

FACTSHEET

TITLE: **COMPREHENSIVE PLAN AMENDMENT**
NO. 15004 (Southwest 30th and West A Street)

BOARD/COMMITTEE: Planning Commission

APPLICANT: Anderson Homes, Inc.

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

STAFF RECOMMENDATION: Approval of the Proposed Amendment

OTHER DEPARTMENTS AFFECTED: N/A

SPONSOR: Planning Department

OPPONENTS: 2 present at hearing.

REASON FOR LEGISLATION:

Amend the 2040 Future Land Use Plan to change land north of SW 30th Street and West A Street from "Green Space", "Commercial", and "Environmental Resources" to "Urban Density Residential" and "Green Space" and to amend the 2040 Priority Growth Areas map from Tier I, Priority C to Tier I, Priority A.

DISCUSSION/FINDINGS OF FACT:

1. This comprehensive plan amendment request and the associated Annexation No. 15014 (Bill #16-57), Change of Zone No. 15036 (Bill #16-58) for a change from AGR Agricultural Residential District and AG Agriculture District to R-4 Residential District, and Special Permit No. 15072 for a community unit plan, were heard at the same time before the Planning Commission.
2. The purpose of this proposal is for the annexation of land and change of zone for the development of a community unit plan consisting of up to 582 multi-family units.
3. The staff recommendation to approve the comprehensive plan amendment is based upon the "Analysis" as set forth on pp.2-3, concluding that the proposal is consistent with the Comprehensive Plan. The staff presentation is found on p.5-7.
4. Testimony on behalf of the applicant is found on pp.7-8, and p.10. Testimony in opposition to the project is found on p.8.
5. On February 17, 2016, the Planning Commission agreed with the staff recommendation and voted 8-0 to recommend approval of this comprehensive plan amendment.
7. On February 17, 2016, the Planning Commission also voted 8-0 to recommend conditional approval of the associated Annexation No. 15014 (Bill #16-57), approval of Change of Zone No. 15036 (Bill #16-58), and voted 8-0 for conditional approval of Special Permit No. 15072, adopted by PC-01482.
8. On February 27, 2016, Mark Antonson, 1521 S.W. 30th Street, filed a letter appealing the Planning Commission's approval of Special Permit No. 15072. A public hearing was held before the City Council on March 28, 2016. The City Council voted to approve the special permit with amended conditions to limit the number of dwelling units to 432 until the road improvements are completed on West A Street, west of the city limits to Coddington, as adopted by Resolution No. A-89592.

FACTSHEET PREPARED BY: Geri Rorabaugh, Administrative Officer

DATE: May 27, 2016

REVIEWED BY: David R. Cary, Planning Director

DATE: May 27, 2016



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LINCOLN /LANCASTER COUNTY PLANNING STAFF REPORT
for February 17, 2016 Planning Commission Meeting

Project #: Comprehensive Plan Amendment #15004

PROPOSAL: Amend the 2040 Future Land Use Plan to change land north of SW 30th Street and A Street from “Green Space”, “Commercial”, and “Environmental Resources” to “Urban Density Residential” and “Green Space” and to amend the 2040 Priority Growth Areas map from Tier I, Priority C to Tier I, Priority A.

CONCLUSION: The proposal is consistent with the Comprehensive Plan.

<u>RECOMMENDATION:</u>	Approval of the proposed amendment
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GENERAL INFORMATION:

LOCATION: SW 30th Street and A Street

EXISTING LAND USE: Agriculture (tree farm)

RELATED APPLICATIONS:

Special Permit #15072
Change of Zone #15036
Annexation #15014

COMPREHENSIVE PLAN SPECIFICATIONS:

The Future Land Use Plan in the 2040 Comprehensive Plan identifies this area as Environmental Resources, Green Space, and Commercial. (p. 1.9)

Commercial. Areas of retail, office, service and residential mixed uses. Commercial uses may vary widely in their intensity of use and impact. Individual areas designated as commercial in the land use plan may not be appropriate for every commercial zoning district. (p. 12.4)

Urban Residential. Multi-family and single family residential uses in areas with varying densities ranging from more than fifteen dwelling units per acre to less than one dwelling per acre. (p. 12.4)

Green Space. Public or privately-owned areas predominantly used for recreation, such as parks, golf courses, soccer or ball fields, and trails. Many green space areas also serve functions such as buffers between incompatible uses and as stormwater management areas. In some cases, privately-owned Green Space such as golf courses may also be appropriate to be considered for future Urban Residential development. (p. 12.4)

Environmental Resources. Land and water masses which are of particular importance for maintenance and preservation, such as saline wetlands, native prairie, and some floodway and riparian corridors. (p. 12.4)

ANALYSIS:

1. The area identified for a change to Urban Density Residential and Green Space land use is currently zoned AGR Agricultural Residential District in the south and AG Agriculture District in the north.

