From: Jonathan Hoesch [jonathan.nicole@sbcglobal.net]
Sent: Friday, August 30, 2013 5:59 PM
To: Jean Preister
Subject: Jordan Creek Apartments

To Whom it May Concern :

My wife and I along with our neighbors in the Pine Lake Association and surrounding single family communities are very OPPOSED to the Jordan Creek Apartments coming into the area which are directly adjacent to the Pine Lake Community. My wife and I have only lived in Lincoln for a short time and the reason we chose Lincoln and the area we now reside was because it was zoned R-4 and we were willing to pay the extra monies for the home, etc... To reside in this area. Not only would this apartment complex be an eye sore but the amount of traffic and other hindrances would be very noticeable!

There are many areas a 'BIG' business investor can develop. Please consider this request and please look at it from the residents point of view and how each of the planning committee members would experience if they were to have this development imposed on them, in their communities.

--I would also be very interested if the primary investor has one of his apartment complexes next to his/her home.

If you need a certain number of signatures on a petition showing the extent of the Opposition, please let me know and I will have no trouble getting this back to you in a timely manner.

Thank you for your time and have a very good Labor Day weekend!

Respectfully submitted,

Jonathan and Nicole Hoesch
Dougan Circle
Pine Lake

061

From: Nick Cusick [ncusick@bisoninc.com]
Sent: Tuesday, September 03, 2013 1:55 PM
To: Jean Preister
Subject: Lincoln Planning Department
Attachments: Marvin Krout letter.pdf

Jeanelle Lust, Chair
Lincoln Planning Department

I write to advise you that I will be speaking in opposition to an item on your September 18 commission calendar relating to a proposal by Broadmoor Developments to obtain all necessary approvals for an R-4, 219 unit development north of Highway 2 between Ashbrook Drive and Eiger Drive. I am at this point not aware of the agenda item number.

In the interest of clarity, I have attached a letter sent to the Planning Department that outlines my Pine Lake history, my personal position on the issue and the nature of my comments before the commission.

At this time, I'm not aware of what recommendations that the Planning Department will make to you on this request.

As stated in the letter, I speak as a Pine Lake resident not as an official spokesman for Pine Lake Association. I suspect others will likely testify on behalf of both Pine Lake Association and other neighborhood associations in the area.

Thanks for your sometimes difficult efforts to balance the needs of vibrant economic growth in Lincoln with neighborhood quality of life and safety issues.

If you feel appropriate, please share my email and letter with other Commission members.

Regards,
Nick Cusick
6400 Westshore Drive
Lincoln, NE 68516
402-770-0523 (cell)

062

Linda Pincsak

From: Nick Cusick [ncusick@bisoninc.com]
Sent: Tuesday, September 03, 2013 1:50 PM
To: 'mkrout@lincoln.ne.gov'
Cc: 'Brian Will'
Subject: Pine Lake

Marvin:
I write not as an official spokesman from Pine Lake Neighborhood Association but as a Pine Lake resident since 1967 when my mother said if we moved there from Fremont (I was in high school) that we would only go to town for groceries, etc., twice a week. Hard to believe!

I believe you both know that I am very pro growth and I'm often frustrated by the "not in my backyard" mentality of many in our community.

I hope my input is viewed as a rational response to recent efforts to develop the property currently owned by Mary Jo Livingston et.al. and the subject of an R-4 designation currently before the Planning Department and Commissioners.

I admit that my residence at 6400 Westshore Drive, along with 2 or 3 other residences in closest proximity to Pine Ridge Lane and the Broadmoor Developments, are most affected by any development and connection to the Westshore Drive. However, I believe I can state emphatically that virtually 100% of Pine Lake property residents and all other surrounding neighborhoods are opposed both to any connection to Pine Ridge Lane and to the high density nature of an R-4 designation.

My concerns are primarily to traffic safety for neighborhood residents as no sidewalks, street lights or other typical features are either existing, possible or desired on Pine Lake streets. The roads were laid out and built based on AGR standards existing at the time and are not built for significant increased traffic. The road across the dam is particularly questionable.

Additionally, the lake itself and the special challenges that come with controlling lake access, lake safety, late hour noise and similar issues need to be considered. Pine Lake is a relative unique community with only 2-3 other similar neighborhoods in Lincoln.

Since 1967 inevitable growth around Pink Lake has occurred and I personally chose not to be involved in the efforts to stop or modify Home Depot, Wal-Mart, Hampton or other developments around us and I thought they were appropriate and inevitable. I believe R-4 density immediately adjacent to what is an AGR designed residential area is excessive and only necessary because the property owner has excessively high expectations for the value of a piece of property that she has held for over 40 years that is now, after selling off miscellaneous pieces , isolated and somewhat difficult to develop. At the right asking price a developer could and should continue the build out of the lower density townhouses and or duplexes that abut the property on the north.

It is my understanding that a plan that includes a frontage road from the property in question roughly parallel to Highway 2 then connecting to Eiger Drive is being considered. I suspect you have had discussions with the State Department of Roads concerning dumping additional traffic onto Eiger close to the Eiger/Highway 2 intersection that is already overloaded. I also expect you have visited with the Southeast Rural Fire Department about the impact of the proposed frontage road on their operation. If there have been traffic studies done or you have gotten feedback regarding the feasibility of this road, I would request access to that information if possible.

I hope to testify at the September 18 Planning Commission meeting regarding the Broadmoor request. I will ask the following questions.

1. Has NDOR been contacted regarding a proposed frontage road?
2. Is there an existing traffic study for either the connection of Pine Ridge Lane or the proposed frontage road?
3. Is there any possibility of creating appropriate multiple ingress and egress from the property to Ashbrook only without connection to Westshore, Northshore or Eiger Drive?
4. Why does this development need multiple ingress/egress when similar density developments like Southwood Apartments on 27th and Highway 2 and dozens of others do not have multiple entrances?
5. Is the possibility of vacating Pine Ridge Lane absolutely contingent upon approval on construction of the frontage road?

Be assured that I write in an attempt to gain more information and to protect our neighborhood safety and character but in the context of reasonable understanding that the entire city including our area must grow to prosper and that what Pine Lake was in

1967 is not what it will be in 2017.

As always, I appreciate the hard work of your staff and the balanced approach you always take when making your recommendations to the Commission and ultimately to the City Council.

I'd be happy to visit with your further.

Regards,
Nick Cusick

064

RECEIVED
SEP 9 - 2013
Lincoln/Lancaster Co.
Planning Department

9/4/13

Lincoln Planning Commission
Lincoln, NE

Dear Planning Commission

This letter is to express our objections to the application for the proposed Broadmoor project next to the Pine Lake Subdivision. As long time residents and concerned citizens, we are very much against this poorly thought out project. It appears the only goal the proposed developers have is to maximize density of the project and their own personal financial gain, rather than show any consideration for the existing residences and neighbors.

The project is simply too dense and concentrated for the area. There is limited access to accommodate the potential inhabitants and their cars. The traffic problems would be considerable. Townhomes or single family homes would be better fit for the location and better suit the contiguous homes in the area. A development such as Artesian Meadows at 66th and Highway 2 would be a more appropriate match.

The supplemental access plan Broadmoor is proposing is fundamentally flawed. As we understand it, the Broadmoor Development group needs to provide two separate access roads. One will directly access Highway 2. The other proposed road would provide access to Eiger Drive. To accomplish this, Broadmoor would like to run a road across the stables to Eiger Drive via the old highway road, currently used for training and education by the Southeast Rural Fire Department.

The proposed road would encroach on the Pine Lake Stables – which are full and have been their since the 1970's. Obviously this would not be good for the stables, animals boarded there, or the Pine Lake neighborhood. Not to mention the safety concern of so much traffic crossing the fire department drive.

The "access to Eiger Drive and 84th Street" plan is poorly thought out. The majority of traffic traveling East on Eiger would be attempting to turn left onto 84th Street. Anyone going south or east would simply use the Hiway 2 exit. The city, according to our information, has no plans to ever put a stoplight at Eiger Drive and 84th Street. Turning left on to 84th from Eiger Drive requires the vehicle to cross 4 lanes of heavy traffic. This is no problem if you are a Fire Truck with lights, siren, and horn blaring. For anyone else, it can be difficult if not impossible. Traffic is only going to increase here as the area continues to develop. People are simply not going to be turning left there.

Since people are not going to be able to easily make a left hand turn onto 84th Street from Eiger Drive, what will they do? They will turn onto 82nd Street, turn at Pine Lake Road, curve around to Water Tower Court and wait for the light. Please see the enclosed overhead view.

This will put what would be significant traffic intruding into now what is a very quiet area. This access was designed for the people of Water Tower Court, and to a lesser extent some of the Pine Lake Residents. Our neighborhood has many natural areas and few side walks. Additional traffic raises safety concerns for the many residents that walk, jog and ride their bikes. We already have people using it to avoid the light at 84th and Hwy 2, and avoid trying to make a left turn onto 84th from Eiger Drive. The outlet area is very small and can not handle the amount of traffic this project would generate. At the light there is room for 2, count them 2 cars to wait there. In back of that at a 90 degree angle there is approx 50 yards before another 90 degree turn. This project would overwhelm the signal there. Not to mention that all the traffic that this project would generate would severely disrupt the quiet enjoyment of the immediate neighborhood.

