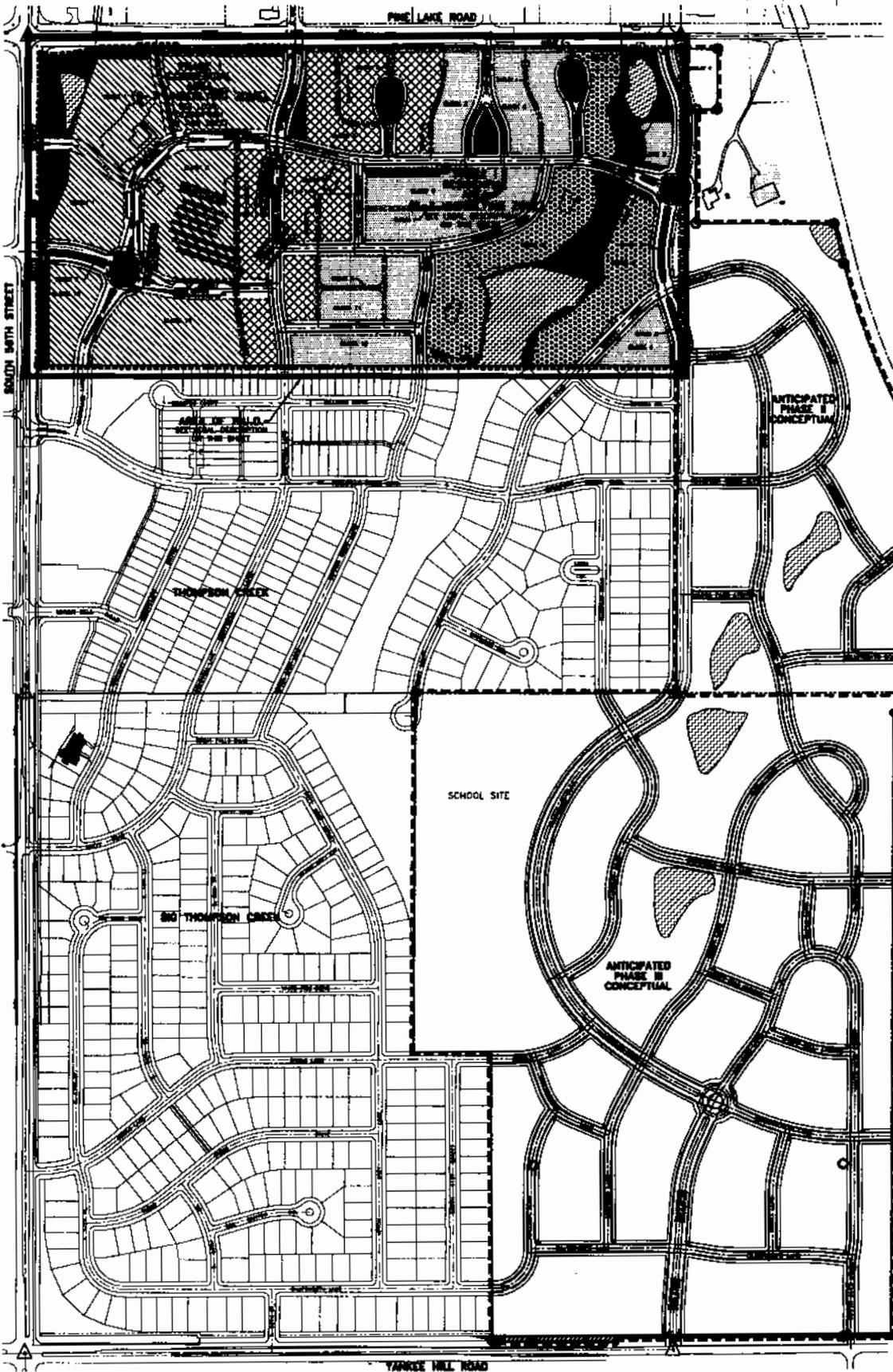
NEIGHBORHOOD PARK & TRAIL FEE PER UNIT

Beginning January 1, 2005

	Fee Per Unit
Single Family Detached	\$326.00
Single Family Attached	\$274.00
Duplex	\$242.00
Multi-Family	\$193.00
Mobile Home (per pad site)	\$277.00

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OUTLOT	COMMON ACCESS	REAR UTILITY EASEMENT	GREEN SPACE	DRAINAGE EASEMENT
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DEVELOP VILLAGE OR 7000 SOUTH LINCOLN, IN PHASE 1 (40)

I HERE MAKE PLACES

SEC

I HERE BY OR UNDER RECORD

SEC

THE FOR COUNTY

SCALE: 1"=200'

USAGE LEGEND

- VILLAGE CENTER
- NEIGHBORHOOD CENTER
- NEIGHBORHOOD GENERAL
- NEIGHBORHOOD EDGE
- OPEN SPACE
- PROPOSED WET DETENTION AREA

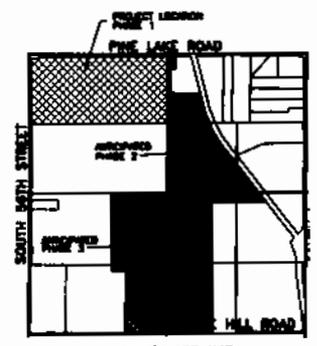
WILSON PROPERTY

PHASE I	FUTURE PHASES	TOTAL
128 PRIMARY D.U.'S	536 PRIMARY D.U.'S	778 PRIMARY D.U.'S
142 SECONDARY D.U.'S	258 SECONDARY D.U.'S	448 SECONDARY D.U.'S

VILLAGE GARDENS RECEIVED THE RIGHT TO TRANSFER DWELLING UNITS BETWEEN PRIMARY DWELLING UNITS AND SECONDARY DWELLING UNITS AND BETWEEN THE PHASES OF THE P.L.D.'S AS LONG AS THE TOTAL NUMBER OF DWELLING UNITS IS NOT EXCEEDED.

PHASE I	FUTURE PHASES	TOTAL
1.000 FT ² PEAK TRAFFIC/NO COMMERCIAL AREA/1.000 FT ² PEAK TRAFFIC		

THE PEAK TRAFFIC NUMBER REFLECTS A 20% TRAFFIC/NO COMMERCIAL DEVELOPMENT REDUCTION FACTOR APPLIED TO ALL USES, EXCEPT OFFICE AND RESIDENTIAL, IN THE COMMERCIAL AREA.



VICINITY/PHASE MAP
NOT TO SCALE

ESTIMATED PHASE SCHEDULE

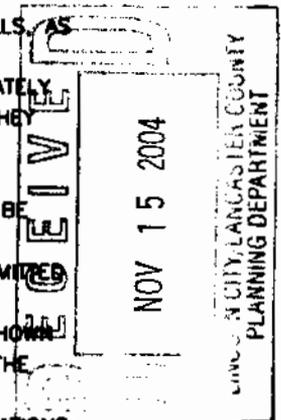
PHASE I - 2004-2006

PHASE II - 2005-2008

PHASE III - 2006-2008

GENERAL SITE NOTES

1. SANITARY SEWER AND WATER LINES TO BE 8" PIPE AND 6" PIPE RESPECTIVELY AND TO BE BUILT TO CITY OF LINCOLN SPECIFICATIONS, UNLESS OTHERWISE SHOWN.
2. ALL SANITARY SEWERS & WATER MAINS TO BE PUBLIC.
3. ALL DIMENSIONS ALONG CURVES ARE CHORD DISTANCES.
4. ALL PAVING RADII TO BE 20' UNLESS OTHERWISE NOTED.
5. ALL INTERSECTION ANGLES SHALL BE 90° ±10° UNLESS OTHERWISE NOTED.
6. DIRECT VEHICULAR ACCESS TO SOUTH 56th STREET & PINE LAKE ROAD IS RELINQUISHED EXCEPT AS SHOWN.
7. ALL ELEVATIONS ARE BASED ON NAVD 1988.
8. SIDEWALKS TO BE BUILT ALONG BOTH SIDES OF STREETS.
9. ALL SIDEWALKS SHALL BE 5' WIDE MINIMUM AND ALL SIDEWALK EASEMENTS SHALL BE 11' WIDE. (UNLESS OTHERWISE NOTED)
10. ORNAMENTAL LIGHTING ALONG ALL PUBLIC STREETS SHALL BE IN ACCORDANCE WITH L.E.S. REGULATIONS.
11. THE DEVELOPER AGREES TO COMPLY WITH THE DESIGN STANDARDS OF THE CITY OF LINCOLN FOR EROSION CONTROL AND SEDIMENTATION DURING AND AFTER LAND PREPARATION AND FURTHER TO SUBMIT A SEEDING AND MAINTENANCE SCHEDULE BEFORE SITE GRADING IS COMPLETE.
12. THE DEVELOPER AGREES TO COMPLY WITH PROVISIONS OF THE LAND SUBDIVISION ORDINANCE REGARDING LAND PREPARATION.
13. CENTER ISLANDS IN CLOSE'S AND BOULEVARDS SHALL BE LANDSCAPED.
14. LANDSCAPE SCREENING ALONG PINE LAKE ROAD IN THE RESIDENTIAL AREA SHALL BE PROVIDED.
15. A HOMEOWNER ASSOCIATION SHALL BE ESTABLISHED TO MAINTAIN ALL OPEN SPACE AREAS INCLUDING THE BOULEVARDS, CLOSES AND ROUNDABOUTS WITHIN THE PUBLIC STREETS.
16. LOTS MAY BE CREATED WITHOUT FRONTAGE TO A PUBLIC STREET IF THEY HAVE ACCESS TO A PUBLIC EASEMENT.
17. THE SEPTIC SYSTEMS WILL BE ABANDONED TO THE SATISFACTION OF THE HEALTH DEPARTMENT.
18. OUTLOT AND BLOCK DIMENSIONS SHOWN ARE APPROXIMATE AND MAY VARY.
19. THE PROPOSED P.U.D. IS CURRENTLY ZONED AG. A CHANGE OF ZONE TO R-3/B-3 P.U.D. HAS BEEN SUBMITTED.
20. ALL STREET DIMENSIONS ARE TO BACK OF CURB.
21. EXISTING AND PROPOSED EASEMENTS TO BE TIED DOWN AT TIME OF FINAL PLATTING.
22. EXACT LOCATIONS OF WATER, SEWER, DRAINAGE AND PAVING WILL BE SUBMITTED WITH INDIVIDUAL SITE PLANS AT TIME OF BUILDING PERMIT IN ACCORDANCE WITH CITY OF LINCOLN DESIGN STANDARDS.
23. THE YARD SETBACKS REGULATES STRUCTURAL WALLS ONLY AND DOES NOT RESTRICT OVERHANGS, PATIOS, DOOR SWINGS, WINDOW SWINGS, ETC. FROM ENCROACHING INTO THE SETBACKS.
24. ALL DISABLED PARKING STALLS SHALL BE IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT. (FEDERAL REGISTER/VOL. 58, NO. 144/RULES AND REGULATIONS).
25. A COMMON ACCESS EASEMENT WILL BE PROVIDED OVER ALL DRIVES AND PARKING STALLS AS SUCH DRIVES AND PARKING STALLS MAY EXIST IN THE COMMERCIAL AREAS.
26. DETAILS OF ALL SIGNS, INCLUDING TYPE, HEIGHT AND SIZE, WILL BE SUBMITTED SEPARATELY FOR REVIEW WITH THE BUILDING PERMIT AND NEED NOT BE SHOWN ON THE PLAN. THEY WILL BE DESIGNED IN ACCORDANCE WITH THE VILLAGE GARDENS AND CITY OF LINCOLN STANDARDS.
27. FINAL SITE LAYOUT AND INDIVIDUAL LANDSCAPE PLANS FOR COMMERCIAL BUILDINGS TO BE SUBMITTED AT TIME OF BUILDING PERMIT.
28. THE SALE OF ALCOHOLIC BEVERAGES FOR CONSUMPTION ON OR OFF PREMISES IS PERMITTED IN THE VILLAGE CENTER AND NEIGHBORHOOD CENTERS.
29. FENCES, DUMPSTERS, DECORATIVE STRUCTURES AND ACCESSORY BUILDINGS ARE NOT SHOWN ON THE PLANS IF THEY ARE 1000 SQUARE FEET OR SMALLER AND ARE OUTSIDE OF THE SIGHT TRIANGLES AND SETBACKS AND ARE IN CONFORMANCE WITH ALL APPLICABLE ORDINANCES AND CODES AS AMENDED BY THE VILLAGE GARDENS REGULATORY MODIFICATIONS.
30. COMMERCIAL USES WILL BE GRANTED ACCESS TO THE ALLEY BETWEEN THE COMMERCIAL AND RESIDENTIAL AREA.
31. EXISTING AND FUTURE USES OF BUILDINGS, RESIDENCES, PARKING, SIGNS AND ACCESSORY USES WILL COMPLY WITH VILLAGE GARDENS P.U.D. DEVELOPMENT PLAN.
32. L.O.M.R. WILL BE SOUGHT FOR LOTS IN MAPPED FLOODPLAIN.
33. ALL IMPACTED WETLANDS WILL BE MITIGATED ON SITE.

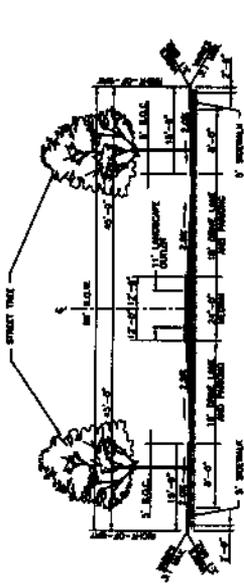


LINCOLN CITY/LANCASTER COUNTY
PLANNED UNIT DEVELOPMENT

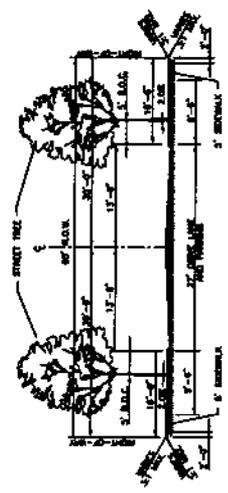
NOV 15 2004

VILLAGES GARDENS

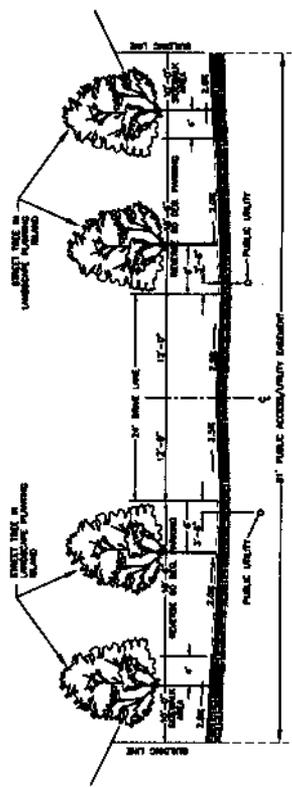
PLANNED UNIT DEVELOPMENT
SITE PLAN



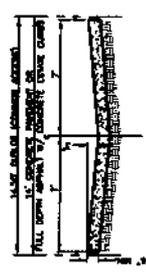
TYPICAL BLANCHARD BOULEVARD RESIDENTIAL CROSS-SECTION
N.T.S.



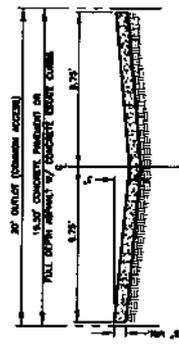
TYPICAL RESIDENTIAL STREET CROSS-SECTION
N.T.S.



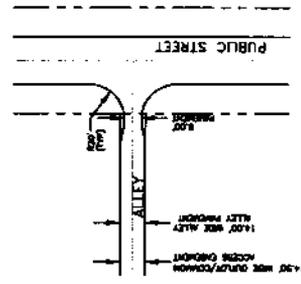
TYPICAL COMMERCIAL PRIVATE STREET CROSS-SECTION
N.T.S.



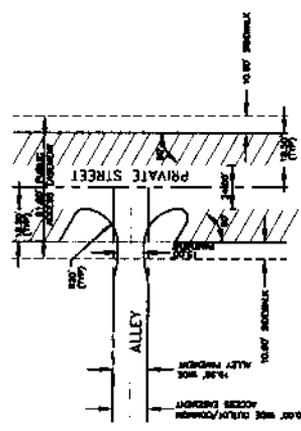
TYPICAL RESIDENTIAL ALLEY PAVEMENT SECTION
N.T.S.



TYPICAL COMMERCIAL ALLEY PAVEMENT SECTION
N.T.S.



TYPICAL RESIDENTIAL ALLEY INTERSECTION DETAIL
N.T.S.

