City Council Introduction: **Monday**, October 25, 2010
Public Hearing: **Monday**, November 1, 2010, at **3:00** p.m.

Bill No. 10-135

FACTSHEET

TITLE: **CHANGE OF ZONE NO. 10018, NEBRASKA INNOVATION CAMPUS (NIC) PLANNED UNIT DEVELOPMENT,** from P Public Use District to O-3 Office Park District PUD, requested by the University of Nebraska-Lincoln, on property adjacent to the University of Nebraska-Lincoln city campus and including the former Nebraska State Fair Park.

STAFF RECOMMENDATION: Conditional approval, as revised.

ASSOCIATED REQUEST: Nebraska Innovation Campus (NIC) Redevelopment Plan (10R-275).

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: 10/06/10
Administrative Action: 10/06/10

RECOMMENDATION: Conditional approval, as set forth in the revised staff report dated October 6, 2010 (9-0: Gaylor Baird, Partington, Taylor, Cornelius, Lust, Francis, Esseks, Larson and Sunderman voting 'yes').

FINDINGS:

1. This proposed Planned Unit Development and the associated Nebraska Innovation Campus (NIC) Redevelopment Plan proposal were heard at the same time before the Planning Commission.

2. The area of the Planned Unit Development is the same as the proposed Redevelopment Plan Area, adjacent to the University of Nebraska-Lincoln city campus and includes the former Nebraska State Fair Park. The boundaries are generally from North Antelope Valley Parkway to North 27th Street, between Salt Creek and the Burlington Northern Santa Fe Railroad corridors. The purpose of the Planned Unit Development designation is to allow approximately two million square feet of mixed use commercial, up to 250 dwelling units and up to 135 hotel rooms.

3. The staff recommendation of conditional approval, as revised on October 6, 2010, is based upon the "Analysis" as set forth on p.5-7, concluding that the Planned Unit Development designation will allow for flexibility in uses. Mixed use development is encouraged in the Comprehensive Plan, and the proposed development meets the goals for infill development. The Planned Unit Development proposal also includes waiver requests to the City Design Standards for screening and landscaping around buildings in the O-3 District; stormwater detention; to allow parking on one side of streets with 34' wide paving; and to allow a 24' street paving width for the existing 24' wide Venture Drive, all of which are recommended for approval in the revised staff report. The conditions of approval, as revised, are found on p.7-12, and the General Notes, as revised, are found on p.27-30. The staff presentations are found on p.13-15.

4. The applicant's testimony is found on p.15-17, and other testimony in support is found on p.17-18. The applicant requested to eliminate General Note No. 17 (p.28):

   > Other than Block 3, Lot 1, grading work for Phase 1 will be confined to areas outside the floodplain until grading for compensatory mitigation in Phase 1A is completed.

   Upon further discussion, the applicant agreed to allow this note to remain in place with an opportunity to work with staff on the language prior to City Council hearing and action (See Minutes, p.16 and 19).

5. There was no testimony in opposition.

6. On October 6, 2010, the Planning Commission agreed with the staff recommendation and voted 9-0 to recommend conditional approval, as set forth in the revised staff report dated October 6, 2010, including the revised General Notes as set forth on p.27-30.

7. On October 6, 2010, the Planning Commission also voted 9-0 to find the proposed Nebraska Innovation Campus (NIC) Redevelopment Plan to be in conformance with the Comprehensive Plan (Comprehensive Plan Conformance No. 10006, Bill #10R-275).

FACTSHEET PREPARED BY: Jean L. Preister **DATE**: October 18, 2010

REVIEWED BY:_____ **DATE**: October 18, 2010

REFERENCE NUMBER: FS\CC\2010\CZ.10018 PUD+

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for OCTOBER 6, 2010 PLANNING COMMISSION MEETING
****REVISED 10/06/10****

PROJECT #: Change of Zone No.10018 Innovation Campus Planned Unit Development (PUD)

PROPOSAL: From P, Public to O-3, Office Park District PUD.

LOCATION: N. Antelope Valley Parkway to N. 27th St. between Salt Creek and the Burlington Northern Santa Fe Railroad corridor.

LAND AREA: 249 acres, more or less

EXISTING ZONING: P-Public

WAIVER /MODIFICATION REQUEST:

1. To allow parking on one side of streets with 34' wide paving
2. To allow a 24' street paving width for the existing 24' wide Venture Dr.
3. To Chapter 3.50, Section 7.6 of the City Design Standards for screening and landscaping around proposed buildings in the O-3 District.
4. Stormwater detention
5. ~~To allow fill within the floodplain for Lot 1, Block 3 prior to compensatory mitigation being completed.~~

CONCLUSION: This request for a change of zone from P-Public to O-3-Planned Unit Development will allow for flexibility in uses. Mixed use development is encouraged in the 2030 Comprehensive Plan. The proposed development meets the goals for infill development.

RECOMMENDATION:	Conditional approval
Waivers:	
1. To allow parking on one side of streets with 34' wide paving.	Approval
2. To allow a 24' street paving width for the existing 24' wide Venture Dr.	Approval
3. To Chapter 3.50, Section 7.6 of the City Design Standards for screening and landscaping around proposed buildings in the O-3 District.	Approval
4. Stormwater detention	Approval

~~5. To allow fill within the floodplain for Lot 1, Block 3 prior to compensatory mitigation being completed. Conditional Approval~~

GENERAL INFORMATION:

LEGAL DESCRIPTION: see attached

EXISTING LAND USE: Former State Fair Park

SURROUNDING LAND USE AND ZONING:

North:	I-1, Industrial	Light industrial
	P, Public	Theresa St. Waste Water Treatment Plant
South:	I-1, Industrial	Burlington Northern Santa Fe Railroad corridor. Residential south of railroad corridor.
East:	I-1, Industrial	Light industrial
West:	P, Public	Nebraska National Guard
	R-2, Residential	Single family residential
	I-1, Industrial	Auto sales and light industrial

ASSOCIATED APPLICATIONS:
Comprehensive Plan Conformance #10006 for Nebraska Innovation Campus Redevelopment Plan.

HISTORY:

February 8, 2010	Miscellaneous #09010 for the State Fair Park Redevelopment Area Blight and Substandard Determination Study was approved by the City Council.
Nov. 20, 2009	The Board of Regents approved the Nebraska Innovation Master Plan and Nebraska Innovation Campus Business Development Strategy.
2008	The Nebraska State Legislature approved, and the Governor signed LB116 which relocated the Nebraska State Fair to Grand Island and transferred the former Nebraska State Fairgrounds to the University of Nebraska Board of Regents.

COMPREHENSIVE PLAN SPECIFICATIONS:

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. (p.9)

Natural and environmentally sensitive areas should be preserved within neighborhoods. (p.9)

Streams, trees, open space, and other environmentally sensitive features should be preserved within new development as designs standards allow. The natural topography and features of the land should be preserved by new development to maintain the natural drainageways and minimize land disturbance. (p.10)

The success of the University's research and development is important to the future of the city. The City and privates sector should continue to support UNL's efforts to obtain grants for research. (p.30)

Capitalize on Public Infrastructure Investments – The community should seek to efficiently utilize the community's investments in existing and future public infrastructure (i.e., Homestead Expressway, Antelope Valley, Beltways) to advance economic development opportunities. (p.30)

The community actively encourages public-private partnerships, strategic alliances and collaborative efforts (such as the Lincoln Partnership for Economic Development and the UNL Technology Park including all relevant partners such as the University of Nebraska, City of Lincoln, Lancaster County, the Lincoln Chamber of Commerce, Lincoln Independent Business Association, Downtown Lincoln Association, small business representation, and Lincoln's working men and women) as a means to accomplish its future economic objectives. (p. 30)

Expansion of UNL research facilities on campus by the Beadle Center in Antelope Valley also provides an opportunity to retain students in the community and to attract private employers. Collaborations and interaction between the City, local businesses and UNL should continue. The University Tech Park is a great result of these partnerships, and interactions between UNL and the business community should expand. (p. 32)

Public property, especially publically owned historic property, is a community trust and should be maintained, preserved, and utilized in an exemplary fashion.(p.141)

The demolition of significant historic properties and destruction of other sites and distinctive neighborhoods diminishes the character of our community. The Plan encourages the continued use and maintenance of historic resources, including properties not formally designated as landmarks. (p.141)

<u>The following are from the Nebraska Innovation Campus Master Plan</u>:

NIC will provide an interdisciplinary research and mixed use environment that will support collaboration among private sector interests, university faculty and researchers, and government research within UNL's core competency programs, particularly in the areas of food, fuel and water. (p.2)

The primary vision for NIC is to optimize the sustainability and long-term viability of three factors: economic, academic and environmental. (p.2)

The goals for NIC are to advance research and generate economic growth for Nebraska. (p. 24)

NIC has been planned to include:

- greater use of interdisciplinary programs and facilities
- mixed-use development– a live, work, learn and play environment
- development that is guided by a set of development standards to ensure a quality environment. (p24)

The program for NIC includes university research and interdisciplinary research labs focused on current and related future centers of excellence. (p.25)

UTILITIES:

The existing utilities are predominantly privately owned and maintained. The private utilities are not adequate to serve the proposed development and will be abandoned or removed as necessary. There are three publicly owned sanitary outfall sewers and a 16 inch water main within the development area. These public utilities will remain in place and have easements over them.

TRAFFIC ANALYSIS:
North Antelope Valley Parkway and Salt Creek Roadway are classified as minor arterial. New public streets are proposed throughout Innovation Campus.

ENVIRONMENTAL CONCERNS:
The proposed PUD is in the 100 year and 500 year floodplain of Salt Creek. Salt Creek borders the northwest boundary of the PUD. The PUD is within two Salt Creek storage areas, SA-15 and SA–17, with allowable storage displacement values of 65% and 60% respectively.

The applicant has proposed submitting a Letter of Map Revision(LOMR-f) to remove some of the area from the floodplain. If a LOMR-f is completed for this property, a Building Restriction Agreement will be required which will prevent any finished floors, including basements, to be built below the 100 year water surface elevation in areas currently mapped in the 100 year floodplain.

ANALYSIS:

1. This request is to change the zoning from P-Public to O-3 Planned Unit Development (PUD). The Nebraska Innovation Campus (NIC) will be a new private/public partnership and research park dedicated to advancing research and its commercialization in order to generate economic growth for Nebraska. The PUD proposes 2 million square feet of commercial, up to 250 dwelling units and up to 135 hotel rooms. The purpose of the PUD is to allow mixed uses and flexibility in the regulations of the zoning district.

   Flexibility includes a reduction in the required parking from 1 parking stall per 300 sq. ft. to 1 parking stall per 600 sq. ft. of building area. The PUD also reduces building setbacks and height restrictions from the O-3 district.

