

## FACTSHEET

**TITLE:** USE PERMIT NO. 05003, Vintage Heights Retail Center, requested by The Schemmer Associates on behalf of Pine Lake Development, for authority to develop 220,000 sq. ft. of commercial floor area, with associated waiver requests, on property generally located at South 84<sup>th</sup> Street and Old Cheney Road.

**STAFF RECOMMENDATION:** Conditional Approval

**ASSOCIATED REQUEST:** Change of Zone No. 05011 (05-115)

**SPONSOR:** Planning Department

**BOARD/COMMITTEE:** Planning Commission  
Public Hearing: 03/16/05  
Administrative Action: 03/16/05

**RECOMMENDATION:** Conditional Approval, with amendment (9-0: Sunderman, Taylor, Marvin, Pearson, Carroll, Carlson, Krieser, Larson and Bills-Strand voting 'yes').

### **FINDINGS OF FACT:**

1. This use permit and the associated Change of Zone No. 05011 were heard at the same time before the Planning Commission.
2. The purpose of this use permit is for authority to develop 220,000 sq. ft. of commercial floor area.
3. The applicant has requested the following waivers: a) preliminary plat process; b) to reduce the front yard setback from 50' to 25' along South 84<sup>th</sup> Street and Old Cheney Road for parking and driving aisles only; and c) to waive the required front yard on each street side of a double frontage lot.
4. The staff recommendation of conditional approval, including approval of all waiver requests, is based upon the "Analysis" as set forth on p.5, concluding that, with conditions, the request is in conformance with the Comprehensive Plan, the zoning and subdivision ordinances and the design standards.
5. The applicant's testimony is found on p.9, including a request to delete Condition #1.1.9, which requires that no lot shall have less than 5,000 sq. ft. of floor area.
6. There was no testimony in opposition.
7. On March 16, 2005, the Planning Commission agreed with the staff recommendation and voted 9-0 to recommend conditional approval, as set forth in the staff report dated March 2, 2005, with amendment deleting Condition #1.1.9 as requested by the applicant. The conditions of approval are found on p.6-8.
8. On March 16, 2005, the Planning Commission also recommended approval of the associated Change of Zone No. 05011.
9. The Site Specific conditions of approval required to be completed prior to scheduling this application on the City Council agenda have been satisfied.

**FACTSHEET PREPARED BY:** Jean L. Walker

**DATE:** July 25, 2005

**REVIEWED BY:** \_\_\_\_\_

**DATE:** July 25, 2005

**REFERENCE NUMBER:** FS\CC\2005\UP.05003

# LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for March 16, 2005 PLANNING COMMISSION MEETING

**\*\*As Revised and Recommended for Condition Approval  
by Planning Commission: March 16, 2005\*\***

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.

- P.A.S.:** Change of Zone 05011  
**Use Permit 05003, Vintage Heights Retail Center**
- PROPOSAL:** From R-3, Residential to B-2, Planned Neighborhood Business  
To develop 220,000 square feet of commercial floor area.
- LOCATION:** S. 84<sup>th</sup> St. and Old Cheney Rd.
- LAND AREA:** 35.17 acres, more or less
- CONCLUSION:** With conditions the request is in conformance with the Comprehensive Plan, Zoning and Subdivision Ordinances and Design Standards.

<b>RECOMMENDATION:</b>	
Change of Zone	<b>Approval</b>
<b><u>Use Permit</u></b>	<b><u>Conditional Approval</u></b>
<b><u>Waivers</u></b>	
<b><u>To the preliminary plat process</u></b>	<b><u>Approval</u></b>
<b><u>Reduce the front yard setback from 50' to 25' along S. 84<sup>th</sup> St.</u></b>	
<b><u>and Old Cheney Rd. for parking and driving aisles only.</u></b>	<b><u>Approval</u></b>
<b><u>Of a required front yard on each street side of a double frontage lot</u></b>	<b><u>Approval</u></b>

## **GENERAL INFORMATION:**

- LEGAL DESCRIPTION:** Lot 1, Block 4 and Outlot "A", Vintage Heights Addition, located in the North ½ of Section 14, Township 9 North, Range 6 East, Lancaster County, Nebraska
- EXISTING ZONING:** R-3 Residential
- EXISTING LAND USE:** Undeveloped