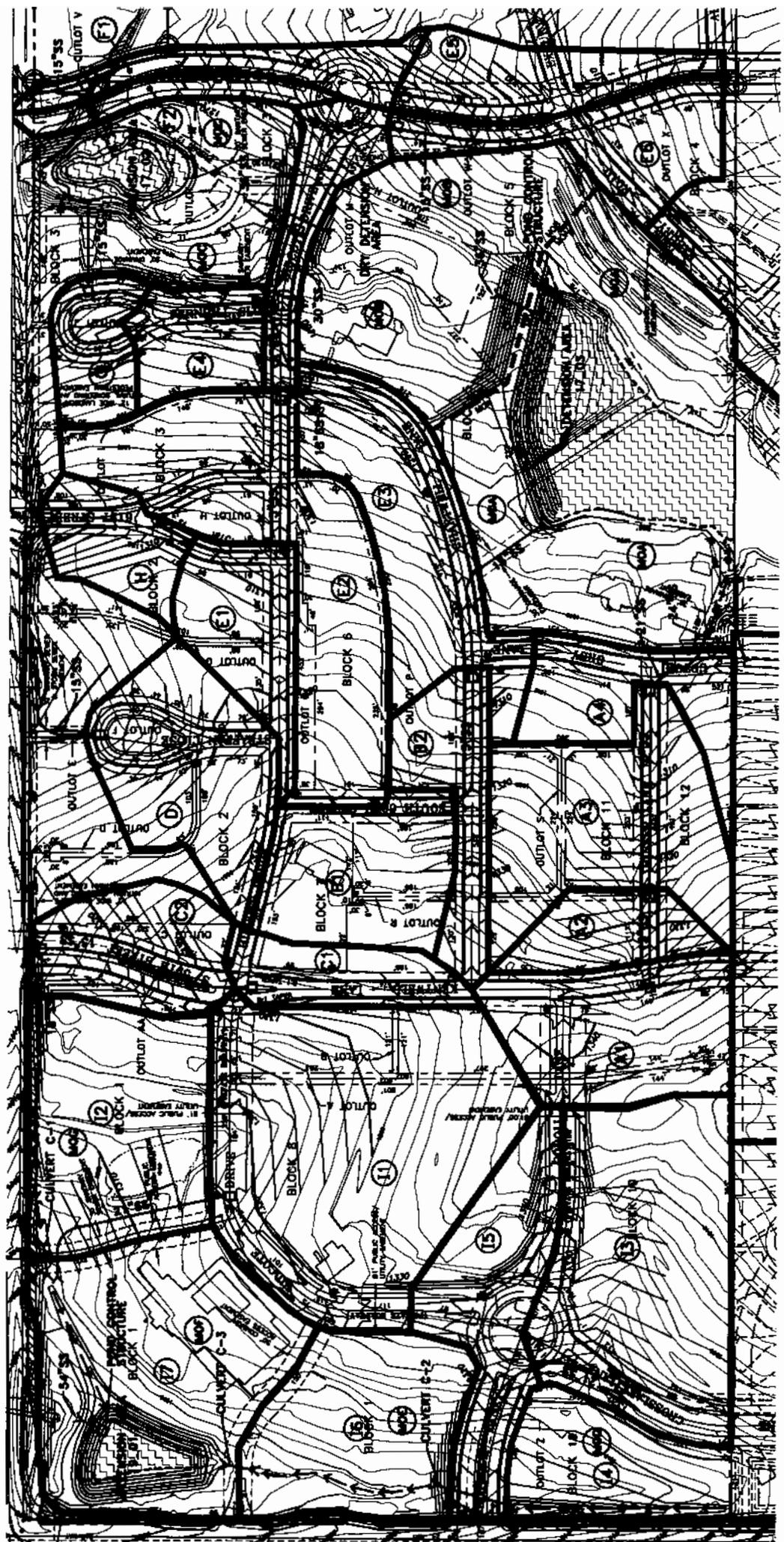


CONCEPTUAL REVERSE 60° COMMERCIAL PAVEMENT DETAIL
& ALLEY INTERSECTION DETAIL
N.T.S.

CENTERLINE CURVE DATA

(A) Δ=2117.50° R=450.00' T=81.20' L=189.31' LC=166.31'	(B) Δ=2017.75° R=450.00' T=81.20' L=189.31' LC=166.31'	(C) Δ=1914.72° R=450.00' T=81.20' L=189.31' LC=166.31'	(D) Δ=1818.01° R=450.00' T=81.20' L=189.31' LC=166.31'	(E) Δ=4458.29° R=150.00' T=82.00' L=117.48' LC=114.74'	(F) Δ=2118.01° R=450.00' T=81.20' L=189.31' LC=166.31'	(G) Δ=2118.01° R=450.00' T=81.20' L=189.31' LC=166.31'	(H) Δ=1914.72° R=450.00' T=81.20' L=189.31' LC=166.31'	(I) Δ=1818.01° R=450.00' T=81.20' L=189.31' LC=166.31'	(J) Δ=2118.01° R=450.00' T=81.20' L=189.31' LC=166.31'	(K) Δ=2118.01° R=450.00' T=81.20' L=189.31' LC=166.31'	(L) Δ=2118.01° R=450.00' T=81.20' L=189.31' LC=166.31'	(M) Δ=2118.01° R=450.00' T=81.20' L=189.31' LC=166.31'	(N) Δ=2118.01° R=450.00' T=81.20' L=189.31' LC=166.31'	(O) Δ=2118.01° R=450.00' T=81.20' L=189.31' LC=166.31'	(P) Δ=2118.01° R=450.00' T=81.20' L=189.31' LC=166.31'	(Q) Δ=2118.01° R=450.00' T=81.20' L=189.31' LC=166.31'	(R) Δ=2118.01° R=450.00' T=81.20' L=189.31' LC=166.31'	(S) Δ=2118.01° R=450.00' T=81.20' L=189.31' LC=166.31'	(T) Δ=2118.01° R=450.00' T=81.20' L=189.31' LC=166.31'	(U) Δ=2118.01° R=450.00' T=81.20' L=189.31' LC=166.31'	(V) Δ=2118.01° R=450.00' T=81.20' L=189.31' LC=166.31'	(W) Δ=2118.01° R=450.00' T=81.20' L=189.31' LC=166.31'	(X) Δ=2118.01° R=450.00' T=81.20' L=189.31' LC=166.31'	(Y) Δ=2118.01° R=450.00' T=81.20' L=189.31' LC=166.31'	(Z) Δ=2118.01° R=450.00' T=81.20' L=189.31' LC=166.31'
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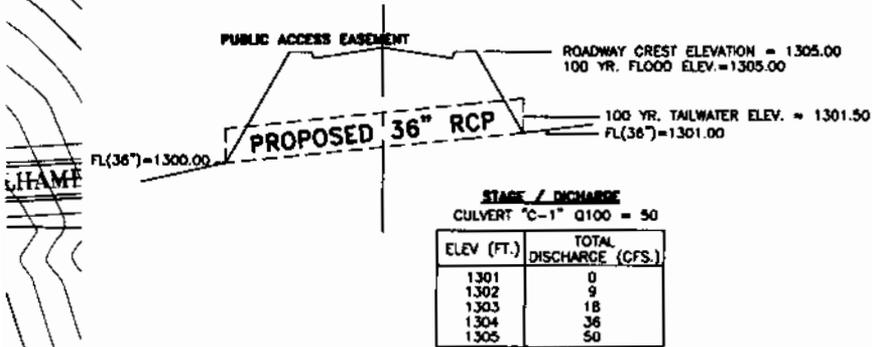
NOV 15 2004
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PLANNING DEPARTMENT



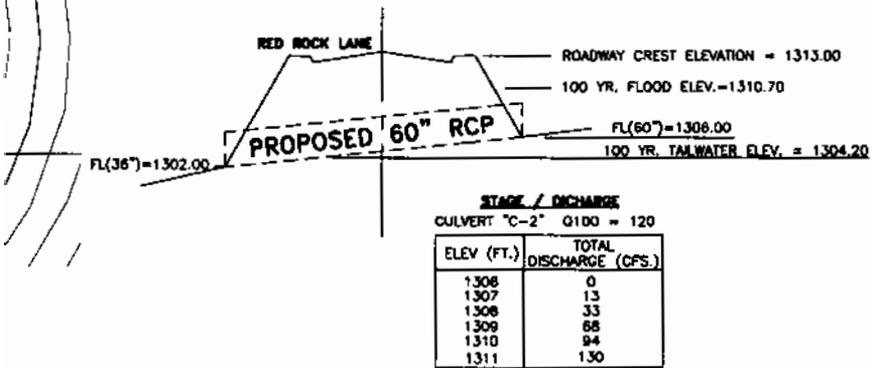
MINIMUM LOT OPENING ELEVATIONS

AREA	MIN. OPENING ELEVATION
(MOA)	1290.50
(MOB)	1275.50
(MOC)	1289.00
(MOD)	1313.00
(MOE)	1302.00
(MOF)	1302.00
(MOG)	1305.00

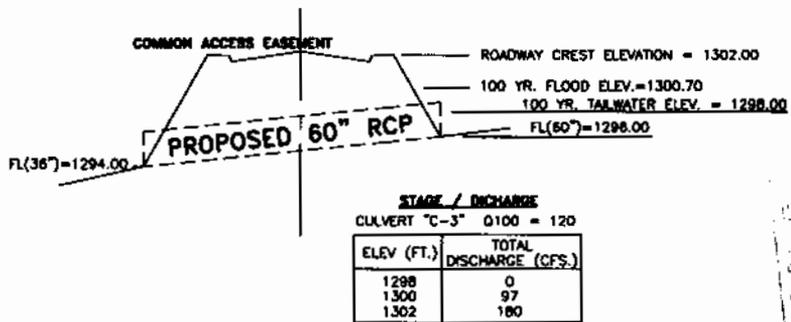
CULVERT "C-1" DESIGN DATA



CULVERT "C-2" DESIGN DATA



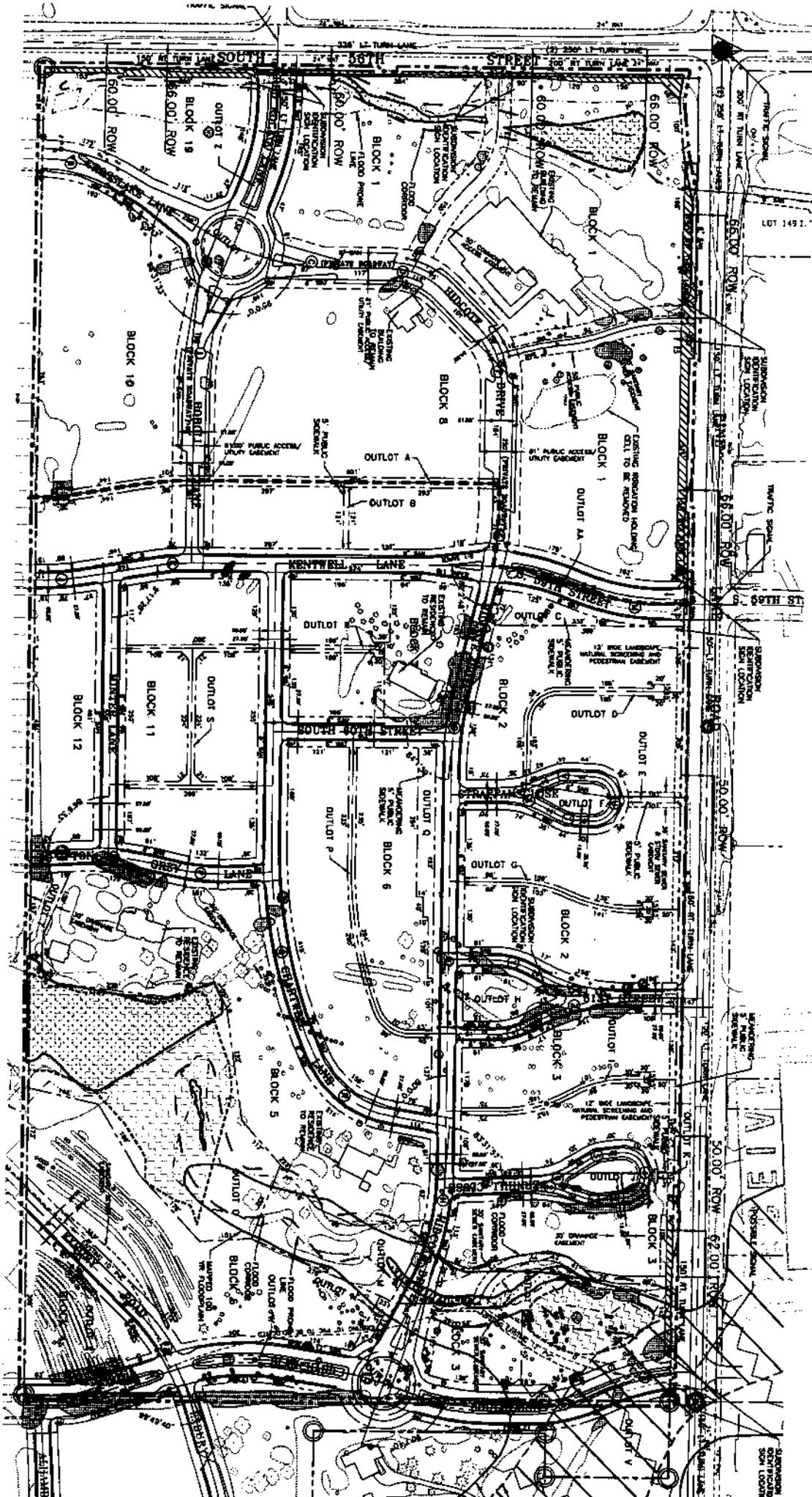
CULVERT "C-3" DESIGN DATA



NOTE: DETENTION REQUIREMENTS FOR AREAS 17_03, 17_02 & 19_01 REFER TO THE HYDROLOGY AND HYDRAULIC STUDY PREPARED BY OLSSON ASSOCIATES DATED OCTOBER 27, 2004

RECEIVED
 NOV 15 2004
 WASHINGTON COUNTY
 PLANNING DEPARTMENT

035



NOV 15 2004
 LINCOLN CITY LANGCASTER COUNTY
 PLANNING DEPARTMENT

M e m o r a n d u m

To: Becky Horner, Planning Department
From: Chad Blahak, Public Works and Utilities
Subject: Village Gardens PUD
Date: December 29, 2004
cc: Randy Hoskins

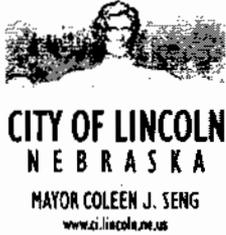
Engineering Services has reviewed the Village Gardens PUD, located on the southeast corner of 56th and Pine Lake Road, and has the following comments:

- **Sanitary Sewer** - The following comments need to be addressed.
 - (1.1) Public Works approves the requested waivers of design standards for sanitary sewer depth and to construct sanitary sewer opposite street grade in Upton Grey Lane in order to sewer the existing residence to the east.
 - (1.2) A sanitary sewer outlet offsite to the north of this PUD is needed to serve the northwest corner of the plat. Provisions will need to be made to construct this sewer outside of the plat prior to the approval of any final plat that would require the sewer. The alignment outside of this plat shown is schematic only and is not approved with this review.
- **Water Mains** - The water system is satisfactory.
- **Grading/Drainage** - The following comments need to be addressed.
 - (3.1) The comments from Watershed Management need to be addressed to the satisfaction of Watershed Management.
 - (3.2) The necessary grading for the bike trail near the Blanchard Boulevard and Pine Lake Road intersection needs to be shown on the grading plan.
- **Streets** - The following comments need to be addressed.
 - (4.1) Public Works approves a waiver of design standards for cul-de-sac geometry as shown on the site plan.
 - (4.2) Per previous negotiations, Public Works has approved numerous access locations along Pine Lake Road. Right turn lanes and the required additional right-of-way need to be shown at the commercial drive way approximately 500' east of 56th, and at the 59th Street, 61st Street, and Blanchard Boulevard intersections. A right turn lane and additional right-of-way must be shown at the commercial driveway located approximately 450' south of the 56th and Pine Lake Road intersection. The right turn lanes for the commercial drive on Pine Lake, 61st Street, and the commercial drive on 56th Street are the responsibility of this developer as

they do not fall on the quarter or half mile locations.

- (4.8) Given the potential timing difference between the construction of this project and the Pine Lake Road improvement project, information needs to be provided to the satisfaction of Public Works as to how the 59th Street connection to Pine Lake Road will be designed if this project is constructed prior to the Pine Lake improvements.
- (4.9) If streets within this preliminary plat are final platted taking access to Pine Lake Road and 56th Street and the improvements to Pine Lake Road and 56th Street are not completed, it may be necessary to construct temporary widening of the existing asphalt roadways to provide left and right turn lanes. These temporary improvements will be at the developer's expense. Due to street construction funding constraints, the timing of the 56th and Pine Lake Road improvements is uncertain. If at the time of final platting of the street intersections, the timing of construction is known, Public Works will determine if the temporary left and right turn lanes will be required in the interim between building the local street and the construction of the permanent pavement in the arterial street.
- (4.10) Public Works approves the requested waivers of design standards for intersection platforms and vertical curve K-values as shown in the plans with the exception of the intersection of Hidcote Drive and 59th Street. Additional information is required as to how this intersection is to be constructed given the widened cross-section of 59th Street.
- (4.11) The site plan currently shows two public access easements as options for providing Lot 53 IT access to Blanchard Boulevard. The easements are satisfactory to Public Works provided that the time the area east of Blanchard is developed and a street configuration is set, the easements can be converted to right-of-way and no cost to the City or the property owner.
- (4.12) General note #36 needs to be revised to generally state that the easement, in lieu of public right-of-way, will allow any and all uses allowed in public right-of-way.
- (4.13) General note #35 is satisfactory for this PUD. However, it should be noted that additional right-of-way may be required if larger radii are used during final design of the roundabouts.

