

## FACTSHEET

**TITLE: CHANGE OF ZONE NO. 05068E**  
The Woodlands at Yankee Hill PUD -  
(Between South 70<sup>th</sup> Street and South 84<sup>th</sup> Street,  
south of Yankee Hill Road)

**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:** Conditional Approval

**OTHER DEPARTMENTS AFFECTED:** None.

**SPONSOR:** Planning Department

**OPPONENTS:** None present at hearing.

### **REASON FOR LEGISLATION:**

To change the zoning from AG Agriculture District and R-3 Residential District Planned Unit Development, on property generally located between South 70<sup>th</sup> and South 84<sup>th</sup> Street, south of Yankee Hill Road.

### **DISCUSSION/FINDINGS OF FACT:**

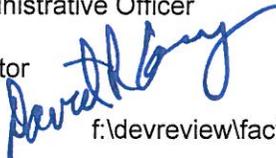
1. This change of zone request and the associated Annexation No. 15013 (Bill #15-152) appeared on the Consent Agenda of the Planning Commission on December 2, 2015.
2. The purpose of this change of zone from AG to R-3 is to allow for development of The Woodlands at Yankee Hill Planned Unit Development.
3. The staff recommendation for conditional approval of the change of zone request is based upon the "Analysis" as set forth on p.3-5, concluding that the change of zone to R-3 is in general compliance with the Zoning Ordinance and Comprehensive Plan, subject to the recommended conditions of approval.
4. On December 2, 2015, the Planning Commission agreed with the staff recommendation and voted 8-0 to recommend conditional approval of this change of zone request, subject to the conditions found on p.6-8.
5. On December 2, 2015, the Planning Commission also voted 8-0 to recommend approval of the associated Annexation No. 15013 (Bill #15-152).

**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 84<sup>th</sup> 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.

### **RECOMMENDATION:**

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.

### **EXISTING LAND USE AND ZONING:**

Vacant, residential, cemetery

AG Agricultural

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

North:	Acreage residential	AGR
South:	Acreage residential	AG
East:	Vacant (Future Jensen Park, Public School)	P
West:	Future commercial (north part), residential (south part)	R-3 PUD

## **HISTORY:**

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

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

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

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

**JUN 2014** - AN#14002 and CZ#05068D were approved expanding the original PUD by approximately 10 acres to accommodate 62 additional dwelling units.

## **ANALYSIS:**

1. The original PUD approved in 2007 was approximately 195 acres in area, then expanded by 26 acres in 2009, by 35 acres in 2011, by 24 acres in 2013, and by 10 more acres on 2014. They have all been part of a larger overall concept plan that covers approximately the north one-half of the section bounded by South 70<sup>th</sup> & South 84<sup>th</sup> Street, and Yankee Hill and Rokeby Roads (approximately 370 acres in all). The areas sought for annexation and re-zoning in all subsequent requests have been consistent with the larger overall concept plan. With this request, all areas previously shown in concept are now part of the PUD.
2. The City and developer agreed to the process of showing an overall concept plan with a phased development so the entire development could be evaluated for overall feasibility and appropriateness up-front. This allowed significant issues to be identified and addressed early in the process, and helped simplify the review and approvals as additional phases were annexed and re-zoned for development.
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. 70<sup>th</sup> - S. 84<sup>th</sup>. It also includes the Cheney Cemetery at the intersection of S. 84<sup>th</sup> 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 (PPA) exists along Yankee Hill Road in this area, and extends 220' either side of pipeline. The 220' PPA 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. 73<sup>rd</sup> Street. Rather, commercial buildings are shown within the PPL and account for the requested increase in commercial floor area.

However, east of South 78<sup>th</sup> Street single-family dwellings are shown extending into the PPA. 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 PPA 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 84<sup>th</sup> 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 PPA.

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 73<sup>rd</sup> and South 78<sup>th</sup> Streets. The remainder is shown on the south of Hayek Drive near the intersection of South 84<sup>th</sup> 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 a 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.

### **CONDITIONS:**

Approval to annex 72.5 acres of land.

Approval to re-zone from AG to R3-PUD approximately 82.65 acres of land for up to 2,026 dwelling units and up to 744,000 square feet of commercial floor area.

**CZ#05068D**

Site Specific:

