

FACTSHEET

TITLE: ANNEXATION NO. 15013
(South 84th Street, south of Yankee Hill Rd.)

BOARD/COMMITTEE: Planning Commission

APPLICANT: REGA Engineering
on behalf of R. C. Krueger Development

RECOMMENDATION: Approval (8-0: Beecham, Cornelius, Harris, Lust, Sunderman, Corr, Weber, and Hove voting 'yes'; Scheer absent).

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 present at hearing.

REASON FOR LEGISLATION: To annex approximately 73 acres, more or less, and adjacent rights-of-way, generally located at South 84th Street, south of Yankee Hill Road.

DISCUSSION/FINDINGS OF FACT:

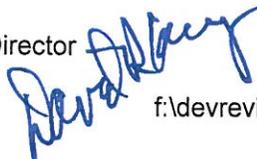
1. This annexation request and the associated Change of Zone No. 05068E from AG to R-3 Planned Unit Development (Bill #15-153) appeared on the Consent Agenda of the Planning Commission on December 2, 2015.
2. The purpose of this proposal is to annex approximately 73 acres and adjacent rights-of-way.
3. The staff recommendation for approval of the annexation request is based upon the "Analysis" as set forth on p.3-5, concluding that the area to be annexed and re-zoned brings in all the area previously shown in concept as part of the previously approved Woodlands at Yankee Hill PUD. It will allow for approximately 310 additional dwelling units and an additional 155,000 square feet of commercial floor area. Subject to the recommended conditions of approval, these requests are in general compliance with the Zoning Ordinance and Comprehensive Plan.
4. On December 2, 2015, the Planning Commission agreed with the staff recommendation and voted 8-0 to recommend approval of this annexation request.
5. On December 2, 2015, the Planning Commission also voted 8-0 to recommend approval of the associated Change of Zone No. 05068E (Bill #15-153).
6. Should this annexation request be approved, the Planning staff is recommending that the Council ordinance assign the newly annexed area to **Council District #2.**

FACTSHEET PREPARED BY: Geri Rorabaugh, Administrative Officer

DATE: December 7, 2015

REVIEWED BY: David R. Cary, Acting Planning Director

DATE: December 7, 2015



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LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for December 2, 2015 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 #15013
Change of Zone #05068E - The Woodlands at Yankee Hill Planned Unit Development (PUD)

PROPOSAL: To annex approximately 72.5 acres of land, and to change the zoning designation from AG to R-3 PUD over approximately 82.65 acres of land.

LOCATION: Southwest of the intersection of South 84th Street and Yankee Hill Road

LAND AREA: Annexation #15013 - Approximately 72.5 acres
Change of Zone #05068E - Approximately 82.65 acres

CONCLUSION: The area to be annexed and re-zoned brings in all the area previously shown in concept as part of the previously approved Woodlands at Yankee Hill PUD. It will allow for approximately 310 additional dwelling units, and an additional 155,000 square feet of commercial floor area. Subject to the recommended conditions of approval, these requests are in general compliance with the Zoning Ordinance and Comprehensive Plan.

<u>RECOMMENDATION:</u>	
AN#15013	Approval
CZ#05068E	Conditional Approval

CITY COUNCIL DISTRICT: City Council District #2

GENERAL INFORMATION:

LEGAL DESCRIPTION: AN#15013 - See attached legal description.
CZ#05068E - See attached legal description.

3. Similar to prior amendments, this proposal is a combined annexation and change of zone request. It seeks to expand the PUD and bring in the remaining areas previously shown in concept, which are covered by the original annexation agreement that covers this development. However, the two requests cover slightly different areas.

AN#15013 - Annexes approximately 72.5 acres. This includes all the land owned by the developer on the south side of Yankee Hill Road between S. 70th - S. 84th. It also includes the Cheney Cemetery at the intersection of S. 84th and Yankee Hill Road, and three single-family dwellings on Coral and Mohave Drive not owned by the developer. The City requested that the cemetery and dwellings be include in the annexation so that entirety of Yankee Hill Road would be annexed into the City, thereby making the future improvement project a city-only project, rather than a city/county road project. Including both the dwellings and cemetery is consistent with the City's annexation policy.

CZ#05068E - Changes the zoning from AG to R-3 PUD over approximately 82.65 acres. The area is different that of the area of the annexation as it does not include the cemetery tract, but it does include a tract adjacent to the cemetery on the west that was previously annexed to allow the extension of a sewer main to the trunk sewer located approximately one-quarter mile north of Yankee Hill Road.

4. The Pipeline Planning Area (PIPELINE PLANNING AREA) exists along Yankee Hill Road in this area, and extends 220' either side of pipeline. The 220' PIPELINE PLANNING AREA is delineated on the site plan. Consistent with recommendations from the Health Department, apartments do not extend into the PPL in the area of S. 73rd Street. Rather, commercial buildings are shown within the PPL and account for the requested increase in commercial floor area.