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



**PUBLIC WORKS AND
UTILITIES DEPARTMENT**

Memorandum

Date: 12/29/2004

To: *Becky Horner*

From: *Devin Biesecker*

Subject: *Village Gardens P.U.D.*

cc: *Nicole Fleck-Tooze, Ben Higgins, Chad Blahak
Ed Ubben, Paul Zillig (LPSNRD)*

Below are Watershed Management's comments based on the 5 sheet plan set and hydrologic study dated Dec 15th by the Planning Department.

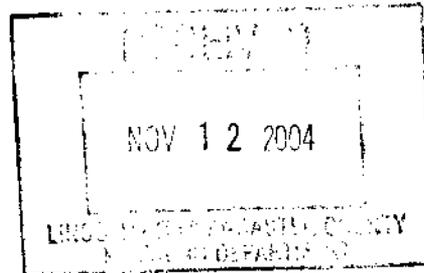
1. The hydrologic model contains detention areas that will not be constructed along with this P.U.D. approval. A separate model run with only the improvements contained on this P.U.D. should be submitted to verify that there is not a negative impact to flows downstream.
2. Limits of the 100 year storm must be shown along all open drainage channels and the detention areas (ref ordinance 26.15.020(b)(6))
3. The minimum opening elevations given for the area designated as "MOC" may need to be changed to lowest finished floor openings if any of these areas are in the existing 100 year FEMA mapped floodplain.

Note: Watershed Management is currently negotiating with the owner of the Village Gardens P.U.D. development for stormwater detention which exceeds the current City of Lincoln standards. The negotiations include areas outside this current P.U.D. that may come forward as additions to this development in the future. When completed the additional detention will reduce peak flows downstream in Beal Slough that will aid in meeting the target flow rates stated in the Beal Slough Watershed Master Plan.

INTER-DEPARTMENT COMMUNICATION



DATE: November 10, 2004
TO: Becky Horner, City Planning
FROM: Sharon Theobald
Ext 7640
SUBJECT: DEDICATED EASEMENTS
DN# 70S-56E



Attached is the P.U.D. for Village Gardens.

In reviewing the dedicated transmission line or other electrical easements shown on this plat, LES does not warrant, nor accept responsibility for the accuracy of any such dedicated easements.

ALLTEL, Time Warner Cable, and the Lincoln Electric System will require the additional easements marked in red on the map, along with blanket utility easements, excluding building envelopes on Blocks 1, 8, 10, and 19.

Sharon Theobald

ST/ss
Attachment
c: Terry Wiebke
Easement File



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 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 # **DRF04176**

Address

Job Description: **Development Review - Fire**

Location: **VILLAGE GARDENS**

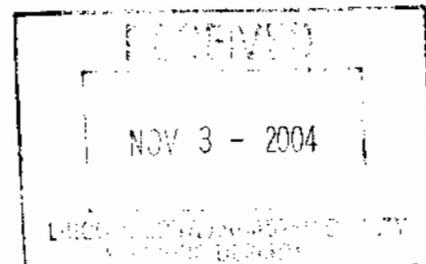
Special Permit:

Preliminary Plat:

Use Permit:

CUP/PUD:

Requested By **BECKY HORNER**



Status of Review: **Approved**

11/03/2004 12:22:35 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>

To: R Horner <RHomer@ci.lincoln.ne.us>
cc:
Subject: Village Gardens

11/01/2004 01:32 PM

Ms. Horner,

The Lincoln Police Department does not object to the Village Gardens Annex# 04011 and PUD/CZ# 04075.

Sergeant Michael Woolman
Lincoln Police Department

042

message to Becky Horner

Richard J Furasek
11/05/2004 03:01 PM

To: Rebecca D Homer/Notes@Notes
cc:
Subject: Village Gardens

Upon review of Annex # 04011 and PUD/CZ # 04075, we find it acceptable from the perspective of our department.

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



David R Cary

11/22/2004 02:23 PM

To: Rebecca D Horner/Notes@Notes
cc:
Subject: Village Gardens

Please find below my comments on the Village Gardens PUD submittal.

- Required right-of-way widths for both South 56th Street and Pine Lake Road must be determined as part of this submittal with specific input and direction from the Public Works and Utilities Department.
- The location and physical functionality of the planned trail facility that will cross Pine Lake Road and then Blanchard Boulevard must be determined as part of this submittal. Specific comments and coordination from both the Parks and Recreation Department and the Public Works and Utilities Department are needed regarding this matter.
- The applicant should be praised for planning for 5 foot sidewalks along all interior streets. It should be noted, however, that further extension of the pedestrian network into and out of individual pad-sites should be provided. Also, a provision for bike racks at office/commercial sites should be provided and located where appropriate.

David R. Cary, AICP
Transportation Planner
Lincoln/Lancaster County Planning Department
402.441.6364

044



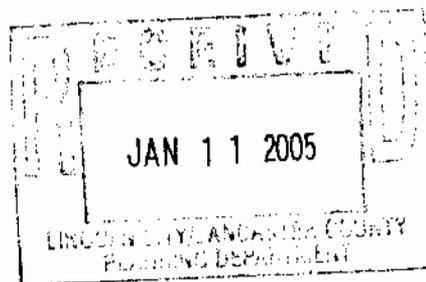
VILLAGE GARDENS

THE ART OF *Traditional Living*

Planned Unit Development District

DEVELOPMENT PLAN

January 11, 2005



INTRODUCTION

THE REGULATING PLAN

R-3 AND B-3 LAND USES

THE TRANSECT ZONE MATRICES

LOT & BUILDING STANDARDS

SIGNAGE & PARKING STANDARDS

REGULATORY MODIFICATIONS

PUD MAP SHEETS

GLOSSARY

INTRODUCTION

Village Gardens is designed to promote a balance of community and private life in an affordable, attractive and sustainable setting. Plan elements include a diversity of housing – from grand homesteads to small cottages and apartments – an active public realm in the Village Center and Neighborhood Centers, and a network of picturesque streets, trails and open space.

The Village Gardens Development Plan (“Development Plan”) codify the Village Garden’s principles and help assure a satisfactory level of quality in the implementation of a diverse, attractive and healthy community. The Development Plan regulates the design of streets, public spaces, landscape and buildings with sufficient flexibility to foster creativity and diversity—and will result in a place designed by many minds, hands and hearts. The Development Plan also helps build an understanding of the relationship between community space and private property.

This project is unique and different for the City of Lincoln developing area. Use limitations and other regulations of the underlying zoning district and other regulatory chapters of the Lincoln Municipal Code (“LMC”) shall apply, unless specially modified by this Development Plan.

The Village Gardens Development Plan is comprised of the following components: Introduction, the Regulating Plan, the R-3 and B-3 Land Uses, the Transect Zone Matrices, the Lot & Building Standards, the Regulatory Modifications, the PUD Map Sheets and Glossary. The Glossary is a definition of terms located at the end of this document for ease of use and understanding. These Development Plan components modify the use limitations and regulations of the LMC. The Development Plan is designed to regulate buildings on private properties to shape the public realm and help create quality streets, plazas, parks and other public spaces.

PUD Requirements, Construction and Amendments

The Village Gardens PUD is authorized and approved as planned unit development district pursuant to Chapter 27.60 of the Lincoln Municipal Code, as may be amended from time to time. A separate special permit or use permit is not necessary or required to permit any special permitted use or use permit use. This Village Gardens PUD will replace any required special permit or use permit under the LMC and any applicable ordinances, regulations, codes, and design standards.

After approval of the Village Gardens PUD, building permits, certificates of occupancy and final plats of the property will be issued or approved upon general compliance with the Development Plan as approved, or as amended. In circumstances where there are minor variations from the Development Plan, the Planning Director or his designee, shall review the proposal and determine if the proposal is in general conformance with the spirit and intent of the approved Village Gardens PUD.

After the City Council has approved the Village Gardens PUD, the Planning Director is authorized to approve amendments pursuant to 27.60.060 LMC.

The Transect Zoning Classification

The Transect is a planning categorization system that organizes the elements of the built environment on a scale from rural to urban. Developed by Andres Duany and his firm Duany–Plater-Zyberk Town Planners (DPZ), the Transect (which is inspired by a conservation biology tool for studying the changes and diversity in vegetation and habitat along a line drawn across ecosystems) provides a regulatory structure that utilizes zoning categories based on the concept of immersive environments. Here, all of the elements of the human environment work as self-sustaining, interdependent subsystems, each with distinct characteristics and behavior patterns.

The Transect has several zones, from the rural open space neighborhood edge, to the village center. The transition zone between the surrounding rural landscape and Village Gardens is called the Neighborhood Edge zone. The Neighborhood Edge zone consists of single-family homes on larger lots.

The Neighborhood General zone, the largest zone in most neighborhoods, is primarily residential, but is more urban in character. In comparison with the Neighborhood Edge zone, it includes higher density with a range of housing types from medium sized single-family houses to townhouses.

The Neighborhood Center zone is typically located around a neighborhood park and functions as the social center of a neighborhood. Limited retail, office and civic uses complement higher density residential uses.

The Village Center will be the development's commercial core. A mixed-use zone, it allows for a mix of commercial and high-density residential uses.

The Master Plan

The Master Plan is a visual reference map of Village Gardens that provides the conceptual and vision plan for the entire Village Gardens development. This provides information on street connectivity, future parks, and pathways for the development. See The Master Plan (Conceptual). Yet, like any visionary plan, it is subject to change as future phases of development are brought forth for approval.

The Regulating Plan

The Regulating Plan is a graphic reference map of Village Gardens and identifies the boundaries of the Village Gardens PUD district. In addition, the Regulating Plan illustrates the private areas and public rights-of-way to the Transect Zones and the Lot & Building Standards. The Regulating Plan provides specific information on each building and/or lot, and describes the relationship of each lot to the public realm (the streets, parks, pathways, etc.) and the surrounding environment.

The R-3 and B-3 Land Uses

The R-3 and B-3 Land Uses denote the specific uses that are appropriate to the R-3 and B-3 districts. The basis of this section is the City of Lincoln Municipal Code.

The Transect Zone Matrices

Land Use Types Matrix

The Land Uses Types Matrix describes the permitted uses within each Transect Zone, complementary to the goals of developing a diverse, attractive and healthy community. Separate uses may be combined or mixed on a single lot in two ways. The first is vertical combination, where two different uses, such as retail on the first floor and housing above, are combined in one building. The second type of use integration is horizontal, where two uses that may be attached by a common wall, or detached on a single lot. For example, a professional office might be located along the side of a house, or in a garage in the rear. The combination of allowed uses is presented in an easy to understand graphic matrix, with additional clarifying notes attached.

Lot & Building Types Matrix

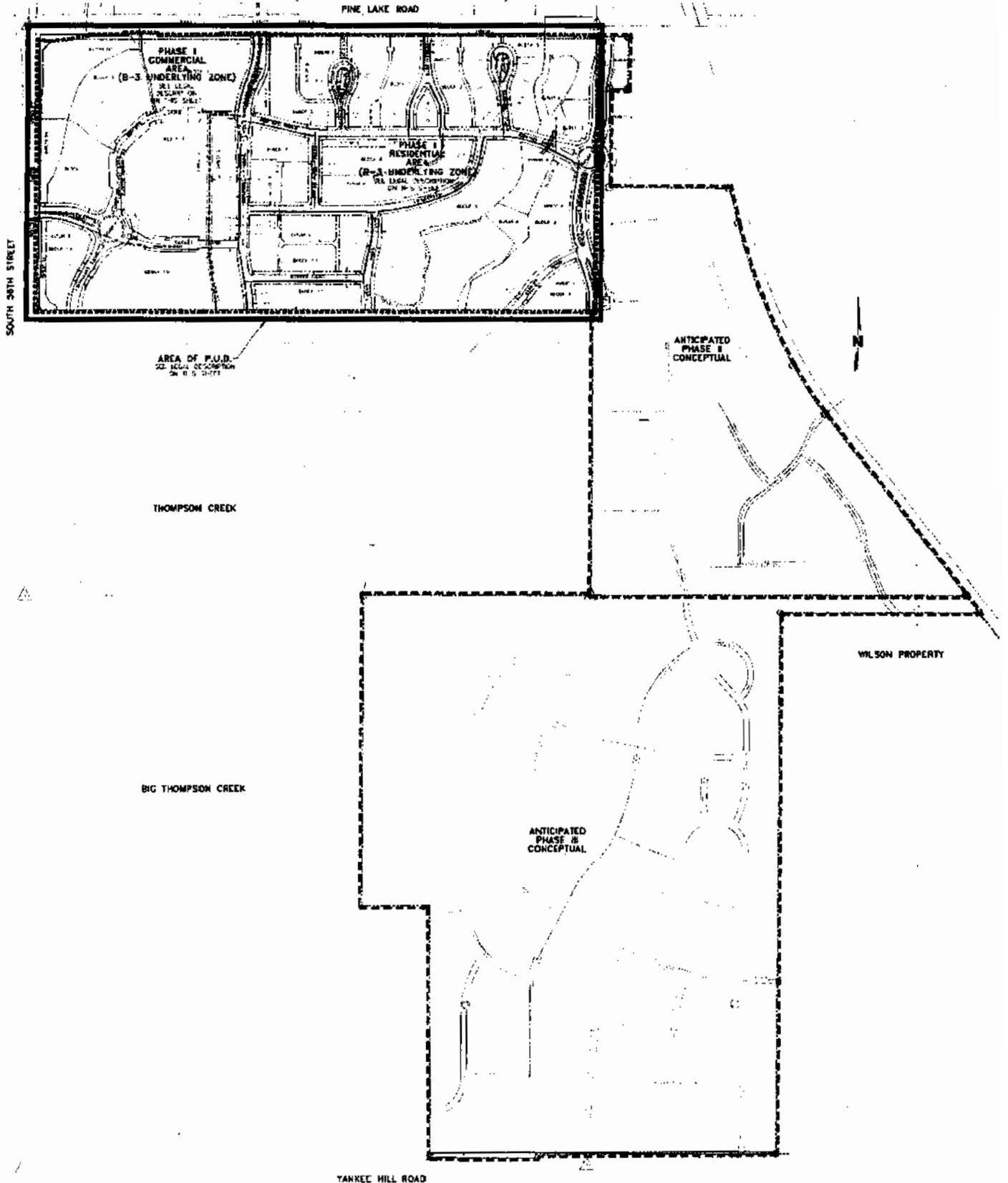
The Lot & Building Types Matrix describes the permitted Lot & Building Types within each Transect Zone. The matrix indicates which building types, described in the Lot & Building Standards below, are permitted outright or with certain conditions. The goal is to provide for a variety of buildings in each zone while fostering compatibility and an overall coherent development pattern.

The Lot & Building Standards

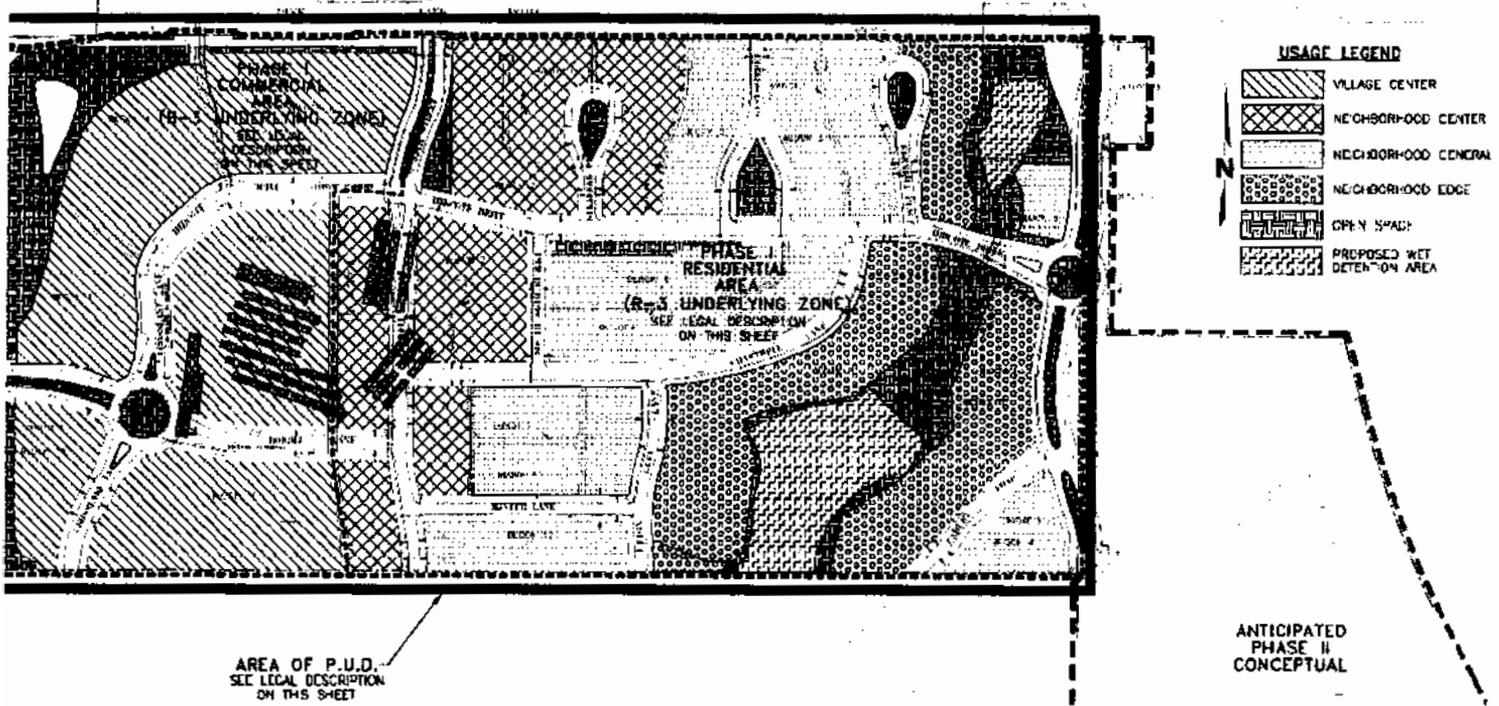
The Village Gardens Lot & Building Standards (“Building Standards”) establish basic site and building design features. Building types are based on the traditional models prevalent in the region. Each lot & building type describes the physical constraints on the placement and configuration of three-dimensional building forms and façade elements, such as porches and balconies, on the lot. The Building Standards include detached, Accessory Buildings such as garages, and describe spaces for vehicle parking.