2. The NIC Master Plan proposes the 2 million sq. ft. to include 1.5 million sq. ft. of research and 500,000 sq. ft. of mixed use, hospitality and retail space. Research themes that are most likely to be developed include the following:
   a. Agriculture Biotechnology, Life Sciences, Food and Nutrition
   b. Computer Sciences and Bioinformatics
   c. Materials Sciences and Nanotechnology
   d. Water Resources
   e. Clean Energy Technology
   f. Transportation

3. The development of the PUD is anticipated to be done under the control of the Nebraska Innovation Campus Development Corporation (NICDC), an entity established by the University of Nebraska Board of Regents.

4. NIC is proposed to utilize sustainable principles to guide the development. These principles include:
   - adopt environmentally sensitive land use practices
   - plan for innovative, sustainable buildings and landscapes

- ensure a range of transportation options
- move toward a net zero energy and carbon neutral campus.

5. The Lincoln-Lancaster County Health Department (LLCHD) has concerns with hazardous materials usage and storage within proximity to any residential use. LLCHD recommends that the storage or use of hazardous materials be located a minimum of 300 feet from any residential use or any other use involving susceptible populations. The PUD is located more than 300 feet from any existing residential use and conditions exclude uses which produce or store hazardous materials.

6. The PUD proposes a public bike trail through the development. The bike trail would not follow Salt Creek Roadway but would instead go through the development north of Invention Dr. and connect with Military Rd at the west entrance. There will also be on street bike lanes throughout the development. ~~A Transportation Management Plan will be part of the PUD~~. The NICDC will develop strategies to reduce traffic congestion.

   ~~This plan will establish how the developer will provide~~ These strategies will address transit service techniques ~~and maintain controls on the properties to be developed~~ to encourage car pooling, bicycling, staggered work shifts and other possible measures to reduce traffic demands. The traffic study indicated that in the future, the intersection of Antelope Valley Parkway and Salt Valley Roadway will experience significant peak hour congestion.

7. The proposed PUD is located within the State Fair Park blighted area. The approval of the blight study allows the potential for Tax Increment Financing (TIF). TIF may be used for a variety of public improvements including streets, water mains, sanitary sewer and street lighting.

8. There are currently three existing access points to Salt Creek Roadway. These three access points are proposed to be relocated closer to the typical 1/4 mile spacing. The relocated access points will be coordinated with ~~must be approved by~~ the Nebraska Department of Roads and the Federal Highway Administration, ~~as well as~~ and must be approved by the City. All costs associated with relocating the access points will be the responsibility of the developer. Right-turn lanes will be required at all three access points.

9. The Public Works & Utilities Department identifies several issues with the street system. Issues include street intersections that do not meet design standard, sight distance conflicts, and a dead end street that does not meet City design standards.

10. The applicant's letter request several waivers. The waiver that all lots have frontage ans access to a street is not required. Lots within a PUD do not have to have frontage and access to a street if a access easement is provided. The site plan shows all lots having frontage and access to a street. The waiver to a center turn lane is not necessary. There is no design standard requiring the center turn lane on local streets. The waiver to Technology Park Design Standards is not needed. This application is not for a Technology Park.

11. The Public Works & Utilities Department does not object to allow parking on one side of streets with 34' wide paving provided that Public Works controls the parking and has the ability to pull parking from the streets at its discretion. City design standards requires 39' paving width for parking on one side.

12. The waiver for a 24' wide street for Venture Dr. is acceptable to Public Works provided there is no parking and no driveway access to the street. Venture Dr. is an existing street and would likely have limited use.

13. The waiver to screening and landscaping requirements for buildings is acceptable to the Planning Department. NIC is proposed as an urban setting development, not the typical office park with large open spaces. The NIC Master Plan details a landscape plan that will utilize a sustainable plant list.

14. Public Works & Utilities Watershed Management supports the waiver to stormwater detention. The proposed development and associated best management practices will keep the stormwater runoff rate at or below existing conditions. ~~At this time Public Works cannot recommend approval to the waiver for the placement of fill within the floodplain. Additional information is needed before Public Works can make a recommendation.~~

This approval permits :

A. 2 million sq. ft. of commercial floor area,
B. 250 dwelling units and 135 hotel rooms.
C. A waiver to allow parking on one side of streets with 34' wide paving.
D. A waiver to allow a 24' street paving width for the existing 24' wide Venture Dr.
E. A waiver to Chapter 3.50, Section 7.6 of the City Design Standards for screening and landscaping around proposed buildings in the O-3 District.
F. A waiver to Stormwater detention
~~G. A waiver to allow fill within the floodplain for Lot 1, Block 3 prior to compensatory mitigation being completed.~~

<u>CONDITIONS OF APPROVAL:</u>

<u>Site Specific Conditions:</u>

1. Before a final plat is approved the developer shall cause to be prepared and submitted to the Planning Department a revised and reproducible final plot plan including 5 copies with all required revisions and documents as listed below upon approval of the planned unit development by the City Council.

    1.1 Change the names of Research Dr., Venture Dr. and Innovation Campus Blvd. These street names or similar names already exist in the City.

1.2 Submit a plan sheet showing floodplain boundaries, storage area boundaries, flood storage volumes in each storage area, Salt Creek cross sections and associated base flood elevations and cut and fill volumes in each storage area.

1.3 Provide a detail for the outlet structure to the flood mitigation area.

1.4 Eliminate the land use table from Sheet 3.

1.5 Provide setbacks on Lot 1, Block 2 and provide at least a 10 foot setback to Venture Dr. to provide area for landscaping.

1.6 Combine Sheet 22-Setback with Sheet 3-Site Plan to reduce the number of sheets and provide clarity on setbacks and ROW widths.

1.7 ~~Show utility easements as requested by LES~~. Provide a note on the site plan that LES easements shall be provided with final plats.

1.8 Make corrections to the satisfaction of Public Works per Public Works memo of September 21, 2010.

1.9 Identify which streets are private on the Site Plan.

1.10 Identify the purpose of Outlot A on Sheet 3.

1.11 Add “public” before access at the 66" access easement on Sheet 3.

1.12 Add the surveyor’s name, registration number, address and firm name to the surveyor signature block.

1.13 Correct the PUD legal description on Sheet 2.

1.14 Remove the approval block from Sheet 1. The PUD is approved by the City Council

1.15 Add a note to the Site Plan that Macfarland intersection is to be removed.

1.16 On the Site Trail Plan add “public access” to the bike trail that is outside of street right-of-way.

1.17 Revise the PUD general notes as shown on the attached PUD notes.

2. Before receiving building permits, the developer shall provide the following documents to the Planning Department:

2.1 Verification from the Register of Deeds that the letter of acceptance as required by the approval of the planned unit development has been recorded.

2.2 ~~Developer~~ NICDC shall develop ~~submit a~~ Transportation Management ~~Plan~~ Strategies to reduce traffic congestion. NICDC will provide an annual report on these strategies to the Board of Regents and the Director of the Public Works and Utilities Department after consultation with the City. The report will describe what strategies have been implemented, what results that have been achieved from implementing those strategies, and what new or modified strategies are planned for the short and long term future. ~~The that is approved by the Director of Public Works & Utilities Department and shall undertake activities to reduce traffic congestion in accordance with the approved plan.~~

3. Prior to the issuance of a building permit:

3.1. The construction plans must substantially comply with the approved plans.

If any final plat on all or a portion of the approved planned unit development is submitted five (5) years or more after the approval of the planned unit development , the city may require that a new planned unit development be submitted, pursuant to all the provisions of section 26.31.015. A new planned unit development may be required if the subdivision ordinance, the design standards, or the required improvements have been amended by the city; and as a result, the planned unit development as originally approved does not comply with the amended rules and regulations.

Before the approval of a final plat, the public streets, private roadway improvements, sidewalks, public sanitary sewer system, public water system, drainage facilities, land preparation and grading, sediment and erosions control measures, storm water detention/retention facilities, drainageway improvements, street lights, landscaping screens, street trees, temporary turnaround and barricades, and street name signs, must be completed or provisions (bond, escrow or security agreement) to guarantee completion must be approved by the City Law Department. The improvements must be completed in conformance with adopted design standards and within the time period specified in the Land Subdivision Ordinance.

Before a final plat may be approved, Developer agrees, as subdivider, must enter into an agreement with the City whereby Developer agrees:

to complete the street paving of public streets, and temporary turnarounds and barricades located at the temporary dead-end of the streets shown on the final plat within two (2) years following the approval of the final plat.

To complete the paving of private roadway, and temporary turnarounds and barricades located at the temporary dead-end of the private roadways shown on the final plat within two (2) years following the approval of this final plat.

to complete the installation of sidewalks along both sides of public streets and private roadways as shown on the final plat within four (4) years following the approval of the final plat.

to complete the installation of sidewalks along Salt Creek Roadway as shown on the final plat within two (2) years following the approval of this final plat.

to complete the installation of the bike trail as shown on the final plat within two (2) years following the approval of this final plat.

to complete the public water distribution system to serve this plat within two (2) years following the approval of the final plat.

to complete the public wastewater collection system to serve this plat within two (2) years following the approval of the final plat.

to complete the enclosed public drainage facilities shown on the approved drainage study to serve this plat within two (2) years following the approval of the final plat.

to complete the installation of public street lights along streets within this plat within two (2) years following the approval of the final plat.

to complete the installation of private street lights along private roadways within this plat within two (2) years following the approval of the final plat.

to complete the planting of the street trees along streets/private roadways within this plat within four (4) years following the approval of the final plat.

to complete the installation of the street name signs within two (2) years following the approval of the final plat.

to complete the installation of the permanent markers prior to construction on or conveyance of any lot in the plat.

to timely complete any other public or private improvement or facility required by the Land Subdivision Ordinance which inadvertently may have been omitted from the above list of required improvements.

to submit to the Director of Public Works a plan showing proposed measures to control sedimentation and erosion and the proposed method to temporarily stabilize all graded land for approval.

to comply with the provisions of the Land Preparation and Grading requirements of the Land Subdivision Ordinance.

to complete the public and private improvements shown on the Planned Unit Development.

to keep taxes and special assessments on the outlots from becoming delinquent.

to maintain the outlots on a permanent and continuous basis.

to maintain the private improvements in good order and condition and state of repair, including the routine and reasonable preventative maintenance of the private improvements, on a permanent and continuous basis.

to maintain the street trees along the private roadways and landscape screens, including replacement and replanting as reasonably necessary, on a permanent and continuous basis.

to maintain the private facilities which have common use or benefit in good order and condition and state of repair, including the routine and reasonable preventive maintenance of the private improvements, on a permanent and continuous basis.

to retain ownership of and the right of entry to the outlots in order to perform the above-described maintenance of the outlots and private improvements on a permanent and continuous basis. However, Developer(s) may be relieved and discharged of such maintenance obligations upon creating in writing a permanent and continuous association of property owners who would be responsible for said permanent and continuous maintenance subject to the following conditions:

(1) Developer shall not be relieved of Developer's maintenance obligation for each specific private improvement until a registered professional engineer or nurseryman who supervised the installation of said private improvement has certified to the City that the improvement has been installed in accordance with approved plans.