1. The developer shall cause to be prepared and submitted to the Planning Department a revised and reproducible final plot plan including 4 copies with all required revisions and documents as listed below upon approval of the planned unit development by the City Council before receiving building permits:
  - 1.1 Revise Note #2 and the PUD land use table to note that total number of dwelling units shown is 1,185, the total number of dwelling units approved is 2,026, and the number of unallocated dwelling units is 841.
  - 1.2 Delete the note stating the developer will build two lanes and turn lanes in Yankee Hill Road.
  - 1.3 Add a note which states that if single-family lots are converted to multiple-family dwellings in Block 9 that no apartment buildings will be shown in the Pipeline Planning Area.
  - 1.4 Delete Note #26.
  - 1.5 Add a note which states that the apartment building on the west side of Mohave Drive may not be built until the adjacent existing single-family dwellings have redeveloped or are owned by the developer.
  - 1.6 Add a note which states that Block 46 may not be platted until the area is redeveloped or acquired by the developer.
  - 1.7 Designate Outlot F for future development.
  - 1.8 Delete all ground sign easements, as Note #4 already states the sign provisions.
  - 1.9 Label Blocks 7-9 as 'Conceptual'.
  - 1.10 Show 15'-wide outlots for pedestrian easements in: Block 4 to Yankee Hill Road; in Block 12 from South 79<sup>th</sup> Court and Patrick Avenue; and in Block 36 to the large undetermined land use to the east to the satisfaction of the Planning Department.
  - 1.11 Show a 15'-wide outlot between Lots 19-20, Block 10 to allow for access to the open space.
  - 1.12 Show the 5'-wide pedestrian easement added to Lot 11, Block 42 with the final plat of The Woodlands at Yankee Hill 16<sup>th</sup> Addition.
  - 1.13 Show the conceptual lots adjacent to Block 32 as residential lots served by residential streets.

2. Revise the grading and drainage plan to the satisfaction of Public Works and Utilities, including ADA compliance for pedestrian connections.
3. City Council approves associated request AN#14002.

General:

4. Before receiving building permits the permittee shall have submitted a revised final plan and the plans are acceptable.
5. Before final plats are approved provide documentation that a release from Rural Water District #1 has been granted for the area being annexed for which the developer is responsible.

Standard:

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

Prepared by:

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Brian Will, 441-6362, [bwill@lincoln.ne.gov](mailto: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

# CHANGE OF ZONE NO. 05068E

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

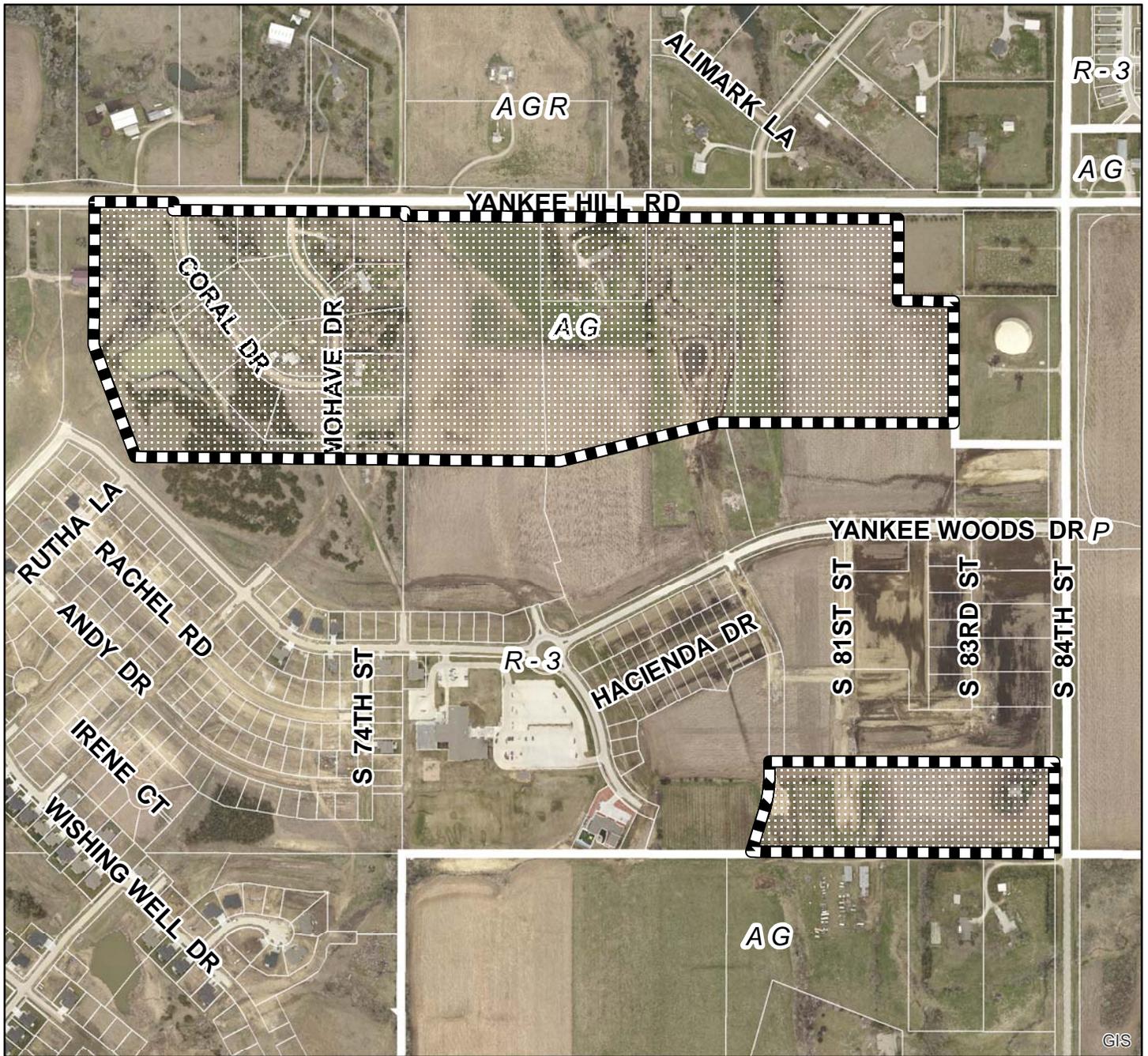
December 2, 2015

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.