Village Gardens Development Standards

THE MASTER PLAN (CONCEPTUAL)



THE REGULATING PLAN



R-3 AND B-3 LAND USES

R-3 Permitted Uses, Conditional Uses and Special Permitted Uses

Permitted Uses:

A building or premises shall be permitted to be used for the following purposes in the R-3 Residential District:

- (a) Single-family dwellings (See Land Use Types Matrix; See Lot & Building Matrix);
- (b) Two-family dwellings (See Land Use Types Matrix; See Lot & Building Matrix);
- (c) Parks, playgrounds, and community buildings owned or operated by a public agency;
- (d) Public libraries;
- (e) Public elementary and high schools, or private schools having a curriculum equivalent to a public elementary or public high school and having no facilities regularly used for housing or sleeping purposes;
- (f) Nursery Garden Centers and Green Houses (See Land Use Types Matrix);
- (g) Civic or Community (See Land Use Types Matrix--Prohibited in Neighborhood General and Neighborhood Edge);
- (h) Workshop (See Land Use Types Matrix);
- (i) Retail (See Land Use Types Matrix--Prohibited in Neighborhood General and Neighborhood Edge);
- (j) Office (See Land Use Types Matrix);
- (k) Live-Work Unit (See Land Use Types Matrix; See Lot & Building Matrix--Prohibited in Neighborhood General and Neighborhood Edge);
- (l) Lodging (See Land Use Types Matrix--Prohibited in Neighborhood General and Neighborhood Edge);
- (m) Residential (See Land Use Types Matrix; See Lot & Building Matrix);
- (n) Secondary Dwelling Unit (See Land Use Types Matrix; See Lot & Building Matrix).

Conditional Uses:

A building or premises may be used for the following purposes in the R-3 Residential District in conformance with the conditions prescribed herein:

(a) Churches:

- (1) Parking shall be in conformance with Chapter 27.67;
- (2) The required front and side yards shall be landscaped in conformance with the standards adopted by resolution of the City Council;
- (3) Required side and rear yards shall be fifteen feet or the same as the district, whichever is greater;
- (4) Buildings shall not cover more than ~~fifteen~~ ninety percent of the lot area.

b) Group homes:

- (1) Group homes shall comply with all sign, height and area regulations of the district, and all provisions of the minimum standard housing ordinance. Parking shall be regulated in conformance with the provisions of Chapter 27.67;
- (2) The distance between the proposed use and any existing group home measured from lot line to lot line is not less than one-half mile;
- (3) Such use shall be permitted only so long as the facility continues to be validly licensed by the State of Nebraska.

(c) Early childhood care facilities in churches:

- (1) The parking and loading/unloading area for such facilities shall comply with the provisions of Chapter 27.67 of the Lincoln Municipal Code and the design standards for early childhood care facilities;
- (2) Such facilities shall comply with all applicable state and local early childhood care requirements;
- (3) Such facilities shall comply with all applicable building and life safety code requirements;
- (4) Such facilities shall be fenced and have play areas that comply with the design standards for early childhood care facilities;
- (5) Such facilities must receive a conditional use permit from the Department of

Village Gardens Development Standards

Building and Safety.

(d) Domestic shelter:

- (1) Parking shall be in conformance with Chapter 27.67;
- (2) The maximum number of residents occupying such a facility shall not exceed one person per 2,000 square feet of lot area;
- (3) The distance between the proposed use of any existing domestic shelter measured from lot line to lot line shall not be less than one mile.

e) Early childhood care facilities with a maximum of fifteen children present at any time:

- (1) The parking and loading/unloading area for such facilities shall comply with the provisions of Chapter 27.67 of the Lincoln Municipal Code and the design standards for early childhood care facilities;
- (2) Such facilities shall comply with all applicable state and local early childhood care requirements;
- (3) Such facilities shall comply with all applicable building and life safety code requirements;
- (4) Such facilities shall be fenced and have play areas that comply with the design standards for early childhood care facilities;
- (5) Such facilities shall be used as the permanent residence of the licensed childcare provider;
- (6) Such facilities with thirteen or more children must receive a conditional use permit from the Department of Building and Safety;
- (7) Early childhood care facilities located in mobile homes shall have a severe weather emergency action plan approved by the Health Department.

Special Permitted Uses:

A building or premises may be used for the following purposes in the R-3 Residential District if a special permit for such use has been obtained in conformance with the requirements of Chapter 27.63:

~~(a) Community unit plans in conformance with the following requirements:~~

- ~~(1) The average lot area shall be at least 5,000 square feet;~~
- ~~(2) All the requirements of Chapter 27.65.~~
- (b) Private schools, other than those permitted above;
- (c) Health care facilities;
- (d) Dwellings for members of religious orders;
- (e) Mobile home courts;
- (f) Recreational facilities;
- (g) Church steeples, amateur radio antenna installations, towers, and ornamental spires which exceed the maximum district height;
- (h) Broadcast towers;
- (i) Extracting sand, gravel, and soil;
- (j) Certain parking lots as defined in Chapter 27.63;
- (k) Elderly or retirement housing;
- (l) Expansion of nonconforming uses;
- (m) Historic preservation;
- ~~(n) Garden centers;~~
- (o) Public utility purposes;
- (p) Wind energy conversion systems;
- (q) Mobile home subdivisions;
- (r) Housing and related facilities for the physically handicapped;
- ~~(s) Greenhouses;~~
- (t) Outdoor seasonal sales;
- (u) Cemeteries;
- ~~(v) Churches; increased lot coverage;~~
- (w) Domiciliary care facility;
- (x) Expansion of nonstandard single and two-family dwellings into required yards;
- (y) Early childhood care facilities with sixteen or more children, or with fifteen or fewer children not meeting the specified conditions for a permitted conditional use under Section 27.15.030;

- (z) Neighborhood support services;
- (aa) Clubs;
- (bb) Connection of single-family dwelling to accessory building for the physically handicapped;
- (cc) Adult care centers.

B-3 Land Uses Permitted Uses, Conditional Uses and Special Permitted Uses

Permitted Uses:

A building or premises shall be permitted to be used for the following purposes in the B-3 Commercial District:

- (a) Parks, playgrounds, and community buildings, owned or operated by a public agency;
- (b) Public libraries;
- (c) Public elementary and high schools, or private schools having a curriculum equivalent to a public elementary or public high school, and having no rooms regularly used for housing or sleeping purposes;
- (d) Churches;
- (e) Nonprofit religious, educational, and philanthropic institutions;
- (f) Banks, savings and loan associations, credit unions, and finance companies;
- (g) Barber shops, beauty parlors, and shoeshine shops;
- (h) Private schools, including but not limited to, business or commercial schools, dance or music academies, and nursery schools;
- (i) Adult care centers;
- (j) Hospitals and clinics for animals, but not open kennels;
- (k) Self-service laundromats, and laundrettes;
- (l) Receiving stores for dry cleaning or laundry;
- (m) Messenger and telegraph stations;
- (n) Office buildings; (See Land Use Types Matrix)
- (o) Restaurants;
- (p) Stores or shops for the sale of goods at retail; (See Land Use Types Matrix)
- (q) Undertaking establishments;
- (r) Photography studios;
- (s) Key shops;
- (t) Ambulance services;
- (u) Retail bakery;
- (v) Sales and showrooms, including service facilities and rental of equipment, provided all displays and merchandise are within the enclosure walls of the buildings;
- (w) Milk distribution stations, but not involving any bottling on the premises;
- (x) Food storage lockers;
- (y) Optical lens grinding and finishing;
- (z) Clubs;
- (aa) Parking lots and storage garages;
- (bb) Enclosed commercial recreational facilities;
- (cc) Motorcycle, bicycle, and home and office equipment, but not including vehicle body repair shops
- (dd) Mail order catalog sales;
- (ee) Tailor shops, shoe repair shops, upholstery shops, printing and photocopying shops, or other, similar business establishments.
- (ff) Health care facilities including:
 - (b) Convalescent or nursing home
 - (d) A facility for out-patient physical, occupational, or vocational therapy or rehabilitation
- (gg) Recreational facilities:
- (hh) Sale of alcoholic beverages for consumption on the premises;
- (ii) Sale of alcoholic beverages for consumption off the premises.
- (jj) Civic or Community (See Land Use Types Matrix--Prohibited in Neighborhood General and Neighborhood Edge);
- (kk) Workshop (See Land Use Types Matrix);
- (ll) Nursery Garden Centers and Green Houses (See Land Use Types Matrix);
- (mm) Live-Work Unit (See Land Use Types Matrix; See Lot & Building Matrix--Prohibited in Neighborhood General

Village Gardens Development Standards

and Neighborhood Edge;

(nn) Lodging (See Land Use Types Matrix);

(oo) Residential (See Land Use Types Matrix; See Lot & Building Matrix);

Conditional Uses:

A building or premises may be used for the following purposes in the B-3 Commercial District in conformance with the conditions prescribed herein:

(a) Automobile wash facility:

(1) Automatic, conveyor-operated: The length and location of vehicle stacking lane or lanes for the approach side or sides and the exit side or sides of the wash operation shall be in conformance with the "guidelines and regulations for driveway design and location" as adopted by the City of Lincoln.

The stacking space shall not be located within the required front yard.

(2) Self-service, coin-operated car wash: The car wash facility shall not exceed four wash bays. The length and location of vehicle stacking lane or lanes for the approach side or sides and the exit side or sides of the wash operation shall be in conformance with the "guidelines and regulations for driveway design and location" as adopted by the City of Lincoln. The stacking space shall not be located within the required front yard.

(b) Motels and hotels: A distance of at least twenty feet shall be maintained between buildings on the lot, and each hotel or motel unit shall have a minimum enclosed floor area of 200 square feet.

(c) Furnace, heating, sheet metal, electrical shops or electrical contractors, heating and air conditioning contractors, and cabinet shops or stores:

(1) The floor area of said premises not devoted to sales or office space shall not exceed 8,000 square feet;

(2) Not more than ten percent of the lot or tract occupied by the establishment shall be used for open and unenclosed storage of material and equipment;

(3) All outside storage of material and equipment shall be screened by an opaque six-foot tall fence constructed of wood, or a substitute material found acceptable by the Director of Building and Safety.

(d) Tire stores and sales, including vulcanizing:

(1) The floor area of said premises not devoted to sales or office space shall not exceed 4,000 square feet;

(2) There shall be no manufacturing on the premises.

(e) Tailor shops, shoe repairing, upholstery shops, printing, photocopying, household appliances repairs, or similar business establishments; dyeing and drycleaning works; laundry; plumbing and water softener service shops. The floor area of said premises not devoted to sales or office space shall not exceed 4,000 square feet.

(f) Dwellings, provided that:

~~(1) Except as provided subparagraph 2 below, dwellings shall only be permitted above the first story of a building, with the first story used for a non-dwelling use as permitted in the district. Such non-dwelling use shall not be accessory to the residential use or be a parking lot or garage.~~

~~(2) Dwellings shall be permitted in buildings that were originally constructed for a residential use prior to November 1, 1997.~~

(g) Recycling center:

(1) The building area of such center shall not exceed 4,000 square feet;

(2) Adequate traffic stacking shall be provided on site as determined by the city;

(3) All required parking shall be provided on site;

(4) The facility shall not be designed to receive nor shall it accept shipments by semi-trailer trucks;

(5) The construction and operation of such center shall comply with all applicable health and fire codes;

(i) Early childhood care facilities:

(1) Such facilities shall comply with all applicable state and local early childhood care requirements;

Village Gardens Development Standards

- (2) Such facilities shall comply with all building and life safety code requirements;
 - (3) Such facilities shall be fenced and have play areas that comply with the design standards for early childhood care facilities;
 - (4) Such facilities must receive a conditional use permit from the Department of Building and Safety.
- (j) Service stations and automobile or appliance sales and repair facilities, but not including vehicle body repair shops.
- (1) No automobile or appliance sales and repair facility shall be permitted to locate within 100 feet of any residential use or district;
 - (2) Any service station or automobile or appliance sales and repair facility located within 100 feet of any residential use or district which was lawfully established in this district on the effective date of this ordinance, shall screen the facility from such residential use or district by the use of an opaque fence six feet in height, constructed of wood, or of a substitute material found acceptable to the Director of Building and Safety subject to the provision of condition (3) below;
 - (3) Any service station or automobile or appliance sales and repair facility located within 100 feet of any residential use or district which was lawfully established in this district on the effective date of this ordinance shall have until October 1, 2003 to be brought into compliance with condition (2) above;
 - (4) The locational or screening requirements of (1), (2), and (3) above shall not apply when said residential use or district is across a public street from the service station or automobile or appliance sales and repair facility, but shall apply if said residential use or district is across an alley or private drive from the service station or automobile or appliance sales and repair facility;
 - (5) Any service station lawfully established in this district, after the effective date of this ordinance, shall screen the facility from any residential use or district by the use of an opaque fence, six feet in height, constructed of wood or of a substitute material found acceptable to the Director of Building and Safety; provided that said screening requirement shall not apply when said residential use or district is across a public street from the service station, but shall apply if said residential use or district is across an alley or private drive from the service station.

Special Permitted Uses:

A building or premises may be used for the following purposes in the B-3 Commercial District if a special permit for such use has been obtained in conformance with the requirements of Chapter 27.63:

- (a) Health care facilities;
 - (a) Hospitals
 - (b) convalescent or nursing home
 - (c) A facility in which sixteen or more people reside while receiving therapy, counseling, or rehabilitation for physical, emotional, or mental disease or disability;
 - (d) a facility for out-patient physical, occupational, or vocational therapy or rehabilitation
 - (e) Public health clinics and facilities;
 - (f) Ambulatory surgical care center which does not allow for overnight stay by patients. Ambulatory surgical center does not include an office or clinic used solely by a practitioner or group of practitioners in the practice of medicine, dentistry, or podiatry. Except as provided in (a) above, health care facilities does not include doctors' or dentists' professional offices and private clinics.
- ~~(b) Recreational facilities;~~
- (c) Church steeples, towers, and ornamental spires which exceed the maximum district height;
- (d) Broadcast towers;
- (e) Expansion of nonconforming use;
- (f) Historic preservation;
- (g) Public utility purposes;
- (h) Wind energy conversion systems;
- (i) Cemeteries;
- (j) Dwellings above the first story of a building which cannot meet the yard requirements of Section 27.33.080(g);
- ~~(k) Sale of alcoholic beverages for consumption on the premises;~~
- ~~(l) Sale of alcoholic beverages for consumption off the premises.~~

THE TRANSECT ZONE MATRICES

Land Use Types Matrix

Village Gardens features a mix of uses, all complementary to the goal of developing a healthy, affordable community. Instead of disconnected 'pods' of single-use activity, Village Gardens reflects traditional Midwestern small town form, with streets that may contain residential, retail and civic uses within a single block.

While the Village Center provides for the majority of commercial uses, the Neighborhood Center zone allows a range of land uses. The Neighborhood General and Edge zones allow only residential development and limited home occupation opportunities.