(2) The maintenance agreements are incorporated into covenants and restrictions in deeds to the subdivided property and the documents creating the association and the restrictive covenants have been reviewed and approved by the City Attorney and filed of record with the Register of Deeds.

to inform all purchasers and users of land located within the 100 year floodplain and that the grading of the lots and outlots within the 100 year floodplain shall be in conformance with the grading plan approved with the Innovation Campus PUD Change of Zone #10018 or as amended by the Director of Planning. The volume of fill material brought into each lot and outlot from outside the floodplain shall not exceed that shown on the approved grading plan accompanying the PUD.

to relinquish the right of direct vehicular access to Salt Creek Roadway except for the access points as shown. .

Standard Conditions:

4. The following conditions are applicable to all requests:

4.1 Before occupying the dwelling units/buildings all development and construction shall substantially comply with the approved plans.

4.2 All privately-owned improvements shall be permanently maintained by the owner or an appropriately established property owners association approved by the City Attorney.

4.3 The physical location of all setbacks and yards, buildings, parking and circulation elements, and similar matters must be in substantial compliance with the location of said items as shown on the approved site plan.

4.4 The terms, conditions, and requirements of the ordinance shall run with the land and be binding upon the permittee, its successors and assigns.

4.5 The Developer shall sign and return the letter of acceptance to the City Clerk within 60 days following the approval of the change of zone, provided, however, said 60-day period may be extended up to six months by administrative amendment. The clerk shall file a copy of the ordinance approving the change of zone 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: September 23, 2010

APPLICANT: Joel D. Pedersen, General Counsel
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OWNER: University of Nebraska Board of Regents
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COMPREHENSIVE PLAN CONFORMANCE NO. 10006, NEBRASKA INNOVATION CAMPUS REDEVELOPMENT PLAN and CHANGE OF ZONE NO. 10018, NEBRASKA INNOVATION CAMPUS PLANNED UNIT DEVELOPMENT

PUBLIC HEARING BEFORE PLANNING COMMISSION: October 6, 2010

Members present: Cornelius, Taylor, Esseks, Larson, Partington, Gaylor Baird, Lust, Francis and Sunderman.

Ex Parte Communications: None.

Staff recommendation: A finding of conformance with the Comprehensive Plan on the Redevelopment Plan, and conditional approval of the Planned Unit Development.

Staff presentation:

Dallas McGee, Assistant Director of the Urban Development Department, presented the proposed Nebraska Innovation Campus (NIC) Redevelopment Plan on behalf of David Landis, requesting that the Planning Commission find the proposal to be in conformance with the Comprehensive Plan. Most people are aware that the NIC is located at the site of former State Fair Park, now under ownership of UNL, to create public-private partnerships to develop and maximize economic opportunities and to leverage the research capacity, faculty and student resources of UNL. This will generate economic growth for Nebraska. This redevelopment plan is another step in that process.

The Blight and Substandard Determination Study was previously submitted and the area was found to be blighted and substandard in February of this year. That designation gives legal authority to proceed with the Redevelopment Plan. The Redevelopment Plan is a guide for redevelopment, and includes several guiding principles, including Comprehensive Plan principles as well as the sustainability principles from UNL's Master Plan.

The Comprehensive Plan offers a description of the primary target businesses for marketing and attraction purposes important for Lincoln and Lancaster County including biotechnology, value added agriculture, specialty electronics, entrepreneurship and expansion of UNL research facilities on campus.

The sustainable master plan principles established for NIC to guide the development of the master plan include adopting environmentally sensitive land use practices; a plan for innovative, sustainable buildings and landscapes; a range of transportation options; and a move toward a net zero energy and carbon neutral campus.

McGee explained that upon a finding of conformance with the Comprehensive Plan, the next step will be approval of the redevelopment plan by the City Council. Amendments to the redevelopment plan will come before the Planning Commission as specific projects develop.

Esseks stated that he submitted a question to the Planning staff about how much, if any, of the NIC is in the 100-year floodplain, and it appears to be 75%. Although this is in the older developed part of town and not subject to restrictions on floodplain regulations as in the newer areas, he wanted to know what UNL plans to do to mitigate the possible problems of flooding. McGee indicated that Christine Jackson should be able to address this question on behalf of the University.

Tom Cajka of Planning staff presented the proposed NIC Planned Unit Development (PUD). He submitted the comments from Watershed Management regarding the 100-year floodplain and stormwater runoff. Watershed Management states that approximately 75% of the PUD is in the floodplain; however, not all of the PUD will be developed. Only about half of the land in the floodplain within the PUD is proposed for development. There will be a 14% net loss in flood storage and the increase in the floodplain is less than 0.05 feet. To mitigate some of the stormwater runoff, the applicant has proposed Best Management Practices (BMP) such as pervious pavement, utilizing some pervious type of construction on parking lots, and a lot of landscaping with sustainable types of grasses and plants throughout the development.

Cajka further explained that the change of zone is from P Public to O-3 Office Park with a PUD overlay. The PUD is proposed to be a research park, with private/public partnership. It is requested for a total of two million square feet of commercial/office/research type uses. Approximately 1.5 million of that 2 million square feet will be research-related. The PUD also requests up to 250 dwelling units and up to 135 hotel rooms. There would possibly be some minimal amount of retail throughout the PUD.

Some of the research type themes from the Master Plan include agricultural biotechnology, life sciences, food and nutrition, computer sciences, material sciences, water resources, clean energy technology and transportation. The PUD proposes that all of the proposed new streets within the development will be public as well as the utilities.

The PUD covers the former State Fair Park, but does not include the Devaney Sports Center. The site plan proposes some fairly large lots that could be broken down into smaller lots in the future. All of the internal streets will be new, and there will be public utilities, mostly within the right-of-way.

Cajka advised that the applicant has asked for several waivers:

1. To allow parking on one side of 34' wide streets. Staff supports this waiver. The design standards require a 39' wide street, so they are reducing that by 5'. If there is a problem in the future, Public Works has the authority to remove that parking and require “no parking” on the street if it creates a problem.

2. To allow a 24' wide street, Venture Drive, with no access to that street and no parking on the street. Staff is in agreement.

3. Screening and landscaping for buildings. The O-3 zoning district requires that 10,000 sq. ft. or larger buildings have additional landscaping. Since the Master Plan has proposed its own interior landscaping with sustainable type plants and with regulation by the Nebraska Innovation Campus Development Corporation (NICDC), the staff is in agreement. They would still be required to meet the design standards for screening of parking lots.

4. To waive the stormwater detention requirements. Their Best Management Practices should keep stormwater runoff at a minimum, so staff supports this waiver.

Cajka also pointed out there will be a huge outlot that will remain as open and green space. Cajka submitted a revised staff report setting forth some minor changes that have been negotiated with the applicant:

> Waiver #5, to allow fill within the floodplain for Lot 1, Block 3, prior to compensatory mitigation being completed, has been eliminated. After review by Watershed Management and further discussions, it was determined that this was not actually a waiver and what they are asking for is something that is allowed.
>
> Analysis #6 on page 5 of the revised staff report includes some revised language about a transportation management plan. Planning was requesting that the University submit some type of transportation management plan with the PUD. The revised language suggests that NICDC will develop "strategies to reduce traffic congestion" as opposed to a transportation management plan.
>
> Analysis #8 has been revised such that the relocation of three access points "will be coordinated with" the Nebraska Department of Roads and Federal Highway Administration. It has been determined that the relocation of these access points does not require "approval" by NDOR. Any costs of relocating streets would be the developer's responsibility.

Esseks inquired whether the "strategies" to reduce traffic congestion will become part of the PUD. Cajka stated that the strategies are required prior to building permits, and will be approved by Public Works and Planning.

<u>Proponents</u>

1. Christine Jackson, Vice Chancellor of Business and Finance at UNL, testified in support of the NIC Redevelopment Plan and PUD. Looking back only a few years, the community forums sponsored by Vision 2015 were the genesis of NIC. The Lincoln community identified the need for a university research development corridor. The community forums identified strong support to locate a research campus at the former State Fair Park. The property was transferred to UNL. UNL's first step was to create a master plan for the property. A stakeholder committee including community representatives from Lincoln and Omaha and Mayor Beutler verified the plan components. The Board of Regents approved the plans in November 2009 and UNL submitted them to the State Department of Administrative Services and the Clerk of the Legislature in December, 2009. These plans established the basis for this Redevelopment Plan and PUD. Since then, the University has been working closely with their engineering consultants and city staff.

Nebraska Innovation Campus will be a public/private development that will leverage the research strengths and innovation of University faculty with private industry. It is anticipated that the majority of the buildings will be occupied by private companies. The NIC will not be an extension of the academic campus. Moreover, UNL will not govern the development of the site, rather the University Board of Regents established the Nebraska Innovation Campus Development Corporation as a separate board that includes Nebraska business leaders. The Board of Regents and the NICDC have executed a master lease agreement for the NICDC to oversee the development.

It is anticipated that the first phase will include the research building and green houses for agricultural research service, renovation of the 4-H building, incubator space, area for seminars, research space and several privately developed research-oriented buildings. TIF will be critical for the infrastructure in the first phase.

The NIC is a major initiative for the future of the University, for the city and for the state.

2. Joel Pedersen, General Counsel for the University of Nebraska, stated that the applicant needs flexibility, and he publicly acknowledged that this is something upon which the staff has been working very hard. Pedersen emphasized that the NICDC fits the public/private nature. The underlying ownership is to be retained by the Board of Regents. They hope to be able to use TIF for the buildings and improvements.

Pedersen then discussed General Note #17, which states:

> Other than Block 3, Lot 1, grading work for Phase 1 will be confined to areas outside the floodplain until grading for compensatory mitigation in Phase 1A is completed.

Pedersen stated that this Note #17 is going to be a little problematic and he requested that it be deleted. The University will comply with existing floodplain regulations regardless, and he does not believe this note is necessary. Flexibility is important because we don't know who the potential buildouts will be.

Pedersen also stated that the new streets becoming public is an important part of the flexibility. It provides a good way to productively spend some TIF money, but also a good way to talk about considering new and creative ways to get the infrastructure financed. They will want to continue this conversation as developers identify themselves. Impact fees may be included in discussions about intersections and planned developments.

With regard to the traffic issue, it is anticipated that full buildout will be in 15-20 years. Pedersen submitted that they do want to be cognizant of the traffic congestion, but they are not ready to present a plan today because they do not know how long part of the buildout will take. But the commitment is there and it is real. The NICDC will report to the Board of Regents with copy to the City.

Lust clarified by Pedersen that he is requesting that General Note #17 for the PUD be eliminated because he is not sure if it would be convenient to do the grading work on that first lot before anything else. Pedersen responded that they are complying with the existing floodplain regulations. If the grading is confined to that lot, they have to build some other things to get there and there may be some need to do some other grading.

