City Council Introduction: **Monday**, December 1, 2008
Public Hearing: **Monday**, December 8, 2008, at **5:30** p.m.

Bill No. 08-95

FACTSHEET

TITLE: **ANNEXATION NO. 06019,** requested by MEGA, on behalf of Lincoln Federal Bancorp, to annex approximately 92.00 acres, more or less, generally located on the west side of South 40th Street and south of Yankee Hill Road.

STAFF RECOMMENDATION: Approval, subject to an Annexation Agreement.

ASSOCIATED REQUESTS: Annexation Agreement (#08R-170) and Change of Zone No. 06075 (08-96).

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: 11/22/06
Administrative Action: 11/22/06

RECOMMENDATION: Approval, subject to an Annexation Agreement (8-0: Esseks, Cornelius, Carroll, Larson, Krieser, Sunderman, Strand and Carlson voting 'yes'; Taylor absent).

FINDINGS:

1. This proposed annexation request was heard by the Planning Commission in conjunction with the associated Change of Zone No. 06075, Wilderness Commons Planned Unit Development.

2. This is a request by Engineering Design Consultants, on behalf of MEGA, for the owner, Lincoln Federal Bancorp, to annex 92.00 acres, more or less, generally located on the west side of South 40th Street, south of Yankee Hill Road. The associated Planned Unit Development changes the zoning from AG to R-5 Residential and B-2 Planned Neighborhood Business and will consist of 29 lots and 2 outlots for 300 dwelling units and 600,000 sq. ft. of commercial floor area.

3. The staff recommendation to approve the annexation, subject to an annexation agreement, is based upon the "Analysis" as set forth on p.6-7, concluding that the proposed annexation is in conformance with the City's annexation policy, the Comprehensive Plan and the Zoning and Subdivision Ordinances.

4. The applicant's testimony is found on p.8.

5. There was no testimony in opposition.

6. On November 22, 2006, the Planning Commission agreed with the staff recommendation and voted 8-0 to recommend approval, subject to an Annexation Agreement.

7. On November 22, 2006, the Planning Commission also voted 8-0 to recommend conditional approval of the associated Wilderness Commons Planned Unit Development, as revised by staff on November 22, 2006.

8. The annexation agreement provides for the developer to reconstruct 40th Street with new four-lane paving and turn lanes prior to issuance of building permits. A similar provision is included in the annexation agreement for land on the east side of 40th Street, which is scheduled for this same Council agenda. The two ownerships have their own private agreement on sharing the road construction cost.

FACTSHEET PREPARED BY: Jean L. Preister **DATE**: November 24, 2008

REVIEWED BY: _____ **DATE**: November 24, 2008

REFERENCE NUMBER: FS\CC\2008\ANNEX.06019+

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for November 22, 2006 PLANNING COMMISSION MEETING

*****As Revised and Recommended for Conditional Approval By Planning Commission: 11/22/06*****

PROJECT #: ***Annexation No. 06019***
Change of Zone No.06075 PUD

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: This is a request to annex and change the zone from AG, Agriculture to R-5, Multi-Family Residential and to B-2 Planned Neighborhood Business, Planned Unit Development for 300 dwelling units and 600,000 square feet of commercial floor area.

LOCATION: Generally located on the west side of S. 40th Street and south of Yankee Hill Road.

LAND AREA: Approximately 92 acres.

EXISTING ZONING: AG - Agriculture

WAIVER /MODIFICATION REQUEST:
To Title 2, Chapter 2.00, Section 3.6 allow sanitary sewer to run opposite of street grade for the drive west of the proposed building sites on lots 12 and 13, block 2.

To Title 2, Chapter 26.23, Section 130(a) to allow maximum block length to exceed 1,320 feet for Block 1, which measures over 1,500 feet along South 40th Street.

To Title 2, Chapter 26.23, Section 125 to waive the requirement to provide a pedestrian easement for Block 2, which measures over 1,000 feet along South 40th Street.

CONCLUSION: This application is in conformance with the Comprehensive Plan and Zoning and Subdivision Ordinances and the requested waivers are justified.

RECOMMENDATION:	Conditional Approval
Waivers:	
Allow sanitary sewer to run opposite of street grade for the drive west of the proposed building sites on lots 12 and 13, block 2.	Approved
Waive the requirement to provide a pedestrian easement for Block 2.	Approved

GENERAL INFORMATION:

LEGAL DESCRIPTION: See attached legal description

EXISTING LAND USE: Agriculture, Undeveloped

SURROUNDING LAND USE AND ZONING:

North: AG Agriculture District
South: AG Agriculture District
East: B-2 Planned Neighborhood Business District, R4 Residential District
West: AG Agriculture District

ASSOCIATED APPLICATIONS: Annexation 06019 / Change of Zone 06075

HISTORY:

2006, November 16 -The 2030 Comprehensive Plan is scheduled for joint hearing of City Council, County Board and adoption.

2006, April - Change of Zone from AG to R-3 and Annexation of the east side of S. 40th Street.

2006 - Conservation Easement was approved.

2002 - Comprehensive Plan designates this area as a Light Industrial Center.

1979 - Zoned AG agriculture.

COMPREHENSIVE PLAN SPECIFICATIONS:

1. The Future Land Use Plan shows this area as Commercial and Light Industrial. (F25)

2. This plan meets the policies of the proposed Comprehensive Plan by meeting Incentive Criteria listed below. (48)

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

4. The proposed 2030 Plan states that Community Centers may vary in size from approximately 250,000 to 600,000 square feet of commercial space. Typically new Community Centers will range from 300,000 to 400,000 square feet, with those meeting the incentive criteria having up to 600,000 square feet. (43)

Incentive Criteria Details

- The site plan for the Community Center will have to show that it has met the incentive criteria to develop additional square feet. The incentive criteria from page 48–49 of the proposed 2030 Plan states:

  - The center shall be located in a neighborhood with greater residential density, than is typical for a suburban area, and the center itself contains higher density residential uses (density above fifteen dwelling units per acre) integrated within the development. This criteria is mandatory for any center proposing to utilize the incentive.

Plan Conforms: Lot 14, block 1is proposed to be zoned R-5 consisting of a maximum of 30 dwelling units per acre with a total area of approximately 10 acres, a maximum of 300 units shall be allowed. Both pedestrian and vehicular access need to be provided from the residential to the commercial areas of the center.

