

## FACTSHEET

**TITLE:** CHANGE OF ZONE NO. 05068D,  
Amendment to The Woodlands at Yankee Hill  
Planned Unit Development (PUD)

**BOARD/COMMITTEE:** Planning Commission

**APPLICANT:** R.C. Krueger Development

**RECOMMENDATION:** Conditional Approval  
(9-0: Beecham, Sunderman, Corr, Hove,  
Cornelius, Scheer, Weber, Harris and Lust voting  
'yes')

**STAFF RECOMMENDATION:** Approval

**OTHER DEPARTMENTS AFFECTED:** Public  
Works will be responsible for the maintenance and  
replacement of the streets and utilities in the new  
addition, and other departments will provide City  
services to the area and its residents.

**SPONSOR:** Planning Department

**OPPONENTS:** None

**REASON FOR LEGISLATION:**

To change the zoning from AG Agricultural District to R-3 Residential District PUD to expand the PUD by approximately 10.55 acres, more or less, and from R-3 Residential District PUD to R-3 Residential District to reduce the area of the Planned Unit Development by approximately 2.15 acres, more or less, on property generally located between South 70th Street and South 84th Street, south of Yankee Hill Road; to approve a planned unit development district designation of said property; and to approve a development plan which proposes modifications to the Zoning Ordinance and Land Subdivision Ordinance, and which increases the number of dwelling units shown in the PUD from 613 to 675, thereby increasing the total number of allowed dwelling units to 700 on the underlying R-3 zoned area.

**DISCUSSION / FINDINGS OF FACT:**

1. This amendment to the PUD and the associated Annexation No. 14002 (Bill #14-58) were heard at the same time before the Planning Commission.
2. The staff recommendation of conditional approval is based upon the "Analysis" as set forth on p.3-5, concluding that, subject to the recommended conditions of approval, the change of zone request is in compliance with the Comprehensive Plan. The conditions of approval are found on p.5-6.
3. On May 14, 2014, this application appeared on the Consent Agenda of the Planning Commission and was opened for public hearing. No one came forward to speak.
4. On May 14, 2014, the Planning Commission agreed with the staff recommendation and voted 9-0 to recommend conditional approval.
5. On May 14, 2014, the Planning Commission also voted to recommend approval of the associated Annexation No. 14002 (Bill #14-58).
6. Street Name Change No. 12002 (Bill #14-60) is also associated with this development proposal.

**FACTSHEET PREPARED BY:** Jean Preister, Administrative Officer

**DATE:** May 21, 2014

**REVIEWED BY:** Marvin Krout, Director of Planning

**DATE:** May 21, 2014

# LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

## for May 14, 2014 PLANNING COMMISSION MEETING

**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 #14002  
**Change of Zone #05068D - The Woodlands at Yankee Hill Planned Unit Development (PUD)**

**PROPOSAL:** To annex approximately 10.4 acres of land, and to **change the zoning designation from AG to R-3 PUD over approximately 10.55 acres of land, and from R-3 PUD to R-3 over approximately 2.15 acres** of land, all to create additional lots for residential dwelling units.

**LOCATION:** Southeast of the intersection of South 70<sup>th</sup> Street and Yankee Hill Road

**LAND AREA:** Annexation #14002 - Approximately 10.4 acres  
**Change of Zone #05068D - Approximately 12.7 acres**  
**(AG to R-3 PUD - 10.55 acres, R-3 PUD to R-3 - 2.15 acres)**

**CONCLUSION:** The area to be annexed and re-zoned is shown as part of the overall concept plan associated with the previously approved PUD. It will allow approximately 62 additional residential lots to be platted and developed. Subject to the recommended conditions of approval, these requests are in general compliance with the Zoning Ordinance and Comprehensive Plan.

**RECOMMENDATION:**

AN#14002

**CZ#05068D**

Approval

**Conditional Approval**

**CITY COUNCIL DISTRICT:** City Council District #2

**GENERAL INFORMATION:**

**LEGAL DESCRIPTION:** **AN#14002** - Lot 60 I.T., located in the NE 1/4 of Section 27, T9N, R7E, of the 6<sup>th</sup> P.M., Lancaster County, NE.  
**CZ#05068D** - See attached separate legal descriptions for AG to R-3 PUD and for R-3 PUD to R-3.

**EXISTING LAND USE AND ZONING:**

Vacant

AG Agricultural

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

North:	Vacant, Single-family residential under development	R-3 PUD
South:	Vacant, Residential	AG
East:	Vacant, Commercial center under development	AG, R-3 PUD
West:	Single-family residential under development, Convent	R-3 PUD

## **ASSOCIATED APPLICATIONS:**

**SNC#12002** - A request to rename Bush Avenue to Hacienda Place, and to rename South 78<sup>th</sup> Street to Baybrook Circle within The Woodlands PUD. The request goes straight to City Council without Planning Commission review.

## **HISTORY:**

**APR 2007** - AN#05015 and CZ#05068 were approved annexing approximately 286 acres and approving The Woodlands at Yankee Hill PUD.

**MAY 2009** - AN#09001 and CZ#05068A were approved expanding the original PUD by approximately 26 acres to accommodate 31 additional residential lots, a private elementary school and church, a convent and a rectory.

**APR 2012** - AN#11005 and CZ#05068B were approved expanding the original PUD by approximately 35 acres to accommodate 265,000 square feet of commercial floor area and 46 additional dwelling units.

**APR 2013** - AN#12002 and CZ#05068C were approved expanding the original PUD by approximately 24 acres to accommodate 64 additional residential lots.

## **ANALYSIS:**

1. The original PUD approved in 2007 was approximately 286 acres in area, then expanded by 26 acres in 2009, by 35 acres in 2011, and by 24 acres in 2013. They are all part of a larger overall concept plan that covers approximately the north one-half of the section bounded by South 70<sup>th</sup> & South 84<sup>th</sup> Street, and Yankee Hill and Rokeby Roads (approximately 380 acres in all). The areas sought for annexation and re-zoning in all subsequent requests including this one have been consistent with the larger overall concept plan.
2. From the beginning the site plan for this PUD has showed both the approved area (that is, the area actually annexed and re-zoned), and the larger overall concept plan. Both the City and developers agreed to this process so the entire development could be evaluated for overall feasibility and appropriateness up-front. This allowed significant issues to be identified and addressed early in the process, and helped simplify the review and approvals as additional phases were annexed and re-zoned for development.

However, this has created two sets of numbers used to track the amount and type of development approved. The two tables shown on Sheet 1 of 5 are used for this purpose. To better understand this request, the following chart illustrates what was approved with the

original PUD, also the subsequent amendments, and what is now being proposed with this request.

	<b>Concept</b>		<b>Approved</b>	
	<u>DU's*</u>	<u>Comm Floor Area</u>	<u>DU's</u>	<u>Comm Floor Area</u>
CZ#05068 -	1,348	614,000	500	324,000
CZ#05068A -	1,276	614,000	493	324,000
CZ#05068B -	1,261	644,000	539	589,000
CZ#05068C -	1,261	644,000	613	589,000
CZ#05068D** -	1,261	644,000	700	589,000

\*Dwelling Units - maximum number allowed under the Design Standards in the R-3

\*\*Not yet approved

3. This proposal seeks to annex 10.4 acres and re-zone 10.55 acres from AG to R-3 PUD, thereby expanding the boundary of the PUD. The area being added shows a proposed layout to accommodate an additional 64 residential lots. The proposed lot layout is typical, and no additional waivers beyond those approved with the original PUD are requested. The difference between the area being annexed and re-zoned is due the fact that a portion of South 78<sup>th</sup> Street and Outlot A, The Woodlands at Yankee Hill 2<sup>nd</sup> (adjacent to the southwest corner of the subject property) were annexed with the approval of the final plat, but were not re-zoned at the time of final plat. It was anticipated the area would be re-zoned along with Lot 60, as is being done now.
4. The area being re-zoned from R-3 PUD to R-3 is the result of land swap between The Woodlands and Grandview Estates, the residential development adjacent to the south. A land exchange between the two developments was done so each could plat complete lots where the two developments bounded one another.
5. Previously, adequate sanitary sewer capacity was not available to serve this part of the development. Limited sewer service was possible for a small number of lots in this area using a temporary pump station, but restrictions were placed on both the number of lots which could platted and the duration of the use of the pump. These restrictions are part of the PUD and are covered by General Notes #26 and #29. Recently the executive order to build the permanent sewer facilities to serve this area has been submitted to the City, and is now under review. A recommended condition of approval will require that the executive order be approved prior to the time of final plat for additional lots in this area.
6. During the review of concept plans for the development of the property adjacent to The Woodlands to the south, a problem with the continuation of street names has been identified. Due in part to the curvature of the numbered streets within The Woodlands, South 74<sup>th</sup> Street is out of place and by the time it is projected out to Yankee Hill Road it is located more near where South 77<sup>th</sup> Street would be. To facilitate the extension of streets with logical street names and orderly addressing, South 74<sup>th</sup> Street south of Wishing Well Drive needs to have another street name assigned to it.

