

## **FACTSHEET**

**TITLE: WAIVER OF DESIGN STANDARDS**

**NO. 05009**, to waive the requirement for a pedestrian easement/sidewalk in a block that exceeds 1,000 ft. in length in the Rolling Hills Ridge Addition, generally located at South 19<sup>th</sup> Street and Ridgeline Drive.

**STAFF RECOMMENDATION:** Denial.

**SPONSOR:** Planning Department

**BOARD/COMMITTEE:** Planning Commission  
Public Hearing: 01/18/06  
Administrative Action: 01/18/06

**RECOMMENDATION:** Approval (5-3: Krieser, Taylor, Sunderman, Strand and Larson voting 'yes'; Esseks, Carroll and Carlson voting 'no'; Pearson absent).

**FINDINGS OF FACT:**

1. The purpose of this waiver is to waive the requirements of Section 26.23.125 of the Land Subdivision Ordinance, which requires a pedestrian way when a block exceeds 1,000 feet in length and where there is a need for pedestrian traffic.
2. The staff recommendation to deny this waiver request is based upon the "Analysis" as set forth on p.3-4, concluding that the waiver does not conform with the Comprehensive Plan or the Land Subdivision Ordinance.
3. Testimony by the applicant, Pace Woods, and his representatives, Jason Thiellen of Engineering Design Consultants, and Fred Hoppe, attorney, is found on p.5-7. They indicated that the pedestrian way would still provide an indirect path to the school in this section, that the general area has many long blocks and that the easement has discouraged the sale of the adjoining lots.
4. There was no testimony in opposition; however, the record consists of two e-mail communications in opposition (p.16-17).
5. The Planning Commission discussion with staff is found on p.7-8, and the response by the applicant's attorney is found on p.8.
6. On January 18, 2006, the majority of the Planning Commission disagreed with the staff recommendation and voted 5-3 to approve the waiver request (Esseks, Carroll and Carlson dissenting; Pearson absent). See Minutes, p.8-9.
7. Staff recognizes that this pedestrian way would have limited utility and the developer has had difficulty marketing the adjoining lots, so we would like to defer to the Planning Commission and withdraw our opposition. However, since this waiver was not advertised as final action by the Planning Commission due to the original staff recommendation of denial, Council hearing and action is required.

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

**DATE:** January 24, 2006

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

**DATE:** January 24, 2006

**REFERENCE NUMBER:** FS\CC\2006\WVR.05009

# LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for January 18, 2006 PLANNING COMMISSION MEETING

**PROJECT #:** Waiver of Design Standard #05009

**PROPOSAL:** Waive the requirement for a sidewalk in a block in excess of 1,000' in length in Rolling Hills Ridge Addition.

**LOCATION:** South 19<sup>th</sup> Street and Ridgeline Drive.

**CONCLUSION:** This waiver request does not conform to the Comprehensive Plan or Subdivision Regulations.

<b>RECOMMENDATION:</b>	Denial
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## GENERAL INFORMATION:

**LEGAL DESCRIPTION:** Lots 1-7, Block 1, Lots 1-25, Block 2, Lots 1-3, Block 3, and Outlots A-D, Rolling Hills Ridge Addition

**EXISTING LAND USE AND ZONING:** Undeveloped R-1 Residential

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

North:	Residential	R-1 Residential
South:	Residential	R-1 Residential
East:	Residential	R-1 Residential
West:	Cemetery	R-1 Residential

## **COMPREHENSIVE PLAN SPECIFICATIONS:**

**F18** - Interconnected networks of streets, trails, and sidewalks should be designed to encourage walking and bicycling, reduce the number and length of automobile trips, conserve energy and for the convenience of the residents.

**F19** - Transit, pedestrian, and bicycle networks should maximize access and mobility to provide alternatives and reduce dependence upon the automobile.

**F25** - The 2025 Land Use Plan identifies this area as Residential.

**F66** - Interconnected networks of streets, trails and sidewalks should be designed to encourage walking and bicycling and provide multiple connections within and between neighborhoods.

**F86** - Transportation Planning Principles include:

- *A Connected City.* In Lincoln and Lancaster County, the unifying qualities of transportation will be emphasized. The transportation network will sustain the One Community concept by linking neighborhoods together. Neighborhoods, activity and employment centers, rural communities, and open lands will be connected by a continuous network of public ways.