Larson asked who appoints the members to the NICDC. Pedersen stated that the members are appointed by the University Board of Regents – the NICDC is a subsidiary of the parent corporation, both created by the Board of Regents and appointed by the Board of Regents, who can also remove members, if necessary.

3. Tonn Ostergard, President and CEO of Crete Carrier Corporation, who serves on the NICDC, is a member of the 2015 Vision Steering Committee, as well as Chair of the Lincoln Chamber of Commerce, testified in support. It was determined that the highest and best use of what was then State Fair Park was to establish a research campus to leverage the private and public partnerships. This land is also a vital link between East Campus and the City Campus as well as the cornerstone of the Antelope Valley development. He believes this development will be a critical component to the growth and economy of our City, the County and the entire State for generations to come. This will attract research companies from all over the world. The ultimate benefit of a research university is to transfer ideas of innovation through that public/private partnership collaboration and this will provide that opportunity with new jobs and investment in our community. New startup companies will have the opportunity to develop. The buildout will represent a significant investment in new facilities and infrastructure that will significantly enhance our community.

Larson inquired whether the buildings will be owned by the NICDC, or privately owned? Ostergard stated that the intent is that they will be jointly owned, but a significant amount will be privately held. The TIF will be a part of that, but hopefully they will eventually be on the tax rolls.

4. Tom Henning, President and CEO of Assurity Life insurance Company, also serving on the NICDC, testified in support. He is excited about the potential for this to positively impact our economy in Lincoln and across the state of Nebraska. He also served on the 2015 Steering Committee. He believes this project has the potential to impact the economy of the whole state by creating new high paying jobs and improving our tax base. It will be key to creating entrepreneurship in our community and out-state. The best jobs created in our community start and come from entrepreneurship. Innovation can help us develop a more entrepreneur climate in Lincoln and the State of Nebraska. It is critical to get this project off the ground and started quickly. He requested that the Planning Commission not apply unnecessary regulation or restrictions. We are still feeling the effects of the economic downturn and the importance of creating good high paying jobs has never been greater.

5. Kyle Fischer, 1135 M Street, testified in support on behalf of the **Lincoln Chamber of Commerce,** agreeing with the two previous speakers, who are leaders of the Chamber and leaders in the business community. On behalf of the 1,425 other Chamber members, Fischer believes that this development is in conformance with the Comprehensive Plan. Our community's overall plan

is to grow and to grow jobs. This project helps meet that goal. This project meets the comprehensive goals of the Lincoln Partnership for Economic Development for job growth and job creation. As a Chamber, our mission is to grow our members' businesses. The growth that can be accomplished through the NIC will benefit members of the Chamber as well.

6. Rick Krueger testified in support on his own behalf. He stated that he likes the layout, and would be interested to see if they can make use of the sewage plant for some heat and cooling. How will they fund the infrastructure? Is the developer a nonprofit or for profit development entity? Is the land area subject to real estate taxes? How will that work if the University retains ownership? The property is in an impact fee zone, so will these buildings be subject to impact fees? Will sales tax be collected on materials used for construction?

There was no testimony in opposition.

Lust asked staff to address the applicant's request to remove General Note #17 from the PUD. Cajka stated that at this time, the staff does not agree to removing this note. The staff would like to have time to discuss it further with Public Works, and the staff would recommend that Note #17 be retained for now. If it is determined that it can be removed or modified, that change could be made prior to the public hearing before the City Council. Staff understands that the grading work would be confined to areas outside the floodplain, but part of Lot 3, Block 1, is in the floodplain and they could grade there right now until some of the mitigation plans were finalized.

Devin Biesecker, Watershed Management, explained that when they do phase one, they have proposed to offset some of their floodplain impacts in what is currently the horse racing area of State Fair Park. Phase one will occur before the horse race area is gone, so Note #17 was put in place to try to limit what they could fill before they could offset their floodplain storage. We don't know what the impacts on the floodplain would be from that phase one area. We still want to tie them down to just how much they can fill before they offset their floodplain fill in the future.

Esseks inquired as to the danger of fill. Biesecker stated that their overall plan with full buildout and the offset of their fill in the floodplain results in very little rise in the floodplain. We don't know at this time what phase one would do with the floodplain with no offset of fill in the floodplain. We would like to discuss that further before changing the language.

<u>Response by the Applicant</u>

Joel Pedersen responded to some of the questions raised. The NICDC is a nonprofit corporation. Proceeds, if any, are returned to UNL. The Board of Regents does not have the internal expertise to oversee the development and could have outsourced or they could have staffed a department or something inside UNL. They chose to create the NICDC in trying to get the best of both worlds. This will be a very impressive board representing the private sector and UNL thinks it's a good fit. The NICDC will keep us focused and responsive on the mission.

With regard to TIF, Pedersen explained that the underlying land ownership will be retained by the Board of Regents. The master lease is through the NICDC. The next step will be the phased development. The NICDC will either own the private improvements or have additional leases or a separate sublease. There was a constitutional amendment in Nebraska whereby UNL reports

privately held leases on publicly owned land and those are subject to property tax. The reality is that the major source of property tax will be in the buildout of the improvements.

Lust asked Pedersen how he feels about the Planning Commission approving the PUD with Note #17 remaining in place. Pedersen would agree as long as they can work with staff prior to City Council. They don't have the diagram and layout of what will happen, but he agreed that they would follow up with the city and hopefully can reach agreement before this goes to the City Council.

COMPREHENSIVE PLAN CONFORMANCE NO. 10006
ACTION BY PLANNING COMMISSION: October 6, 2010

Larson moved to find the redevelopment plan in conformance with the Comprehensive Plan, seconded by Taylor.

Gaylor Baird noted that there is a fair amount of guidelines in the Comprehensive Plan that addresses this sort of project, such as the economy statement that Lincoln can develop entrepreneur capacity through public and private partnership; emphasizing the creation of office sites for job growth and that more should be done to encourage entrepreneurship and encourage efforts of technology. These ideas and goals are specifically listed in the Comprehensive Plan. The success of UNL research and development is important to the future of the city. This is a great example of the city and private sector working together for UNL to get grants for research and production of work opportunities. It meets many of the central guiding principles of the Comprehensive Plan.

Motion for a finding of conformance carried 9-0: Cornelius, Taylor, Esseks, Larson, Partington, Gaylor Baird, Lust, Francis and Sunderman voting 'yes'. This is a recommendation to the City Council.

CHANGE OF ZONE NO. 10018,
NEBRASKA INNOVATION CAMPUS PUD
ACTION BY PLANNING COMMISSION: October 6, 2010

Esseks moved approval, with conditions as set forth in the revised staff report dated October 6, 2010, seconded by Francis.

Cornelius commented that the main point of contention seemed to be Note #17, with the University and NICDC requesting flexibility. We have heard from staff that there is willingness to have more conversation on that and trying to develop some compromised language, and then this will go to the City Council which will provide further opportunity for whatever compromise is necessary.

Sunderman stated that he is excited to see what this will look like when it's all said and done, but it's going to take 15-20 years and we need to be patient. It will be a huge positive change for the city – job growth, vibrancy.

Motion for conditional approval as set forth in revised report dated October 6, 2010, carried 9-0: Cornelius, Taylor, Esseks, Larson, Partington, Gaylor Baird, Lust, Francis and Sunderman voting 'yes'. This is a recommendation to the City Council.

2007 aerial

Change of Zone #10018
Antelope Valley Prkwy & Salt Creek Rdwy

Zoning:

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential 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

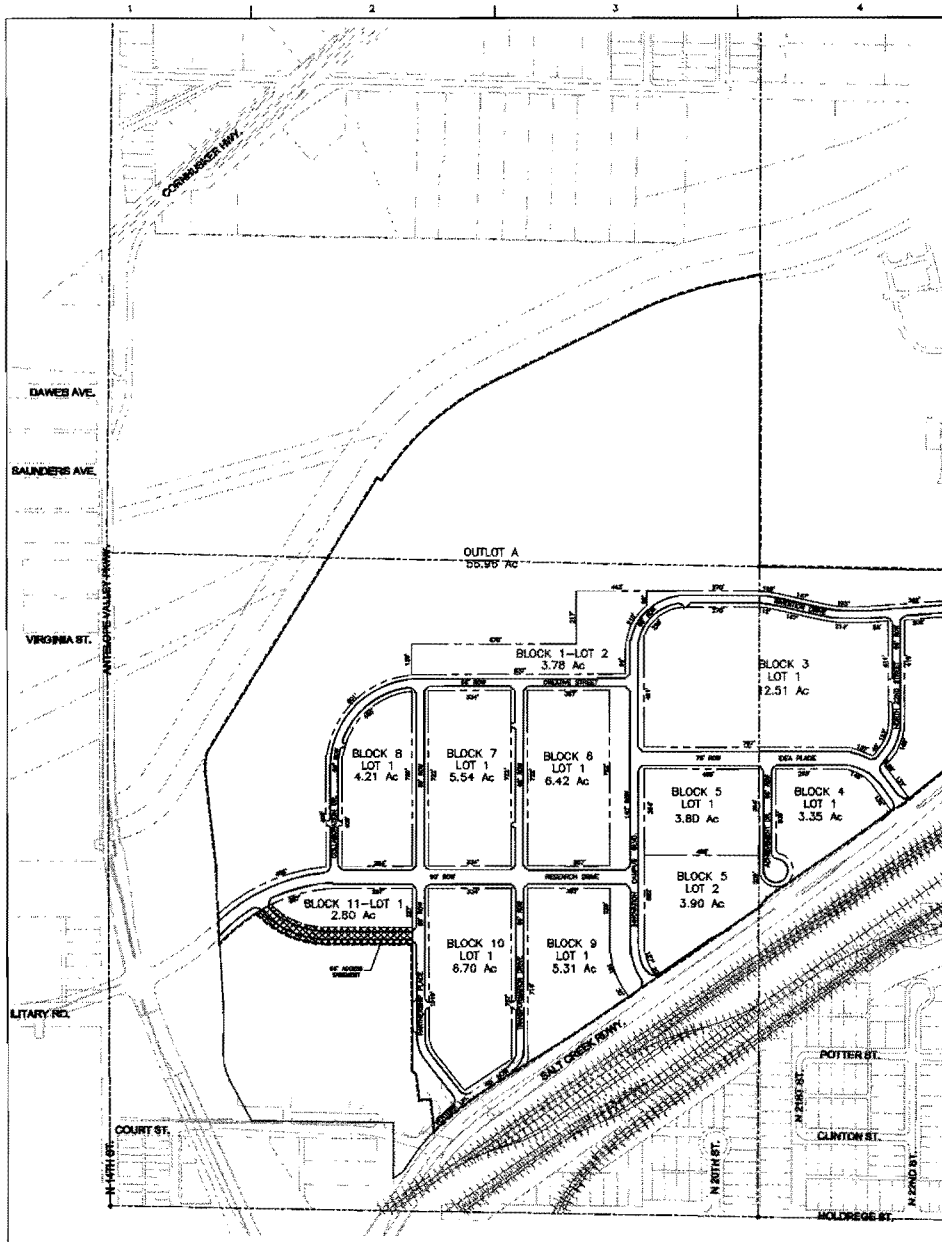
One Square Mile
Sec. 13 T10N R06E

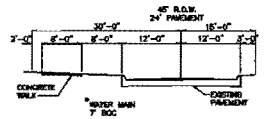
N

Zoning Jurisdiction Lines

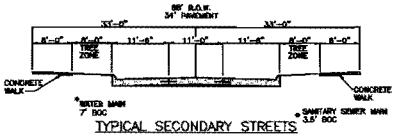
City Limit Jurisdiction

m:\plan\arcview\Agendadrawings.mxd (CZ10018)