7. The U.S. Postmaster indicated in his review that centralized box units (CBU's) will be used for all new mail delivery service within this development. The Postmaster also noted that the location and address assignment of CBU's is to be determined by the U.S. Post Office.
8. There are only minor corrective items noted by the staff review and which are included as recommended conditions of approval.
9. The proposed amendment to The Woodlands PUD generally reflects the overall concept plan which has been in place since the original approval nine years ago. The lot layout shown complies with both the Zoning and Subdivision Ordinances, is consistent with the Comprehensive Plan, and is an appropriate use of land at this location.

**CONDITIONS:**

Approval to annex 10.4 acres of land, to re-zone from AG to R3-PUD 10.55 acres, and to re-zone 2.15 acres from R-3 PUD to R-3 to accommodate an approximately 62 additional lots for residential dwelling units.

**CZ#05068D**

Site Specific:

1. The developer shall cause to be prepared and submitted to the Planning Department a revised and reproducible final plot plan including 4 copies with all required revisions and documents as listed below upon approval of the planned unit development by the City Council before receiving building permits:
  - 1.1 Provide a new street name for South 74<sup>th</sup> Street south of Wishing Well Drive.
  - 1.2 Provide documentation that a release from Rural Water District #1 has been granted for the area being annexed.
2. City Council approves associated request AN#14002.
3. Prior to approval of final plats the executive order extending sanitary sewer service to serve this area must be approved.

General:

4. Before receiving building permits:
  - 4.1 The permittee shall have submitted a revised final plan and the plans are acceptable.
  - 4.2 The construction plans must substantially comply with the approved plans.
  - 4.3 Final plats shall be approved by the City.

Standard:

5. The following conditions are applicable to all requests:
- 5.1 Before occupying the dwelling units and commercial buildings all development and construction shall substantially comply with the approved plans.
  - 5.2 All privately-owned improvements shall be permanently maintained by the owner or an appropriately established owners association approved by the City Attorney.
  - 5.3 The physical location of all setbacks and yards, buildings, parking and circulation elements, and similar matters must be in substantial compliance with the location of said items as shown on the approved site plan.
  - 5.4 This ordinance's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
  - 5.5 The applicant shall sign and return the letter of acceptance to the City Clerk. This step should be completed within 60 days following the approval of the special permit. The City Clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filling fees therefore to be paid in advance by the applicant. Building permits will not be issued unless the letter of acceptance has been filed.
6. The site plan as approved with this ordinance voids and supersedes all previously approved site plans, however all ordinances approving previous permits remain in force unless specifically amended by this ordinance.

Prepared by:

Brian Will, 441-6362, [bwill@lincoln.ne.gov](mailto:bwill@lincoln.ne.gov)  
Planner  
April 30, 2014

**Applicant/**

**Owner:** R.C. Krueger Development  
8200 Cody Drive, Ste F  
Lincoln, NE 68512  
402.423.7377

**Contact:** Marcia Kinning  
ESP  
601 Old Cheney Road Ste A  
Lincoln, NE 68512  
402.434.2424

**ANNEXATION NO. 14002  
and  
CHANGE OF ZONE NO. 05068D**

**CONSENT AGENDA  
PUBLIC HEARING & ADMINISTRATIVE ACTION  
BEFORE PLANNING COMMISSION:**

**May 14, 2014**

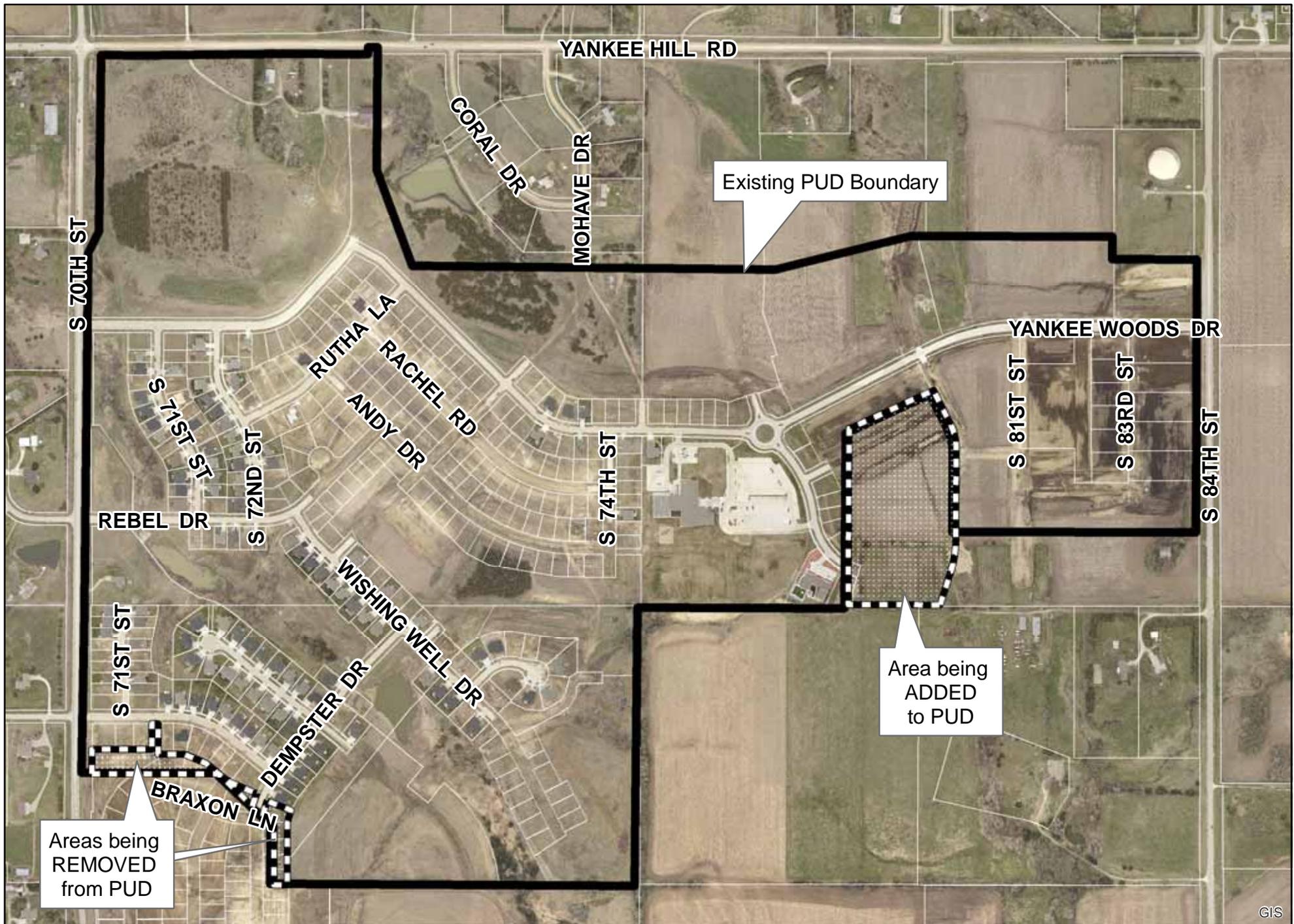
Members present: Beecham, Cornelius, Corr, Harris, Hove, Lust, Scheer, Sunderman and Weber.