Transect Zones →

Shaded = Permitted Not Shaded = prohibited

Land Use Types →	Transect Zones			
	Village Center (underlying B-3 district)	Neighborhood Center (underlying R-3 district)	Neighborhood General (underlying R-3 district)	Neighborhood Edge (underlying R-3 district)
Civic or Community		See Note 1	n/a	n/a
Workshop	See Note 2	See Note 3, 10	See Note 4, 10	See Note 4, 10
Retail		See Note 5	n/a	n/a
Nursery, Garden Center & Green Houses				
Office		See Note 6, 10	See Note 7, 10	See Note 7, 10
Live-Work Unit		See Note 10		
Lodging		See Note 8	See Note 8	See Note 8
Residential	See Note 11	See Note 11	See Note 11	See Note 11
Secondary Dwelling Unit	n/a	See Note 9	See Note 9	See Note 9

Notes:

1. Civic or community uses serving primarily Village Gardens residents and their guests.
2. Workshop uses only permitted in conjunction with retail sales within the same building. Workshop uses shall be located on the first floor and occupy at maximum the rear 75% of the building footprint or located in the basement of the building. Outdoor storage of manufacturing components or equipment is prohibited.
3. Workshop uses shall be limited to 600 sq. ft. in floor area. Workshop uses shall be located in an Accessory Building to the rear of the primary building, or shall be located on the first floor and occupy at maximum the rear 50% of the primary building footprint or located in the basement of the primary building. Outdoor storage of manufacturing components or equipment is prohibited. Workshop uses may operate in conjunction with first floor retail.
4. Workshop uses shall be limited to 600 sq. ft. in floor area. Workshop uses shall be located in an Accessory Building to the rear of the primary building, or shall be located on the first floor and occupy at maximum the rear 50% of the primary building footprint or located in the basement of the primary building. Outdoor storage of manufacturing components or equipment is prohibited. Product sales and signage shall be prohibited.
5. Retail uses are limited to 2,000 sq. ft. located on the first floor of a live/work building. A maximum of two live/work units may be connected to create up to 4,000 sq. ft. of retail uses. Permitted uses allow retail sales, personal services (such as hair salons), childcare facilities, and coffee shops or restaurants with a maximum of 40 seats. Signage permitted.

Village Gardens Development Standards

6. Office uses are limited to 2,500 sq. ft. located primarily in a live/work building. A maximum of two live/work units may be connected to create up to 5000 sq. ft. of office uses. Point-of-service and signage permitted.
7. Office uses shall be limited to home occupations. A home occupation shall mean any office occupation or activity carried on within a dwelling unit or Accessory Building by a member of the family residing on the residential lot, which occupation or activity is incidental and secondary to the residential occupancy and does not change the residential character thereof. Home occupations shall be a maximum of 1000 sq. ft. in floor area, located either in an Accessory Building to the rear of the primary building, or in the primary building, occupying at maximum 50% of the building footprint. Point-of-service type offices shall be prohibited. Signage permitted.
8. Lodging shall be limited to bed & breakfast establishments with a maximum of four guest rooms. One additional parking space per guest room shall be required on-site. Signage is permitted.
9. Secondary dwelling units shall not exceed 1000 sq. ft. in floor area on lots with a width of 45 ft or more. On lots with a minimum width of less than 45 ft., the secondary dwelling units shall not exceed 600 sq. ft. and shall be located within an Accessory Building to the rear of the primary building. Secondary dwelling units shall have separate outside entrances.
10. Up to two non-family member employees may be employed and work on site. One on-site parking space per employee is required.
11. See Lot & Building Types Matrix for allowed residential uses.

Lot & Building Types Matrix

Village Gardens provides a variety of lot and building types, from large detached houses around the perimeter to small cottages, attached row houses and apartments in the Neighborhood Center and Village Center zones. The mix of uses and building types provides the choices needed to create a neighborhood where people of different ages, incomes and families can live, work and play.

Transect Zones →

Shaded = Permitted Not Shaded = prohibited

Lot & Building Types →	Transect Zone/ Lot & Building Types	Village Center (underlying B-3 district)	Neighborhood Center (underlying R-3 district)	Neighborhood General (underlying R-3 district)	Neighborhood Edge (underlying R-3 district)
	Type A – Rowhouse	n/a	See Note 1, 7	See Note 7	n/a
	Type B – Townhouse	n/a	See Note 1,7	See Note 7	n/a
	Type C – Small SF	n/a	See Note 1,7	See Note 7	n/a
	Type D – Medium SF	n/a	n/a	See Note 7	See Note 7
	Type E – Large SF	n/a	n/a	n/a	See Note 7
	Type F – MF Mansion	See Note 3	See Note 1, 3, 7	n/a	n/a
	Type G – MF Apartment		See Note 4, 7	n/a	n/a
	Type H – Civic or Community	See Note 2	See Note 2, 5	n/a	n/a
	Type I – Mixed-Use	See Note 6	n/a	n/a	n/a

Notes:

1. Live/work units permitted. Commercial uses shall be limited according to the Land Use Types within this document.
2. Structures that are not fully enclosed having a footprint of less than 400 sq ft. and an overall height of less than 16 ft. shall be considered landscape elements.
3. Limited to 12 units per building in the Village Center; limited to 8 units per building in the Neighborhood Center.
4. Limited to lots between Yankee Hill Road and Chatsworth Lane.
5. Limited to Civic or Community uses serving primarily Village Gardens residents and their guests. Civic or Community buildings shall be limited according to the Civic or Community use designation in the Land Use Types matrix.
6. Mixed-use buildings may occupy two or more of the following uses within the same building. retail, professional services, personal services, workshop, office, artisan, restaurant, lodging, childcare, professional business, governmental services, entertainment, recreational, residential and related accessory uses. Uses may be divided vertically or horizontally.
7. All residential lots along Pine Lake Road will have a setback of 20' from Pine Lake Road.

SIGNAGE & PARKING STANDARDS:

Sign Information:

The following requirements apply to the signage requirements in Village Gardens based on the Village Gardens PUD. If the requirement is not listed, the Village Gardens PUD is governed by the City of Lincoln code. Please refer to the Village Gardens Regulatory Modifications document for specific information on the alterations made to the City of Lincoln codes regarding Signage.

1. In the R-3 zoning districts, the specific regulations are as follows: In the Neighborhood Center areas, up to two on-premises wall signs or projecting signs per lot, each not to exceed eight square feet of sign area, used to identify commercial uses and home occupations. In the Neighborhood General and Neighborhood Edge areas, one on-premises wall sign per lot, not to exceed two square feet of sign area, nonilluminated and nonreflecting, used to identify home occupations. One on-premises wall sign per lot, not to exceed two square feet of sign area, nonilluminated and nonreflecting, used to identify transitional lot uses, block parents, the name of the premises or occupants thereof, or to provide similar information. Lighted vending machines are not permitted in view from off the premises.
2. When part of a landscape screen approved by the Planning Director, the following ground signs, not exceeding twenty square feet in area or six feet in height and identifying a multiple-dwelling complex or subdivision area, may be located in the required front yard or building line district:
 - a. Up to two signs may be located at each entrance to the multiple-dwelling complex or subdivision area.
 - b. ~~If the multiple dwelling complex or subdivision area abuts an intersection with an arterial street, one sign per arterial frontage may be located at the corner of the intersection with the arterial street. Such signs may be illuminated by a ground light. Any sign located in the building line district shall be moved at the sole cost of the owner when necessary for public use.~~
3. Directional, educational and informational signs may be attached to any natural object due to the nature and aesthetics of the Village Gardens project with the approval of the Planning Director.

Parking matrix:

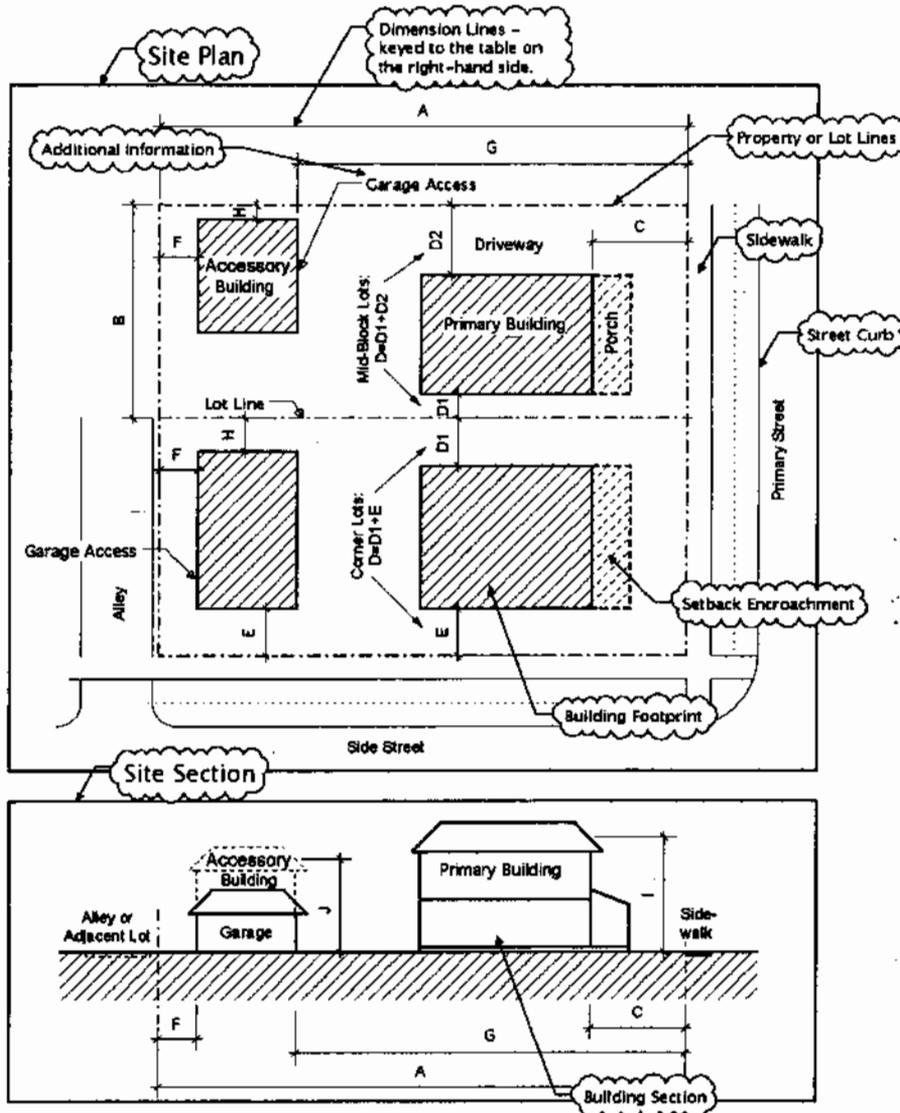
The following matrix defines the parking requirements per lot and building type for easy reference. This information can also be found within the Lot & Building Standards.

Transect Zone Lot & Building Types	# of Parking Spaces per du	Min. Number of Parking Spaces per 100 sq. ft of largest seating area and per 600 sq. ft for other uses	Secondary Dwelling Unit requirements	Live-Work requirements
Type A – Rowhouse	1	n/a	No on-site parking required for secondary dwelling units	2 parking spaces are required per du.
Type B – Townhouse	2	n/a	No on-site parking required for secondary dwelling units	n/a
Type C – Small SF	2	n/a	No on-site parking required for secondary dwelling units	n/a
Type D – Medium SF	2	n/a	No on-site parking required for secondary dwelling units	n/a
Type E – Large SF	2	n/a	No on-site parking required for secondary dwelling units	n/a
Type F – MF Mansion	1.5	n/a	n/a	n/a
Type G – MF Apartment	1.5	n/a	n/a	n/a
Type H – Civic or Community	n/a	1	No on-site parking required for secondary dwelling units	n/a
Type I – Mixed-Use	1	1	n/a	n/a

LOT & BUILDING STANDARDS

How To Interpret Lot Diagrams

The Village Gardens Lot & Building Standards are designed to be user-friendly and understandable by developers, regulators, homebuilders and homeowners. Each building type is detailed in individual pages, with key diagrams such as the following to illustrate concepts that are difficult to adequately portray only in text form.

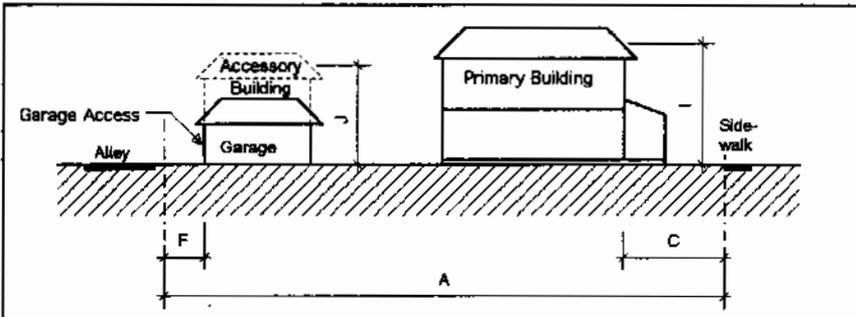
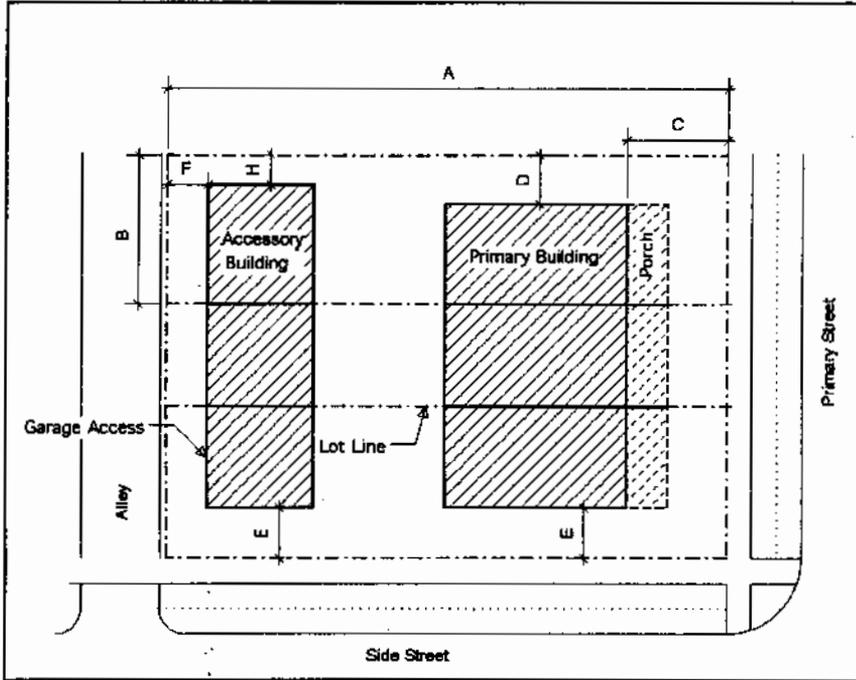


This diagram represents a site-section through the lot, and is primarily used to represent building heights. It is also useful for illustrating the lot standards 3-dimensionally.

Type X Lot Standards		
A	Min. Lot Depth	x ft.
B	Min. Lot Width	x ft.
C	Min. Primary Street Setback	x ft.
D	Min. Combined Side Yard Adjacent Lot Setback	x ft.
E	Min. Side Street Setback	x ft.
F	Min. Primary or Accessory Bldg. Rear Setback	x ft.
G	Min. Accessory Bldg. Front Setback	x ft.
H	Min. Accessory Bldg. Side Setback	x ft.
I	Max. Primary Bldg. Height	x ft.
J	Max. Accessory Bldg. Height	x ft.
	Min. Number of On-Site Parking Spaces per Dwelling Unit	x
	Secondary Dwelling Unit	Y/N
	Y = permitted; N = prohibited	
	Primary Building Entrance	
	Note	
	Allowable Encroachments: (Proper Sight Triangle must be maintained)	
	Note	
	Note	
	Note	

Type A – Rowhouse

Rowhouses are attached single-family houses on individual platted lots. Rowhouses share common walls with one or more adjacent units. Rowhouse groups consist of a minimum of three units. Alleys in the rear of the lots provide vehicular access to Rowhouses. Front driveways and street facing garages are prohibited. Attached or detached garages and shared driveways are permitted.

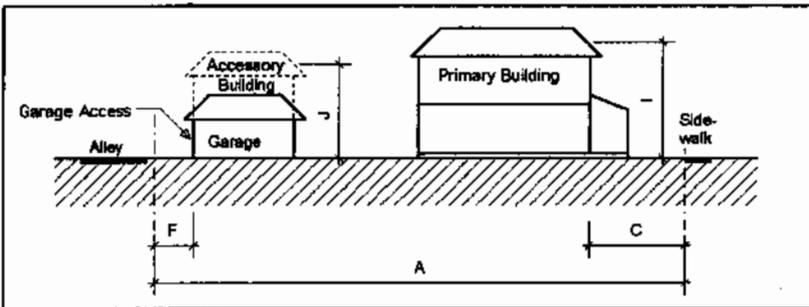
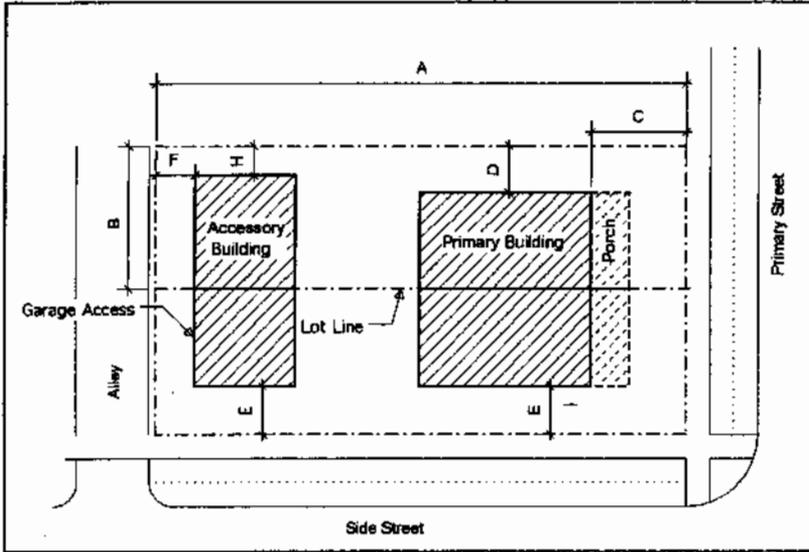


NOTES FROM THE LOT & BUILDING TYPES MATRIX:
 □ Live/work units permitted. Commercial uses shall be limited according to the Land Use Types within this document.

