City Council Introduction: **Monday**, February 28, 2011
Public Hearing: **Monday**, March 7, 2011, at **3:00** p.m.

Bill No. 11-21

FACTSHEET

TITLE: **CHANGE OF ZONE NO. 04075B, an amendment to the Village Gardens Planned Unit Development,** requested by Village Gardens Development Company, LLC, on property generally located at South 63rd Street and Pine Lake Road.

STAFF RECOMMENDATION: Conditional Approval

ASSOCIATED REQUESTS: Annexation No. 11001 (11-20)

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: 02/09/11
Administrative Action: 02/09/11

RECOMMENDATION: Conditional Approval, with amendments (7-0: Esseks, Partington, Cornelius, Taylor, Lust, Francis and Gaylor Baird voting 'yes'; Larson and Sunderman absent).

FINDINGS OF FACT:

1. This proposed amendment to the Village Gardens Planned Unit Development (PUD) and the associated Annexation No. 11001 were heard at the same time before the Planning Commission.

2. This is a request to expand the existing PUD by annexing and changing the zoning from AG Agriculture to R-3 PUD on approximately 47 acres, more or less, and amending the development plan to include provisions for assisted living facilities. The applicant also requests to waive the provisions of the Land Subdivision Ordinance to adjust the street right-of-way width from 60' to 43.5' to allow for a 22'-wide paved street surface termed "Way", and to waive the requirement for sidewalks and street trees on one side of a street when associated with the "Way" street cross-section.

3. The staff recommendation of conditional approval is based upon the "Analysis" as set forth on p.4-6, concluding that the proposed amendment to the PUD is consistent with the overall concept plan when the original PUD was approved in 2005. Allowing assisted living facilities in the residential areas is consistent with the Comprehensive Plan, and allowing such facilities as a permitted use in this case is appropriate given the associated minimum lot area of 10,000 square feet. The requested adjustments to allow for the 'Ways' has a limited application, but is appropriate in two of the cases shown on the plan (Balboa Park and Olmstead). In these two cases, they enhance connectivity, reduce block length, and occur in locations where pedestrian sidewalks might otherwise be proposed. A street connection with sidewalk on one side, albeit reduced in width, is preferred to a pedestrian connection only in this case. The staff presentation is found on p.9.

4. The applicant's testimony is found on p.10-11, including a request to amend the conditions of approval as set forth on p.10 and 40. The proposed amendments would allow a new street profile and would allow Blenheim Road to remain a named street (Blenheim Road) as opposed to a numbered street. The applicant noted their desire to establish a theme of streets named after famous gardens, and that exceptions to the numbered street requirement were allowed in earlier stages of the development.

5. There was no testimony in opposition; however, a representative from Public Works noted that the proposed special street standard raised some technical issues, the details of which still need to be worked out.

6. On February 9, 2011, the Planning Commission agreed with the staff recommendation and voted 7-0 to recommend conditional approval as set forth in the staff report, with the amendments as requested by the applicant (See Minutes, p. 11-12, for Planning Commission discussion).

7. On February 9, 2011, the Planning Commission also voted 7-0 to recommend approval of the associated Annexation No. 11001.

FACTSHEET PREPARED BY: Jean L. Preister **DATE**: February 22, 2011
REVIEWED BY:_____ **DATE**: February 22, 2011
REFERENCE NUMBER: FS\CC\2011\CZ04075B PUD+

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for February 9, 2011 PLANNING COMMISSION MEETING

****As Revised and Recommended for Conditional Approval****
By Planning Commission
February 9, 2011

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.

PROJECT #: Annexation #11001
Change of Zone #04075B - Village Gardens Planned Unit Development (PUD)

PROPOSAL: To expand the existing PUD by annexing and changing the zoning from AG to R3 PUD for approximately 46.42 acres of land and amending the development plan to include provisions for assisted living facilities.

LOCATION: South 63rd Street and Pine Lake Road

LAND AREA: Annexation #11001 - 46.42 acres more or less
Change of Zone #04075B - 46.42 acres more or less

EXISTING ZONING: AG Agriculture (for the area to be re-zoned and annexed)

PROPOSED ZONING: R-3 Residential (PUD)

WAIVER REQUESTS:
1. Lincoln Municipal Code (LMC) 26.23.190 - Adjust the street right-of-width from 60' to 43.5' to allow for a 22'-wide paved street surface termed 'Way' on the site plan.
2. LMC 26.27.020 & 090 - Waive sidewalks and street trees on one side of a street when associated with the 'Way' street cross-section.

CONCLUSION: The proposed annexation and change of zone are consistent with the overall concept plan when the original PUD was approved early in 2005. Allowing assisted living facilities in the residential areas is consistent with the Comprehensive Plan, and allowing such facilities as a permitted use in this case is appropriate given the associated minimum lot area of 10,000 square feet. The requested adjustments to allow for the 'Ways' has a limited application, but is appropriate in two of the cases shown on the plan (Balboa Park and Olmstead). In these two cases, they enhance connectivity, reduce block length, and occur in locations where pedestrian sidewalks might otherwise be proposed. A street connection with sidewalk on one side, albeit reduced in width, is preferred to a pedestrian connection only in this case.

RECOMMENDATION:

AN#11001	Approval
CZ#04075B from AG to R-3 PUD	***Conditional Approval***
Waiver to allow reduced right-of-way width	***Approval***
Waive sidewalks and street trees on one side of reduced-width streets	***Approval***

GENERAL INFORMATION:

LEGAL DESCRIPTION: AN#11001 - See attached legal description.
CZ#04075B - See attached legal description.

EXISTING LAND USE: Vacant

SURROUNDING LAND USE AND ZONING:

North:	Park, Residential	AG, AGR
South:	Vacant	AG
East:	Railroad, Acreage Residential	AGR
West:	Residential, Opens Space	R-3 PUD, R-3

HISTORY:

On **February 14, 2005,** CZ#04075 was approved by the City Council to allow the Village Gardens (PUD).

On **December 20, 2007,** CZ#04075A was approved by the City Council to allow an adjustment to the applicable sign regulations and change the zoning on 2.17 acres from R3 (PUD) to B-3 (PUD) within the Village Gardens (PUD).

COMPREHENSIVE PLAN SPECIFICATIONS:

Page 17 - The Future Land Use Map designates commercial and urban residential land uses for this PUD.

Page 65 - Overall Guiding Principles - A safe residential dwelling should be available for each citizen: the efficiency apartment and the country estate, the small single family "starter" home and the large downtown apartment suite, the most affordable and the most expensive dwelling unit, completely independent living and living within the care of others. Provision of the broadest range of housing options throughout the community improves the quality of life in the whole community.

- Provide different housing types and choices, including affordable housing, throughout each neighborhood for an increasingly diverse population.

- Create housing opportunities for residents with special needs throughout the city that are compatible with residential neighborhoods.

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

-The congregate living facility codes and regulations were recently updated in order to continue to provide housing opportunities for residents with special needs throughout the city that are compatible with residential neighborhoods. Congregate facilities should be designed and located to enhance the neighborhood. Reasonable spacing, design, and operational requirements were established for all congregate facilities to preserve the neighborhood character while providing for those with special needs.

ANALYSIS:

1. This is an amendment to the Village Gardens PUD, and is a combined request for both annexation and a change of zone from AG to R-3 PUD for approximately 47 acres of land.

2. The annexation of the original PUD in 2005 included an annexation agreement. That agreement specially covered the Phase I area annexed in 2005, but also referenced the conceptual Phases II and III. This request seeks to annex the area designated as Phase II in the original agreement, which will need to be amended to update it to reflect this annexation.

3. The area to be re-zoned to R-3 PUD is designated for two residential use districts already in use within the PUD, Neighborhood General and Neighborhood Edge.

4. The proposed changes to the Development Plan include the use 'Assisted Living Facility', with provisions that allow it as a permitted use in the Neighborhood Center, Neighborhood General, and Neighborhood Edge on lots over 10,000 square feet in area. Being residential in nature, such facilities are a compatible land use in residential neighborhoods and this change is appropriate.

5. The are two waivers to the Subdivision Ordinance and two waivers to Design Standards being requested, and they all relate to streets. See that attached exhibit for the reduced-width street labeled as a 'Way'. Each waiver is addressed separately below.

   It is noted that 911 Emergency Communications objects to the use of the term 'by-pass' for the reduce-width streets. This has already been discussed with the applicant, and a revised plan using the suffix 'Way' instead is attached.

   A. LMC 26.23.190 - Adjust the street right-of-width from 60' to 43.5'. This request would allow for a 22'-wide paved street surface, which was initially is identified by the term 'by-pass' on the site plan, but is now shown as 'Way' on the revised plan now also attached. There are three such streets shown on the plan: Balboa Park, Olmstead, and Sissinghurst. The blocks where Olmstead and Balboa Park are shown would otherwise exceed the maximum block length, and both serve to reduce block length and enhance connectivity. Without them, a waiver to block length would be required to not construct a street, and a pedestrian connection would also need to be shown since the block exceeded 1,000'. However,

Sissinghurst does not appear to satisfy the same conditions and should be shown a typical-sized public street. The applicant has stated agreement with this comment. A no-parking restriction on one side of the street is proposed and appropriate.

B. LMC 26.27.020 and 090 - To allow a sidewalk and street trees on only one side of the reduced-width street. Staff has been considering alternatives to the standard 1,320' block length requirement LMC 26.23.130 which states: I - Block lengths shall not exceed 1,320' between cross-streets except where a major street, other man-made barrier, lake, or other natural barrier forms one boundary of a block; II - At the sole determination of the city, the 1,320' maximum block length may be increased if substantially different zoning or land use forms one boundary of the block.

This proposal illustrates one of the concepts that Planning has been considering for broader application. While it is something less than a typical public street with a 27'-wide paved surface in a 60'-wide right-of-way, these 'ways' provide much more amenity and accessibility when compared to either an alley or pedestrian sidewalk. Given that the alternative could be either an alley or sidewalk, the reduced-width street with a sidewalk and trees on only one side is still a much improved facility.

In this case, one of the applicant's alternatives is the elimination of both streets in question, which would result in less vehicular circulation and potentially longer trips. Also, even with the sidewalks and street trees on only one side of the street, it still results in a better pedestrian environment as compared to a 5'-wide pedestrian easement with fences on both sides.

In their comments, Public Works objects to this reduced-width standard, noting a potential conflict with State street design standards, and the lack of a demonstrated hardship on the part of the applicant.

C. Design Standards Chapter 2.15, Section 3.4 - Public Street Design Standards, to allow increased vertical street curves and intersection grades. Public Works notes the lack of grading and drainage plan prohibits the review of these requests in the context of the larger project. These requests will be reviewed with the grading and drainage plan and subject to approval by Public Works.

6. This amendment includes frontage along Pine Lake Road, and can accommodate the extension of Blanchard Blvd to intersect with Pine Lake Road. Public Works notes that if this connection is made prior to Pine Lake Road being upgraded to a four-lane facility, temporary left and right-turn lanes will be required.

7. Blenheim Road is essentially a north-south tending street, and LMC calls for such a street to typically be numbered. Given the lack of numbered streets in this development, the occasional numbered street will help in way-finding and allow people to more easily navigate through the area. Changing Blenheim to a numbered street would be appropriate. Also, 911 object to the name Olmstead due to similarity with Homestead Expressway and recommends another be selected.

8. The Fire Department notes that fire hydrants must meet Design Standards, and 'Lack of facilities in the area which allow a timely emergency response that our citizens expect.'

9. The U.S. Post Office notes in their review that all new addresses established as part of this review will be required to receive mail delivery in Centralized Box Units.

10. Watershed Management reviewed both the original and revised drainage plans, and their review comments from both reviews are attached. The deficiencies identified will be noted as an item to be corrected in the recommended conditions of approval.

11. Minor revisions to the site plan or the development plan were noted by staff for clarity, and are included in the recommended conditions of approval.

This approval annexes and changes the zoning from AG to R-3 PUD for 46.42 acres of land with an amendment to the development plan to allow assisted living facilities as a permitted use in the R-3 with waivers to LMC 26.23.190 for right-of-width from 60' to 43.5' and to LMC 26.27.020 & 090 to allow a sidewalk and street trees on one side of the street for Balboa Park Way and Olmstead Way and to Design Standards Chapter 2.15 Section 3.4 for vertical street curves and intersection grades.

CONDITIONS:

Change of Zone #04075B

Site Specific

1. The City Council approves associated request AN#11001.

2. Upon approval of the planned unit development by the City Council, the developer shall cause to be prepared and submitted to the Planning Department **5** copies of a revised final plot plan and development plan before receiving building permits.

   2.1 Delete Note #35 as the 'East Roundabout' was eliminated.

   2.2 Delete Note #43 as it is no longer necessary.

   ~~2.3 Change Blenheim Road to a numbered street as approved by Building and Safety.~~ **(**Per Planning Commission, as requested by the Applicant, 02/09/11**)**

   2.4 Update the Development Plan by omitting strikeouts resulting from previous amendments.

   2.5 Delete the words "on a lot of more than 10,000 square feet" from the eighth line of Note #1 on page 16 of the Development Plan, as assisted living facilities are only on lots more than 10,000 square feet in area.

2.6 Delete the words “not related” from the definition of Assisted Living Facility on Pages 29 and 30 of the Development Plan to allow related people to be able to reside in such a facility.

2.7 Revise the grading and drainage plans to the satisfaction of Public Works.

2.8 Change the street suffix from ‘By-Pass’ to ‘Way’ for Olmstead and Balboa Park.

2.9 Change the suffix of Sissingham from Way to some other acceptable suffix, and show it as a typical-sized public street.