2. There is a small strip of “Commercial” and “Green Space” shown on the future land use map on the property adjacent to the west. This area is not part of the Change of Zone, Annexation, or Special Permit applications. This area is included in the proposed change to the future land use map (entirely to Urban Density Residential). The majority of the adjacent property to the west is already designated as Urban Density Residential. No change is proposed for priority growth areas on the adjacent property to the west. It will remain as Tier I, Priority C.
3. The Community Unit Plan proposes 432 multi-family units. That is consistent with Urban Density Residential land use as proposed.
4. Floodplain land will be graded in accordance with all applicable regulations and conditions. A conservation easement will overlay the revised floodplain within this development. This area is proposed to be shown as Green Space on the future land use map.

SUMMARY:

The land use designation and priority growth area changes are appropriate considering the site plan and terms of conditional approval of the related Community Unit Plan (Special Permit #15036).

PROPOSED AMENDMENT:

Amend the 2040 Lincoln/Lancaster County Comprehensive Plan as follows:

1. Amend the Lancaster County Future Land Use plan on pages 1.8 and 12.2 and the Lincoln Area Future Land Use Plan on pages 1.9 and 12.3 to reflect changes in land use, and all other maps, figures, and plans where the land use map is displayed including on pages 5.6 and 5.17.
2. Amend the 2040 Priority Growth Areas map on pages 1.10 and 12.6 to reflect changes in priority areas.

Prepared by:

Brandon M. Garrett, AICP
Planner
402-441-6373 or bgarrett@lincoln.ne.gov

DATE: February 4, 2016

**APPLICANT/
OWNER:** Anderson Homes, Inc.

CONTACT: Marcia Kinning
REGA Engineering Group, Inc.
610 Old Cheney Rd., Ste. A
Lincoln, NE 68512
(402) 484-7342

COMPREHENSIVE PLAN AMENDMENT NO. 15004

COMPREHENSIVE PLAN AMENDMENT NO. 15004
TO CHANGE THE FUTURE LAND USE DESIGNATION TO RESIDENTIAL-URBAN
DENSITY, GREEN SPACE AND ENVIRONMENTAL RESOURCES
ON PROPERTY GENERALLY LOCATED AT SW 30TH AND WEST A STREETS.
PUBLIC HEARING BEFORE PLANNING COMMISSION: February 17, 2016

Staff recommendation: Approval.

AND

ANNEXATION NO. 15014
TO ANNEX APPROXIMATELY 41.84 ACRES
ON PROPERTY GENERALLY LOCATED AT SW 30TH AND WEST A STREETS.
PUBLIC HEARING BEFORE PLANNING COMMISSION: February 17, 2016

Staff recommendation: Conditional Approval.

AND

CHANGE OF ZONE NO. 15036
FROM AGR AND AG DISTRICTS TO R-4 RESIDENTIAL DISTRICT
ON PROPERTY GENERALLY LOCATED AT SW 30TH AND WEST A STREETS.
PUBLIC HEARING BEFORE PLANNING COMMISSION: February 17, 2016

Staff recommendation: Approval.

AND

SPECIAL PERMIT NO. 15072
FOR A COMMUNITY UNIT PLAN CONSISTING OF 582 MULTI-FAMILY UNITS
ON PROPERTY GENERALLY LOCATED AT SW 30TH AND WEST A STREETS.
PUBLIC HEARING BEFORE PLANNING COMMISSION: February 17, 2016

Staff recommendation: Conditional Approval.

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

There were no ex parte communications disclosed.

Staff presentation: Rachel Jones of the Planning Department stated the current use of this area is a tree farm. To the west and east of the area are agricultural uses, to the north is Middle Creek and to the south there is single-family housing. The area is outside of City limits and is currently designated as future commercial uses in the 2040 Comprehensive Plan. The Comprehensive Plan Amendment would change this designation to Residential-Urban Density use. The Environmental Resources category designates floodway, floodplain, and riparian corridors. The Green Space category designates open space reserved for storage water detention purposes.