Type A – Lot Standards		
A	Min. Lot Depth	80 ft.
B	Min. Lot Width (each unit)	18 ft.
C	Min. Primary Street Setback	
	• Neighborhood Center	0 ft.
	• Neighborhood General	0 ft.
D	Min. Combined Side Yard Adjacent Lot Setback	5 ft.
	One side of end lots only. Setback on attached side shall be 0 ft.	
	At corner lots, only the side street setback E shall be applied.	
E	Min. Side Street Setback	5 ft.
F	Min. Primary or Accessory Bldg. Rear Setback	8 ft.
G	Min. Accessory Bldg. Front Setback	n/a
H	Min. Accessory Bldg. Side Setback	2 ft.
	This setback may be waived if Accessory Buildings are attached.	
I	Max. Primary Bldg. Height	40 ft.
	Tower elements of a maximum of 200 sq. ft. in floor area shall be exempt of the height limit and may exceed the ridge height of the primary roof by a maximum of 10 ft.	
J	Max. Accessory Bldg. Height	30 ft.
	PARKING:	
	Min. Number of On-Site Parking Spaces per Dwelling Unit	1*
	No on-site parking required for secondary dwelling units. * If it is a live-work unit, 2 parking spaces are required per du.	
	Secondary Dwelling Unit	Y*
	Y = permitted; N = prohibited	
	*Shall be limited to 600 sq. ft.	
	Primary Building Entrance	
	The primary pedestrian building entrance shall be located along a public street, common walkway or park.	
	Allowable Encroachments: (Proper Sight Triangle must be maintained)	
	Covered or uncovered porches or stoops may encroach into the front or side street setback no deeper than 12 ft. and no closer than 0 ft. from a property line.	
	Bay windows and other similar enclosed building elements may be no wider than 6 ft. and may encroach up to 2 ft. in setbacks no closer than 0 ft. from a property line. The bay windows must not encroach within 4 ft. of the corners of the primary building.	
	Uncovered decks, balconies & trellises may encroach into setbacks, no deeper than 8 ft. and no closer than 0 ft. from a property line.	
	All building setbacks and building encroachments shall provide the proper Sight Triangle.	
	Driveways may encroach into all setbacks where curb cuts are permitted.	

Type B – Townhouse

Townhouses are attached single-family houses on individual platted lots. Townhouses share a common wall with one adjacent unit. Alleys in the rear of the lots provide vehicular access to Townhouses. Front driveways and street facing garages are prohibited. Attached or detached garages and shared driveways are permitted.

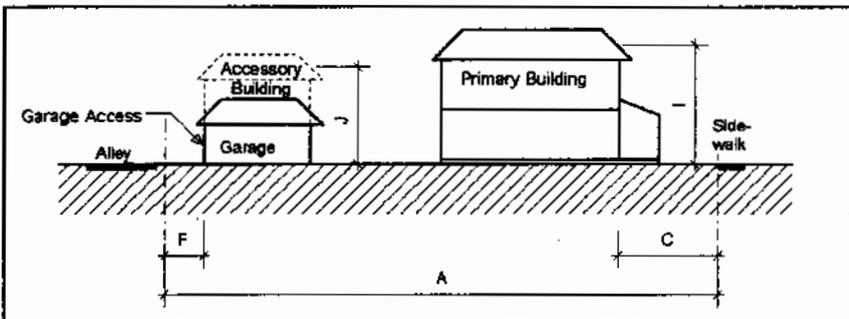
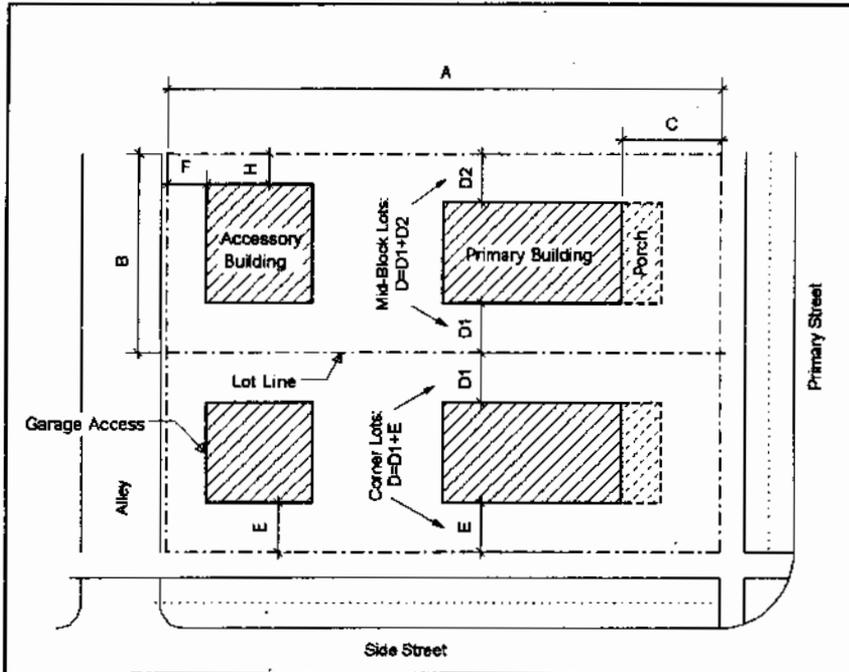


NOTES FROM THE LOT & BUILDING TYPE MATRIX:
 □ Live/work units permitted. Commercial uses shall be limited according to the Land Use Types within this document.

Type B – Lot Standards	
A	Min. Lot Depth 80 ft.
B	Min. Lot Width (each unit) 20 ft.
C	Min. Primary Street Setback
	• Neighborhood Center 0 ft.
	• Neighborhood General 0 ft.
D	Min. Combined Side Yard Adjacent Lot Setback 5 ft.
	One side of end lots only. Setback on attached side shall be 0 ft.
	At corner lots, only the side street setback E shall be applied.
E	Min. Side Street Setback 5 ft.
F	Min. Primary or Accessory Bldg. Rear Setback 8 ft.
G	Min. Accessory Bldg. Front Setback n/a
H	Min. Accessory Bldg. Side Setback 2 ft.
	This setback may be waived if Accessory Buildings are attached.
I	Max. Primary Bldg. Height
	• Neighborhood Center 40 ft.
	• Neighborhood General 40 ft.
	Tower elements of a maximum of 200 sq. ft. in floor area shall be exempt of the height limit and may exceed the ridge height of the primary roof by a maximum of 10 ft.
J	Max. Accessory Bldg. Height 30 ft.
	PARKING:
	Min. Number of On-Site Parking Spaces per Dwelling Unit 2
	No on-site parking required for secondary dwelling units
	Secondary Dwelling Unit Y*
	Y = permitted; N = prohibited
	*Shall be limited to 600 sq. ft.
	Primary Building Entrance
	The primary pedestrian building entrance shall be located along a public street, common walkway or park.
	Allowable Encroachments: (Proper Sight Triangle must be maintained)
	Covered or uncovered porches or stoops may encroach into the front or side street setback no deeper than 12 ft. and no closer than 0 ft. from a property line.
	Bay windows and other similar enclosed building elements may be no wider than 6 ft. and may encroach up to 2 ft. in setbacks no closer than 0 ft. from a property line. The bay windows must not encroach within 4 ft. of the corners of the primary building.
	Uncovered decks, balconies & trellises may encroach into setbacks, no deeper than 8 ft. and no closer than 0 ft. from a property line.
	All building setbacks and building encroachments shall provide the proper Sight Triangle.
	Driveways may encroach into all setbacks where curb cuts are permitted.

Type C – Small Single-Family

Small Single-Family Houses are the smallest type of detached residential units in Village Gardens. Small Single-Family Houses are located on intimate lots and have reduced side yards. Alleys in the rear of the lots provide vehicular access to Small Single-Family Houses. Front driveways and street facing garages are prohibited. Attached or detached garages and shared driveways are permitted.



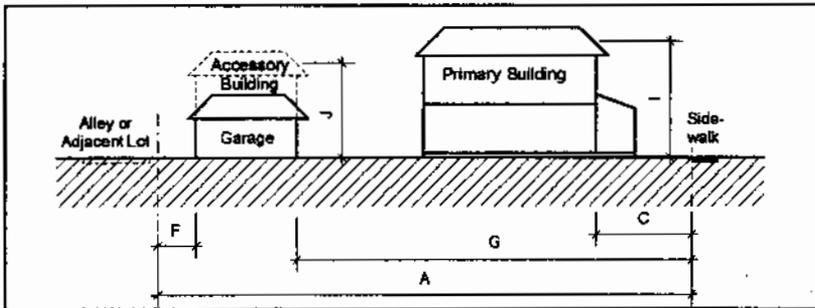
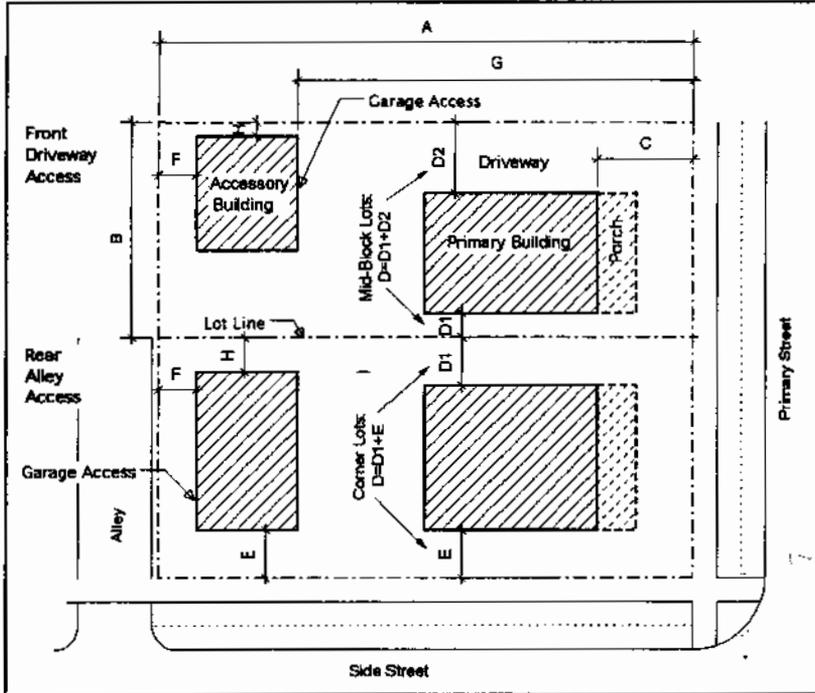
NOTES FROM THE LOT & BUILDING TYPE MATRIX:
 Live/work units permitted. Commercial uses shall be limited according to the Land Use Types within this document.

Type C – Lot Standards

A	Min. Lot Depth	80 ft.
B	Min. Lot Width	35 ft.
C	Min. Primary Street Setback	
	• Neighborhood Center	10 ft.
	• Neighborhood General	15 ft.
D	Min. Combined Side Yard Adjacent Lot Setback	7 ft.
	Setback shall be a minimum of 3 ft. on one side.	
	At corner lots, the side street setback E shall be included in the calculation of D.	
E	Min. Side Street Setback	5 ft.
F	Min. Primary or Accessory Bldg. Rear Setback	8 ft.
G	Min. Accessory Bldg. Front Setback	n/a
H	Min. Accessory Bldg. Side Setback	3 ft.
	This setback may be waived if Accessory Buildings are attached.	
I	Max. Primary Bldg. Height	
	• Neighborhood Center	40 ft.
	• Neighborhood General	40 ft.
	Tower elements of a maximum of 200 sq. ft. in floor area shall be exempt of the height limit and may exceed the ridge height of the primary roof by a maximum of 10 ft.	
J	Max. Accessory Bldg. Height	30 ft.
	PARKING:	
	Min. Number of On-Site Parking Spaces per Dwelling Unit	2
	No on-site parking required for secondary dwelling units	
	Secondary Dwelling Unit	Y*
	Y = permitted; N = prohibited	
	Lots with less than 45 ft. wide shall be limited to 600 sq. ft. in building size. Lots 45 ft wide or are limited to 1000 sq. ft. in building size	
	Primary Building Entrance	
	The primary pedestrian building entrance shall be located along a public street, common walkway or park.	
	Allowable Encroachments: (Proper Sight Triangle must be maintained)	
	Covered or uncovered porches or stoops may encroach into the front or side street setback no deeper than 12 ft. and no closer than 0 ft. from a property line.	
	Bay windows and other similar enclosed building elements may be no wider than 6 ft. and may encroach up to 2 ft. in setbacks no closer than 00 ft. from a property line. The bay windows must not encroach within 4 ft. of the corners of the primary building.	
	Uncovered decks, balconies & trellises may encroach into setbacks, no deeper than 8 ft. and no closer than 0 ft. from a property line.	
	All building setbacks and building encroachments shall provide the proper Sight Triangle.	
	Driveways may encroach into all setbacks where curb cuts are permitted.	

Type D – Medium Single-Family

Medium Single-Family Houses are mid-sized detached residential units. Medium Single-Family Houses are located on mid-sized lots and have useable side yards. Alleys in the rear of the lots or front driveways may provide vehicular access to Medium Single-Family Houses. However, if alley access is provided front driveways and street facing garages shall be prohibited. Attached or detached garages and shared driveways are permitted.

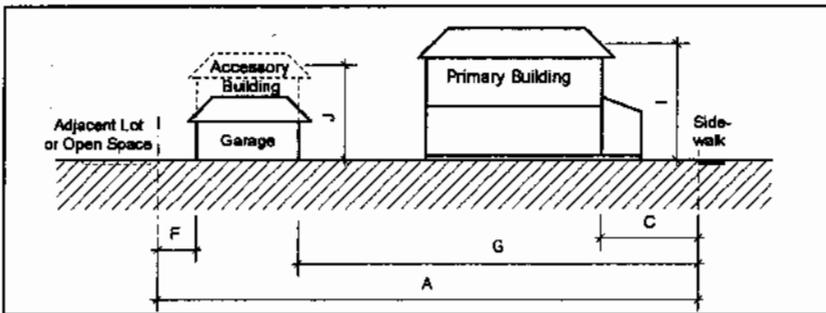
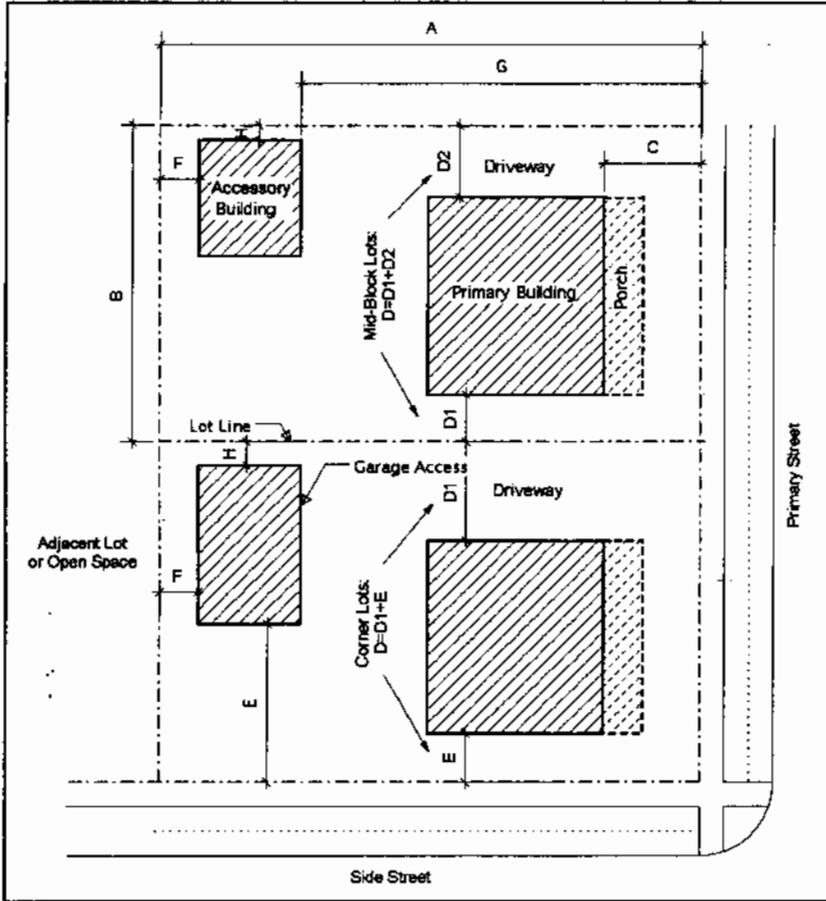


NOTES FROM THE LOT & BUILDING TYPE MATRIX:
 None

Type D - Lot Standards	
A	Min. Lot Depth 80 ft.
B	Min. Lot Width 60 ft.
C	Min. Primary Street Setback
	• Neighborhood General 15 ft.
	• Neighborhood Edge 15 ft.
D	Min. Combined Side Yard Adjacent Lot Setback 10 ft.
	Setback shall be a minimum of 3 ft. on one side.
	At corner lots, the side street setback E shall be included in the calculation of D.
E	Min. Side Street Setback 5 ft.
F	Min. Primary or Accessory Bldg. Rear Setback 8 ft.
	May be reduced to 3 ft. if garage is front accessed.
G	Min. Accessory Bldg. Front Setback 45 ft.
H	Min. Accessory Bldg. Side Setback 3 ft.
	This setback may be waived if Accessory Buildings are attached.
I	Max. Primary Bldg. Height
	• Neighborhood General 40 ft.
	• Neighborhood Edge 40 ft.
	Tower elements of a maximum of 200 sq. ft. in floor area shall be exempt of the height limit and may exceed the ridge height of the primary roof by a maximum of 10 ft.
J	Max. Accessory Bldg. Height 30 ft.
	PARKING:
	Min. Number of On-Site Parking Spaces per Dwelling Unit 2
	No on-site parking required for secondary dwelling units
	Secondary Dwelling Unit Y*
	Y = permitted; N = prohibited
	* Shall be limited to 1000 sq. ft.
	Primary Building Entrance
	The primary pedestrian building entrance shall be located along a public street, common walkway or park.
	Allowable Encroachments: (Proper Sight Triangle must be maintained)
	Covered or uncovered porches or stoops may encroach into the front or side street setback no deeper than 12 ft. and no closer than 0 ft. from a property line.
	Bay windows and other similar enclosed building elements may be no wider than 6 ft. and may encroach up to 2 ft. in setbacks no closer than 0 ft. from a property line. The bay windows must not encroach within 4 ft. of the corners of the primary building.
	Uncovered decks, balconies & trellises may encroach into setbacks, no deeper than 8 ft. and no closer than 0 ft. from a property line.
	All building setbacks and building encroachments shall provide the proper Sight Triangle.
	Driveways may encroach into all setbacks where curb cuts are permitted.