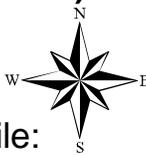
**Change of Zone #: CZ05068E (AG to R-3PUD)  
The Woodlands at Yankee Hill PUD  
S 70th St & Yankee Hill Rd**

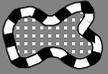
2013 aerial

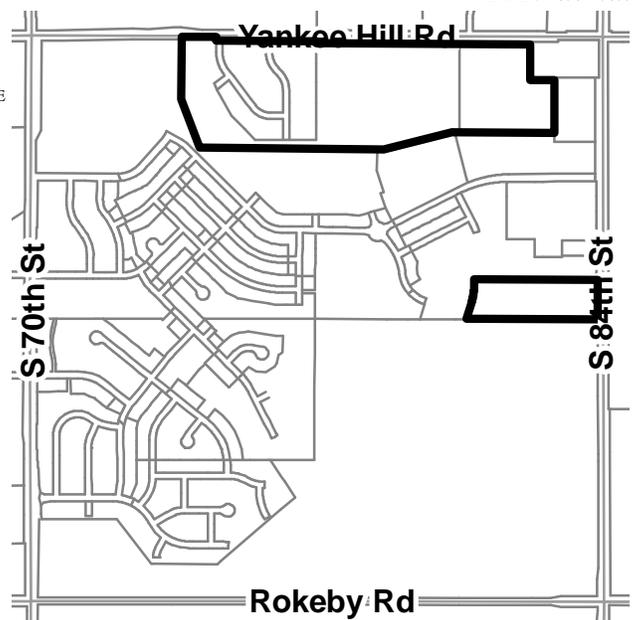
**Zoning:**

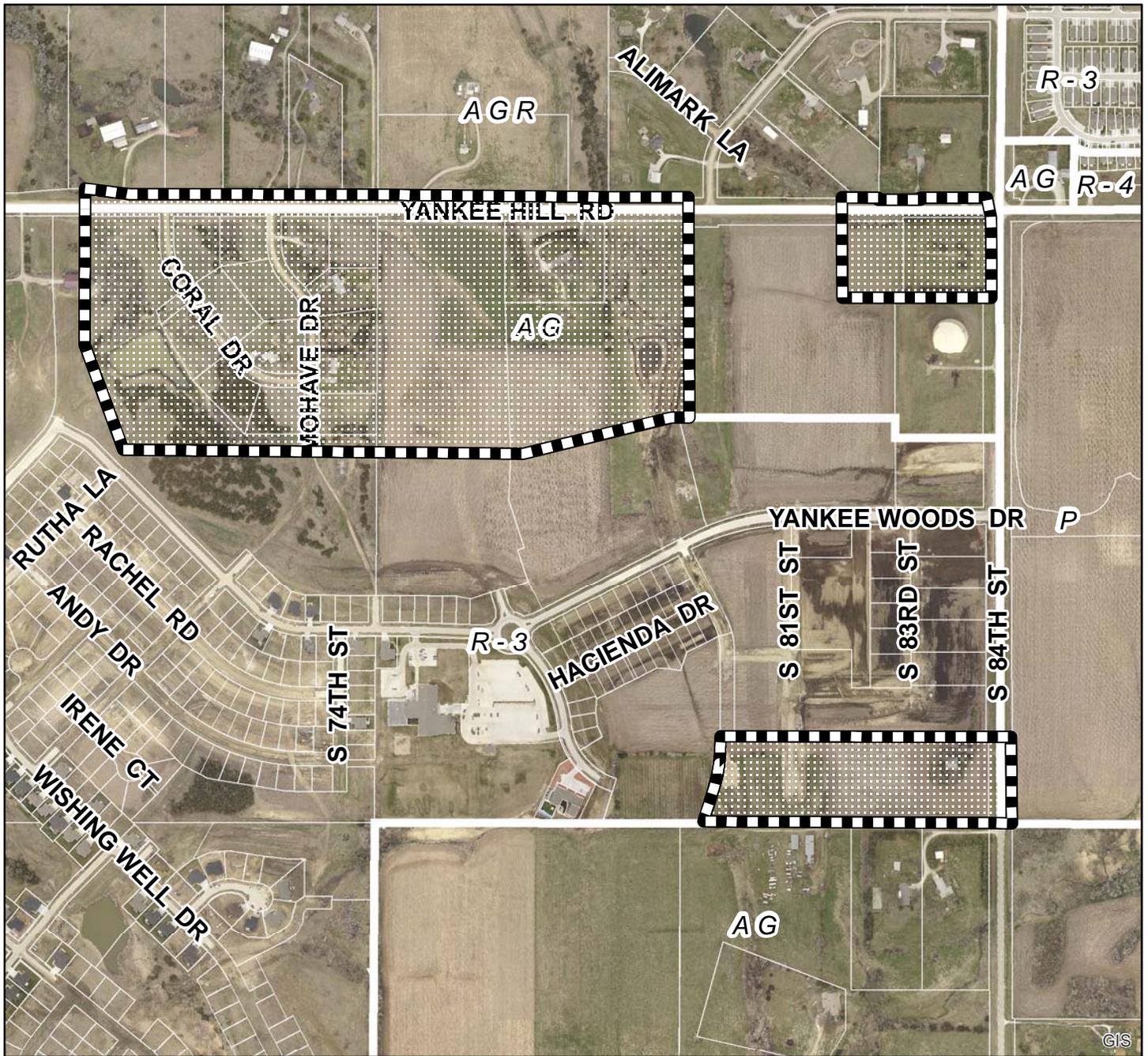
- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- O-1 Office District
- O-2 Suburban Office District
- O-3 Office Park District
- R-T Residential Transition District
- B-1 Local Business District
- B-2 Planned Neighborhood Business District
- B-3 Commercial 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