- *A Balanced Transportation System.* Transportation planning in Lincoln will be guided by the principle of balancing needs and expectations. It will recognize that transportation is a means to the goal of a unified, liveable, and economically strong community, and not an end in itself. Thus, the system will effectively move people and goods around the community, while minimizing impacts on established neighborhoods and investments. The concept of balance also applies to methods of transportation. While the system must function well for motor vehicles, it should also establish public transportation, bicycling, and walking as realistic alternatives now and in the future.

**F87** - The overall objectives of the transportation plan include:

- Developing a balanced transportation system that meets the mobility needs of the community and supports Lincoln and Lancaster County's land use projections and plan.
- Increasing the use of alternate means of transportation, including public transportation, bicycle transit, and pedestrian movement, by improving and expanding facilities and services and encouraging compact, walkable land use patterns and project designs.

**F91** - Other Areas All areas of the community should have safe, secure, and reasonably direct pedestrian connections. Activities of daily living should be available within walking distance. Neighborhoods should include homes, stores, workplaces, schools, and places to recreate. Interconnecting streets, trails, and sidewalks should be designed to encourage walking and bicycling, reduce the number and length of automobile trips, and conserve energy.

## **HISTORY:**

**December 31, 2003** - Final Plat #03041 Rolling Hills Ridge Addition was approved.

**October 16, 2003** - Special Permit #634D Skyline Rolling Hills CUP was approved revising the layout for the south portion of the CUP to show roundabouts and medians in the streets within this portion of the development.

**November 13, 1997** - Special Permit #634C was approved allowing an amendment to the Community Unit Plan to adjust the side yard setback from 20 feet to 7.5 feet at approximately Berkeley Drive and Old Farm Road.

**February 24, 1997** - Special Permit #634B was approved revising the lot layout.

**February 10, 1997** - Preliminary Plat #96023 Skyline Rolling Hills 5<sup>th</sup> Addition was approved.

**February 21, 1989** - Special Permit #634A approved an amendment to the Community Unit Plan to allow up to 158 single-family units, 8 duplex units, and up to 171 apartment units.

**December 19, 1972** - Special Permit #634 approved the Skyline Rolling Hills Community Unit Plan.

## **ANALYSIS:**

1. This is a request to waive a required sidewalk in a block which exceeds 1,000' in length.
2. Section 26.23.125 of the Land Subdivision Ordinance requires a pedestrian way when a block exceeds 1,000 feet in length and where needed for pedestrian traffic. Block 2 exceeds 1,000 feet.
3. Section 26.31.010 of the Land Subdivision Ordinance states, "Whenever a lot, tract, or parcel of land is of such unusual size or shape or is surrounded by such development or unusual condition

that the strict application of the requirements contained in these regulations would result in actual difficulties or substantial hardship or injustice, the subdivider may request a modification of such requirements.”

4. The pedestrian way easement was shown on the preliminary plat of Skyline Rolling Hills 5<sup>th</sup> Addition and provided a north-south sidewalk connection from the cul-de-sac in Rolling Hills Court to Ridgeline Drive. The intent was to provide a direct connection between the Rolling Hills cul-de-sac and Ridgeline Drive, and to facilitate access to Scott Middle School and Pine Lake Road. Without this sidewalk connection, pedestrians on Rolling Hills Court must first go north to either Davenport Drive or Winding Ridge Road to go south to get to Ridgeline Drive.
5. SP#634D revised the street and lot layout to accommodate the addition of two roundabouts and the widening of South 19<sup>th</sup> Street, South 21<sup>st</sup> Street, and Ridgeline Drive to allow for medians. The reconfigured lot lines no longer allowed for a straight sidewalk south to Ridgeline Drive, and the pedestrian easement was moved to its current location which was the only point that did provide for a straight sidewalk.
6. The sidewalk was required to be installed at the same time as Rolling Hills Court and South 19<sup>th</sup> Street were paved. The omission of installing the sidewalk at the required time does not justify a hardship.

Prepared by:

Brian Will  
441-6362, [bwill@lincoln.ne.gov](mailto:bwill@lincoln.ne.gov)  
January 4, 2006

**APPLICANT/  
CONTACT:**

Jason Thiellen  
EDC  
2200 Fletcher Avenue      Ste 102  
Lincoln, NE 68504  
438-4014

**OWNER:**

F. Pace Woods, II  
4645 Normal Blvd      Ste 372  
Lincoln, NE 68506  
474.3505

## WAIVER NO. 05009

### PUBLIC HEARING BEFORE PLANNING COMMISSION:

January 18, 2006

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

Staff recommendation: Denial

Ex Parte Communications: None.