The Consent Agenda consisted of the following items: **COMPREHENSIVE PLAN CONFORMANCE NO. 14010, ANNEXATION NO. 14002, CHANGE OF ZONE NO. 05068D, WAIVER NO. 14004 and STREET AND ALLEY VACATION NO. 14003.**

There were no ex parte communications disclosed.

**Item No. 1.1, Comprehensive Plan Conformance No. 14010, and Item No. 1.3, Waiver No. 14004,** were removed from the Consent Agenda and scheduled for separate public hearing.

Hove moved approval of the remaining Consent Agenda, seconded by Scheer and carried 9-0: Beecham, Cornelius, Corr, Harris, Hove, Lust, Scheer, Sunderman and Weber voting 'yes'.



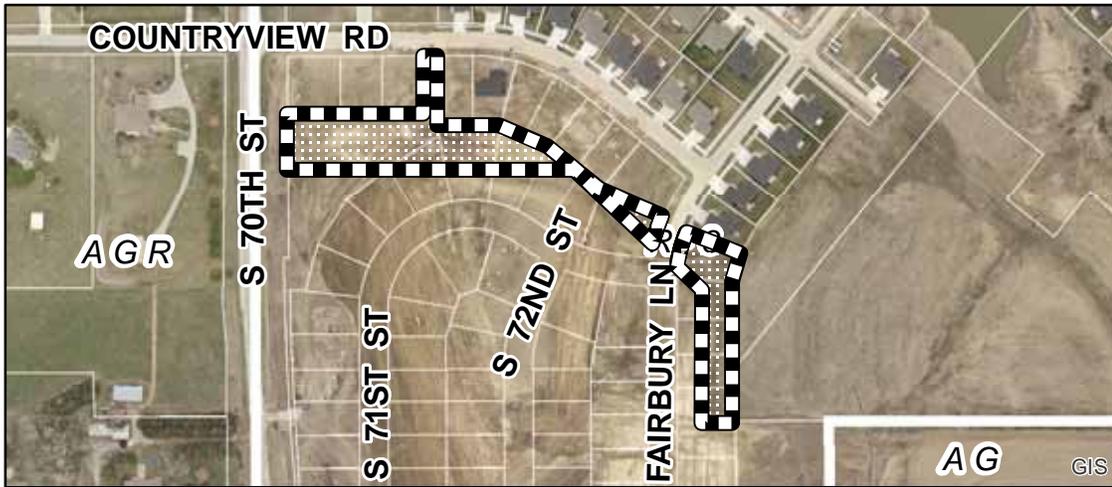
2013 aerial

**Change of Zone #: CZ05068D  
 The Woodlands at Yankee Hill PUD  
 S 84th St & Yankee Hill Rd**

File: M:\plan\arcview\CZ05068D\Exhibit.mxd

GIS

**Area Being Added to PUD**



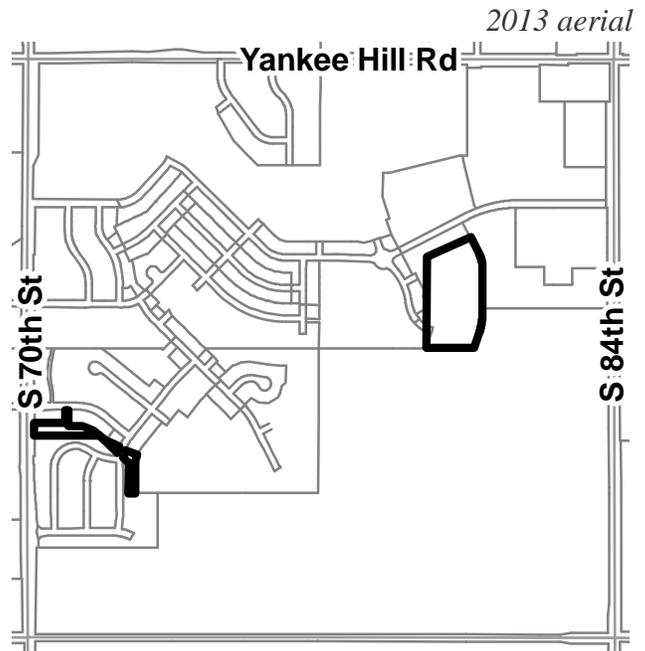
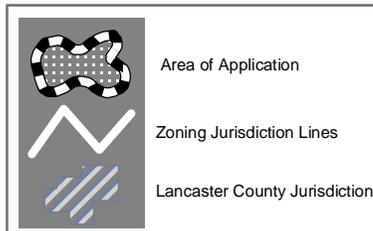
**Areas Being Removed from PUD**