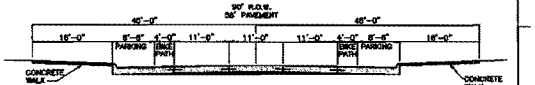




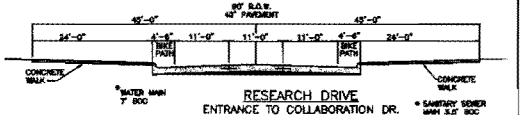
VENTURE DRIVE
(NO PARKING)



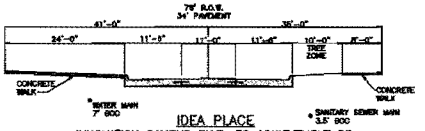
TYPICAL SECONDARY STREETS
(PARKING ON ONE SIDE)
INVENTION DRIVE
COLLABORATION DRIVE
PARTNERSHIP PLACE
(RESEARCH DR. TO CREATIVE ST.)
PARTNERSHIP DRIVE
(NO PARKING—COURT ST. TO RESEARCH DR.)
CREATIVE STREET
TRANSFORMATION DRIVE
ACHIEVEMENT DRIVE
NORTH 22ND STREET



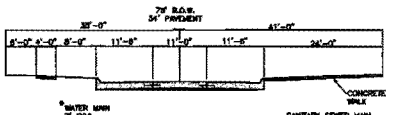
RESEARCH DRIVE
COLLABORATION DR. TO INNOVATION CAMPUS BLVD.
(BIKE LANE AND PARKING ON BOTH SIDES)



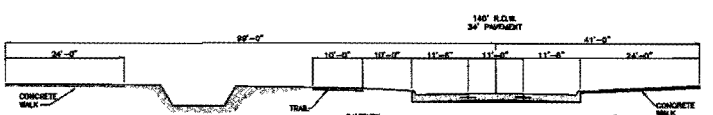
RESEARCH DRIVE
ENTRANCE TO COLLABORATION DR.
(NO PARKING)



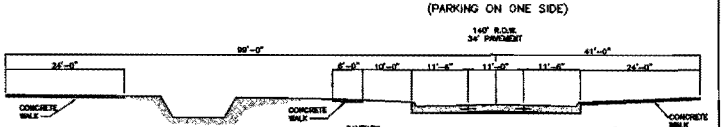
IDEA PLACE
INNOVATION CAMPUS BLVD. TO ACHIEVEMENT DR.
(NO PARKING)



IDEA PLACE
ACHIEVEMENT DR. TO SALT CREEK ROADWAY
(NO PARKING)



INNOVATION CAMPUS BLVD.
RESEARCH DR. TO CREATIVE ST.
(PARKING ON ONE SIDE)



INNOVATION CAMPUS BLVD.
SALT CREEK ROADWAY TO RESEARCH DR.
(PARKING ON ONE SIDE)

TYPICAL STREET SECTIONS
SCALE: 1" = 10'-0"

LAND USES BY BLOCK

BLOCK	LOT	GROSS FLOOR AREA (SF)	USE	MAX FLOORS
1	1	–	RESEARCH	–
2	2	230,000	RESEARCH/MIXED-USE	3
3	1	–	RESEARCH	–
4	1	430,000	RESEARCH	3
5	1	140,000	MIXED-USE/HOSPITALITY	4
6	1	60,000	COMMONS	4
5	2	163,000	RESEARCH	4
6	1	265,000	RESEARCH/MIXED-USE	4
7	1	234,780	RESEARCH	3
8	1	80,000	MIXED-USE	1
9	1	190,000	RESEARCH	3
10	1	115,000	RESEARCH	3
11	1	35,000	MIXED-USE/COMMONS	1
OUTLOT A		–	–	–
TOTAL		1,981,350		

C22

HDR

ISSUE	DATE	DESCRIPTION
	06/08/2010	P.U.D. SUBMITTAL

PROJECT MANAGER: MARC ROSSO
PROJECT NUMBER: 138237

NEBRASKA INNOVATION CAMPUS
Lincoln, Nebraska

SITE PLAN

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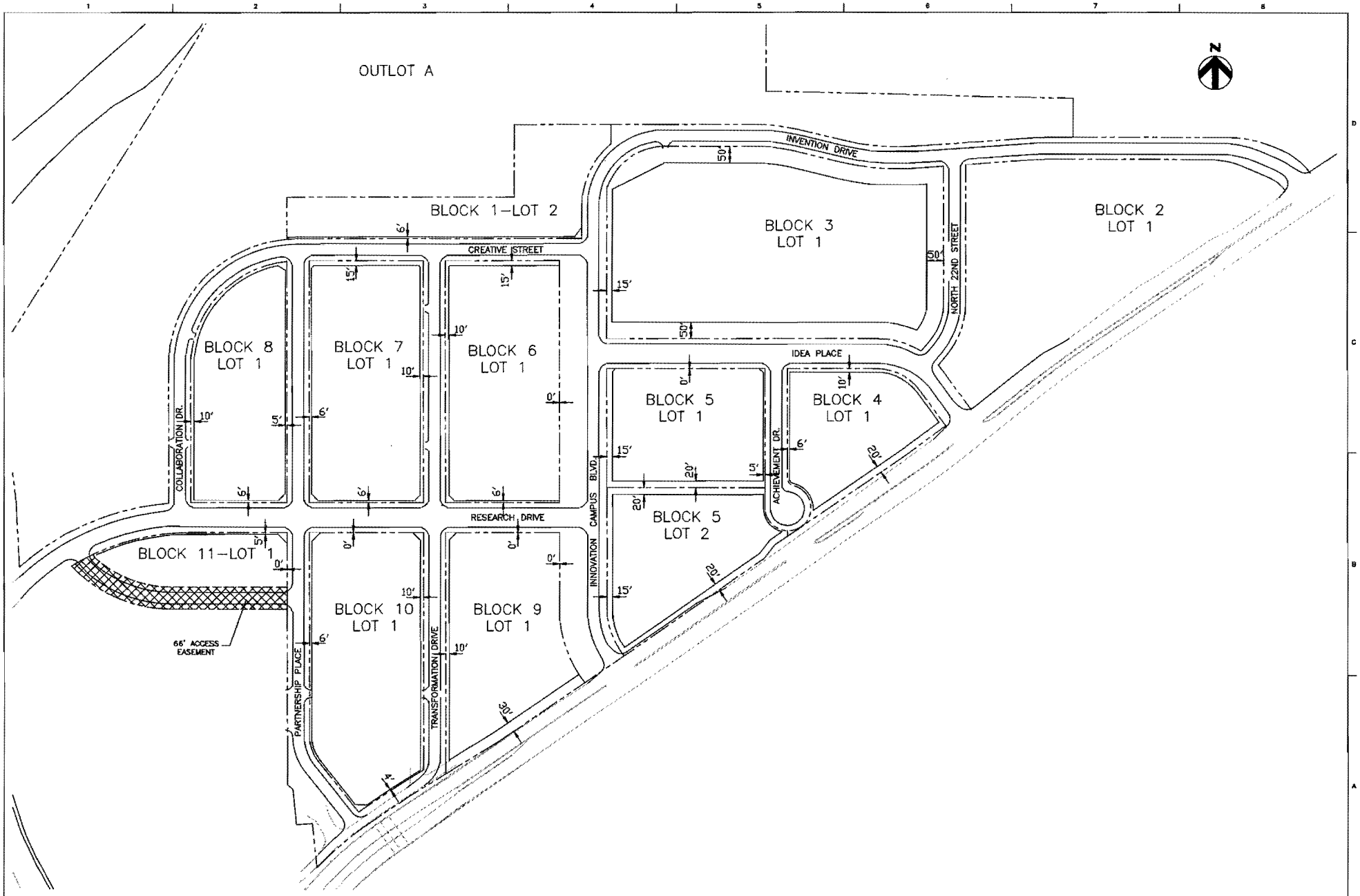
SCALE: 1" = 200'-0"
SHEET 3 OF 22



023

HDR

ISSUE	DATE	DESCRIPTION
	06/08/2010	P.U.D. SUBMITTAL

PROJECT MANAGER: MARC ROSSO
PROJECT NUMBER: 134033

NEBRASKA INNOVATION CAMPUS
Lincoln, Nebraska

SETBACK

FILENAME: SETBACK.dwg
SCALE: 1" = 100'-0"