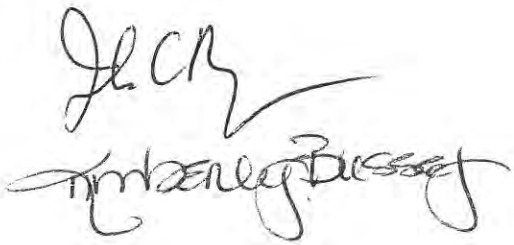
There should be no access to the Pine Lake Neighborhood from this project. Do not the rights and safety of an entire existing neighborhood stand for anything? Should our interests be trampled just so some wealthy developers can get rich by over building the land? Do not the entrenched residents of Pine Lake have any say so on what happens in Pine Lake? Perhaps we should not have been so quick to be annexed if this is what happens.

The residents of the area recall all the accidents which occurred at 84th and Pine Lake Rd before it was reconfigured. Does the Planning Commission really want to have another fiasco on their hands, or worse, someone to be seriously injured, possibly killed, due to additional traffic caused be a poorly executed access road?

In all fairness to the Pine Lake neighborhood and the long term taxpaying citizens that reside in it, Please send this project back to the drawing board. Have the developers put roads on there own land if they need other access. Even if that means they can not build such a high density project. A project more like Artsian Meadows would be a better fit and encounter less resistance from neighbors.

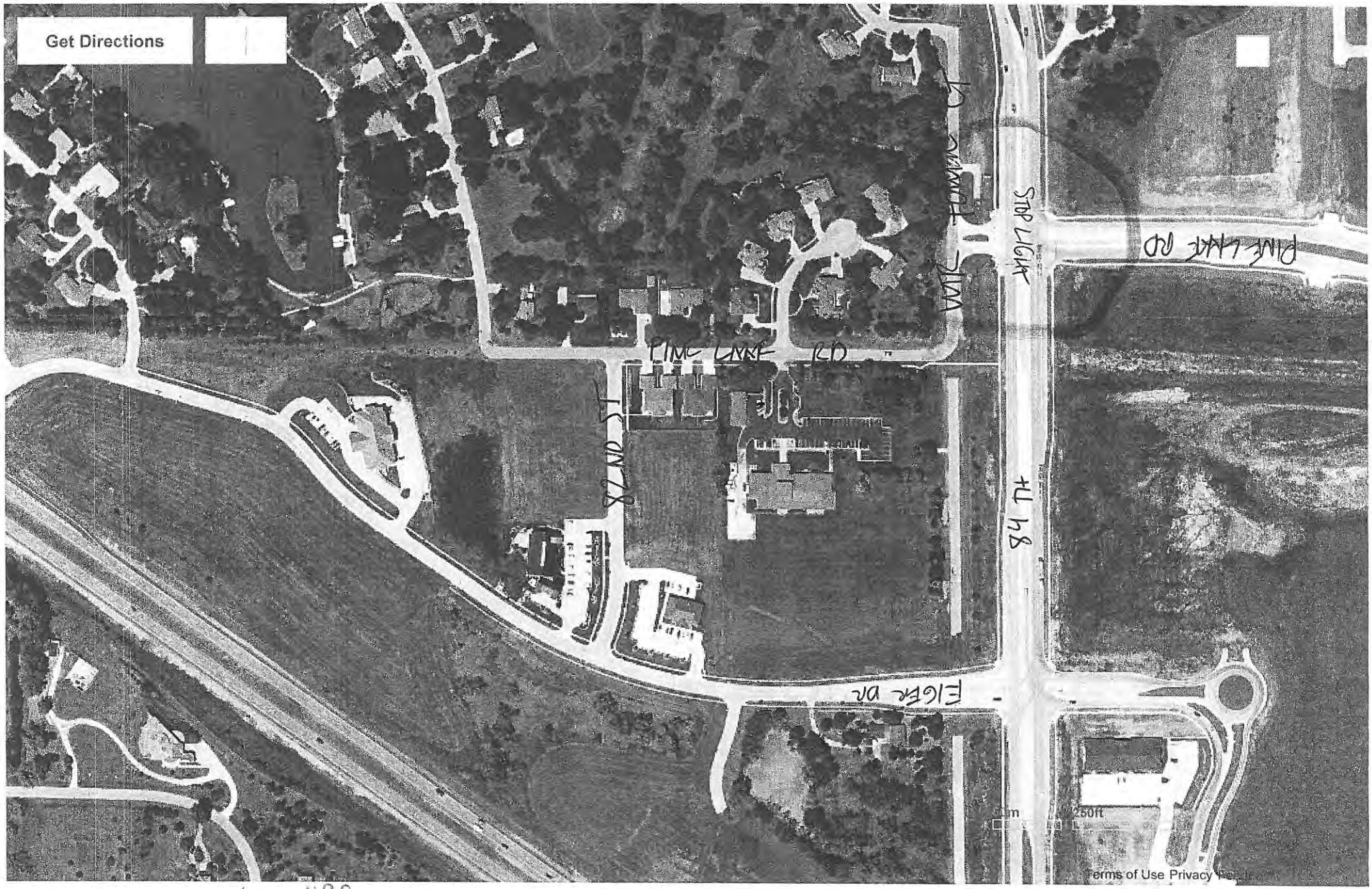
Sincerely

John and Kim Bussey
6940 Pine Lake Court
Lincoln, NE 68516



To see all the details that are visible on the screen, use the "Print" link next to the map.

Google


Get Directions
PINE LAKE RD
STOP LIGHT
HWY 34
250ft
Terms of Use Privacy

From: Dale Mahlman [dalem@nebmed.org]
Sent: Thursday, September 12, 2013 7:45 AM
To: Jean Preister
Subject: FW: Annexation No. 13004, Change of Zone No. 13020 and Special Permit No. 13043, Ashbrook Drive and Highway 2

As a resident of 6520 Ashbrook Drive, I write in opposition to the proposed application for Annexation, Change of Zone and Special Permit. My primary concerns relate to the density of the proposed development contributing to increased traffic through the neighborhood and compounding difficulties accessing highway 2 while leaving the neighborhood.

Understanding development of this property is inevitable, a more reasonable size development with less impact to the neighbors directly affected would be more favorable.

Dale Mahlman
6520 Ashbrook Drive
Lincoln NE 68516
402 466-7889

063

From: Daniel Shattil [dshattil@unl.edu]
Sent: Thursday, September 12, 2013 8:31 AM
To: Jean Preister
Subject: regarding the proposed Broadmore Development

Dear Planning Commission:

You soon will be considering the proposed Broadmore Development, the apartment complex adjacent to Pine Lake Association. I'm in favor of the development only with the following modifications:

1. It is zoned R-3 and not R-4.
2. The effects of the increased traffic are mitigated.

An apartment complex can be a good fit into our neighborhood only if it fits with the surrounding community. There are only 135 houses in all seven or so subdivisions of Pine Lake. Pine Lake has its distinct ambience because of its physical openness with its many outlots, horse/walking trails, its lake and golf course, horses and, of course, its many pine trees.

The proposed apartment complex would sit behind our lake and adjacent to backyards of some of our residences. It would be extremely noticeable to anyone near and around our most precious asset, the lake. This would change the character of the entire Pine Lake neighborhood. There needs to be a buffer between that area and a large R-4 development, such as a smaller R-3 development. Except for possible traffic issues, I think an R-4 development would work well further away from Pine Lake, such as south of Eiger Drive and North of Highway 2. There would not be such an abrupt change in zoning.

Obviously, an almost tripling of the number of living units in our neighborhood would create traffic problems. This needs to be addressed with building possible new roads, fortifying existing roads (especially over our dam), and adding stop lights.

Again, I urge you not to recommend an R-4 or higher zoning for this proposed development and to make sure the increased traffic needs are met.

Sincerely,

Daniel Shattil
Pine Lake Association Treasurer
26 year resident of Pine Lake

070

OPPOSITION

Item No.: 4.2a,b,c: **ANNEXATION NO. 13004**
CHANGE OF ZONE NO. 13020
SPECIAL PERMIT NO. 13043
(p.31 - Public Hearing - 9/18/13)

RECEIVED
SEP 18 2013
Lincoln/Lancaster Co
Planning Department

City of Lincoln-Lancaster County Nebraska Planning Department

555 So. 10th St Suite 213

Lincoln NE 6508

Sept. 11, 2013

RE: Annexation No. 13004, Change of Zone No. 13020, and Special Permit No. 13043 Ashbrook Drive and Highway 2

Dear Planning Commission,

We are 25 year residents of Pine Lake P.U.D. adjacent to the proposed action location. Our home, formerly on a cul de sac surrounded by agricultural cultivation accurately and thoroughly adhered to its AGR zoning. We paid for the privilege with regular increases in property taxes for lot sizes. The space, amenities, safety, and privacy afforded by that zoning was what kept us in this house. That began to change dramatically with the annexation of Parker Landing to our north. Our street is now a virtual raceway of Parker Landing residents "cutting through". Speeding cars, trash, and trespassing are the unfortunate result with a much less allowed zoning density that is now proposed by the Ashbrook Drive requests. We strongly object to any more dense zoning than R-3 as allowed by Parker Landing and Mooberrry developments to our north and west.