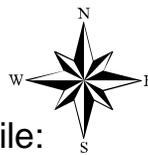




GIS

2013 aerial

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



One Square Mile:  
 Sec.27 T09N R07E

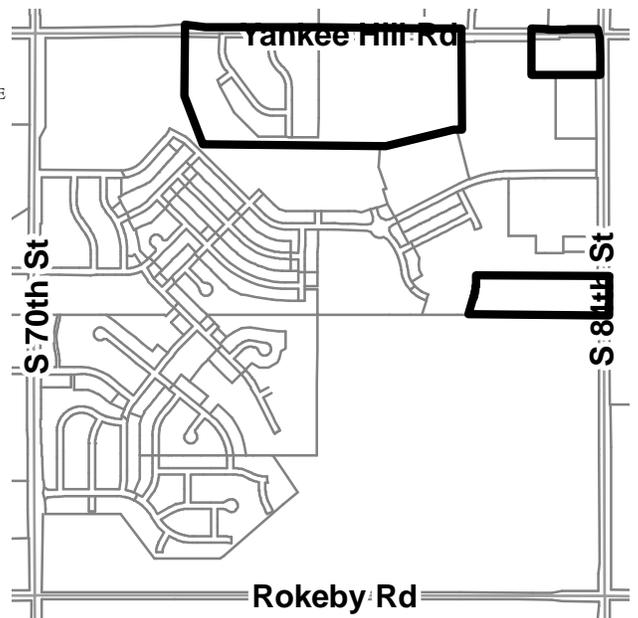
**Zoning:**

- 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

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 10<sup>th</sup> 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 70<sup>th</sup> to 84<sup>th</sup> 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 70<sup>th</sup> to South 84<sup>th</sup> 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.

# REGA

ENGINEERING  
GROUP, INC.

Page 2

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 70<sup>th</sup> and 84<sup>th</sup> 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 70<sup>th</sup> and 84<sup>th</sup> 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.

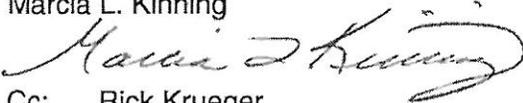
The number of dwelling units shown within the PUD is 1185 units with the total allowed by density to remain 2,026 units.

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.