## **SURROUNDING LAND USE AND ZONING:**

North:	AG, Agriculture R-3, Residential	Alltel Communications Building Residential and golf course
South:	AGR, Agricultural Residential	Church
East:	R-3, Residential	Single family residential
West:	R-3, Residential	Lincoln Christian School

## **HISTORY:**

<b>October 25, 2004</b>	Annexation #04004, Change of Zone #04021 and Special permit #1762B, Vintage Heights 4 <sup>th</sup> Addition were approved by City Council.
<b>February 24, 2003</b>	Preliminary Plat #02017, Vintage Heights 3 <sup>rd</sup> Addition; Special permit #1762A, Annexation #02009; and Change of Zone #3374 were approved by City Council.
<b>September 27, 1999</b>	Preliminary Plat #99002, Vintage Heights 2 <sup>nd</sup> Addition; Special Permit #1762, Annexation #99005; and Change of Zone #3168 were approved by City Council.
<b>August 3, 1998</b>	Preliminary Plat #98003, Vintage Heights 1 <sup>st</sup> Addition; Special Permit #1716 and Change of Zone #3109 were approved by City Council.
<b>July 14, 1997</b>	Preliminary Plat #97002, Vintage Heights and Change of Zone #3045 were approved by City Council.

## **COMPREHENSIVE PLAN SPECIFICATIONS:**

The Comprehensive Plan is the basis for zoning and land development decisions. It guides decisions that will maintain the quality and character of the community's established neighborhoods. (F-15)

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)

The Lincoln/Lancaster County Land Use plan designates this area as commercial. (F-23)

Commercial and industrial districts in Lancaster County shall be located:

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

- in a manner that supports the creation and maintenance of green space as indicated in the environmental resources section of this Plan. (F-38)

The 2025 Comprehensive Plan describes this area as a Commerce Center. (F-41)

“Commerce centers” are defined as areas containing a mix of retail, office, services and residential uses, with some light manufacturing and warehousing in selected circumstances. (F-40)

For the purpose of the Comprehensive Plan, Commerce Centers have been divided into three separate size categories. The size differences reflect the differing impacts that the centers have on adjacent land uses and the public infrastructure. The three categories of Commerce Centers are:

1. Regional Centers
2. Community Centers
3. Neighborhood Centers. (F-40)

## **N** EIGHBORHOOD CENTERS (N)

### **CENTER SIZE**

Neighborhood Centers typically range in size from 150,000 to 250,000 square feet of commercial space. Existing centers may vary in size from 50,000 to 300,000 square feet. (F-46)

### **DESCRIPTION**

Neighborhood centers provide services and retail goods oriented to the neighborhood level, such as Lenox Village at S. 70<sup>th</sup> and Pioneers Boulevard, and Coddington Park Center at West A and Coddington. These smaller centers will not include manufacturing uses. (F-46)

### **MARKET AREA**

These centers typically serve the neighborhood level. It is anticipated that there will be one neighborhood center per one square mile of urban use. For areas of less than one square mile, the maximum size of the center will be reduced proportionally. (F-47)

### **CENTER SPACING**

Neighborhood Centers should be located approximately 3/4 to one mile apart, depending upon their size, scale, function and the population of the surrounding area. (F-47)

### **CRITERIA**

Neighborhood Centers are not sited in advance on the land use plan. However, in neighborhoods oriented to greater pedestrian activity and residential density, two neighborhood centers may be located within a square mile of urban residential use. Neighborhood Centers should generally not develop at corners of intersections of two arterial streets due to limited pedestrian accessibility and impact on the intersection – locations 1/4 to 1/2 mile from major intersections are encouraged, particularly if there is to be more than one commercial center within a square mile of urban residential use. There may be circumstances due to topography or other factors where centers at the intersection may be the only alternative. When a square mile of urban use contains a Community or Regional Center, and that center includes many of the uses found in a neighborhood center, then a neighborhood center would not be approved within that square mile. This provision would not apply if the incentives listed below, including greater residential population, have been met. (F-47)