We see no harm in annexing AN13004 as it is an un-annexed island. But the character of the land of AN13004 below the Pine Lake dam and adjacent to the lake and amenities Pine Lake Association has painstakingly sought to preserve for its residents is inappropriate for change of zone No. 13020. There is no distinction of AN13004 from the land zoned R-3 immediately to its north or to the Artisan's Way development (on the south side of Highway 2) to the west. Why would AN13004 located directly adjacent to AGR, composed of significant wetland footage, and immediately below a significant hazard dam be allowed to be denser than other identical properties along Highway 2? The hazard rating for Pine Lake dam depends in part upon danger to downstream structures if there is a breach and dense zoning within the breach inundation area will clearly raise the hazard level. With no changes, a dam breach would flood Highway 2 at a 19 inch level. Altering current drainage pattern or building parking lots or roadways most certainly will increase flood risk to 24" flood level at Highway 2, the high hazard threshold. Increasing culvert pipe sizes under roadways downstream will be necessary to avoid the risk of Highway 2 flooding.

The inappropriateness of increasing density from R-3 is only exacerbated by the special permit request. The character of the land of AN13004 is absolutely not appropriate for the proposed Special Permit No. 13043. Approval of Special Permit No. 13043 would add more people and vehicles to "cut through" the Pine Lake neighborhood as currently live there. It would also undoubtedly create traffic problems for Ashbook Drive, Highway 2 access, the Berean Church access, and all adjacent neighborhood roads. They say that curved roads are a sign of an "expensive" neighborhood; it is also a sign of risk to pedestrians and residents if high volume traffic is also part of the mix. Granting the special permit request will only put more people's and property's safety at risk from a possible dam breach. Based upon past experience, a special permit granted is only the beginning of more zoning requests and manipulations. On an angrier note, the Pine Lake neighborhood is proud of its lack of sidewalks, trails, and lake amenities and should not be punished by being treated as a public recreational facility. We have found that the attitude of entitlement by nonresidents for use of Pine Lake facilities has been impossible to discourage or enforce, and R-4 zoning or Special Permit No. 13043 will only exacerbate the problem.

Thank you for the mailing Sept. 6th which invited us to comment on the proposals. We would be there in person but for a previously scheduled trip. PLEASE DENY change of zone No. 13020 and Special Permit No. 13043.

Sincerely, Ron Theis and Pat Street-Theis at 7911 Dougan Dr.

Ron Theis - please include this in the meeting minutes.

From: Brandon [brandon@onfair.com]
Sent: Friday, September 13, 2013 2:08 PM
To: Jean Preister
Cc: pinelakeassociation@gmail.com
Subject: Broadmoor Ashbrook Apartments

To: Lincoln Planning Department
Re: September 18th Public Hearing, Broadmoor Ashbrook Zoning

Hello, I'm Brandon Dupsky and I live at 7810 Northshore Drive on the corner of Westshore Drive and Northshore Drive. We have lived here for over four years. I have a business trip scheduled on Wednesday September 18th or I would bring my entire family to protest the suggested change to R-4 zoning at the planning hearing. Therefore please accept this letter as our official protest that R-4 is the absolute wrong decision for this location.

My wife moved out to Pine Lake in 1985 when she was 12 years old living on Eastshore Drive where her mom Linda Mendoza still lives today. We have two young children ages 12 and 9 and consider this area to be a wonderful area to raise a family. We like to take bike rides and walk dogs around the lake often as does many of the neighbors in the area. On any given nice day, you can watch families with strollers, kids on scooters, and families enjoying the outdoors as they go around the lake for exercise and enjoyment. Pine Lake has become a natural landmark for these activities where the foot and bicycle traffic has increased significantly due to the new housing already developed in the area. What was once a peaceful private lake is not so much anymore.

I know you have some difficult decisions to make regarding the possibility of a Broadmoor Ashbrook Apartment complex with big business on one side asking to zone the area for super high density construction significantly increasing the congestion and property taxes paid to the city for the 15.81 acres in question while on the other side you have a community of families who have lived in this Pine Lake neighborhood for 10, 20, even 40 years or more. I hate to say it but the rumor is that the owner of this lot of land has the planning committee in her back pocket and will easily get the R-4 zoning changed making millions because of it. I really hope this rumor is wrong and the planning committee can see the immense damage an R-4 zone will have in this area.

Most Pine Lake residents grew up in this neighborhood, people who raised their kids in this area and new families who are currently raising their kids in this neighborhood. I remember a time not so long ago when Pine Lake was outside the city limits having no direct access to other neighborhoods through Northshore Drive or 80th Street just north of Dougan Dr. It was a peaceful community with very little car traffic and a whole bunch of foot traffic with people walking their dogs, kids riding their bikes and families enjoying the outdoors as they jog around the lake. With the opening of Northshore Drive and 80th Street, Pine Lake is no longer as safe a place to raise the family as it once was. Cars go speeding down Westshore Drive as they jump from Hwy 2 to Edenton South and lines of cars parade through Northshore Drive every Sunday afternoon after Berean Church let's out. I'd say most of the damage has already been done to the Pine Lake community with the opening of Northshore Drive and 80th Street and any additional burden from an R-4 development next door will be the straw that breaks the camel's back so to speak.

There have already been some accidents in the area. One of them at the intersection of Northshore Drive and Westshore Drive during the early afternoon. I was in my backyard playing with the kids when we hard this loud crash. Turns out both drivers don't live in the neighborhood as they were just driving through. Another recent accident was near deadly as high school kids were racing through the neighborhood in their cars at night

along the Pine Lake dam which has a 15mph speed limit due to being a narrow road and one of the cars skidded sideways and stopped half way down the dam towards the lake. Luckily the fire station is nearby to offer quick assistance and I believe everyone was okay. This is again near the Northshore Drive and Westshore Drive intersection.

Any additional traffic through the Pine Lake neighborhood either through Pine Ridge Lane or a proposed access road to Eiger Drive will only magnify the situation and I fear someday result in a deadly accident situation. It's this fear of someone possibly dying from too much congestion that compels me to write this letter. I have two young children and I'm constantly telling them to watch for cars, stay on the side of the street and be aware of blind spots over the small hills. Also within the past few years many families with young kids have moved into the Pine Lake neighborhood and so the volume of foot traffic and bike traffic has increased. As planner and safety being your number one concern, you already know this is a dangerous combination with too many cars, people and bicycles all on the same streets. While I'm talking about cars, let's run some numbers real quick. If the Broadmoor Complex goes to full capacity with 220 units how many cars will there be? Will it be 200 cars? Will it be 440 cars? Maybe 2 for each household. Or will it be even more?

While the key problem is proximity and congestion, it's also layout. As the city continues to grow east and south so does the need for traffic to head east or south to get to Wal-Mart, Sam's Club, Menards and 84th Street. With the current layout of streets, intersections and lights quickly heading east from this area of the town is very difficult without "driving through neighborhoods" to get to an intersection with a street light. If you look at where Ashbrook Drive connects to Hwy 2 it's an intersection nearly impossible to turn left. Once the proposed 220 or 400 residents from Broadmoor apartments figures this out they will decide to head through Pine Lake roads to find a quicker path heading east.

Don't get me wrong, I'm not blaming this current situation of very poor access to heading east on you the city planners. I hope you don't take my letter this way. It's not your fault. Pine Lake was here way before the city was here. It was out in the middle of nowhere at one point. The city simply grew out to Pine Lake and you're doing your best to mesh the old and the new together.

However, this is a moment of truth for the city planning department, YOU. This is a chance to show that you "Get it" when it comes to meshing the existing with the new and keeping SAFETY as priority number 1. Broadmoor Development with 220 units is the type of development not well suited to be directly next to and possibly connected with a community that's been here for decades. The two don't "Mesh" and together you will create an unsafe environment mixing an abundance of cars racing through the neighborhood with people, dogs and bicycles attempting to enjoy a safe stroll around the lake. It's very possible this could escalate into a deadly situation with poor planning.

Another thing to point out is the Westshore Drive "Narrow Road" that crosses Pine Lake Dam. This road is barely wide enough for 2 cars to pass very slowly with the recommended speed limit of 15 mph that rarely gets followed. I often watch many cars speed through here at 35, 40 even higher speeds all the time as they pass-through the neighborhood racing home after work. It's really a dangerous curve with many blind spots and I hate to say it someday I fear this will be the first location of a deadly accident when it happens.

One thing that also has my attention is the wet lands on the northern portion of the lot. While we've had many dry seasons the past few years our time will come when excess rain is the order for the day much like Colorado is receiving today. When this happens, Pine Lake fills up, the dam releases the excess water and this wetland truly floods like it was originally "planned" to do. To rezone "Planned Wetlands" from AG to R-4 seems to be a formula for future disaster in my humble opinion.

There is low density residential housing to the right of the property, there's low density residential housing to the north of the property. This property is best suited for the same low density usage to ensure SAFETY, work

U73

with existing street design, deal with excessive pedestrian traffic and no major access for heading east from the area.

My request is simple. Don't allow big corporation to pull your strings and overpower the small community of families in this neighborhood who call this area HOME and wish to keep calling Pine Lake, Lincoln, Nebraska home for many generations. Don't "Setup" the perfect storm for a deadly accident with excessive vehicle traffic mixed with heavy foot and bicycle traffic on the same streets. It could possibly be my kids in the next accident, or my neighbor's young kids or one of the elderly residents that walk around the lake every day for exercise.

I appreciate your time reading my long, reasonable and serious concerns over this matter. I hope and pray you'll weigh all options and make the right decision. Please confirm receipt of my official protest for a possible R-4 zoning change.