Additional information submitted for the record: Brian Will of Planning staff submitted a letter in opposition.

### Proponents

1. **Pace Woods**, the applicant and developer of Rolling Hills Addition, made the presentation. He has been developing land in Lincoln and Lancaster County and southern Nebraska for over 45 years. Under the new procedures for final plats, he would not ordinarily bring this forward, except to correct a problem and the problem is merely to remove a pedestrian easement. The City properly sent a letter to the residents in the general area about his concern with the pedestrian sidewalk requirement running between the back yards of four lots. Some of the neighbors misunderstood the request and thought it referred to removing the requirement for public sidewalks, and that is not the case. Public sidewalks on all streets in Rolling Hills will be built. This refers only to a pedestrian easement running from Rolling Hills Court to South 19<sup>th</sup> Street through the back yards of four lots.

Woods went on to explain that when the final plat of the Rolling Hills Original Addition was approved, there was no requirement for a pedestrian easement forwarded to the City Council. It was only at the last moment when then Council Member Werner brought up a suggestion for a sidewalk from Rolling Hills Court over one street to 19<sup>th</sup> Street. Woods advised that due to the grade of the land and the configuration of the lot line, it is impossible to put a pedestrian sidewalk leading toward the school, either to the east or the south, and he was then asked if he would agree to one to the west. Woods wanted to move the plat forward and frankly, he did not have an opportunity to check with anyone such as those interested in living in the area, so he agreed to the sidewalk.

Woods advised that this sidewalk requirement has now become a distinct problem to the families interested in living in the area and the builders. It affects four back yards. He had to cancel the contract on one of the lots because the family did not want this sidewalk constructed. This pedestrian easement will have an effect on the aesthetics of the area and the safety of the children. There are a lot of children living in this area. This sort of pedestrian easement with fences built by it is not only a safety problem but it does not look good. He agrees with the concept of bringing additional amenities to additions. He has spent money enhancing this particular area way beyond what has been required. He is interested in keeping an area filled with amenities, but this pedestrian easement leads to no amenity. It adds no amenity. Instead of toward the middle school, it runs to the west and is blocked by Lincoln Memorial Cemetery. Woods stated that he supports pedestrian easements when used for destination purposes and when they provide amenities to the area. This does neither. Does this route shorten the

distance from someone who lives in the cul-de-sac to the middle school? Yes, but only by one-tenth of a mile. It does not enhance the walking opportunity for children or adults in the area. He emphasized that this pedestrian easement clearly does not provide a destination condition. It provides no additional amenities to the families. It creates an eyesore and provides potential problems for safety. The Planning Commission did not include this easement in the original approval of the final plat. It was added by the City Council at the last minute. Please correct this matter in the name of a healthy and wise land use plan.

**2. Jason Thiellen of Engineering Design Consultants** appeared on behalf of the applicant in favor of removing the pedestrian easement between Rolling Hills Court and South 19<sup>th</sup> Street. Does this easement take people somewhere? No, it does not. It goes toward the cemetery and there is only one-tenth of a mile difference between people in the cul-de-sac going around towards the school and those coming across the pedestrian easement.

Thiellen further explained that the reason this application has been brought forward is because the pedestrian easement is a requirement of the subdivision ordinance, i.e. when a block exceeds 1,000 ft., it requires a pedestrian easement. He showed a map of the area which showed three pedestrian easements which are destination easements. He has counted 18 blocks that exceed 1,000' that do not have pedestrian easements. Out of those 18 blocks, 10 blocks exceed the maximum of 1,320' block length for a cross street. Therefore, it appears that there is a standard in this area that pedestrian movements or easements are not a requirement. This was added on at the end of the City Council decision on the plat. Mr. Woods has spent two years trying to market these lots and people do not want to live next to a pedestrian easement for the reason of safety and an eyesore. Thiellen then showed photographs of other pedestrian easements to demonstrate what homeowners and future homeowners fear, i.e. the "cattle shoot" look. It is also a target for graffiti. The subject pedestrian easement is not a destination easement. It goes nowhere. Home builders and homeowners do not care to live next to easements like this and Mr. Woods is having difficulty selling the lots because of it.