SHEET 22 OF 22

LEGAL DESCRIPTION
INNOVATION CAMPUS

A LEGAL DESCRIPTION FOR A TRACT OF LAND COMPOSED OF OUTLOTS "D", "E" AND "F", ANTELOPE VALLEY 1ST ADDITION, LOTS 14 I.T., 15 I.T., 45 I.T., 79 I.T., 104 I.T., A PORTION OF LOT 71 I.T. AND A PORTION OF THE REMAINING PORTION OF LOT 75 I.T., ALL LOCATED IN SECTION 13, TOWNSHIP 10 NORTH, RANGE 6 EAST OF THE 6TH P.M., LANCASTER COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 13, SAID POINT ALSO BEING THE NORTHWEST CORNER OF SAID LOT 45 I.T., SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE EASTERLY ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER, SAID LINE BEING THE NORTH LINE OF SAID LOT 45 I.T. ON AN ASSUMED BEARING OF S88°40'15"E, A DISTANCE OF 905.86' TO THE SOUTHWEST CORNER OF SAID LOT 104 I.T.; THENCE N00°16'51"E ALONG THE WEST LINE OF SAID LOT 104 I.T., A DISTANCE OF 673.35' TO THE NORTHWEST CORNER OF SAID LOT 104 I.T.; THENCE S89°47'30"E ALONG THE NORTH LINE OF SAID LOT 104 I.T., A DISTANCE OF 828.04' TO THE NORTHEAST CORNER OF SAID LOT 104 I.T.; THENCE S00°16'51"W ALONG A EAST LINE OF SAID LOT 104 I.T., A DISTANCE OF 489.26' TO A EAST CORNER OF SAID LOT 104 I.T.; THENCE S42°08'27"E ALONG A NORTHEAST LINE OF SAID LOT 104 I.T., A DISTANCE OF 232.44' TO THE MOST EASTERN CORNER OF SAID LOT 104 I.T., SAID POINT BEING ON THE NORTHWEST LINE OF SAID LOT 79 I.T.; THENCE N55°23'08"E ALONG THE NORTHWEST LINE OF SAID LOT 79 I.T., A DISTANCE OF 870.55' TO THE NORTHEAST CORNER OF SAID LOT 79 I.T., SAID POINT BEING ON THE WEST RIGHT-OF-WAY LINE OF NORTH 27TH STREET, SAID POINT BEING 33.00' WEST OF THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 13; THENCE S00°16'51"W ALONG THE EAST LINE OF SAID LOT 79 I.T., SAID LINE BEING A WEST LINE OF SAID RIGHT-OF-WAY, SAID LINE ALSO BEING 33.00' WEST OF AND PARALLEL WITH THE EAST LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 46.27' TO THE SOUTHEAST CORNER OF SAID LOT 79 I.T., SAID POINT BEING ON THE NORTHWEST RIGHT-OF-WAY LINE OF SALT CREEK ROADWAY; THENCE S55°21'51"W ALONG A SOUTHEAST LINE OF SAID LOT 79 I.T., SAID LINE BEING A NORTHWEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 59.82' TO A POINT OF CURVATURE FOR A NON-TANGENT CURVE IN A CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 17°07'33", A RADIUS OF 140.00', AN ARC LENGTH OF 41.85' ALONG A SOUTHEAST LINE OF SAID LOT 79 I.T., SAID LINE BEING A NORTHWEST LINE OF SAID RIGHT-OF-WAY, A TANGENT LENGTH OF 21.08', A CHORD LENGTH OF 41.69', AND A CHORD BEARING OF S64°02'49"W TO A POINT OF REVERSE CURVATURE FOR A CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 17°17'28", A RADIUS OF 160.00', AN ARC LENGTH OF 48.29' ALONG A SOUTHEAST LINE OF SAID LOT 79 I.T., SAID LINE BEING A NORTHWEST LINE OF SAID RIGHT-OF-WAY, A TANGENT LENGTH OF 24.33', A CHORD DISTANCE OF 48.10', AND A CHORD BEARING OF S63°57'52"W TO A POINT ; THENCE S55°19'08"W ALONG A SOUTHEAST LINE OF SAID LOT 79 I.T., SAID LINE BEING A NORTHWEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 632.42' TO THE NORTHEAST CORNER OF SAID OUTLOT "F"; THENCE S55°36'17"W ALONG THE SOUTHEAST LINE OF SAID OUTLOT "F", SAID LINE BEING A NORTHWEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 279.51' TO THE MOST SOUTHERN CORNER OF SAID OUTLOT "F", SAID POINT BEING A SOUTHEAST CORNER OF SAID LOT 45 I.T.; THENCE S48°28'34"W ALONG A SOUTHEAST LINE OF SAID LOT 45 I.T., SAID LINE BEING A NORTHWEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 11.70' TO A POINT; THENCE S55°19'08"W

ALONG A SOUTHEAST LINE OF SAID LOT 45 I.T., SAID LINE BEING A NORTHWEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 418.48' TO A POINT; THENCE S64°30'55"W ALONG A SOUTHEAST LINE OF SAID LOT 45 I.T., SAID LINE BEING A NORTHWEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 68.83' TO A POINT; THENCE S55°19'08"W ALONG A SOUTHEAST LINE OF SAID LOT 45 I.T., SAID LINE BEING A NORTHWEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 200.54' TO A POINT; THENCE S59°07'59"W ALONG A SOUTHEAST LINE OF SAID LOT 45 I.T., SAID LINE BEING A NORTHWEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 61.80' TO A SOUTH CORNER OF SAID LOT 45 I.T., SAID POINT BEING A NORTHEAST CORNER OF SAID OUTLOT "E"; THENCE S50°59'27"W ALONG THE SOUTHEAST LINE OF SAID OUTLOT "E", SAID LINE BEING A NORTHWEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 145.76' TO THE SOUTHWEST CORNER OF SAID OUTLOT "E", SAID POINT BEING A SOUTH CORNER OF SAID LOT 45 I.T.; THENCE S51°30'17"W ALONG A SOUTHEAST LINE OF SAID LOT 45 I.T., SAID LINE ALSO BEING A NORTHWEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 61.79' TO A POINT; THENCE S55°19'08"W ALONG A SOUTHEAST LINE OF SAID LOT 45 I.T., SAID LINE BEING A NORTHWEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 68.70' TO A POINT OF CURVATURE FOR A CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 04°00'00", A RADIUS OF 2,052.50', AN ARC LENGTH OF 143.29' ALONG A SOUTHEAST LINE OF SAID LOT 45 I.T., SAID LINE BEING A NORTHWEST LINE OF SAID RIGHT-OF-WAY, A TANGENT LENGTH OF 71.68', A CHORD DISTANCE OF 143.26', AND A CHORD BEARING OF S53°19'08"W TO A POINT; THENCE S51°19'08"W ALONG A SOUTHEAST LINE OF SAID LOT 45 I.T., SAID LINE BEING A NORTHWEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 232.35' TO A POINT; THENCE S60°35'31"W ALONG A SOUTHEAST LINE OF SAID LOT 45 I.T., SAID LINE BEING A NORTHWEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 68.27' TO A POINT OF CURVATURE FOR A NON-TANGENT CURVE IN A CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 03°54'55", A RADIUS OF 1,936.50', AN ARC LENGTH OF 132.33' ALONG A SOUTHEAST LINE OF SAID LOT 45 I.T., SAID LINE BEING A NORTHWEST LINE OF SAID RIGHT-OF-WAY, A TANGENT LENGTH OF 66.19', A CHORD LENGTH OF 132.30', AND A CHORD BEARING OF S53°20'27"W TO A POINT; THENCE S55°19'08"W ALONG A SOUTHEAST LINE OF SAID LOT 45 I.T., AND THE SOUTHEAST LINE OF SAID OUTLOT "D", SAID LINE BEING A NORTHWEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 470.85' TO A POINT; THENCE S38°22'22"W ALONG A SOUTHEAST LINE OF SAID OUTLOT "D", SAID LINE BEING A NORTHWEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 51.46' TO THE SOUTHWEST CORNER OF SAID OUTLOT "D", SAID POINT BEING A SOUTHEAST CORNER OF THE REMAINING PORTION OF SAID LOT 75 I.T., SAID POINT BEING ON THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 13; THENCE S55°19'08"W ALONG A SOUTHEAST LINE OF THE REMAINING PORTION OF SAID LOT 75 I.T., SAID LINE BEING A NORTHWEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 910.12' TO A POINT OF CURVATURE FOR A NON-TANGENT CURVE IN A CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 02°51'22", A RADIUS OF 1,014.00', AN ARC LENGTH OF 50.54' ALONG A SOUTHEAST LINE OF THE REMAINING PORTION OF SAID LOT 75 I.T., SAID LINE BEING A NORTHWEST LINE OF SAID RIGHT-OF-WAY, A TANGENT LENGTH OF 25.28', A CHORD LENGTH OF 50.54', AND A CHORD BEARING OF S56°46'44"W TO A POINT; THENCE S58°12'25"W ALONG A SOUTHEAST LINE OF THE REMAINING PORTION OF SAID LOT 75 I.T., SAID LINE BEING A NORTHWEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 306.83' TO A POINT OF CURVATURE FOR A NON-TANGENT CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 02°53'17", A RADIUS OF 986.00', AN ARC LENGTH OF 49.70' ALONG A SOUTHEAST LINE OF THE REMAINING PORTION OF SAID LOT 75 I.T., SAID LINE BEING A NORTHWEST LINE OF SAID RIGHT-OF-WAY, A TANGENT LENGTH OF 24.86', A CHORD LENGTH OF 49.70', AND A CHORD BEARING OF S56°45'45"W TO A POINT;

THENCE S55°19'09"W ALONG A SOUTHEAST LINE OF THE REMAINING PORTION OF SAID LOT 75 I.T., SAID LINE BEING A NORTHWEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 83.48' TO A POINT OF CURVATURE FOR A NON-TANGENT CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 12°10'28", A RADIUS OF 986.00', AN ARC LENGTH OF 209.51' ALONG A SOUTHEAST LINE OF THE REMAINING PORTION OF SAID LOT 75 I.T., SAID LINE BEING A NORTHWEST LINE OF SAID RIGHT-OF-WAY, A TANGENT LENGTH OF 105.15', A CHORD LENGTH OF 209.12', AND A CHORD BEARING OF S49°13'54"W TO A POINT; THENCE N05°48'52"W, A DISTANCE OF 132.46' TO A POINT; THENCE S85°05'09"W, A DISTANCE OF 46.61' TO A POINT; THENCE N05°35'52"W, A DISTANCE OF 105.07' TO A POINT; THENCE N49°17'46"W, A DISTANCE OF 22.47' TO A POINT; THENCE N00°00'00"E, A DISTANCE OF 521.24' TO A POINT; THENCE N90°00'00"W, A DISTANCE OF 346.79' TO A POINT OF CURVATURE FOR A NON-TANGENT CURVE IN A CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 46°20'58", A RADIUS OF 400.00', AN ARC LENGTH OF 323.58', A TANGENT LENGTH OF 171.23', A CHORD LENGTH OF 314.83', AND A CHORD BEARING OF N66°07'42"W TO A POINT OF CURVATURE FOR A NON-TANGENT CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 10°39'28", A RADIUS OF 655.00', AN ARC LENGTH OF 121.84', A TANGENT LENGTH OF 61.10', A CHORD LENGTH OF 121.66', AND A CHORD BEARING OF S52°36'12"W TO A POINT; THENCE S46°20'15"W, A DISTANCE OF 70.58' TO A POINT OF INTERSECTION WITH A EAST LINE OF THE REMAINING PORTION OF SAID LOT 75 I.T., SAID POINT BEING ON THE EAST LINE OF OUTLOT "A", BLOCK 2, ANTELOPE VALLEY 1ST ADDITION; THENCE N02°42'05"W ALONG A WEST LINE OF THE REMAINING PORTION OF SAID LOT 75 I.T., SAID LINE BEING A EAST LINE OF SAID OUTLOT "A", A DISTANCE OF 307.55' TO A POINT; THENCE N06°19'29"W ALONG A WEST LINE OF THE REMAINING PORTION OF SAID LOT 75 I.T., SAID LINE BEING THE EAST LINE OF SAID OUTLOT "A", A DISTANCE OF 400.00' TO A POINT; THENCE N00°29'49"E ALONG A WEST LINE OF THE REMAINING PORTION OF SAID LOT 75 I.T., SAID LINE BEING A EAST LINE OF SAID OUTLOT "A", A DISTANCE OF 31.46' TO A POINT; THENCE N08°55'45"E ALONG A WEST LINE OF THE REMAINING PORTION OF SAID LOT 75 I.T., SAID LINE BEING A EAST LINE OF SAID OUTLOT "A", A DISTANCE OF 42.79' TO A POINT; THENCE N31°36'19"W, A DISTANCE OF 1,330.11' TO A POINT; THENCE S55°50'34"E, A DISTANCE OF 20.02' TO A POINT OF CURVATURE FOR A NON-TANGENT CURVE IN A CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 31°35'16", A RADIUS OF 1,146.28', AN ARC LENGTH OF 631.96', A TANGENT LENGTH OF 324.23', A CHORD LENGTH OF 623.98', AND A CHORD BEARING OF N47°54'51"E TO A POINT; THENCE N63°42'29"E, A DISTANCE OF 635.85' TO A POINT OF CURVATURE FOR A CURVE IN A CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 14°28'23", A RADIUS OF 1,432.69', AN ARC LENGTH OF 361.90', A TANGENT LENGTH OF 181.92', A CHORD DISTANCE OF 360.94', AND A CHORD BEARING OF N70°56'41"E TO A POINT; THENCE N78°10'53"E, A DISTANCE OF 141.00' TO A POINT OF CURVATURE FOR A CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 00°48'27", A RADIUS OF 1,910.00', AN ARC LENGTH OF 26.92', A TANGENT LENGTH OF 13.46', A CHORD DISTANCE OF 26.92', AND A CHORD BEARING OF N77°46'39"E TO A POINT OF INTERSECTION WITH THE EAST LINE OF SAID LOT 71 I.T., SAID POINT BEING ON THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 13; THENCE S00°14'29"W ALONG THE EAST LINE OF SAID LOT 71 I.T., AND THE EAST LINE OF SAID LOT 14 I.T., SAID LINE BEING THE EAST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 1,209.53' TO THE POINT OF BEGINNING, SAID TRACT CONTAINS A CALCULATED AREA OF 7,049,263.39 SQUARE FEET OR 161.83 ACRES, MORE OR LESS.

