Lincoln City - Lancaster County

PLANNING COMMISSION AGENDA

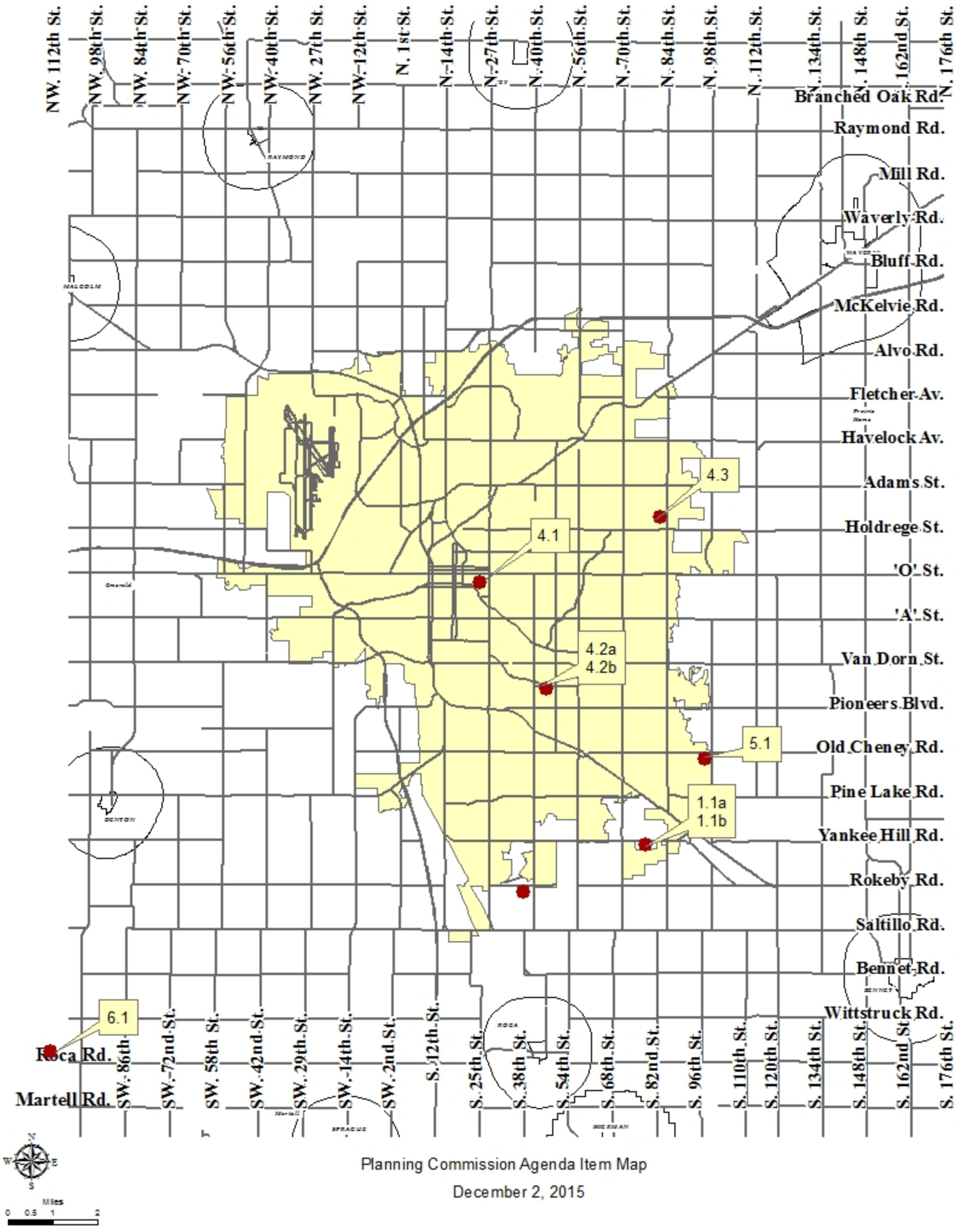
PLANNING COMMISSION

Chris Hove: Chair
Dennis Scheer: Vice-Chair
Cathy Beecham
Michael Cornelius
Tracy Corr
Maja V. Harris
Jeanelle R. Lust
Lynn Sunderman
Ken Weber

PLANNING STAFF

David R. Cary: Acting Director
Geri Rorabaugh: Administrative Officer
Amy Huffman: Office Specialist

December 2, 2015



Planning Commission Agenda Item Map

December 2, 2015

NOTICE: The Lincoln/Lancaster County Planning Commission will hold a public hearing on Wednesday, December 2, 2015, at 1:00 p.m., in Hearing Room 112 on the first floor of the County-City Building, 555 S. 10th St., Lincoln, Nebraska. For more information, call the Planning Department, (402) 441-7491.

The Lincoln/Lancaster County Planning Commission will meet on Wednesday, December 2, 2015, from 11:30 a.m. through 12:00 p.m., for the Emerald Ash Borer Presentation and from 12:00 p.m. through 1:00 p.m. to discuss the Pipeline Planning Area, in Studio Room 113 of the County-City Building, 555 S. 10th Street, Lincoln, Nebraska.

The Lincoln/Lancaster County Planning Commission meetings for December have been rescheduled due to the upcoming holidays. They will now convene on December 2, 2015 and December 16, 2015.

<u>PLEASE NOTE:</u> The Planning Commission action is final action on any item with a notation of "FINAL ACTION". Any aggrieved person may appeal Final Action of the Planning Commission to the City Council or County Board by filing a Notice of Appeal with the City Clerk or County Clerk within 14 days following the action of the Planning Commission.**

The Planning Commission action on all other items is a recommendation to the City Council or County Board.

AGENDA

WEDNESDAY, DECEMBER 2, 2015

Approval of minutes of the regular meeting held November 18, 2015.

1. <u>CONSENT AGENDA</u>
<u>(Public Hearing and Administrative Action):</u>

<u>ANNEXATION AND RELATED CHANGE OF ZONE:</u>

1.1a Annexation No. 15013, annexing approximately 73 acres, more or less, and adjacent rights-of-way, generally located between South 70th Street and South 84th Street, south of Yankee Hill Road.
Staff recommendation: Approval
Staff Planner: Brian Will, 402-441-6362, bwill@lincoln.ne.gov

1.1b Change of Zone No. 05068E, The Woodlands at Yankee Hill Planned Unit Development, for a change of zone from AG Agriculture District to R-3 Residential PUD, on property generally located between 70th Street and 84th Street, south of Yankee Hill Road; for a Planned Unit Development designation of said property, and for approval of a development plan which proposes modifications to the Zoning Ordinance and Design Standards to allow for the development of up to 1,185 total dwelling units and up to 744,000 square feet of commercial floor area.

Page 01

Staff recommendation: Approval
Staff Planner: Brian Will, 402-441-6362, bwill@lincoln.ne.gov

2. REQUESTS FOR DEFERRAL:

3. ITEMS REMOVED FROM CONSENT AGENDA (Public Hearing and Administrative Action):

3.1 _____

3.2 _____

4. PUBLIC HEARING AND ADMINISTRATIVE ACTION

COMPREHENSIVE PLAN CONFORMANCE:

4.1 Comprehensive Plan Conformance No. 15032, to review as to conformance with the 2040 Lincoln-Lancaster County Comprehensive Plan, a proposed amendment to the "Antelope Valley Redevelopment Plan" to add the "Telegraph District Phase I: 401 Building and 333 Building Project". The Telegraph District Phase I Project proposes to include the rehabilitation of an existing office building and parking garage to be used for office, commercial, and parking uses. The proposed project area is approximately 7 acres and is generally located between K Street, M Street, 20th Street, and 21st Street, and includes adjacent rights-of-way. The Antelope Valley Redevelopment Plan area north of Downtown is generally bounded by Salt Creek on the north, by the BNSF Railroad tracks on the south, by Antelope Creek on the east and by Interstate 180 on the west; the area east of Downtown is generally bounded by 17th Street on the west, 27th Street on the east, the BNSF Railroad tracks on the north and D Street and E Street on the south. This amendment also deletes Project N, "The 21st & N Redevelopment Project: The Exchange at Antelope Valley", which did not occur.

Page 19

Staff recommendation: Conformance with the Comprehensive Plan
Staff Planner: Paul Barnes, 402-441-6372, pbarnes@lincoln.ne.gov

CHANGE OF ZONE AND RELATED SPECIAL PERMIT:

4.2a Change of Zone No. 15034, to designate the Rees House as a Landmark, on property generally located at 4701 Bancroft Street.
Page 33
Staff recommendation: Approval of Landmark Designation
Staff Planner: Ed Zimmer, 402-441-6360, ezimmer@lincoln.ne.gov

4.2b Special Permit No. 15070, to allow a private residence, if designated as a Landmark, to serve as a holistic healthcare center, on property generally located at 4701 Bancroft Street. ****FINAL ACTION****
Page 33
Staff recommendation: Conditional Approval
Staff Planner: Ed Zimmer, 402-441-6360, ezimmer@lincoln.ne.gov

SPECIAL PERMIT:

4.3 Special Permit No. 04016A, to construct a multi-story, climate-controlled, indoor self-storage building, and increase the allowable floor area to 236,200 square feet, on property generally located at Northwoods Drive and Colby Street. **** FINAL ACTION****
Page 79
Staff recommendation: Conditional Approval
Staff Planner: Andrew Thierolf, 402-441-6371, athierolf@lincoln.ne.gov

4.4 Special Permit No. 15066, to allow a private school for personal protection, firearm, and live fire training, with some retail sales, on property generally located at 3200 Gage Road. ****FINAL ACTION****
Page 87
Staff recommendation: Conditional Approval
Staff Planner: Tom Cajka, 402-441-5662, tcajka@lincoln.ne.gov

5. CONTINUED PUBLIC HEARING AND ADMINISTRATIVE ACTION

SPECIAL PERMIT:

5.1 Special Permit No. 1762E, the Vintage Heights Community Plan, to increase the number of dwelling units from 964 to 990, and which allows 84 dwelling units to be served by sanitary sewer, which requires a sewage pump lift station to use the City's sanitary sewer system, and a request to waive Section 26.23.130 of the Subdivision Ordinance to allow for a block length of more than 1,320 feet, on property generally located at South 98th Street and Old Cheney Road.
Page 107
Staff recommendation: Conditional Approval
Staff Planner: Brian Will, 402-441-6362, bwill@lincoln.ne.gov

6. STAFF FINDINGS AND ADMINISTRATIVE ACTION

Page 131

6.1 Special Permit No. 15064, to allow Avalon Event Paradise, a private property, to be used for special events such as weddings and family reunions, including a request to waive the requirement that parking lots be gravel, and waive the requirement that parking and other related business areas not exceed 15,000 square feet, on property generally located at 12788 West Roca Road.
Staff recommendation: Approval
Staff Planner: Tom Cajka, 402-441-5662, tcajka@lincoln.ne.gov

AT THIS TIME, ANYONE WISHING TO SPEAK ON AN ITEM NOT ON THE AGENDA, MAY DO SO

*** * * * * * * * * ***

Adjournment

PENDING LIST: *None*

Planning Dept. staff contacts:

Stephen Henrichsen, *Development Review Manager* . 402-441-6374 . . . . shenrichsen@lincoln.ne.gov
David Cary, *Acting Director and Long Range Manager* 402-441-6364 . . . . . dcary@lincoln.ne.gov
Paul Barnes, *Planner* . . . . . 402-441-6372 . . . . . pbarnes@lincoln.ne.gov
Michael Brienzo, *Transportation Planner* . . . . . 402-441-6369 . . . . . mbrienzo@lincoln.ne.gov
Tom Cajka, *Planner* . . . . . 402-441-5662 . . . . . tcajka@lincoln.ne.gov
Brandon Garrett, *Planner* . . . . . 402-441-6373 . . . . . bgarrett@lincoln.ne.gov
Stacey Groshong Hageman, *Planner* . . . . . 402-441-6361 . . . . . slhageman@lincoln.ne.gov
Rachel Jones, *Planner* . . . . . 402-441-7603 . . . . . rjones@lincoln.ne.gov
Andrew Thierolf, *Planner* . . . . . 402-441-6371 . . . . . athierolf@lincoln.ne.gov
Brian Will, *Planner* . . . . . 402-441-6362 . . . . . bwill@lincoln.ne.gov
Kellee Van Bruggen, *Transportation Planner* . . . . . 402-441-6363 . . . . . kvanbruggen@lincoln.ne.gov
Ed Zimmer, *Historic Preservation Planner* . . . . . 402-441-6360 . . . . . ezimmer@lincoln.ne.gov

*** * * * ***

The Planning Commission meeting
which is broadcast live at 1:00 p.m. every other Wednesday
will be rebroadcast on Sundays at 1:00 p.m. on 5 City TV, Cable Channel 5.