Carroll observed that if you lived on Rolling Hills Court and you wanted to walk south to the school, you would have to walk north all the way up to Davenport Drive and then cut over to 21<sup>st</sup> Street and then south. You would have to go out of your way quite a ways in order to go to school without the pedestrian easement. Isn't that the purpose of the easement, i.e. to allow people to have access south? Thiellen agreed that it does shorten the distance but only by about 500 feet. If pedestrian circulation was such a critical issue in this neighborhood, he would think there would be a lot more of those easements located between the blocks. Carroll believes it is a lot more than 500 feet if you live at the southern end of Rolling Hills Court. Thiellen demonstrated where they took the 500' measurement on the map. Without the pedestrian easement, it is .73 miles. With the pedestrian easement it is .59 miles. It is not significantly longer. Carroll disagreed. He believes it doubles back a long distance.

Sunderman asked whether these four lots are the only lots that have not been sold. Thiellen acknowledged that there are more.

**3. Fred Hoppe, 1600 Stonyhill,** testified on behalf of the applicant, **Woods Investment Company.** He pointed out that all of the pedestrian easements in this area are destination easements. He counted 17 easements which have been omitted from the required standards. This is a request for another omission. This easement is impeding the sales in the area. The developer is concerned that it will create a "cattle shoot". The people in this neighborhood fence their back yards and people do

not want people walking through their back yards. Hoppe suggested that not many kids will walk over half a mile to school today. You just don't see it happen very often anymore. The easement will not be frequently used. The flow of traffic goes down to the park to the south. The terrain does not allow a pedestrian easement to the east or south. The pedestrian easement to the west makes no sense.

There was no testimony in opposition.

### Staff questions

Esseks asked staff to review the theory behind requiring a pedestrian easement. Brian Will of Planning staff advised that the Comprehensive Plan talks about connectivity and access; facilitating pedestrian traffic when possible; and alleviating vehicular traffic when possible. The ordinance talks about block length of 1320', or when they are in excess of 1000' in length, a pedestrian sidewalk is required. It is to facilitate accessibility and facilitate pedestrians and people getting out to walk.

Will explained that when this preliminary plat was approved, the pedestrian sidewalk was approved from the south edge of Rolling Hills Court down to Southern Light Drive. The preliminary plat was subsequently amended to provide for the roundabouts and a boulevard type street to the south. It was with that amendment to this plat that no longer provided the straight alignment south of Rolling Hills Court. Staff noted at that time that that was the best location for a sidewalk. At that time, the applicant chose and proposed to locate the sidewalk in its current location.

Esseks noted that ideally, this plat would have been coordinated with the plat below with a straight shot down toward the school. Will agreed that would have been optimum.

Esseks wondered about how people use these pedestrian easements. Are they only used to go to school or for walking, etc.? Will stated that the intent is to try to plan for the full range to accommodate both children going to school, recreational, going to work, closer to shopping, etc.

Esseks inquired whether there is any evidence that these tall fences are likely to be constructed. Will agreed that there are examples where fences have been constructed along these easements, but that is not always the case.

Strand inquired as to the responsibility for maintenance of the easement. Will advised that initially, it is the responsibility of the developer but it is typically passed on to the homeowners association. Strand noted that every year the Planning Commission reviews a lot of requests by neighborhoods not wanting these easements and they seek waivers. Will suggested that until there is some change in the policy, this gets to the goals of the Comprehensive Plan to facilitate pedestrian access to alleviate the need for cars on the streets, etc.

With regard to maintenance, Ray Hill of Planning staff clarified that if the easement is on private property, then the property owner is responsible for the maintenance. Most of the smaller pedestrian easements are on individual lots. Strand believes this in essence creates a corner lot without having a corner. Hill acknowledged that the pedestrian easement and sidewalk is purposely located on one or the other lots so there is no question who is responsible for the maintenance. Strand presumed then that any liability rests with the home owner. Hill did not know the answer.

Will confirmed that the letter in opposition is from a property owner outside of the boundaries of this plat.

Carlson pointed out that developers could certainly build to avoid these pedestrian ways by meeting the design standards for block length.