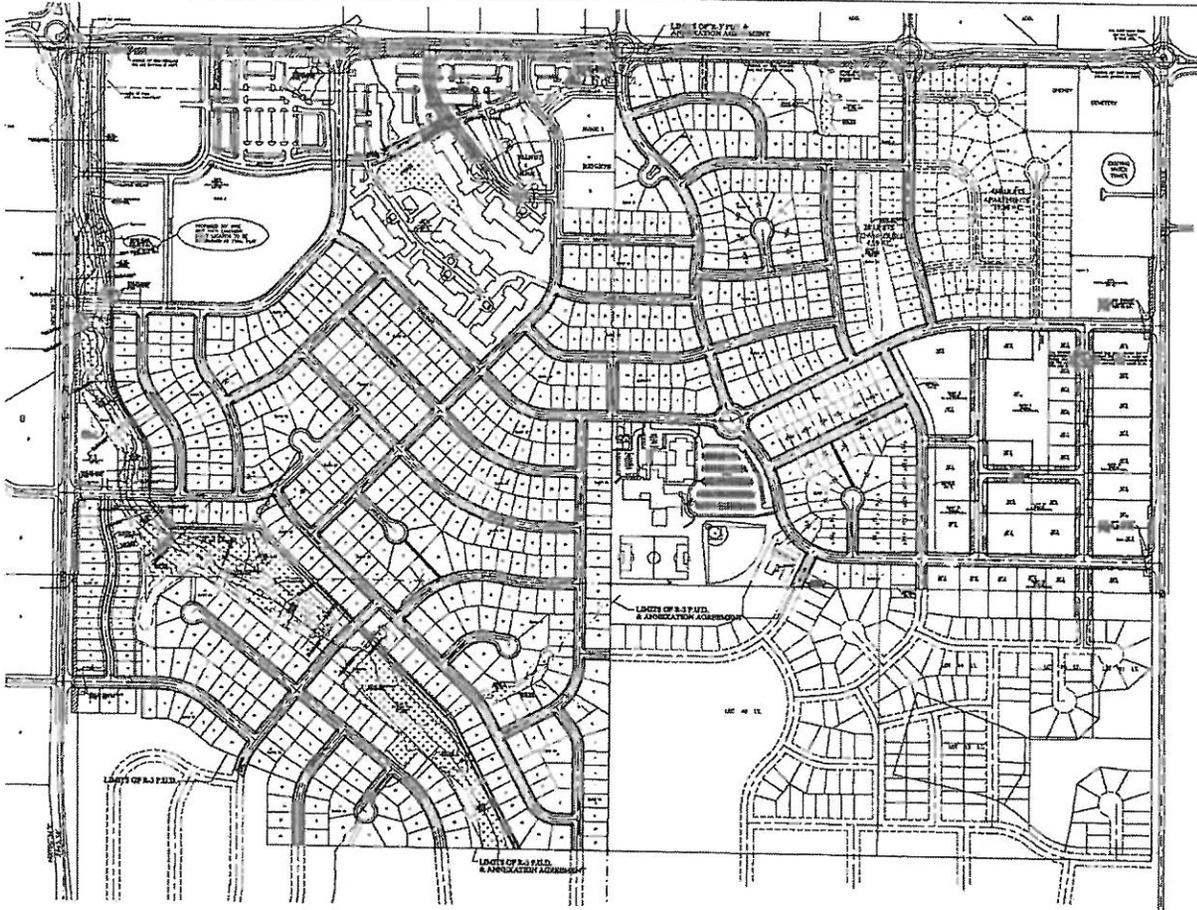
Sincerely,

Marcia L. Kinning



Cc: Rick Krueger

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



**P.U.D. LEGEND & DESCRIPTION**

A full description of the project is provided in the project description on page 1 of the project description. The project is a residential development consisting of 1,000 lots, 100 units, and 100 parking spaces. The project is located in the City of Lincoln, Nebraska. The project is bounded by 70th Street to the north, 71st Street to the south, and 10th Street to the east. The project is bounded by 11th Street to the west. The project is bounded by 12th Street to the east. The project is bounded by 13th Street to the east. The project is bounded by 14th Street to the east. The project is bounded by 15th Street to the east. The project is bounded by 16th Street to the east. The project is bounded by 17th Street to the east. The project is bounded by 18th Street to the east. The project is bounded by 19th Street to the east. The project is bounded by 20th Street to the east. The project is bounded by 21st Street to the east. The project is bounded by 22nd Street to the east. The project is bounded by 23rd Street to the east. The project is bounded by 24th Street to the east. The project is bounded by 25th Street to the east. The project is bounded by 26th Street to the east. The project is bounded by 27th Street to the east. The project is bounded by 28th Street to the east. The project is bounded by 29th Street to the east. The project is bounded by 30th Street to the east. The project is bounded by 31st Street to the east. The project is bounded by 32nd Street to the east. The project is bounded by 33rd Street to the east. The project is bounded by 34th Street to the east. The project is bounded by 35th Street to the east. The project is bounded by 36th Street to the east. The project is bounded by 37th Street to the east. The project is bounded by 38th Street to the east. The project is bounded by 39th Street to the east. The project is bounded by 40th Street to the east. The project is bounded by 41st Street to the east. The project is bounded by 42nd Street to the east. The project is bounded by 43rd Street to the east. The project is bounded by 44th Street to the east. The project is bounded by 45th Street to the east. The project is bounded by 46th Street to the east. The project is bounded by 47th Street to the east. The project is bounded by 48th Street to the east. The project is bounded by 49th Street to the east. The project is bounded by 50th Street to the east. The project is bounded by 51st Street to the east. The project is bounded by 52nd Street to the east. The project is bounded by 53rd Street to the east. The project is bounded by 54th Street to the east. The project is bounded by 55th Street to the east. The project is bounded by 56th Street to the east. The project is bounded by 57th Street to the east. The project is bounded by 58th Street to the east. The project is bounded by 59th Street to the east. The project is bounded by 60th Street to the east. The project is bounded by 61st Street to the east. The project is bounded by 62nd Street to the east. The project is bounded by 63rd Street to the east. The project is bounded by 64th Street to the east. The project is bounded by 65th Street to the east. The project is bounded by 66th Street to the east. The project is bounded by 67th Street to the east. The project is bounded by 68th Street to the east. The project is bounded by 69th Street to the east. The project is bounded by 70th Street to the east. The project is bounded by 71st Street to the east. The project is bounded by 72nd Street to the east. The project is bounded by 73rd Street to the east. The project is bounded by 74th Street to the east. The project is bounded by 75th Street to the east. The project is bounded by 76th Street to the east. The project is bounded by 77th Street to the east. The project is bounded by 78th Street to the east. The project is bounded by 79th Street to the east. The project is bounded by 80th Street to the east. The project is bounded by 81st Street to the east. The project is bounded by 82nd Street to the east. The project is bounded by 83rd Street to the east. The project is bounded by 84th Street to the east. The project is bounded by 85th Street to the east. The project is bounded by 86th Street to the east. The project is bounded by 87th Street to the east. The project is bounded by 88th Street to the east. The project is bounded by 89th Street to the east. The project is bounded by 90th Street to the east. The project is bounded by 91st Street to the east. The project is bounded by 92nd Street to the east. The project is bounded by 93rd Street to the east. The project is bounded by 94th Street to the east. The project is bounded by 95th Street to the east. The project is bounded by 96th Street to the east. The project is bounded by 97th Street to the east. The project is bounded by 98th Street to the east. The project is bounded by 99th Street to the east. The project is bounded by 100th Street to the east.