**Change of Zone #: CZ05068D  
The Woodlands at Yankee Hill PUD  
S 84th St & Yankee Hill Rd**

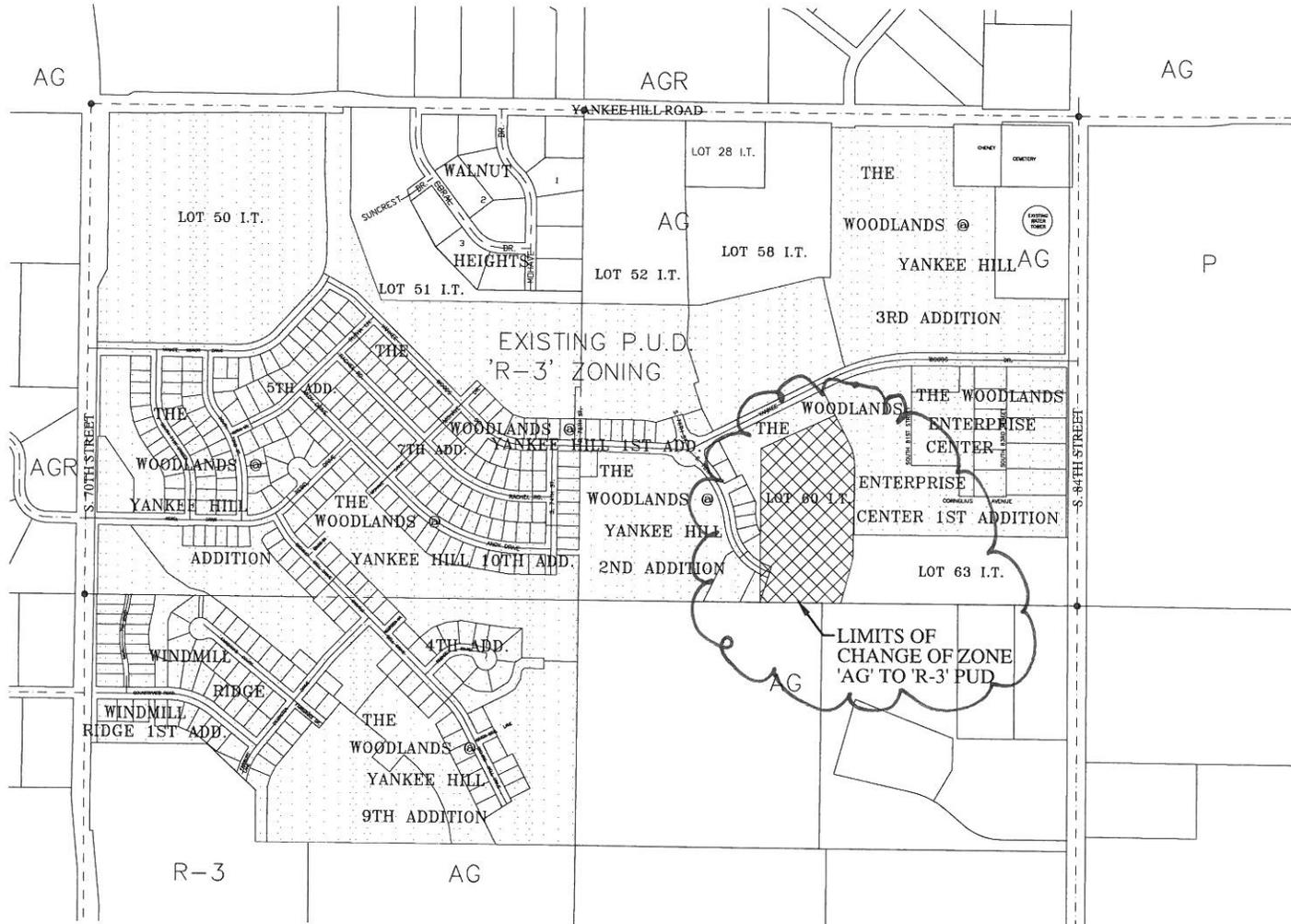
**Zoning:**

**One Square Mile:  
Sec.27 T09N R07E**

- 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



# THE WOODLANDS AT YANKEE HILL CHANGE OF ZONE EXHIBIT 'AG' TO 'R-3' P.U.D.



**E.S.P.**  
CONSULTING  
ENGINEERS

601 OLD  
CHENEY RD.  
SUITE 'A'  
LINCOLN  
NEBRASKA  
68512



**THE WOODLANDS AT YANKEE HILL  
P.U.D. #05068D  
CHANGE OF ZONE FROM 'AG' TO 'R-3' PUD  
LEGAL DESCRIPTION**

Irregular Tract Lot 60; a portion of Outlot 'A', The Woodlands at Yankee Hill 2<sup>nd</sup> Addition and a portion of street right-of-way of South 78<sup>th</sup> Street, all located in the Northeast Quarter of Section 27, Township 9 North, Range 7 East of the 6th P.M., Lancaster County, Nebraska, more particularly described as follows:

Commencing at the Southeast Corner of said Northeast Quarter of Section 27 and extending thence N. 89°40'22" W. along the South line of said Northeast Quarter a distance of 1279.78 feet to the **POINT OF BEGINNING**;

Thence continuing N. 89°40'22" W., 436.13 feet;

Thence N. 00°19'35" E., 832.73 feet;

Thence N. 65°32'10" E., 439.74 feet;

Thence S. 26°48'22" E., 173.32 feet to a point of curvature on a circular curve to the right having a central angle of 27°07'57", a radius of 270.00 feet, and whose chord (126.67 feet) bears S13°14'24"E;

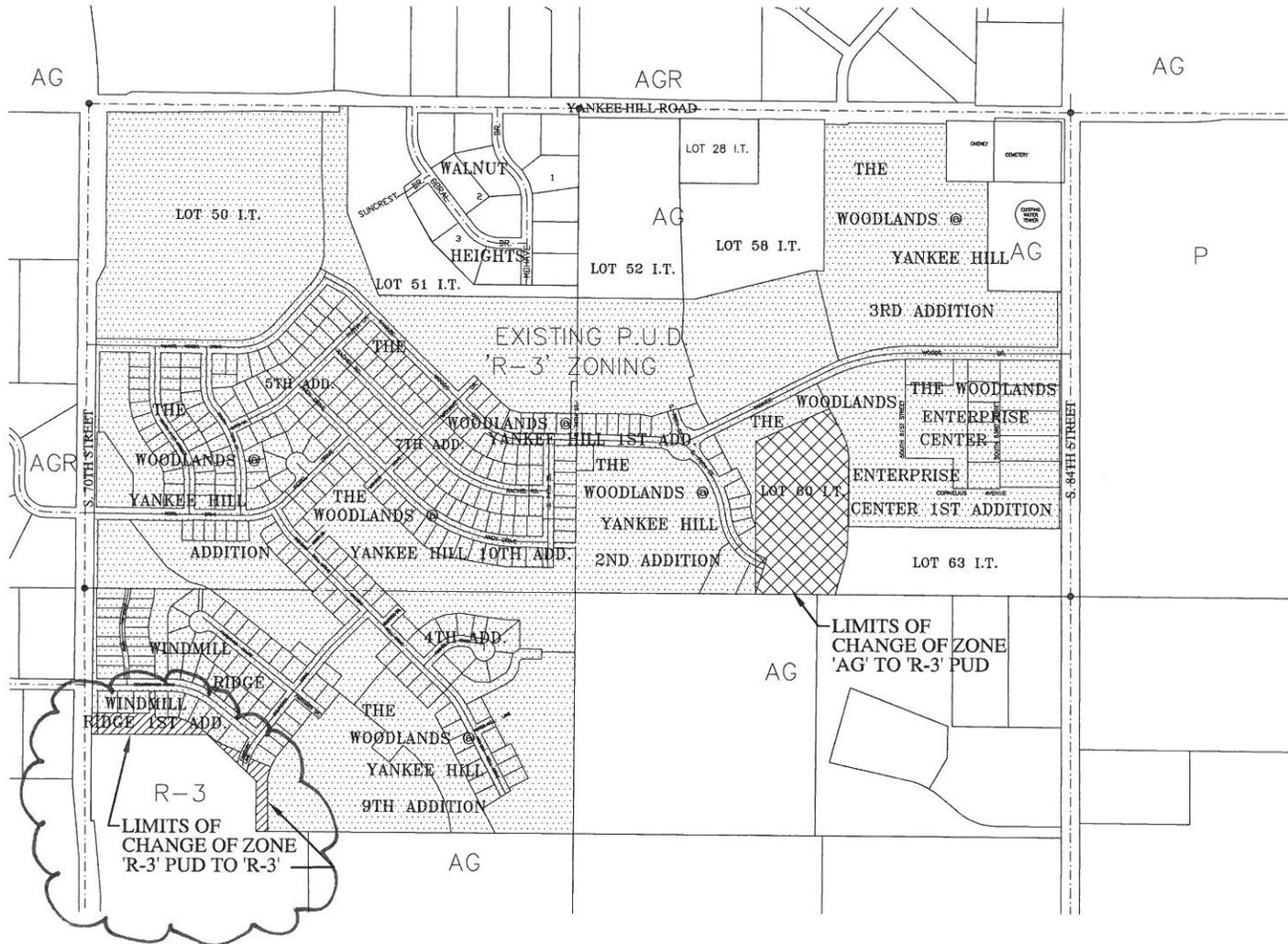
Thence along the arc of said circular curve 127.86 feet;

Thence S. 00°19'35" W., 423.58 feet to a point of curvature on a circular curve to the right having a central angle of 17°26'08", a radius of 570.00 feet, and whose chord (172.79 feet) bears S09°02'39"W;

Thence along the arc of said circular curve 173.46 feet;

Thence S. 17°45'43" W., 152.37 feet to the **POINT OF BEGINNING**, containing 10.55 acres.