NEBRASKA INNOVATION CAMPUS
PLANNED UNIT DEVELOPMENT APPLICATION SUBMITTAL

GENERAL NOTES Sept. 22, 2010

REVISED: 10/06/10

1. The land within the PUD is currently zoned P. A change of zone to O-3 PUD is being requested.

2. ~~Any building outline shown on the PUD is illustrative only~~. Fences, trash enclosures, decorative structures and accessory buildings are not shown. Buildings may be located anywhere on a lot within the building envelope subject to setback or build to limitations.

3. The total gross floor area ~~for NIC at build-out~~ is 2 million square feet. In addition it may contain up to 250 dwelling units and up to 135 hotel rooms.

4. Lots may be created without frontage to a public street if they have access to a public or common access easement.

5. Lots may be created with non-perpendicular lot corners.

6. Direct vehicular access to Salt Creek Roadway will be relinquished, except as shown, when the new full access intersections are constructed at the locations shown on the PUD.

7. The Nebraska Innovation Campus Development Corporation (NICDC)shall be responsible for maintenance of all common areas and outlots. ~~The NIC shall also be responsible for implementing a Transportation Management Plan.~~ **The NICDC shall be responsible for developing Transportation Demand Management Strategies and to report annually to the Board of Regents on the implementation of such strategies. A copy of the report shall be provided to the Director of the Public Works and Utilities Department.**

8. The construction of common accessory buildings ~~in the common open space~~ in outlots is permitted.

9. ~~Landscaping shall be regulated by the NICDC to meet NIC standards, as identified in the NIC Master Plan.~~ Landscaping and screening for parking lots and street trees will follow City design standards. The requirement for screening in required yards, open space areas and around buildings in the O-3 district is waived.

10. Sidewalks will be constructed along both sides of the streets and private roadways.

11. All elevations are based on NAVD 1988.

12. Existing trees within the boundary limits of the PUD are intended to be removed during land preparation.

13. ~~The developer agrees to comply with the design standards of the City of Lincoln for erosion control and sedimentation during and after land preparation and to submit a seeding and maintenance schedule before site grading is complete.~~

14. ~~The developer agrees to comply with the provisions of the land subdivision ordinance regarding land preparation.~~

15. The relocation of existing utilities and intersections, and road improvements will be at the developer's expense.

16. The allowed uses, sign, height and area, parking, and landscaping regulations were altered or eliminated due to another government agency, the University of Nebraska, having jurisdiction over the entire PUD area. If at any time any lot within the boundaries of the PUD ceases to be under the jurisdiction of the University of Nebraska or the Nebraska Innovation Development Corporation, the PUD must be amended to re-establish the appropriate regulations for that property. In addition, if the NICDC ceases to exist, then the University of Nebraska at Lincoln shall be responsible for maintenance of all common areas and outlots or for establishing a successor organization to handle all maintenance.

17. Other than Block 3, Lot 1, grading work for Phase 1 will be confined to areas outside the floodplain until grading for compensatory mitigation in Phase 1A is completed.

PERMITTED USES

27.27.020 Use Regulations (a) through (u) as delineated are deleted and replaced with: Any development, building, and open land uses ~~consistent with the Vision of the NIC PUD~~ shall be permitted, except for the following:

a. Farming and the sale of farm produce.
b. The refining, distillation, or manufacture of:

    1. Acids or alcohols;
    2. Ammonia, bleach, or chlorine;
    3. Asphalt, tar, or products made therewith, including roofing or waterproofing;
    4. Cement, lime, gypsum, or plaster of paris;
    5. Disinfectants;
    6. Dyestuffs;
    7. Fertilizer;
    8. Glue, sizing, or gelatin;
    9. Oilcloth, linoleum, or oiled rubber goods;
    10. Paint, shellac, turpentine, or oils;
    11. Paper or pulp;
    12. Rubber, gutta-percha, balata, creosote, or products treated therewith;
    13. Shoe polish;

c. The operation of:
    1. Bag cleaning works;
    2. Blast furnaces, coke ovens, smelting or ore reduction works;
    3. Boiler works;
    4. Forge;
    5. Rock crusher;
    6. Rolling mill;
    7. Yeast plant;

d. Production, manufacture, distribution, or commercial storage of toxic, radioactive, flammable, or explosive materials, including chemicals and gases, fireworks and

explosives, ~~arsenals and magazines~~;

e. Tanning, curing, or storage of raw hides or skins; stockyards or slaughter of animals or fowl, rendering fat; distillation of bones, coal, or wood;
f. Dumping or reduction of garbage, offal, or dead animals; scrap processing operation or salvage yard;
g. Grain elevators and grain mills;
h. Refining of natural gas or petroleum or their products; or bulk storage thereof not located underground and in full compliance with applicable city regulations;
i. Brick, tile, pottery, or terra cotta manufacture, other than the manufacture of handicrafts;
j. The manufacture of acetylene, the transfer of gas from one container to another, or the storage of the gas in containers having a capacity greater than the equivalent of 1,000 cubic feet at standard temperature and pressure;
k. Excavation and stone milling;
l. And in general those uses, not limited to the above, which may be obnoxious or offensive or hazardous to health by reason of odor, dust, smoke, gas, glare, radiation, or noise;
m. Uses in which the customer is served directly in the car, including but not limited to drive-in ~~restraints~~ restaurants, drive-in teller windows, service stations (not excluding convenince stres with gasoline pumps), or car washes;
n. Automobile and truck wash facilities;
o. Automobile, motorcycle, truck and heavy equipment sales and repair;
p. Mini-warehouses;
q. Recycling centers;
r. Sexually oriented entertainment establishments;
s. Vehicle body repair shops;
t. Warehouses;
u. Race tracks for motorized vehicles;
v. Stores and shops for retail sales and service exceeding 20,000 square feet in floor area;
w. Expansion of nonconforming uses; and
x. Limited landfills.

27.27.025 Permitted Conditional Uses

Deleted in its entirety and replaced with, Early childhood care facilities accessory to uses within the PUD.

27.27.030 Permitted Special Uses

Deleted in its entirety.

27.27.040 Accessory Uses.

Accessory uses permitted in this PUD are accessory buildings and uses customarily incident to the permitted uses, ~~including early childhood care facilities~~.

27.27.050 Parking Regulations

a. Parking, either diagonal or parallel, is permitted on private streets including, without exception, the private streets with public access easements.
b. The requirement of Section 27.67.030(d) that states "All required parking spaces shall

be provided on the same lot as the use for which they are required." does not apply.

c. One parking stall for every 600 square feet of floor area within the PUD is required. Due to the presence of considerable existing parking that doesn't meet city design standards, all existing parking may be counted. In addition, ~~adjacent~~ parking ~~outside of the PUD, but east of~~ between the PUD and Antelope Valley Parkway north of Salt Creek Roadway may be included for purposes of required parking.

27.27.055 Pedestrian Circulation Regulations

Deleted in its entirety.

27.27.060 Sign Regulations.

~~Signs within the PUD shall be regulated by the NICDC. All signs, including type, height and size, shall be built in conformance with NIC Design Standards and regulated by the NICDC.~~ Off premise signs are prohibited. To allow flexibility in the placement of signs, the entire PUD area will be treated as one premise for purposes of allow that signs for one use to be placed elsewhere within the PUD and not necessarily on the same lot as the use. ~~Signs within 50 feet of Salt Creek Roadway shall be spaced 100 feet apart, shall not be larger than 50 sq. ft. in size and shall not be taller than 12 feet. along Salt Valley Roadway will conform to City zoning ordinance in terms of size, height, construction and lighting for signs in the O-3 Office District and will be reviewed at time of building permit~~ **In the area within 50 feet of Salt Creek Roadway three Center Identification signs and up to ten free standing signs are allowed and shall be spaced a minimum of 100 feet apart. The size and height of these signs shall be per the sign ordinance. All other signage shall be regulated by the NICDC.**

27.27.065 Grading and Land Disturbance Regulations

Grading and land disturbance within the O-3 PUD shall be regulated in conformance with the provisions of Chapter 27.81.

27.27.070 Height and Area Regulations

~~Minimum lot area and width requirements do not apply. Height and area guidelines shall be regulated by the NICDC in conformance with the Urban Design Framework in the NIC Master Plan.~~ Height and Area regulations do not apply except as otherwise shown in the the PUD~~.~~

27.27.080 Use Permit; Procedures and Requirements

Deleted in its entirety.

M e m o r a n d u m

To: Tom Cajka, Planning

From: Dennis Bartels, Public Works Engineering Services

Subject: Innovation Campus PUD, CZ00018

Date: September 21, 2010

cc: Roger Figard, Randy Hoskins, Steve Masters, Nick McElvain, Brian Kramer

1. **General** – Additional comments concerning this PUD may be necessary when the PUD zoning text is provided. My previous review of pre-submittal documents raised concerns for the Public Works about the amount of parking to be provided. No information is provided in this submittal concerning details or justification for reduced parking. The speculative nature of the proposal land uses may also raise traffic concerns if the uses are different than anticipated. These and other concerns may be raised when the PUD zoning document text is provided.