**SURVEY CERTIFICATE**

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY DIRECT SUPERVISION AND THAT I AM A LICENSED SURVEYOR UNDER THE LAWS OF THE STATE OF NEBRASKA.

LYN L. SMITH, L.S. 514

- CENTRAL NOTES**
- THE PLANNED UNIT DEVELOPMENT (PUD) CONFORMS TO THE CITY OF LINCOLN, NEBRASKA, ORDINANCE 100-100, AS AMENDED.
  - THE DEVELOPER SHALL MAINTAIN THE EXISTING CURBS AND GUTTERS AND SHALL REPAIR AND REPLACE ANY CURBS AND GUTTERS DAMAGED BY THE DEVELOPMENT.
  - THE DEVELOPER SHALL MAINTAIN THE EXISTING STREETS AND SHALL REPAIR AND REPLACE ANY STREETS DAMAGED BY THE DEVELOPMENT.
  - THE DEVELOPER SHALL MAINTAIN THE EXISTING SIDEWALKS AND SHALL REPAIR AND REPLACE ANY SIDEWALKS DAMAGED BY THE DEVELOPMENT.
  - THE DEVELOPER SHALL MAINTAIN THE EXISTING UTILITIES AND SHALL REPAIR AND REPLACE ANY UTILITIES DAMAGED BY THE DEVELOPMENT.
  - THE DEVELOPER SHALL MAINTAIN THE EXISTING FENCES AND SHALL REPAIR AND REPLACE ANY FENCES DAMAGED BY THE DEVELOPMENT.
  - THE DEVELOPER SHALL MAINTAIN THE EXISTING SIGNAGE AND SHALL REPAIR AND REPLACE ANY SIGNAGE DAMAGED BY THE DEVELOPMENT.
  - THE DEVELOPER SHALL MAINTAIN THE EXISTING LANDSCAPING AND SHALL REPAIR AND REPLACE ANY LANDSCAPING DAMAGED BY THE DEVELOPMENT.
  - THE DEVELOPER SHALL MAINTAIN THE EXISTING TREES AND SHALL REPAIR AND REPLACE ANY TREES DAMAGED BY THE DEVELOPMENT.
  - THE DEVELOPER SHALL MAINTAIN THE EXISTING LIGHTING AND SHALL REPAIR AND REPLACE ANY LIGHTING DAMAGED BY THE DEVELOPMENT.
  - THE DEVELOPER SHALL MAINTAIN THE EXISTING SECURITY AND SHALL REPAIR AND REPLACE ANY SECURITY DAMAGED BY THE DEVELOPMENT.
  - THE DEVELOPER SHALL MAINTAIN THE EXISTING ACCESSIBILITY AND SHALL REPAIR AND REPLACE ANY ACCESSIBILITY DAMAGED BY THE DEVELOPMENT.
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  - THE DEVELOPER SHALL MAINTAIN THE EXISTING WORLD AND SHALL REPAIR AND REPLACE ANY WORLD DAMAGED BY THE DEVELOPMENT.

**PROJECT**

151002

**DATE**

11/14/18

**DESIGNED BY**

MLK

**DRAWN BY**

MLK

**CHECKED BY**

MLK

**REGA**

ENGINEERING GROUP, INC.