Best Regards,

Brandon Dupsky
Husband, Father of 2 and Pine Lake Resident
7810 Northshore Dr
Lincoln, NE 68516
402-770-7653

cc: Pine Lake Association

074

OPPOSITION:

Item No.: 4.2a,b,c: ANNEXATION NO. 13004
CHANGE OF ZONE NO. 13020
SPECIAL PERMIT NO. 13043
(p.31 - Public Hearing - 9/18/13)

From: Jean Laux [jlaux46747@aol.com]
Sent: Friday, September 13, 2013 2:47 PM
To: Jean Preister
Subject: Broadmore Development

Project Number 13020
Special Permit 13043

I am opposed to this apartment development because of the traffic problem that already exists on Ashbrook Drive. The Berean church already has a huge impact on Ashbrook when their services let out. It is almost impossible to make a left hand turn onto Highway 2. Bringing access onto Ashbrook would create a very unsafe traffic pattern for all the residents.
Jean Laux
6338 Ashbrook Drive

075

OPPOSITION:

Item No.: 4.2a,b,c: **ANNEXATION NO. 13004**
CHANGE OF ZONE NO. 13020
SPECIAL PERMIT NO. 13043
(p.31 - Public Hearing - 9/18/13)

From: Ellin S. [ellin7@aol.com]
Sent: Saturday, September 14, 2013 6:35 PM
To: Jean Preister
Subject: Pine Lake and Broadmoor development

To the Planning Commission,
We live in the Pine Lake Assoication. We are opposed to the proposed Broadmoor Development. In addition, we do not want there to be entry to the public way commonly known as Pine Ridge Lane. We moved to the Pine Lake area because of its rural nature (no street lights or side walks, quiet, private). Most importantly, we wanted a neighborhood with no public traffic and one that was safe. One specific impact will be the increase in automobile and foot traffic in our private lake area. This development will affect our neighborhood in countess, negative ways!
We ask that the Commission not approve the Broadmoor proposed development and respect the formal opposition of our Pine Lake Association.
Sincerely,
Ellin Siegel
John Mosow
8103 Northshore Drive
Lincoln

076

OPPOSITION:

Item No.: 4.2a,b,c: ANNEXATION NO. 13004
CHANGE OF ZONE NO. 13020
SPECIAL PERMIT NO. 13043
(p.31 - Public Hearing - 9/18/13)

From: Ruth Kauffman [ruthkauff@gmail.com]
Sent: Monday, September 16, 2013 1:21 PM
To: Jean Preister
Subject: AN13004, CZ13020, SP13043. Hearing Sept. 18.

I am writing to express strong opposition to the above-referenced requests allowing Broadmoor Development to build 220 dwelling units at Hwy 2 and Ashbrook Drive. As a resident of Ashbrook Drive (6540) this would have a great negative impact on the quality of life of many neighborhoods.

1. Adding approximately 400 residents and 400 cars would greatly congest streets planned for much less dense population, specifically Stevens Ridge Road. These are neighborhoods filled with children.

2. We now have the benefit of a fragile ecosystem and dedicated wetlands preserve. It is home for many species including foxes and beavers as well as many types of birds. Just this morning two owls flew out of the woods landing in our backyard. It is basically the back side of Pine Lake west of the dam. It would be an environmental travesty to rid these creatures of their natural habitat. The impact of many more people, reduction of air quality brought about by 400 more cars, and the addition of artificial lights that are on many hours a day would destroy this habitat.

3. As part of the request for special permit, requests are made to waive block length, another street connection and adjustment of height requirement. All of these would be disastrous. The land already is elevated above surrounding homes and to allow the building of this huge complex, requesting increasing height requirements, with its accompanying lights, would have extraordinarily negative impact on both quality of life and property values.

Please consider the environmental destruction and the hugely negative impact on quiet neighborhoods that will be the result of building this very large apartment complex.

Thank you,
Ruth Kauffman
6540 Ashbrook Drive 68516

Sent from my iPad

077

OPPOSITION:

Item No.: 4.2a,b,c: **ANNEXATION NO. 13004**
CHANGE OF ZONE NO. 13020
SPECIAL PERMIT NO. 13043
(p.31 - Public Hearing - 9/18/13)

From: Dnwobig@aol.com
Sent: Monday, September 16, 2013 2:48 PM
To: Jean Preister
Subject: Special Permit No 13043, Change of Zone No 13020

We do not think it would be appropriate to build an apartment complex in this area due to the traffic congestion it will create. The Berean church already creates enormous traffic going thru our area. Town houses would be possible ; but not 200+ apartment houses. We are now having trouble going across Highway 2 to pine lake due to the traffic lights East and West. There are many safety issues the city will need to address. Have you considered the ramifications of environmental destruction of wild life--birds, trees, deer, etc. or is global warming not important in Lincoln anymore? Don and Nancy Wobig

078

From: Jean Preister
Sent: Monday, September 16, 2013 4:04 PM
To: Jean Preister
Subject: Project No. CZ13020

From: lucynbud@gmail.com [mailto:lucynbud@gmail.com] **On Behalf Of** Margaret Puls
Sent: Monday, September 16, 2013 3:47 PM
To: Jean Preister
Cc: moodie@friedmanlaw.com
Subject: Project No. CZ13020

September 16, 2013

To the Planning Commission:

Re: Project No. CX13020

This letter is being written to encourage you to vote against the re-zoning request to R-4 for the area at Hiway 2 and Ashbrook Drive for the Broadmoor Ashbrook apartments. We live on Ashbrook Drive and feel that additional population growth in the area would cause our street to be busier than any residential street should be. It is mentioned in the Lincoln Lancaster County Planning Staff Report for the permit, relating to traffic, "there will be some heading north on Ashbrook Drive to either South 77th St. or Cheney Ridge Road, but not in amounts that should be excessive for a local street. SOME? We disagree with that statement completely. If you allow this change to take place, it will add 220 living units, which will be 300-400 more cars to the area. Going north on Ashbrook, is a convenient way to get to Old Cheney Road , or South 70th or South 84 Street that does not involve getting out on Hiway 2. It is very difficult to turn left on to Hiway 2, most of the day, so we KNOW the traffic will come up Ashbrook, as is does on Sunday, when the Berean church members head home after church. Such traffic on a daily basis will be a conjestion problem for those living on Ashbrook and those using Ashbrook. It is a city street, but not an especially wide one with curves in the road you can't see around. Also, currently, there are homes on only one side of the street. That will change with twenty new homes going in on the west side of Ashbrook. Adding another 400 people (or any part of that number) to the traffic already using Ashbrook, WILL cause traffic problems and perhaps, some danger .

Additionally, we are concerned about the "woods" behind our residence, and the animals that live in that area. How will additional building affect those animals AND then later, how will 400 more people affect the area around it, including the woods?

This is just not a large enough area to add so many more people to it. Please consider our concerns, and vote against the R-4 rezoning for Projoct CX13020.

Thank you.

Margaret and Jerry Puls

079

6310 Ashbrook Drive

Lincoln, NE. 68516

From: Pam Gannon [pamelagannon@gmail.com]
Sent: Monday, September 16, 2013 5:09 PM
To: Jean Preister
Subject: Sept 18 Hearing on Ashbrook & Hwy. 2 Livingston/Broadmoor Development requests

Brian Will
Lincoln Planning Commission
555 S 10th St. Suite 213,
Lincoln, NE 68508

Jon Camp
Lincoln City Council
555 S. 10th
Lincoln, NE 68508

September 16, 2013

RE: Annexation No. 13004, Change of Zone NO. 13020 and Special Permit No. 13043

As life-long residents of Lincoln, my husband and I moved to Pine Lake sixteen years ago. Before making our purchase, we were told that the neighborhoods around Pine Lake would remain residential, but there would large development on 84th & Highway 2. Over these years, I have served on the PLA Board of Directors in different leadership roles. Our primary guideline in making decisions for PLA residents was based on creating and maintaining the many unique features of our neighborhood and our quality of life.

Most of the neighbors were not ready to be annexed, but we were told that once we were surrounded on three sides, it was city policy to be annexed. We would not be allowed to protect our lake and trails by becoming a gated community as was allowed at Irongate. How is it that the Livingston's have been able to keep this property on Ashbrook Drive & Highway 2 off the tax roles all these years? I suspect its appraised value is far below their asking price.

PLA was also forced into having two additional roads opened to connect the neighborhoods. This action has caused nothing but problems for our neighborhood. In addition to the increased vehicle traffic, trespassers use our lake and bridle paths on a constant basis. Elementary aged children have ridden their bicycles to come swim in the lake, others have put their boats on the lake by going around the gate, fishermen line the shores on a nice day and late at night there is usually a car parked in the beach parking area. Our neighbors have been cursed and threatened by these trespassers. PLA has worked with the Planning Commission throughout our annexation and development of the surrounding areas, and our neighborhood still deals with the problems. We are asking the Planning Commission to help us negotiate a fair and respectful plan for the development of the Livingston property.

All of the residents of PLA know that this area will be developed, but we are asking that the use of this property be consistent with the neighborhoods surrounding it. The adjacent properties are acreages, single-family homes, and townhomes. Placing a large apartment complex is out of character for this area.

We are asking for the Lincoln Planning Commission to be respectful of our investments in our homes and the desire to maintain a quality of life that we have worked many years to have. Just as the Livington's want a return on their investment, we have invested in our

080

home as part of our retirement savings plan. An R-3 zoning with the height restriction maintained would be the best negotiated decision for the many neighborhoods surrounding the Livingston's property. To approve Broadmoor's requests would bring an additional 300-500 more people and vehicles in our neighborhood. The additional volume of traffic will be detrimental to Pine Lake's narrow dam road, and put adults and children who bike and walk throughout our area at risk.