2.10 Select a street name other than Olmstead to the satisfaction of 911.

~~2.10 Revise the Development Plan as appropriate to note that the applicable minimum setback for dwellings fronting onto Olmstead and Balboa Way is 20'.~~ **(**Per Planning Commission, as requested by the Applicant, 02/09/11**)**

2.11 Add a note that states “If Blanchard Blvd is extended to intersect with Pine Lake Road prior to Pine Lake Road being upgraded to a four-lane facility, temporary left and right-turn lanes must be installed to the satisfaction of Public Works and Utilities.

2.12 Add a note that states “Parking will be restricted to one side of the street on Olmstead and Balboa Park Ways.

2.13 ~~Revise the Development Plan as appropriate to require that the minimum setback for dwellings adjacent to Olmstead and Balboa Park Way is 20'.~~ Add a note that a setback easement for the sight triangle shall be granted on the final plat for the lots adjacent to the reduced right-of-way abutting Olmstead and Balboa Park Way, to the satisfaction of the Planning Department. **(**Per Planning Commission, as requested by the Applicant, 02/09/11**)**

2.14 Revise the cross-section on the site plan to show a sidewalk and street trees on only one side of the reduced-width street.

2.15 The construction plans comply with the approved plans.

2.16 Final plat(s) is/are approved by the City.

Standard

3. The following conditions are applicable to all requests:

3.1 Before occupying the buildings all development and construction is to comply with the approved plans.

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

3.3 The site plan and development plan accompanying this plan unit development shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.

3.4 This ordinance's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.

3.5 The applicant 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.

4. The site plan and development plan as approved with this ordinance voids and supersedes all previously approved site plans, however all ordinance approving previous permits remain in force unless specifically amended by this ordinance.

Prepared by:

Brian Will, 441-6362, bwill@lincoln.ne.gov
Planner
January 26, 2011

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402.416.5750

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ANNEXATION NO. 11001
and
CHANGE OF ZONE NO. 04075B,
AMENDMENT TO THE VILLAGE GARDENS PUD,

PUBLIC HEARING BEFORE PLANNING COMMISSION: February 9, 2011

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

Ex Parte Communication: None.

Staff recommendation: Approval of the annexation and conditional approval of the amendment to the PUD.

Staff presentation: **Brian Will of Planning staff** explained that this is Phase II of the Village Gardens development. The existing Village Gardens development is just to the west of the area proposed to be annexed and zoned with this application.

The intent of this amendment to the PUD is for the purposes of amending the development plan to allow a domiciliary care facility as a permitted use, and to bring in more area for residential development. Staff finds that this application meets both the intent of the original PUD and the Comprehensive Plan.

Will explained that the only issue relates to the waivers being requested, which boils down to one issue. Within the development plan now described, there are a couple of street connections containing reduced width streets. The waivers requested are to the typical 60' right-of-way width for public street in addition to sidewalk and street trees on one side of the street as opposed to both sides. One street tree has already been deleted from one side at the request of the staff. The request is for 43.5' right-of-way as opposed to 60' and they are showing a paved 22' wide driving lane as opposed to typical 27'. Staff has been talking about an alternative somewhat similar to this which has not yet been presented to the Planning Commission. It is suggested that in those cases where, due to block length or pedestrian connection, something less than the 60' right-of-way public street might be required. The proposal requested by this application is fairly consistent with the discussion that the staff has had to this point. The Planning Department is not opposed to the waivers being requested, but others among city staff do have some concerns.

Will deleted the condition that an amendment to the previously approved annexation agreement be required. That will no longer be necessary.

Esseks inquired whether there is any issue as to whether these acres should be annexed. Will stated that the proposed annexation meets the annexation policy within the Comprehensive Plan.

Proponents

1. Dick Campbell appeared on behalf of **Village Gardens,** along with Tim Gergen of Olsson Associates. Campbell stated that the developer is in agreement with most of items contained in the staff report. He proposed the following amendments relating to the new street profile which the developer has been discussing with the staff:

~~2.3 Change Blenheim Road to a numbered street as approved by Building and Safety.~~

~~2.10 Revise the Development Plan as appropriate to note that the applicable minimum setback for dwellings fronting onto Olmstead and Balboa Way is 20'.~~

2.13 ~~Revise the Development Plan as appropriate to require that the minimum setback for dwellings adjacent to Olmstead and Balboa Park Way is 20'.~~ Add a note that a setback easement for the sight triangle shall be granted on the final plat for the lots adjacent to the reduced right-of-way abutting Olmstead and Balboa Park Way, to the satisfaction of the Planning Department.

Campbell showed the overall master plan for Village Gardens. The area to be annexed is Phase II of the development. Some of the street profiles were adjusted to develop the lot for the domiciliary care facility. The Emergency Management 911 Center has requested that the street name for Olmstead Way be changed, and Campbell stated that they will agree to change the name, probably to Sunken Garden Way.

The reason for this new street profile is the fact that the lots are going to face each way with the drainage area, so having the narrower street does allow greater connectivity in the block, which is one of the main principles of traditional neighborhood development. We will recommend one side only for parking on the narrower streets, leaving a 13.5' driveway and a sidewalk on one side of the street. The traditional street profile has sidewalks on both sides of the street with two trees on both sides – with two cars parked, that leaves a 10' wide driveway. Campbell believes that the profile being requested is better for the connectivity in the neighborhood and to create a new element for the City that can be a stronger plus than what all of us see in so many subdivisions with two wood fences and a 5' wide sidewalk in between. This is a far more positive solution and direction for our community.

Campbell explained that the only other issue is that the city is requiring that Blenheim Road be renamed as a numbered street. Village Gardens is attempting to maintain the famous garden concept as much as possible throughout the development. Blenheim does not connect with anything so someone has to live in the neighborhood to even be concerned about Blenheim.

Gaylor Baird asked the applicant to clarify why the street needs to be a smaller width. Campbell explained at the map. The front of the residential lot will have a front load or side load garage driveway because there is a pond behind those lots that is a detention basin and aesthetic benefit. The house will not be facing the street because of the aesthetics behind the house. Blanchard is significantly at a higher elevation than Blenheim Road, so the lots on Blanchard would be walkout lots because of the natural grade.

There was no testimony in opposition.

Lust noted that Public Works had objections to the street profile. **Dennis Bartels of Public Works** explained that most of the comments had to do with information and details that were left out of the application versus comments in opposition. He agrees with the concept of a narrower street – there are just some details that need to be worked out in order to meet the state and federal design standards. Those kinds of details warrant discussion that has not occurred at this point.

Lust inquired about deleting the condition to change Blenheim Road to a numbered street. Will stated that the staff understands and respects the developer's concept, but the ordinance requires that north/south streets be numbered. He does not believe the unique circumstances in this case are compelling enough when looking at the overall development and the greater good. Numbered streets provide a good reference point, and for that reason the staff is suggesting that it makes common sense to make it a numbered street.

Lust was not sure how important the numbering issue is now that we are in the days of GPS and Map Quest. She can understand when there were not a lot of options to find locations, but in these days when you can get turn by turn directions, why do we want to stick with the numbered streets concept? Will suggested that the issue would require more discussion and would need an amendment to the ordinance. He believes it pertains to the pedestrian public as well as the driving public. Emergency responders perhaps have the electronic devices, but it is hard to find a good reason for not using a numbered street.

Taylor inquired whether Blenheim Road goes into another street. Will stated that Blenheim Road terminates on the south so it does not continue to the south. The houses will have numbers. Taylor understands the big picture, but in terms of looking at this neighborhood in its totality, the named street does make a lot of sense. Will agreed that the overall naming concept makes sense, but staff is suggesting that there is a larger purpose in naming versus numbering. It relates more to wayfinding, reference marking, etc. If this were any other development, the staff would be making the same recommendation. Village Gardens is unique in a lot of good ways, but that does not appear to be justification to override the numbering rationale.

Francis noted that she knows of several other north/south streets throughout the city which are not numbered, e.g. Idylwild Drive. The street in question is only four or five blocks long like some others in the city. She does not see the need to shove a numbered street into this subdivision. She thinks the name works great and people will know that it is in Village Gardens.

Lust pointed to Phase I where it appears that Kentwell Lane is a north/south street. Did the Planning Department require that to be changed to a numbered street? Will stated that it was not a requirement. He did not know whether that was debated at the time.

<u>Response by the Applicant</u>

Campbell advised the Planning Commission that throughout the entire process of developing this PUD, the developer's working relationship with Public Works and Planning has been excellent. As exhibited by Public Works, they have really jumped out of the engineering mind set in dealing with

Village Gardens and have explored a lot of new possibilities. Village Gardens has different cul-de-sac designs, street platforms, etc.

In relation to Kentwell Lane, Campbell advised that city staff did desire it be numbered as 59th Street. The compromise was that it would be 59th Street for one block and then changed to Kentwell. However, when the street signs were put up, they put up Kentwell. The street sign for South 59th Street never showed up.

ANNEXATION NO. 11001
ADMINISTRATIVE ACTION BY PLANNING COMMISSION: February 9, 2011

Lust moved approval, seconded by Francis. An amendment to the annexation agreement is not required.

Gaylor Baird commented that the Fire Department points out that there could be a lack of timely response in this area due to lack of nearby fire facilities. This is important to recognize.

Motion for approval carried 7-0: Taylor, Gaylor Baird, Partington, Esseks, Lust, Francis and Cornelius voting 'yes'; Larson and Sunderman absent. This is a recommendation to the City Council.

CHANGE OF ZONE NO. 04075B
ADMINISTRATIVE ACTION BY PLANNING COMMISSION: February 9, 2011

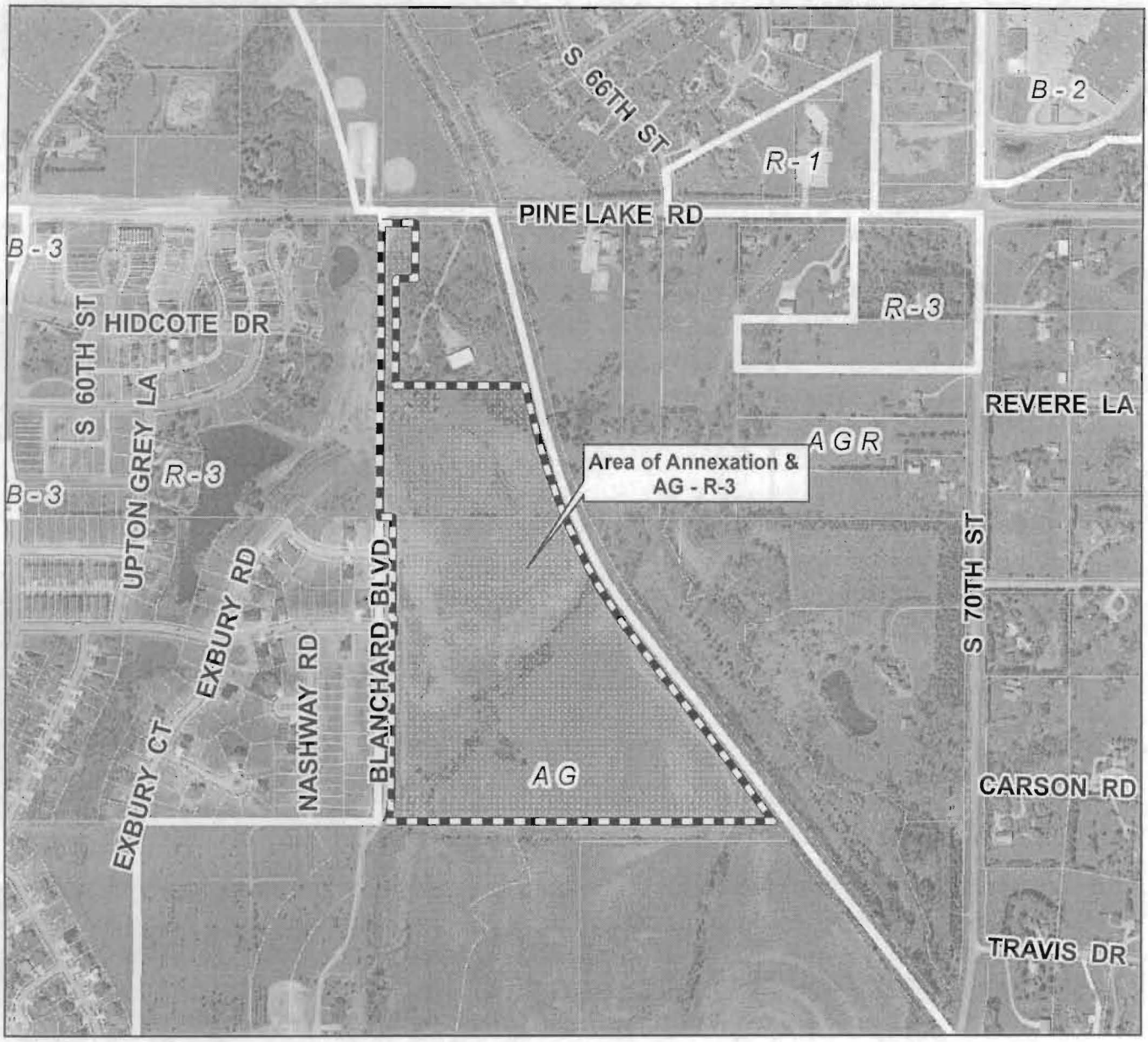
Lust moved to approve the staff recommendation of conditional approval, with the amendments requested by the applicant, seconded by Francis.

Lust complimented the Campbells on just a wonderful development for the city. She is encouraged to see it going forward and is encouraged that the staff is flexible in giving this type of development and neighborhood design. Through the planning process, we have all been involved in lots of discussions on how we make neighborhoods more sustainable and more walkable and encouraging healthy habits. She is pleased to see this development go into the second phase. She does not believe the numbered street is necessary in this particular development, especially when we have allowed it in the past.