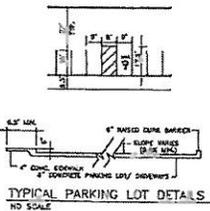
1100 O STREET, SUITE 4  
LINCOLN, NEBRASKA 68502  
(402) 441-1143

• ENGINEERING  
• PLANNING  
• LAND SURVEYING

**THE WOODLANDS AT YANKEE HILL**

**R-3' PUD #05068E**

**SOUTH 70TH STREET & YANKEE HILL ROAD**



**PUD USE TABLE**

AREA	AREA (SQ. FT.)	AREA (AC.)	PERCENT OF TOTAL AREA
RESIDENTIAL	1,000,000	23.0	97.0
PARKING	100,000	2.3	2.0
STREETS	100,000	2.3	2.0
UTILITIES	100,000	2.3	2.0
TOTAL	1,300,000	30.0	100.0

**PUD BOUNDARY CURVE DATA**

$R = 200.00'$       $\Delta = 90.00'$   
 $A = 1.5708$       $\Delta = 90.00'$   
 $C = 282.84$       $\Delta = 90.00'$   
 $D = 282.84$       $\Delta = 90.00'$   
 $E = 282.84$       $\Delta = 90.00'$   
 $F = 282.84$       $\Delta = 90.00'$   
 $G = 282.84$       $\Delta = 90.00'$   
 $H = 282.84$       $\Delta = 90.00'$   
 $I = 282.84$       $\Delta = 90.00'$   
 $J = 282.84$       $\Delta = 90.00'$   
 $K = 282.84$       $\Delta = 90.00'$   
 $L = 282.84$       $\Delta = 90.00'$   
 $M = 282.84$       $\Delta = 90.00'$   
 $N = 282.84$       $\Delta = 90.00'$   
 $O = 282.84$       $\Delta = 90.00'$   
 $P = 282.84$       $\Delta = 90.00'$   
 $Q = 282.84$       $\Delta = 90.00'$   
 $R = 282.84$       $\Delta = 90.00'$   
 $S = 282.84$       $\Delta = 90.00'$   
 $T = 282.84$       $\Delta = 90.00'$   
 $U = 282.84$       $\Delta = 90.00'$   
 $V = 282.84$       $\Delta = 90.00'$   
 $W = 282.84$       $\Delta = 90.00'$   
 $X = 282.84$       $\Delta = 90.00'$   
 $Y = 282.84$       $\Delta = 90.00'$   
 $Z = 282.84$       $\Delta = 90.00'$

- REQUESTED NOTES**
1. THE DEVELOPER SHALL MAINTAIN THE EXISTING CURBS AND GUTTERS AND SHALL REPAIR AND REPLACE ANY CURBS AND GUTTERS DAMAGED BY THE DEVELOPMENT.
  2. THE DEVELOPER SHALL MAINTAIN THE EXISTING STREETS AND SHALL REPAIR AND REPLACE ANY STREETS DAMAGED BY THE DEVELOPMENT.
  3. THE DEVELOPER SHALL MAINTAIN THE EXISTING SIDEWALKS AND SHALL REPAIR AND REPLACE ANY SIDEWALKS DAMAGED BY THE DEVELOPMENT.
  4. THE DEVELOPER SHALL MAINTAIN THE EXISTING UTILITIES AND SHALL REPAIR AND REPLACE ANY UTILITIES DAMAGED BY THE DEVELOPMENT.
  5. THE DEVELOPER SHALL MAINTAIN THE EXISTING FENCES AND SHALL REPAIR AND REPLACE ANY FENCES DAMAGED BY THE DEVELOPMENT.
  6. THE DEVELOPER SHALL MAINTAIN THE EXISTING SIGNAGE AND SHALL REPAIR AND REPLACE ANY SIGNAGE DAMAGED BY THE DEVELOPMENT.
  7. THE DEVELOPER SHALL MAINTAIN THE EXISTING LANDSCAPING AND SHALL REPAIR AND REPLACE ANY LANDSCAPING DAMAGED BY THE DEVELOPMENT.
  8. THE DEVELOPER SHALL MAINTAIN THE EXISTING TREES AND SHALL REPAIR AND REPLACE ANY TREES DAMAGED BY THE DEVELOPMENT.
  9. THE DEVELOPER SHALL MAINTAIN THE EXISTING LIGHTING AND SHALL REPAIR AND REPLACE ANY LIGHTING DAMAGED BY THE DEVELOPMENT.
  10. THE DEVELOPER SHALL MAINTAIN THE EXISTING SECURITY AND SHALL REPAIR AND REPLACE ANY SECURITY DAMAGED BY THE DEVELOPMENT.
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  23. THE DEVELOPER SHALL MAINTAIN THE EXISTING COUNTRY AND SHALL REPAIR AND REPLACE ANY COUNTRY DAMAGED BY THE DEVELOPMENT.
  24. THE DEVELOPER SHALL MAINTAIN THE EXISTING WORLD AND SHALL REPAIR AND REPLACE ANY WORLD DAMAGED BY THE DEVELOPMENT.