# THE WOODLANDS AT YANKEE HILL CHANGE OF ZONE EXHIBIT 'AG' TO 'R-3' P.U.D. & 'R-3' PUD TO 'R-3'



**E.S.P.**  
CONSULTING  
ENGINEERS

601 OLD  
CHENEY RD.  
SUITE 'A'  
LINCOLN  
NEBRASKA  
68512



**THE WOODLANDS AT YANKEE HILL**  
**P.U.D. #05068D**  
**CHANGE OF ZONE FROM 'R-3' PUD TO 'R-3'**  
**LEGAL DESCRIPTION**

A portion of Lots 12 through 17, Block 1, and a portion of Outlot 'A', Grandview Estates Addition, all located in the Southwest Quarter of Section 27, Township 9 North, Range 7 East of the 6<sup>th</sup> P.M., Lancaster County, Nebraska, more particularly described as follows:

Commencing at the Northwest Corner of said Southwest Quarter of Section 27 and extending thence S00°00'34"W along the West line of said Southwest Quarter a distance of 800.24 feet; Thence S89°59'40"E, a distance of 70.00 feet to the **POINT OF BEGINNING**;

Thence N00°00'34"E, 116.49 feet;

Thence S89°59'26"E, 283.38 feet;

Thence N00°00'34"E, 120.00 feet;

Thence S89°59'26"E, 30.00 feet;

Thence S00°00'34"W, 144.57 feet;

Thence S89°59'26"E, 127.54 feet;

Thence S66°46'00"E, 110.22 feet;

Thence S50°45'01"E, 139.92 feet;

Thence S66°51'50"E, 141.34 feet to a circular curve to the left having a radius of 430.00 feet, a central angle of 8°07'52" and whose chord (60.97 feet) bears S19°04'14"W;

Thence on the arc of said circular curve 61.02 feet;

Thence N46°43'05"W, 223.55 feet;

Thence N89°59'40"W, 597.88 feet to the **POINT OF BEGINNING**, containing 1.50 acres.

AND

A portion of Lots 6 through 9, Block 4, Grandview Estates Addition, all located in the Southwest Quarter of Section 27, Township 9 North, Range 7 East of the 6<sup>th</sup> P.M., Lancaster County, Nebraska, more particularly described as follows:

Commencing at the Northwest Corner of said Southwest Quarter of Section 27 and extending thence S00°00'34"W along the West line of said Southwest Quarter a distance of 800.24 feet; Thence S89°59'40"E, a distance of 667.88 feet; Thence S46°43'05"E, a distance of 293.36 feet to the **POINT OF BEGINNING**;

Thence on a curve to the right having a radius of 370.00 feet, a central angle of 11°29'20" and whose chord (74.07 feet) bears N15°37'17"E;

Thence on the arc of said circular curve 74.19 feet;

Thence S68°38'03"E, 120.00 feet;

Thence S16°30'35"W, 60.44 feet;

Thence S00°00'34"W, 296.25 feet;

Thence N89°41'38"W, 63.71 feet;

Thence N00°13'46"E, 277.39 feet;

Thence N46°43'05"W, 71.26 feet to the **POINT OF BEGINNING**, containing 0.65 acres.



E.S.P.  
CONSULTING  
ENGINEERS

601 OLD  
CHENEY RD.  
SUITE 'A'  
LINCOLN  
NEBRASKA  
68512

THE WOODLANDS AT YANKEE HILL  
CHANGE OF ZONE & P.U.D. #050680

SOUTH 70TH & YANKEE HILL ROAD

ENLARGED  
SITE  
PLAN



SCALE: 1" = 100'

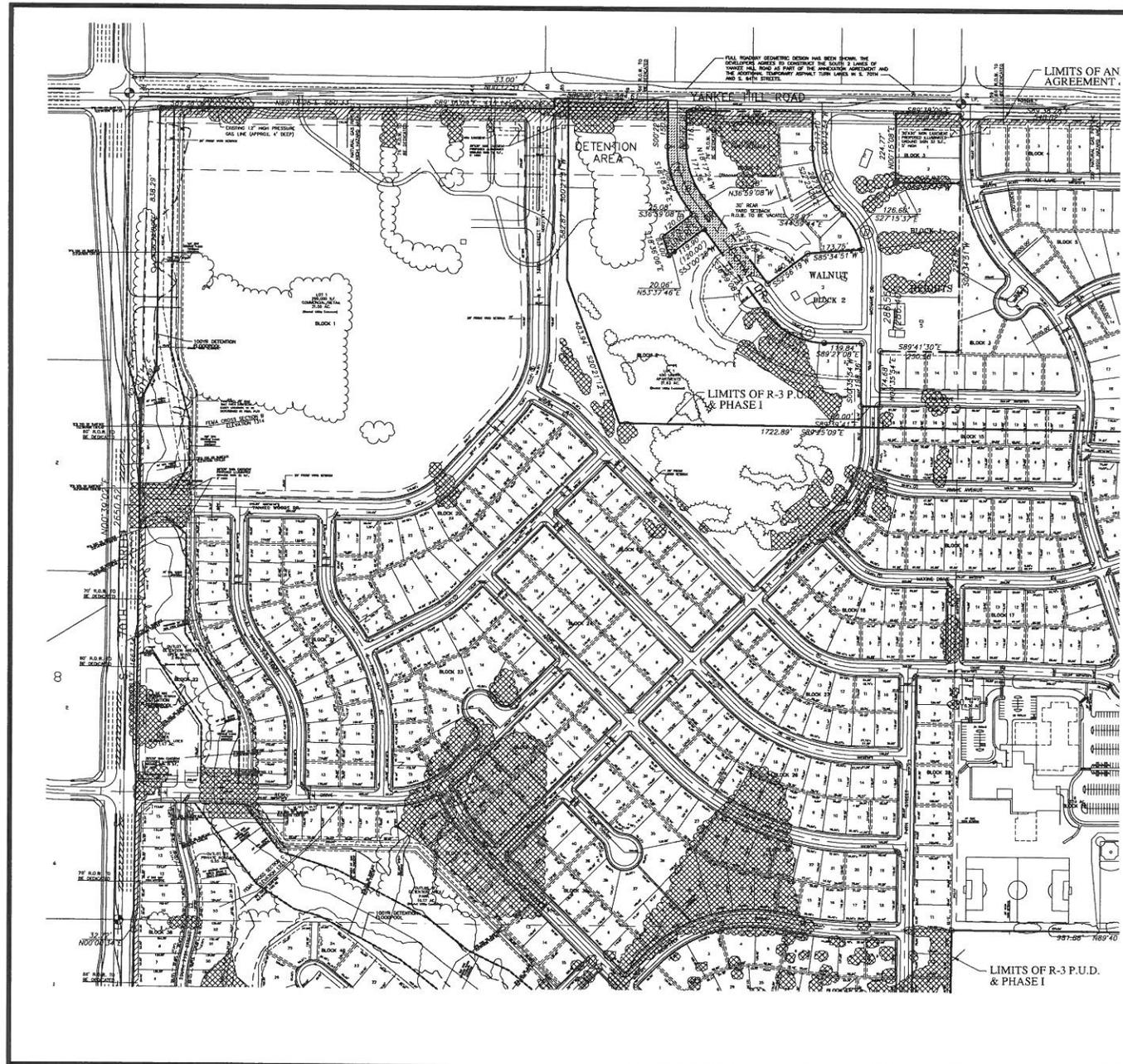
DESIGNED BY: TOM & KATHY  
P.L.L.C. (050680-201A)  
P.U.D. Amendment #050680  
DATE: 8/21/20

REVISIONS:

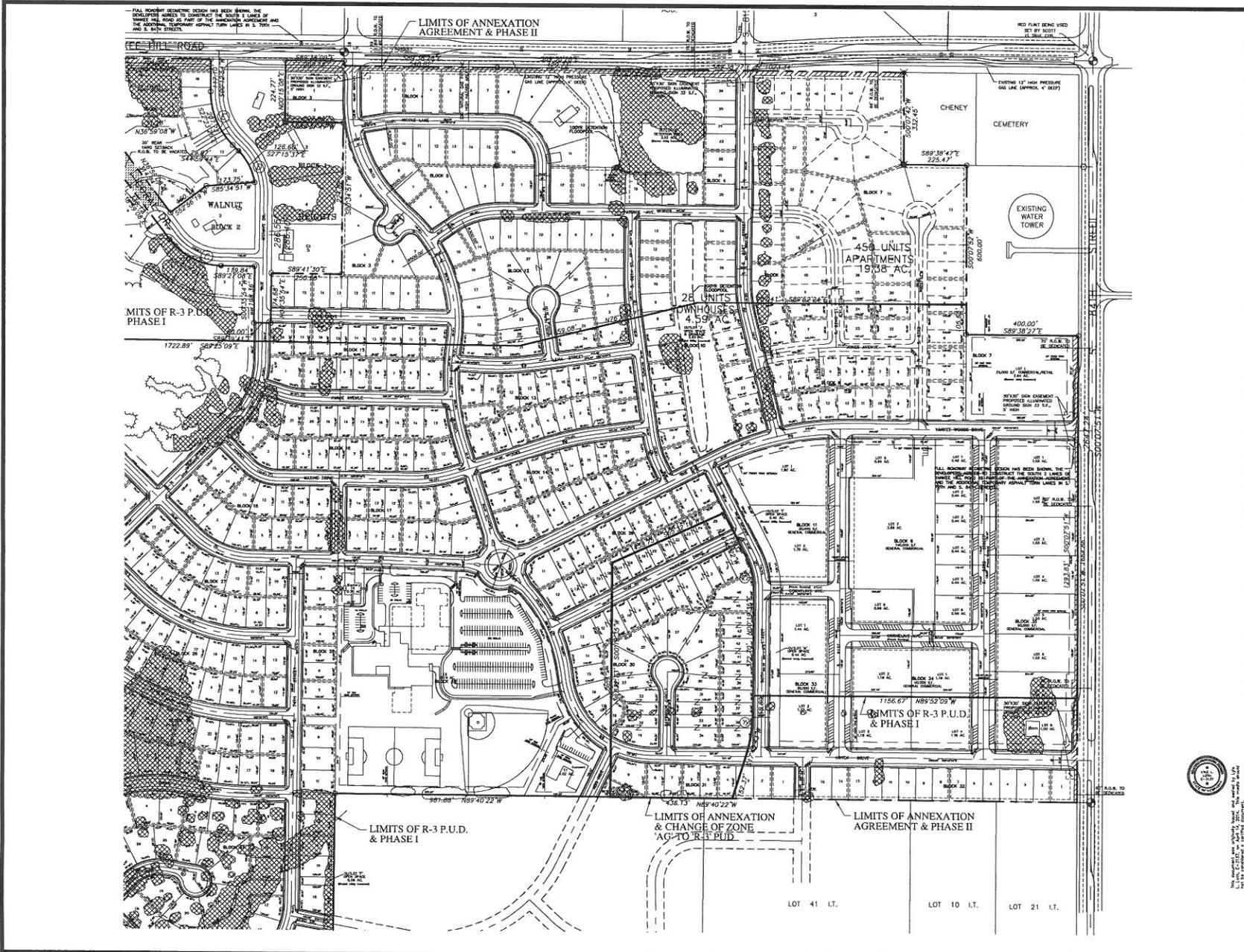
▲	1/4/13	PUD Amend
▲	1/17/12	PUD Amend
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2A  
OF

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**E.S.P.**  
CONSULTING  
ENGINEERS

501 OLD  
CHENEY RD.  
SUITE 'A'  
LINCOLN  
NEBRASKA  
68512

THE WOODLANDS AT YANKEE HILL  
CHANGE OF ZONE & P.U.D. #05068D

SOUTH 70TH & YANKEE HILL ROAD

ENLARGED  
SITE  
PLAN

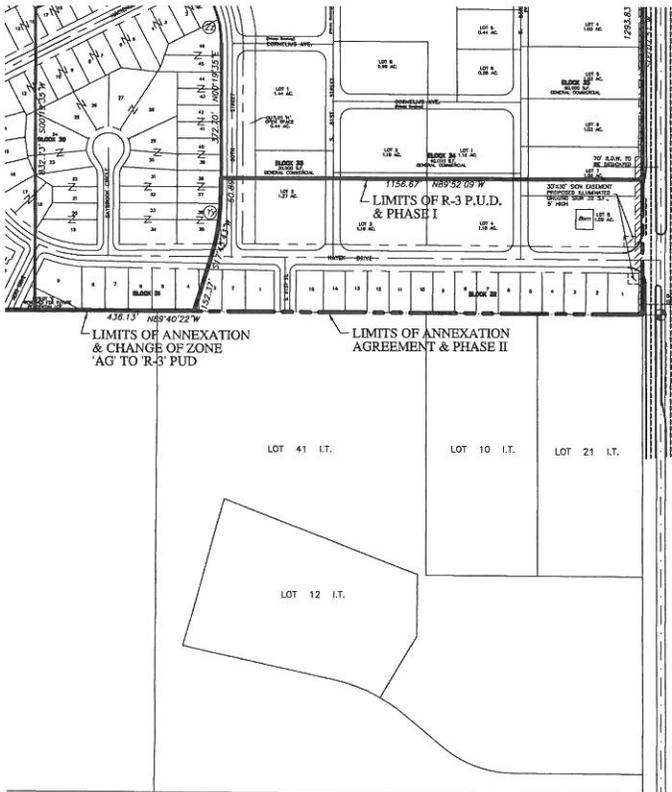
SCALE: 1" = 100'

ES, ARCHITECT, JOHN BARRAN  
SUII PUD 05068D-05/14  
PUD Amendment 05/14  
DATE: 4/21/09

REVISIONS:

▲	12/7/13	PUD Amend
▲	1/17/14	PUD Amend
▲	1/17/14	PUD Amend

2B  
OF  
5



**ID BOUNDARY CURVE DATA:**

R = 270.00'	(Y) R = 570.00'	(Xx) R = 370.00'	(Ww) R = 430.00'
Δ = 270°57'	Δ = 17°28'08"	Δ = 11°29'20"	Δ = 8°07'52"
L = 127.85'	L = 173.46'	L = 74.19'	L = 61.02'
Ch = 126.67'	Ch = 172.79'	Ch = 74.07'	Ch = 60.97'
ChBrg = N13°14'24"W	ChBrg = S09°02'39"W	ChBrg = S15°37'17"W	ChBrg = N19°04'14"E

**REQUESTED WAIVERS:**

TRANSFER OF SANITARY SEWER FROM ONE DRAINAGE BASIN TO ANOTHER  
 SANITARY SEWER RUNNING OPPOSITE OF STREET GRADE IN PATRICK AVENUE, MOHAWE DRIVE  
 SOUTH 80TH STREET AND FAIRBANKS DRIVE.  
 BLOCK LENGTH FOR BLOCKS 1, 2 & 40.