2. **Water** – Minutes from the September 7th meeting indicate that public water mains will be located 7' behind curb with easements outside the right-of-way to provide 15' of clearance between the main and potential buildings. The easements are not shown. No water main is show in Collaboration Drive. None is needed to provide frontage to the single lot shown.

   I have not received or reviewed any comments from Water concerning this plat.

3. **Sanitary Sewer** – September 7 meeting notes indicated he existing sewer across Block 2 may be abandoned and rerouted to the sewer in 22nd Street. This was not addressed.

   The sanitary sewer in Creative Street and Collaboration Drive was aligned crossing Collaboration Drive to place the sewer on the west side of the street. Since no water is likely required in Collaboration and no buildings will be placed on the west side, I recommend the sewer be routed on the east side. This is our common practice when there are curvilinear streets and is not a design standard concern.

   I have not received comments from Wastewater concerning this plan.

4. **Drainage & Grading** – The flood plain before and after proposed grading needs to be identified on the plans. Contours on the grading plan need to be labeled as to the elevation. Outside the flood storage grading area no contours are identified as to

elevation. The subdivision ordinance requires that the centerline grade of streets be not more than one foot below the 50 year flood elevation. That cannot be determined with the grading shown.

An existing storm sewer culvert is shown draining the ditch parallel to Invention Drive. This storm sewer needs to be analyzed to determine its adequacy to protect the street and lots from flooding. These calculations need to be submitted.

The preliminary pipe sizing calculations were submitted using 15 minute minimum times of concentration and a 0.35 runoff coefficient. Neither figure meets design standards. I assume this relates to an ambiguous statement about providing measures to limit runoff with pervious pavement, etc. How does the city control how or if this will happen? No request for this waiver or justification for approving it, have been submitted. In addition, some of the drainage areas are from existing developed areas that will not be redeveloped such as the Devaney Center and 4-H Building. Public Works recommends that the street storm sewer system be designed using design standard minimum 8 minute times of concentration and 0.7 minimum runoff coefficients.

There is a street sump located on the unnamed private roadway on the south side of Block 11. The overland outlet per design standards must be provided.

5. **Streets** – Additional information and revisions are required for the Innovation Campus Street system. Changes are shown in the location of median openings along Salt Creek Roadway. Additional right-of-way is required to be dedicated for the new right turn lane construction. If 12' of additional width of paving is required, an additional 12' of right-of-way needs to be dedicated. The changes to Salt Creek Roadway need to be detailed on the plans. All changes to Salt Creek Roadway need to be detailed on the plans. All changes to Salt Creek Roadway access will need to be approved by the Nebraska Department of Roads and Federal Highway Administration, as well as the city. All the costs of changes to the surrounding arterial street system are to be a cost to the Innovation Campus project, including future signals as identified in the submitted traffic study. These costs should be acknowledged as the developer's costs and not city costs.

The Innovation Campus Drive and Invention Drive intersection do not meet city design standards. Design standards require minimum tangents at the intersection of curvilinear streets with another street. Invention Drive also does not meet the requirement for 10° or less deflection from a right angle at Salt Creek Roadway.

There are still potential conflicts with sight distance standards at multiple intersections due to the reduced front yard setbacks and building envelopes identified on the plans.

Additional right-of-way triangles may be needed at the intersections, especially at the intersections along Salt Creek Roadway to enable construction of sidewalks, signal equipment and signs.

An access easement is needed from Invention Drive north to Wastewater property west of Lot 1, Block 1.

The portion of Venture Drive west of Partnership Place needs to be privately owned and maintained. Public Works does not want a substandard dead end road as a public street. The 24' of existing pavement between the two streets is satisfactory as a public street provided that the developers agree to no parking and no driveway access to the 24' wide paving.

Innovation Campus Blvd. is shown with an extra wide right-of-way with the pavement offset to the east side and a bioswale/drainage ditch in the west side of the right-of-way. Public Works does not want the maintenance responsibility for the bioswale and the second wide sidewalk west of the swale. The right-of-way should be narrowed to put the west line 2 – 4' west of the trail shown east of the swale.

A variety of sidewalk widths are shown. The 4' walks shown likely need to be 5' wide because of handicap accessibility for wheel chairs. Other sidewalks are shown curb to right-of-way with widths up to 24' wide. The extra wide sidewalks need some justification. The public is responsible for the repair and replacement of sidewalks. Public Works is concerned about assuming this responsibility without understanding the public purpose and need for the walks.

The 34' wide paving proposed with parking on one side is "substandard", but is satisfactory provided that Public Works controls the parking and has the ability to pull parking from the streets at its discretion. This should be clarified in the PUD documents or on the plans. The parking stall requirements in earlier documents implied the requirements would be reduced. As in any other plat, the parking stalls on the street should not be counted for purposes of meeting zoning or PUD parking requirements.

The relationship of the existing and proposed paving in Salt Creek roadway is not dimensioned in relationship to the right-of-way. This is necessary to determine additional right-of-way. This is necessary to determine additional right-of-way and or easements for trails, sidewalks or new paving, etc.

Dennis Bartels, Engineer - Development Services Center

Lincoln-Lancaster County Health Department (LLCHD) comments:

The LLCHD notes that residential uses, childcares, private schools, etc. are not prohibited uses within this proposed development. While the list of prohibited uses may seem all inclusive relative to hazardous materials usage and storage, the LLCHD advises that any use or storage of hazardous materials or biological agents within the proposed development or to the adjacent industrial zoning should be located at least 300 feet away from residential uses or any other use involving susceptible populations.

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 owner, tenant, occupant, lessee, or otherwise, 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.

September 8, 2010

Mr. Tom Cajka
Planning Department
555 South 10th St., Suite 213
Lincoln, NE 68508

RE: Nebraska Innovation Campus (NIC)
Planned Unit Development
HDR Project No. 136237

Dear Tom:

Enclosed please find the following documents for the above referenced project:

- Change of Zone Application
- Change of Zone Application Fee ($3,720)
- Cover Sheet
- Boundary Survey including Legal Description
- Site Plan
- Grading and Drainage Plan
- Utilities Plan
- Salt Creek Parkway Intersection Exhibits
- Trails Plan
- Plan and Profiles for Interior Streets
- Plan and Profiles for existing sanitary sewers across Outlot A
- Setback Plan

We are submitting this Planned Unit Development on behalf of the developer, Nebraska Innovation Campus Development Corporation. Nebraska Innovation Campus (NIC) is located on the former Nebraska State Fair site and will be a new private/public partnership and research park. It is intended to include a mix of land uses.

The property is currently zoned P for public use. We are requesting a change of zone to O-3 PUD, Office Park District Planned Unit Development over the entire property.

Existing on-site utilities that serve former Nebraska State Fair buildings and facilities within the project boundary are predominantly privately owned and maintained. The existing private utilities are not adequately sized or located for use with the proposed development and will be abandoned or removed as necessary. However, there are three publicly owned sanitary outfall sewers and a 16 inch water main that traverse various portions of the site. These existing public utilities will remain in place and require easements as shown on the Utilities drawing. A portion of the 16 inch

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water main will need to be relocated around a proposed basin – proposed location is shown in the Utilities drawing.

The depth of cover over the sanitary sewers in Outlot A will be reduced where the proposed basin for floodplain compensatory mitigation is planned. The cover over the pipe has been carefully reviewed and we are working on a stability assessment in concert with the geotechnical analysis for the Corps levee. Profiles have been cut over the sanitary sewers and are provided.

A preliminary storm water analysis has been prepared and has been provided to the Watershed Management Division for review. The analysis shows a significant reduction in impervious surface area. The storm sewer system will incorporate various best management practices (BMPs) and a plan for maintenance of these BMPs will be provided. The existing leaping weir system will also be removed as part of the development. The Lower Platte South Natural Resources District (LPSNRD) has been consulted regarding a levee penetration for a proposed storm sewer outfall and the permit submittal will occur in the near future.

A considerable amount of land within the NIC is located within the Salt Creek floodplain. We have been in discussions with the City and the LPSNRD. This proposal exceeds the City of Lincoln's flood plain requirements and provides no-net rise. Only a small amount of fill will be required in the flood plain. This is necessary to ensure that there is adequate coverage over the sanitary sewer mains. A floodplain development analysis and an application to develop within the floodplain will be submitted.

The three existing accesses along Salt Creek Roadway will be relocated closer to the typical ¼ mile separation requirements per City of Lincoln Traffic Standards. All three will be full access intersections. Existing intersections with Salt Creek Roadway will be relinquished when the new intersections are constructed.

The NIC development will be connected with a bicycle circulation system which will include on-street bike lanes, shared streets and off-street multi-purpose trails. This system has the potential to alleviate strain on the vehicular road network and parking capacity on site.

Zoning and Design guidelines for the NIC PUD are attached.

The following waivers are hereby requested:

Waiver that all lots have frontage and access to a public or private street.

Waiver to allow parking on one side of a 34' wide street. For typical secondary streets, not requiring a center turn lane, where there will be two 11 foot lanes and an 8 ½ foot parking lane.

Waiver to the design standards that require a minimum 34' wide street in a commercial development for Venture Drive. Venture Drive is an existing 24' wide concrete street that is proposed to be retained.

Waiver to the Design Standards for Screening and Landscaping in Required Yards, Open Space Areas, Malls and Around Proposed Buildings in the O-3 district. The NIC is proposed as an urban setting, not the typical suburban office park setting with large yards. As an urban setting, area is not available for 600 trees, in addition to street trees and parking lot trees, to meet the design standard. The open space in Outlot A at the north end of the site will be landscaped and designed for wetland and floodplain compensatory mitigation. As it may occasionally be inundated with water, it is not practical to plant a large number of trees in this area. Additionally, the Corps of Engineers will not allow trees to be planted within 200 feet of the levee, to ensure its stability.

Waiver to Chapter 3.80 Technology Park Design Standards to allow metal panels as an accent or background material.

Waiver to the requirement for stormwater detention. The proposed improvements to the impervious area within the PUD and associated best management practices will keep the stormwater runoff rate at or below existing conditions. The graded basin in Outlot A is intended to be compensatory mitigation for fill which will be placed in the floodplain and is not intended to account for stormwater detention.

Waiver to the floodplain development requirements for placement of fill within the floodplain for Block 3, Lot 1, prior to compensatory mitigation being completed. The remainder of grading within the floodplain will not occur until the compensatory mitigation is completed in Phase 1A.

If you have questions or require further information, please contact myself at 742-2901 or Chris Koenig at (402) 548-5112.

Sincerely,

Marc Rosso, P.E.

CC: Jennifer Dam, UNL
Ted Weidner, UNL
Chris Koenig, HDR Engineering