- Provide a significant mix of uses, including office, service, retail, residential and open space — far more than typical single use centers. Multi-story buildings are encouraged, including residential above stores.

  Plan Conforms: The plan shows 325,000 square feet of office space that could be utilized as a mix of office, light industrial or warehouse use. Plan clarifies that hotels are a permitted use. Open space is provided by the conservation easement. The residential component is met by providing 300 dwelling units. There is also 21,000 square feet of restaurant space and 254,000 square feet of retail.

- Integrate some light industrial or manufacturing uses within the center (does not apply to neighborhood centers).

  Plan Conforms: 72,000 SF of the 325,000 SF of office space is designated flex space for industrial, office or warehouse use.

- Provide public amenities such as recreational facilities, significant open space, plazas, public squares and other types of public facilities or meeting areas.

  Plan Conforms: The Plan does provide an adjacent trail system as part of the overall Wilderness Hills neighborhood and a small plaza on Wilderness Blvd.

- Are supported by a street network with significant traffic capacity in the future, rather than on streets that already have significant commercial development.

  Plan Conforms: S. 40th Street has capacity and has been modeled for future commercial development at this site. However, Developer shall work out with City an annexation agreement that addresses the phasing of development with road improvements. South 40th Street will need to be paved to urban standards and ultimately 4 through lanes to handle the traffic.

- Provide for even greater pedestrian orientation in their layout, physical arrangement of buildings and parking —buildings shall be oriented to pedestrians. Utilize "Floor Area Incentive Pedestrian Standards" from the Lincoln design standards.

  Some Changes Needed: Pedestrian circulation shall conform to Chapter 3.105 Design Standards for Pedestrian Circulation in Commercial and Industrial Areas. See General Conditions 4.1.1.10

- Provide a "town center" orientation to the overall center plan. This emphasis is to create a quality shopping environment by having design elements such as a "main street" environment with a row of parking on both sides, slower traffic speeds, most the parking at the rear with buildings, sidewalks, benches and other amenities oriented to customers walking from store to store.

  Some Changes Needed: the "heart of the commercial center" should be along Wilderness Blvd and should be completely pedestrian oriented commercial space, with parking along Wilderness Blvd. This will probably mean eliminating the landscaped median. Some initial development of the stores in this area will coincide with or prior to the adjacent construction of a potential "big box" store(s). This area should include wider sidewalks, numerous seating areas, and potential for outdoor

restaurant space. A retail building for smaller shops must be added on the south side of Wilderness Blvd. between the big box stores and the pad site along S. 40th Street. The primary entrances to the smaller stores on both sides of Wilderness Blvd. must be from Wilderness Blvd. See General Conditions 4.1.1.16

- Plan traffic and pedestrian circulation and utilities layout to permit a future intensification of the center, if parking needs and requirements are reduced and traffic capacity allows for additional space in the center in the long term.

  Some Changes Needed: Recommend that building envelopes in Block 2, along Willow Road be identified for future buildings. Building envelopes for additional pad sites between Wilderness Blvd. and Willow Road may be desired by the developer. The pad site along Wilderness Road should be moved and a lot created to create a pedestrian oriented commercial space. Utilities should remain outside of these building envelopes in order to permit potential expansion of the center in the long term. See General Conditions 4.1.1.16

- Locate 1/4 to ½ mile from major intersections in order to facilitate traffic movements.

  Plan Conforms: The main traffic entrance will be approximately ½ mile south of Yankee Hill Road with additional entrances would be approximately a 3/4 mile south of Yankee Hill Road. Two office buildings will be at the 1/4 mile point south of Yankee Hill Road.

- Provide for transit opportunities in the center design.

  Plan Conforms: The pedestrian oriented buildings along Wilderness Hills Blvd. is a good location for a transit stop. The plan states in Site Specific Note # 23 the Developer will work with the City on a location for a transit stop, if requested by the City.

UTILITIES & SERVICES:

A. **Sanitary Sewer:** There are two trunk sewers proposed to service this development. The southern most trunk sewer line is currently under construction and is expected to be completed by June of 2007. The trunk sewer along the west side of the development is to be constructed in the future.

B. **Water:** This development will be serviced by a 16 inch water main that runs along S. 40th Street.

C. **Roads:** The main access to this development will be from S. 40th Street. S. 40th Street is designated in the Comprehensive Plan as a minor arterial street. It is designated to have four lanes plus a center turn lane.

D. **Parks and Trails:** There is a proposed bike path that runs from S. 40th Street around the southern end of the development and up the west side through the conservation easement.

E. **Fire Protection:** The nearest fire station is at 27th and Old Cheney Road.

TOPOGRAPHY: The site generally slopes downward from east to west from S. 40th Street to the drainage ditch in the conservation easement.

TRAFFIC ANALYSIS: South 40th Street is a minor arterial. South 40th Street will have capacity and has been modeled for future commercial development at this site. However, Developer shall work out with City an annexation agreement that addresses the phasing of development with road improvements. South 40th Street must be paved to urban standards and ultimately 4 through lanes to handle the traffic.

PUBLIC SERVICE: There is a Lincoln Public School site to the south west of the proposed R-5 multifamily development. This school will service the entire Wilderness Hills Development.

REGIONAL ISSUES: The preliminary plat for this area shows this Planned Unit Development will be surrounded by low density residential to the north and west and high density multi family to the south. On the east side of S. 40th is a neighborhood commercial district with abutting residential.

ENVIRONMENTAL CONCERNS: There is a conservation easement that runs north to south along the west side of the development. This conservation easement creates a buffer between the multi family residential component of the PUD, the planned residential area to the west of the PUD and most of the commercial component. The exception is the two lots designated for office/ daycare along Hohensee Drive.

ANALYSIS:

1. This Planned Unit Development provides additional commercial for the larger Wilderness Hills residential development, consisting of land between S. 27th St. to S. 40th St. and Yankee Hill Rd to Rokeby Rd.

2. This is a request to annex approximately 92 acres and change the zone from AG, Agriculture to R-5, Multi-Family Residential and to B-2 Planned Neighborhood Business. It is a Planned Unit Development for 300 dwelling units and 600,000 square feet of commercial.