### **PROPOSED LOCATIONS**

During the planning period many additional neighborhood centers will be needed. These centers are not identified on the land use plan and will instead be located as part of plans for future neighborhoods based on the commercial guidelines. (F-47)

### **SITING PROCESS**

As part of development proposals that include a proposed Neighborhood Center, the exact location and land use composition of the Center should be determined. If the neighborhood center is in conformance with the Comprehensive Plan and is approved, the Planning Director may administratively update the Comprehensive Plan to reflect the specific location. (F-47)

## **FLOOR AREA INCENTIVE**

New Neighborhood Centers will typically range from 50,000 to 250,000 square feet of floor area per square mile of urban use. However, when neighborhood centers follow most, if not all, of the criteria listed below it would be appropriate to develop **two neighborhood centers** within a square mile of urban use, each center having a floor area up to approximately 200,000 square feet. (F-47)

## **Right-of-Way Considerations**

Projects occurring at the intersection of two arterial streets will warrant the further dedication of public right-of-way up to 130 ft. in width for the "2+1 at 120 ft. of ROW" and "4+1 at 120 ft. of ROW projects, for a distance extending two blocks from the centerline (approximately 700 feet) of the intersection. (F-112)

## **UTILITIES:**

All utilities are available to serve this area.

## **TOPOGRAPHY**

The site slopes to the east.

## **TRAFFIC ANALYSIS:**

S. 84<sup>th</sup> St. is classified as a principal arterial.

Old Cheney Rd. is classified as a minor arterial.

## **PUBLIC SERVICE:**

The nearest fire station is located on S. 84<sup>th</sup> St. between "A" St. & Van Dorn St.

## **ENVIRONMENTAL CONCERNS**

Antelope Creek is on the eastern edge of this development. Preservation of the open area adjacent Antelope Creek.

## **ANALYSIS:**

1. This is a request for a change of zone from R-3 to B-2 and a use permit for 220,000 square feet of commercial floor space.
2. The land use plan designates this area as commercial.
3. The applicant is requesting a waiver to a front yard setback on all street sides of a double frontage lot. This waiver is acceptable. The site plan shows that the building envelope setback from the curb vary from 16' to 28'. This provides adequate space between the sidewalk and building.
4. The applicant has requested a reduction in the front yard setback along S. 84<sup>th</sup> St. and Old Cheney Rd. from 50' to 25' for parking and driving aisles. This is acceptable provided additional landscape screening is provided. The landscape screen shall be 90% from 2'-4' height along the parking area.
5. Antelope Creek is located on the eastern part of this development. The site plan identifies the area around Antelope Creek as an outlot for open space. This area should always remain as open space and care should be taken to protect the vegetation in the area.

6. New Commercial Centers should be pedestrian friendly by providing safe walking areas from the surrounding sidewalk system to the front door of every business in the center.

**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 Utility easements as requested by the February 23, 2005 LES report.
- 1.1.2 Delete the Dedication, Acknowledgment of Notary, Lien Holder Consent and Subordination and Planning Director's Approval from Sheet 1.
- 1.1.3 Extend S. 86<sup>th</sup> St. to Old Cheney Rd.
- 1.1.4 Show sign envelopes for all ground or pole signs.
- 1.1.5 Delete the Surveyor's Certificate and identify the existing lots and include only the metes & bounds description.
- 1.1.6 All notes referring to S. 84<sup>th</sup> St. and Old Cheney Rd. must reflect the existing conditions and existing right-of-way.
- 1.1.7 Correct the boundary of the use permit along S. 84<sup>th</sup> St. and Old Cheney Rd. The boundary of the use permit must be to the existing right-of-way line.
- 1.1.8 Change Outlot B to a lot and add the floor area to the total floor area.
- ~~1.1.9 Add a note that states no lot shall have less than 5,000 square feet of floor area. (\*\*Per Planning Commission, at the request of the applicant, 03/16/05\*\*)~~
- 1.1.10 Delete "excluding building envelopes" in Note 15.
- 1.1.11 Add preliminary plat to the list of waivers
- 1.1.12 Make corrections per Public Works & Utilities Department memo of March 2, 2005.