However, east of South 78th Street single-family dwellings are shown extending into the PIPELINE PLANNING AREA. The difference is that residential lots have been shown in concept in this area since the original approval in 2005 at a time when application of pipeline planning notice guidelines were slightly different. As a result, in those cases where dwellings were shown in the PIPELINE PLANNING AREA as part of a previously approved plan, the Health Department has recommended they be allowed to remain if an alternate use is not financially feasible. Since a site layout concept plan for the apartment area had not been previously approved, the recommendation is that no apartment buildings be located within the PPL.

This rationale would also apply to the area adjacent to the cemetery near South 84th Street and Yankee Hill Road. A single-family residential lot layout is shown, but the note indicates that the area could also be developed with 450 apartments. It needs to be clear that if the plan is revised to show apartments, none will to be located in the PIPELINE PLANNING AREA.

5. A street and lot layout for the area adjacent outside of re-zoning to the southeast corner (labeled as Lots 10, 12, 21, 40 and 41 I.T.) is shown only to illustrate how a future street network could look. The area is not covered by the existing annexation agreement, and not all the land is owned by the developer. It allows for logical street connections and a potential school site, but is not formally included as a concept plan as a part of the development. Even with that understanding, the lots adjacent to Lots 1-6, Block 32 should be depicted as typical residential lots served by typical residential streets.
6. The allowed commercial floor area increases from 589,000 square feet to 744,000 square feet. Most is shown between South 73rd and South 78th Streets. The remainder is shown on the south of Hayek Drive near the intersection of South 84th Street.

The total number of dwelling units requested is 2,026, which is less the total number allowed by the Design Standards for the R-3 zoning district based upon the area of the PUD. The proposed plan shows 1,185 dwelling units, with the remaining 885 being approved but unallocated. This will allow minor increases in the number dwelling units shown to be approved administratively where it is appropriate and found to be consistent with the Zoning Ordinance.

7. Consideration needs to be given with respect to compatibility between the apartments and the existing dwellings that are proposed for annexation near Coral Drive. The site plan shows future apartment buildings relatively close to the existing dwellings, and represents a significant change in land use in proximity to the homes. The phasing of the apartments should be such that the building nearest to Mohave Drive is not built until the area redevelops with urban-density uses, or the developer owns all the lots involved.
8. The grading and drainage plan is insufficient for Public Works and Utilities to review and comment on. Those plans are required prior to development, and so a condition of approval is included requiring those plans to be revised to the satisfaction of Public Works and Utilities.
9. The area of Blocks 7-9 exceeds the maximum block length, and there may be alternate, more suitable layouts. This area should be labeled as conceptual to allow for that possibility.
10. There are several corrective items noted by the staff review and which are included as recommended conditions of approval.
11. The proposed amendment to The Woodlands PUD generally reflects the overall concept plan which has been in place since the original approval 10 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.

Prepared by:

Brian Will, 441-6362, bwill@lincoln.ne.gov
Planner
November 17, 2015

Applicant/

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

Contact: Marcia Kinning
REGA Engineering
601 Old Cheney Road Ste A
Lincoln, NE 68512
402.434.2424

ANNEXATION NO. 15013

CONSENT AGENDA
PUBLIC HEARING & ADMINISTRATIVE ACTION
BEFORE PLANNING COMMISSION:

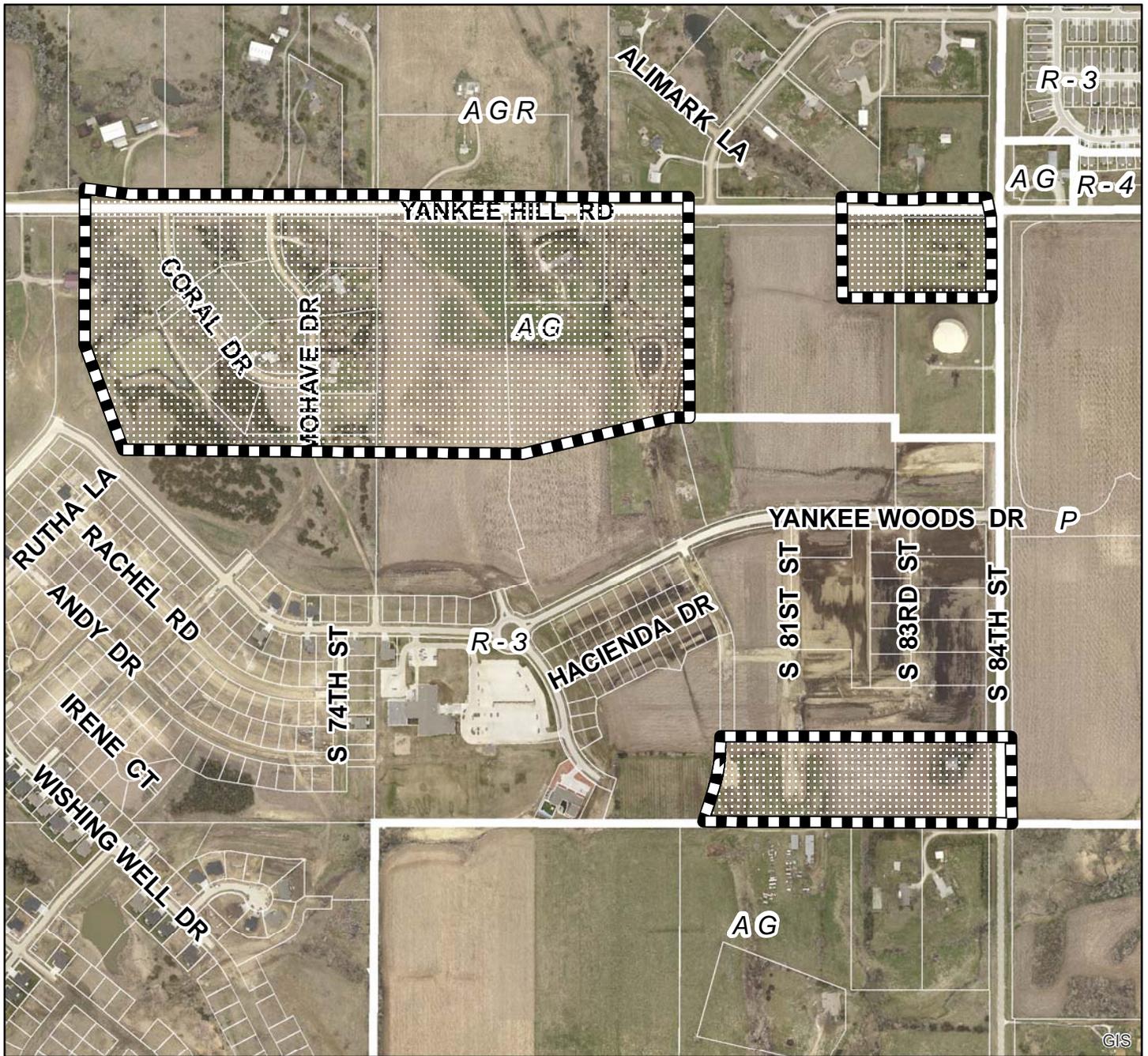
December 2, 2015

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

The Consent Agenda consisted of the following items: **ANNEXATION NO. 15013 and CHANGE OF ZONE NO. 05068E.**

There were no ex parte communications disclosed.

Harris moved approval of the Consent Agenda, seconded by Lust and carried 8-0: Beecham, Cornelius, Corr, Harris, Lust, Sunderman, Weber and Hove voting 'yes'; Scheer absent.



GIS

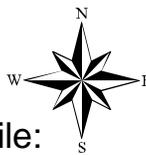
2013 aerial

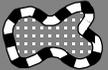
Annexation #: AN15013
The Woodlands at Yankee Hill
S 70th St & Yankee Hill Rd

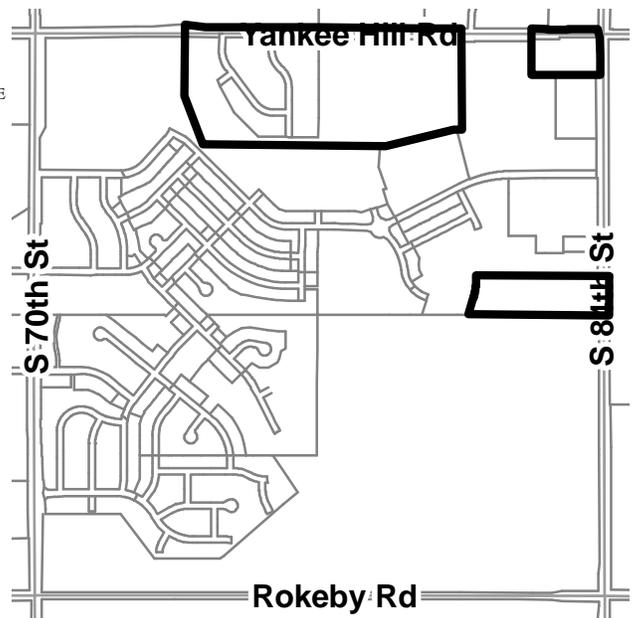
Zoning:

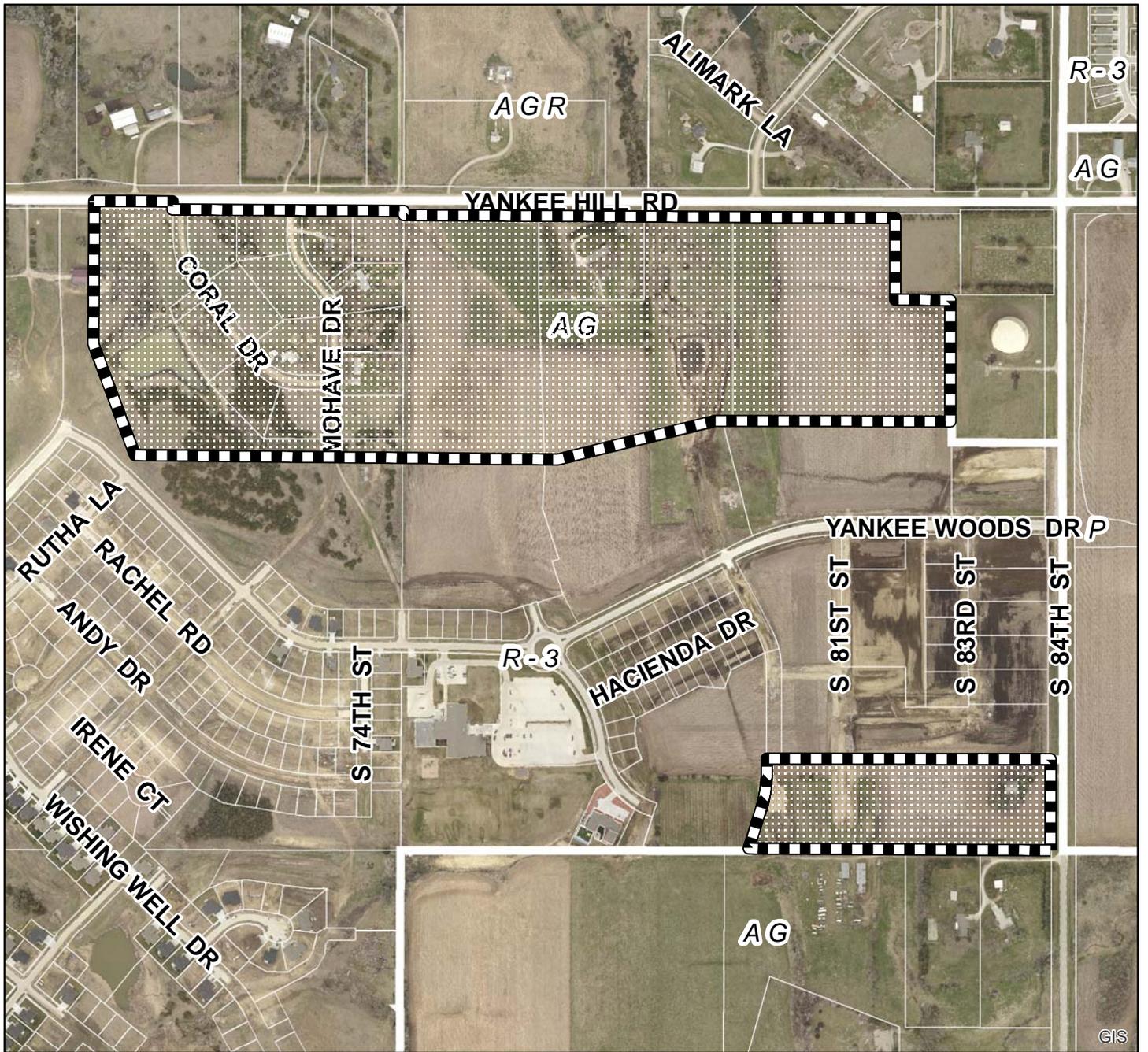
- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- O-1 Office District
- O-2 Suburban Office District
- O-3 Office Park District
- R-T Residential Transition District
- B-1 Local Business District
- B-2 Planned Neighborhood Business District
- B-3 Commercial District
- B-4 Lincoln Center Business District
- B-5 Planned Regional Business District
- H-1 Interstate Commercial District
- H-2 Highway Business District
- H-3 Highway Commercial District
- H-4 General Commercial District
- I-1 Industrial District
- I-2 Industrial Park District
- I-3 Employment Center District
- P Public Use District