*** * * * ***

The Planning Commission agenda may be accessed on the Internet at
http://www.lincoln.ne.gov/city/plan/pcagenda/index.htm

ACCOMMODATION NOTICE

The City of Lincoln complies with Title VI of the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973 guidelines. Ensuring the public's access to and participating in public meetings is a priority for the City of Lincoln. In the event you are in need of a reasonable accommodation in order to attend or participate in a public meeting conducted by the City of Lincoln, please contact the Director of Equity and Diversity, Lincoln Commission on Human Rights, at 402 441-7624 as soon as possible before the scheduled meeting date in order to make your request.

AT THIS TIME, ANYONE WISHING TO SPEAK ON AN ITEM NOT ON THE AGENDA, MAY DO SO

*** * * * * * * * * ***

Adjournment

PENDING LIST: *None*

Planning Dept. staff contacts:

Stephen Henrichsen, *Development Review Manager* . 402-441-6374 . . . . shenrichsen@lincoln.ne.gov
David Cary, *Acting Director and Long Range Manager* 402-441-6364 . . . . . dcary@lincoln.ne.gov
Paul Barnes, *Planner* . . . . . 402-441-6372 . . . . . pbarnes@lincoln.ne.gov
Michael Brienzo, *Transportation Planner* . . . . . 402-441-6369 . . . . . mbrienzo@lincoln.ne.gov
Tom Cajka, *Planner* . . . . . 402-441-5662 . . . . . tcajka@lincoln.ne.gov
Brandon Garrett, *Planner* . . . . . 402-441-6373 . . . . . bgarrett@lincoln.ne.gov
Stacey Groshong Hageman, *Planner* . . . . . 402-441-6361 . . . . . slhageman@lincoln.ne.gov
Rachel Jones, *Planner* . . . . . 402-441-7603 . . . . . rjones@lincoln.ne.gov
Andrew Thierolf, *Planner* . . . . . 402-441-6371 . . . . . athierolf@lincoln.ne.gov
Brian Will, *Planner* . . . . . 402-441-6362 . . . . . bwill@lincoln.ne.gov
Kellee Van Bruggen, *Transportation Planner* . . . . . 402-441-6363 . . . . . kvanbruggen@lincoln.ne.gov
Ed Zimmer, *Historic Preservation Planner* . . . . . 402-441-6360 . . . . . ezimmer@lincoln.ne.gov

*** * * * ***

The Planning Commission meeting
which is broadcast live at 1:00 p.m. every other Wednesday
will be rebroadcast on Sundays at 1:00 p.m. on 5 City TV, Cable Channel 5.

*** * * * ***

The Planning Commission agenda may be accessed on the Internet at
http://www.lincoln.ne.gov/city/plan/pcagenda/index.htm

ACCOMMODATION NOTICE

The City of Lincoln complies with Title VI of the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973 guidelines. Ensuring the public's access to and participating in public meetings is a priority for the City of Lincoln. In the event you are in need of a reasonable accommodation in order to attend or participate in a public meeting conducted by the City of Lincoln, please contact the Director of Equity and Diversity, Lincoln Commission on Human Rights, at 402 441-7624 as soon as possible before the scheduled meeting date in order to make your request.

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.

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.

<u>ANALYSIS:</u>

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 70th & South 84th 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. 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 (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. 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 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 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 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 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 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 79th 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 16th 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.

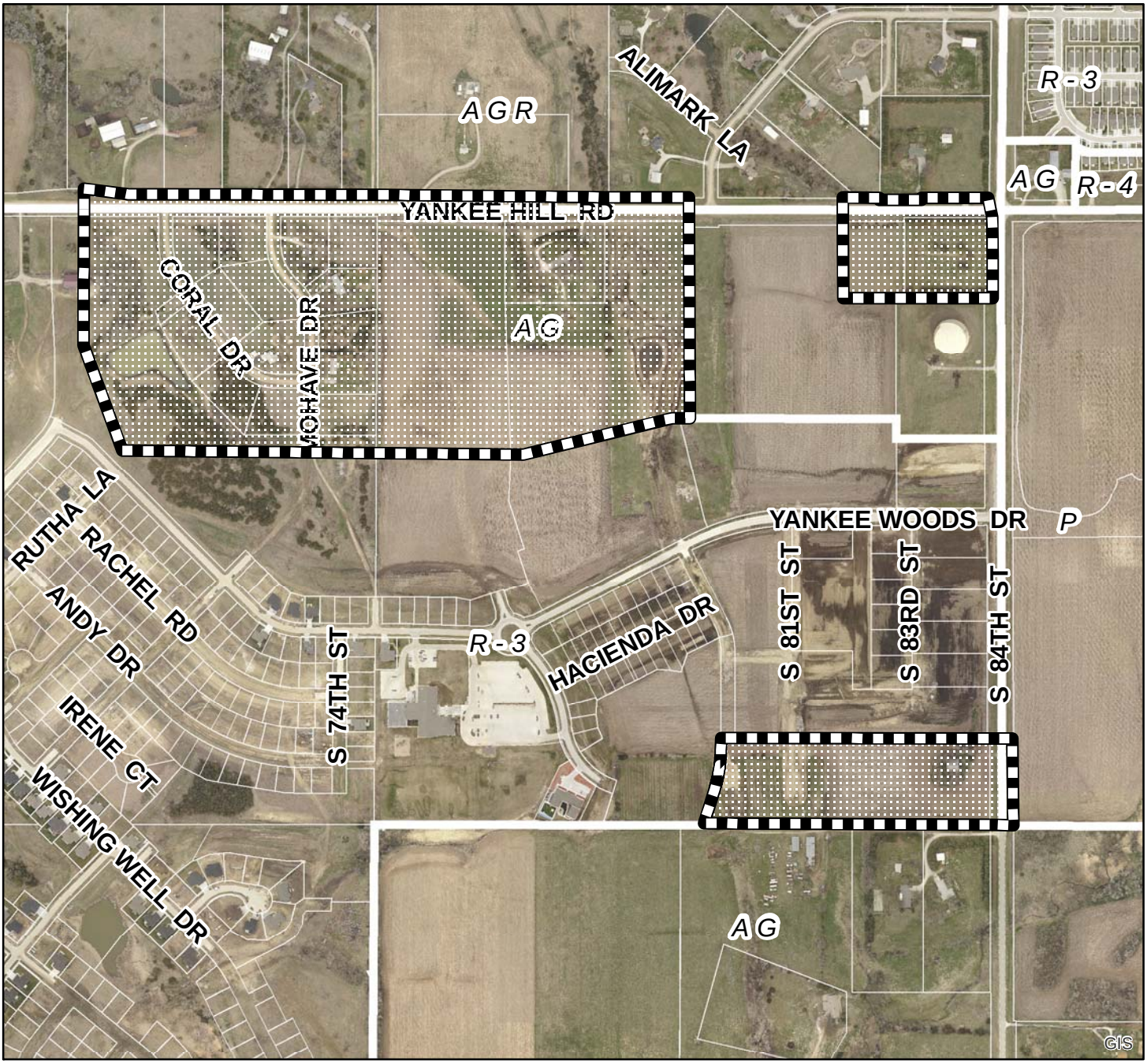
Prepared by:

_____
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
ESP
601 Old Cheney Road Ste A
Lincoln, NE 68512
402.434.2424

F:\DevReview\CZ\05000\CZ05068E The Woodlands at Yankee Hill PUD.bjw.wpd



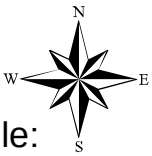
2013 aerial

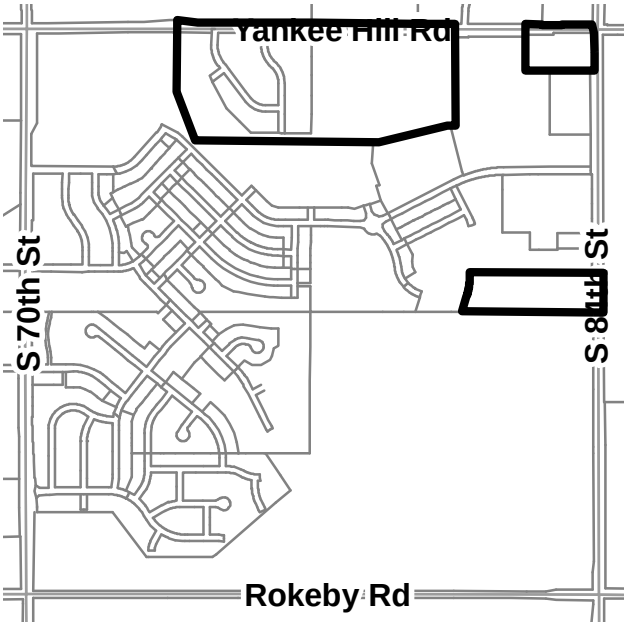
Annexation #: AN15013
The Woodlands at Yankee Hill
S 70th St & Yankee Hill Rd

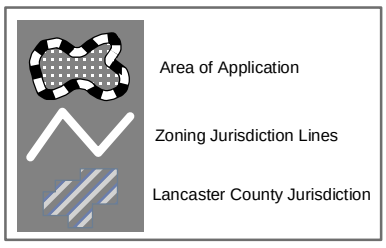
Zoning:

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

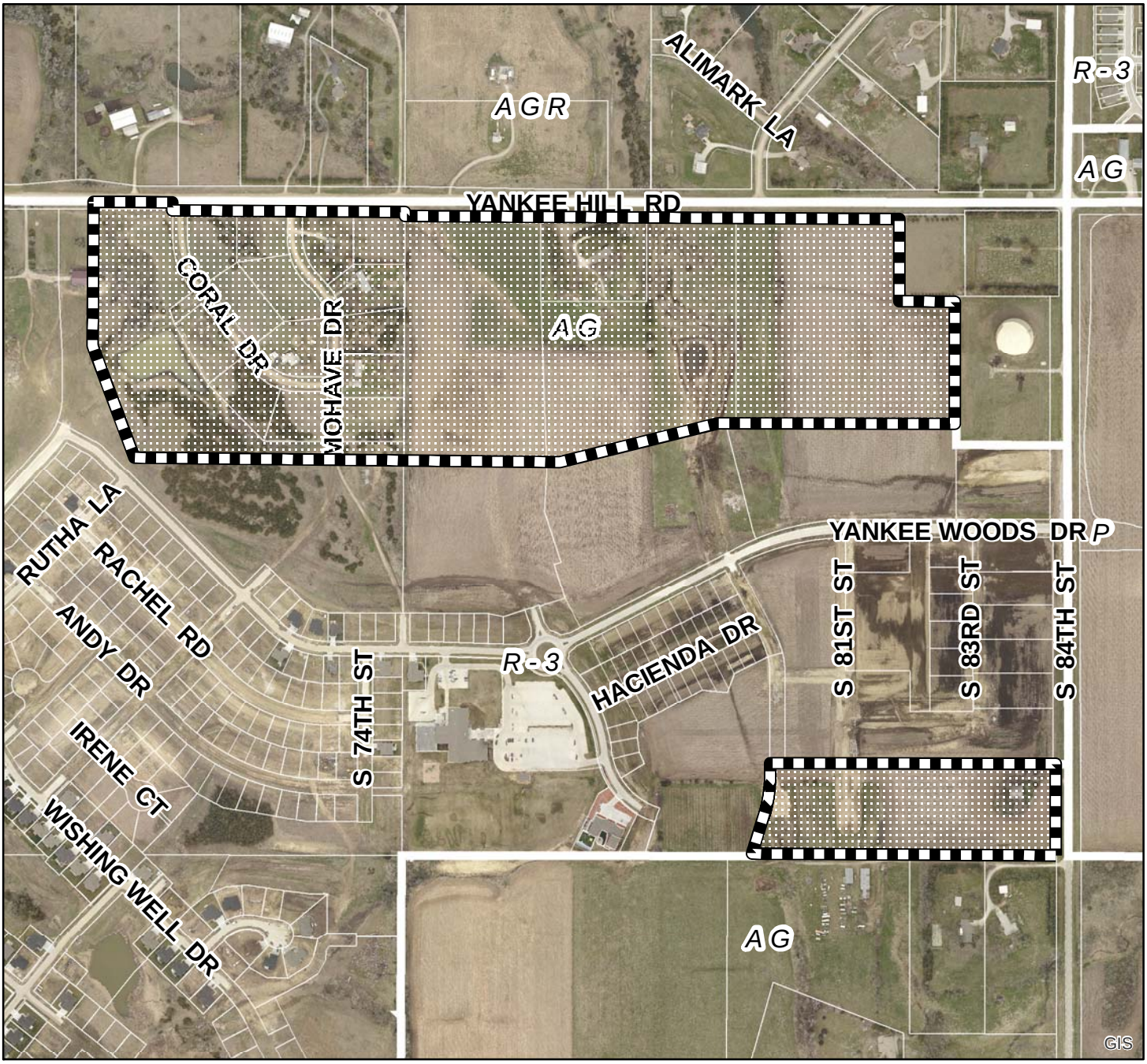






PDF: F:\Boards\PC\Internet\out\

File: F:\DevReview\PlannerPacket\MXD\Agendadrawings.mxd (AN15013)



2013 aerial

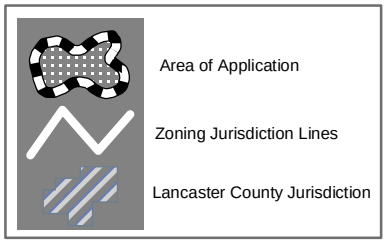
Change of Zone #: CZ05068E (AG to R-3PUD)
The Woodlands at Yankee Hill PUD
S 70th St & Yankee Hill Rd

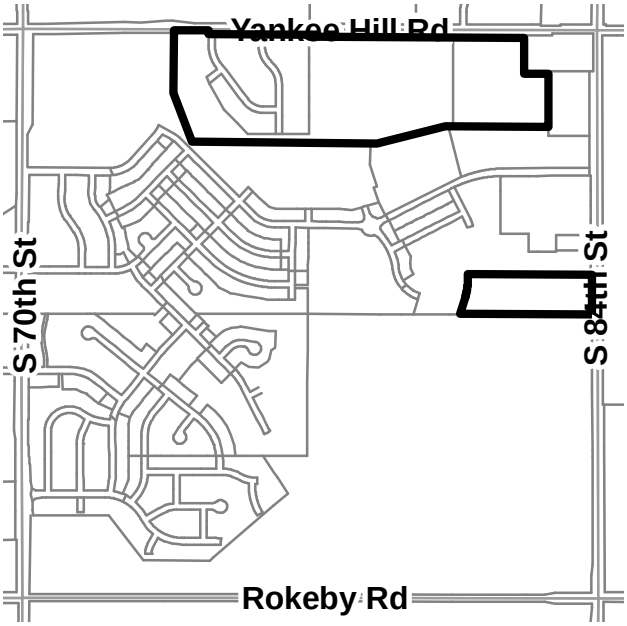
N
W E
S

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





PDF: F:\Boards\PC\Internet\out\

File: F:\DevReview\PlannerPacket\MXD\Agendadrawings.mxd (CZ05068E)

REGA
ENGINEERING
GROUP, INC.

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.

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 round-abouts 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 round-abouts. 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.

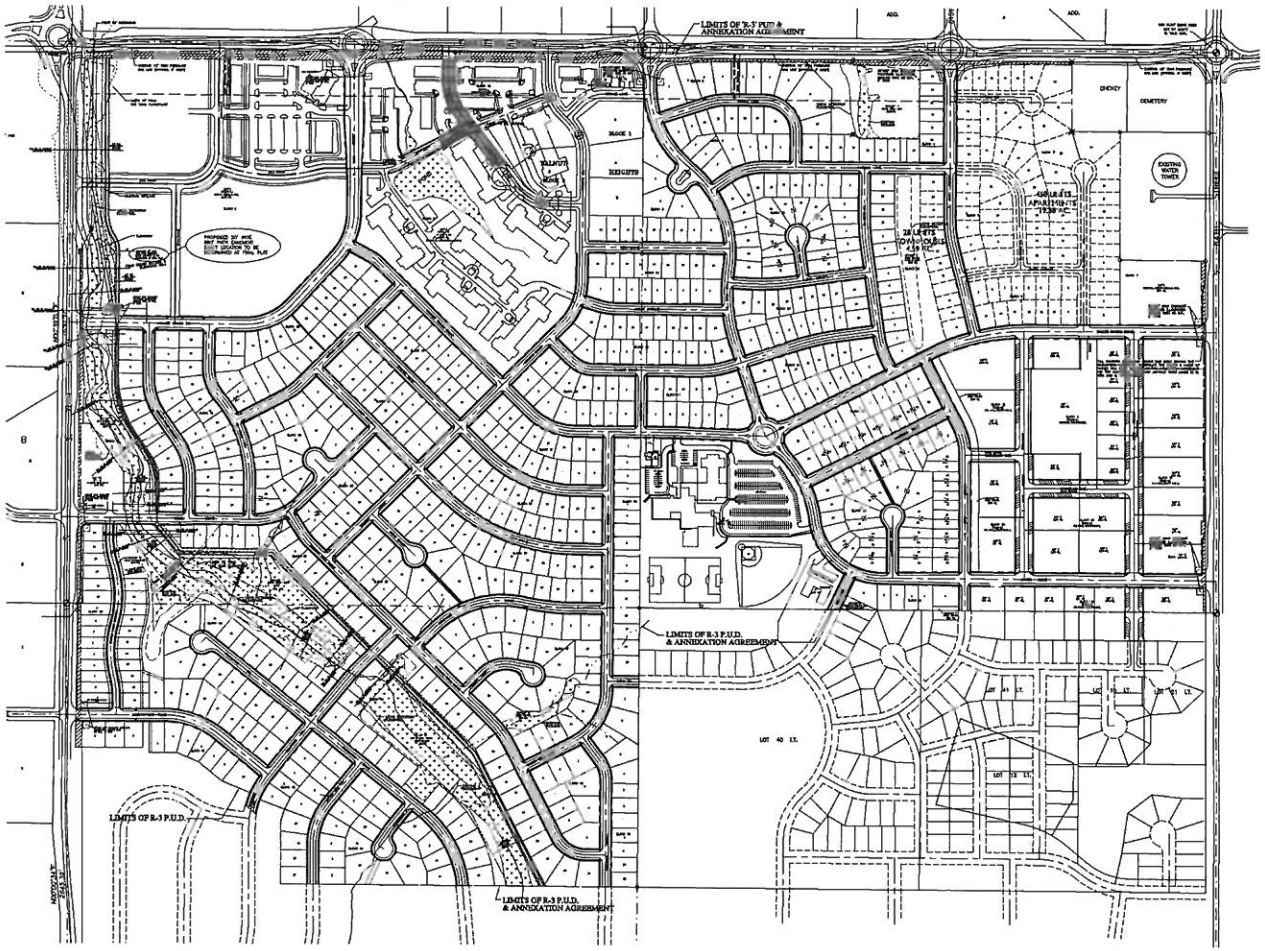
All the waivers requested and approved through the original PUD remain with this application. The waiver pertaining to the commercial area and setbacks (#7) has been modified to include the new commercial areas. A list of the approved waivers with this application has been enclosed.

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. LEGAL DESCRIPTION

A legal description of Irregular Tract Lots 28, 60, 61, 62, 68 & 63; Lots 1-6, Block 1; Lots 1-3, Block 2; Lots 1-3, Block 3; and right-of-way all part of Walnut Heights; Lots 1-13, Block 1; Lots 1-28, Block 2; Lots 1-6, Block 3; Lots 1-4 & 6, Block 4; Lot 2, Block 5; Lots 1-8, Block 6; Lots 1-13, Block 7; Outlots 'K', 'Q' & [illegible] and the adjacent right-of-way all part of The Woodlands at Yankee Hill Addition; Lots 1-4, Block 1; Lots 1-4, Block 2; Lots 1-4, Block 3; Lots 1-4, Block 4; Lots 1 & 2, Block 5; Lots 1-4, Block 6; Lots 1-4, Block 7; Lot 1, Block 8; Lots 1-7, Block 9; Lots 1-6, Block 10; and the adjacent right-of-way all part of The Woodlands at Yankee Hill 1st Addition; Lots 1-3, Outlot 'K', and the adjacent right-of-way all part of The Woodlands at Yankee Hill 2nd Addition; Outlot 'K' and right-of-way all part of The Woodlands at Yankee Hill 3rd Addition; Lots 1-11, Block 1; Lots 1-4, Block 2; Lots 1-4, Block 3; and the adjacent right-of-way all part of The Woodlands at Yankee Hill 4th Addition; Lots 1-4, Block 1; Lots 1-4, Block 2; Lot 1, Block 3; Lots 1-4, Block 4; and the adjacent right-of-way all part of The Woodlands at Yankee Hill 5th Addition; Lots 1 & 2, The Woodlands at Yankee Hill 6th Addition; Lots 1-3, Block 1; Lots 1-7, Block 2; Lots 1-4, Block 3; Lots 1-4, Block 4; and right-of-way all part of The Woodlands at Yankee Hill 7th Addition; Lots 1 & 2, The Woodlands at Yankee Hill 8th Addition; Lots 1-4, Block 1; Lots 1-4, Block 2; Lots 1-7, Block 3; Outlots 'K', 'L', 'O', 'P', and right-of-way all part of The Woodlands at Yankee Hill 9th Addition; Lots 1-4, Block 1; Lots 1 & 2, Block 2; Lots 1-13, Block 4; Lots 1-13, Block 5; Lots 1-12, Block 6; Outlots 'B', 'D', 'E', 'F' and right-of-way all part of The Woodlands at Yankee Hill 10th Addition; Lots 1 & 2, The Woodlands at Yankee Hill 11th Addition; Lots 1-13, Block 1; Lots 1-12, Block 2; Outlots 'B', 'D', 'E', 'F' and right-of-way all part of The Woodlands at Yankee Hill 12th Addition; Lots 1-10, The Woodlands at Yankee Hill 13th Addition; Lots 1-4, Block 1; Lots 1-13, Block 2; Lots 1-4, Block 3; Outlots 'A' & 'E', and right-of-way all part of The Woodlands at Yankee Hill 14th Addition; Lots 1 & 2, The Woodlands at Yankee Hill 15th Addition; Lots 1-14, Block 1; Lots 1-18, Block 2; Lots 1-8, Block 3; and right-of-way all part of The Woodlands at Yankee Hill 16th Addition; Lots 1 & 2, The Woodlands at Yankee Hill 17th Addition; Lots 1-4, Block 1; Lots 1-4, Block 2; Lots 1-4, Block 3; Lot 1, Block 4; Outlot 'D', The Woodlands Shopping Center Lot 1, The Woodlands Shopping Center Lot Addition; Lot 1-8, Block 1; Lot 1, Block 2; Lots 1-4, Block 3; Lots 1-6, Block 4; Lots 1-8, Block 7; Outlots 'K', 'N', 'O', 'T', and the adjacent right-of-way all part of Windmill Ridge Estates; Lots 1-9, Windmill Ridge Estates 1st Addition; Lot 1, and Outlot 'K', Windmill Ridge 3rd Addition; all located in Section 27, Township 9 North, Range 7 East of the 6th P.M., Lancaster County, Nebraska and more particularly described as follows:

Commencing at the N.W. Corner of the N.W. Quarter of said Section 27 and extending thence South 00°30'53" West along the West line of said N.W. Quarter a distance of 45.00 feet; THENCE South 89°58'06" East 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 60 and the POINT OF BEGINNING;

THENCE South 89°58'06" East, for a distance of 300.00 feet
THENCE North 89°58'06" East, for a distance of 400.00 feet
THENCE South 00°30'53" East, for a distance of 416.14 feet
THENCE South 00°30'53" East, for a distance of 33.00 feet
THENCE South 00°28'53" East, for a distance of 1,320.00 feet
THENCE South 00°22'19" West, for a distance of 33.00 feet
THENCE South 00°28'53" East, for a distance of 840.13 feet
THENCE South 00°34'51" West, for a distance of 17.00 feet
THENCE South 00°28'53" East, for a distance of 878.06 feet
THENCE South 00°28'27" East, for a distance of 1023.34 feet
THENCE South 00°01'11" West, for a distance of 301.46 feet
THENCE South 00°28'47" East, for a distance of 230.47 feet
THENCE South 00°07'56" West, for a distance of 600.00 feet
THENCE South 00°28'27" East, for a distance of 400.00 feet
THENCE South 00°01'11" West, for a distance of 1844.88 feet
THENCE North 89°40'13" West, for a distance of 2047.76 feet
THENCE North 00°34'11" West, for a distance of 1320.73 feet
THENCE North 89°41'38" West, for a distance of 1643.13 feet
THENCE North 00°07'56" East, for a distance of 336.25 feet
THENCE North 10°31'30" East, for a distance of 95.44 feet
THENCE North 89°58'06" West, for a distance of 130.00 feet to a circular curve to the left, having a radius of 270.00 feet, a central angle of 17°29'20" and whose chord (74.07 feet) bears South 18°37'17" West
THENCE on the arc of said circular curve 74.19 feet
THENCE North 46°42'06" West, for a distance of 69.81 feet to a circular curve to the right, having a radius of 430.00 feet, a central angle of 8°37'03" and whose chord (60.67 feet) bears North 18°24'17" East
THENCE on the arc of said circular curve 61.03 feet
THENCE North 00°01'11" East, for a distance of 131.32 feet
THENCE North 00°43'01" West, for a distance of 119.93 feet
THENCE North 00°46'06" West, for a distance of 119.93 feet
THENCE North 00°36'11" West, for a distance of 107.94 feet
THENCE North 00°02'24" West, for a distance of 144.03 feet
THENCE North 00°01'11" East, for a distance of 30.00 feet
THENCE South 00°00'25" West, for a distance of 130.00 feet
THENCE North 89°58'06" West, for a distance of 314.33 feet
THENCE North 00°01'53" East, for a distance of 660.63 feet
THENCE North 00°00'56" East, for a distance of 33.72 feet
THENCE North 00°30'06" East, for a distance of 1647.04 feet
THENCE North 27°11'11" East, for a distance of 111.88 feet
THENCE North 00°30'53" East, for a distance of 838.25 feet to the POINT OF BEGINNING, containing a calculated area of 16,151,369.52 square feet or 371.01 acres.

SURVEYOR'S 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.

Lyle L. Loth, L.S. 314

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 2,528 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 27.62.340 OF THE L.M.C., UNLESS SPECIFICALLY MODIFIED BY THE CITY COUNCIL. HOWEVER, POLE SIGNS SHALL BE PROHIBITED WITHIN THE LIMITS OF THIS P.U.D. SUBDIVISION SIGNS SHALL BE ILLUMINATED 13' HIGH AND 50 SQUARE FEET GROUND 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 PROHIBITED 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 WHEN THIS P.U.D. IS APPROVED. MINIMUM OPENING ELEVATIONS SHALL BE SET AT TIME OF ADMINISTRATIVE AMENDMENT FOR THOSE LOTS IN BLOCKS 1 WHICH ARE ADJACENT TO FLOODPLAIN/FLOOD FRINGE AREAS, FLOOD DIVERSIONS 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. FOR 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, PARK, PLAYGROUND, GOLF COURSE, GOLF CLUBHOUSE, AND STORAGE ARE ALLOWED AS PERMITTED USES ON LOTS 16 - 19, BLOCK 28. THE SITE PLAN SHOWN IS CONCEPTUAL. FINAL PLAN MUST BE ESTABLISHED AT THE TIME OF BUILDING PERMITS.
    C. THE REGULATIONS OF THE "R-2" AND "R-3" ZONING DISTRICTS APPLY TO LOT 1, BLOCK 1; LOT 1, BLOCK 7; LOT 1, BLOCK 28; LOTS 1 & 2, BLOCK 36, EXCEPT ALL PERMITTED, CONDITIONAL, AND SPECIAL USES FOR THE "O-3" AND "B-1" 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 8, 11, 33, 34 & 35, EXCEPT ALL PERMITTED, CONDITIONAL, AND SPECIAL USES FOR 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 FOR THE "R-2" ZONING DISTRICT ARE ALLOWED AS PERMITTED USES WITHIN LOT 15, BLOCK 22 EXCEPT THE FOLLOWING: PRIVATE SCHOOL, HEALTH CARE FACILITY, BROADCAST TOWER, EXCAVATION/STONE MILLING, GARDEN CENTER, OUTDOOR SEASONAL SALES, CLUB AND BREEHOUSE WHICH WILL REQUIRE A PUD AMENDMENT AND APPROVAL BY CITY COUNCIL.
13. 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 265,000 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 ORIENTATED 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 LEAST 60 MULTI-FAMILY (APARTMENT) DWELLING UNITS OF THE 200 OR MORE MULTI-FAMILY UNITS WITHIN THE PUD.
    D. 40,000 S.F. OF THE 265,000 S.F. OF COMMERCIAL SPACE WILL BE RESTRICTED ONLY TO OFFICE USES WITHIN THE FIRST FLOOR OF A COMMERCIAL BUILDING.
    E. 60,000 S.F. OF THE 265,000 S.F. OF COMMERCIAL SPACE WILL BE LOCATED ON THE SECOND FLOOR OF A COMMERCIAL BUILDING.
    F. INCLUSION OF OPEN SPACE, SUCH AS A MINI-PARK OR PLAZA LOCATED ON THE SECOND FLOOR OF A COMMERCIAL BUILDING. THE DEVELOPER'S INDICATION OF NOWHERE 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 DECOMMISSIONED 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 LLCHD.
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 BEDDING 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 SIDEWALK, 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 64, BLOCK 40 AND LOTS 1 THROUGH 15, BLOCK 36. ATTACHED AND DETACHED SINGLE-FAMILY DWELLING UNITS AND TOWNHOMES ARE ALLOWED ON THESE LOTS.
22. THE INTERSECTION OF SOUTH 76TH STREET AND ADAO DRIVE AND ACRO DRIVE FROM SOUTH 76TH 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 76TH 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 DESIGNATED 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 ACCOMODATE THE INSTALLATION OF THE SEWER.

PUD BOUNDARY CURVE DATA:

(C1) R = 370.00'	(C2) R = 430.00'
Δ = 11°29'20"	Δ = 8°37'03"
L = 74.19'	L = 61.03'
Ch = 74.07'	Ch = 60.67'
ChBrg = S18°37'17"W	ChBrg = N18°24'17"E

REQUESTED WAIVERS:

1. TRANSFER OF SANITARY SEWER FROM ONE DRAINAGE BASIN TO ANOTHER.
2. SANITARY SEWER RUNNING OPPOSITE OF STREET GRADE IN PATRICK AVENUE, MOHAVE DRIVE SOUTH 80TH STREET AND SARGWARE DRIVE.
3. BLOCK LENGTH FOR BLOCKS 1, 2 & 40.
4. SIDEWALKS IN STANDARD LOCATION
5. LANDSCAPE SCREENING TO BE APPROVED AT TIME OF BUILDING PERMITS IN COMPLIANCE WITH LINCOLN MUNICIPAL CODE AND THE DESIGN STANDARDS.
6. LOTS IN COMMERCIAL AREAS FRONTING UPON/ TAKING ACCESS FROM PUBLIC STREETS/ PRIVATE ROADWAYS
7. THE FRONT, SIDE AND REAR SETBACKS ARE ADJUSTED TO 0' FOR LOT 1, BLOCK 1; LOT 1, BLOCK 7; BLOCKS 8, 11, 33, 34 & 35; EXCEPT AS SHOWN ON THE SITE PLAN. OTHERWISE, THE "R-3" ZONING REQUIREMENTS AND APPLICABLE DESIGN STANDARDS APPLY.
8. SIDEWALKS ALONG EAST SIDE OF S. 70TH STREET BETWEEN YANKEE HILL ROAD AND YANKEE WOODS DRIVE.
9. LOT WIDTH TO DEPTH RATIO.
10. LOT AREA.
11. LOT WIDTH.
12. BUILDING HEIGHT TO 45 FEET FOR MULTI-FAMILY BUILDING.
13. LOT LINES BEING RADIAL AND NONPERPENDICULAR TO STREET RIGHT-OF-WAY.

ACCEPTANCE:

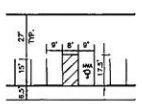
THE FOREGOING PLANNED UNIT DEVELOPMENT WAS APPROVED AND ACCEPTED BY THE CITY COUNCIL OF THE CITY OF LINCOLN, NEBRASKA BY RESOLUTION NO. _____ PASSED THE _____ DAY OF _____, 20__.

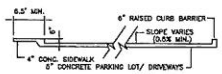
ATTEST: _____
CITY CLERK

APPROVAL:

THE FOREGOING PLANNED UNIT DEVELOPMENT WAS APPROVED BY THE LINCOLN CITY – LANCASTER COUNTY PLANNING COMMISSION ON THIS _____ DAY OF _____, 20__.