Please deny the special permit NO. 13043 that would allow for excessive height on their structure, and recommend to the Lincoln City Council annexation of the property with an R-3 zone with a lower vehicle and resident density. An R-4 zone would allow a complex of 220 units into a neighborhood with only 131 units. Therefore, approval of annexation with a R-3 zoning and the denial of the special permit so that a development would consistent with the historical dynamics of the surrounding neighborhoods. This recommendation would be respectful of the family-focused neighborhoods and allow a fair return on the Livingston's investment.

Sincerely,
Jack and Pam Gannon
6501 Eastshore Drive
402-489-2125

081

Jean Preister

From: Rhonda Pepper [rpepper@sprynet.com]
Sent: Monday, September 16, 2013 9:22 PM
To: Jean Preister
Subject: Project number CZ13020 (zoning change) and Special Permit 13043

To Whom It May Concern:

Thank you for giving me the opportunity to voice my concerns with respect to the proposed zoning change for Project Number CZ13020 and Special Permit 13043.

I own a home at 6334 Ashbrook Dr. in Lincoln. I am concerned about the zoning change to allow an apartment complex at the Ashbrook and Hwy 2 location. My concern is based on the increased traffic flow to the area.

The exit onto Hwy 2 from Ashbrook does not currently have a stop light. When exiting onto Hwy 2 from Ashbrook the speed and flow of traffic on Hwy 2 is often a concern. So much of a concern, that if I am going to 84th, I usually take the long way around through Edenton Woods and Edenton South to Old Cheney. I am quite comfortable saying that this a common route for area residents because of the difficulty going left onto Hwy 2 from Ashbrook. Going right (west) onto Hwy 2 from Ashbrook is not as difficult. However there are occasions when the truck and car traffic on Hwy 2 is such that even going right is difficult. I believe the concerns with speed and traffic volume on Hwy 2 is not unique in that there have been numerous accidents caused because of trucks going too fast.

Our neighborhood design and traffic flow is appropriate for the current residential design. I do not know if these curves and intersections are adequately designed to add the additional traffic flow. Is the road layout for the neighborhood appropriately designed to handle the additional traffic?

The neighborhood has a lovely park which is frequented by young children and their parents. My grandchildren always look forward to spending time at the park. Is it appropriate to have the park, catering to young children, bordered by a busy street?

My concern about adding apartments and additional traffic to this residential area is based on:

1. The Hwy 2 traffic and lack of stop light at the Hwy 2 and Ashbrook intersection.
2. The potential for additional accidents with the Hwy 2 traffic and the current intersections (70th, 56th, and now potentially Ashbrook).
3. The road layout for the neighborhood design for additional traffic flow.
4. The children's park next to a busy street.

I respectfully request your consideration in either addressing the above concerns or not re-zoning to add additional traffic to a residential area.

Thank you for your consideration.

Respectfully submitted,
Rhonda Pepper

082

Jean Preister

From: Cheryl Creglow [cjcreglow@yahoo.com]
Sent: Tuesday, September 17, 2013 9:51 AM
To: Jean Preister
Subject: Project #CZ13020, Special Permit 13043

I am writing in hopes that someone on the planning commission would come take a look at this beautiful piece of land before you vote to turn it into another apartment complex.

It is a home to deer, turkeys, owls and many other animals. The apartments would border the quiet community of Pine Lake Neighborhood and the semi-retirement townhomes of Edenton Woods. The added traffic would eventually make it necessary to add another traffic light at the intersection of Highway 2 and Ashbrook/Pinelake which would further slow down the flow of traffic on Highway 2.

We live at 6421 Bo Creek Bay and were told when we bought our town home that the land south of us was preserved wetlands and that nothing would be built there.

Thank you.

Cheryl Creglow

Sent from my iPad

083

Jean Preister

From: Murray Droescher [MDroescher@TRANSAMTRUCK.COM]
Sent: Wednesday, September 18, 2013 1:19 PM
To: Jean Preister
Subject: Project #: Annexation No. 13004/Change of Zone No. 13020

To Whom It May Concern:

I am sending this message to convey my concern regarding the Planning Commission Staff's recommendations to approve both the zoning change to R-4 and the special permit for the apartment complex for the above-referenced property.

We have owned our condominium on Ashbrook for just over one year and have found it to be very nice neighborhood with well-maintained properties. While I respect the Staff's desire to allow development, I feel that the recommended plan would be an injustice to those of us who have moved into this recently developed area with the belief that only properties of a similar nature and value would be built there. In fact, this was a representation made to us by the developer in good faith based on how the surrounding properties were originally zoned. The proposed rezoning and special permit could change all of that.

I hope that you deny the Staff's recommendation, not because we want the area to remain undeveloped, but so that those of us who have invested in this growing community are not harmed through reduced property value, obstructed views and excessive traffic flow. All of which are among many of the negatives of owning property in close proximity to an apartment complex. I implore you to look at this from the perspective of all of us already in the community, as if you personally were in our shoes.

Thank you for your consideration.

Murray Droescher
Chief Financial Officer
TransAm Trucking, Inc.
U.S. EPA SmartWay Carrier Award Recipient
Your Premier Truckload Transportation Provider
P: 913-324-7057 F: 913-324-7857

1184

Jean Preister

From: Pam Thompson [grampam47@yahoo.com]
Sent: Thursday, September 19, 2013 4:13 PM
To: Jean Preister
Subject: building at ashbrooke and hwy two

1. As a neighbor to this planned build, I am very opposed. The adverse effect to the wetlands and the traffic constraints to the area neighbors will be devastating. Also, the visual changes will be unpleasant. Come and take a real look and you will see what we see. Pam Thompson 6401 Bo Creek Bay (402-432-9456)

085

Jean Preister

From: Jim White [jijuwhite@gmail.com]
Sent: Tuesday, September 24, 2013 11:56 AM
To: Jean Preister
Subject: AN13004, 13020, 13043

Dear Sir:

We are very concerned about the annexation of the land at Ashbrook and Highway 2 for building any structure, and particularly for building a large apartment complex. This area is surrounded by a wetlands system and numerous wildlife. We have seen beaver, deer, foxes and many bird species. Last fall beavers cut down trees in this area and built a home in the pond on the south side of the highway. Surely this development would disrupt the wildlife. An abundant variety of plant species is here too. The trees that line the natural watershed area also appear to be in jeopardy which further destroys habitat.

This annexation will impact the drainage system which carries a lot of water after any rain. Water now comes down from the Edenton housing area, through the park and behind all the houses on Ashbrook to the pond east of Home Depot. The apartment complex would have a large parking lot with close to 300 cars leaking antifreeze, oil, etc. into the watershed. Probably there would be pet droppings contaminating the area as well.

Another big concern is traffic. The map you sent looks like Ashbrook road itself would need to be altered. This intersection is already dangerous at times and carries a heavy load of cars. It would seem that this much traffic would possibly be a problem so near the fire station.

We urge you to consider all these factors. There is surely a lot of land available without endangering our wildlife and cutting down more trees.

Sincerely,

Jim and Judy White
6339 Bo Creek Ct.

086

6501 Eastshore Drive
Lincoln, NE 68516

Lincoln Planning Commission
555 S. 10th Street, Suite 213
Lincoln, NE 68508

September 29, 2013

RE: Annexation NO. 13004, Change of Zone NO. 13020 and Special Permit No. 13043

We have sent a letter earlier concerning Annexation No. 13004, Change of Zone 13020 and Special Permit No. 13043 and to request an R-3 zone for the Livingston property, but I would like to follow up with a couple more points of interest if I may.

If I understand the situation correctly, Broadmoor, the Omaha apartment developer, is paying a premium price for a piece of land that is carried on the tax rolls at minimum value. In order to improve their profitability, they have to increase the density of the complex, thus the R-4 zone request, and reconfigure the traffic pattern in and out of the area to accommodate their increased traffic 400 vehicles into the surrounding area that does not have easy ready access to arterial streets to handle in this increased traffic. The developer has already increased the height of the complex since we had our original meeting with them, and now they are trying to come up with some sort of a band-aid system of access roads to accommodate their influx of traffic. I am concerned with the ability of our dam to handle that sort of increase in traffic on account that the dam road is old, narrow and has no shoulders.

In consideration of the number of units already being built on 84th Street both north and south of Highway 2, there is probably no real need for additional units in this area other than they will marketing our lake area as a place to walk and explore a quiet neighborhood as it was when they were promoting the town homes that were being sold in the Ashbrook area. I would imagine there will be a premium rent for the units with a view of our lake, and then renters and their guests will assume that they can use the lake if they want to which contributes to our problems with trespassers and others who may accompany them. There seems to be a misconception that this is a public lake for anyone to use and abuse. As the surrounding areas have become developed, it has becoming increasingly more difficult for us to police those who do not belong here. There is significant cost to maintain the quality and safety of our lake and surrounding outlots of which we bear the expense ourselves thru our association. We do this for the unique neighborhood atmosphere that we have built and desire to keep.