Type E – Large Single-Family

Large Single-Family Houses are the largest detached residential units in Village Gardens. Large Single-Family Houses are located on large lots that offer flexibility in building configuration and have generous front, side and back yards. Front driveways provide vehicular access to Large Single-Family Houses. Attached or detached garages and shared driveways are permitted.



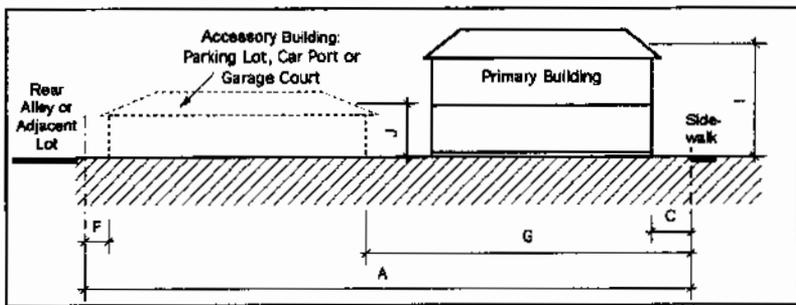
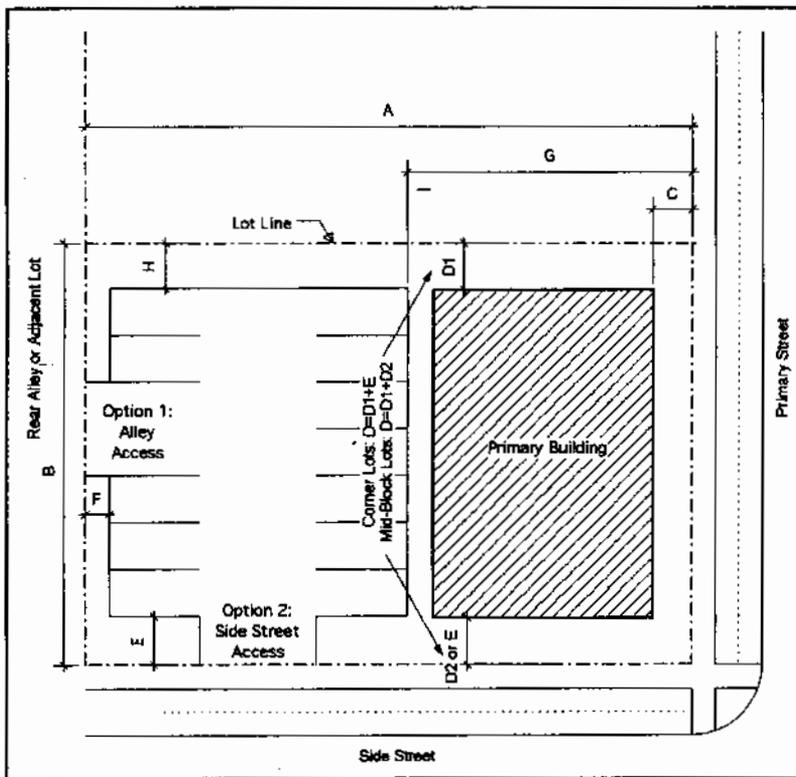
Type E – Lot Standards		
A	Min. Lot Depth	80 ft.
B	Min. Lot Width	80 ft.
C	Min. Primary Street Setback	15 ft.
D	Min. Combined Side Yard Adjacent Lot Setback	20 ft.
Setback shall be a minimum of 5 ft. on one side.		
At corner lots, the side street setback E shall be included in the calculation of D.		
E	Min. Side Street Setback	10 ft.
F	Min. Primary or Accessory Bldg. Rear Setback	3 ft.
G	Min. Accessory Bldg. Front Setback	45 ft.
H	Min. Accessory Bldg. Side Setback	3 ft.
This setback may be waived if garages are attached.		
I	Max. Primary Bldg. Height	40 ft.
Tower elements of a maximum of 200 sq. ft. in floor area shall be exempt of the height limit and may exceed the ridge height of the primary roof by a maximum of 10 ft.		
J	Max. Accessory Bldg. Height	30 ft.
PARKING:		
Min. Number of On-Site Parking Spaces per Dwelling Unit		2
No on-site parking required for secondary dwelling units		
Secondary Dwelling Unit		Y*
Y = permitted; N = prohibited		
* Shall be limited to 1000 sq. ft.		
Primary Building Entrance		
The primary pedestrian building entrance shall be located along a public street, common walkway or park.		
Allowable Encroachments: (Proper Sight Triangle must be maintained)		
Covered or uncovered porches or stoops may encroach into the front or side street setback no deeper than 12 ft. and no closer than 0 ft. from a property line.		
Bay windows and other similar enclosed building elements may be no wider than 6 ft. and may encroach up to 2 ft. in setbacks no closer than 0 ft. from a property line. The bay windows must not encroach within 4 ft. of the corners of the primary building.		
Uncovered decks, balconies & trellises may encroach into setbacks, no deeper than 8 ft. and no closer than 0 ft. from a property line.		
All building setbacks and building encroachments shall provide the proper Sight Triangle.		
Driveways may encroach into all setbacks where curb cuts are permitted.		

NOTES FROM THE LOT & BUILDING TYPE MATRIX:

□ None

Type F – Multi-Family Mansion

Multi-Family Mansions are the smallest multi-family buildings in Village Gardens. Multi-Family Mansions are designed to resemble large houses in order to be compatible with other residential building types. Multi-Family Mansions may have a minimum of 4 units per building in the Neighborhood Center zone, and a minimum of 6 units per building in the Village Center zone, but are limited to 12 units per building in the Village Center and limited to 8 units per building in the Neighborhood Center. Parking is located in small parking lots, carports or garage courts in the rear of the building, screened from public streets and walkways. Alleys in the rear of the lots or driveways off of side streets may provide vehicular access to Multi-Family Mansions. However, if alley access is provided direct street access shall be prohibited. Attached or detached garages and shared driveways are permitted.



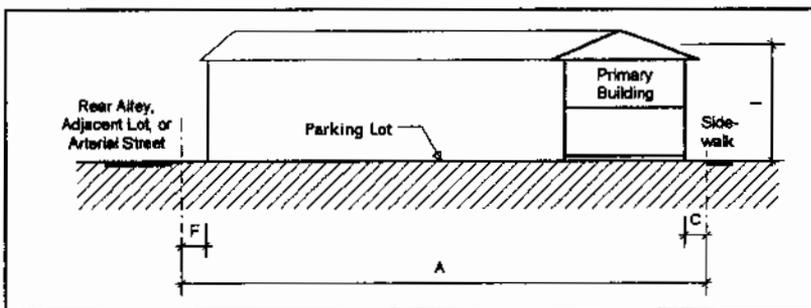
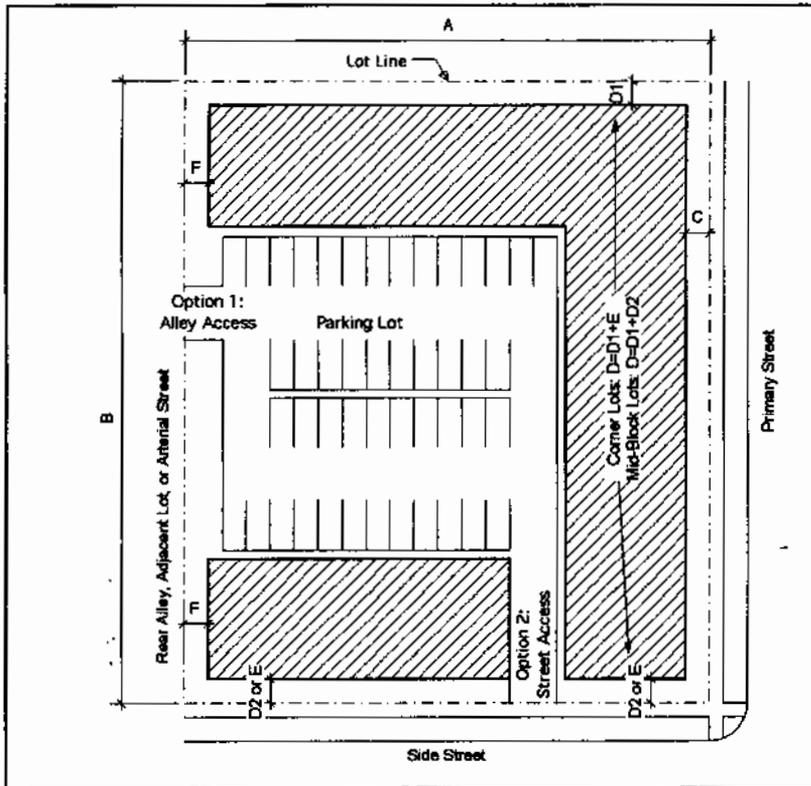
NOTES FROM THE LOT & BUILDING TYPE MATRIX:

- Live/work units permitted. Commercial uses shall be limited according to the Land Use Types within this document.

Type F – Lot Standards	
A	Min. Lot Depth 80 ft.
B	Min. Lot Width 85 ft.
C	Min. Primary Street Setback
	• Village Center 0 ft.
	• Neighborhood Center 10 ft.
D	Min. Combined Side Yard Adjacent Lot Setback 20 ft.
	Setback shall be a minimum of 5 ft. on one side.
	At corner lots, the side street setback E shall be included in the calculation of D.
E	Min. Side Street Setback 10 ft.
F	Min. Primary or Accessory Bld. Rear Setback 8 ft.
	May be reduced to 3 ft. if there is no alley access.
G	Min. Accessory Bld. Front Setback 45 ft.
H	Min. Accessory Bld. Side Setback 3 ft.
I	Max. Primary Bld. Height
	• Village Center 40 ft.
	• Neighborhood Center 40 ft.
	Tower elements of a maximum of 200 sq. ft. in floor area shall be exempt of the height limit and may exceed the ridge height of the primary roof by a maximum of 10 ft.
J	Max. Accessory Bld. Height 30 ft.
PARKING:	
	Min. Number of On-Site Parking Spaces per Dwelling Unit 1.5
	Secondary Dwelling Unit N
	Y = permitted; N = prohibited
Primary Building Entrance	
The primary pedestrian building entrance shall be located along a public or private street, common walkway or park.	
Allowable Encroachments: (Proper Sight Triangle must be maintained)	
Covered or uncovered porches or stoops may encroach into the front or side street setback no deeper than 12 ft. and no closer than 0 ft. from a property line.	
Bay windows and other similar enclosed building elements may be no wider than 6 ft. and may encroach up to 2 ft. in setbacks no closer than 0 ft. from a property line. The bay windows must not encroach within 4 ft. of the corners of the primary building.	
Uncovered decks, balconies & trellises may encroach into setbacks, no deeper than 8 ft. and no closer than 0 ft. from a property line.	
All building setbacks and building encroachments shall provide the proper Sight Triangle.	
Driveways may encroach into all setbacks where curb cuts are permitted.	

Type G – Multi-Family Apartment

Apartment Buildings are the highest density residential buildings in Village Gardens. Apartment Buildings may be configured in a variety of layouts, including U-shaped courtyard, L-shaped courtyard, or bar-shaped. Parking is located in parking lots in the rear of or between buildings, screened from public streets and walkways. Attached or detached garages and shared driveways are permitted.



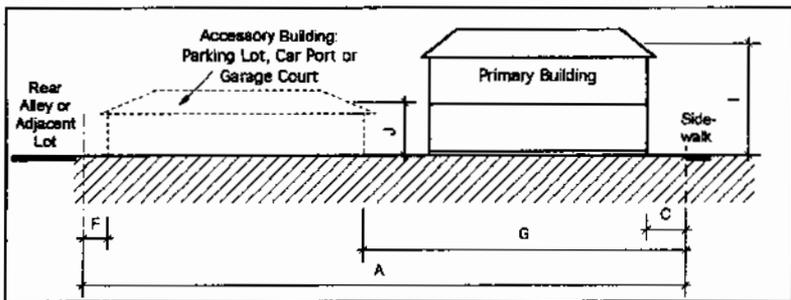
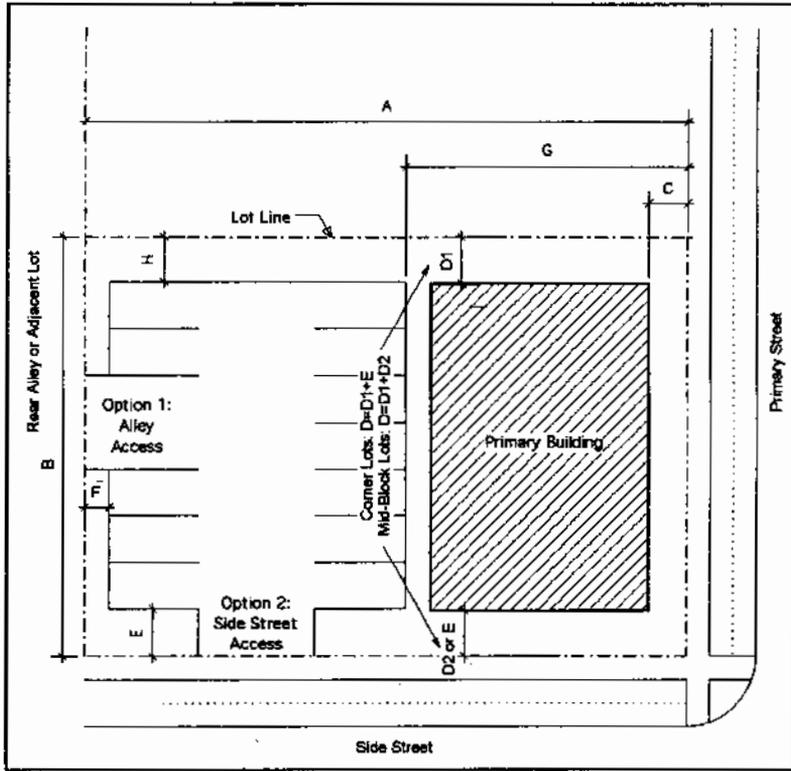
NOTES FROM THE LOT & BUILDING TYPE MATRIX:

- Apartments allowed in Village Center zone. In the Neighborhood Center this use is limited to lots between Yankee Hill Road and Chatsworth Lane in a future PUD.

Type G – Lot Standards	
A Min. Lot Depth	80 ft.
B Min. Lot Width	100 ft.
C Min. Primary Street Setback	
• Village Center	0 ft.
• Neighborhood Center	10 ft.
D Min. Combined Side Yard Adjacent Lot Setback	20 ft.
Setback shall be a minimum of 10 ft. on one side.	
At corner lots, the side street setback E shall be included in the calculation of D.	
E Min. Side Street Setback	
• Village Center	0 ft.
• Neighborhood Center	10 ft.
F Min. Rear Setback	10 ft.
G Min. Accessory Bldg. Front Setback	n/a
H Min. Accessory Bldg. Side Setback	n/a
I Max. Primary Bldg. Height	
• Village Center	40 ft.
• Neighborhood Center	40 ft.
Tower elements of a maximum of 200 sq. ft. in floor area shall be exempt of the height limit and may exceed the ridge height of the primary roof by a maximum of 10 ft.	
J Max. Accessory Bldg. Height	n/a
PARKING:	
Min. Number of On-Site Parking Spaces per Dwelling Unit	1.5
Secondary Dwelling Unit	N
Y = permitted; N = prohibited	
Primary Building Entrance	
The primary pedestrian building entrance shall be located along a public or private street, common driveway, common walkway or park.	
Allowable Encroachments: (Proper Sight Triangle must be maintained)	
Covered or uncovered porches or stoops may encroach into the front or side street setback no deeper than 12 ft. and no closer than 0 ft. from a property line.	
Bay windows and other similar enclosed building elements may be no wider than 6 ft. and may encroach up to 2 ft. in setbacks no closer than 0 ft. from a property line. The bay windows must not encroach within 4 ft. of the corners of the primary building.	
Uncovered decks, balconies & trellises may encroach into setbacks, no deeper than 8 ft. and no closer than 0 ft. from a property line.	
All building setbacks and building encroachments shall provide the proper Sight Triangle.	
Driveways may encroach into all setbacks where curb cuts are permitted.	