Gaylor Baird believes that the concept of "new urbanism" in this development does have some special bearing. Given the choice, she believes people would rather live on a named street rather than a numbered street. She believes that the developer's target market for home buyers may care quite a bit about this issue.

Cornelius stated that he does not have data on named versus numbered street, but he anecdotally suggested that there is very little more harmful to his wayfinding than being on 118th Street, for example, and finding that it hits some other street and stops and then begins again later. That is more of a problem than having a north/south street with other connections on either end.

Motion for conditional approval, with amendments, carried 7-0: Taylor, Gaylor Baird, Partington, Esseks, Lust, Francis and Cornelius voting 'yes'; Larson and Sunderman absent. This is a recommendation to the City Council.



2007 aerial

Annexation #11001 & Change of Zone #04075B
S 63rd St & Pine Lake Rd

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. 21 T09N R07E

N

Zoning Jurisdiction Lines

City Limit Jurisdiction

m:\plan\arcview\Agendadrawings.mxd (AN11001 & CZ04075B)

LEGAL DESCRIPTION
ANNEXATION
R-3 CHANGE OF ZONE

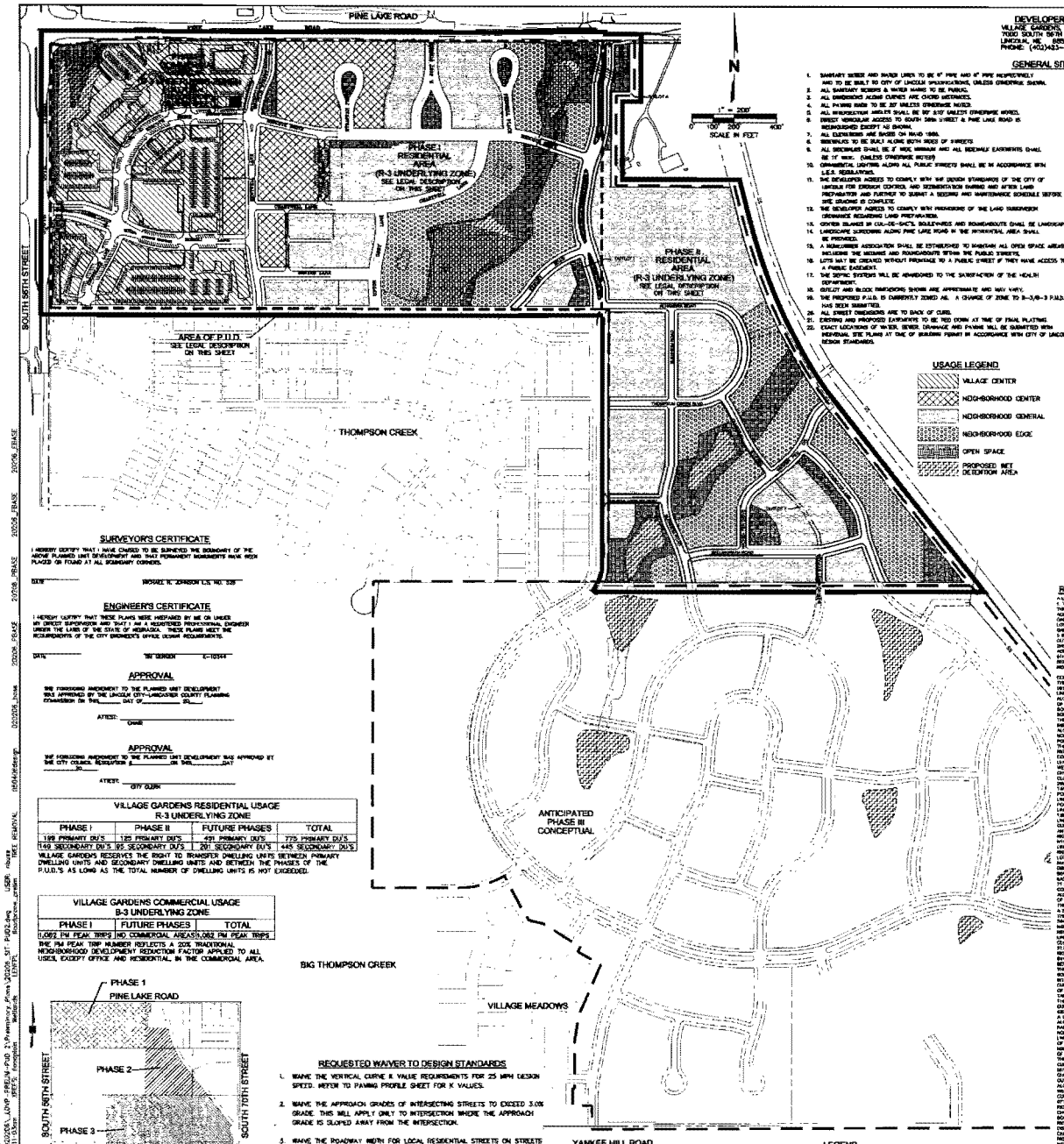
~~A LEGAL DESCRIPTION FOR A TRACT OF LAND COMPOSED OF LOTS 54~~ I.T. AND 71 I.T., ALL LOCATED IN THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 9 NORTH, RANGE 7 EAST OF THE 6TH P.M., LANCASTER COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER; THENCE SOUTHERLY ALONG THE WEST LINE OF SAID NORTHEAST QUARTER ON AN ASSUMED BEARING OF S00°16'19"W, A DISTANCE OF 50.00' TO THE NORTHWEST CORNER OF SAID LOT 54 I.T., SAID POINT BEING ON THE SOUTH RIGHT-OF-WAY LINE OF PINE LAKE ROAD, SAID POINT ALSO BEING **THE TRUE POINT OF BEGINNING**; THENCE S89°58'02"E ALONG A NORTH LINE OF SAID LOT 54 I.T., SAID LINE BEING A SOUTH LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 0.16' TO A POINT; THENCE S89°50'43"E ALONG A NORTH LINE OF SAID LOT 54 I.T., SAID LINE BEING 50.00' SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID NORTHEAST QUARTER, SAID ALSO BEING THE SOUTH LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 150.00' TO THE NORTHEAST CORNER OF SAID LOT 54 I.T.; THENCE S00°16'19"W ALONG A EAST LINE OF SAID LOT 54 I.T., A DISTANCE OF 243.00' TO A POINT; THENCE N89°50'43"W ALONG A SOUTH LINE OF SAID LOT 54 I.T., A DISTANCE OF 84.15' TO A POINT; THENCE S00°16'19"W ALONG A EAST LINE OF SAID LOT 54 I.T., A DISTANCE OF 456.40' TO A POINT; THENCE S89°50'43"E ALONG A NORTH LINE OF SAID LOT 54 I.T., A DISTANCE OF 560.69' TO A NORTHEAST CORNER OF SAID LOT 54 I.T., SAID POINT BEING ON THE WEST RIGHT-OF-WAY LINE OF THE BURLINGTON NORTHERN SANTA FE RAILROAD; THENCE S14°10'36"E ALONG A EAST LINE OF SAID LOT 54 I.T., SAID LINE ALSO BEING A WEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 165.77' TO A POINT OF CURVATURE FOR A NON-TANGENT CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 14°58'24", A RADIUS OF 2,720.07', AN ARC LENGTH OF 710.85' ALONG A EAST LINE OF SAID LOT 54 I.T., AND A EAST LINE OF LOT 71 I.T., SAID LINE BEING A WEST LINE OF SAID RIGHT-OF-WAY, A TANGENT LENGTH OF 357.46', A CHORD LENGTH OF 708.83', AND A CHORD BEARING OF S21°39'20"E TO A POINT OF CURVATURE FOR A NON-TANGENT CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 08°45'59", A RADIUS OF 1,760.11', AN ARC LENGTH OF 269.30' ALONG A EAST LINE OF SAID LOT 71 I.T., SAID LINE BEING A WEST LINE OF SAID RIGHT-OF-WAY, A TANGENT LENGTH OF 134.91', A CHORD LENGTH OF 269.04', AND A CHORD BEARING OF S33°20'43"E TO A POINT; THENCE S37°44'56"E ALONG A NORTHEAST LINE OF SAID LOT 71 I.T., SAID LINE BEING A

SOUTHWEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 1,066.50' TO THE SOUTHEAST CORNER OF SAID LOT 71 I.T., SAID POINT BEING ON THE SOUTH LINE OF SAID NORTHEAST QUARTER; THENCE N89°58'03"W ALONG THE SOUTH LINE OF SAID LOT 71 I.T., SAID LINE BEING THE SOUTH LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 1,695.64' TO THE SOUTHWEST CORNER OF SAID LOT 71 I.T., SAID POINT BEING ON THE EAST RIGHT-OF-WAY LINE OF BLANCHARD BOULEVARD, SAID POINT ALSO BEING A POINT OF CURVATURE FOR A NON-TANGENT CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 21°32'51", A RADIUS OF 243.50', AN ARC LENGTH OF 91.57' ALONG A WEST LINE OF SAID LOT 71 I.T., SAID LINE BEING A EAST LINE OF SAID RIGHT-OF-WAY, A TANGENT LENGTH OF 46.33', A CHORD LENGTH OF 91.04', AND A CHORD BEARING OF N11°02'44"E TO A POINT; THENCE N00°16'19"E ALONG A WEST LINE OF SAID LOT 71 I.T., SAID LINE BEING A EAST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 733.30' TO A POINT OF INTERSECTION WITH THE SOUTH RIGHT-OF-WAY LINE OF THOMPSON CREEK BOULEVARD; THENCE S89°58'12"E ALONG A NORTH LINE OF SAID LOT 71 I.T., SAID LINE BEING A SOUTH LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 10.78' TO A POINT; THENCE N00°16'19"E ALONG A WEST LINE OF SAID LOT 71 I.T., SAID LINE BEING A EAST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 60.00' TO A POINT; THENCE N89°58'12"W ALONG A SOUTH LINE OF SAID LOT 71 I.T., SAID LINE BEING A NORTH LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 10.78' TO A POINT OF INTERSECTION WITH THE EAST RIGHT-OF-WAY LINE OF BLANCHARD BOULEVARD; THENCE N00°16'19"E ALONG A WEST LINE OF SAID LOT 71 I.T., SAID LINE BEING A EAST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 436.11' TO THE NORTHWEST CORNER OF SAID LOT 71 I.T., SAID POINT BEING ON THE SOUTH LINE OF LOT 54 I.T.; THENCE N89°54'23"W ALONG A SOUTH LINE OF SAID LOT 54 I.T., SAID LINE BEING A NORTH LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 60.00' TO THE SOUTHWEST CORNER OF SAID LOT 54 I.T., SAID POINT BEING THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID NORTHEAST QUARTER; THENCE N00°16'19"E ALONG THE WEST LINE OF SAID LOT 54 I.T., SAID LINE BEING THE WEST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 1,268.84' TO THE POINT OF BEGINNING, SAID TRACT CONTAINS A CALCULATED AREA OF 2,022,027.03 SQUARE FEET OR 46.42 ACRES, MORE OR LESS.