One Square Mile:
 Sec.27 T09N R07E



	Area of Application
	Zoning Jurisdiction Lines
	Lancaster County Jurisdiction





**Change of Zone #: CZ05068E (AG to R-3PUD)
The Woodlands at Yankee Hill PUD
S 70th St & Yankee Hill Rd**

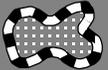
2013 aerial

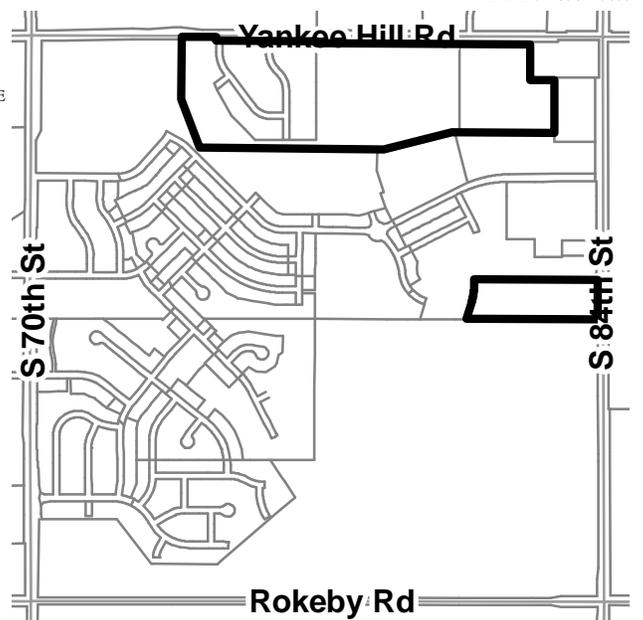
Zoning:

- R-1 to R-8 Residential District
- AG Agricultural District
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- O-1 Office District
- O-2 Suburban Office District
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- H-2 Highway Business District
- H-3 Highway Commercial District
- H-4 General Commercial District
- I-1 Industrial District
- I-2 Industrial Park District
- I-3 Employment Center District
- P Public Use District

One Square Mile:
Sec.27 T09N R07E



	Area of Application
	Zoning Jurisdiction Lines
	Lancaster County Jurisdiction



File No. 151062
November 4, 2015

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

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

Dear Marvin,

On behalf of Calruby, LLC, we request Annexation of 67.47 acres and Change of Zone from 'AG' to 'R-3' PUD on 72.65 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 70th to South 84th Street. The existing PUD contains 288.36 acres. With the entire area within the existing annexation agreement and those lots that have been surrounded by the development, the proposed PUD contains 371.01 acres.

A conceptual layout of private roadways within the commercial area in the northwest corner of the development have now been shown. The potential layout of multi-family units within Lot 1, Block 2 have also been shown with commercial area adjacent to Yankee Hill Road. This commercial area has been shown to accommodate the buffer area for the existing gas line along Yankee Hill Road. Due to an existing home on Lot 3, Block 2 of Walnut Heights, Coral Drive will have a cul-de-sac constructed at the west corner of the lot to supply access until such time as the property is acquired by the developer. At that time the rest of Coral Drive will be vacated to allow multi-family units to be developed. The lots along the south side of Hayek Drive have been modified to commercial lots. In the future additional area south of the and on the east half of the project will be added to the PUD which will make the lots deeper for commercial uses.

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With the added commercial area along Yankee Hill Road and the area south of Hayek Drive, the total commercial area has been increased from 644,000 square feet to 744,000 square feet allowed within the PUD.

With the roundabouts that are being designed along Yankee Hill Road the proposed future improvements of South 70th and 84th Street are needing to be modified to fit that construction. The need for a transition to the intersections are needed. A similar paving width has been shown in South 70th and 84th Street as is shown between the intersections along Yankee Hill Road. It is understood that additional right-of-way will need to be dedicated around the proposed roundabouts. This information will need to be acquired from the City of Lincoln so that the plans can reflect this modification.

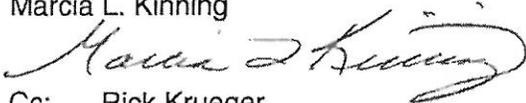
The number of dwelling units shown within the PUD is 1185 units with the total allowed by density to remain 2,026 units.

All the waivers requested and approved through the original PUD remain with this application. The waiver pertaining to the commercial area and setbacks (#7) has been modified to include the new commercial areas. A list of the approved waivers with this application has been enclosed.

Please contact me if you have any questions or comments.