Carlson inquired how this pedestrian easement was not part of the Planning Commission recommendation to the City Council. Will explained that the original preliminary plat showed the pedestrian easement to the south. The developer then came back in 2003 and replatted that portion of the CUP. Part of that replat reconfigured the streets showing a boulevard for Ridgeline Drive and the roundabouts. It was at that point in time that the pedestrian easement had to be relocated. He believes that this pedestrian easement would have been approved by the Planning Commission.

#### Response by the Applicant

Fred Hoppe noted that when this reached the Planning Commission in 2003, the plat had no pedestrian easement. It was added at the City Council by Terry Werner in the last two minutes of the hearing. South doesn't work because of elevations; east doesn't work because of elevations; and this particular place happened to have an alignment of the four lots so that you could go down the centerline. But if you really analyze Rolling Hills and Rolling Hills Ridge, the traffic for pedestrians in this area goes south to all the walking paths and all the streets that connect somewhere. This one does not. You have to back track. We are not trying to change the design standards. We are asking for a waiver because such waivers happen to be common in this area. There are 18 blocks that exceed the standards and he counted 17 pedestrian easements that should be there but they do not exist. This is a place for a waiver. This easement has complicated the development and sales in this addition.

#### **ACTION BY PLANNING COMMISSION:**

January 18, 2006

Taylor moved to approve the waiver, seconded by Strand.

Taylor agrees that this easement would not be used by a lot of children. Maybe whoever builds there would put up the fence but the aesthetics of that area would speak against that. Protection is not so much the issue. On the other hand, he believes in sidewalks and the goals of the Comprehensive Plan, but he is more in favor of it in areas where you are going to have higher usage of it. This area is not heavily populated and there are plenty of large yards for exercise, etc. He agrees that this waiver should be granted in this particular case.

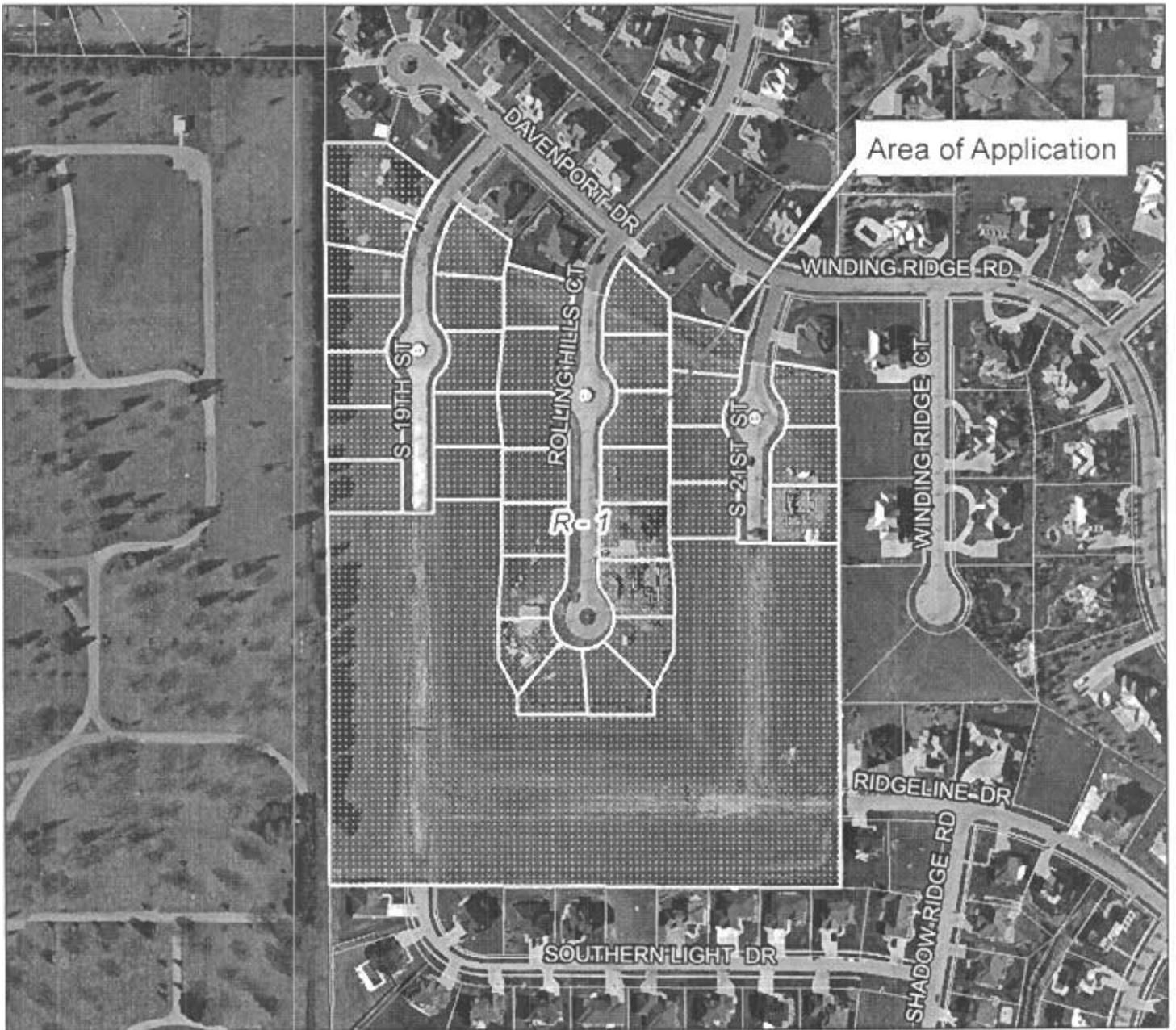
Strand stated that she supports the waiver because these pedestrian easements are not popular. They are typically on cul-de-sac type streets where the property owners do not want them and they continue to ask that they be removed; kids are not walking and biking to and from school. She does not think the easement is going to make any difference.