VILLAGE GARDENS

PHASE 2 - PLANNED UNIT DEVELOPMENT
COVER SHEET



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GENERAL SITE NOTES

1. SANITARY SEWER AND WATER LINES TO BE 6" PVC AND 6" PVC RESPECTIVELY AND TO BE BUILT TO CITY OF LINCOLN SPECIFICATIONS, UNLESS OTHERWISE SHOWN.
2. ALL SANITARY SEWERS & WATER MAINS TO BE PUBLIC.
3. ALL DIMENSIONS ALONG CURVES ARE CHORD DISTANCES.
4. ALL PARKING BAYS TO BE 20' UNLESS OTHERWISE NOTED.
5. ALL INTERSECTION RADII TO BE 30' UNLESS OTHERWISE NOTED.
6. DIRECT VEHICULAR ACCESS TO SOUTH 56th STREET & PINE LAKE ROAD IS RESTRICTED EXCEPT AS SHOWN.
7. ALL ENTRANCES ARE SHOWN ON PAVED LINES.
8. SIDEWALKS TO BE BUILT ALONG BOTH SIDES OF STREETS.
9. ALL SIDEWALKS SHALL BE 4' WIDE MINIMUM AND ALL SIDEWALK EASEMENTS SHALL BE 10' WIDE, UNLESS OTHERWISE NOTED.
10. ORNAMENTAL LIGHTING ALONG ALL PUBLIC STREETS SHALL BE IN ACCORDANCE WITH L.E.S. REGULATIONS.
11. THE DEVELOPER AGREES TO COMPLY WITH THE DESIGN STANDARDS OF THE CITY OF LINCOLN FOR EROSION CONTROL AND TERMINATION PAVING AND AFTER LAND PREPARATION AND PLACING TO SUBMIT A SEEDING AND MAINTENANCE SCHEDULE BEFORE SITE GRADING IS COMPLETE.
12. THE DEVELOPER AGREES TO COMPLY WITH PROVISIONS OF THE LAND SUBDIVISION ORDINANCE REGARDING LAND PREPARATION.
13. CENTER ISLANDS IN CUL-DE-SAC'S, BOULEVARDS AND ROUNDABOUTS SHALL BE LANDSCAPED.
14. LANDSCAPE SURFACING ALONG PINE LAKE ROAD IN THE DECORATIVE AREA SHALL BE PROVIDED.
15. A MANDATORY ASSOCIATION SHALL BE ESTABLISHED TO MAINTAIN ALL OPEN SPACE AREAS INCLUDING THE MEDIANS AND ROUNDABOUTS WITHIN THE PUBLIC STREETS.
16. LOTS MAY BE CREATED WITHOUT FRONTAGE TO A PUBLIC STREET IF THEY HAVE ACCESS TO A PUBLIC EASEMENT.
17. THE SEPTIC SYSTEMS WILL BE ABANDONED TO THE SATISFACTION OF THE HEALTH DEPARTMENT.
18. OUTLOT AND BLOCK DIMENSIONS SHOWN ARE APPROXIMATE AND MAY VARY.
19. THE PROPOSED P.U.D. IS CURRENTLY ZONED AG. A CHANGE OF ZONE TO B-3/B-3 P.U.D. HAS BEEN SUBMITTED.
20. ALL STREET DIMENSIONS ARE TO BACK OF CURB.
21. GRADING AND PROPOSED EASEMENTS TO BE TIED DOWN AT TIME OF FINAL PLATTING.
22. EXACT LOCATIONS OF WATER, SEWER, DRAINAGE AND PAVING WILL BE SUBMITTED WITH INDIVIDUAL SITE PLANS AT TIME OF BUILDING PERMIT IN ACCORDANCE WITH CITY OF LINCOLN DESIGN STANDARDS.
23. THE YARD SETBACKS REGULATES STRUCTURAL WALLS ONLY AND DOES NOT REFERENCE OVERHANGS, PATIOS, DOOR BRIDGES, WINDOW BRIDGES, ETC. FROM ENCROACHING INTO THE SETBACKS.
24. ALL DEDICATED PARKING STALLS SHALL BE IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, (FEDERAL REGISTER/VOL. 56, NO. 144/RULES AND REGULATIONS).
25. A COMMON ACCESS EASEMENT WILL BE REQUIRED OVER ALL DRIVE AND PARKING STALLS AS SUCH DRIVES AND PARKING STALLS MAY EXTEND IN THE COMMERCIAL AREAS.
26. DETAILS OF ALL SIGNS, INCLUDING TYPE, HEIGHT AND SIZE, WILL BE SUBMITTED SEPARATELY FOR EACH SIGN AND BUILDING POINT AND MUST NOT BE SHOWN ON THE PLAN. SIGN WILL BE DESIGNED IN ACCORDANCE WITH THE VILLAGE GARDENS DEVELOPMENT PLAN.
27. FINAL SITE LANDSCAPE AND ENGINEERING LANDSCAPE PLANS FOR COMMERCIAL BUILDINGS TO BE SUBMITTED AT TIME OF BUILDING PERMIT.
28. THE SALE OF ALCOHOLIC BEVERAGES FOR CONSUMPTION ON OR OFF PREMISES IS PERMITTED IN THE VILLAGE CENTER AND NEIGHBORHOOD CENTERS.
29. FENCES, SIGNS/BANNERS, DECORATIVE STRUCTURES AND ACCESSORY BUILDINGS ARE NOT SHOWN ON THE PLANS IF THEY ARE 1000 SQUARE FEET OR SMALLER AND ARE OUTSIDE OF THE RIGHT TRIANGLES AND SETBACKS AND ARE IN CONFORMANCE WITH ALL APPLICABLE ORDINANCES AND CODES AS ANSWERED BY THE VILLAGE GARDENS REVIEW/ACTION MODIFICATIONS.
30. PERMANENT USED WILL BE GRANTED ACCESS TO THE ALLEY BETWEEN THE COMMERCIAL AND RESIDENTIAL AREA.
31. EXISTING AND FUTURE USES OF BUILDINGS, RESIDENCES, PARKING, SIGNS AND ACCESSORY USES WILL COMPLY WITH VILLAGE GARDENS P.U.D. DEVELOPMENT PLAN.
32. L.O.M.R. WILL BE SOUGHT FOR LOTS IN MAPPED FLOODPLAIN.
33. ALL IMPACTED RIGHTS-OF-WAY WILL BE DEDICATED ON THE PLAT.
34. ALL STREETS WITHIN THIS P.U.D. ARE PUBLIC LOCAL STREETS UNLESS DESIGNATED OTHERWISE ON THE PLAN.
35. AT TIME OF FINAL DESIGN AND FINAL PLATTING THE EAST ROUNDABOUT WILL BE DESIGNED TO ACCOMMODATE A BUS VEHICLE AND THE WEST ROUNDABOUT WILL BE DESIGNED TO ACCOMMODATE A 40-50 VEHICLE AS PER DESIGN STANDARDS. ADDITIONAL RIGHT-OF-WAY MAY BE REQUIRED IF A LARGER RADIUS IS NEEDED FOR THESE VEHICLES.
36. THE PUBLIC STREET EASEMENT ALONG PINE LAKE ROAD IS GRANTED FOR PURPOSES OF PUBLIC STREETS, UNDERGROUND UTILITIES AND APPURTENANCES RELATED THERETO, SIDEWALKS AND LANDSCAPING.
37. IF OTHER ACCESS LOCATED TO THE ABUTTING NORTHEAST PROPERTY IS USED BY THE PROPERTY OWNER THE OTHER EASEMENT SHALL BE TERMINATED/ABANDONED. ONLY ONE ACCESS POINT TO THE VILLAGE GARDENS DEVELOPMENT SHALL BE GRANTED. THE EASEMENT SHALL BE CONVEYED TO RIGHT-OF-WAY AT NO COST TO THE CITY OR PROPERTY OWNER.
38. TEMPORARY AND PERMANENT CITY-SITE IMPROVEMENTS TO BE REVIEWED AND BUILT ACCORDING TO ANNEXATION AGREEMENT.
39. THE FINAL LOCATION AND GRADING OF THE PRIMARY BIKE TRAIL WILL BE DETERMINED BY THE PARKS AND RECREATION DEPARTMENT AT THE TIME OF FINAL PLAT.
40. ALL RESIDENTIAL LOTS ALONG PINE LAKE ROAD WILL HAVE A SETBACK OF 30 FEET FROM PINE LAKE ROAD.
41. BIKE RACKS WILL BE A PART OF THE COMMERCIAL DEVELOPMENT.
42. A TEMPORARY SUBDIVISION PROMOTIONAL BUILDING WILL BE LOCATED WITHIN BLOCK 1 OF THE B-3 PUD COMMERCIAL AREA, AS AN INCIDENT TO THE VILLAGE GARDENS PUD ORDINANCE. A BUILDING PERMIT FOR THIS TEMPORARY SUBDIVISION PROMOTIONAL BUILDING MAY BE APPROVED PRIOR TO THE SUBMISSION OF A FINAL PLAT FOR THE B-3 PUD COMMERCIAL AREA. THE TEMPORARY SUBDIVISION PROMOTIONAL BUILDING WILL REMAIN UNTIL 75% OF THE COMMERCIAL AREA IS BUILT OUT.
43. IF AT TIME THE INTERSECTION OF PINE LAKE ROAD AND SOUTH 56TH STREET IS FINAL PLATTED AND PINE LAKE ROAD HAS NOT BEEN IMPROVED THROUGH THE SOUTH 56TH STREET INTERSECTION AND SOUTH 56TH STREET IS PROPOSED TO BE CONSTRUCTED PRIOR TO THE IMPROVEMENTS, A SUPPLEMENTAL GRADING PLAN MUST BE PROVIDED TO PUBLIC WORKS FOR THE INTERSECTION AND ADJACENT LOTS SHOWING THE TEMPORARY GRADING NECESSARY TO CONSTRUCT THE INTERSECTION.
44. THE LES EASEMENT INFORMATION SHOWN IS CONSIDERED THE BEST AVAILABLE AT THIS TIME AND MORE OR DIFFERENT EASEMENTS MAY BE INCORPORATED DURING THE DEVELOPMENT PROCESS.
45. AN 8' EASEMENT IS SHOWN FOR EACH SIDE OF THE ALLEY WITH THE REQUIREMENTS THAT AN ADDITIONAL 8' OF EASEMENT WILL BE ADDED AT THE PROPERTY CORNERS FOR TRANSFORMER LOCATIONS. A DISTANCE OF 50 FEET BETWEEN THE EDGE OF THE ALLEY AND THE TRANSFORMER PAD, TEN FEET OF CLEARANCE IN FRONT OF THE TRANSFORMER FOR OPERATING PURPOSES, AND FOUR FEET OF CLEARANCE BETWEEN THE TRANSFORMER AND ANY COMBUSTIBLE BUILDING MATERIAL.
46. THE DEVELOPER WILL MONITOR THE OPERATION OF THE PRIVATE STREETS WITHIN THE COMMERCIAL AREA AND WILL MAKE CHANGES AS APPROPRIATE IF PROBLEMS ARISE RELATED TO THE DESIGN STANDARD SPACES OF PARKING WITHIN THE SIGHT TRIANGLES.

USAGE LEGEND

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

PUD LEGAL DESCRIPTION

A LEGAL DESCRIPTION FOR A TRACT OF LAND COMPRISED OF LOT 54 I.T., 71 I.T., LOTS 1 THROUGH 36, BLOCK 1, VILLAGE GARDENS ADDITION, LOTS 1 THROUGH 16, BLOCK 2, VILLAGE GARDENS ADDITION, LOTS 1 THROUGH 36, BLOCK 3, VILLAGE GARDENS ADDITION, LOTS 1 AND 2, 6 AND 7, BLOCK 4, VILLAGE GARDENS ADDITION, LOTS 1 THROUGH 4, BLOCK 5, VILLAGE GARDENS ADDITION, LOTS 1 AND 2, 6 AND 7, BLOCK 6, VILLAGE GARDENS ADDITION, OUTLOTS "A", "B", "C", "D", "E", "F", "G", "H", "I", "J", "K", "L", "M", VILLAGE GARDENS ADDITION, OUTLOTS "A", "B", "C", "D", "E", "F", "G", "H", "I", "J", "K", "L", "M", "N", "O", "P", "Q", "R", "S", "T", "U", "V", "W", "X", "Y", "Z", "AA", "AB", "AC", "AD", "AE", "AF", "AG", "AH", "AI", "AJ", "AK", "AL", "AM", VILLAGE GARDENS ADDITION, LOT 1, BLOCK 1, VILLAGE GARDENS ADDITION, LOTS 1 THROUGH 4, BLOCK 2, VILLAGE GARDENS ADDITION, LOTS 1 THROUGH 4, BLOCK 3, VILLAGE GARDENS ADDITION, LOTS 1 AND 2, BLOCK 4, VILLAGE GARDENS ADDITION, LOTS 1 THROUGH 4, BLOCK 5, VILLAGE GARDENS ADDITION, LOTS 1 AND 2