I would have to think that there are other better parcels available that would be more suitable for this type of development rather than trying to force it into an area where it is neither needed nor wanted. This larger development is being forced into an established area, but it is not respecting the neighboring properties. If this developer wants to be in this location, the Livingstons own property south of Highway 2, along Pine Lake Road, where two accesses/entrances into the area would be easy to design. Also, there is new property for sale along Eiger and 84th, again with easy access to arterials and would not be in conflict the established neighborhood. This appears to me to be a profit at a cost to someone else for their benefit. There are just too many significant drawbacks to warrant this type of project including unit density, road access and traffic volume. Basically, everyone surrounding the project will have to put up with the increase in traffic on some public and private roads that were never intended for that kind of use. We know there will some kind of project there eventually, but hopefully not something that doubles the density of our neighborhood and one that is more suitable for this area.

In closing, at the end of the day the developer walks away with his profit and we are left with the problems that were created by them. I do not think you will find any of them living around their projects. We have just as much right to profit from our investment as they do. We, the neighborhood residents, are the ones who made this area what it is today. Take note that developers don't show up until all the work has been done by those who live here and then they want to exploit what has been created by us at no cost to them. Please recommend to the City Council an R-3 instead of an R-4 zone and the denial of the special permit to increase the height of the complex.

Thank you for your consideration and thank you for your service.

Sincerely,

Jack and Pam Gannon

OPPOSITION

From: Becky Haufle [bhaufle@Insproins.com]
Sent: Saturday, September 28, 2013 9:12 AM
To: Jean Preister
Subject: Reference Change Zone 13020 and Permit 13043 Broadmoor Ashbrook apartments

We are owners of one of the townhomes that back up to the proposed apartment complex. We have read and reviewed all the information on line. We are writing to have our voice and concerns heard over this proposed changed in zoning.

1. We live at 6500 Ashbrook Dr. When we looked at this land to build our townhome the things that attracted us were the Townhome community, the beautiful view of trees and wildlife and the slow winding entrance onto Ashbrook. The land beyond the trees zoned Ag residential did not raise any concerns. We purchased our townhome as our forever home and made our largest investment in a home of our lifetime. We feel if this apartment complex is approved it will lower our valuation and possible resale of this investment.
2. We now are concerned about the increased traffic that would be pushed past our house if you allow only one entrance in and out of such a large complex. Our grandchildren in this community and the children using the park nearby will be at risk.
3. The traffic concerns on Sundays with such a large church in the neighborhood is being overlooked and the Ashbook curving streets are not designed for added traffic. The Highway 2 traffic is increasing constantly and making a left turn or moving across to Pine Lake is dangerous and sometimes impossible. With this in mind we know more traffic will be forced to drive past our homes to somehow exit this area. Your notes indicate that this increased traffic would not be more than normal. I do not think that comment was fair to this type of community or can be statistically backed up since traffic studies have not been made or documented. Even a traffic light would cause concerns for further backed up traffic with red lights and pushing more people to look for faster exits.
4. We also note that in some of the paperwork, the apartment complex appears to be too large for this area and seems to be pushed into the space. Not to mention it was not zoned for this to begin with. There are plenty of other areas for such a complex, which were properly zoned in advance of these developments so when make an investment they are aware of what will be there and who will be there neighbors. We understand growth and progress but there needs to be appropriate planning in advance not after the fact on all City land. If the City would take into consideration their people who live, work and invest in their community and not just the big money, they would not allow such zoning changes which ultimately upset, concern and jeopardize
5. Finally while we certainly are not in favor of this apartment complex, there are noted concessions made for people in Pinelake but nothing for the rest of neighboring community. You appear to allow for no exit there direction in lieu of pushing all the traffic our direction. We feel as taxpayors we should have equal consideration and feel our voices should be heard. Mike and Becky Haufle

OPPOSITION

Item No. 4.2a,b,c: ANNEXATION NO. 13004
CHANGE OF ZONE NO. 13020
SPECIAL PERMIT NO. 13043
(p.51 - Public Hearing - 10/02/13)

Lincoln-Langster County

Planning Department.

555 So. 10th Street Suite 213

Lincoln, Ne 68508

Dear Sir,

As a homeowner in the Pine Lake area, I am quite concerned about the projected change in zoning No. 13020, and the Annexation No. 13004 in order to build 280 apartments on land that is an ecosystem to many plants and animals. One of the major problems is space and access to Highway 2 which has an accident almost once a day with so many trucks and traffic already. There would also be more traffic around Pine Lake which has narrow streets and the Dam which is not suited to so many vehicles.

I know people are also concerned with usage of the Lake and outlots which are maintained by an Association . I'm not sure how this would be managed by the possible new 560 residents. The neighborhood has welcomed new town houses in the past few years, but the rezoning would cause property values to go down, and the end of everything Pine Lake has been over the many years it has been in place. I hope you will consider these concerns when making any changes to zoning and annexation.

Sincerely,

Barbara & Herb Schliesser

6611 Eastshore Dr.

Lincoln, Ne 68516

090

From: Larry Gaver [lgaver@windstream.net]
Sent: Tuesday, October 01, 2013 8:45 AM
To: Jean Preister
Subject: RE: ANNEXATION # 13004 - ZONING CHANGE # CZ13020 - SPECIAL PERMIT #13043

October 1, 2013

Dear Planning Commission:

We are writing to express our strong opposition to Broadmoor Development's proposed R-4 apartment complex on the northeast corner of Ashbrook Drive and Highway 2.

If only the planning commission members would take a look at this area prior to rendering a final decision, we're certain they would recognize that such a large apartment complex is not a good fit for this location.

The increased traffic volume alone (Estimated 300 -350 vehicles) would create additional congestion on an already busy residential street (Ashbrook Drive). Northbound traffic on Ashbrook Drive would have to travel through the Edenton South or Pine Lake neighborhoods in order to reach 70th or 84th streets or cut through the Berean Church property. Southbound traffic is hindered by the fact that there is no traffic light at the intersection of Ashbrook Drive and Highway 2 making it virtually impossible to make a left turn onto Highway 2. The traffic flow issue on Ashbrook would be exacerbated by Broadmoor's request for a waiver to the Lincoln Municipal Code or Block Length and Subdivision Connectivity. The waiver, if granted, would mean that all traffic entering or exiting the apartment complex would have to do so from Ashbrook Drive. Not only would connectivity between Eiger Drive and Ashbrook Drive relieve congestion on Ashbrook Drive but it would also alleviate some safety concerns with regard to emergency vehicle access. **As Mark Palmer, Broadmoor's engineer states in his letter to the Planning Department of August 21, 2013, this easement "would provide connectivity and a secondary access that is desired for life safety purposes".** With there currently being no traffic light at the intersection of Highway 2 & Ashbrook Drive, we can envision a very dangerous traffic situation especially when emergency vehicles are attempting to turn onto Ashbrook Drive.

In addition to the traffic and safety issues, we are very concerned about how the proposed Broadmoor apartment complex will affect the wetlands area that runs between the townhomes on Ashbrook Drive and Bo Creek Bay and the wildlife that lives in this natural habitat. We are also concerned with the fact that the apartment complex being proposed sets on much higher ground than the townhomes to the north on Ashbrook Drive. This would appear to alter the natural flow of water through the wetlands which currently flows from north to south. This could certainly create flooding situations in the event of heavy rainfalls or, worse yet, a breach in the dam.

Thank you, in advance, for your consideration of our concerns.

Larry and Mary Gaver
6416 Ashbrook Drive
Lincoln NE 68516

091

From: Becky Huebner [beckyhuebner6@gmail.com]
Sent: Tuesday, October 01, 2013 7:08 AM
To: Jean Preister
Subject: Proposed Apartment Complex 70th and Ashbrook Drive

Commission;
As a "soon to be" resident of Edenton Woods (#13020) I am concerned about the density of this project. Most particularly I am concerned about traffic safety and flow in this residential area.
Thank you for your service and consideration.
Becky Huebner

Becky Huebner

Realtor, GRI
Nebraska Home Sales
(402) 770-1350
beckyhuebner6@gmail.com
http://nebhomesales.com/agents/becky-huebner/
Emails sent or received shall neither constitute acceptance of conducting transactions via electronic means nor create a binding contract until and unless a written contract is signed by the parties

092

From: Mike Tenney [miketenney@hotmail.com]
Sent: Tuesday, October 01, 2013 1:27 PM
To: Jean Preister
Subject: Change of Zone No. 13020 and Special Permit No. 13043

Dear Planning Commission:

Having been a Lincoln resident for the past 59 years, I have had ample opportunity to observe and benefit from the careful and insightful planning of the Lincoln-Lancaster County Planning Commission. That is why I am writing in opposition to the proposed Broadmoor Ashbrook Apartments Community Unit Plan at Ashbrook Drive and Highway 2.

It is my understanding that the original plan already calls for 3 large-scale apartment complexes in the general area. The property legally described as a part of Lot 89 I.T., located in the SW 1/4 of Section 15-9-7, Lancaster County, Nebraska, was wisely not a part of the original plan, and is simply an attempt to "shoe-horn" in a high density 220 unit dwelling complex that does not fit the area and would adversely affect the quality of life of the existing residents of Pine Lake, Edenton Woods Townhomes and Edenton South.

Traffic challenges that such a high-density development would pose are to numerous to address here, and would pose safety concerns to existing residents. Quality of life would be greatly diminished as a result of an exponential increase in traffic load to the neighborhood, which was not designed for such.