ATTEST: _____
CHAIR





TYPICAL PARKING LOT DETAILS
NO SCALE

PUD USE TABLE

TOTAL COMMERCIAL USES S.F. SHOWN	744,000 S.F.	
TOTAL DWELLING UNITS SHOWN	1185 UNITS + 1,528 UNITS ALLOWED BY DENSITY	PLEASE REFER TO THE FULL TRAFFIC STUDY PREPARED BY THE SUBURBAN ASSOCIATES FOR MORE INFORMATION

OWNER/DEVELOPER:

LOVEG-STARGETTA INC.
429 INDUSTRIAL LANE
GRAND ISLAND, NE 68803

3AP-SE, L.L.C.
820 N. 48TH ST., SUITE 101
LINCOLN, NE 68504 (402) 421-7700

MIDWEST NET LEASE INVESTORS-SE L.L.C.
8200 CODY DRIVE, SUITE "F"
LINCOLN, NE 68512 (402) 423-7377

RC KRUEGER DEVELOPMENT COMPANY
KRUEGER HOLDING COMPANY
8200 CODY DRIVE
LINCOLN, NE 68512 (402) 423-7377

CALRUSTY, LLC
8200 CODY DRIVE, SUITE "F"
LINCOLN, NE 68512 (402) 423-7377

DOUBLE D LAND COMPANY LLC
8200 CODY DRIVE, SUITE "F"
LINCOLN, NE 68512 (402) 423-7377

SURVEYOR:

LYLE L. LOTH
REGA ENGINEERING GROUP, INC.
601 OLD CHENEY ROAD, SUITE "A"
LINCOLN, NE 68512 (402) 484-7343

ENGINEERS:

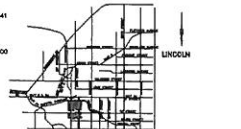
LYLE L. LOTH
REGA ENGINEERING GROUP, INC.
601 OLD CHENEY ROAD, SUITE "A"
LINCOLN, NE 68512 (402) 484-7343

TOM RILEY
FLATWATER GROUP, INC.
1618 "L" STREET
LINCOLN, NE 68508 (402) 435-8441

JEFFERY MAGEE
THE SCHEMMER ASSOCIATES
1919 S. 40TH STREET, SUITE 202
LINCOLN, NE 68506 (402) 488-2000

SHEET LEGEND:

COVER PAGE	1
SITE PLAN	2
ENLARGED SITE PLAN	3
ENLARGED SITE PLAN	4
ENLARGED SITE PLAN	5
UTILITY PLAN	6
GRADING PLAN	7
ENLARGED GRADING PLAN	8
ENLARGED GRADING PLAN	9
ENLARGED GRADING PLAN	10
STREET PROFILES	11
STREET PROFILES	12
STREET PROFILES	13
STREET PROFILES	14



VICINITY SKETCH

PROJECT 151052

NO.	DESCRIPTION	DATE	BY

REVISIONS

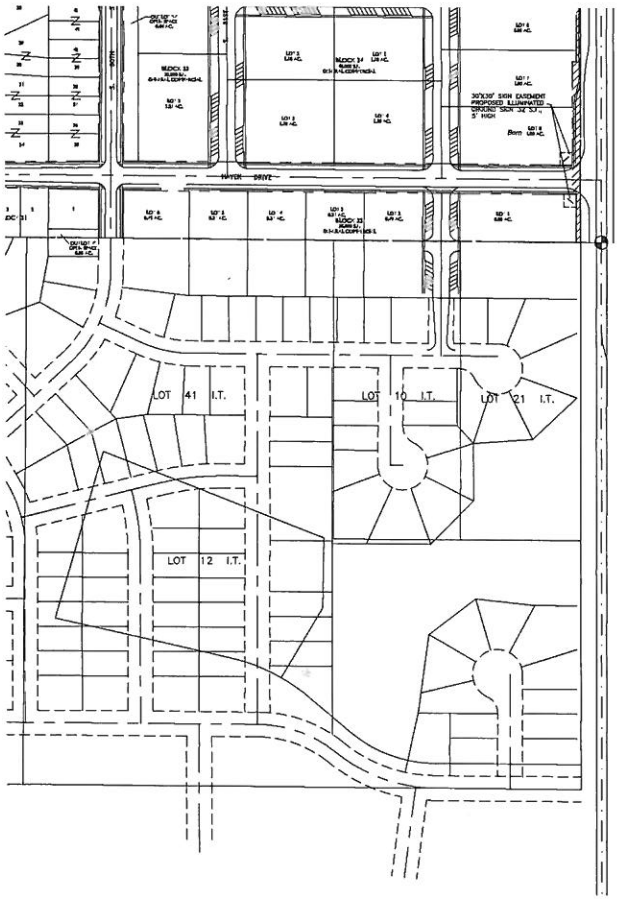
REGA ENGINEERING GROUP, INC.
601 OLD CHENEY RD., SUITE A
LINCOLN, NEBRASKA 68512
(402)484.7343
- ENGINEERING
- PLANNING
- LAND SURVEYING

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

DATE: 11/4/15
DESIGNED BY: MLK
DRAWN BY: MLK
CHECKED BY: **

THIS DOCUMENT WAS ORIGINALLY ISSUED AND SEALED BY LYLE L. LOTH, PE-3137 ON 11-3-15. THIS MEDIA SHOULD NOT BE CONSIDERED A CERTIFIED DOCUMENT.

SHEET NO.
1 of 14



RY CURVE DATA:

(A2) R = 430.00'
Δ = 8°07'52"
L = 61.02'
Ch = 60.97'
17"W ChBrg = N19°04'14"E

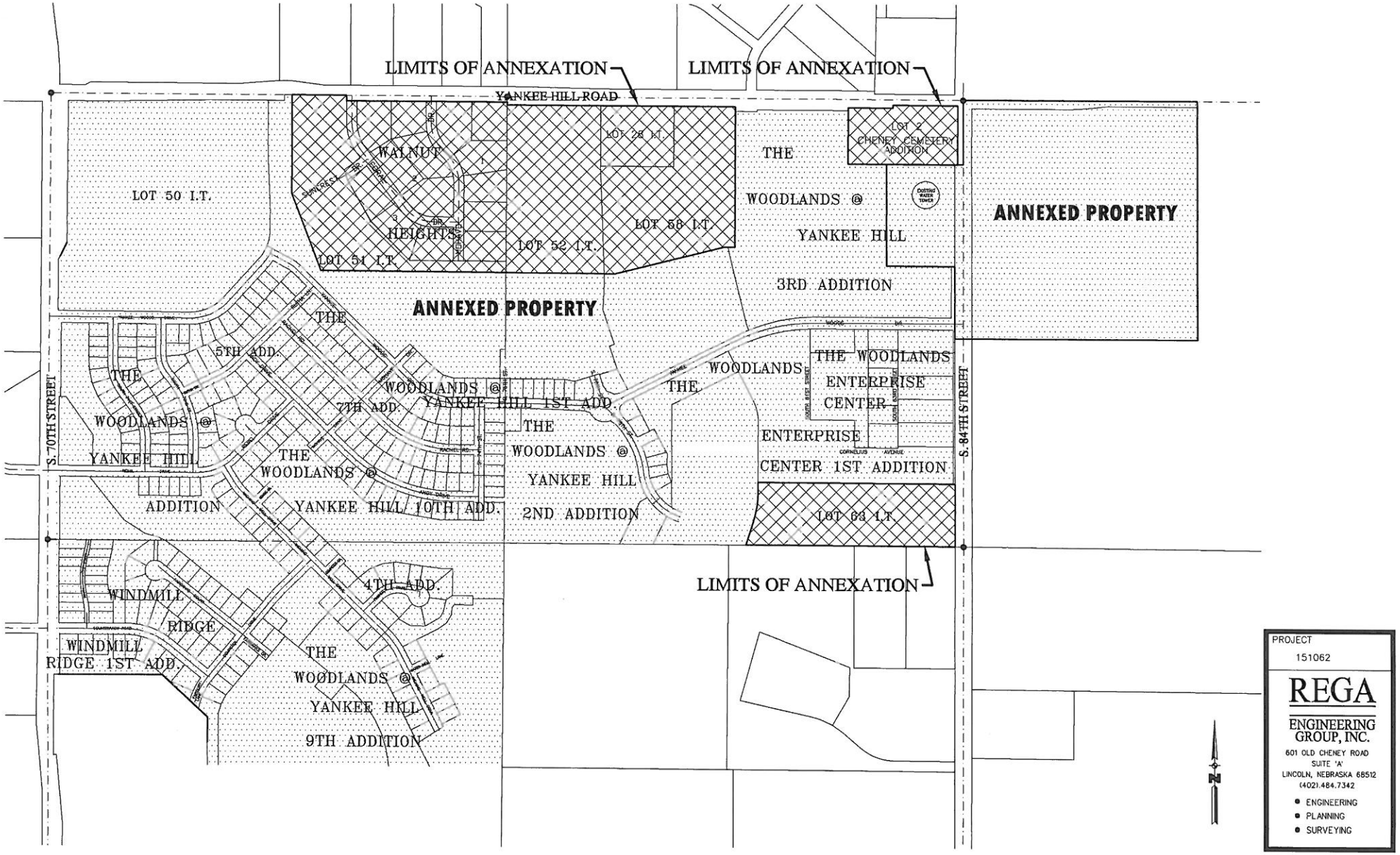
GENERAL NOTES:

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 2,026 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 27.69.340 OF THE L.M.C., UNLESS SPECIFICALLY MODIFIED BY THE CITY COUNCIL. HOWEVER, POLE SIGNS SHALL BE PROHIBITED WITHIN THE LIMITS OF THIS P.U.D. SUBDIVISION SIGNS SHALL BE ILLUMINATED 15' HIGH AND 50 SQUARE FEET GROUND SIGNS. DETAILS OF SIGNAGE SHALL BE SHOWN AT THE TIME OF SIGN PERMITS.
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 AS PERMITTED USES ON LOTS 16 – 18, BLOCK 28. THE SITE PLAN SHWON 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, BLOCK1; 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 ORIENTATED 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 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 LLCHD.
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 38. 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 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
ANNEXATION EXHIBIT



PROJECT
151062

REGA
ENGINEERING GROUP, INC.
601 OLD CHENEY ROAD
SUITE 'A'
LINCOLN, NEBRASKA 68512
(402).484.7342

- 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.