The applicant has requested approval for up to 582 units, which is the maximum allowed number within a CUP. The site plan currently only shows 432 units. There are two access points including one from West A Street at S.W. 30th Street and a temporary drive to the west that would be removed at the point when the development connected to future development to the west via Rabbit Run Road.

Two waivers to the Zoning Ordinance are requested to increase the maximum height from 35 feet to 40 feet and to adjust the front yard setbacks from 25 feet to 15 feet along the two private roadways. There are also two waivers to Design Standards requested. The first is to allow sanitary sewer to run opposite street grades and the second is a waiver of the stormwater detention requirements.

There are also a number of requested deviations to the Access Management Policy requested. There is a reduced storage length for the right turn lane at the permanent access at S.W. 30th. There are several that relate to the temporary driveway which are approved because they are temporary conditions, including waiver of the requirement to provide a right turn lane. There is a request for a waiver of the requirement to provide a left turn lane at the S.W. 30th Street access. At the time the Staff Report was published, there was no decision made, but it has now been approved by Public Works, conditioned upon the timing of development to the west.

Lots 1 and 2 are adjacent to West A Street and Lot 3 is to the north. A large portion of Lot 3 is currently within the floodplain. Fill will be added to raise the proposed buildings out of the floodplain. In compensation for that, the area farther to the north in Outlot B will be designated a permanent non-buildable conservation easement that will also include an area for compensatory storage.

The general topography of the site slopes down to Middle Creek from south to north. Lots 1 and 2 will be able to connect via gravity to the existing sanitary sewer in West A Street. Lot 3 is not able to connect via gravity and will require a privately-owned and maintained sewer ejector pump.

West A Street is currently a 2-lane asphalt road. It is shown in the Capital Improvement Program (CIP) for construction of two permanent concrete lanes and a left/right turn lane, along with some intersection improvements.

There are two Motions to Amend. The first has a number of points, including clerical corrections and additions to the conditions of approval that relate to the fact that a couple of the deviations to the Access Management Policy are conditionally approved by Public Works. The second is related to Note 16 on the site plan. The applicant

requests to modify that condition to state, "The site layout is conceptual. Minor modifications are allowed without an administrative amendment." Staff prefers that the new note not be included and that the normal procedures regarding determination of whether site plan changes are "major" or "minor" be followed. We do not want to see a deviation from that policy.

Several neighbors submitted comments mostly relating to concerns about traffic and conditions on West A Street. A letter was submitted by the West A Street Neighborhood Association that was in support, but also expressed concerns about traffic and other infrastructure impacts.

Lust asked what is accomplished by approving a change for this area from Tier I, Priority 'C' to Priority 'A'. Jones said that Tier I is for land that is appropriate for immediate annexation and development. Category 'A' means utilities and infrastructure are in place. For Priority C land, all utilities are not yet available. In this case, the site is suitable for immediate development with the exception of Lot 3, but with the pump, it is developable.

Lust said the notes indicate that most of the fill used to raise the site out of the floodplain will come from the site. She wondered how that is monitored.

Ben Higgins of Public Works and Utilities came forward. He said that is a good question. He assumes the applicant will get the fill from the site due to the cost effectiveness of that choice, but that is only tracked for special projects such as Antelope Valley. It is not a normal practice.

Beecham asked why the area was designated with the Environmental Resources category and whether the new Green Space designation will still offer the same protection. Higgins said the Environmental Resources area was centered along Middle Creek and remains in place since the property does not extend all the way to the creek. There was a small portion that comes up a channel that will be preserved as a minimum corridor. The boundaries of the buildings meander because they have intentionally avoided those minimum corridor areas. The areas not showing buildings will be set aside as conservation easements and will not be built upon. Beecham said that should take care of concerns about flood waters and storage. Higgins said yes, and the applicant was also asked to submit hydraulic runs for the site so that we could make sure there were no substantial increases in floodplain heights.

Harris asked the opinion of Public Works on the motion to amend requesting to delete the note. Higgins said he would defer to Planning on that. In his opinion, you would want to leave that up to Planning as to whether an amendment is needed in order to avoid the potential for an applicant to make an incorrect decision about what constitutes a "minor" change. Jones added that this site has several factors that make this issue more important, such as the sewer pump, the floodplain and fill, and the West A connections. Those are additional reasons we feel it is better to keep with our standard policies.