3. The Floor Area Incentive for Community Centers in the proposed Comprehensive Plan states that at least 20% of the space must be in office space. However, since the primary purpose of the original commercial/ industrial designation of this 75 acre site was for an Employment Center, it was agreed that at least half of the commercial space would be in office or flex uses. Flex uses would include industrial and/or warehouse uses. In keeping with the Employment Center beginnings, the PUD provides flexibility to have some of the office lots be “flex space” that could include warehouse and light manufacturing. Since this was intended to be primarily an employment, not retail area, at least 325,000 square feet or more is office or office/ flex space. The proposed plan includes 325,000 square feet which is noted as a minimum amount of office or office/ flex space.

4. The flex space could include warehouse and light manufacturing. These uses would be buffered from the proposed residential to the west by the conservation easement. The easement is approximately 300 feet wide where it abuts the Flex/ Office lots.

5. The plan includes 275,000 square feet of retail space. The Plan encourages that smaller retail shops be developed as part of the center. The Plan includes a single anchor of 165,000 SF. This is only 28% of the total 600,000 square feet of space in the center and is 60% of

the retail space. Retail store(s) of over 50,000 square feet should total no more than 200,000 square feet in order to provide some smaller shops in conformance with the proposed 2030 Comprehensive Plan.

6. The center includes significant mix of uses, including both office and retail, and large and small retail users. The PUD provides for some warehouse/ light industrial and could also accommodate hotel uses within the center. The site plan requests an overall height of 60 feet for the whole center to accommodate a 4 story hotel or potential for multi-story office building.

7. Architectural design standards for all commercial buildings should be submitted and approved as part of plan. The standards may vary depending upon building type. The buildings adjacent to streets should have windows and should not have air conditioning units along the street frontage. The front yard setback along S. 40th Street has already been reduced to 20 feet to allow maximum flexibility.

8. The waiver to allow sanitary sewer to run opposite of street grade for the drive west of the proposed building sites on lots 12 and 13, block 2 would enable the grading for the building sites to be flat while still connecting the rest of the sanitary sewer system at Wilderness Hills Boulevard, and Willow Road.

9. The waiver to allow maximum block length to exceed 1,320 feet for Block 1, is not required because it meets the exception exceeding the block length due to a natural barrier forming one boundary of a block.

10. The request to waive the requirement to provide a pedestrian easement for Block 2, which measures over 1,000 feet along South 40th Street is acceptable because this block straddles natural and man made barriers in Outlot A which is being reserved for green space, drainage, and detention. Additionally, pedestrian circulation will be possible throughout the commercial site.

11. 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."

An annexation agreement is in process between City staff and the applicant.

ANNEXATION CONDITIONS:

1. Prior to scheduling the request on the City Council agenda the applicant shall sign an annexation agreement to the satisfaction of the City. However the Planning Director may forward the annexation to the City Council if the City Staff and the applicant cannot reach an agreement.

Prepared by:

Christy Eichorn
Planner

DATE: November 8, 2006

APPLICANT: Engineering Design Consultants
2200 Fletcher Ave., Ste. 102
Lincoln, NE 68521

OWNER: MEGA on behalf of Lincoln Federal Bancorp
300 N. 44th St., Ste. 100
Lincoln, NE 68503

CONTACT: Engineering Design Consultants
Amanda Hamilton
2200 Fletcher Ave., Ste. 102
Lincoln, NE 68521

ANNEXATION NO. 06019
and
CHANGE OF ZONE NO. 06075,
WILDERNESS COMMONS PLANNED UNIT DEVELOPMENT

PUBLIC HEARING BEFORE PLANNING COMMISSION: November 22, 2006

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

Staff recommendation: Approval of the annexation, subject to an Annexation Agreement, and conditional approval of the Planned Unit Development, as revised.

Ex Parte Communications: None.

These applications were removed from the Consent Agenda and had separate public hearing due to additional information submitted by staff.

Additional information submitted for the record: **Christy Eichorn of Planning staff** submitted a corrected map to show the R-5 and B-2 areas, as well as an amendment to Condition #4.1.1.3 to correct the street name of "Wilderness Blvd." to "Wilderness Hills Blvd.".

Eichorn stated that this is the first PUD to take advantage of the incentive criteria in the recently adopted 2030 Comprehensive Plan.

Proponents

1. Mike Rierden appeared on behalf of the applicant to answer any questions. He agreed with the conditions of approval as revised by staff today.

There was no testimony in opposition.