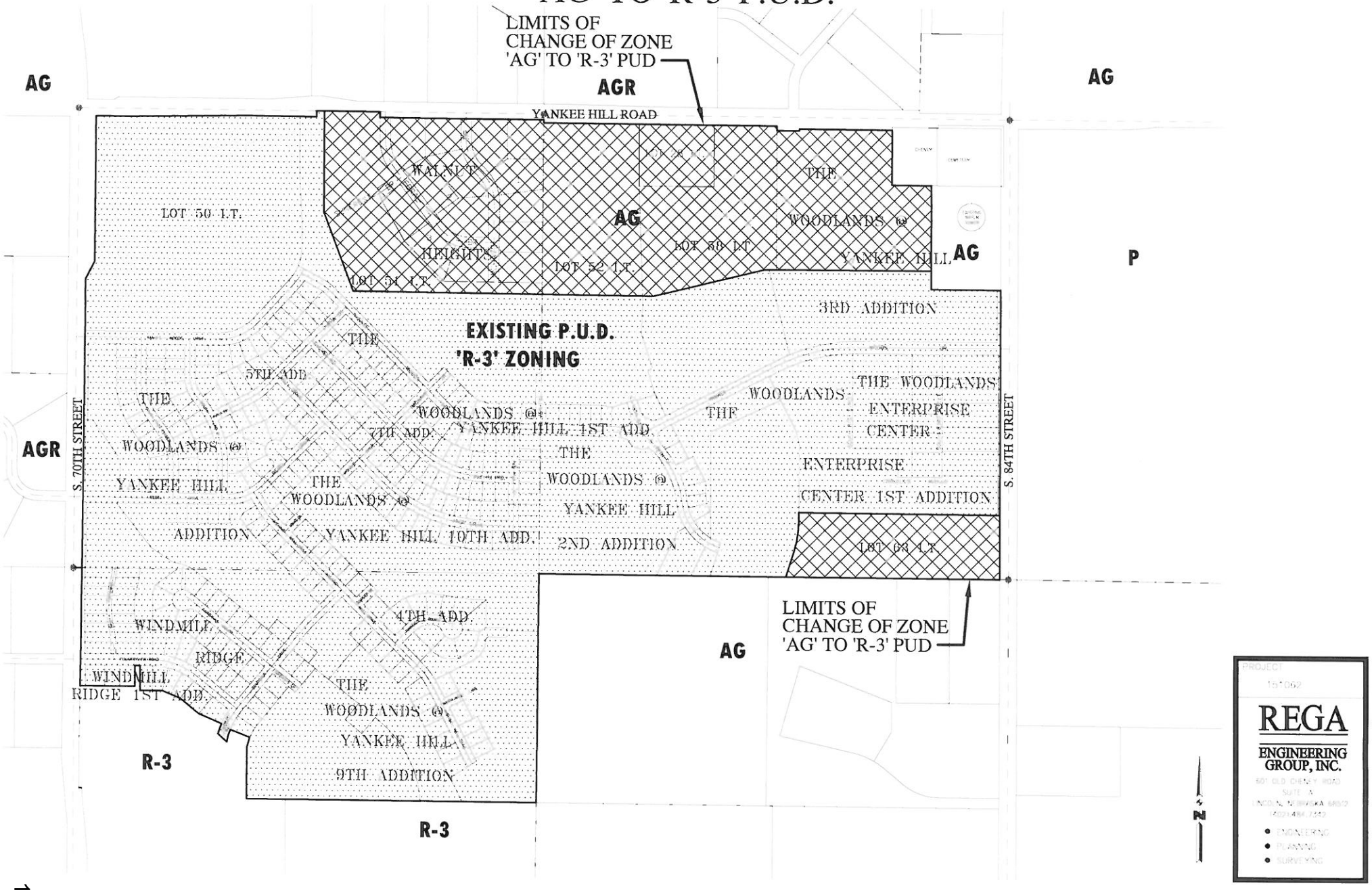
AND

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.

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



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.

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

---

for December 2, 2015 PLANNING COMMISSION MEETING

PROJECT #: Comprehensive Plan Conformance No. 15032

PROPOSAL: To review as to conformance with the 2040 Lincoln-Lancaster County Comprehensive Plan, to add the "Telegraph District Phase I: 401 Building and 333 Building Project" to the Antelope Valley Redevelopment Plan. The proposed project includes the rehabilitation of an existing office building and parking garage to be used for office, retail and parking.

The Antelope Valley Redevelopment Plan area north of Downtown is generally bounded by Salt Creek on the north, by the BNSF Railroad tracks on the south, by Antelope Creek on the east and by Interstate 180 on the west; the area east of Downtown is generally bounded by 17th Street on the west, 27th Street on the east, the BNSF Railroad tracks on the north and D and E Street on the south, Lincoln, Lancaster County, Nebraska.

LOCATION: Generally located between M Street, K Street, 20th Street and 21st Street

LAND AREA: 7 acres, more or less

CONCLUSION: The redevelopment plan is in conformance with the Comprehensive Plan.

RECOMMENDATION: In conformance with the Comprehensive Plan.

GENERAL INFORMATION:

LEGAL DESCRIPTION: See attached legal description.

EXISTING ZONING: B-4 Lincoln Center Business District.

EXISTING LAND USE: Vacant office building and parking garage, surface parking lot and two single-family residences

SURROUNDING LAND USE AND ZONING:

North: Telephone Museum/Parking Lot; B-4
South: Auto Body Repair/ B-3
East: Warehouse/Gas Station; B-3
West: Cold Storage Facility/Undeveloped; B-4

HISTORY:
Various Board of Zoning Appeals applications have been approved in this area for public utilities, parking lots and to adjust setbacks.

November 1954	A special permit for a parking lot on the LT&T property at 21st & L was approved.
September 1970	A special permit for a parking lot on the LT&T property south of L Street was approved.

This property was rezoned from D, Residential District, and K, Light Industrial District, to R-6, Residential, and B-4, Lincoln Center Business District, with the 1979 zoning update.

September 2008	The property south of L Street was rezoned from R-6, Residential to B-4, Lincoln Center Business District.
October 2013	A redevelopment plan amendment was approved for The Exchange at Antelope Valley project.
April 2014	S. 20th Street between K and L Streets and the east/west alley between Antelope Valley Parkway and S. 20th Street were vacated.

COMPREHENSIVE PLAN SPECIFICATIONS:
P 1.9 - The 2040 Comprehensive Plan Future Land Use map shows this area as Commercial.

P. 1.2-1.3 -The community continues its commitment to a strong Downtown. A strong, vital Downtown provides a common center for all of Lincoln and Lancaster County and will be a catalyst for future growth. LPlan 2040 acknowledges Downtown's unique role and will guide decisions that will maintain Downtown's vitality and enhance its contribution to the quality of life of all Lincoln and Lancaster County.

P. 1.3 - Downtown Lincoln — the Heart of our Community
Downtown Lincoln is the heart of our community, a unique common ground for all Lincoln and Lancaster County residents. It is also emerging as an attractive place to live, becoming an increasingly vibrant mixed use neighborhood. At the same time, Downtown Lincoln belongs to all residents of Nebraska because "downtown" is synonymous with the University of Nebraska, state government, and the State Capitol building. This state-wide ownership has strong economic implications. LPlan 2040 will ensure that downtown remains a special place.

P. 5.1 - Enhance Downtown's role as the heart of the City. A strong downtown is important to the economic future of the community. Lincoln's Downtown is unique in the community as the home of State government, the State Capitol Building, and the flagship campus of the University of Nebraska. Together with Antelope Valley and the surrounding neighborhoods, it forms a vital core for the City.

P. 5.4 - The City should preserve and enhance Downtown's role as: A major focus for new residential reuse, infill, and redevelopment.

P. 6.1 - The primary focus for new dwelling units is the "Greater Downtown" which includes Downtown proper, Antelope Valley, the Haymarket, and Innovation Campus. These areas should accommodate roughly 3,000 new dwelling units by 2040.

P. 6.3 - A major focus for new residential reuse, infill, and redevelopment is in the Greater Downtown area. The Plan envisions an additional 3,000 dwelling units in this core area by 2040. This area is the main hub of employment, entertainment, and higher education. Over the years, there have been significant public and private investments in new building construction, renovations, and infrastructure. In order to capitalize on these collective investments, further development in the Greater Downtown should be realized.

P. 6.5 - Downtown is a primary area for mixed use redevelopment nodes and corridors.

DOWNTOWN MASTER PLAN AND DOWNTOWN MASTER PLAN UPDATE SPECIFICATIONS:

P. 20 - The project area is shown as "Low Rise Office" in the Downtown Master Plan Land Use Framework.

P. 36 - K and L Streets: Provides for expansion of financial and other office uses along this corridor.

P. 37 - Downtown/Antelope Valley Framework: The "entry corridor" of Capitol Parkway along K and L Streets is appropriate for both residential uses and low-rise office buildings.

ANTELOPE VALLEY REDEVELOPMENT PLAN SPECIFICATIONS:

P. 51 - East Downtown: is defined by the waterway, the one-way pairs of "K" and "L" Streets, 17th Street and the UNL Campus edge. The area has a variety of architecture, building usage, streetscape definitions and site density. It is intended to be marked by mixed-use, streetscape oriented infill development revitalizing underdeveloped land, renovating key existing structures, and capitalizing on parking and open space. The applicable East Downtown future land use designations would encourage mixes of uses-residential/office/retail/services-next to each other as well as a commercial use on the first floor and another land use on the upper floors.

P. 54 - This site is designated as MU- Mixed Use.

P. 57 - The Mixed Use (MU) area east of traditional downtown is intended to accommodate a wide variety of land uses compatible with adjacent residential areas and supportive of downtown as the community's center. Within this wider area, certain subdistricts should be encouraged through incentives and regulations. Residential uses are encouraged throughout the MU area to capitalize on public investment and to provide a variety of housing options near the downtown core. In particular, high-density, high-amenity urban residential uses are very desirable between 17th St. And the new Antelope Creek and park. Improvements in the "triangle" bounded by 19th St., the Creek, and O Street should be strongly encouraged to foster development of an "urban village" - Haymarket without the history. South of O Street and east of 17th Street there is an opportunity to strengthen housing in proximity to the Capitol and other employment centers.

P. 57 - The area along "K" and "L" Streets between s. 17th and S. 22nd Streets is a key entry corridor to and from downtown. In this area the mix of uses is intended to provide additional diversity in office and residential products to traditional Downtown. The proximity of these blocks with the State Capitol provides the impetus for government and statewide association facilities.

P. 66 - Provide people more choices in housing, shopping, neighborhoods, employment, recreation, entertainment and transportation.

P. 66 - Encourage a range of housing types (single-family, apartments, row homes, granny flats, condominiums and live/work units) giving citizens of different incomes, ages and family sizes a wide range of choices.

P. 66 - Redevelopment should follow the "sustainability" principles of equity, economic development and environment.

P. 68 - Development should avoid a suburban style and instead be pedestrian oriented and varied with strong streetscapes reinforced by quality buildings. Suburban elements to avoid include deep setbacks, and overall

design oriented toward the scale of the automobile. Buildings should be encouraged to be located next to the sidewalks along the front yard line, with parking in the back of buildings.

ANALYSIS:

1. This is a request to review an amendment to a project in the Antelope Valley Redevelopment Plan for a determination of conformity with the Lincoln and Lancaster County 2040 Comprehensive Plan. Nebraska Community Development Law, NEB REV STAT § 18-2112 requires the Planning Commission to review a redevelopment plan as to its conformity with the Comprehensive Plan. A recommendation of the Planning Commission is required to be provided to the City Council.

2. The general concept is to rehabilitate an existing building at 401 S. 21st Street (401 Building) and a multi-story parking garage at 301 S. 21st Street (333 Building). The 401 Building is proposed for office use, and the 333 Building is proposed for a parking garage with commercial uses lining S. 21st Street and L Street. The project area includes the adjacent rights-of-way include S. 20th, L, S. 21st and K Streets. The estimated cost of this project is approximately $15 million and will generate an estimated $825,000 in Tax Increment Financing over 15 years.

3. The language in the Downtown Master Plan related to this site discusses low rise office as a future use and provides for expansion of financial and other office uses along the K and L Street corridor. The Plan also includes these blocks as part of the "entry corridor" of Capitol Parkway along K and L Streets. Development on these blocks is appropriate for low-rise office buildings and is also appropriate for residential uses.

4. The Antelope Valley Redevelopment Plan notes that redevelopment in this area is intended to be mixed-use, streetscape oriented infill development that revitalizes underdeveloped land, renovates key existing structures, and capitalizes on parking and open space. The general idea of reusing structures for office, commercial and structured parking is supported by the Antelope Valley Redevelopment Plan.