**ACCEPTANCE**

NO ACCEPTANCE OF THIS SURVEY IS INTENDED BY THE SURVEYOR UNLESS IT IS EXPRESSLY STATED TO THE CONTRARY IN WRITING BY THE SURVEYOR.

**SURVEYOR:**

LYN L. SMITH, L.S. 514

**OWNER/DEVELOPER:**

THE WOODLANDS AT YANKEE HILL  
 1100 O STREET, SUITE 4  
 LINCOLN, NEBRASKA 68502  
 (402) 441-1143

**ENGINEERS:**

REGA ENGINEERING GROUP, INC.  
 1100 O STREET, SUITE 4  
 LINCOLN, NEBRASKA 68502  
 (402) 441-1143

**SHEET LEGEND:**

1	COVER SHEET
2	GENERAL NOTES
3	DETAILED SITE PLAN
4	DETAILED SITE PLAN
5	DETAILED SITE PLAN
6	DETAILED SITE PLAN
7	DETAILED SITE PLAN
8	DETAILED SITE PLAN
9	DETAILED SITE PLAN
10	DETAILED SITE PLAN
11	DETAILED SITE PLAN
12	DETAILED SITE PLAN
13	DETAILED SITE PLAN
14	DETAILED SITE PLAN



**DATE:** 11/14/18

**DESIGNED BY:** MLK

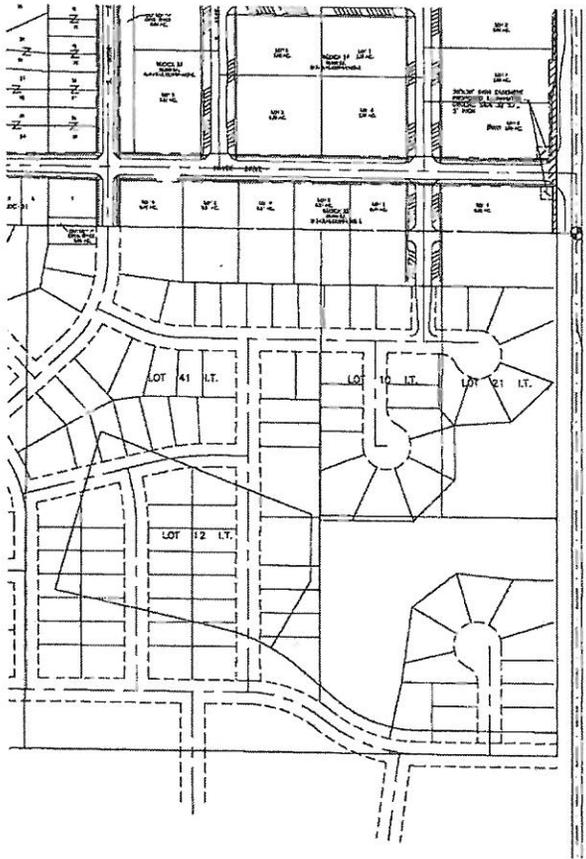
**DRAWN BY:** MLK

**CHECKED BY:** MLK

**PROJECT LOCATION**

**SHEET NO.**

1 of 14



**CURVE DATA:**

$R = 430.00'$   
 $\Delta = 5^{\circ}07'52''$   
 $L = 61.02'$   
 $Ch = 80.97'$   
 $ChBrg = N19^{\circ}04'14''E$

**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 27.69.540 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 CROUND 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, PARKING, 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 BY 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 AS PERMITTED USES ON LOTS 16 - 18, BLOCK 29. THE SITE PLAN SHOWN IS CONCEPTUAL. FINAL PLANS WILL BE DETERMINED AT 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 THE 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 SCHOOLS, HEALTH CARE FACILITY, BROADCAST TOWER, EXHIBITION/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 50 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 LCHD.
16. THE PROPOSED DEVELOPMENT IS LOCATED WITHIN THE COUNTRY MEADOWS WELLSHEAD 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 38. ATTACHED AND DETACHED SINGLE-FAMILY DWELLING UNITS AND TOWNHOMES ARE ALLOWED ON THESE LOTS.
22. THE INTERSECTION OF SOUTH 70TH 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 70TH STREET WEST OF SAID INTERSECTION. THE DEVELOPER SHALL BE RESPONSIBLE FOR THE IMPROVEMENTS, INCLUDING SIDEWALKS, AT TIME OF FUTURE EXECUTIVE ORDERS.
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**  
**P.U.D. #05068E**  
**CHANGE OF ZONE FROM 'AG' TO 'R-3' PUD**  
**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, and a portion of Outlot 'D', The Woodlands Enterprise Center, 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 957.41 feet;

Thence N00°07'52"E, for a distance of 494.35 feet;

Thence N89°38'47"W, for a distance of 225.47 feet;

Thence N00°07'42"E, for a distance of 332.45 feet;

Thence N89°38'27"W, for a distance of 1023.34 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 72.65 acres.