Hove said this special permit would approve 582 units even though they only plan to build 432 at this time. He asked why they request more than shown on the plan and whether the applicant plans to add more. Jones said they may, and that is why they are requesting 582 units--the maximum that is allowed in a CUP in the R-4 district. They are just asking to reserve that so if they have additional units, they won't have to come through with a full amendment. Hove asked whether they would have to purchase or have access to more land to add units. Jones said that is likely because the layout is relatively maxed out. If they wanted to add units such that they would expand the boundary, increase height, or adjust the setbacks, that would have to come through the process again.

Weber asked what would happen with the sewer ejector pump in times of loss of power. Jones said she is unsure and the applicant can speak to that.

Proponents

1. Marcia Kinning, REGA Engineering, came forward on behalf of Anderson Homes, Inc. to state the lift station is located in the far northwest corner of the site where it could be connected to the sewer that will be along the north side of the site. It then follows along the western line of the property down to West A. If the power goes out, the apartment complex would be responsible for having a backup generator to make sure the system works.

Lust asked if the lift station is designed to be temporary and will be decommissioned once there is sewer. Kinning said yes.

Lust went on to ask for further explanation for the request for the Motion to Amend. Kinning said Building and Safety will flag to Planning Department if they believe it is necessary to have an administrative amendment for changes. Without the note, any minor change such as a parking stall deletion or relocation of a dumpster will require an amendment, so no matter what, this would have to go back to Planning. We would like to get rid of the note because if there is a major change like height, it will go through a full amendment. We would like to avoid the amendment for minor items that will have little effect.

Corr asked for a clearer idea of the timeline for this project. She knows two phases were mentioned for construction. She wondered when it would start or if there is an estimated completion date. Kinning said that it depends. The owner is open to either selling the property to a developer, or he may develop it. If he does it himself, it would probably be a couple of years for development on the first phase, which includes Lots 1 and 2. Corr said the roads are scheduled for improvement in 2018-2019, so there is a possibility that those could be improved before this is fully built out. Kinning said that is correct.

Harris asked for the language of Note 16 on the original site plan. Kinning said it states, "Apartment layout is conceptual. Variations to the conceptual layout will not require an administrative amendment." The language makes it seem like buildings and drives

could be moved around, so then it is understandable why Planning would want to review. We have already gone through extensive work with Planning and Public Works to make sure all of the grading, compensatory storage and requirements are met.

Opponents:

1. Mark Antonson, 1521 S.W. 30th Street, came forward to thank Commissioners for their time. This is the first time he has offered testimony at a public hearing, but he feels strongly enough about this application to come forward today. He thanked Jones for answering his long list of questions. He clarified that he is not strictly in opposition of this application. He asks that approval be tied conditionally to the improvements to West A Street. Having read through all of the application documents, it appears that the traffic study addresses issues of flow and interruption, but not safety. West A Street is in very poor condition and the added capacities could create worse conditions. He respects the property owner's rights to develop the land, he just asks that the project wait to move forward until road improvements are made.

Corr asked where the temporary asphalt begins. Antonson said he drives West A Street everyday. It begins shortly west of Coddington and continues on until it turns to gravel near the railroad tracks, which he believes is roughly 40th Street. He is most concerned about the stretch of road between S.W. 30th and S.W. 37th Streets. That area is in especially poor condition.

2. Vickie Jenkins, 3007 W. Washington Street, came forward to state that she just purchased her home. She is opposed to this application and worries about the safety of children, traffic, and changes in property values. She worries about the impacts of adding the buildings across the street. She has a good view of West A, West O, and out to the Interstate. She drops kids off a half hour early because she is unable to get into traffic the way it is now. She also sees many kids on bicycles riding along West A Street which is dangerous because there is no shoulder. Traffic is really heavy in that area.

Staff Question:

Weber asked if it was typical to not require any provision for alternate power in cases where there is a privately-owned sewer pump, and particularly in a case like this, where there is not a definite timeline for hookup to the adjacent sewer line.

Randy Hoskins of the Public Works and Utilities Department said he would be surprised if they did not have backup generators; that would be rare. Weber asked for confirmation that it is not a requirement. Hoskins stated it is not required, but would be in their best interest to protect their own property from significant damage by having the backup generators.

Beecham asked for more information about the traffic, road conditions, and potential trails for this area. Hoskins said West A Street is a standard county road. It has been in place a long time and although it is well rutted, it is not in terrible shape.