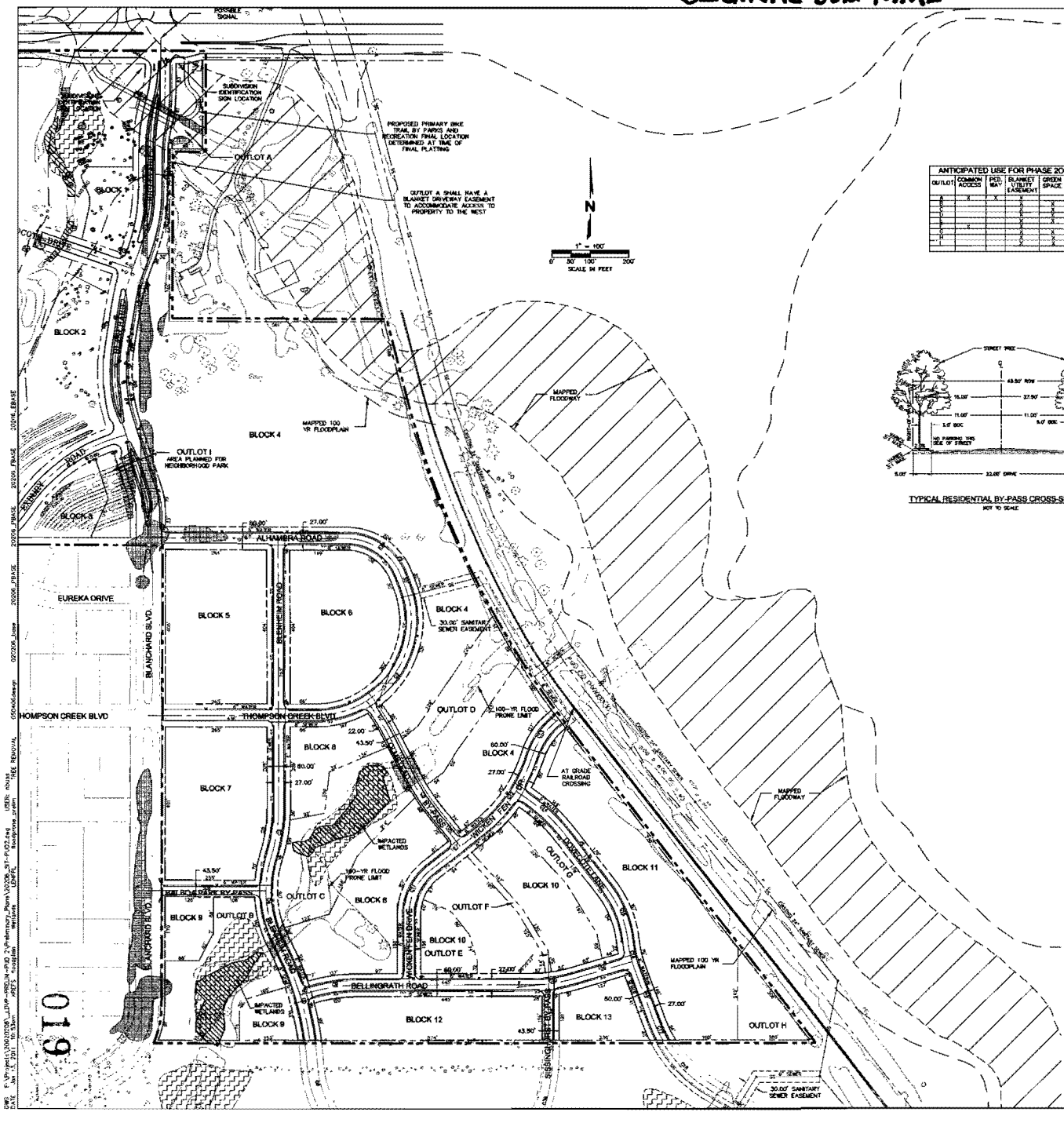
GENERAL SITE NOTES

1. SANITARY SEWER AND WATER LINES TO BE 8" PIPE AND 6" PIPE RESPECTIVELY AND TO BE BUILT TO CITY OF LINCOLN SPECIFICATIONS, UNLESS OTHERWISE SHOWN.
2. ALL SANITARY SEWERS & WATER MAINS TO BE PUBLIC.
3. ALL DIMENSIONS ALONG CURVES ARE CHORD DISTANCES.
4. ALL PAVING RADII TO BE 20' UNLESS OTHERWISE NOTED.
5. ALL INTERSECTION ANGLES SHALL BE 90° ±10° UNLESS OTHERWISE NOTED.
6. DIRECT VEHICULAR ACCESS TO SOUTH 56th STREET & PINE LAKE ROAD IS RELINQUISHED EXCEPT AS SHOWN.
7. ALL ELEVATIONS ARE BASED ON NAVD 1988.
8. SIDEWALKS TO BE BUILT ALONG BOTH SIDES OF STREETS.
9. ALL SIDEWALKS SHALL BE 5' WIDE MINIMUM AND ALL SIDEWALK EASEMENTS SHALL BE 11' WIDE. (UNLESS OTHERWISE NOTED)
10. ORNAMENTAL LIGHTING ALONG ALL PUBLIC STREETS SHALL BE IN ACCORDANCE WITH L.E.S. REGULATIONS.
11. THE DEVELOPER AGREES TO COMPLY WITH THE DESIGN STANDARDS OF THE CITY OF LINCOLN FOR EROSION CONTROL AND SEDIMENTATION DURING AND AFTER LAND PREPARATION AND FURTHER TO SUBMIT A SEEDING AND MAINTENANCE SCHEDULE BEFORE SITE GRADING IS COMPLETE.
12. THE DEVELOPER AGREES TO COMPLY WITH PROVISIONS OF THE LAND SUBDIVISION ORDINANCE REGARDING LAND PREPARATION.
13. CENTER ISLANDS IN CUL-DE-SAC'S, BOULEVARDS AND ROUNDABOUTS SHALL BE LANDSCAPED.
14. LANDSCAPE SCREENING ALONG PINE LAKE ROAD IN THE RESIDENTIAL AREA SHALL BE PROVIDED.
15. A HOMEOWNER ASSOCIATION SHALL BE ESTABLISHED TO MAINTAIN ALL OPEN SPACE AREAS INCLUDING THE MEDIANS AND ROUNDABOUTS WITHIN THE PUBLIC STREETS.
16. LOTS MAY BE CREATED WITHOUT FRONTAGE TO A PUBLIC STREET IF THEY HAVE ACCESS TO A PUBLIC EASEMENT.
17. THE SEPTIC SYSTEMS WILL BE ABANDONED TO THE SATISFACTION OF THE HEALTH DEPARTMENT.
18. OUTLOT AND BLOCK DIMENSIONS SHOWN ARE APPROXIMATE AND MAY VARY.
19. THE PROPOSED P.U.D. IS CURRENTLY ZONED AG. A CHANGE OF ZONE TO R-3/B-3 P.U.D. HAS BEEN SUBMITTED.
20. ALL STREET DIMENSIONS ARE TO BACK OF CURB.
21. EXISTING AND PROPOSED EASEMENTS TO BE TIED DOWN AT TIME OF FINAL PLATTING.
22. EXACT LOCATIONS OF WATER, SEWER, DRAINAGE AND PAVING WILL BE SUBMITTED WITH INDIVIDUAL SITE PLANS AT TIME OF BUILDING PERMIT IN ACCORDANCE WITH CITY OF LINCOLN DESIGN STANDARDS.
23. THE YARD SETBACKS REGULATES STRUCTURAL WALLS ONLY AND DOES NOT RESTRICT OVERHANGS, PATIOS, DOOR SWINGS, WINDOW SWINGS, ETC. FROM ENCROACHING INTO THE SETBACKS.
24. ALL DISABLED PARKING STALLS SHALL BE IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, (FEDERAL REGISTER/VOL. 58, NO. 144/RULES AND REGULATIONS).
25. A COMMON ACCESS EASEMENT WILL BE PROVIDED OVER ALL DRIVES AND PARKING STALLS, AS SUCH DRIVES AND PARKING STALLS MAY EXIST IN THE COMMERCIAL AREAS.
26. DETAILS OF ALL SIGNS, INCLUDING TYPE, HEIGHT AND SIZE, WILL BE SUBMITTED SEPARATELY FOR REVIEW WITH THE BUILDING PERMIT AND NEED NOT BE SHOWN ON THE PLAN. THEY WILL BE DESIGNED IN ACCORDANCE WITH THE VILLAGE GARDENS DEVELOPMENT PLAN.
27. FINAL SITE LAYOUT AND INDIVIDUAL LANDSCAPE PLANS FOR COMMERCIAL BUILDINGS TO BE SUBMITTED AT TIME OF BUILDING PERMIT.
28. THE SALE OF ALCOHOLIC BEVERAGES FOR CONSUMPTION ON OR OFF PREMISES IS PERMITTED IN THE VILLAGE CENTER AND NEIGHBORHOOD CENTERS.
29. FENCES, DUMPSTERS, DECORATIVE STRUCTURES AND ACCESSORY BUILDINGS ARE NOT SHOWN ON THE PLANS IF THEY ARE 1000 SQUARE FEET OR SMALLER AND ARE OUTSIDE OF THE SIGHT TRIANGLES AND SETBACKS AND ARE IN CONFORMANCE WITH ALL APPLICABLE ORDINANCES AND CODES AS AMENDED BY THE VILLAGE GARDENS REGULATORY MODIFICATIONS.
30. COMMERCIAL USES WILL BE GRANTED ACCESS TO THE ALLEY BETWEEN THE COMMERCIAL AND RESIDENTIAL AREA.
31. EXISTING AND FUTURE USES OF BUILDINGS, RESIDENCES, PARKING, SIGNS AND ACCESSORY USES WILL COMPLY WITH VILLAGE GARDENS P.U.D. DEVELOPMENT PLAN.
32. L.O.M.R. WILL BE SOUGHT FOR LOTS IN MAPPED FLOODPLAIN.
33. ALL IMPACTED WETLANDS WILL BE MITIGATED ON SITE.
34. ALL STREETS WITHIN THIS P.U.D. ARE PUBLIC LOCAL STREETS UNLESS DESIGNATED OTHERWISE ON THE PLAN.
35. AT TIME OF FINAL DESIGN AND FINAL PLATTING THE EAST ROUNDABOUT WILL BE DESIGNED TO ACCOMMODATE A BUS VEHICLE AND THE WEST ROUNDABOUT WILL BE DESIGNED TO ACCOMMODATE A WB-50 VEHICLE AS PER DESIGN STANDARDS. ADDITIONAL RIGHT-OF-WAY MAY BE REQUIRED IF A LARGER RADII IS NEEDED FOR THESE VEHICLES.
36. THE PUBLIC STREET EASEMENT ALONG PINE LAKE ROAD IS GRANTED FOR PURPOSES OF PUBLIC STREETS, UNDERGROUND UTILITIES AND APPURTENANCES RELATED THERETO, SIDEWALKS AND LANDSCAPING.
37. IF EITHER ACCESS EASEMENT TO THE ABUTTING NORTHEAST PROPERTY IS USED BY THE PROPERTY OWNER THE OTHER EASEMENT SHALL BE TERMINATED/ABANDONED. ONLY ONE ACCESS POINT TO THE VILLAGE GARDENS DEVELOPMENT SHALL BE GRANTED. THE EASEMENT SHALL BE CONVERTED TO RIGHT-OF-WAY AT NO COST TO THE CITY OR PROPERTY OWNER.
38. TEMPORARY AND PERMANENT OFF-SITE IMPROVEMENTS TO BE DESIGNED AND BUILT ACCORDING TO ANNEXATION AGREEMENT
39. THE FINAL LOCATION AND GRADING OF THE PRIMARY BIKE TRAIL WILL BE DETERMINED BY THE PARKS AND RECREATION DEPARTMENT AT THE TIME OF FINAL PLAT.
40. ALL RESIDENTIAL LOTS ALONG PINE LAKE ROAD WILL HAVE A SETBACK OF 20 FEET FROM PINE LAKE ROAD.
41. BIKE RACKS WILL BE A PART OF THE COMMERCIAL DEVELOPMENT.
42. A TEMPORARY SUBDIVISION PROMOTIONAL BUILDING WILL BE LOCATED WITHIN BLOCK 1 OF THE B-3 PUD COMMERCIAL AREA. AS AN AMENDMENT TO THE VILLAGE GARDENS PUD ORDINANCE, A BUILDING PERMIT FOR THIS TEMPORARY SUBDIVISION PROMOTIONAL BUILDING MAY BE APPROVED PRIOR TO THE SUBMISSION OF A FINAL PLAT FOR THE B-3 PUD COMMERCIAL AREA. THE TEMPORARY SUBDIVISION PROMOTIONAL BUILDING WILL REMAIN UNTIL 75% OF THE COMMERCIAL AREA IS BUILT OUT.
43. IF AT TIME THE INTERSECTION OF PINE LAKE ROAD AND SOUTH 59TH STREET IS FINAL PLATTED AND PINE LAKE ROAD HAS NOT BEEN IMPROVED THROUGH THE SOUTH 59TH STREET INTERSECTION AND SOUTH 59TH STREET IS PROPOSED TO BE CONSTRUCTED PRIOR TO THE IMPROVEMENTS, A SUPPLEMENTAL GRADING PLAN MUST BE PROVIDED TO PUBLIC WORKS FOR THE INTERSECTION AND ADJACENT LOTS SHOWING THE TEMPORARY GRADING NECESSARY TO CONSTRUCT THE INTERSECTION.
44. THE LES EASEMENT INFORMATION SHOWN IS CONSIDERED THE BEST AVAILABLE AT THIS TIME AND MORE OR DIFFERENT EASEMENTS MAY BE NECESSITATED DURING THE DEVELOPMENT PROCESS.
45. AN 8' EASEMENT IS SHOWN FOR EACH SIDE OF THE ALLEY WITH THE REQUIREMENTS THAT AN ADDITIONAL 2' OF EASEMENT WILL BE ADDED AT THE PROPERTY CORNERS FOR TRANSFORMER LOCATIONS; A DISTANCE OF SIX FEET BETWEEN THE EDGE OF THE ALLEY AND THE TRANSFORMER PAD; TEN FEET OF CLEARANCE IS IN FRONT OF THE TRANSFORMER FOR OPERATING PURPOSES; AND TEN FEET OF CLEARANCE BETWEEN THE TRANSFORMER PAD AND ANY COMBUSTIBLE BUILDING MATERIAL.
46. THE DEVELOPER WILL MONITOR THE OPERATION OF THE PRIVATE STREETS WITHIN THE COMMERCIAL AREA AND WILL MAKE CHANGES AS APPROPRIATE IF PROBLEMS ARISE RELATED TO THE DESIGN STANDARD WAIVER OF PARKING WITHIN THE SIGHT TRIANGLES.

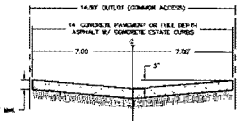
- ORIGINAL SUBMITTAL -

VILLAGE GARDENS

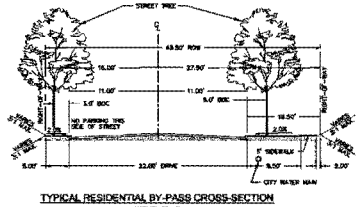
PHASE 2 - PLANNED UNIT DEVELOPMENT
SITE PLAN



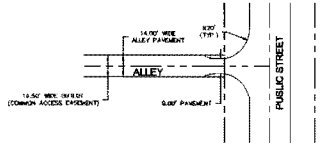
ANTICIPATED USE FOR PHASE 2 OUTLOTS					
OUTLOT	COMMON ACCESS	PED. WAY	BLANKET UTILITY EASEMENT	GREEN SPACE	DRAINAGE EASEMENT
A	X	X	X	X	
B			X	X	X
C			X	X	X
D			X	X	X
E			X	X	X
F			X	X	X
G	X		X	X	X
H			X	X	X



TYPICAL RESIDENTIAL ALLEY PAVEMENT SECTION
NOT TO SCALE



TYPICAL RESIDENTIAL BY-PASS CROSS-SECTION
NOT TO SCALE



TYPICAL RESIDENTIAL ALLEY INTERSECTION DETAIL
NOT TO SCALE

CENTERLINE CURVE DATA

① =89°04'37" R=150.00' T=162.24' L=180.84' LC=170.05'	② =107°46'02" R=256.00' T=391.81' L=482.86' LC=415.28'	③ =17°41'38" R=650.00' T=90.57' L=201.44' LC=200.62'	④ =41°51'4" R=300.00' T=122.99' L=231.71' LC=226.02'
⑤ =101°17'05" R=600.00' T=631.81' L=1060.82' LC=927.96'	⑥ =105°53'04" R=600.00' T=57.34' L=110.74' LC=113.67'	⑦ =114°17'34" R=600.00' T=61.47' L=119.63' LC=122.29'	⑧ =16°27'30" R=850.00' T=84.82' L=167.76' LC=128.31'
⑨ =19°25'53" R=450.00' T=37.78' L=114.77' LC=114.22'	⑩ =5°45'46" R=1500.00' T=72.12' L=143.74' LC=130.88'	⑪ =34°07'35" R=440.00' T=132.77' L=261.23' LC=234.72'	⑫ =34°28'43" R=700.00' T=62.38' L=120.93' LC=119.17'
⑬ =21°17'28" R=450.00' T=84.18' L=166.42' LC=165.46'	⑭ =31°55'07" R=375.00' T=71.37' L=142.34' LC=140.51'	⑮ =14°17'08" R=310.00' T=38.36' L=77.28' LC=77.05'	⑯ =60°07'11" R=350.00' T=214.84' L=46.60' LC=49.58'