- 1.1.13 Change Note 6 on the landscape plan. Screening along S. 84<sup>th</sup> St. shall be 90%.
- 1.1.14 Show screening along the south and east boundary of the use permit. When abutting a residential district screening is required of at least 60% of the surface area of a vertical plane extending along the entire length of the property line and from the ground elevation to a height of ten feet above the adjacent ground elevation.
- 1.1.15 Show sidewalks on both sides of the private roadways and along S. 84<sup>th</sup> St. and Old Cheney Rd. adjacent to this application. The typical roadway section shall include sidewalks at least 10' back of curb along Old Cheney Rd., S. 84<sup>th</sup> St. and Foxtail Dr. An easement for the sidewalks would be acceptable if R-O-W is not adequate.
- 1.1.16 Add a note that states "Sidewalks shall be provided from the sidewalks along the private roadways and from S. 84<sup>th</sup> St., Foxtail Dr. and Old Cheney Rd. to the front door of every commercial building as part of the building permit.
- 1.1.17 Rename one of the private roadways named Cuthills Dr.

2. This approval permits up to 250,000 square feet of commercial floor area.

General:

3. Before receiving building permits:

- 3.1 The permittee shall have submitted a revised and reproducible final plan including 5 copies showing the following revisions and the plans are acceptable:
- 3.2 The construction plans shall comply with the approved plans.
- 3.3 Final Plans shall be approved by the City.

STANDARD CONDITIONS:

4. The following conditions are applicable to all requests:

- 4.1 Before occupying the commercial buildings all development and construction shall have been completed in compliance with the approved plans.
- 4.2 All privately-owned improvements shall be permanently maintained by the owner or an appropriately established homeowners association approved by the City Attorney.

- 4.3 The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
- 4.4 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
- 4.5 The applicant shall sign and return the letter of acceptance to the City Clerk within 30 days following the approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filling fees therefor to be paid in advance by the applicant.

Prepared by:

Tom Cajka  
Planner

**DATE:** March 2, 2005

**APPLICANT:** The Schemmer Associates  
1919 S. 40<sup>th</sup> St.  
Lincoln, NE 68506  
(402) 488-2500

**OWNER:** Pine Lake Development  
3801 Union Hill Dr. Suite 102  
Lincoln, NE 68516  
(402) 434-5650

**CONTACT:** Jennifer Thompson  
The Schemmer Associates  
1919 S. 40<sup>th</sup> St.  
Lincoln, NE 68506  
(402) 488-2500

**CHANGE OF ZONE NO. 05011  
and  
USE PERMIT NO. 05003**

**PUBLIC HEARING BEFORE PLANNING COMMISSION:**

March 16, 2005

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

Staff recommendation: Approval of the change of zone and conditional approval of the use permit.

Ex Parte Communications: None.

Proponents

**1. Bob Lewis of Pine Lake Development, LLC**, testified as the applicant for this proposal. This property is located at the southeast corner of 84<sup>th</sup> and Old Cheney Road. It was shown as part of the Vintage Heights original preliminary plat to be a neighborhood center in 1997. Eight years later, the developer is now in the process of bringing an application to develop this into a neighborhood center. 84<sup>th</sup> and Old Cheney Road construction may be completed in the next year and will allow the developer to start this project.

This proposal shows six lots in B-2 zoning with a 250,000 sq. ft. neighborhood center. Lewis requested that Condition #1.1.9 be deleted, which requires that no lot shall have less than 5,000 sq. ft. of floor area.

The developer has met with the neighborhood association at their monthly meetings three or four times to discuss this development.

The outlot will be deeded to the homeowners association in the future so that they have control of the existing trees that will be maintained and the outlot.

Marvin asked about the residences that back up to Outlot A. Lewis stated that he has not met personally with every one of them, but the developer has been on the homeowners association agenda a number of times. Lewis reiterated that this property was approved as a neighborhood center in the Comprehensive Plan back in 1997, so those residential property owners were aware of the use.

There was no testimony in opposition.