Type H – Community

Community Buildings play a central role in the social life of local residents. They are given prominent sites, often terminating view corridors and therefore are required to have well-designed architectural emphasis on their public facades and include a main entrance on the public street or green. Community buildings may include special massing features, such as towers. In order to foster design creativity, these buildings have the least amount of zoning control, but will be subject to a special architectural design review to insure the highest quality design on important sites.



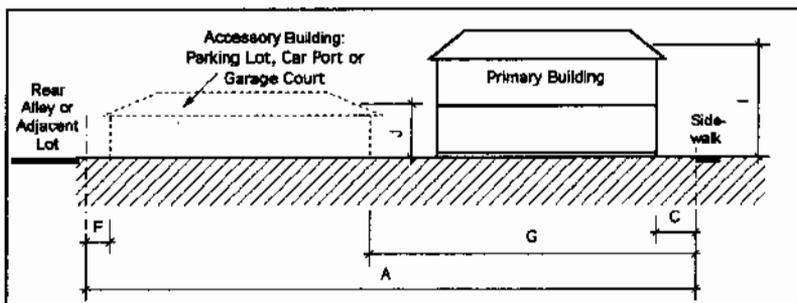
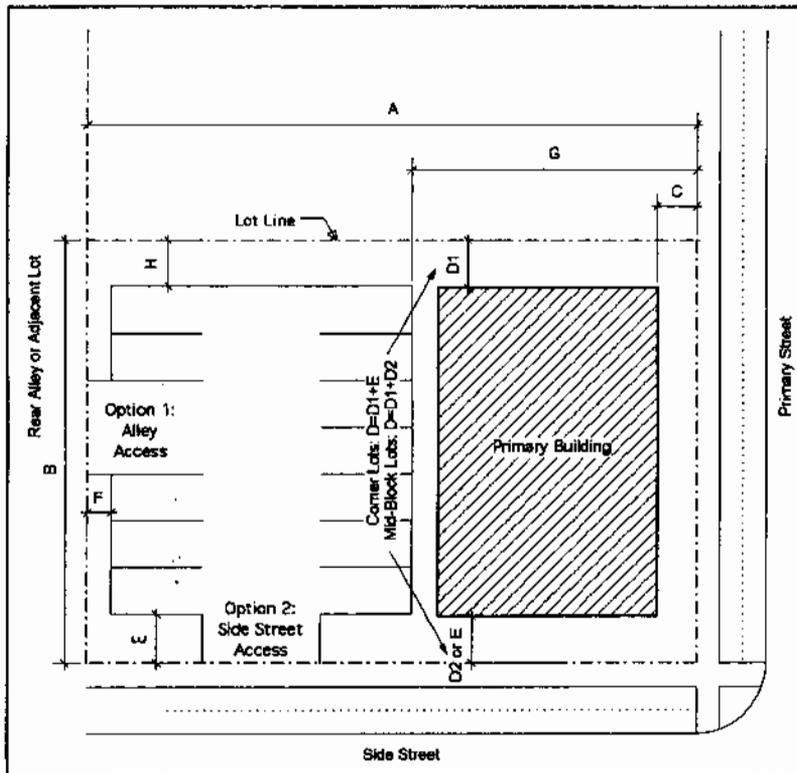
NOTES FROM THE LOT & BUILDING TYPE MATRIX:

- ❑ Structures that are not fully enclosed, have a footprint of less than 400 sq ft. and an overall height of less than 16ft. shall be considered landscape elements.
- ❑ In the Neighborhood Center, Community buildings are limited to Civic or Community uses serving primarily Village Gardens residents and their guests.

Type H – Lot Standards	
A Min. Lot Depth	80 ft.
B Min. Lot Width	n/a
C Min. Primary Street Setback	
• Village Center	0 ft.
• Neighborhood Center	10 ft.
D Min. Combined Side Yard Adjacent Lot Setback	10 ft.
Setback shall be a minimum of 3 ft. on one side.	
At corner lots, the side street setback E shall be included in the calculation of D.	
E Min. Side Street Setback	0 ft.
F Min. Primary or Accessory Bldg. Rear Setback	8 ft.
May be reduced to 3 ft. if there is no alley access.	
G Min. Accessory Bldg. Front Setback	45 ft.
H Min. Accessory Bldg. Side Setback	3 ft.
I Max. Primary Bldg. Height	
• Village Center	40 ft.
• Neighborhood Center	35 ft.
Tower elements of a maximum of 200 sq. ft. in floor area shall be exempt of the height limit and may exceed the ridge height of the primary roof by a maximum of 10 ft.	
J Max. Accessory Bldg. Height	30 ft.
PARKING:	
Min. Number of Parking Spaces per 100 sq. ft/ of largest seating area and per 600 sq. ft for other uses. Parking shall be accommodated on-site or off-site within 300 ft. or within the cross-parking easement. On street parking in the R-3 and B-3 zones are allowed to be counted in the B-3 cross-parking easement.	
Secondary Dwelling Unit	Y
Y = permitted; N = prohibited	
Primary Building Entrance	
The primary pedestrian building entrance shall be located along a public or private street, common driveway, walkway or park.	
Allowable Encroachments: (Proper Sight Triangle must be maintained)	
Covered or uncovered porches or stoops may encroach into the front or side street setback no deeper than 12 ft. and no closer than 0 ft. from a property line.	
Bay windows and other similar enclosed building elements may be no wider than 6 ft. and may encroach up to 2 ft. in setbacks no closer than 0 ft. from a property line. The bay windows must not encroach within 4 ft. of the corners of the primary building.	
Uncovered decks, balconies & trellises may encroach into setbacks, no deeper than 8 ft. and no closer than 0 ft. from a property line.	
All building setbacks and building encroachments shall provide the proper Sight Triangle.	
Driveways may encroach into all setbacks where curb cuts are permitted.	

Type I – Mixed-Use

In the Village Center zone, higher density, mixed-use development forms the core of Village Gardens. Mixed-use buildings, a common typology in small Midwestern main streets, feature ground floor storefront retail, offices or living units with walk-up apartments or offices on upper stories. Parking is located in parking lots, carports or garage courts in the rear of the building, screened from public streets and walkways. Alleys in the rear of the lots or driveways off of side streets may provide vehicular access. Drive thru's are permitted in the Village Center.



NOTES FROM THE LOT & BUILDING TYPE MATRIX:

- Mixed-use buildings may occupy two or more of the following uses within the same building: retail, professional services, personal services, workshop, office, artisan, restaurant, lodging, childcare, professional business, governmental services, entertainment, recreational, residential and related accessory uses. Uses may be divided vertically or horizontally.

Type I – Lot Standards		
A	Min. Lot Depth	80 ft.
B	Min. Lot Width	50 ft.
C	Min. Primary Street Setback	0 ft.
	Min. Combined Side Yard Adjacent Lot Setback	10 ft.
	Setback shall be a minimum of 5 ft. on one side, however, setback may be waived if buildings are attached.	
	At corner lots, the side street setback E shall be included in the calculation of D.	
E	Min. Side Street Setback	0 ft.
F	Min. Primary Accessory Bld. Rear Setback	8 ft.
	May be reduced to 3 ft. if there is no alley access.	
G	Min. Accessory Bld. Front Setback	45 ft.
H	Min. Accessory Bld. Side Setback	3 ft.
	This setback may be waived if Accessory Buildings are attached.	
I	Max. Primary Bldg. Height	50 ft.
	Tower elements of a maximum of 200 sq. ft. in floor area shall be exempt of the height limit and may exceed the ridge height of the primary roof by a maximum of 10 ft.	
J	Max. Accessory Bldg. Height	30 ft.
	Max. Lot Coverage	100%
	PARKING:	
	Min. Number Parking Spaces per Dwelling Unit for residential	1
	Min. Number Parking Spaces per 600 sf. of commercial uses	1
	Parking shall be accommodated on-site or off-site as part of a cross-parking easement. On Street parking in the B-3 area is allowed to be counted in the B-3 area cross-parking easement.	
	Secondary Dwelling Unit	N
	Y = permitted; N = prohibited	
	Primary Building Entrance	
	The primary pedestrian building entrance shall be located along a public or private street, common driveway, common walkway or park.	
	Allowable Encroachments: (Proper Sight Triangle must be maintained)	
	Covered or uncovered porches or stoops may encroach into the front or side street setback no deeper than 12 ft. and no closer than 0 ft. from a property line.	
	Bay windows and other similar enclosed building elements may be no wider than 6 ft. and may encroach up to 2 ft. in setbacks no closer than 0 ft. from a property line. The bay windows must not encroach within 4 ft. of the corners of the primary building.	
	Uncovered decks, balconies & trellises may encroach into setbacks, no deeper than 8 ft. and no closer than 0 ft. from a property line.	
	All building setbacks and building encroachments shall provide the proper Sight Triangle.	
	Driveways may encroach into all setbacks where curb cuts are permitted.	

THE REGULATORY MODIFICATIONS

See Village Gardens Regulatory Modifications document for specific information on regulatory documents modified for the Village Gardens PUD, dated this even date and incorporated herein by this reference.

THE PUD MAP SHEETS

See Village Gardens PUD Map Sheets (30"x42") prepared by Olsson Associates and dated this even date and incorporated herein by this reference.

GLOSSARY

Alley:

The vehicle passageway within a block, which provides access to accessory building and garbage bins along the rear edge of lots.

Accessory Building:

A smaller, detached structure located in the rear of a lot. Accessory Buildings may contain the following uses: garage, home office, workshop, secondary dwelling units and accessory uses.

Accessory Use:

An accessory use is one that is incidental to the main use.

Civic Use:

Occupied building space used primarily for neighborhood use, public education, charity, cultural performance, gatherings, displays and accessory uses administered by non-profit neighborhood, cultural, educational, charitable and religious organizations.

Combined Side Yard Adjacent Lot Setback:

The sum of the distances between the side lot lines and the side elevations of a building. Roof overhangs may encroach into the setback. On street corners, the Side Street Setback shall be included in the calculation.

Commercial Use:

Occupied building space used for the conduct of retail, professional services, personal services, workshop, office, artisan, restaurant, lodging, childcare, professional business, governmental services, entertainment, recreational uses and accessory uses.

Façade:

An elevation or 'face' of a building, from ground level to roofline.

Front Façade:

The elevation with the main entrance to a building, usually facing a public street.

Home Occupation:

A home occupation shall mean any office occupation or activity carried on within a dwelling unit or Accessory Building by a member of the family residing on the residential lot, which occupation or activity is incidental and secondary to the residential occupancy and does not change the residential character thereof.

Live/Work Unit:

A building in single ownership that provides commercial uses on the first floor and a residential use dwelling unit on the upper floor(s). The owner may occupy the commercial space and reside in the dwelling unit, or the owner may lease or rent the commercial space or the dwelling together or separately.

Lodging Use:

Premises used for short-term human habitation and accessory uses. Food service may be included, unless otherwise prohibited.

Lot:

Lot shall mean a parcel of land occupied or intended for occupancy by a use permitted by the Development Plan and fronting on a permitted public or private street, common driveway, common walkway or park as described in the Lots and Building Standards.

Lot Coverage:

The maximum area of a lot that may be occupied by a structure. Lot coverage is expressed as a ratio. Open porches, decks, terraces, and stoops are excluded from the calculations.

Village Gardens Development Standards

Mixed-Use Building:

A single building that occupies two or more of the following use: retail, professional services, personal services, workshop, office, artisan, restaurant, lodging, childcare, professional business, governmental services, entertainment, recreational, residential and related accessory uses. Uses may be divided vertically or horizontally.

Office Use:

Premises used for services, including professional, financial, clerical, administrative, medical and accessory uses. Retail and manufacturing are excluded.

Point-Of-Service:

Office uses or services frequented by customers or clients.

Primary Building:

The principal building on a site, containing the primary residence or business. The primary building fronts on the primary street.

Primary Street:

When there are two streets abutting a lot, the primary street will be the street identified by the building's legal address.

Primary Street Setback:

The distance between the frontage line of a primary street and the front façade of a building.

Rear Setback:

The distance between the rear lot line and the rear wall of a building. Roof overhangs may encroach into the setback.

Residential Use:

Premises or dwelling used primarily for human habitation and related accessory uses.

Retail Use:

Premises used for the exchange of services or goods and accessory uses including but is not limited to, bicycle sales and repair shops and sale of alcoholic beverages for consumption on-premise and the sale of alcoholic beverages for consumption off-premises.

Rowhouse:

Attached single-family houses on individual platted lots. Rowhouses share common walls with one or more adjacent units.

Side Street:

When there are two streets abutting a lot, the primary street will be the street identified by the building's legal address and the side street will be the other abutting street.

Secondary Dwelling Unit:

Secondary Dwelling Units are located on the same lot as the primary dwelling unit and may be rented but not sold separately. Secondary dwelling units may be located within the primary building or within a Accessory Building to the rear of the primary building. Secondary dwelling units shall have separate outside entrances.

Sight Triangle:

The applicable Figure shown on Appendix A Sight Distance, City of Lincoln Design Standards, provided that, the Sight Triangle for Figure SD-2, Uncontrolled and Yield Controlled Intersections, shall be the crossed hatched areas marked a "area free of obstructions >30" high." (a triangular area comprised of two lot lines measured 25 feet from the intersecting corner of the lots, and the third leg, the hypotenuse, that connects the two 25 foot sides.

Side Street Setback:

The distance between the frontage line of a side street and the street facing side elevation of the building. Roof overhangs may encroach into the setback.

Storefront:

The portion of a building at the first story of a building that is made available for retail use. Storefronts shall be directly accessible from sidewalks.

Stoop:

An entry platform on the frontage of a building. Stoops may be roofed but they need not necessarily be enclosed.

Townhouse:

Attached single-family houses on individual platted lot. A townhouse shares a common wall with one adjacent unit.

Workshop Use:

Premises used for the creation, assemblage, repair of goods and hobbies, including their retail sale, unless otherwise prohibited.

MEMORANDUM

To: Planning Commission
From: Becky Horner, Planning Dept.
Date: January 4, 2005
RE: Village Gardens PUD

Staff met with the applicant on January 4, 2005 and it was determined that the conditions could be further clarified. Please substitute the following conditions in the staff report. The changes are in legislative format.

PLANNED UNIT DEVELOPMENT CONDITIONS:

Site Specific:

1. After the applicant completes the following instructions and submits the documents and plans to the Planning Department office and the plans are found to be acceptable, the application will be scheduled on the City Council's agenda:

1.1 Revise the site plan to:

- 1.1.1 A note on the site plan indicating that the final location of the trail will be determined by the Parks and Recreation Department at the time of final plat.
- 1.1.2 Changes to the satisfaction of the Public Works and Utilities Department.
- 1.1.3 LES easements.
- 1.1.5 Show the easement along Pine Lake Road is for "~~landscape, sidewalk/trail and public street use~~ purposes" and revise Note 36 to state "The public street easement along Pine Lake Road is granted for purposes of public streets, underground utilities and appurtenances related thereto, sidewalks and landscaping".
- 1.1.6 Revise Section 27.69.030(I) to indicate that signs may be attached to natural objects only with the approval of the Planning Director.

- 1.1.7 Add a note to the site and development plan that all residential lots along Pine Lake Road will have a front yard setback of 20' from Pine Lake Road.
- 1.1.8 Add a note indicating that bike racks will be a part of the commercial development.
- 1.1.9 Add a note indicating a sales building will be located within Block 1 of the B-3 commercial area and will remain until 75% of the commercial area is built out.

2. This approval permits up to 348 dwelling units in the underlying R-3 zoned area and a maximum of 1,062 peak hour trips in the underlying B-3 zoned commercial area. The requirements in the R-3 and B-3 districts are modified as indicated in the Planned Unit Development District Development Plan and waives the preliminary plat process.

General:

3. Before receiving building permits:
 - 3.1 The permittee shall have submitted a revised and reproducible final plan.
 - 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 buildings all development and construction shall have been completed in compliance with the approved plans and the Development Plan.
 - 4.2 All privately-owned improvements shall be permanently maintained by the owner or an appropriately established property owners association approved by the City Attorney.
 - 4.3 The site plan and the Development Plan accompanying this planned unit development shall be the basis for all interpretations of uses, setbacks,

yards, locations of buildings, location of parking and circulation elements, and similar matters.

- 4.4 This ordinance's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
- 4.5 The City Clerk shall file a copy of the ordinance approving the planned unit development and the letter of acceptance with the Register of Deeds. The Permittee shall pay the recording fee in advance.