LEGEND

- EXISTING WATER MAIN
- PROPOSED WATER MAIN
- EXISTING SANITARY SEWER
- PROPOSED SANITARY SEWER
- SANITARY SEWER MANHOLE
- FIRE HYDRANT
- WATER VALVE
- PROPOSED BOUNDARY
- TREE MASS
- PROPOSED WATER FEATURE
- EXISTING WETLANDS
- IMPACTED WETLANDS
- EXISTING TREES
- EXISTING TREE MASS
- EXISTING TREES TO BE REMOVED BY DEVELOPMENT
- EXISTING TREES MASS TO BE REMOVED BY DEVELOPMENT
- MAPPED 100 YR FLOODPLAIN
- MAPPED FLOODWAY LINE
- 100-YEAR FLOOD PRONE LIMIT
- FLOOD CORRIDOR LINE

OLSSON ASSOCIATES
1111 Lincoln Mall, Suite 111
P.O. Box 84608
Lincoln, NE 68501-4608
TEL 402.474.6311
FAX 402.474.5160
www.olssonassociates.com

REVISIONS

REV. NO.	DATE	REVISION DESCRIPTION

PHASE 2
SITE PLAN

VILLAGE GARDENS - PHASE 2
PLANNED UNIT DEVELOPMENT

LINCOLN, NE

2011

drawn by: HKG
checked by: TBG
approved by:
QAQC by:
project no: 010-0208
drawing no: SIT_PUD2.dwg
date: 01.12.11

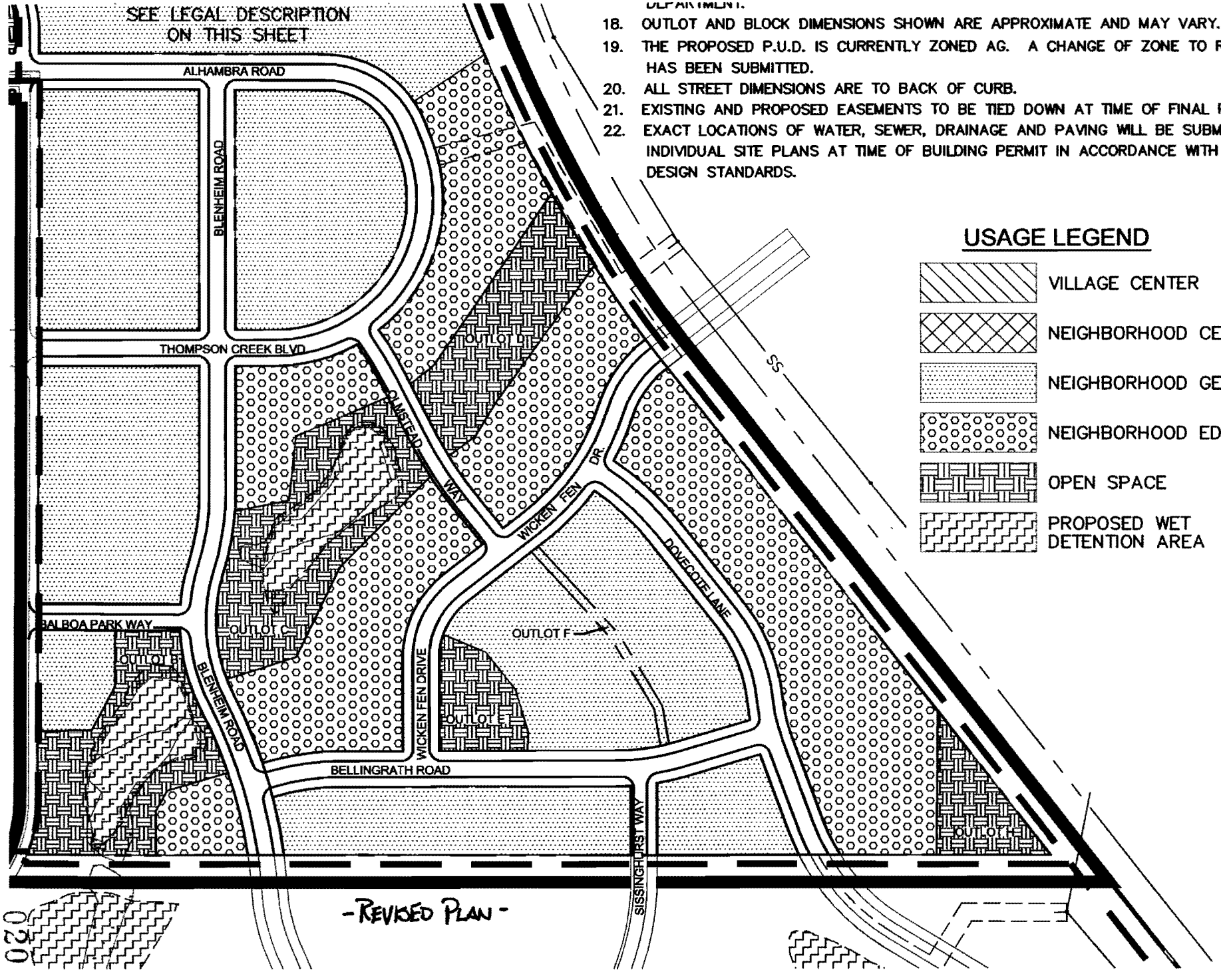
SHEET
2 of 4

DWG. F:\Projects\2010\0208_DWG\PROJ\PUD 2\Preliminary_Plans\20208_SIT-PUD2.dwg USER: ahuss
DATE Jan 12, 2011 10:53am XREFS floodprone wetlands LDWFL floodprone_pudm TREE REMOVAL 050406design 020206_base 20206_PBASE 20206_FBASE 20206_FBASE 2006_EBASE

019

DEPARTMENT.

18. OUTLOT AND BLOCK DIMENSIONS SHOWN ARE APPROXIMATE AND MAY VARY.
19. THE PROPOSED P.U.D. IS CURRENTLY ZONED AG. A CHANGE OF ZONE TO R-3/B-3 P.U.D. HAS BEEN SUBMITTED.
20. ALL STREET DIMENSIONS ARE TO BACK OF CURB.
21. EXISTING AND PROPOSED EASEMENTS TO BE TIED DOWN AT TIME OF FINAL PLATTING.
22. EXACT LOCATIONS OF WATER, SEWER, DRAINAGE AND PAVING WILL BE SUBMITTED WITH INDIVIDUAL SITE PLANS AT TIME OF BUILDING PERMIT IN ACCORDANCE WITH CITY OF LINCOI DESIGN STANDARDS.



USAGE LEGEND

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

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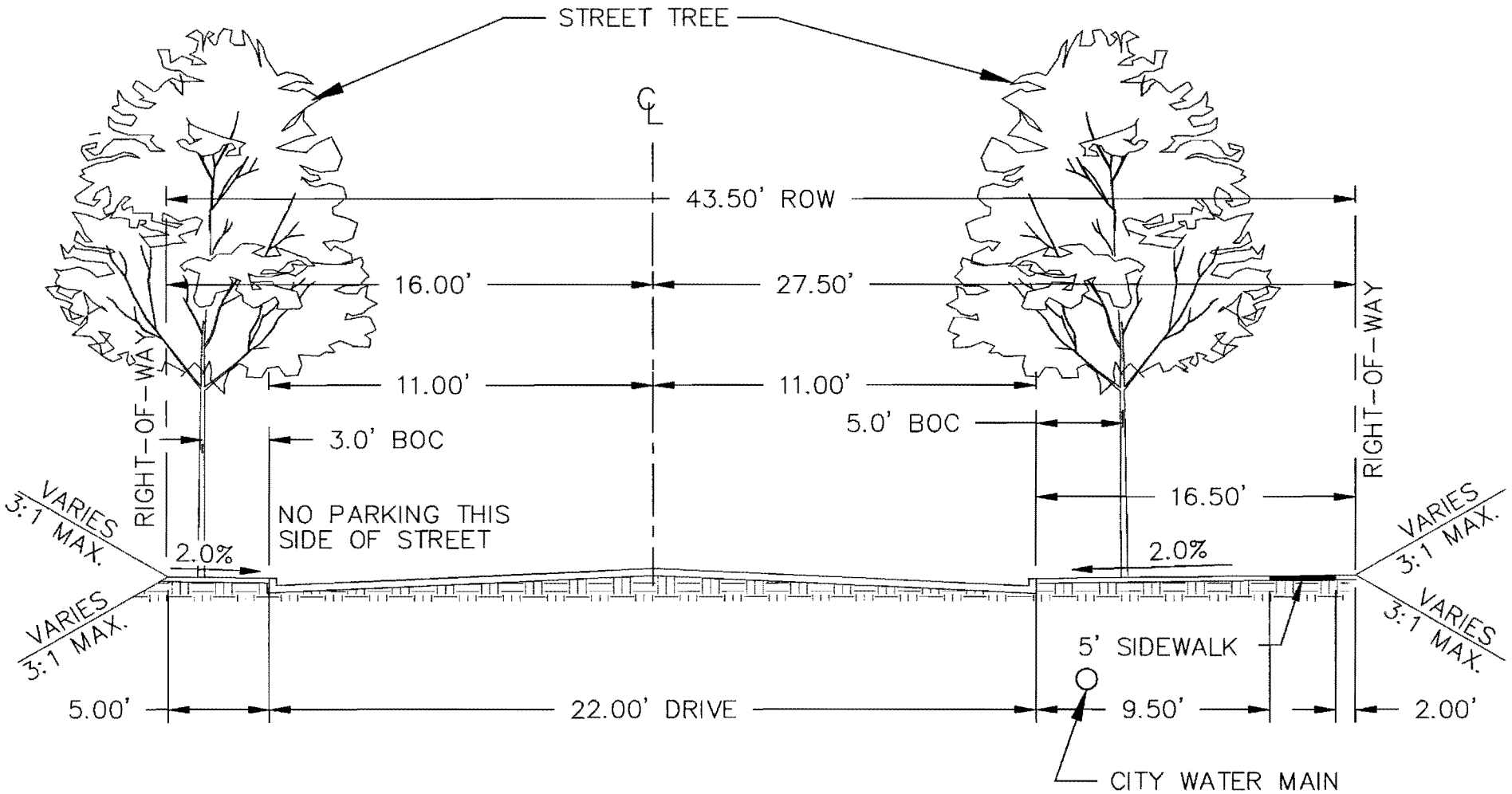
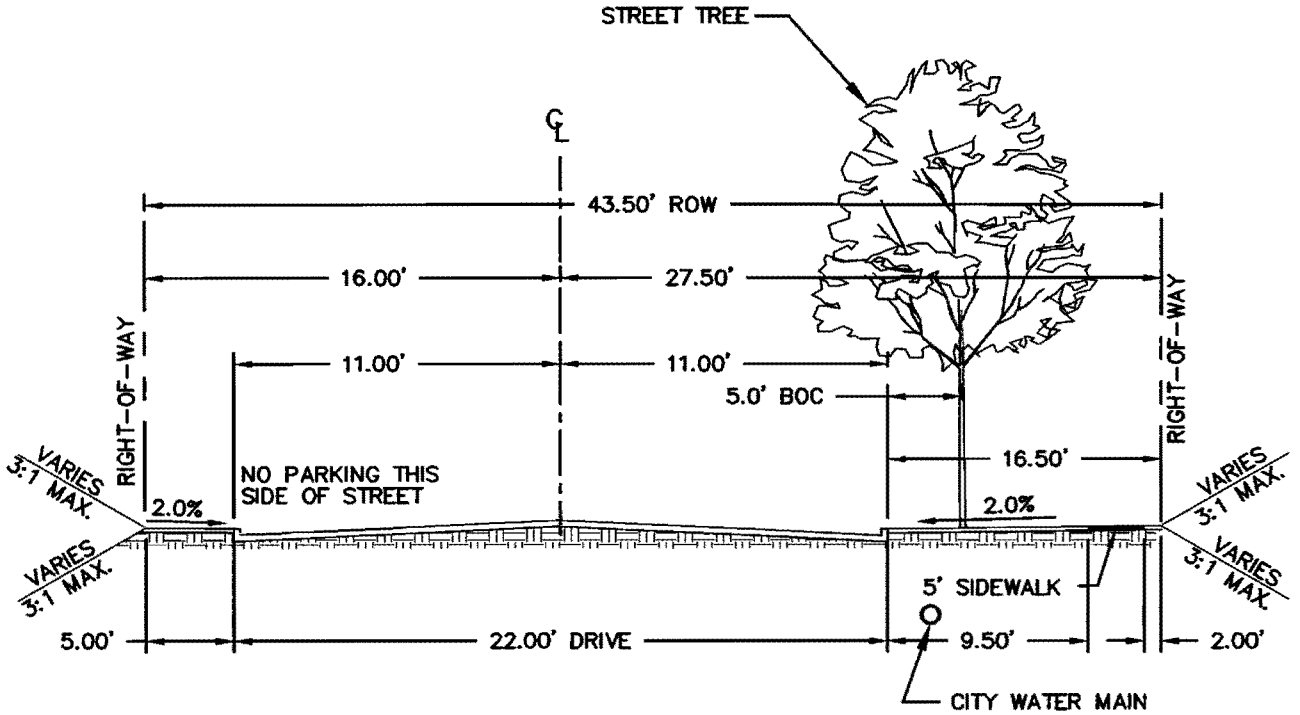
-ORIGINAL SUBMITTAL-



TYPICAL RESIDENTIAL BY-PASS CROSS-SECTION

NOT TO SCALE

- REVISED PLAN -



TYPICAL RESIDENTIAL 'WAY' CROSS-SECTION

NOT TO SCALE

VILLAGE GARDENS

THE ART OF *Traditional Living*

Planned Unit Development District

DEVELOPMENT PLAN

December 17, 2010

INTRODUCTION

THE REGULATING PLAN

R-3 AND B-3 LAND USES

THE TRANSECT ZONE MATRICES

LOT & BUILDING STANDARDS

SIGNAGE & PARKING STANDARDS

REGULATORY MODIFICATIONS

PUD MAP SHEETS

GLOSSARY

care facilities;
(5) Such facilities must receive a conditional use permit from the Department of Building and Safety.