The ruts do fill in with water when it rains, so that could increase some concern. The main concern is lack of sidewalks and pedestrian facilities, particularly for getting kids to area schools. That is the major reason we have worked to get West A in the CIP.

Beecham went on to ask about the use of “temporary” asphalt versus regular. Hoskins said he is not a fan of calling the surface “temporary”. It is asphalt, and is not the standard concrete that would be in place for an arterial street. When the street is rebuilt, it will be three lanes including a center turn lane. This will make it safer at intersections because there will be no traffic stopping in through lanes, which creates safety concerns. There will be a right turn lane.

Beecham asked if there will be a shoulder and sidewalk. Hoskins said with reconstruction such as this, it would be typical to add sidewalks on both sides, depending on availability of right-of-way. Beecham asked for an estimate of when people can expect this project to be underway. Hoskins said it is shown in the current draft for the CIP for the 2018-2019 fiscal year. It is viewed as a fully-funded, priority project.

Harris asked if there is some way to combine staff’s preferred language with that proposed by the applicant for Note 16, including both language stating the site plan is conceptual and administrative amendments will be required to revise the plan, but minor modifications are allowed without amendment. She wondered if there is any way to possibly come to an agreement where it is pointed out that there is a limit to what will be flagged for an administrative amendment. Jones said some agreement could probably be reached. It should be noted that the applicant is not necessarily required to do an amendment for the most minor changes like a parking stall change, for example. The note would require defining in certain terms what is meant by “minor modification”, but it is possible.

Lust wondered if there is some misunderstanding regarding what the Building and Safety Department would flag. This is the first time this has been an issue, so she wonders what the source of the concern is. Jones said it seems like the applicant is under the impression that Building and Safety will flag very minor changes. Lust said she assumes that Building and Safety is efficient at determining the type of changes that require an administrative amendment. Jones agreed that they make those decisions all the time. Beecham asked if moving a dumpster would require an amendment. Jones said no, moving a dumpster or a parking stall here or there would not require that. Lust asked for confirmation that the administrative amendment process does not come back before Planning Commission but is approved internally by the Director. Jones said that is correct.

Corr wanted to note that the Staff Report mentions a future trail planned for the south side of West A Street. She believes that could alleviate many of the concerns about pedestrians and children riding bicycles. Jones agreed.

Corr went on to ask for more information about the setbacks and how they have sited the roads along the sides instead of in the middle of the site. Jones said there are two private roadways within this development--Rabbit Run Road and S.W. 30th. There are a couple of ways to show private roadways. One is to locate them in an outlot. The other

is to simply show them without an outlot, where the center line of the street would be the meeting line of two adjoining lots. In this case, because these are in an outlot, the setback is going to begin at the edge of the outlot versus the center of the street. That is the way we prefer it in an outlot. So based on that, they request the reduced setback since, instead of being counted from the center line, the setback will be counted from the edge of the outlot. This is a waiver that is approved often. Corr said this is not a decrease in any number of feet, it is just where the count is starting. Jones said that is right. It is also important to note that they are internal to the development as opposed to along the boundaries. Corr asked if it is also pretty normal to have the owner maintain an ejector pump until they can connect to City resources. Jones said yes, there are several around town. Corr asked if there was a bond required for the maintenance or input, in case anything happens. Jones said she is not sure.

Henrichsen said this is a private ejector pump for one lot, owned by one party. He noted that if there were a single-family house in which a basement bathroom can't quite get water up to the sewer in the street, there could be an ejector pump. It is the owner's problem if it floods the basement or something goes wrong, so people will typically have backup power to protect themselves. So, for an individual lot, one pump is their responsibility. There is a separate policy that talks about a pump station that would serve multiple properties, maybe 400 or 500 acres. There the concern for the City is much greater because there are multiple parties involved. In those circumstances, the City actually maintains it and has warning systems and even has backup pumps. In this case, it is one pump for one property, so it is in their best interest to maintain it. Corr noted that this one pump will serve more than one building. Henrichsen agreed there are multiple buildings, but it is all on one lot and with one owner; one owner will be controlling the pump because they own the entire complex.

Applicant Rebuttal:

Kinning came forward to point out that this development is a reason West A improvements are in the forefront of the City now. Before this application came forward, this wasn't on the books. The project does have the neighborhood in mind with the improvements that will come to West A.