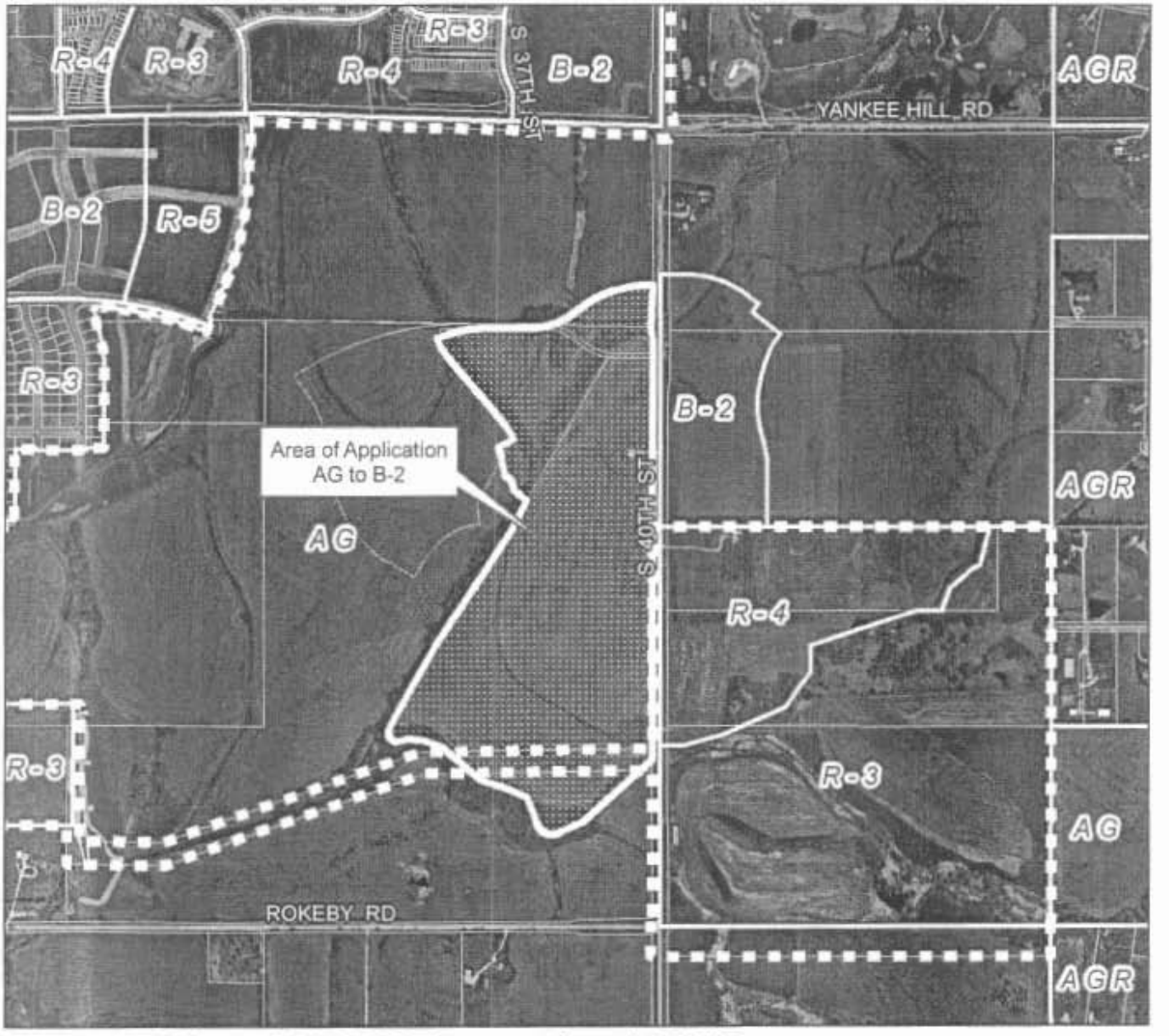
ANNEXATION NO. 06019
ACTION BY PLANNING COMMISSION: November 22, 2006

Carroll moved approval, subject to an annexation agreement, seconded by Strand and carried 8-0: Esseks, Cornelius, Carroll, Larson, Krieser, Sunderman, Strand and Carlson voting 'yes'; Taylor absent. This is a recommendation to the City Council.

CHANGE OF ZONE NO. 06075
ACTION BY PLANNING COMMISSION: November 22, 2006

Carroll moved approval, with conditions, as revised by staff today, seconded by Strand and carried 8-0: Esseks, Cornelius, Carroll, Larson, Krieser, Sunderman, Strand and Carlson voting 'yes'; Taylor absent. This is a recommendation to the City Council.

Chair Carlson expressed appreciation to Marvin Krout and the Planning Department staff for the hard work they do preparing all the information and bringing it forward, and also expressed appreciation to his fellow Commissioners for the time they contribute to this planning effort.



Change of Zone #06075 & Annexation # 06019
Wilderness Commons PUD
S 40th St & Yankee Hill Rd

2005 aerial

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

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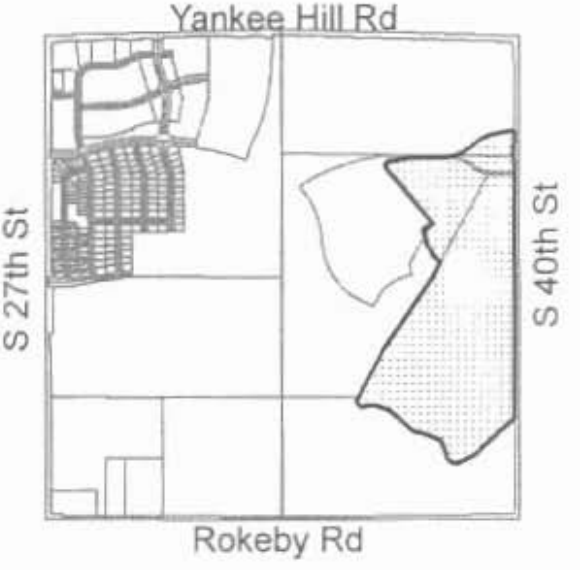
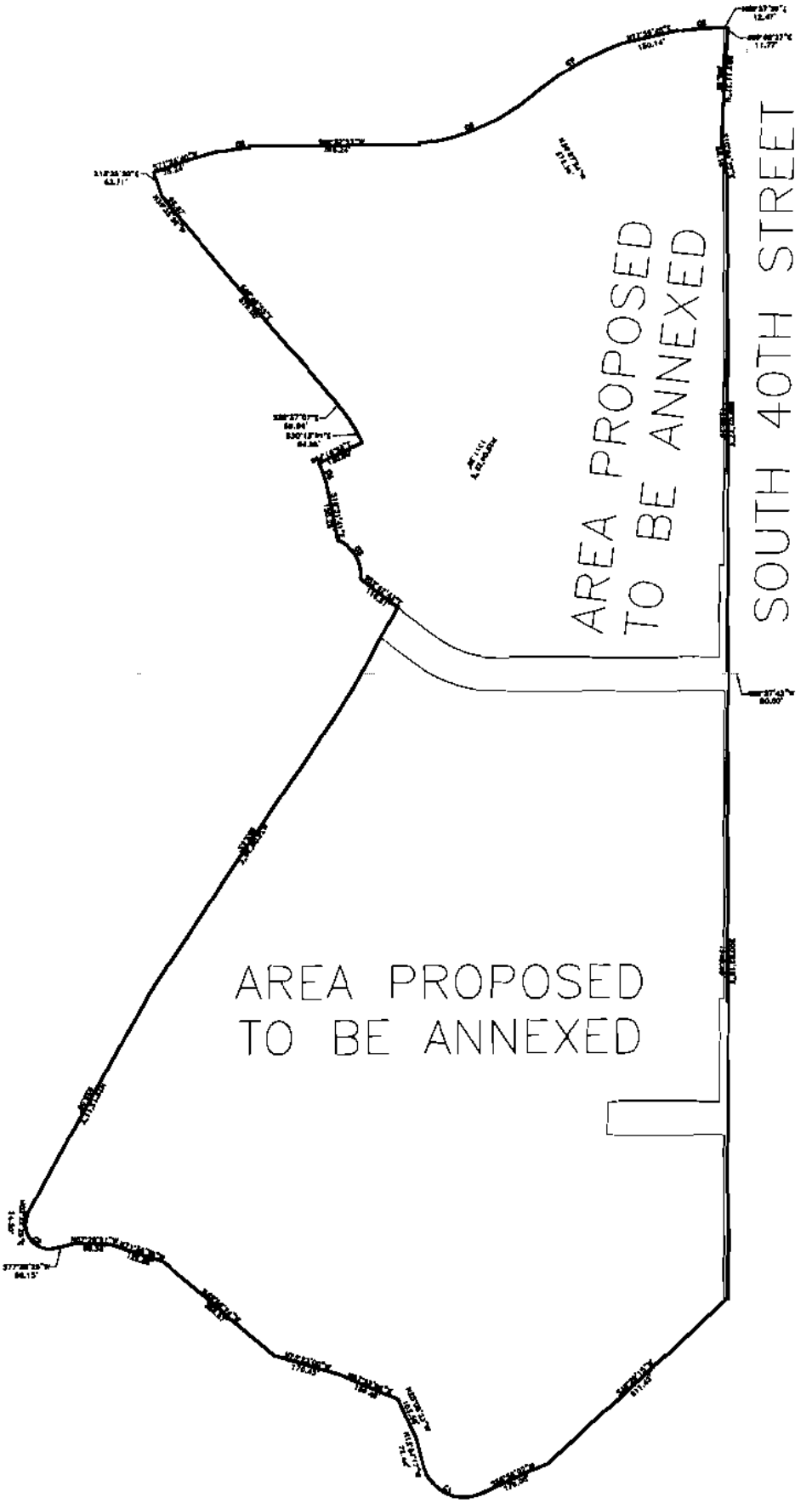
One Square Mile
Sec. 30 T09N R07E