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

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

(f) Elderly or retirement housing; assisted living facility
(1) The parking and loading/unloading area for such facilities shall comply with the provisions of Chapter 27.67 of the Lincoln Municipal Code and the design standards for assisted living facilities;
(2) Such facilities shall comply with all applicable state and local assisted living facility requirements;
(3) Such facilities shall comply with all applicable building and life safety code requirements

Special Permitted Uses:

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

~~(a) Community unit plans in conformance with the following requirements:~~
~~(1) The average lot area shall be at least 5,000 square feet;~~
~~(2) All the requirements of Chapter 27.65.~~
(b) Private schools, other than those permitted above;
(c) Health care facilities;
(d) Dwellings for members of religious orders;
(e) Mobile home courts;
(f) Recreational facilities;
(g) Church steeples, amateur radio antenna installations, towers, and ornamental spires which exceed the maximum district height;
(h) Broadcast towers;
(i) Extracting sand, gravel, and soil;
(j) Certain parking lots as defined in Chapter 27.63;
(k) Expansion of nonconforming uses;
(l) Historic preservation;
~~(m) Garden centers;~~
(n) Public utility purposes;
(o) Wind energy conversion systems;
(p) Mobile home subdivisions;
(q) Housing and related facilities for the physically handicapped;
~~(r) Greenhouses;~~

THE TRANSECT ZONE MATRICES

Land Use Types Matrix

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

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

Transect Zones → **Shaded = Permitted Not Shaded = prohibited**

Land Use Types →

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

Notes:

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

Lot & Building Types Matrix

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

Transect Zones → **Shaded = Permitted Not Shaded = prohibited**

Lot & Building Types ↓

Transect Zone/ Lot & Building Types	Village Center (underlying B-3 district)	Neighborhood Center (underlying R-3 district)	Neighborhood General (underlying R-3 district)	Neighborhood Edge (underlying R-3 district)
Type A – Rowhouse	n/a	See Note 1, 7	See Note 7	n/a
Type B – Townhouse	n/a	See Note 1,7	See Note 7	n/a
Type B/C - Bungalow Court	n/a	See Note 1, 7	See Note 7	n/a
Type C – Small SF	n/a	See Note 1,7	See Note 7	n/a
Type D – Medium SF	n/a	See Note 1,7	See Note 7	See Note 7
Type E – Large SF	n/a	n/a	See Note 7	See Note 7
Type F – MF Mansion	See Note 3	See Note 1, 3, 7	n/a	n/a
Type G – MF Apartment		See Note 4, 7	n/a	n/a
Type H – Civic or Community	See Note 2	See Note 2, 5	n/a	n/a
Type I – Mixed-Use	See Note 6	n/a	n/a	n/a
Type J – Assisted Living	n/a	See Note 8	See Note 8	See Note 8

Notes:

1. Live/work units permitted. Commercial uses shall be limited according to the Land Use Types within this document.
2. Structures that are not fully enclosed having a footprint of less than 400 sq ft. and an overall height of less than 16 ft. shall be considered landscape elements.
3. Limited to 12 units per building in the Village Center; limited to 8 units per building in the Neighborhood Center.
4. Limited to lots between Yankee Hill Road and Chatsworth Lane.
5. Limited to Civic or Community uses serving primarily Village Gardens residents and their guests or a church. Civic or Community buildings shall be limited according to the Civic or Community use designation in the Land Use Types matrix.
6. Mixed-use buildings may occupy two or more of the following uses within the same building: retail, professional services, personal services, workshop, office, artisan, restaurant, lodging, childcare, professional business, governmental services, entertainment, recreational, residential and related accessory uses. Uses may be divided vertically or horizontally.
7. All residential lots along Pine Lake Road will have a setback of 20' from Pine Lake Road.
8. Permitted use on lots more than 10,000 sq. ft.

SIGNAGE & PARKING STANDARDS:

Sign Information:

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

1. In the R-3 zoning districts, the specific regulations are as follows: In the Neighborhood Center areas, up to two on-premises wall signs or projecting signs per lot, each not to exceed eight square feet of sign area, used to identify commercial uses and home occupations. In the Neighborhood General and Neighborhood Edge areas, one on-premises wall sign per lot, not to exceed two square feet of sign area, nonilluminated and nonreflecting, used to identify home occupations. One on-premises wall sign per lot, not to exceed two square feet of sign area, nonilluminated and nonreflecting, used to identify transitional lot uses, block parents, the name of the premises or occupants thereof, or to provide similar information. Lighted vending machines are not permitted in view from off the premises. **In the case of an assisted living facility on a lot of more than 10,000 square feet, one ground sign of 32 square feet per side is permitted for street frontage. If facility abuts more than one street, one sign per street is approved. Lighting of the sign may be external or letters may be individually lit; no backlit signs will be permitted.**
2. In the B-3 zoning districts, at the entrances abutting major arterials of the 'Village Center' usage area of Village Gardens, a ground sign identifying and advertising the Village Center businesses shall be permitted. Such sign shall not exceed 150 square feet and a height of 10 feet. In addition to the other allowed signs, one ground sign not more than 150 square feet in the height identifying and advertising the Village Center Businesses shall be permitted at each major arterial street entrance to the Village Center area of Village Gardens.
3. When part of a landscape screen approved by the Planning Director, the following ground signs, not exceeding twenty square feet in area or six feet in height and identifying a multiple-dwelling complex or subdivision area, may be located in the required front yard or building line district:
    a. Up to two signs may be located at each entrance to the multiple-dwelling complex or subdivision area.
    ~~b. If the multiple dwelling complex or subdivision area abuts an intersection with an arterial street, one sign per arterial frontage may be located at the corner of the intersection with the arterial street. Such signs may be illuminated by a ground light. Any sign located in the building line district shall be moved at the sole cost of the owner when necessary for public use.~~
4. Directional, educational and informational signs may be attached to any natural object due to the nature and aesthetics of the Village Gardens project <u>with the approval of the Planning Director.</u>
5. 27.69.340 Permitted Signs for General Planned Unit Developments Subsection (a) is deleted. See B-3 and R-3 underlying zoning standards listed for Village Gardens PUD sign requirements as contained in the Development Plan for the applicable requirements.

Parking matrix:

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

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

*Total number of on-site parking stalls required for a combined Civic/Community use and Early Childhood Care Facility in the Neighborhood Center shall be 82 parking stalls based upon a 10,000 square foot area of largest assembly area and 270 children and 30 full time staff members.

**Parking requirements per City of Lincoln Municipal Code and Design Standards.

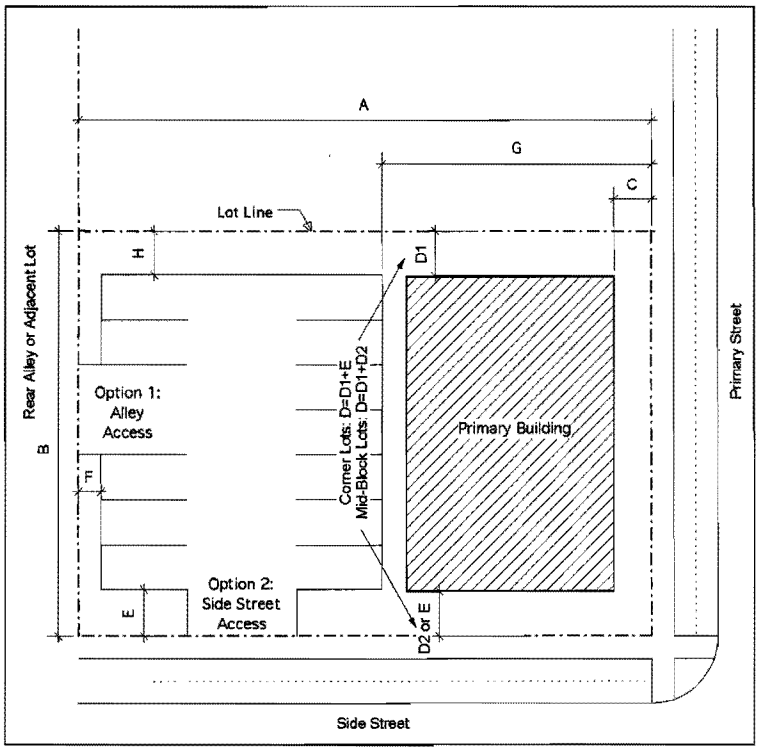
PM TRIP COUNT STANDARDS AND CALCUATIONS

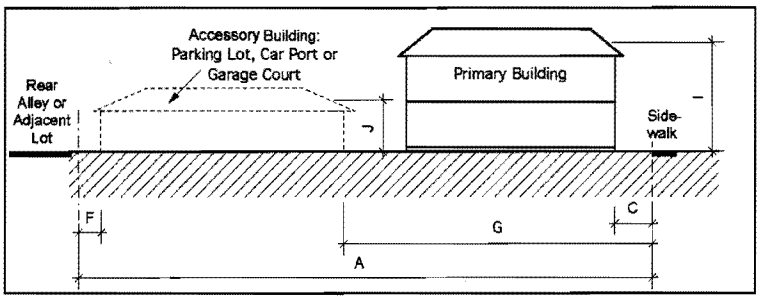
The Village Gardens Village Center will use the 'Shopping Center' PM Trip Count designation of 3.75 per 1000 square feet for all of the retail, restaurant and office uses (medical included) and .62 per dwelling unit for all residential and suite or business hotels with stated constraints below. The only restrictions for Village Gardens Village Center (B-3 zoned area) utilizing the Shopping Center PM Trip Count designation are:

- One bank with drive-thru
- No Restaurants WITH drive-thru. The only exception allowed are coffee shops with a drive-thru.
- No Gasoline/Service Stations with or without convenience market
- No large supermarkets over 60,000sf (like Russ's, Hy-Vee, etc.)
- No sports bars over 4500 square feet
- No Big Box Retail stores including Discount Superstores, Discount Clubs or Home Improvement Superstores

Type J – Assisted Living

An Assisted Living facility houses individuals, not related, specifically for offering short term and long term care based on special needs. Such a facility can include and be labeled as an adult care facility, domiciliary care facility, Elderly or Retirement Housing , Health Care facility or Housing for physically Handicapped. Each of these facilities will have staff and guest parking equal or greater than the present city of Lincoln standards for such facilities.





A	Min. Lot Depth	n/a
B	Min. Lot Width	n/a
C	Min. Primary Street Setback	20 ft.
D	Min. Side Yard Setback	15 ft.
E	Min. Side Street Setback	15 ft.
F	Min. Primary Bldg. Rear Setback	20 ft.
	Min. Accessory Bldg. Rear Setback	3 ft.
G	Min. Accessory Bldg. Front Setback	45 ft.
H	Min. Accessory Bldg. Side Setback	8 ft.
	This setback may be waived if Accessory Buildings are attached.	
I	Max. Primary Bldg. Height	50 ft.
	Tower elements of a maximum of 200 sq. ft. in floor area shall be exempt of the height limit and may exceed the ridge height of the primary roof by a maximum of 10 ft.	
J	Max. Accessory Bldg. Height	30 ft.
	Max. Lot Coverage	75%
	PARKING: per City of Lincoln municipal code and design standards	
	Parking shall be accommodated on-site .	
	Secondary Dwelling Unit	N
	Y = permitted; N = prohibited	
	Primary Building Entrance	
	The primary pedestrian building entrance shall be located along a public or private street, common driveway, common walkway or park.	
	Allowable Encroachments: (Proper Sight Triangle must be maintained)	
	All building setbacks and building encroachments shall provide the proper Sight Triangle.	
	Driveways may encroach into all setbacks where curb cuts are permitted.	

NOTES FROM THE LOT & BUILDING TYPE MATRIX:

- **Permitted use on lots more than 10,000 sq. ft.**

THE REGULATORY MODIFICATIONS

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

THE PUD MAP SHEETS

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

GLOSSARY

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

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

Accessory Use:
An accessory use is one that is incidental to the main use.

Assisted Living Facility:
A facility which houses individuals, not related, specifically for offering short term and long term care based on special needs. Such a facility can include and be labeled as an adult care facility, domiciliary care facility, Elderly or Retirement Housing , Health Care facility or Housing for physically Handicapped.

Bungalow Court:
Two or more single-family dwelling units built on separate lots that are situated around a shared outlot with shared landscaping and sidewalk system.