Tom Cajka of Planning staff agreed with the deletion of Condition #1.1.9, as requested by the applicant.

**CHANGE OF ZONE NO. 05011**

**ACTION BY PLANNING COMMISSION:**

March 16, 2005

Marvin moved approval, seconded by Carlson and carried 9-0: Sunderman, Taylor, Marvin, Pearson, Carroll, Carlson, Krieser, Larson and Bills-Strand voting 'yes'. This is a recommendation to the City Council.

**USE PERMIT NO. 05003**

**ACTION BY PLANNING COMMISSION:**

March 16, 2005

Marvin moved to approve the staff recommendation of conditional approval, with amendment deleting Condition #1.1.9, seconded by Pearson and carried 9-0: Sunderman, Taylor, Marvin, Pearson, Carroll, Carlson, Krieser, Larson and Bills-Strand voting 'yes'. This is a recommendation to the City Council.



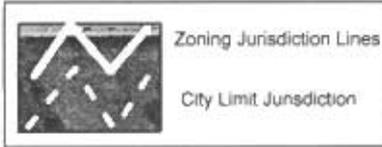
2002 aerial

**Change of Zone #05011  
Use Permit #05003  
S. 84th & Old Cheney Rd.**

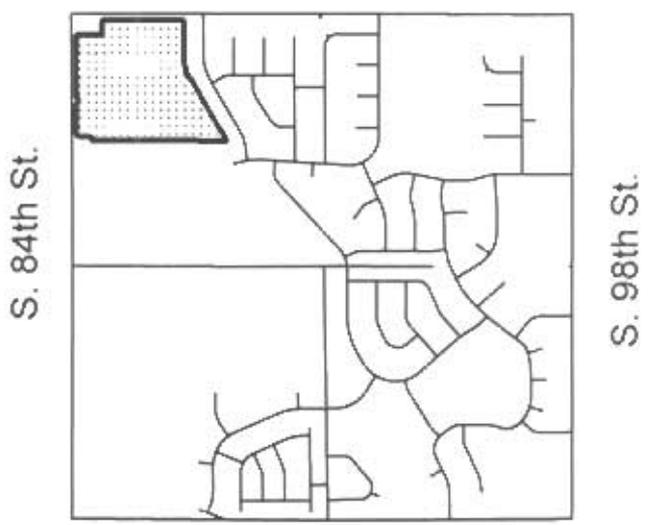
**Zoning:**

- 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-6 Planned Regional Business District
- H-1 Interstate Commercial District
- H-2 Highway Business District
- H-3 Highway Commercial District
- H-4 General Commercial District
- I-1 Industrial District
- I-2 Industrial Park District
- I-3 Employment Center District
- P Public Use District

One Square Mile  
Sec. 14 T9N R7E



Old Cheney Rd.



Pine Lake Rd. 011









February 11, 2005

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

RE: VINTAGE HEIGHTS RETAIL CENTER- USE PERMIT  
84<sup>TH</sup> STREET AND OLD CHENEY ROAD

Dear Mr. Krout,

On behalf of Pine Lake Development, L.L.C., we are pleased to submit the Vintage Heights Retail Center Use Permit for your review. The plat is bordered by 84<sup>th</sup> Street to the west and Old Cheney Road to the north, by Antelope Creek and single-family lots to the east, and by a church and proposed residential lots to the south. The plat consists of 6 lots, with a change of zone from a R-3 Residential District to a B-2 Planned Neighborhood Business District. All lots will take access to private roadways that will be owned and maintained by a business association. The water and sanitary sewer will be public. Enclosed you will find five plan sheets containing the cover sheet, site plan, grading and drainage plan, street profiles, and the landscape plan, respectively. You will also find the traffic study associated with this development.

The developer requests the following waivers to the subdivision and zoning ordinance.

Request waiver of the Preliminary Plat procedures.

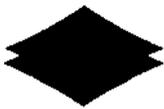
Request waiver to allow a 25-foot front yard setback for parking rather than the required 50 feet as stated in the B-2 zoning requirements. The building setback shall remain at 50 feet.

Request waiver of a required front yard on each street side of a double frontage lot.