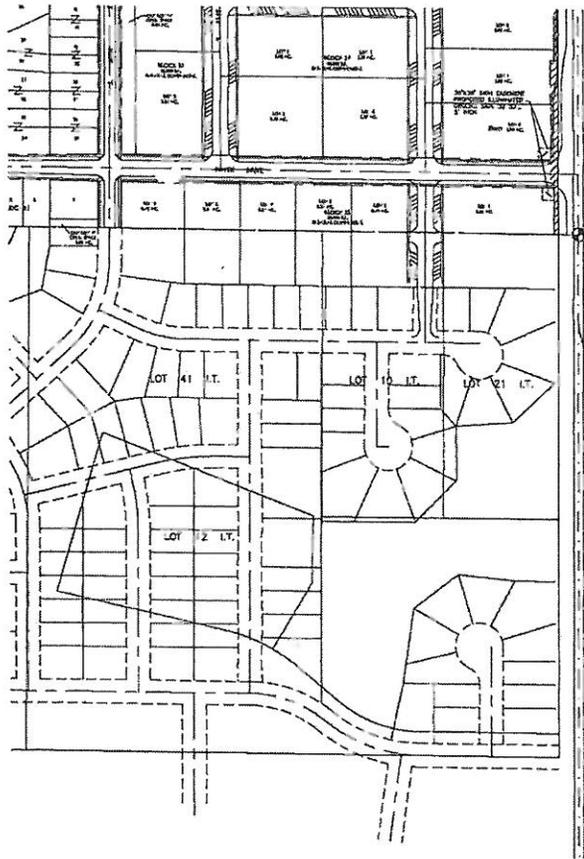
Sincerely,

Marcia L. Kinning



Cc: Rick Krueger

Enclosures: Zoning Application
PUD Application Fee of \$3,792.00
Owner List
Waiver List



VERTICAL CURVE DATA:

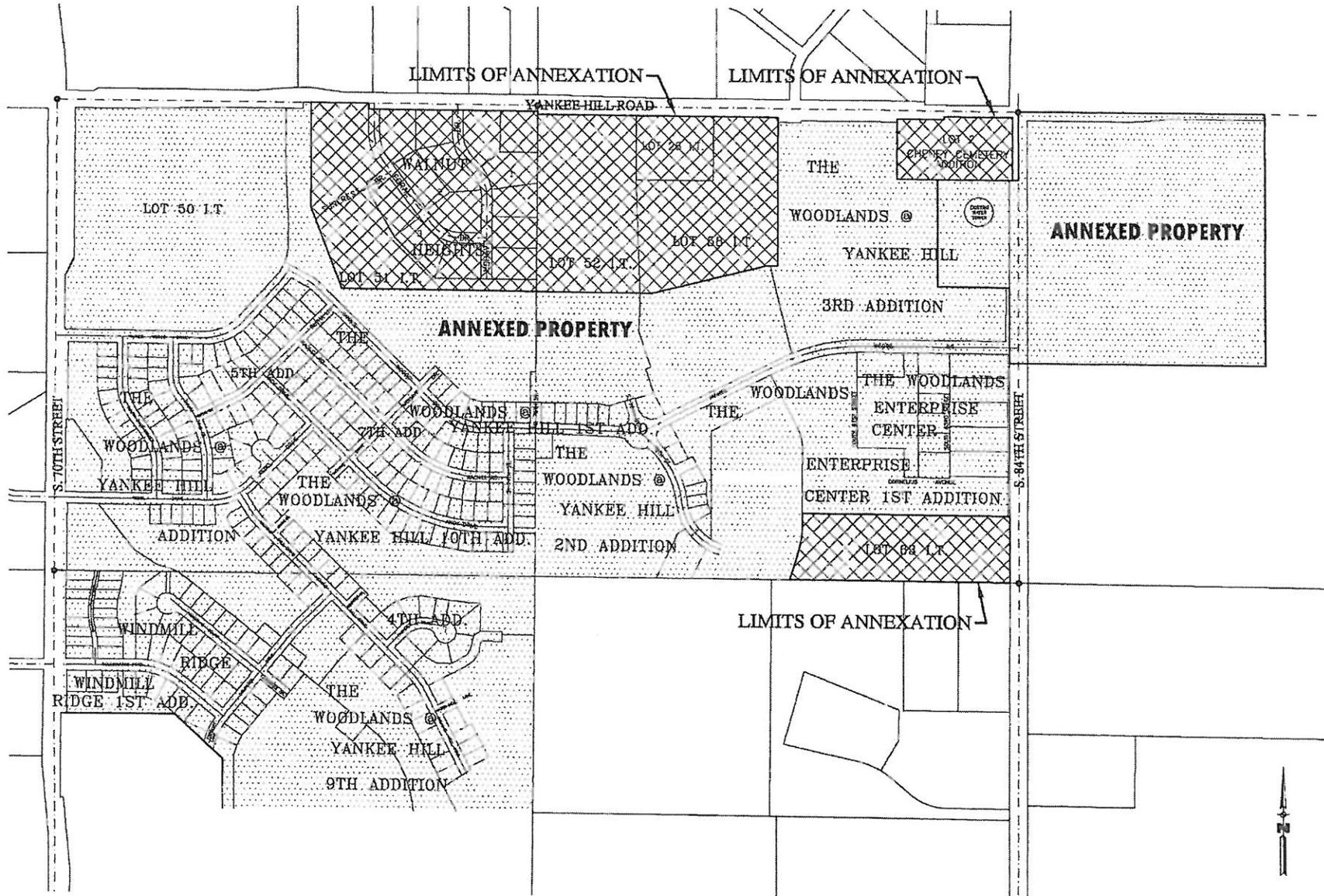
$R = 430.00'$
 $\Delta = 5'07.52''$
 $L = 61.02'$
 $Cb = 50.97'$
 $ChBrg = N19'04''14"E$