COMPREHENSIVE PLAN AMENDMENT NO. 15004
ACTION BY PLANNING COMMISSION:

February 17, 2016

Beecham moved Approval; seconded by Corr.

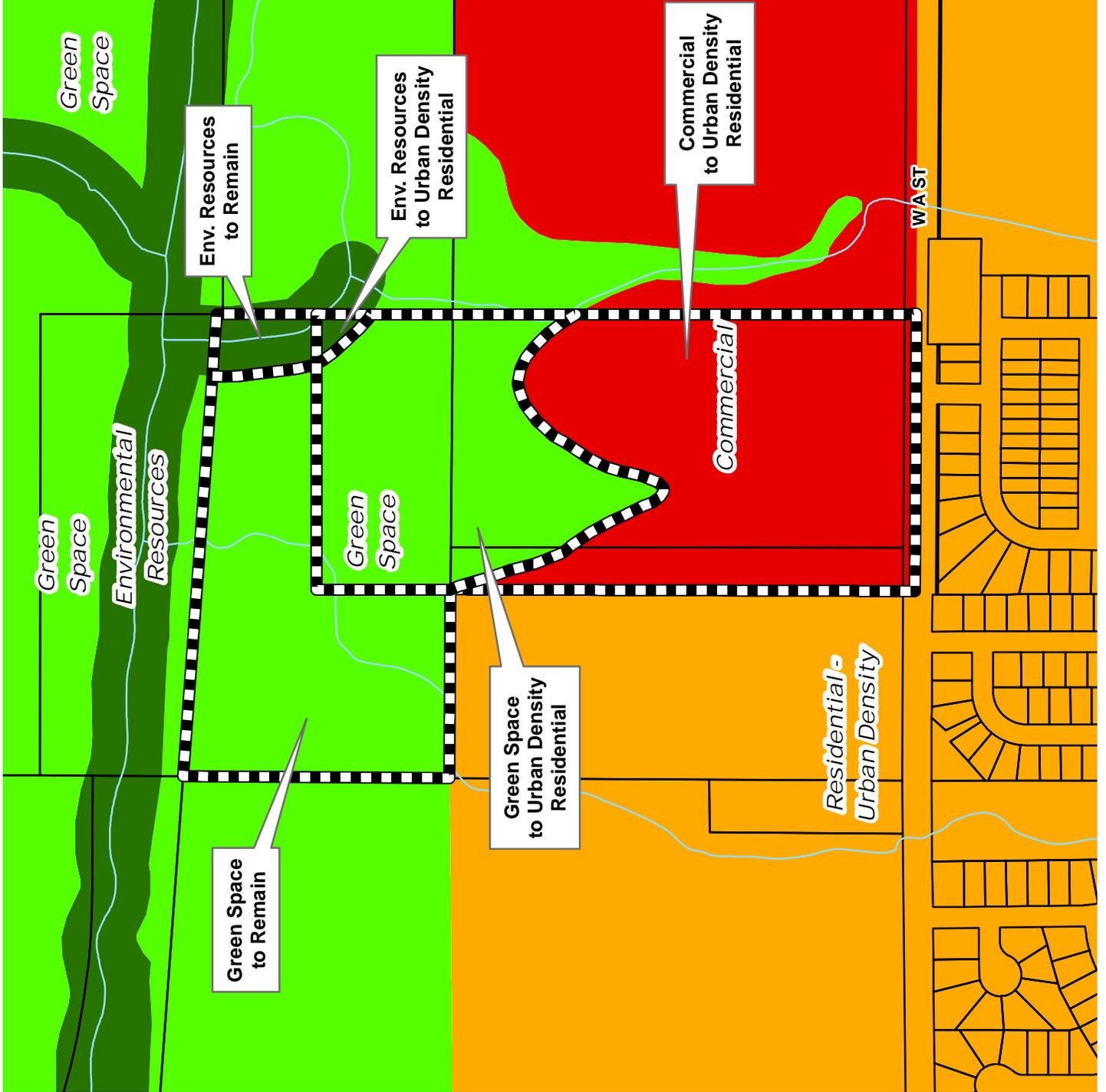
Beecham said she will comment about all four items. She thanked the applicant for meeting with neighbors because it helps to create a more successful project. She thanked the neighbors for taking their time to testify today. And those who sent comments, including the neighborhood association. She recognizes that there are always concerns when there are single-family homes and apartments are added. A plan like this is ideal because people will know what to expect. She is concerned about traffic and pedestrians. This is an appropriate use for this site, but the improvements to the road should be made as soon as possible.