N

Zoning Jurisdiction Lines

City Limit Jurisdiction





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EDC

Wilderness Commons

Annexation Exhibit

Lincoln, Nebraska

Drawn By: AJH
Dwg.: PUD base.dwg
Date: 10-26-06
Job#: 06-031-25

SHEET
1 OF 1

Engineering Design Consultants

2200 Fletcher Ave.
Suite 102
Lincoln, NE 68521

Ph 402-438-4014
Fx 402-438-4026

October 26, 2006

HAND DELIVERED

Mr. Tom Cajka
Planning Department
City-County Building
555 South 10th Street
Lincoln, NE 68508

RE: Wilderness Commons
Planned Unit Development (PUD)
Request for Annexation
EDC Project No. 06-031

Dear Mr. Cajka:

On behalf of Engineering Design Consultants and client, MEGA, the above-referenced Planned Unit Development (PUD) is hereby submitted for approval by the Planning Director.

1. Application for a PUD.

2. Application for a change of zone and annexation.

The Wilderness Commons PUD is a 92 acre site generally located south of Yankee Hill Road, north of Rokeby Road, on the west side of South 40th Street. The development will consist of 29 lots and 2 outlots. The Wilderness Commons PUD includes the following:

1. The existing zoning is AG; proposed zoning is B-2 and R-5 for multi-family.

2. The area for the PUD and change of zone is hereby requested to be annexed to the City of Lincoln (see legal description and exhibit).

3. Agriculture and a telecommunications tower are the existing uses.

4. Total Usage:

a.	Retail Lots	6
b.	Office Lots	14
c.	Office/Flex	3
d.	Restaurant	3
e.	Multi-Family	1
f.	Outlots	2
	Total Lots	**29**
	Total Blocks	**2**

5. The minimum building opening elevation shall be one (1) foot above the proposed 100 year flood elevation.

6. Individual lot landscape plans and parking lot design shall be reviewed at the time of building permit.

7. Blanket utility easements are granted on Outlot A, Block 1 and Outlot B, Block 2.

8. Cross access and parking easement rights are to be granted on Lots 1-13, Block 1 and Lots 1-13, Block 2.

9. Alignment and design of South 40th Street to be determined by the City of Lincoln.

10. All site improvements shall conform to the conditions of the conservation easement.

11. Development shall be restricted within the flood prone area (as defined by the proposed conservation easement) per the terms and conditions of the conservation easement.

12. All lots abutting the open channel in Outlot A, Block 1 and Outlot B, Block 2 shall have a minimum opening elevation of 1 foot above the 100 year flood elevation, as shown on the grading and drainage plan.

13. Bike path locations shown are intended to show general locations and circulation patterns. Final alignment to be determined in the field in locations mutually acceptable to the developer and the City of Lincoln Parks and Recreation Department. To the extent practicable, trail easements shall be located within the proposed conservation easement.

14. The existing telecommunications tower north of Wilderness Hills Boulevard will be relocated off-site.

15. Alignment of trunk sewer is approximate and subject to change with final design.

16. Space for a childcare facility shall be reserved on Lot 1 or 2, Block 1.

17. Direct vehicular access to public streets is relinquished as follows: South 40th Street except for Hohensee Drive, Wilderness Hills Boulevard, and Willow Road.

18. The following waivers are being requested to the City of Lincoln Design Standards:

    a. A weiver is requested to Title 2, Chapter 2.00, Section 3.6 to allow sanitary sewer to run opposite of street grade for the drive west of the proposed building sites on Lots 12 and 13, Block 2. The waiver would enable the grading for the building sites to be flat while still connecting with the rest of the sanitary sewer system at Wilderness Hills Boulevard.

    b. A waiver is requested to Title 2, Chapter 26.23, Section 130(a) to allow maximum block length to exceed 1,320 feet for Block 1, which measures over 1,500 feet along South 40th Street. However, this block straddles natural and man-made barriers in Outlot A which is being reserved for green space, drainage, and

detention. Block 1 is also adjacent to the arterial South 40th Street, which limits the number of public street access points. This block lies between two of these points.

c. A waiver is requested to Title 2, Chapter 26.23, Section 125 to waive the requirement to provide a pedestrian easement for Block 2, which measures over 1,000 feet along South 40th Street. However, this block straddles natural and man-made barriers in Outlot A which is being reserved for green space, drainage, and detention. Additionally, pedestrian circulation will be possible throughout the commercial site.