GENERAL NOTES:

1. THIS PLANNED UNIT DEVELOPMENT (P.U.D.) CONTAINS 371.01 ACRES.
2. THIS P.U.D. AUTHORIZES 1185 TOTAL DWELLING UNITS WITH THE TOTAL NOT TO EXCEED 2,028 UNITS; 744,000 SQUARE FEET OF OFFICE/COMMERCIAL FLOOR AREA; AND A SITE FOR CHURCH/SCHOOL AND RELIGIOUS USES.
3. 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.
4. ALL SIGNAGE SHALL CONFORM TO SECTION 27.69.040 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 OR LARGER SIGNS. DETAILS OF SIGNAGE SHALL BE SHOWN AT THE TIME OF SIGN PERMITS.
5. PRIVATE ROADWAYS SHALL BE PERMITTED BY ADMINISTRATIVE AMENDMENT.
6. 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.
7. 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.
8. 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.
9. EXACT LOCATION OF ALL EASEMENTS SHALL BE SHOWN AT THE TIME OF FINAL PLATS.
10. COMMON ACCESS EASEMENTS ARE HEREBY GRANTED ON ALL PARKING LOTS, DRIVING AISLES, AND SIDEWALKS.
11. THE "R-3" ZONING REGULATIONS APPLY THROUGHOUT THIS P.U.D. WITH THE FOLLOWING EXCEPTIONS:
 - A. PER THE APPROVED WAIVERS AS LISTED IN THE "REQUESTED WAIVERS" TABLE.
 - B. 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 IN PERMITTED USES ON LOTS 15 - 18, BLOCK 2B. THE SITE PLAN SHOWN IS CONCEPTUAL. FINAL PLANS WILL BE DETERMINED AT THE TIME OF BUILDING PERMIT.
 - C. THE REGULATIONS OF THE "O-3" AND "B-2" ZONING DISTRICTS APPLY TO LOT 1, BLOCK 1; LOT 1, BLOCK 7; LOT 1, BLOCK 25; LOTS 1 & 2, BLOCK 26, 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.
 - D. THE REGULATIONS OF THE "H-4" ZONING DISTRICT APPLY TO BLOCKS 6, 11, 32, 33, 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.
 - E. 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.
12. RESIDENTIAL LOT LAYOUT IS CONCEPTUAL, ACTUAL LAYOUT WILL BE DETERMINED AT THE TIME OF FINAL PLAT SUBJECT TO COMPLIANCE WITH LMC TITLE 26.
13. PROVISIONS BY THE DEVELOPER SHOULD BE MADE FOR RETAINING AS MUCH TREE MASS AS POSSIBLE.
14. THE BLOCK 1 COMMERCIAL CENTER IS APPROVED FOR 295,000 S.F. OF COMMERCIAL SPACE SUBJECT TO THE FOLLOWING CONDITIONS PRIOR TO THE FIRST COMMERCIAL BUILDING PERMIT WITHIN THE BLOCK:
 - A. IT WILL BE DEVELOPED WITH PEDESTRIAN ORIENTED COMMERCIAL USES AND ORIENTED TO THE NEIGHBORHOOD.
 - B. APPROVAL OF AN ADMINISTRATIVE AMENDMENT FOR THE OVERALL CENTER SITE PLAN WITHIN BLOCK 1.
 - C. BUILDING PERMITS APPROVED FOR AT LEAST 30 MULTI-FAMILY (APARTMENT) DWELLING UNITS OF THE 200 OR MORE MULTI-FAMILY UNITS WITHIN THE PUD.
 - D. AN OVERALL DENSITY OF AT LEAST 4.0 DWELLING UNITS PER TOTAL ACRES IS APPROVED WITHIN THE PUD.
 - E. 50,000 S.F. OF THE 295,000 S.F. MUST BE OFFICE USES AND BE LOCATED ON THE SECOND FLOOR OF A COMMERCIAL BUILDING.
 - F. INCLUSION OF OPEN SPACE, SUCH AS A MINI-PARK OR PLAZA LOCATED WITHIN THE COMMERCIAL CENTER OR NEARBY. THE DEVELOPER'S DEDICATION OF NEARLY 20 ACRES OF OPEN SPACE FOR PUBLIC USE WILL FULFILL THIS REQUIREMENT. THE OPEN SPACE MUST BE OPEN TO THE PUBLIC, BUT MAY BE EITHER PUBLICLY OR PRIVATELY OWNED.
15. 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 LMC.
16. 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.
17. 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.
18. ALL OPEN SPACE, DETENTION AREAS AND PRIVATE PARKS MAINTENANCE IS THE RESPONSIBILITY OF THE DEVELOPERS AND/OR FUTURE HOMEOWNERS ASSOCIATION.
19. 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.
20. 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.
21. GARAGES WILL BE SETBACK A MINIMUM OF 22' FROM THE SIDEWALK FOR LOTS 44 THROUGH 54, BLOCK 40 AND LOTS 1 THROUGH 15, BLOCK 3B. ATTACHED AND DETACHED SINGLE-FAMILY DWELLING UNITS AND TOWNHOMES ARE ALLOWED ON THESE LOTS.
22. 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 ORDER.
23. 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.
24. 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.
25. 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.