There are also serious environmental concerns with the adjoining Beal Slough wetlands, which currently serves as habitat for a host of wildlife, including deer, turkeys, owls, foxes, raccoon, numerous species of birds and waterfowl, to name a few.

I respectfully and strongly request your careful consideration and opposition to the above referenced applications. Thank you.

Sincerely,

K. Michael Tenney
6441 Bo Creek Bay
Lincoln, NE 68516

Jean Preister

From: Jean Preister
Sent: Thursday, October 03, 2013 8:30 AM
To: Jean Preister
Subject: FW: City Planning

From: Gail Blankenau [mailto:gblankenau@msn.com]
Sent: Wednesday, October 02, 2013 1:15 PM
To: Hove, Chris
Subject: City Planning

Dear Chris:

I realize your meeting on the planned apartments in the Pine Lake area is probably just starting. I have a fairly heavy workload and time got away from me.

I would like to voice my concern about the density of this planned construction, including the potential traffic and noise problems.

I realize that something will be built there, but these neighborhoods are very nice places to live, and the density of what is planned may change the quality of life for residents--and once that genie is out of the proverbial bottle, it is too late.

In the past (in another neighborhood), we had a noise problem with snow removal taking place at 3:00 and 4:00 in the morning in a large parking lot. I was not the only one who complained but we were completely ignored.

I finally called our city councilperson, who informed me that I was "in luck." There was an ordinance that protected us from this kind of thing in residential neighborhoods. She gave me the name of the person at the city health department.

Long story short, you can pass all the nice-sounding laws you want, but if the person tasked with enforcement doesn't want to do it, you suffer. They promised to "investigate," but kept forgetting. You see, they had to have proof to tell the entity to quit. Guess what? Bureaucrats don't get up at 3:00 a.m. to investigate (no matter what promises they make).

After a couple of years, I called Mike or Mark or whatever his name was (faceless bureaucrat answerable to no one, particularly not a citizen who has a problem), and he said that the entity was granted a variance. None of the people who complained had received any notice of this hearing. He did grudgingly grant that he "probably

should have notified" us.

In short, if this development goes as planned, it will be too late. In addition to noise, and traffic, they will have their business to run. If that includes a lot of noise at night, they will have free rein.

After my experience, I would warn my fellow citizens (and I know I should have attended the meeting) that the city will not be there when you need them, even if you have the law on your side. Since that time, I no longer have any confidence whatsoever in my local government.

Best Regards,

Gail Blankenau
7424 Stevens Ridge Rd.
Lincoln, NE 68516
(402) 421-8501
http://www.facebook.com/discoveringfamilyhistory
www.discoverfamilyhistory.com

1195

OPPOSITION: SUBMITTED AT PUBLIC HEARING BEFORE PLANNING COMMISSION

ANNEXATION NO. 13004
CHANGE OF ZONE NO. 13020
SPECIAL PERMIT NO. 13043

RESOLUTION OF THE BOARD OF DIRECTORS

OF

PINE LAKE ASSOCIATION

A RESOLUTION EXPRESSING OPPOSITION TO THE PROPOSED BROADMOOR DEVELOPMENT OF LOT 89, I.T., SECTION 15, TOWNSHIP 9 NORTH, RANGE 7 EAST.

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF PINE LAKE ASSOCIATION:

That the Board of Directors by this resolution expresses the opposition of the Association to the proposed development of Lot 89, I.T., in the Southwest Quarter of Section 15, Township 9 North, Range 7 East of the 6th P.M., by Broadmoor Development for the following reasons:

- The request for R-4 Residential zoning with the attendant ability to construct 219 dwelling units would allow development at a greater density level than is reasonable and appropriate for the subject property.
- A development of 219 dwelling units is out of character with the development of adjacent properties that are zoned AGR and R-3 Residential.
- The development at the proposed density would cause an undue burden upon the roadway system within and adjacent to the proposed development.

For the above and foregoing reasons, the Pine Lake Association opposes the development of the subject property by Broadmoor Development as proposed.

PASSED AND APPROVED by a vote of 5 ayes and 0 nays on this 9th day of May, 2013.

Lisa Lannin-Clarke
Secretary

Lisa Lannin-Clarke

096

501007

OPPOSITION: SUBMITTED AT PUBLIC HEARING BEFORE PLANNING COMMISSION

ANNEXATION NO. 13004
CHANGE OF ZONE NO. 13020
SPECIAL PERMIT NO. 13043

Applications: Street & Ally Vacation No. 06007
Annexation No. 13004
Change of Zone No. 13020
Special Permit No. 13043

October 2, 2013

We purchased a home last year at 6420 Westshore Drive. Our home is located across the street from the proposed Broadmoor development site and immediately across the street from the intersection of Pine Ridge Lane and Westshore Drive. Over the last year we have undertaken a major remodel of the existing home with the intent of building our dream home. We hope to make Pine Lake our "forever" home in which we will raise our young family and hopefully one day enjoy our retirement.

When we made this significant financial investment into the neighborhood, it was with the full understanding that the Livingston property would and *should* one day be developed. As young citizens of Lincoln we tend to be pro-growth, but as *mindful* young citizens of Lincoln, we also understand that successful growth of our community should also be smart and completed only after careful consideration. The development of a 220-unit apartment complex immediately adjacent to low density single family homes is not what we would classify as smart growth.

Nine years ago, this very Commission, as well as the Lincoln City Council, quite clearly shared our opinion on the appropriate placement of large apartment complexes within our community. We direct your attention to the Southeast Lincoln/Highway 2 Subarea Plan, last revised in June 2004. In particular, Article II(B), a subsection captioned with the objective "Provide Effective Land Use Transitions", provides as follows: "In some areas, 'special residential' uses should be provided to adjacent lower density residential uses. Special residential uses could include churches, domiciliary care facilities, retirement apartments, child care facilities or townhomes. **In more urban settings, which are further from existing single family residences, apartments may also be appropriate as special residential uses.**" (emphasis added) We do not feel that placing a large apartment complex immediately adjacent to AGR zoned residential housing is an "effective land use transition." In no way could our neighborhood be depicted as a "more urban setting" when compared to our surrounding environment. While we understand that this particular subarea plan is no longer considered to be current, we find it hard to believe that this body would drastically change one of its core goals in less than ten years' time.

Prior to purchasing our home and before undertaking expensive renovations, we reviewed the zoning of the Livingston property as well as the subarea plan to which I previously cited. We relied upon this information as a factor in making one of the most significant decisions of our marriage. We are mindful that numerous people appear before you similarly asking for you to halt various developments near their properties. In many of those instances you have wisely approved the proposed development. The correct zoning was already in place and the proposed development quite clearly fit within the existing Comprehensive Plan. We ask you to contrast those situations, however, with the matter that you are presented with today. We did our homework. We reviewed the current zoning of the adjacent property. We consulted with the

Comprehensive Plan and the subarea plan. We spoke with neighbors who have been involved with the current owner's previous attempts at development. We even *assumed* that there would likely eventually be a change to the zoning, but never did we believe that a large apartment complex might be built across the street from our property. We did all of the homework that we possibility could have done. Our citizens must be able to purchase real estate in our fine City with some level of certainty that a behemoth development would not be built next door. Today, you have the opportunity to provide some of that certainty to us.

Finally, we implore you to think of the safety of our two-year-old son and the other children of our neighborhood. Again, we live immediately across the street from the intersection of Pine Ridge Lane and Westshore Drive. The potential increase in traffic from such a large development causes these young parents to lose sleep. Our neighborhood simply was not designed to sustain the kind of traffic which would almost certainly result from this proposed development. In particular, we do not have sidewalks, nor do we have streetlights. When you weigh the merits of the vacation of Pine Ridge Lane, please think of our young child as he learns to ride his bike down Westshore Drive. For the sake of the sanity of these young parents and the other parents of Pine Lake, *please* vote in favor of the vacation of Pine Ridge Lane.

Thank you for you careful consideration of this matter.

Ben and Ramzi Hynek
6420 Westshore Drive
Lincoln, NE 68516
(402) 730-6905 or (402) 617-7200

4821-6021-1221, v. 1

OPPOSITION: SUBMITTED AT PUBLIC HEARING BEFORE PLANNING COMMISSION

ANNEXATION NO. 13004
CHANGE OF ZONE NO. 13020
SPECIAL PERMIT NO. 13043

September 17, 2013

Lincoln Lancaster County Planning Commission
555 S 10th Street Suite 213
Lincoln, NE 68508

RE: Change of Zone No. 13020
and Special Permit No. 13043

Dear Sirs:

I am writing to you to express opposition on behalf of the Edenton South Neighborhood Association to Change of Zone Application 13020 and Special Permit No. 13043. I serve as an officer of the Edenton South Neighborhood Association and I present this letter of opposition on behalf of that association.

The Edenton South Neighborhood Association is concerned that placing such a large apartment complex at the intersection of Ashbrook Drive and Highway 2 will result in an unreasonable amount of traffic being funneled north into our neighborhood as drivers seek alternative routes to either 70th Street or Old Cheney Road..

In addition, we are concerned regarding the affect this will have on Edenton South Park. We do not believe it would be advisable to funnel this traffic past this park. We also feel that the size of the park was planned as a neighborhood park to serve the needs of the contiguous neighborhoods. Adding an additional 220 units of multi-family apartments in such close proximity could overwhelm the facilities of that park.

We encourage the Planning Commission to deny the application for a Change of Zone to R4 and deny the Special Permit filed in this case.

Thank you.