19. The developer has no interest in adjacent properties. The developer and partners have interest in the Wilderness Hills Commercial Addition at South 27th and Yankee Hill Road. The owner, Lincoln Federal Bancorp, has interest in the property adjacent to the Wilderness Commons PUD. They own the area preliminary platted as Wilderness Hills 1st Addition and the Yankee Hill Plaza Use Permit east of South 40th Street.

The following remarks are in response to comments received by staff on September 29, 2006 in a letter from the Planning Commission:

Overall Plan:

1. Comment: The proposal is a change from Neighborhood Center & Light Industrial designation in the 2025 Comprehensive Plan. Staff and the developer have worked on a plan that meets the goals of the 2030 Plan and staff could recommend approval of the Change of Zone for the "Community Center" in the 2030 Plan **subject to the following:**

   Response: The developer and staff have worked out a plan that conforms with 2030 Comprehensive Plan.

2. Comment: The 2030 Plan states that Community Centers will have up to 400,000 SF, but may have up to 600,000 SF total of commercial space if they meet the "Incentive Criteria" of the Plan. The proposed plan is for 600,000 SF, so for that much space to be approved it must conform to the Incentive Criteria.

   Response: The plan has been revised to conform to incentive criteria as requested by staff.

3. Comment: The Floor Area Incentive states that at least 20% of the space must be in office space. However, since the primary purpose of the original commercial/industrial designation of this 75 acre site was for an Employment Center, it was agreed that at least half of the commercial space would be in office or flex uses. Flex uses would include industrial and/or warehouse uses. We recommend that in keeping with the Employment Center beginnings, that a PUD be used to provide flexibility to have some of the office lots, potentially be "flex space" that could include warehouse and light manufacturing. Since this was intended to be primarily an employment, not retail area,

then at least 325,000 SF or more should be in office/flex space. The proposed plan includes 325,000 SF which should be noted as a minimum amount of office/flex space.

Response: The 325,000 SF for office/flex space has been noted as the minimum amount in the "Site Specific Notes" on Sheet 1 of 8.

4. Comment: The plan includes 275,000 SF of retail space. The Plan encourages that smaller retail shops be developed as part of the center. The Plan includes a single anchor of 165,000 SF. This is only 28% of the total 600,000 SF of space in the center and is 60% of the retail space. Staff recommends that retail store(s) of over 50,000 SF should total no more than 200,000 SF in order to provide some smaller shops in conformance with the 2030 Plan.

   Response: Note #4 of the "Site Specific Notes" on Sheet 1 of 8 reads, "Retail stores over 50,000 SF should make up no more than 200,000 SF of the total retail space."

5. Comment: The center includes significant mix of uses, including both office and retail, and large and small retail users. The PUD would also provide for some warehouse/light industrial and could also accommodate hotel uses within the center. The site plan should request an overall height of 60 to 65 feet for the whole center (except for the lots on the south side of Hohensee Drive, which are immediately across the street from residential) to accommodate a 4 story hotel or potential for multi-story office buildings.

   Response: Note #5 of the "Site Specific Notes" on Sheet 1 of 8 reads, "Buildings height shall not exceed 60' for all lots with the exception of lot 1, block 1 and lot 2, block 1."

6. Comment: The site plan for the Community Center, will have to show that it has met the incentive criteria to develop with additional square feet.

   a. The center shall be located in a neighborhood with greater residential density, than is typicel for a suburban area, and the center itself contains higher density residential uses (density above fifteen dwelling units per acre) integrated within the development. This criteria is mandatory for any center proposing to utilize the incentive.

      Comment: **Plan Conforms, but Change Is Needed:** Significantly higher residential density is proposed to be developed adjacent to the center with both pedestrian and vehiculsr access to the center. However, need to address how to guarantee the density in the adjacent development. Staff recommends adjacent apartment land to the immediate west and south be included in the PUD.

      Response: The specified adjacent apartment lsnd is now included in the PUD as shown on the plans.

b. Provide a significant mix of uses, including office, service, retail, residential and open space – far more than typical single use centers. Multi-story buildings are encouraged, including residential above stores.

Comment: **Plan Conforms:** 325,000 SF of flex space for industrial, office or warehouse use is shown. Recommend requesting 50 to 55 foot height. Plan should clarify that hotels is permitted use.

Response: Note #6 of the "Site Specific Notes" on Sheet 1 of 8 reeds, "Hotels are a permitted use for the lots designated flex/office space."

c. Integrate some light industrial or manufacturing uses within the center (does not apply to neighborhood centers).

Comment: **Plan Conforms:** 72,000 SF of flex space for industrial, office or warehouse use is shown.

Response: Plan conforms.

d. Provide public amenities such as recreational facilities, significant open space, plazas, public squares and other types of public facilities or meeting areas.

Comment: **Some Changes Needed:** The Plan does provide an adjacent trail system as part of the overall Wilderness Hills neighborhood. However, the developer should add some small plaza or meeting space element along or adjacent to Wilderness Hills Blvd. in order to fully comply with the intent of this section.

Response: A plaza/public gathering space is shown on the south side of Wilderness Hills Blvd. in close proximity to the proposed bike trail.

e. Are supported by a street network with significant traffic capacity in the future, rather than on streets that already have significant commercial development.

Comment: **Plan Conforms:** S. 40th Street has capacity and has been modeled for future commercial development at this site. However, Developer should work out with City an annexation agreement that addresses the phasing of development with road improvements. The developer will need to pave the road to urban standards and ultimately 4 through lanes to handle the traffic.

Response: The developer and the City of Lincoln are currently in negotiations regarding the future configuration of 40th Street.

f. Provide for even greater pedestrian orientation in their layout, physical arrangement of buildings and parking – buildings shall be oriented to pedestrians. Utilize "Floor Area Incentive Pedestrian Standards" from the Lincoln design standards.

Comment: **Some Changes Needed:** Separate memo will cover this area.

Response: Engineering Design Consultants and MEGA will address a separate memo when it is received.

g. Provide a "town center" orientation to the overall center plan. This emphasis is to create a quality shopping environment by having design elements such as a "main street" environment with a row of parking on both sides, slower traffic speeds, most of the parking at the rear with buildings, sidewalks, benches and other amenities oriented to customers walking from store to store.