Carroll stated that he is opposed to the waiver because of the connectivity issue. Kids don't walk to school, but we want to make sure we don't make a reason that they can't get there by walking. It is important for people to come out of that cul-de-sac and have some place to walk south. The "cattle shoot" problem is easily taken care of by covenants for chain link fence only and no solid fences. As far as value of the land, if you are going to sell those lots, they might be tougher to sell but they will sell.

Larson stated that he will vote to approve because he does not see this sidewalk leading anywhere and it creates corner lots and increases the liability of the homeowners that are involved. He does not believe it is going to do that much good.

Esseks commented that if we believe in connectivity, we should either have a pedestrian easement leading out of the cul-de-sac or we shouldn't have cul-de-sacs.

Motion to approve carried 5-3: Krieser, Taylor, Sunderman, Strand and Larson voting 'yes'; Esseks, Carroll and Carlson voting 'no'; Pearson absent. This is a recommendation to the City Council.



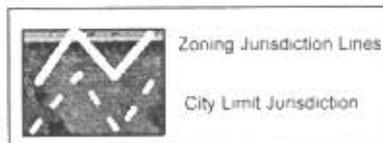
2005 aerial

## Waiver #05009 S 19th & Ridgeline Dr

### 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

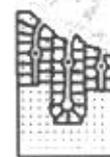
One Square Mile  
Sec. 13 T9N R6E



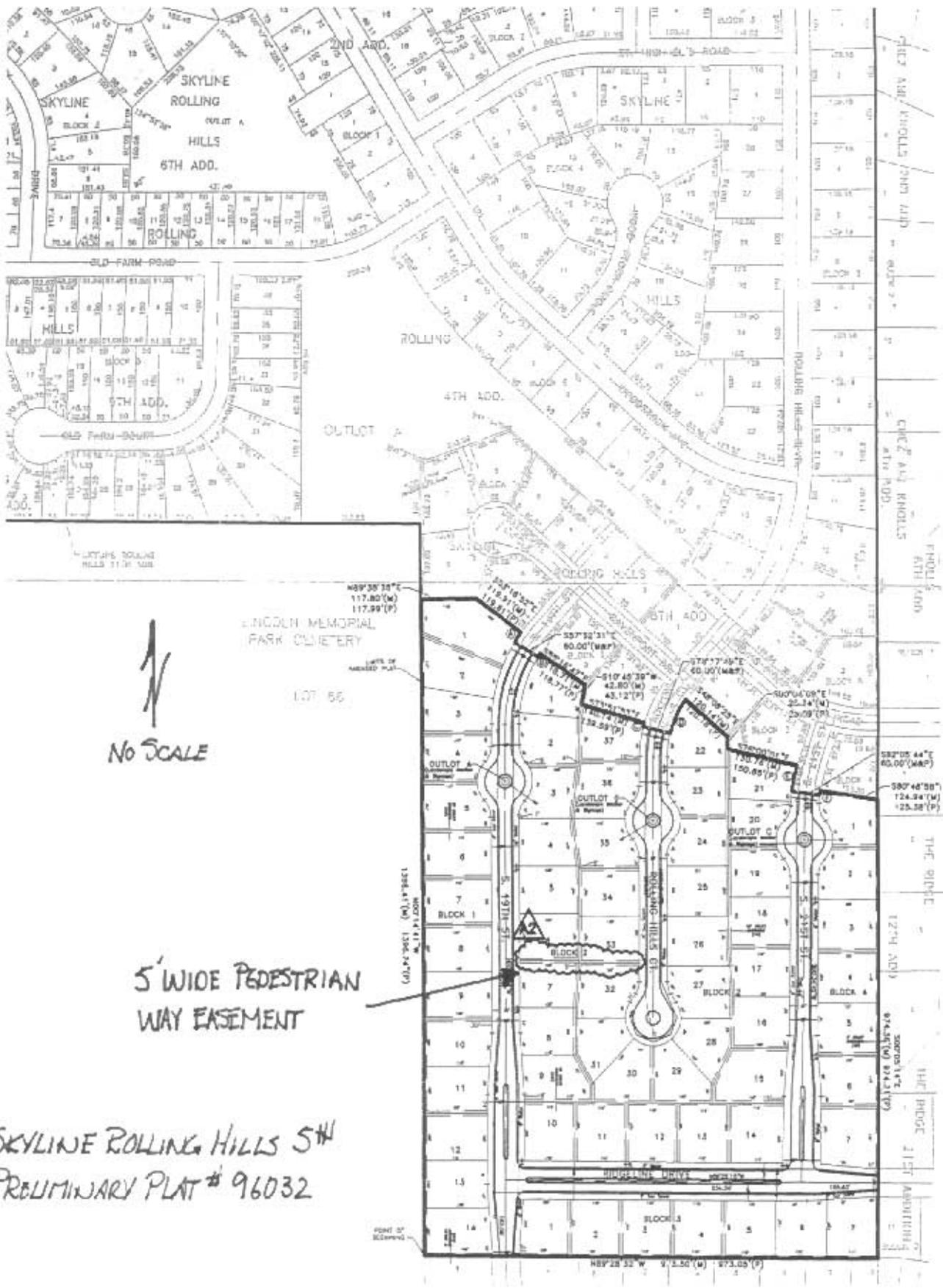
Old Cheney Rd

S 14th St

S 27th St



010 Pine Lake rd



  
 NO SCALE

5' WIDE PEDESTRIAN  
 WAY EASEMENT

SKYLINE ROLLING HILLS 5<sup>TH</sup>  
 PRELIMINARY PLAT # 96032



Ped. Easement

19TH

ROLLING HILLS

21ST

BARBARA

WINDING RIDGE

BWEDBACK