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

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

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

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

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

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

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

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

OLSSON ASSOCIATES

January 12, 2011

Mr. Marvin S. Krout, Director
Lincoln Lancaster Planning Department
555 South 10th Street, Suite 213
Lincoln, NE 68508

Re: Village Gardens PUD - Phase 2
Annexation, Change of Zone, Amendment to the PUD

Dear Mr. Krout,

On behalf of the Developer, Village Gardens Development Company LLC, 7000 S. 56th Street, Lincoln, NE 68516 we are requesting annexation, change of zone, and an amendment to the existing Village Gardens PUD.

Enclosed please find the following:

1. City of Lincoln Zoning Application
2. PUD Legal Description
3. PUD Exhibit
4. Annexation Exhibit
5. Annexation Legal Description
6. Application Fee

As part of this PUD we are requesting waivers to design standards as listed below:

1. Waive the vertical Curve K-value requirement for 25 mph design speed as per the originally approved PUD. Refer to Paving Profile Sheet (Sheet 4 of 4) for K-values.

2. Waive the approach grades of intersecting streets to not exceed 3.0% grade as per the originally approved PUD. We are requesting to increase this requirement to 4.0% for streets that slope away from the intersection.

3. Waive the roadway width for local residential streets on streets identified as By-Pass. See Site Plan (Sheet 2 of 4) for typical by-pass cross-section. Since the By-Pass streets will not have lots fronting to these streets and not have a sanitary sewer main in the Right-Of-Way we are requesting to reduce the Right-Of-Way width and pavement width. The By-Pass streets will be restricted to parking on one side of the street only.

4. Waive sidewalks on one side of the streets identified as By-Pass.

5. Waive typical street name suffix. We would like to add a suffix of 'BY-PASS' to the streets to

1111 Lincoln Mall, Suite 111
P.O. Box 84608
Lincoln, NE 68501 4608
TEL 402.474.6311
FAX 402.474.5160
www.oaconsulting.com

designate the non-standard street.

Please contact me if you have any questions or require any additional material.

Sincerely,

Nathaniel Buss

cc: Dick Campbell, Village Gardens Development Company, LLC

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City of Lincoln - Lancaster County
PLANNING DEPARTMENT

555 S. 10th Street, Suite 213
Lincoln, NE 68508
Ph: (402) 441-7491
Fax: (402) 441-6377

ePlan
ePlan Submittal

Application Information			
Application #	CZ04075B	Title	VILLAGE GARDENS PUD
Associated Requests	AN11001		

Planning Department Use Only			
Submission Date	1/18/2011	Review Due	1/28/2011
Project Planner	Brian Will		

Review Agencies (Planning Department Use Only)

Review Agencies	<Choose Entry>	<Choose Entry>	

Building & Safety:	Terry Kathe (tkathe@lincoln.ne.gov)	☐ Remove Agency Reviewer
County Health:	Chris Schroeder (cschroeder@lincoln.ne.gov)	☐ Remove Agency Reviewer
Development Review Manager:	Steve Henrichsen (shenrichsen@lincoln.ne.gov)	☐ Remove Agency Reviewer
Emergency Communications:	Kelly Davila (kdavila@lincoln.ne.gov)	☐ Remove Agency Reviewer
Emergency Communications:	Tara Garza (tgarza@lincoln.ne.gov)	☐ Remove Agency Reviewer
Fire Department:	Richard Furasek (rfurasek@lincoln.ne.gov)	☐ Remove Agency Reviewer

033

LES:	Mike Petersen (mpetersen@les.com)	☐ Remove Agency Reviewer
Lincoln Police Department:	Sgt Don Scheinost (lpd798@cjis.lincoln.ne.gov)	☐ Remove Agency Reviewer
Public Works:	Buff Baker (cbaker@lincoln.ne.gov)	☐ Remove Agency Reviewer
Public Works:	Dennis Bartels (dbartels@lincoln.ne.gov)	☐ Remove Agency Reviewer
Public Works:	Edwin Kouma (ekouma@lincoln.ne.gov)	☐ Remove Agency Reviewer
School District - Lincoln:	Scott Wieskamp (swieska@lps.org)	☐ Remove Agency Reviewer
United States Post Office:	Kerry Kowalski (kerry.j.kowalski@usps.gov)	☐ Remove Agency Reviewer
Windstream:	Jim Heinke (jim.heinke@windstream.com)	☐ Remove Agency Reviewer
Rural Fire District - Southeast:	Fire Board (emjo32@juno.com)	☐ Remove Agency Reviewer
Rural Water District #1:	Phil Goering (philg@lrwd1.com)	☐ Remove Agency Reviewer
Public Works:	Ben Higgins (bhiggins@lincoln.ne.gov)	☐ Remove Agency Reviewer

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Review Comments		
Planning	◉ Corrections Needed for Review ○ Insufficient Information for Review ○ Recommend Denial ○ Recommend Approval with Conditions ○ Recommend Approval ○ No Review Required Review 1:	
Building & Safety (Terry Kathe)	○ Corrections Needed for Review ○ Insufficient Information for Review ○ Recommend Denial ○ Recommend Approval with Conditions ○ Recommend Approval ○ No Review Required Review 1:	
County Health (Chris Schroeder)	○ Corrections Needed for Review ○ Insufficient Information for Review ○ Recommend Denial ○ Recommend Approval with Conditions ○ Recommend Approval ○ No Review Required Review 1:	
Development Review Manager (Steve Henrichsen)	○ Corrections Needed for Review ○ Insufficient Information for Review ○ Recommend Denial ○ Recommend Approval with Conditions ◉ Recommend Approval ○ No Review Required Review 1:	
Emergency Communications (Kelly Davila)	○ Corrections Needed for Review ○ Insufficient Information for Review ○ Recommend Denial ○ Recommend Approval with Conditions ○ Recommend Approval ○ No Review Required Review 1:	
Emergency Communications (Tara Garza)	○ Corrections Needed for Review ○ Insufficient Information for Review ○ Recommend Denial ◉ Recommend Approval with Conditions ○ Recommend Approval ○ No Review Required Review 1: 911 objects to the use of the street type "by-pass" for Olmstead, Balboa, and Sissinghurst. A by-pass is, by definition, "a road or highway that avoids or "bypasses" a built-up area, town, or village, to let through traffic flow without interference from local traffic, to reduce congestion in the built-up area, and to improve road safety." The aforementioned roads do not serve this purpose and are a part of a residential housing development. The use of "by-pass" as a street type for these roads may serve to cause confusion for emergency responders as well as 911 personnel and the general public. 911 recommends changing the street type of these roads to a common street type such as "road" or "lane", etc. Additionally, the use of "Olmstead" as a street name is very similar to "Homestead" with is the official name of Hwy 77 and may cause confusion. Recommend change of the name "Olmstead".	
Fire Department (Richard Furasek)	○ Corrections Needed for Review ○ Insufficient Information for Review ○ Recommend Denial ○ Recommend Approval with Conditions ○ Recommend Approval ○ No Review Required Review 1: Fire Hydrants need to comply with design standards. Lack of Fire facilities in the area	

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	which allows a timely emergency response that our citizens expect.	
LES (Mike Petersen)	Corrections Needed for Review Insufficient Information for Review Recommend Denial Recommend Approval with Conditions Recommend Approval No Review Required Review 1:	
Lincoln Police Department (Sgt Don Scheinost)	Corrections Needed for Review Insufficient Information for Review Recommend Denial Recommend Approval with Conditions Recommend Approval No Review Required Review 1: The Lincoln Police Department does not object to this application.	
Public Works (Buff Baker)	Corrections Needed for Review Insufficient Information for Review Recommend Denial Recommend Approval with Conditions Recommend Approval No Review Required Review 1:	
Public Works (Dennis Bartels)	Corrections Needed for Review Insufficient Information for Review Recommend Denial Recommend Approval with Conditions Recommend Approval No Review Required Review 1: No drainage and no drainage and drainage calculations have been submitted. I have questions and concerns about the streets called "Bypass". This does not seem to be an appropriate name for these streets. I do not see any reason to use any name other those already allowed by the subdivision ordinance for these streets. The subdivision ordinance requires 60' wide local street rights of way. 43' is shown. The application shows 22' wide back of curb to back of curb widths with parking being allowed on one side. The Nebraska Minimum Design Standards of the Board of Public Roads Classification and Standards requires 11 foot wide lanes. The city is required to follow these standards by state law and this paving cross section does not follow these standards with or without the parking being allowed. I acknowledge that our present 27' standard with parking on both sides can be argued does not meet this standard, but it is my understanding that the Board approved our standard design. I do not believe that the city cannot approve or use this design without the review and approval of the Board of Public Roads Classifications and Standards. The subdivision ordinance standard for modification of subdivision requirements requires a showing of substantial hardship or injustice. There is no such showing with this application. If the narrower pavement width required by design standards is reduced, I question the right of way width and the spacing of the back of curb 5' from property lines, the placing of a street tree in this 5' space, and the lack of sidewalk on that side of the street. The PUD allows 15' front yard setbacks. Especially on the "bypass " streets but likely on even the other standard width rights of way the sight distance obstruction design standards cannot be met if houses are built to the minimum setback. I see no reason to approve a waiver even if the condition exists in the previous portion of the PUD. Other waivers to street design standards are requested in regard to intersection platforms and curve K values. I will not recommend approval of these waivers until the design can be reviewed for logic and reason against the aforementioned unsubmitted drainage and grading information. If Blanchard Blvd. is built to the intersection of Pine Lake Road prior to the urban paving of Pine Lake, this development will be required to build temporary right and left turn lanes in Pine Lake. Water and sewer executive orders will not be approved until a final lat is submitted	

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	and reviewed so that sewer services can be built ahead of the street paving. The street grade for Wicken Fen Drive shows drainage across the railroad to the north. Typical streets are built to eliminate/limit drainage across the tracks. The street grade may need to be adjusted when construction plans are prepared.	
Public Works (Edwin Kouma)	Corrections Needed for Review Insufficient Information for Review Recommend Denial Recommend Approval with Conditions Recommend Approval No Review Required Review 1:	
School District - Lincoln (Scott Wieskamp)	Corrections Needed for Review Insufficient Information for Review Recommend Denial Recommend Approval with Conditions Recommend Approval No Review Required Review 1:	
United States Post Office (Kerry Kowalski)	Corrections Needed for Review Insufficient Information for Review Recommend Denial Recommend Approval with Conditions Recommend Approval No Review Required Review 1: recommend approval on the condition that all new addresses established as part of this PUD change are required to recieve mail delivery in Centralized Box Units, which will be purchased and installed by the developer.	
Windstream (Jim Heinke)	Corrections Needed for Review Insufficient Information for Review Recommend Denial Recommend Approval with Conditions Recommend Approval No Review Required Review 1:	
Rural Fire District - Southeast (Fire Board)	Corrections Needed for Review Insufficient Information for Review Recommend Denial Recommend Approval with Conditions Recommend Approval No Review Required Review 1:	
Rural Water District #1 (Phil Goering)	Corrections Needed for Review Insufficient Information for Review Recommend Denial Recommend Approval with Conditions Recommend Approval No Review Required Review 1:	
Public Works (Ben Higgins)	Corrections Needed for Review Insufficient Information for Review Recommend Denial Recommend Approval with Conditions Recommend Approval No Review Required Review 1: 1. No drainage calculations, minimum opening elevations, minimum corridors shown. If basing this information on preliminary information need to update as appropriate and provide. 2. Need minimum opening elevations shown where appropriate. 3. Plan shows floodprone areas. As the revised Beal Slough floodplain will become effective 2/18/11 there will be no floodprone areas for this area. Revise text 4. Northeast corner of the subject area contains floodway and floodplain area. Need	

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	to revise to effective 2/18/11 map (minor changes) and designate this area as an outlot. 5. Remove note regarding Letter of Map Revisions (LOMRs) as probably not applicable to this area.	

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Brian Will

From: Ben J. Higgins
Sent: Monday, January 31, 2011 2:15 PM
To: Brian Will
Cc: Dennis D. Bartels; Edwin X. Kouma
Subject: village gardens PUD (CZ04075B) additional comments

Brian

I have the following additional information based on the additional grading and drainage plan that was sent in for Village Gardens PUD after my initial comments on 1/24/11.

Comments on additional grading and drainage plan that supersede comments 1 and 2 from the previous comments on 1/24/11:

1. Revise hydrologic and hydraulic tables and calculations to show those basins being constructed with this PUD (tables currently show ponds 10_04 and 10_06 that are outside the PUD). If these ponds are being constructed than they should be included with the PUD or otherwise noted as being constructed. If they are not being constructed with this PUD they shouldn't be included in the calculations and tables

2. Need a standalone drainage report for this PUD or at a minimum a supplementary drainage report with summary text explanation of the drainage for this PUD with pertinent tables and appropriate references

3. As the previous development wide drainage report was based on conceptual grading while this PUD has more detailed grading, need to revise information in the drainage report as needed

4. Show basin boundaries that are referenced in the various tables

5. Show minimum corridors

Ben Higgins, Watershed Manager
Public Works, Watershed Management Division
(402) 441-7589

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Proposed language to the Site Specific Conditions for Change of Zone #04075B, Village Gardens PUD:

1. Delete Condition 2.3 *"Change Blenheim Road to a numbered street as approved by Building and Safety"*
2. Delete Condition 2.10 *"Revised the Development Plan as appropriate to note that the applicable minimum setback for dwellings fronting onto Olmstead and Balboa Way is 20 feet"* since it is redundant to Condition 2.13
3. Revise Condition 2.13 *"Revise the Development Plan as appropriate to require that the minimum setback for dwellings adjacent to Olmstead and Balboa Park Ways is 20 feet"* to *"A setback easement for the sight triangle shall be granted on the final plat for the lots adjacent to the reduced right-of-way abutting Olmstead and Balboa Park Way to the satisfaction of the Planning Department."*