**Architects  
Engineers**

Rue Street Mall  
1920 Rue Street, Suite 1  
Council Bluffs, Iowa 51503  
712.329.0300  
fax 712.329.9970  
www.schemmer.com

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Thank you for your consideration of the Vintage Heights Retail Center Use Permit.

Please give us a call at 488-2500 if you have any questions.

Sincerely,

THE SCHEMMER ASSOCIATES INC.

Architects - Engineers

Jennifer Thompson, E.I.

Transportation Designer

Cc: Bob Lewis, HDS

Enclosures:    6 full size copies of plan sheets 1 thru 5  
                     15 full size copies of plan sheet 1  
                     2 copies of the traffic study  
                     Application for Use Permit  
                     Application for Change of Zone  
                     Application for Waivers  
                     Application fees of \$1,480.00  
                     Certificate of ownership

# M e m o r a n d u m

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**To:** Tom Cajka, Planning Department

**From:** Chad Blahak, Public Works and Utilities  
Dennis Bartels Public Works and Utilities

**Subject:** Vintage Heights Retail Center UP #05003 and CZ #05011

**Date:** 3/02/05

**cc:**

Engineering Services has reviewed the submitted plans for the Vintage Heights Retail Center Use Permit, located on the southeast corner of 84<sup>th</sup> Street and Old Cheney Road, and has the following comments:

**Sanitary Sewer** - The sanitary system is satisfactory.

**Water Main** - The following comments need to be addressed.

(2.1) It does not appear that adequate fire protection is provided for Lot 4. A private water line for fire protection may be necessary.

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

(3.1) The 100yr water elevation at the Old Cheney crossing for Antelope Creek does not appear accurate. As shown the water elevation does not reach the top of the box culvert, showing no headwater at the culvert. Supporting calculations need to be provided showing how the 100yr elevation was determined for Antelope Creek. Also, the 100yr flood limits need to be shown and clearly labeled on the plans and supporting calculations need to be provided.

(3.2) The entire flood corridor easement along with the supporting calculations need to be shown for Antelope Creek within this project. The portion of the easement in Outlot A is not shown. Also, more detailed grades with cross sections need to be shown for Antelope Creek to match the easement calculations.

(3.3) There appears to be discrepancies in the grading plan near the Antelope Creek crossing at Old Cheney. The plans for the Old Cheney box culvert show the upstream flowline to be about 1310 while the grading contours near the box culvert are shown at a 1316 elevation. Revisions need to be made accordingly.

(3.4) The grading for Lot 3 shows it 2-4 feet lower than the adjacent private streets and Old Cheney. The minimum opening elevation is also lower than the low point in Old Cheney. Although there are no standards that require the lots be graded higher than 1' above the 100yr elevation, since it is a minor change in the grading plan, Public Works recommends that Lot 3 be graded above the low point in Old Cheney and the minimum opening elevation be revised accordingly.

(3.5) The grading and drainage plan references the original Vintage Heights drainage study in addressing detention for this plat. However, it does not appear that the study addressed flows at Old Cheney Road. Also, the previously mentioned study was for Vintage Heights 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> Additions. The area of this plat was platted as Outlot A of Vintage Heights Original Addition prior to the requirement to provide detention. However, detention is required for the proposed use permit. The applicant needs to show that the existing detention in various locations is sufficient to account for this use permit.

(3.6) Public and private storm facilities need to be clearly labeled on the plans.

**Streets/Paving** - The following comments need to be addressed.

(4.1) Although there are no design standards currently requiring that private streets be placed in outlots, Public Works recommends that the private streets be placed in outlots. This better facilitates a maintenance agreement and provides access to utilities without technically crossing private property.

(4.2) A waiver of design standards for permanent turnaround geometry at the east end of Cuthills Drive and the north end of South 85<sup>th</sup> Street needs to be requested and justified or revisions need to be made to eliminate the need for the waivers.