THE WOODLANDS AT YANKEE HILL
 'R-3' PUD #05068E
 SOUTH 70TH STREET & YANKEE HILL ROAD

THE WOODLANDS AT YANKEE HILL ANNEXATION EXHIBIT



PROJECT
151062
REGA
ENGINEERING GROUP, INC.
601 OLD CHENEY ROAD SUITE 'A' LINCOLN, NEBRASKA 68512 (402) 484-7342
<ul style="list-style-type: none"> • ENGINEERING • PLANNING • SURVEYING

THE WOODLANDS AT YANKEE HILL
P.U.D. #05068E
ANNEXATION
LEGAL DESCRIPTION

Irregular Tract Lot 63, 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 S.E. corner of said N.E. ¼ of Section 27 and extending thence N. 89°40'22" W. along the South line of said N.E. ¼ a distance of 50.01 feet to the **POINT OF BEGINNING**;

Thence N. 89°40'22" W., 1229.77 feet;

Thence N. 17°45'43" E., 152.37 feet to a point of curvature of a circular curve to the left having a central angle of 17°26'08", a radius of 570.00 feet, and whose chord (172.79 feet) bears N09°02'39"E;

Thence along the arc of said circular curve 173.46 feet;

Thence N. 00°19'35" E., 50.88 feet;

Thence S. 89°52'09" E., 1156.67 feet;

Thence S. 00°07'51" W., along a line 50.01 feet west of and parallel with the East line of said N.E. 1/4 a distance of 371.00 feet to the **POINT OF BEGINNING**, containing 10.00 acres.

AND

Lot 28 of Irregular Tracts, portions of Lots 51, 52 and 58 of Irregular Tracts; and Lots 1 through 6, Block 1, Lots 1-5, Block 2, Lots 1-3, Block 3, and right-of-way of Walnut Heights, all located in the North Half 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 N.W. Corner of the N.W. Quarter of said Section 27 and extending thence S00°39'03"W along the West line of said N.W. Quarter a distance of 45.00 feet; Thence S89°38'09"E along a line 45.00 feet south of and parallel with the North line of said N.W. Quarter a distance of 100.00 feet to the Northwest Corner of Irregular Tract Lot 50; Thence S89°38'09"E, for a distance of 200.00 feet; Thence N89°18'25"E, for a distance of 650.33 feet; Thence S89°38'09"E, for a distance of 415.14 feet; Thence N00°12'51"E, for a distance of 33.00 feet; Thence S89°38'09"E, for a distance of 44.95 feet **POINT OF BEGINNING**;

Thence S00°21'51"W, for a distance of 582.87 feet;

Thence S20°21'12"E, for a distance of 483.94 feet;

Thence S89°25'09"E, for a distance of 1722.89 feet;

Thence N76°10'57"E, for a distance of 659.08 feet;

Thence S89°52'24"E, for a distance of 65.53 feet;

Thence N00°21'31"E, for a distance of 830.38 feet;

Thence N89°38'27"W, for a distance of 360.24 feet;

Thence N89°38'28"W, for a distance of 978.55 feet;

Thence N00°34'51"E, for a distance of 17.00 feet;

Thence N89°38'09"W, for a distance of 940.13 feet;

Thence N00°22'19"W, for a distance of 33.00 feet;

Thence N89°38'09"W, for a distance of 319.66 feet to the **POINT OF BEGINNING** and containing 57.47 acres.

AND

Lot 2, Cheney Cemetery Addition, 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 N.E. Corner of said N.E. ¼ of Section 27 and extending thence N. 89°38'27" W. along the North line of said N.E. ¼ a distance of 33.00 feet; Thence S. 00°07'52" W. a distance of 33.01 feet to the **POINT OF BEGINNING**;

Thence continuing S. 00°07'52" W., 349.38 feet;

Thence N. 89°38'47" W., 642.48 feet;

Thence N. 00°07'42" E., 332.44 feet;

Thence S. 89°38'27" E., 262.93 feet;

Thence N. 00°21'33" E., 17.00 feet;

Thence S. 89°38'27" E., 379.50 feet to the **POINT OF BEGINNING**, containing 5.05 acres.