Comment: **Some Changes Needed:** the "heart of the commercial center" should be along Wilderness Hills Blvd and should be completely pedestrian oriented commercial space, with parking along Wilderness Hills Blvd. This will probably mean eliminating the landscaped median. Some initial development of the sore in this area will coincide with or prior to the adjacent construction of a potential "big box" store(s). This area should include wider sidewalks, numerous seating areas, and potential for outdoor restaurant space. A retail building for smaller shops must be added on the south side of Wilderness Hills Blvd. between the big box stores and the pad site along S. 40th Street. The primary entrances to the smaller stores on both sides of Wilderness Blvd. must be from Wilderness Hills Blvd.

Response: The layout has been modified to include brick walkways, lighting, and landscaping at the entrance of the parking lot (See enclosed photos). In addition, the public meeting area/open space is a design element that adds to the community oriented environment. Engineering Design Consultants and MEGA have studied the area around Wilderness Hills Blvd. and determined that a town center with parking on Wilderness Hills Blvd. is not feasible because grade constraints create non-conducive slopes for this type of development.

h. Plan traffic and pedestrian circulation and utilities layout to permit a future intensification of the center, if parking needs and requirements are reduced and traffic capacity allows for additional space in the center in the long term.

Comment: **Some Changes Needed:** Recommend that building envelopes in Block 2, along Willow Road be identified for future buildings. Building envelopes for additional pad sites between Wilderness Hills Blvd. and Willow Road may be desired by the developer. Utilities should remain outside of these building envelopes in order to permit potential expansion of the center in the long term.

Response: Potential locations for future building pad sites are shown on the plans and do not conflict with utility layouts.

i. Locate ¼ to ½ mile from major intersections in order to facilitate traffic movements.

Comment: **Plan Conforms:** The main traffic entrance will be approximately ½ mile south of Yankee Hill Road with additional entrances would be approximately a ¾ mile south of Yankee Hill Road. Two office buildings will be at the ¼ mile point south of Yankee Hill Road.

Response: Agree.

j. Provide for transit opportunities in the center design.

Comment: **Plan Conforms, ona Change Needed:** The pedestrian oriented building along Wilderness Hills Blvd. is a good location for a transit stop. Please add a note that tha developer will work with the City on a location for a transit stop, if requested by the City.

Response: Note #23 of the "Site Specific Notes" on Sheet 1 of 8 reads, "The developer shall work with the City of Lincoln on a location for a transit stop, if requested by the City."

7. Comment: Architectural design standards for all commercial buildings will be submitted and approved as part of plan. The standards may vary dapending upon building type. The front yard setback along S. 40th Street has already been reduced to 20 feet to allow maximum flexibility, and this area should be well landscaped.

Response: Examples of proposed architectural design standards are shown in the attached photographs.

8. Comment: The existing conservation easement area will provide an extensive natural buffer for the entire center and provide a definite edge to tha center, which will also reduce the required landscaping standards on this side. However, some landscaping of parking toward the trail side should be accomplished. A generalized trail location is shown on the plan – please add a note that details of the exact trail location will be worked out with the Parks and Recreation Department in the future.

Response: Note #14 of the "Site Specific Notes" on Sheet 1 of 8 reads, "Bike path locations shown are intended to show general locations and circulation patterns. Final alignment to be determined in the field in locations mutually acceptable to the developer and the City of Lincoln Parks and Recreation Department. To the extent practicable, trail easements shall be located within the proposed conservation easement."

If you have any questions or concerns please contact Pamela L. Dingman or me at 438-4014 or at ahamilton@edc-civil.com.

Sincerely,

ENGINEERING DESIGN CONSULTANTS, LLC

Amanda J. Hamilton
Project Engineer

Enclosures:

1 Set Renderings (2 Sheets)
1 Set Photos (5 Sheets)
1 Check for $500 (Planned Unit Development)
1 Application for PUD and Change of Zone
1 Ownership Certificate
1 8.5x11 Site Plan Exhibit
1 Legal Description Exhibit
1 Legal Description Site Exhibit
1 Change of Zone Exhibit
1 Annexation Exhibit
8 sets of Sheets 1-8
16 copies of Site Plan

cc: Mr. Don Linscott
Mr. Mike Rierden
Mr. Jerry Maddox
Project File

EDC
Engineering Design Consultants

2200 Fletcher Ave.
Suite 102
Lincoln, NE 68521

Ph 402-438-4014
Fx 402-438-4026

November 2, 2006

HAND DELIVERED

Mr. Steve Henrichsen
Planning Department
City-County Building
555 South 10th Street
Lincoln, NE 68508

RE: Planned Unit Development Dwelling Unit Fee
Wilderness Commons
EDC Project No. 06-031

Dear Mr. Henrichsen:

Please consider this letter of request as an addition to the Planned Unit Development submittal dated October 26, 2006. Please revise the submittal to include the following note as part of the "Site Specific Notes" on Sheet 1 of 8:

> "LOT 14, BLOCK 1 SHALL BE ZONED R-5 AND SHALL CONSIST OF A MAXIMUM OF 30 DWELLING UNITS AN ACRE. THE TOTAL AREA IS APPROXIMATELY 10 ACRES, THEREFORE, A MAXIMUM OF 300 UNITS SHALL BE ALLOWED."

In addition, we have enclosed a check for $2,500 for the maximum submittal fee for dwelling units. If you have any questions or concerns, please contact me at 438-4014 or pdingman@edc-civil.com.

Sincerely,

ENGINEERING DESIGN CONSULTANTS, LLC

Pamela Dingman, PE
CEO

Enclosure

cc: Don Linscott, Karen Nicol, MEGA
EDC Project File

Memorandum

To: Christy Eichorn, Planning Department

From: Chad Blahak, Public Works and Utilities

Subject: Wilderness Commons PUD (Wilderness Hills) cz06075 an06019

Date: November 6, 2006

cc:

Engineering Services has reviewed the use permit for the Wilderness Hills Commercial Center, located between South 27th Street, Yankee Hill Road, Rokeby Road, and South 40th Street, and has the following comments:

Sanitary Sewer – The sanitary system is satisfactory.

Water Main - The following comments need to be addressed.

(2.1) The water mains shown in what the plans refer to as South 38th Street and South 39th Street are not satisfactory as public facilities. If water facilities are required along these alignments they will need to be show as private facilities and all standards regarding private water mains will need to be applied.