017

Lyle L. Loth, L.S. 314



**GENERAL NOTES:**

- THIS PLANNED UNIT DEVELOPMENT (P.U.D.) CONTAINS 288.36 ACRES.
- THIS P.U.D. AUTHORIZES 700 TOTAL DWELLING UNITS, 589,000 SQUARE FEET OF OFFICE/COMMERCIAL FLOOR AREA AND A SITE FOR CHURCH/SCHOOL AND RELIGIOUS USES.
- ALL REGULATIONS OF THE UNDERLYING ZONING DISTRICT SHALL APPLY, EXCEPT AS PROVIDED HEREIN AND/OR SPECIFICALLY MODIFIED BY THE CITY COUNCIL THROUGH THE ADOPTION OF THE DEVELOPMENT PLAN.
- ALL SIGNAGE SHALL CONFORM TO SECTION 27.69.340 OF THE L.M.C., UNLESS SPECIFICALLY MODIFIED BY THE CITY COUNCIL. HOWEVER, POLE SIGNS SHALL BE PROHIBITED WITHIN THE LIMITS OF THIS P.U.D. SUBDIVISION SIGNS SHALL BE ILLUMINATED 15' HIGH AND 50 SQUARE FEET GROUND SIGNS. DETAILS OF SIGNAGE SHALL BE SHOWN AT THE TIME OF SIGN PERMITS.
- PRIVATE ROADWAYS SHALL BE PERMITTED BY ADMINISTRATIVE AMENDMENT.
- DIRECT VEHICULAR ACCESS SHALL BE RELINQUISHED FROM SOUTH 70TH STREET, SOUTH 84TH STREET, AND YANKEE HILL ROAD EXCEPT AS SHOWN.
- ALL TOPOGRAPHICAL ELEVATIONS ARE BASED ON NAVD 1988.
- LOCATIONS OF WATER, SANITARY SEWER, STORM SEWER, GRADING & DRAINAGE, PAVING, STREETS, LOT LINES AND SIDEWALKS SUBJECT TO APPROVAL BY ADMINISTRATIVE AMENDMENT IN COMPLIANCE WITH THE LINCOLN MUNICIPAL CODE AND THE DESIGN STANDARDS EXCEPT AS SPECIFICALLY MODIFIED BY THE CITY COUNCIL WITH THIS P.U.D.. MINIMUM OPENING ELEVATIONS SHALL BE SET AT TIME OF ADMINISTRATIVE AMENDMENT FOR THOSE LOTS IN BLOCKS 1 WHICH ARE ADJACENT TO FLOODPLAIN/FLOOD PRONE AREAS, FLOOD CORRIDORS AND/OR OTHER DRAINAGE DITCHES. THE PARKING AND LANDSCAPING TO BE APPROVED AT THE TIME OF BUILDING PERMITS IN COMPLIANCE WITH LINCOLN MUNICIPAL CODE AND THE DESIGN STANDARDS.
- THE SALE OF ALCOHOL FOR CONSUMPTION ON AND OFF THE PREMISES SHALL BE PERMITTED IN THOSE AREAS DESIGNATED FOR OFFICE AND COMMERCIAL USES CONSISTENT WITH LMC SECTION 27.31.040. FOR THE PURPOSE OF SEPARATION DETERMINATION, AREAS NOT DESIGNATED FOR COMMERCIAL/OFFICE USES SHALL BE CONSIDERED RESIDENTIAL DISTRICTS AS DEFINED IN LMC SECTION 27.31.040.
- EXACT LOCATION OF ALL EASEMENTS SHALL BE SHOWN AT THE TIME OF FINAL PLATS.
- COMMON ACCESS EASEMENTS ARE HEREBY GRANTED ON ALL PARKING LOTS, DRIVING AISLES, AND SIDEWALKS.
- THE 'R-3' ZONING REGULATIONS APPLY THROUGHOUT THIS P.U.D. WITH THE FOLLOWING EXCEPTIONS:
  - PER THE APPROVED WAIVERS AS LISTED IN THE 'REQUESTED WAIVERS' TABLE.
  - A SCHOOL, PRIVATE SCHOOL, CHURCH, CHAPEL, RECTORY, CONVENT, DWELLINGS FOR MEMBERS OF A RELIGIOUS ORDER, RETREAT CENTER, CLUB, EARLY CHILDHOOD CARE FACILITY, MULTIPLE DWELLING UNITS, CONVALESCENT HOUSING AND STORAGE ARE ALLOWED AS PERMITTED USES ON LOTS 18 - 20, BLOCK 28.
  - THE REGULATIONS OF THE 'O-3' AND 'B-2' ZONING DISTRICTS APPLY TO LOT 1, BLOCK 1; LOT 1, BLOCK 7, EXCEPT ALL PERMITTED, CONDITIONAL AND SPECIAL USES PER THE 'O-3' AND 'B-2' ZONING DISTRICTS ARE ALLOWED AS PERMITTED USES, AND EXCEPT AS ADJUSTED BY THIS P.U.D. AS NOTED IN THE 'REQUESTED WAIVERS' TABLE BELOW.
  - THE REGULATIONS OF THE 'H-4' ZONING DISTRICT APPLY TO BLOCKS 6, 11, 13, 34 & 35, EXCEPT ALL PERMITTED, CONDITIONAL AND SPECIAL USES PER THE 'H-4' ZONING DISTRICT IS ALLOWED AS PERMITTED USES, AND EXCEPT AS ADJUSTED BY THIS P.U.D. AS NOTED IN THE 'REQUESTED WAIVERS' TABLE BELOW.
  - ALL PERMITTED, CONDITIONAL AND SPECIAL USES PER THE 'R-3' ZONING DISTRICT ARE ALLOWED AS PERMITTED USES WITHIN LOT 14, BLOCK 22 EXCEPT THE FOLLOWING: PRIVATE SCHOOL, HEALTH CARE FACILITY, BROADCAST TOWER, EXCAVATION/STONE MILLING, GARDEN CENTER, OUTDOOR SEASONAL SALES, CLUB AND GREENHOUSE WHICH WILL REQUIRE A PUD AMENDMENT AND APPROVAL BY CITY COUNCIL.
- RESIDENTIAL LOT LAYOUT IS CONCEPTUAL, ACTUAL LAYOUT WILL BE DETERMINED AT THE TIME OF FINAL PLAT SUBJECT TO COMPLIANCE WITH LMC TITLE 26.
- PROVISIONS BY THE DEVELOPER SHOULD BE MADE FOR RETAINING AS MUCH TREE MASS AS POSSIBLE.
- FULL ROADWAY GEOMETRIC DESIGN HAS BEEN SHOWN. THE DEVELOPERS AGREES TO CONSTRUCT THE SOUTH 2 LANES OF YANKEE HILL ROAD AND THE ADDITIONAL 200' TEMPORARY ASPHALT TURN LANES IN SOUTH 70TH AND SOUTH 84TH STREET, OR IMPROVEMENTS AS REQUIRED PER THE APPROVED ANNEXATION AGREEMENT.
- SITE PLANS FOR OFFICE/COMMERCIAL USES, SITES FOR OTHER THAN RESIDENTIAL USES, AND SITES WITH OTHER THAN DETACHED SINGLE-FAMILY TO BE APPROVED BY ADMINISTRATIVE AMENDMENT. COMMERCIAL/OFFICE AREA TO BE REVIEWED FOR COMPLIANCE WITH PEDESTRIAN ORIENTED COMMERCIAL USES WITH THE CENTER ORIENTATED TO THE NEIGHBORHOOD. BUILDING PERMITS ISSUED FOR AT LEAST 50 UNITS OF A 200 (OR MORE) UNIT APARTMENT (MULTI-FAMILY) PROJECT AND AT LEAST 4.0 DWELLING UNITS PER TOTAL ACRE INSIDE THE PUD. 50,000 SQUARE FEET OF OFFICE MUST BE LOCATED ON THE SECOND FLOOR OR ABOVE OF A BUILDING, AND INCLUSION OF OPEN SPACE, SUCH AS A MINI-PARK OR PLAZA LOCATED WITHIN THE COMMERCIAL CENTER OR NEARBY. THE DEVELOPER'S PROPOSED DEDICATION OF NEARLY 20 ACRES OF OPEN SPACE FOR PUBLIC USE FULFILL THIS REQUIREMENT FOR BOTH PROPOSED NEIGHBORHOOD CENTERS. OPEN SPACE MUST BE OPEN TO THE PUBLIC, BUT MAY BE EITHER PUBLIC OR PRIVATELY OWNED. THE SCHOOL SITE PLAN LAYOUT ON LOTS 17, 18, & 19, BLOCK 28 IS CONCEPTUAL. FINAL PLAN TO BE DETERMINED AT THE TIME OF BUILDING PERMIT.
- THE ON-SITE WASTEWATER TREATMENT SYSTEM SERVING THE EXISTING BUILDING LOCATED ON BLOCK 1 WILL HAVE TO BE PROPERLY ABANDONED WHEN SANITARY SEWER BECOMES AVAILABLE. THE WATER WELL LOCATED ON BLOCK 1 WILL HAVE TO BE PROPERLY DECOMMISSIONED WHEN CITY WATER BECOMES AVAILABLE. THE WELL USE MAY CONTINUE IF THE WELL IS PERMITTED BY LCHD.
- THE PROPOSED DEVELOPMENT IS LOCATED WITHIN THE COUNTRY MEADOWS WELLHEAD PROTECTION AREA. BEST MANAGEMENT PRACTICES SHOULD BE UTILIZED TO DECREASE THE RISK OF GROUNDWATER CONTAMINATION.
- THE DEVELOPER AGREES TO COMPLY WITH THE DESIGN STANDARDS OF THE CITY OF LINCOLN FOR EROSION CONTROL AND SEDIMENTATION DURING AND AFTER LAND PREPARATION AND TO SUBMIT A SEEDING AND MAINTENANCE SCHEDULE BEFORE SITE GRADING IS DONE. THE DEVELOPER WILL BE RESPONSIBLE FOR CONTROLLING OFF-SITE DUST EMISSIONS IN ACCORDANCE WITH LINCOLN-LANCASTER COUNTY AIR POLLUTION REGULATIONS AND STANDARDS ARTICLE 2, SECTION 32.
- ALL OPEN SPACE, DETENTION AREAS AND PRIVATE PARKS MAINTENANCE IS THE RESPONSIBILITY OF THE DEVELOPERS AND/OR FUTURE HOMEOWNERS ASSOCIATION.
- THE DEVELOPER SHALL CONSTRUCT THE RIGHT TURN LANES 200 FEET IN LENGTH FOR THE PROPOSED DRIVEWAYS INTO BLOCK 1 FROM YANKEE HILL ROAD AND SOUTH 70TH STREET.
- ALL MEDIANS, BOULEVARDS, TRAFFIC CIRCLES AND ROUNDABOUTS LOCATED WITHIN THE DEVELOPMENT AND IN THE PUBLIC RIGHT-OF-WAY SHALL BE MAINTAINED BY THE DEVELOPER AND/OR FUTURE HOMEOWNERS ASSOCIATION.
- GARAGES WILL BE SETBACK A MINIMUM OF 22' FROM THE SIDEWALK FOR LOTS 44 THROUGH 54, BLOCK 40 AND LOTS 1 THROUGH 15, BLOCK 38. ATTACHED AND DETACHED SINGLE-FAMILY DWELLING UNITS AND TOWNHOMES ARE ALLOWED ON THESE LOTS.
- IF ANY USE ON LOTS 17, 18 & 19, BLOCK 28 COMMENCES PRIOR TO THE IMPROVEMENT OF YANKEE HILL ROAD, EITHER YANKEE WOODS DRIVE OR HAYEK DRIVE MUST BE EXTENDED TO SOUTH 84TH STREET.
- THE INTERSECTION OF SOUTH 78TH STREET AND AERO DRIVE AND AERO DRIVE FROM SOUTH 78TH STREET TO THE SOUTH PROPERTY LINE OF THIS PUD SHALL BE GRADED AS PER THE STREET PROFILES AT THE TIME OF PAVING INSTALLATION OF SOUTH 78TH STREET WEST OF SAID INTERSECTION. THE DEVELOPER SHALL BE RESPONSIBLE FOR THE IMPROVEMENTS, INCLUDING SIDEWALKS, AT TIME OF FUTURE EXECUTIVE ORDERS.
- THE DEVELOPER IS RESPONSIBLE FOR THE OWNERSHIP AND ALL COSTS OF INSTALLATION AND OPERATION OF THE PROPOSED SEWER PUMP LOCATED AT THE INTERSECTION OF SOUTH 80TH STREET AND YANKEE WOODS DRIVE. THE PUMP WILL ONLY SERVE COMMERCIAL LOTS WITHIN THE SUBDIVISION AND WILL BE REPLACED WITH GRAVITY-FLOW SANITARY SEWER WITHIN SIX YEARS OF INSTALLATION. INSTALLATION SHALL BE BY EXECUTIVE ORDER WITH THE DEVELOPER PROVIDING A SURETY FOR THE COST OF REPLACING THE PUMP AND FOR THE COST OF FIVE YEARS OF MAINTENANCE OF THE PUMP, SAID SURETY AMOUNT TO BE APPROVED BY PUBLIC WORKS PRIOR TO CONSTRUCTION. THE DEVELOPER WILL PROVIDE PROOF OF THE OPERATION AND MAINTENANCE CONTRACT TO THE SATISFACTION OF PUBLIC WORKS PRIOR TO CONNECTION TO THE PUBLIC SEWER SYSTEM.
- PROVIDED THE EAST COMMERCIAL CENTER IS PLATTED INTO LOTS AND BLOCKS AS SHOWN, NO CAP ON RETAIL, RESTAURANTS, AND CONVENIENCE STORE FLOOR AREA IS REQUIRED. OTHERWISE, A CAP ON THE TOTAL AMOUNT OF FLOOR AREA DEDICATED TO RETAIL, RESTAURANT, AND CONVENIENCE STORE USES MAY BE REQUIRED.
- THE DEVELOPER SHALL INSTALL A 42" OUTLET PIPE ON THE EXISTING STORM SEWER LOCATED WEST OF SOUTH 81ST STREET AND SOUTH OF YANKEE HILL ROAD AT THE TIME THE FIRST PHASE OF THE EAST COMMERCIAL CENTER IS FINAL PLATTED.
- THE CONSTRUCTION OF THE TRUNK SEWER LOCATED WITHIN BLOCK 43 SHALL BE COMPLETED PRIOR TO BUILDING PERMITS BEING ISSUED ON LOTS 14 THROUGH 22, BLOCK 43. THE CITY OF LINCOLN SHALL CONSTRUCT THE TRUNK SEWER AND THE DEVELOPER SHALL PROVIDE ALL TEMPORARY AND CONSTRUCTION EASEMENTS TO ACCOMMODATE THE INSTALLATION OF THE SEWER.