RIDGELINE

SOUTHERN LIGHT

SHADOW RIDGE

RIDGELINE

FACE

ROCK CLIFF

RIDGEPOINT

HAZEL SCOTT

Scott  
Middle  
School

PINE LAKE

20TH

POND

22ND

HELEN WITT

012



Engineering Design Consultants

2200 Fletcher Ave.  
Suite 102  
Lincoln, NE 68521  
Ph 402-438-4014  
Fx 402-438-4026

December 14, 2005

Brian Will  
Planning Department  
City-County Building  
555 South 10<sup>th</sup> Street  
Lincoln, NE 68508

RE: Skyline Rolling Hills  
Amendment to Special Permit (C.U.P.) #634  
EDC Job #05-046-25

Dear Mr. Will,

On behalf of Engineering Design Consultants client F. Pace Woods the Second, the above referenced amendment is hereby submitted per the subdivision review process: changes to the C.U.P. #634 are as follows:

The pedestrian easement on Block 2 is requested to be removed. Block 2 is only 72 feet over 1,000 feet as measured from the rights of way of the intersection of Winding Ridge Road and Rolling Hills Court to Ridgeline Drive. Block 2 is only 181 feet over 1,000 feet as measured from the rights of way of the intersection of South 19<sup>th</sup> Street and Davenport Drive to Ridgeline Drive. The developer has been unsuccessful at selling the four lots on this block that have the pedestrian easement. The centerline distance from the existing pedestrian easement at Rolling Hills Court to Scott Middle School is 3,832 feet (7/10 mile) without the pedestrian easement (shortest route) and 3,106 feet (6/10 mile) with the pedestrian easement (shortest route). Hence, the trip to the school from Rolling Hills Court is more than twice a quarter mile walking distance with or without a pedestrian easement.