5. This project area is zoned B-4 and is subject to the Downtown Design Standards. This project is considered a Major Remodeling Project per the Standards so improvements to the facades should meet the applicable Downtown Design Standards where feasible. The building transparency and parking lot screening should meet the minimum standards, and streetscape elements should be designed with consideration of pedestrians.

6. The source of funds for public improvements will be Tax Increment Financing (TIF) generated by this project. Because this is a TIF-assisted project near the Muny Building, which is a local landmark, the design details of the development will be reviewed jointly by the Historic Preservation Commission (HPC) and the Urban Design Committee (UDC). The developer has tentatively planned to present the project at the January 5th HPC/UDC meeting.

7. The Exchange at Antelope Valley was a project added to the Antelope Valley Redevelopment Plan in 2013. That proposed plan covered the same general area of the Telegraph District, but it did not occur. The Exchange at Antelope Valley is requested to be deleted from the Antelope Valley Redevelopment Plan with this application.

Prepared by:

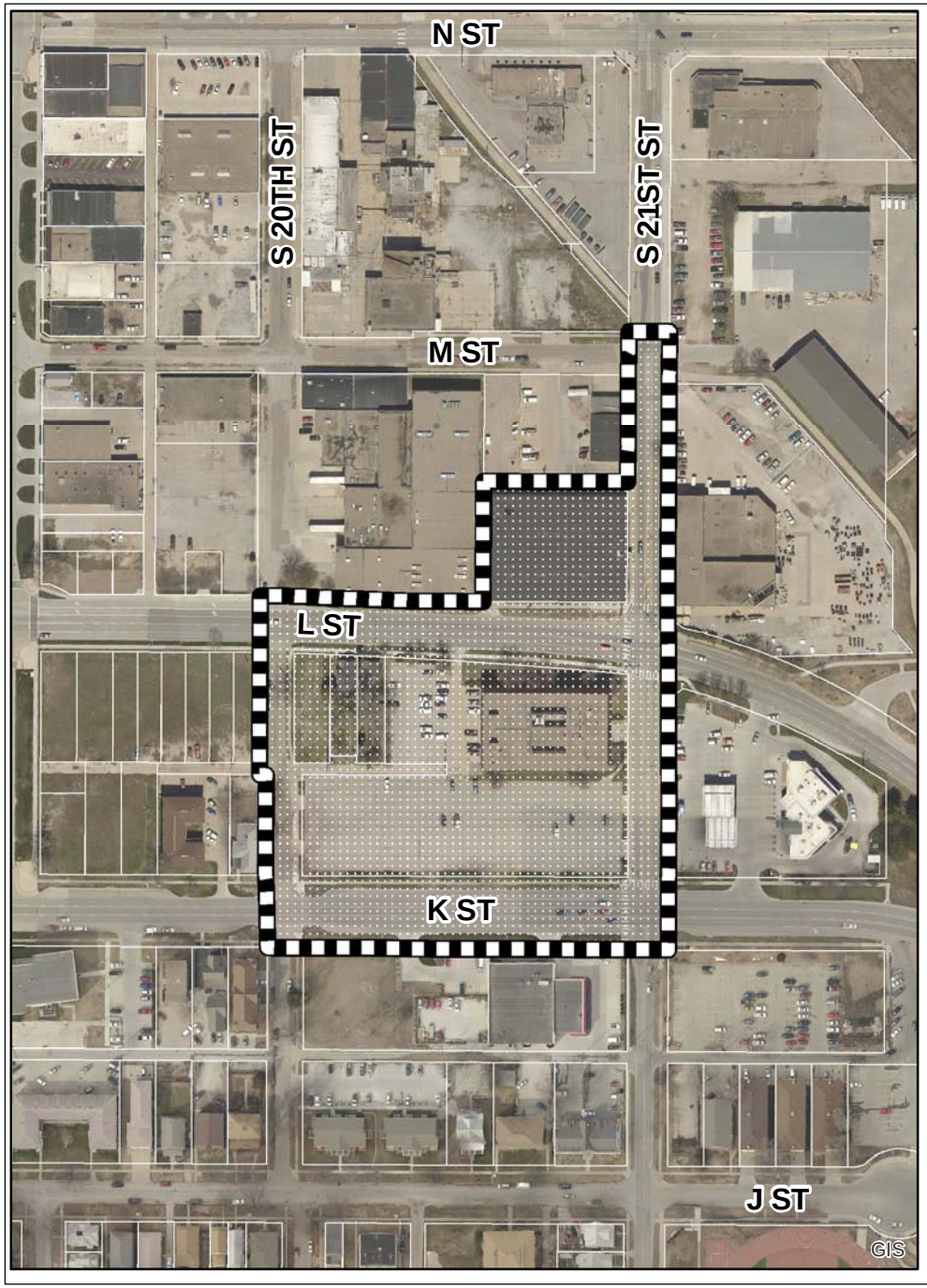
Paul Barnes, Planner
402-441-6372
pbarnes@lincoln.ne.gov

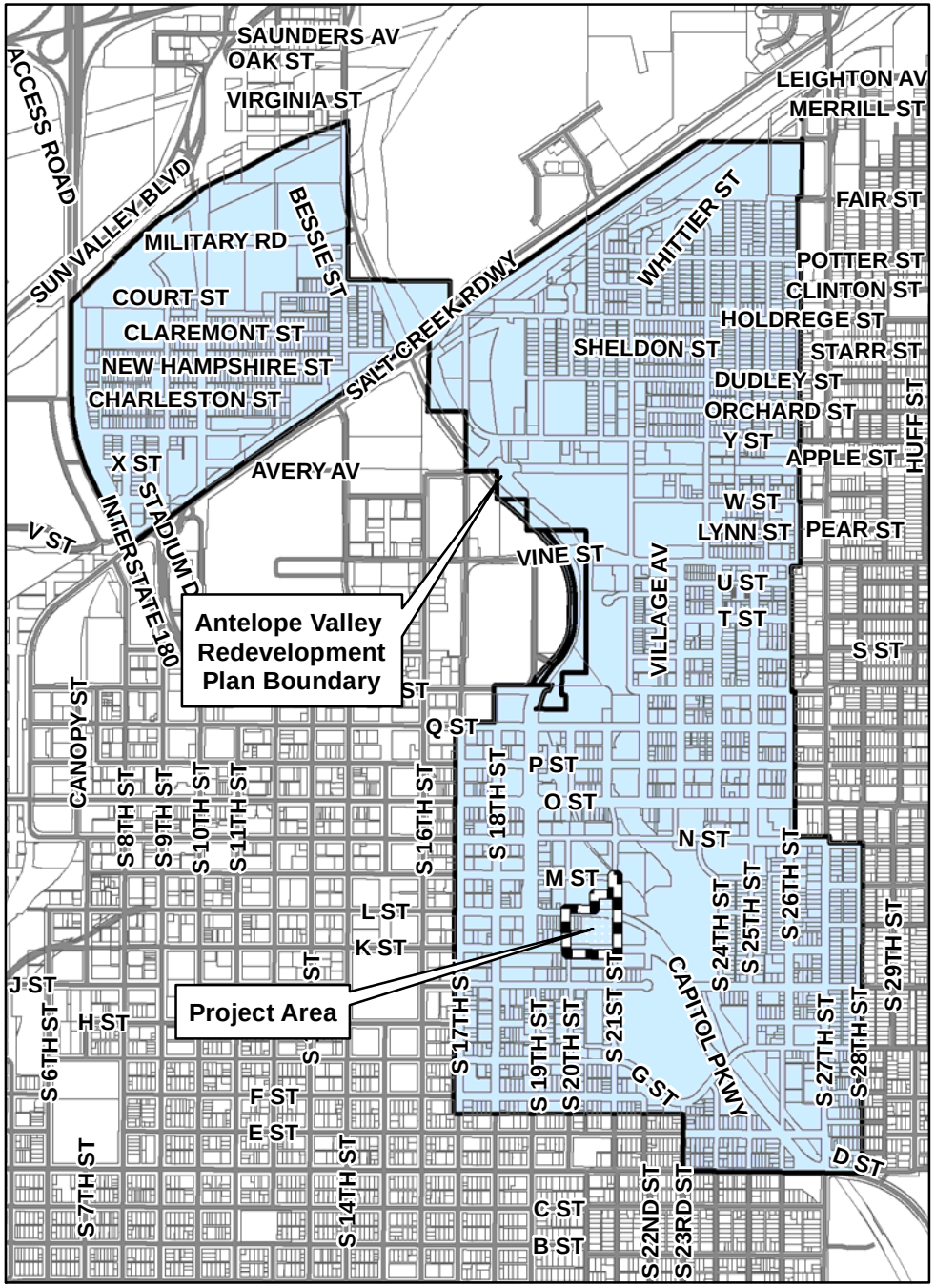
DATE: November 18, 2015

APPLICANT: Urban Development Department
David Landis
555 S. 10th Street, Suite 205
Lincoln, NE 68508

CONTACT: Urban Development Department
Wynn Hjermstad
555 S. 10th Street, Suite 205
Lincoln, NE 68508

F:\DevReview\CPC\15000\CPC15032 Telegraph District Phase I.pdb.wpd





2013 aerial

Comprehensive Plan Conformance #15032

Antelope Valley Redevelopment Plan
Telegraph District Project

m:\plan\arcview\CPCRevelopmentAreaDrawings.mxd (CPC15032)

CITY OF LINCOLN NEBRASKA

URBAN DEVELOPMENT DEPARTMENT
555 South 10th Street Suite 205 Lincoln, Nebraska 68508
402-441-7606 fax: 402-441-8711 lincoln.ne.gov

November 4, 2015

David Cary, Acting Planning Director
City of Lincoln-Lancaster County Planning Department
555 S. 10th
Lincoln, NE 68508

Dear David:

Enclosed is an amendment to the Antelope Valley Redevelopment Plan that identifies the Telegraph District Phase 1: 401 Building and 333 Building Project. The project includes the rehab of an existing office building and parking garage to be used for office, retail and parking. The site is approximately 7 acres, generally located between M Street on the north, K Street on the south, 20th Street on the west and 21st Street on the east. The Amendment also deletes Project N, 21st and N Redevelopment Project: The Exchange at Antelope Valley which did not occur.

Please forward the Plan Amendment to the Planning Commission for their earliest consideration for Comprehensive Plan compliance. My understanding is that the Plan Amendment should be on the December 2, 2015 agenda.

If you have questions or need additional information, Pleases contact me at 402-441-8211 or at whjermstad@lincoln.ne.gov. Thank you.