(4.3) The site plan needs to be revised to show 70' of ROW along 84<sup>th</sup> for 700' south of Old Cheney Road and adjacent to the right turn lane for Cuthills Drive in 84<sup>th</sup> Street and the right turn lane for 86<sup>th</sup> Street in Old Cheney Road. There needs to be 60' of ROW shown along 84<sup>th</sup> Street and Old Cheney for all other areas.

(4.4) The traffic study indicates that there be a spacing of 350' from curb to curb between 84<sup>th</sup> and 85<sup>th</sup> Street on Foxtail Drive. It does not appear that this spacing is attained. Revisions need to be made accordingly.

(4.5) It is not clear in the traffic study if Outlot B was included as developed uses. Outlot B needs to be included in the study with commercial uses. Also, the Aquila Lot 6 should be included in the study as commercial use as it may be redeveloped in the future as part of this commercial center.

**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.

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

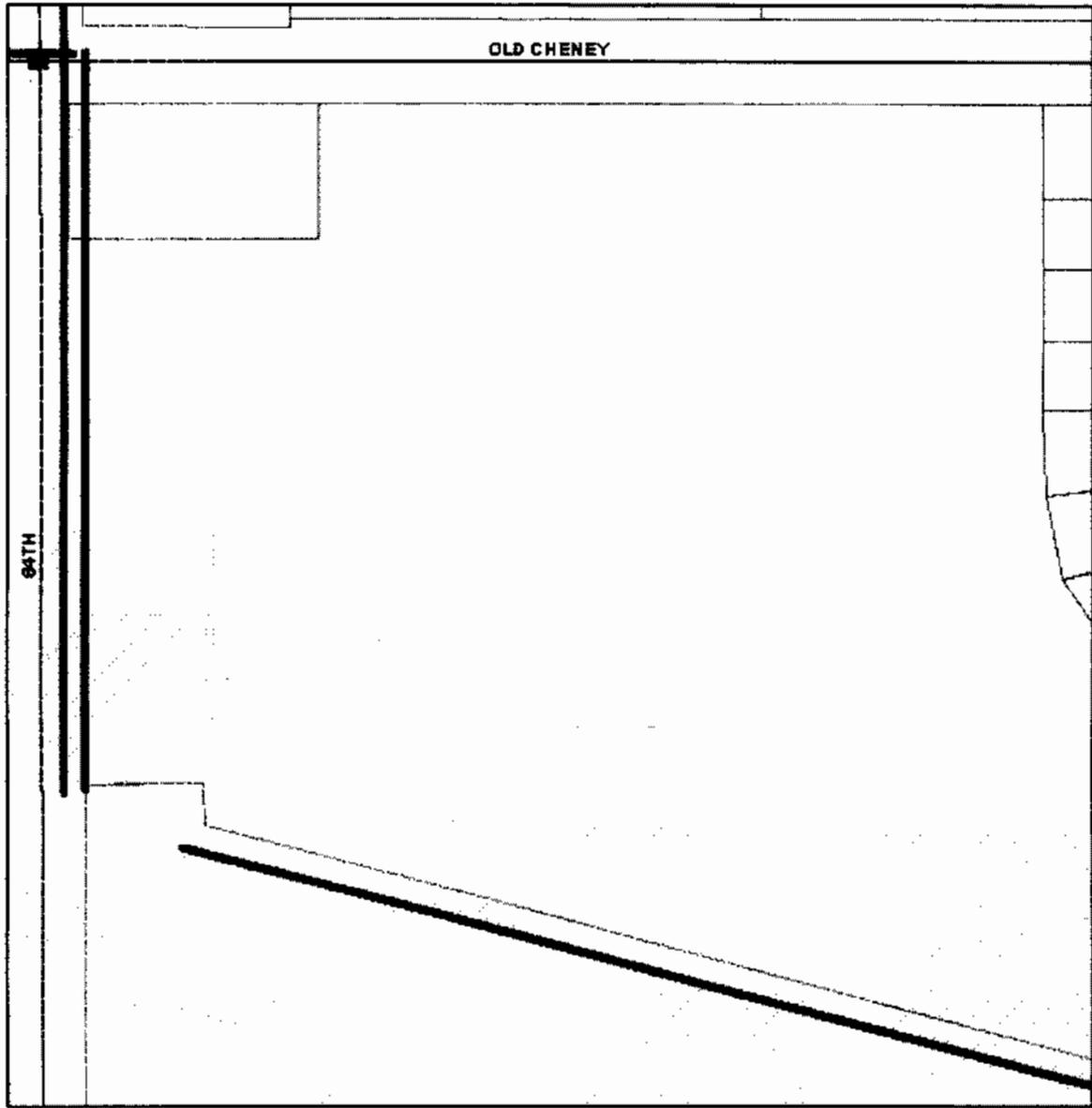
<b>TO:</b> Tom Cajka	<b>DATE:</b> February 28, 2005
<b>DEPARTMENT:</b> Planning	<b>FROM:</b> Chris Schroeder
<b>ATTENTION:</b>	<b>DEPARTMENT:</b> Health
<b>CARBONS TO:</b> EH File	<b>SUBJECT:</b> Vintage Heights Retail
EH Administration	Center CZ #05011 UP #05003