Hove said he also plans to support this. He understands the issues with the traffic and the road, but he hopes this will spur the road improvements.

Motion for approval carried 8-0: Beecham, Cornelius, Corr, Harris, Lust, Sunderman, Weber, and Hove voting 'yes'; Scheer absent. This is a recommendation to the City Council.

**CPA # 15004:
Scouts Treefield Park
SW 31st & W A St**

**Proposed Amendment Area
Future Land Use Changes**



Legend



Area of Amendment



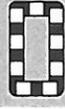
LINCOLN - LANCASTER COUNTY
PLANNING DEPARTMENT
ITS
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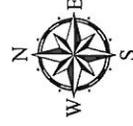
**CPA # 15004:
Scouts Treefield Park
SW 31st & W A St**

**Proposed Amendment Area
Future Land Use Changes**

Legend

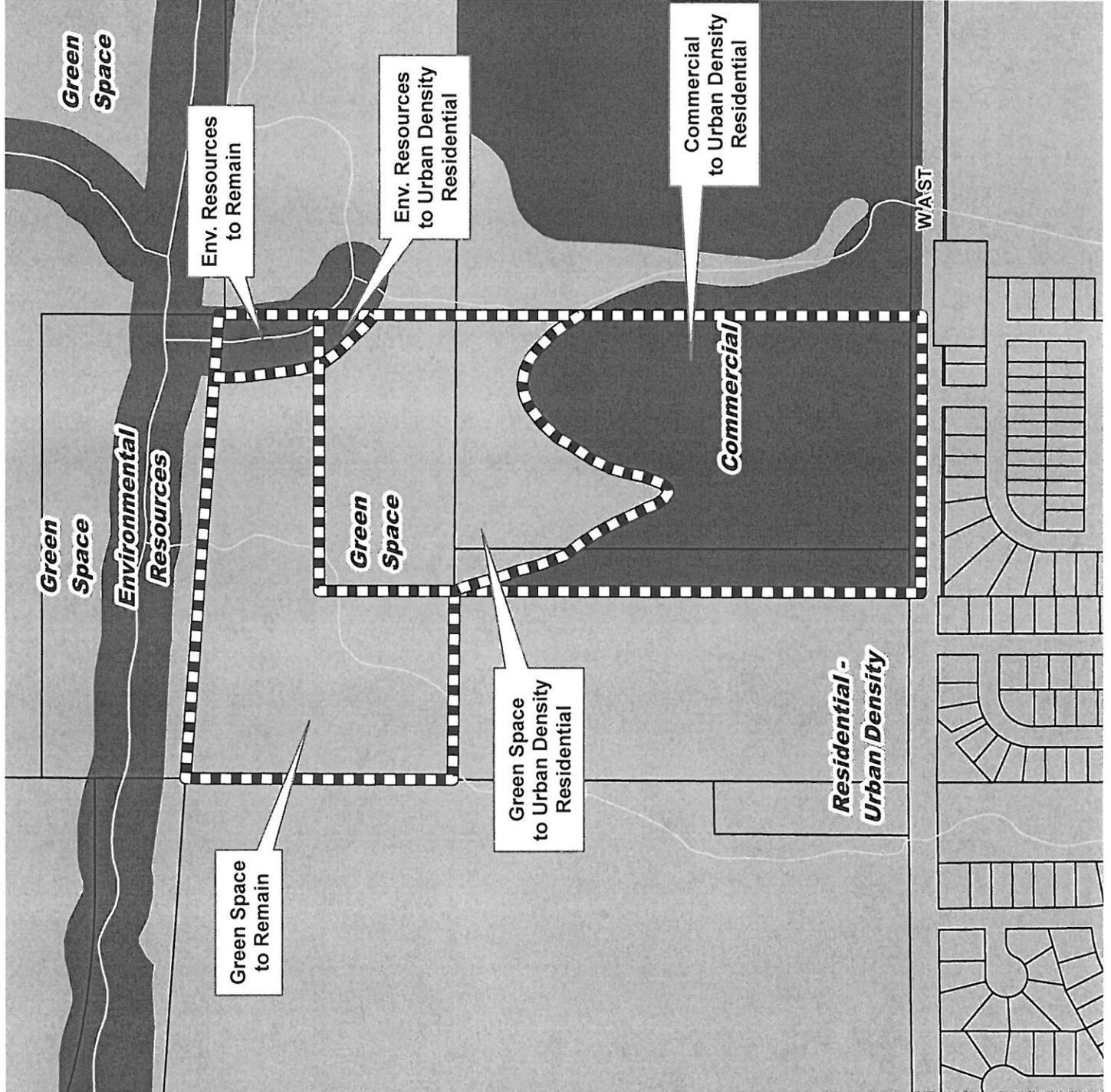


Area of Amendment



LINCOLN - LANCASTER COUNTY
PLANNING DEPARTMENT
OTIS
333 South 1000 Street
Lincoln, Nebraska 68502
PH: 402.478.1077