1. General Notes have been revised to add a requested waiver to pedestrian easements. General Note 21 (5) states: "PEDESTRIAN EASEMENTS (CHAPTER 26.23, SEC. 125): ALLOW BLOCKS LONGER THAN 1,000 FEET WITHOUT A PEDESTRIAN EASEMENT."
2. Sheet 1 has been adjusted to show the proposed removal of the pedestrian easement on Lots 6, 7, 32, and 33 of Block 2.

Skyline Rolling Hills  
Amendment to Special Permit (C.U.P.) #634  
EDC Job #04-046-25  
December 14, 2005  
Page 2

If you have any additional questions or concerns please contact me at 438-4014 or at [jthiellen@edc-civil.com](mailto:jthiellen@edc-civil.com).

Sincerely,

ENGINEERING DESIGN CONSULTANTS, L.L.C.



Jason Thiellen  
Land Planner

Enclosure  
6 Sets of Sheet 1

c: F. Pace Woods the Second

# M e m o r a n d u m

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**To:** Brian Will, Planning Department  
**From:** Charles W. Baker, Public Works and Utilities  
**Subject:** Skyline Rolling Hills Administrative Amendment for Waiver #05009  
**Date:** December 28, 2005  
**cc:** Randy Hoskins  
Dennis Bartels  
Nicole Fleck-Tooze

The City Engineer's Office of the Department of Public Works and Utilities has reviewed the Skyline Rolling Hills Administrative Amendment for Waiver #05009 to eliminate the pedestrian easement on Block 2, Lots 6, 7, 32, and 33 located between Rolling Hills Court and South 19th Street. Public Works cannot support the waiver on the reason given that the lots cannot be sold with the easements on them and the fact that the walks will only be used as pedestrian traffic to the school. The connection is for the neighborhood and a requirement of the subdivision ordinance. The connection should have been constructed with the paving of Rolling Hills Court as required.

At minimum, if this waiver is supported by other departments, Public Works would suggest an alternative connection should be made to the south to connect to Ridgeline Drive to provide that neighborhood connection and more direct route to Scott Middle School at a shorter distance than the 3,106' as described in the application letter.

OPPOSITION

ITEM NO. 3.2: WAIVER NO. 05009  
(p.25 - Public Hearing - 1/18/06)



"Ray Swanson"  
<rswanson@neb.rr.com>  
01/07/2006 03:37 PM

To "Planning Department" <plan@lincoln.ne.gov>  
cc <board@ridgesouth.com>  
bcc

Subject RE: Waiver No. 05009

Dear Sirs:

RE: Waiver No. 05009

My name is Raymond M Swanson. As a homeowner and property owner at 1911 Southern Light Drive in the Ridge South Edition I do not like the intent of this application for a waiver. I think the letter we received today about this waiver is very vague. There needs to be sidewalks that line both sides of the streets in this "Skyline Ridge Edition". When Pace Woods and his developers came to the planning commission a couple of years ago asking for a change that allowed the roundabouts they failed to make their real intentions known at that time to the public about what was next on their agenda. It would be a travesty of great dimension on the part of the planning commission to allow this development to proceed without sidewalks (i.e. to waive the pedestrian easements). With Scott Middle School within view to the south, not having sidewalks there would put the teens at significant risk when choosing to walk to school. Not only that, all residential developments that border this area (Ridge South, Ridge Edition, and Rolling) all have sidewalks. It doesn't make sense to allow these greedy developers the right to forego pedestrian easements.

Please vote to deny this waiver at your meeting on Wednesday, January 18<sup>th</sup>.

Thank you,

Ray Swanson

OPPOSITION

ITEM NO. 3.2: WAIVER NO. 05009  
(p.25 - Public Hearing - 1/18/06)



"Joseph Zugmier"  
<RZUGMIER@neb.rr.com>  
01/16/2006 09:21 PM

To <plan@lincoln.ne.gov>  
cc <bwill@lincoln.ne.gov>  
bcc

Subject Waiver No. 05009, S. 19th Street and Ridgeline Drive

As property owners in the Ridge South, (The Ridge 21<sup>st</sup> Addition, Block 2, Lot 6), we would be opposed to granting the request to remove the pedestrian right of way.