(2.2) The water main shown in Wilderness Hills Boulevard needs to be shown as a 12" facility as this is the half mile line road.

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

(3.1) The proposed storm sewer facilities need to be shown on the grading and drainage plans to verify that the drainage/detention assumptions shown in the approved detention analysis report match the areas and storm sewer design shown in these plans.

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

(4.1) The proposed paving geometry does not appear to be drawn correctly at the intersections of Wilderness Hills Boulevard and Willow Road with 40th Street. The plans need to be revised accordingly.

(4.2) The proposed ROW dedication for 40th Street adjacent to the south bound right turn lanes at Wilderness Hills Boulevard and Willow Road are not clearly shown. There appears to be the correct 70' of ROW along the full length of the turn lanes in addition to, what appears to be, 72' of ROW along a portion of the turn lane. The site plan needs to be revised to clearly show the correct ROW dedications for the turn lanes. The sidewalk also needs to be revised to match the lengthened turn lanes.

(4.3) ROW triangles need to be shown at the intersection of 40th Street and Wilderness Hills Boulevard and at the intersection of 40th Street and Willow Road to accommodate possible future traffic signals and the required sidewalk.

(4.4) Additional ROW needs to be shown adjacent to the eastbound right turn lane in Wilderness Hills Boulevard to provide the standard spacing between the curb and the sidewalk.

(4.5) The traffic study shows the need for 345' of storage for the eastbound left turn lane at Wilderness Hills Boulevard and 40th Street. The plans show just less than 200' of storage. The median needs to be extended the for the entire length of the required storage.

(4.6) The medians shown in Wilderness Hills Boulevard at the west end of this commercial development need to revised to provide for left turn movements. Alternatively, the medians could be removed and replaced by a shared turn lane with the minimally required splitter island for the proposed roundabout.

(4.7) The proposed loading docks shown on the back sides of Lots 11, 12, and13 indicate the use of tractor-trailer trucks for delivery. Information needs to he provided showing that the standard WB-50 design vehicle can maneuver into and out the site. It appears that maneuvering difficulties may occur at the west end of Willow Road and at the driveway connection with Wilderness Hills Boulevard near the northwest corner of Lot 13.

(4.8) The proposed South 38th Street and South 39th Street are shown to function as parking lot access drives and do dot meet the intent of private roadways. The street names and private roadway designations need to he removed from the plans.

(4.9) Although this PUD does not include Hohensee Drive to the north, the traffic study included this intersection in its analysis. The study indicates the need for the maximum available (300' min.) left turn storage in its 2030 analysis. Although the current lane configuration and street width shown in the Wilderness Hills 1st Addition preliminary plat is sufficient for the 2010 analysis, sufficient ROW should be dedicated along the south side of Hohensee Drive with this PUD to accommodate any future improvements needed to accommodate the traffic shown in the study.

(4.10) Improvements to Rokeby Road have not been addressed with any of the annexations of Wilderness Hills to date. These future improvements should be addressed in the annexation agreement for this development. Even though this development does not have any direct frontage along Rokeby Road, it will have an affect on the extent and timing of specific improvements to Rokeby Road.

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.

"Sgt. Don Scheinost" <lpd798@CJIS.CI.LINCOLN.NE.US>
10/30/2006 09:26 AM

To Christy Eichorn <ceichorn@lincoln.ne.gov>
cc
bcc
Subject Wilderness Commons PUD - Change of Zone (PUD) # CZ06075 / Annexation # AN06019

Ms. Eichorn,

The Lincoln Police Department has street name concerns regarding the Wilderness Commons PUD, Change of Zone (PUD) # CZ06075 / Annexation # AN06019.

There are currently ten (10) streets within Lincoln/Lancaster County that begin with "Willow". Causing concern for the proposed "Willow Road". Additionally, the proposed "Wilderness Blvd." is a concern, in that a Wilderness Hills Blvd. already exists, as well at four (4) other streets beginning with "Wilderness" within the city of Lincoln.

Frequently, when an emergency response is requested of police, fire, or medical units, the callers to the emergency communications center can forget the exact street name/location the emergency assistance is needed. The confusion is increased when the street name closely resembles another street name, which may be across the city, or elsewhere within Lancaster County. The Lincoln Police Department does not object to the proposed Wilderness Commons development, as presented, provided the street names within the development are reconsidered.

Sergeant Don Scheinost, #798
Lincoln Police Department
Management Services
(402) 441-7215
lpd798@cjis.ci.lincoln.ne.us

INTER-DEPARTMENT COMMUNICATION

LES

DATE November 7, 2006

TO: Christy Eichorn, City Planning

FROM: Sharon Theobald (Ext. 7640)

SUBJECT: DEDICATED EASEMENTS — AN#06019
DN #92S-39E — CZ#06075

Attached is the Planned Unit Development for Wilderness Commons.

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.

Windstream Nebraska, Inc., Time Warner Cable, and the Lincoln Electric System will require blanket utility easements, excluding building envelopes, over the entire development.

Please add, as a stipulation, the following:

Any construction or grade changes in LES transmission line easement corridors are subject to LES approval and must be in accordance with LES design and safety standards.

Landscaping material selections within easement corridors shall follow established guidelines to maintain minimum clearance from utility facilities.

RECEIVED
NOV - 8 2006
LINCOLN CITY/LANCASTER COUNTY
PLANNING DEPARTMENT

ST/ss
Attachment
c: Terry Wiebke
Easement File

Status of Review: Approved 11/06/2006 2:51:45 PM

Reviewed By Health Department ANY

Comments: LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT
INTER-OFFICE COMMUNICATION

□□ TO:□Christy Eichorn□□□DATE:□□November 6, 2006

DEPARTMENT:□Planning□□□FROM:□□Chris Schroeder
□□□□□□ □□□□
□ATTENTION:□□□□ □DEPARTMENT:□Health

CARBONS TO:□EH File□□□SUBJECT:□□Wilderness Commons
□□□EH Administration□□□□PUD
□□□□□□□□□CZ #06075 AN #06019

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

□Developers are responsible for all mosquito control issues during the building process and all outlots, green-spaces, and/or natural corridors subsequently controlled by the homeowners association for that subdivision would be responsible for vectors of zoonotic disease in those areas

□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.