Very truly yours,

Jeff Freeman, Treas.

Bryce Kleen, Pres.

099

OPPOSITION: SUBMITTED AT PUBLIC HEARING
BEFORE PLANNING COMMISSION BY BOB OLSON

ANNEXATION NO. 13004
CHANGE OF ZONE NO. 13020
SPECIAL PERMIT NO. 13043

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DAM ROAD "WESTSHORE DRIVE"
NOT MADE FOR HEAVY TRAFFIC

TOP PINE LAKE NEIGHBORHOOD

WESTSHORE DRIVE

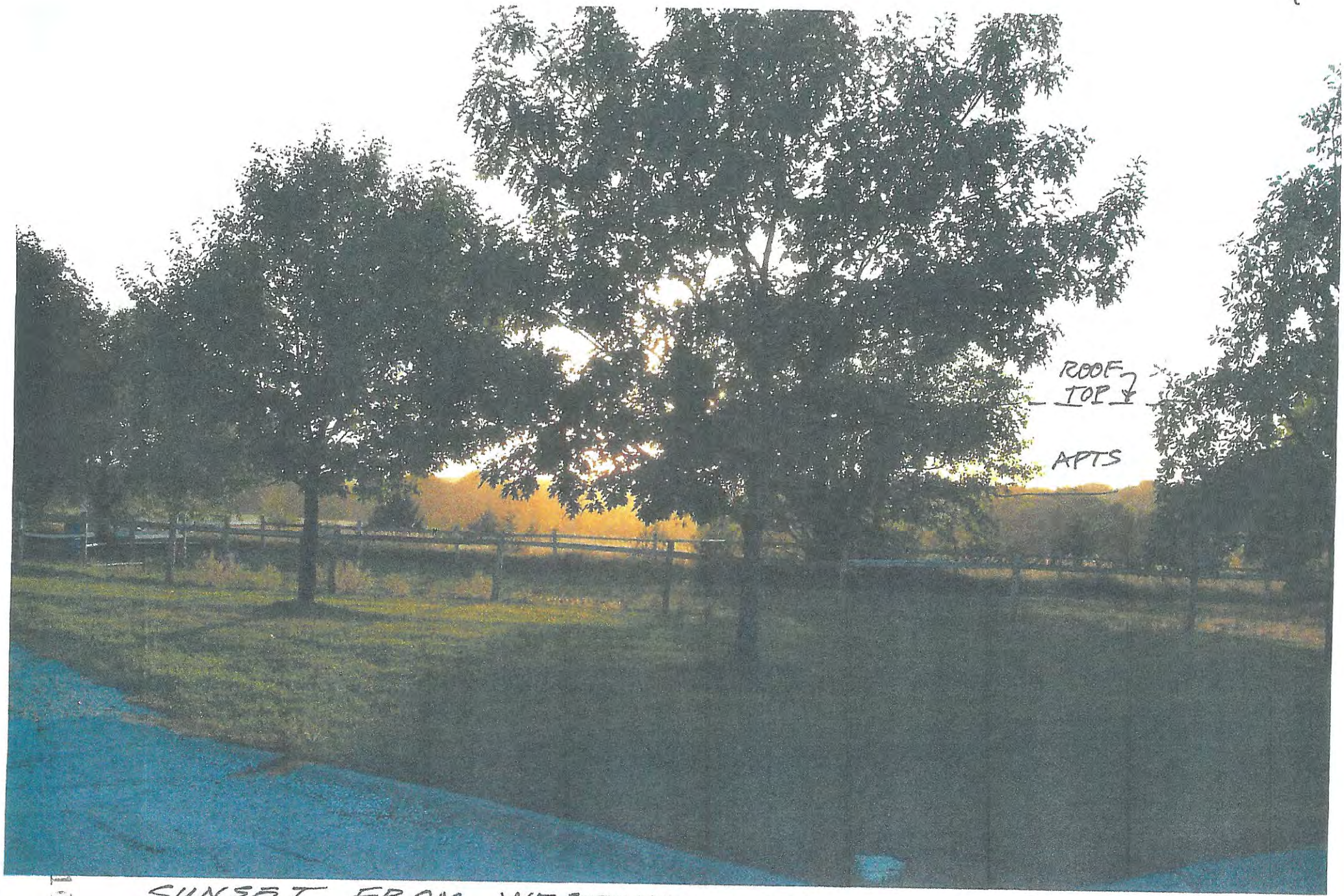
QUIET STREETS

DSCF0346.JPG

HOUSES 30 ft. APART

PINE LAKE & BEACH
PRIVATE PROPERTY
27 ACRES

DSCF0345.JPG



SUNSET FROM WESTSHORE DRIVE
LOOKING WEST

5

WESTSHORE DRIVE LOOKING WEST OVER HORSE RIDING RING

DSCF0348.JPG

104

LOOKING WEST

DSCF0347.JPG

1 SOUTHEAST RURAL FIRE DEPARTMENT TUESDAY TRAINING NIGHT

FIRE STATION
DRIVEWAY
OLD PINELAKE
ROAD NOW PROPOSED
APT ACCESS ROAD

DSCF0354.JPG

LOOKING WNW

DSCF0353.JPG

LOOKING ENE

DSCF0358.JPG

LOOKING NE

111

DSCF0359.JPG

LOOKING NE

L112

DSCF0360.JPG

DSCF0364.JPG

LOOKING ENE

DSCF0366.JPG

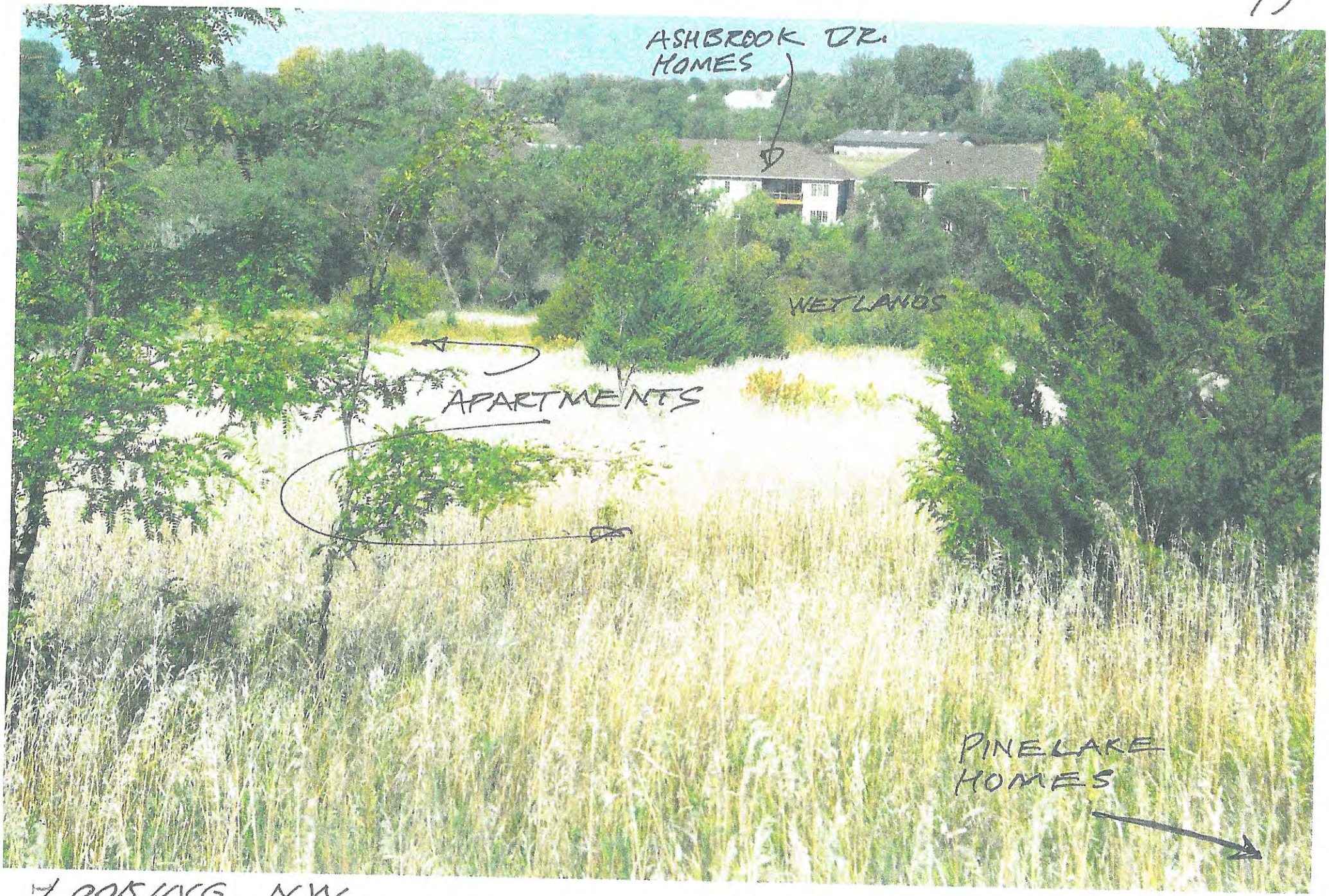
LOOKING EAST

DSCF0367.JPG

HOMES ON ASHBROOK DR

DSCF0368.JPG

HOMES ON ASHBROOK
APTS WOULD BE
BEHIND ACROSS WETLANDS DSCF0369.JPG



LOOKING NW

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