Feet



REGA

ENGINEERING
GROUP, INC.

File No. 151111
November 4, 2015

David Cary
Acting Director of Planning
Tom Cajka, Planner
City of Lincoln/ Lancaster County
555 South 10th Street
Lincoln, NE 68508

RE: SCOUTS TREEFIELD PARK
COMMUNITY UNIT PLAN/ CHANGE OF ZONE/ ANNEXATION
& COMPREHENSIVE PLAN AMENDMENT
SW 30th Street & West 'A' Street

Dear David,

On behalf of Anderson Homes, Inc., we submit the above mentioned community unit plan application for your review. Concurrently, a zoning application has been submitted which is requesting a change of zone from 'AG' to 'R-4' and 'AGR' to 'R-4', annexation and a Comprehensive Plan amendment. A survey has recently been filed with the State Survey Repository which will revise the lot line between the two existing irregular tracts. A new irregular tract number will be given to the area of the development prior to the Planning Commission meeting.

Scouts Treefield Park contains 31.31 acres. The site currently has both 'AG' and 'AGR' zoning with a request for 'R-4' zoning. The community unit plan consists 3 lots with 432 multi-family units, a maintenance building which will house the developments water meter and backflow preventer, a club house and recreational facilities for the development.

This development is currently within Priority C, Tier 1. We are requesting the Comprehensive Plan be amended to include this area into the Priority A, Tier 1 area.

Part of the site is within the 100 year flood plain. The fill material needed to raise the buildings to 1 foot above the base flood elevation will be acquired from the area within the development and from the adjacent area owned by the developer northwest of the development. The development is within the New Growth Area and therefore no imported fill will be allowed within the flood plain portion of this project. Drainage is located to the east of the development. A minimum flood corridor easement has been shown which varies from the north to the south. The proposed garages, parking and driveways are located outside of the minimum flood corridor.

Page 2

A possible centerline of a street layout west of the development is shown. The temporary West 'A' Street access to the development west of SW 30th Street shall be removed at such time as a development to the west connects to SW 31st Street.

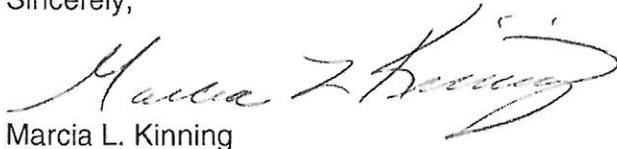
We are requesting the following waivers at this time which include Land Subdivision Regulations and Design Standards:

1. *Storm water detention facilities. (Design Standards, Chapter 2.05, Section 3.3)*
Through discussions with the Public Works Department, it has been determined that storm water detention would not be required in this area due to the close proximity to Middle Creek.
2. *The sanitary sewer running opposite the street grades. (Design Standards, Chapter 2.00, Section 3.5)*
To sustain the natural flow of surface water, the sanitary sewer runs opposite the street grades. The minimum and maximum sewer depths will remain within Design Standards.
3. *Access separation on arterial streets to be closer than one quarter mile apart. (Design Standards, Chapter 2.15, Section 2.2)*
4. *Height of structures from 35 feet to 40 feet. (Title 27 of Lincoln Municipal Code, 27.72.020(a))*

A neighborhood meeting took place on August 10, 2015 to discuss the proposed development. The major concern of the neighborhood is the need for improvements to West 'A' Street. We are in agreement with their concerns and have shown a right turn-lane into the development from West 'A' Street. The developer would support the City of Lincoln improving the pavement of West 'A' Street to a typical arterial street cross section.

We look forward to working with the Planning Department and other City Departments on this application. Please do not hesitate to contact me if you have any additional questions or comments.

Sincerely,



Marcia L. Kinning

Cc: Scott Anderson
Enclosures: Application
Application Fee of \$3,792.00