The Lincoln-Lancaster County Health Department has reviewed the proposed development with the following noted:

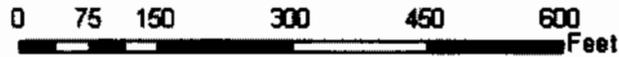
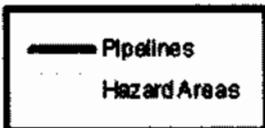
- According to the LLCHD's Geographic Information System (GIS) records, a fourteen inch high pressure underground natural gas pipeline traverses the southern portion of this proposed development. In addition, eighteen inch and a twenty-four inch underground natural gas pipelines are located on the western portion of this proposed development. See the attached GIS map for the location of these underground pipelines. The LLCHD calculated a hazard area of approximately 277 feet on each side for the pipeline traversing the southern portion of this proposed development and 174 and 141 feet on each side for the pipelines on the western portion of this proposed development using the hazard area equation from the report entitled, "A Model for Sizing High Consequence Areas Associated with Natural Gas Pipelines" prepared by Mark J. Stephens from C-FER Technologies. A hazard area or high consequence area is defined as the area within which the extent of property damage and the chance of serious or fatal injury would be expected to be significant in the event of a worst case scenario rupture failure.
- While there are no current regulations that prohibit the location of occupied structures within hazard zones, the LLCHD recommends that occupied structures not be located within hazard areas. At the very least, prospective buyers of these lots or lessees of buildings should be informed regarding the presence of the underground natural gas pipeline and the pipeline's hazard area.

- All wind and water erosion must be controlled during construction. The Lower Platte South Natural Resources District should be contacted for guidance in this matter.
- During the construction process, the land owner(s) will be responsible for controlling off-site dust emissions in accordance with Lincoln-Lancaster County Air Pollution Regulations and Standards Article 2 Section 32. Dust control measures shall include, but not limited to application of water to roads, driveways, parking lots on site, site frontage and any adjacent business or residential frontage. Planting and maintenance of ground cover will also be incorporated as necessary.

March 1, 2005



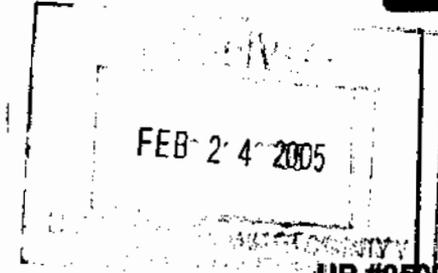
## Vintage Heights Retail Center



INTER-DEPARTMENT COMMUNICATION



**DATE:** February 23, 2005  
**TO:** Tom Cajka, City Planning  
**FROM:** Sharon Theobald (Ext. 7640)  
**SUBJECT:** DEDICATED EASEMENTS  
DN #57S-84E



**UP #05003**  
**CZ #05011**

Attached is the Use Permit for Vintage Heights Retail Center

**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 a blanket utility easement over Outlot "A". Also, please include in the notations, the existing down guy electrical line easement.

A handwritten signature in cursive script, reading "Sharon Theobald", is located below the main text.

ST/nh  
Attachment  
c: Terry Wiebke  
Easement File