**ENGINEERS:**

LYLE L. LOTH  
 ENGINEERING / SURVEYING / PLANNING



THE WOODLANDS AT YANKEE HILL  
 CHANGE OF ZONE & P.U.D. #05  
 SOUTH 70TH & YANKEE HILL ROAD

COVER PAGE



SCALE: 1" = 200'

E.A. KRUEGER, 70th & Yankee Hill PUD, 05-000, 01-11



April 15, 2014

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

RE: THE WOODLANDS AT YANKEE HILL  
'R-3' P.U.D. #05068D  
ANNEXATION & CHANGE OF ZONE FROM 'AG' TO 'R-3'/P.U.D.  
South 70<sup>th</sup> to 84<sup>th</sup> Street & Yankee Hill Road

Dear Marvin,

On behalf of Calruby, LLC, we request Annexation of 10.40 acres and Change of Zone from 'AG' to 'R-3'/ PUD on 10.55 acres adjacent to the approved PUD of The Woodlands at Yankee Hill. We submit the enclosed applications for your review.

The Woodlands at Yankee Hill is an existing 'R-3' PUD located on the South side of Yankee Hill Road, from South 70<sup>th</sup> to South 84<sup>th</sup> Street. The existing PUD contains 280.04 acres. With the addition of the proposed annexation area and modification of the boundary in the southwest corner of the project to remove Grandview Estates from this PUD, the proposed PUD contains 288.36 acres.

The area between South 78<sup>th</sup> Street and South 80<sup>th</sup> Street south of Yankee Woods Drive has been revised to show single family attached lots instead of single family lots. A street name change application is currently in process. A slight modification to that application should now include the following. Bush Avenue is now shown as Hacienda Place. South 79<sup>th</sup> Street is now shown as Baybrook Circle. Vesta Court has not been replaced and has been removed from the plan.

The number of dwelling units shown within the PUD is increased from 613 to 675 units. The total number of units allowed by the PUD has been increased to 700 units.

All the waivers requested and approved through the original PUD remain with this application. A list of the approved waivers revised to reflect the modification of this application has been enclosed.

The sanitary sewer main which will serve this area being added to the development is currently being installed. The sump pump located along Yankee Woods Drive will no longer be needed.

Please contact me if you have any questions or comments.

Sincerely,



Marcia L. Kinning

Cc: Calruby, LLC

Enclosures: Zoning Application  
PUD Application Fee of \$2,184.60  
Owner List  
Waiver List