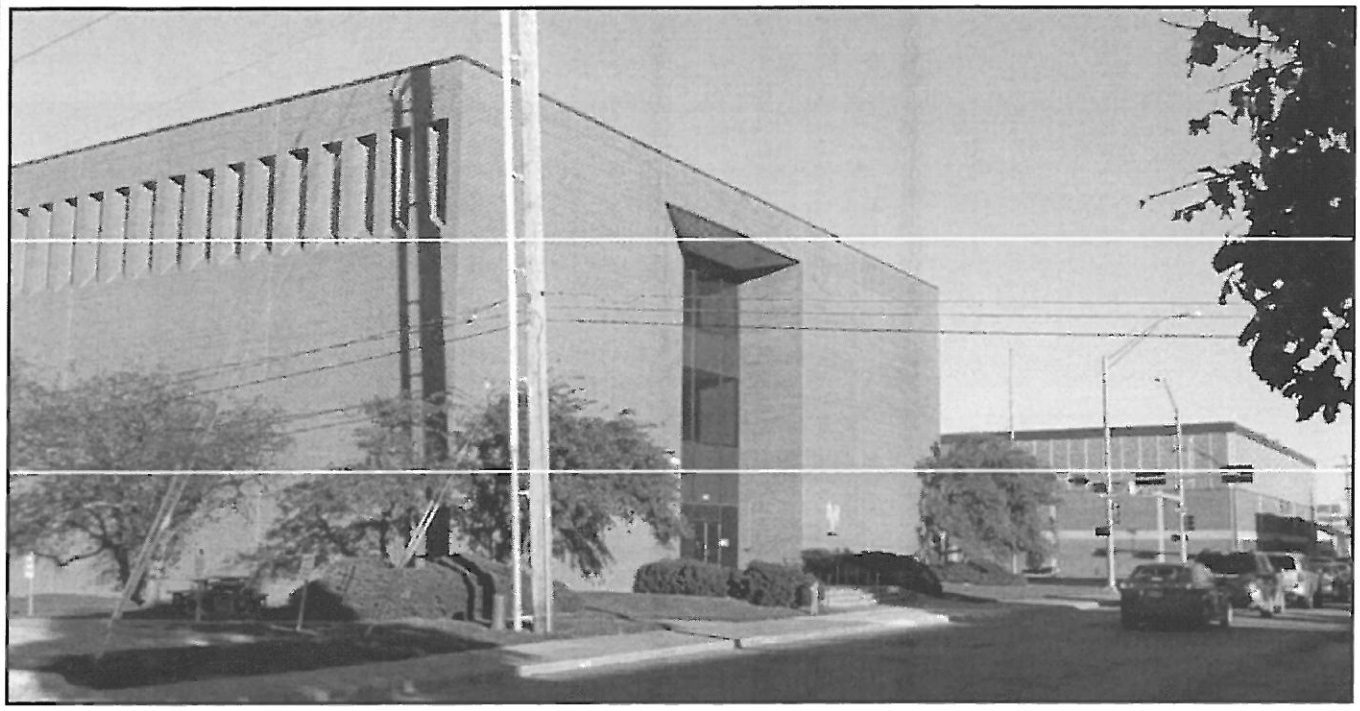
Sincerely,

Wynn S. Hjermstad

Wynn S. Hjermstad, AICP
Community Development Manager

Cc: David Landis, Director, Urban Development Dept.

DEVELOPMENT SERVICES CENTER DSC



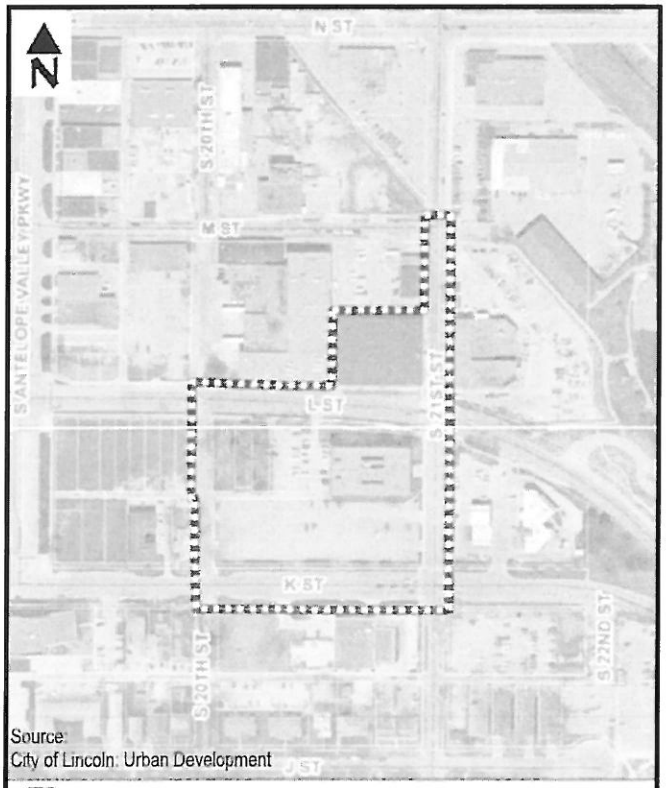
Q. Telegraph District Phase 1: 401 Building & 333 Building Project

1. *Project Description*

The 401 Building & 333 Building Project is the rehab of an existing office building and parking garage. Office use will remain while the parking garage will become mixed-use with first floor retail and parking above. The Project is generally located between M Street on the north, K Street on the south, vacated 20th Street on the west and 21st Street on the east. The 333 Building is comprised of Lots 4—6, Avon Subdivision and Lots 9 - 10, Avondale Addition and abutting vacated alleys. See *Project Area Context & Boundaries.*

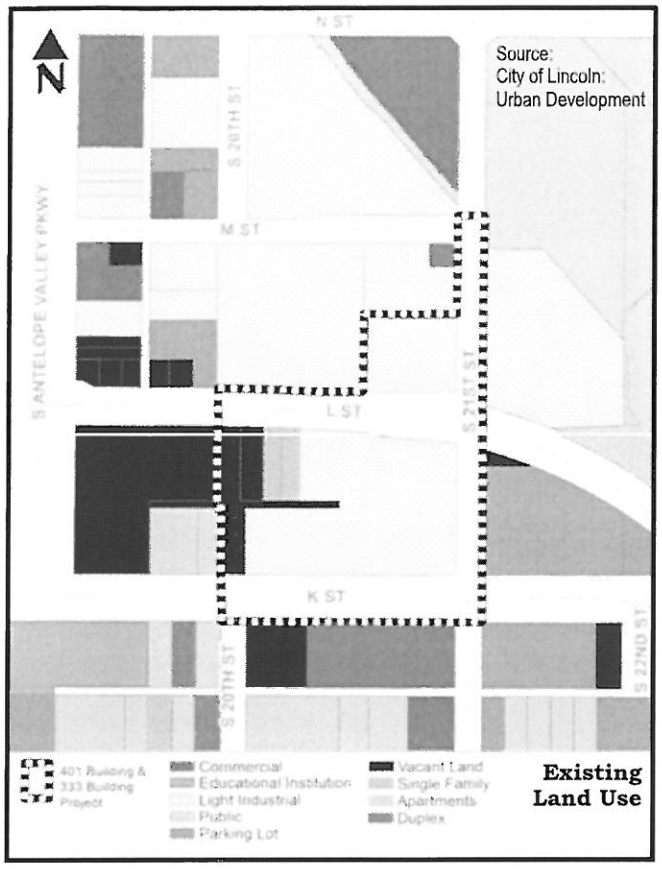
The project area includes over seven acres, including public right-of-way. The 333 Building, located north of L Street at 333 S. 21st Street, is a 171 stall parking garage and Windstream service facility. It was built in 1965 and is approximately 29,120 square feet. The building has inefficiencies and functional obsolescence. Windstream will be moving its service facility to a new location.

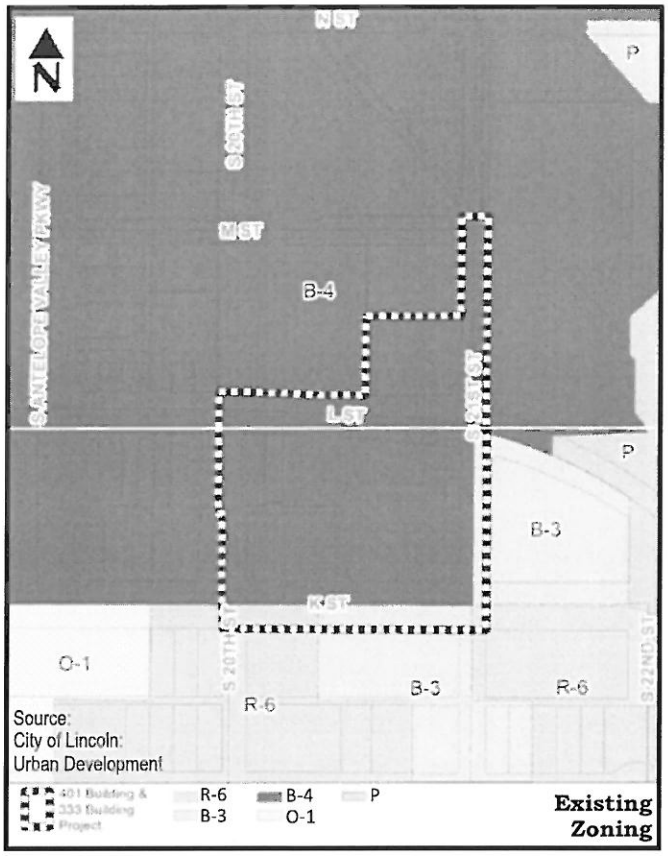
The 401 Building, located south of L Street at 401 N. 21st Street, is a former Windstream office building with 204 off-street surface parking stalls. Built in 1971 by LT&T, the brick, "windowless" office building was designed for telephone company purposes and is now functionally obsolete. The building, containing approximately 75,000 square feet, is vacant because its office functions have been relocated.



Project Area Context & Boundaries

Other privately held parcels are also located on the





same block as the 401 Building. The future development of the surrounding neighborhood may result in these and other privately held properties in the area being acquired or put to other uses by private entities.

Surrounding land uses include retail and industrial with limited residential. See *Existing Land Use*.

The site is zoned B-4 Lincoln Center Business District which includes Downtown Design Standards. As illustrated in *Existing Zoning*, other districts adjacent to the site include B-3 Commercial District to the south and southeast and R-6 to the south and southwest.

The proposed project will include office uses in the 401 Building with associated surface parking. The 333 Building (existing parking garage) will include approximately three bays of retail on the ground floor with an estimated 170 parking stalls above. The existing buildings will require complete indoor and outdoor renovation including asbestos removal.

Façade and window treatments will be consistent with Downtown Design Standards. The project will include reconfiguration of the parking lot with landscaping and screening around it, consistent with City design standards. See *Proposed Preliminary Site Plan* two pages below.

The project area boundaries are defined in the *Project Area Context & Boundaries* map. Project area public improvements may include improvements and assistance to streetscape, on-street parking, street lighting, pedestrian sidewalks and street crossing nodes, energy and façade enhancements, asbestos removal, and property acquisition.

2. *Statutory Elements*

- Property Acquisition, Demolition, and Disposal: No public acquisition of private property, relocation of families or businesses, or the sale of property is required to accomplish this Project. The future development of the surrounding neighborhood may result in other privately held properties being acquired or put to other uses by private entities. The existing 401 Building and 333 Building will not be demolished although extensive internal and external demolition, including asbestos removal, will be necessary to completely renovate the structures.

- Population Density: The proposed Project site con-

tains two residential units. The redevelopment of the 401 Building and 333 Building does not require any change to these two residential units, and thus will not affect population density in the Project area.

- Land Coverage: Land coverage and building density will not be altered with construction of the Project. See *Future Land Use*, right.

- Traffic Flow, Street Layouts, and Street Grades: The City's Public Works and Utilities Department has indicated that the Project may require a traffic study in the future.

- Parking: A private, at grade, surface parking lot (approximately 207 existing stalls) will be reconfigured for the 401 Building, in addition to the 170 existing stalls in the 333 Building parking garage.

- Zoning, Building Code, and Ordinances: Current zoning is B-4 with no re-zoning required. Applicable building codes will be met; as will, to the degree possible, Downtown Design Standards.

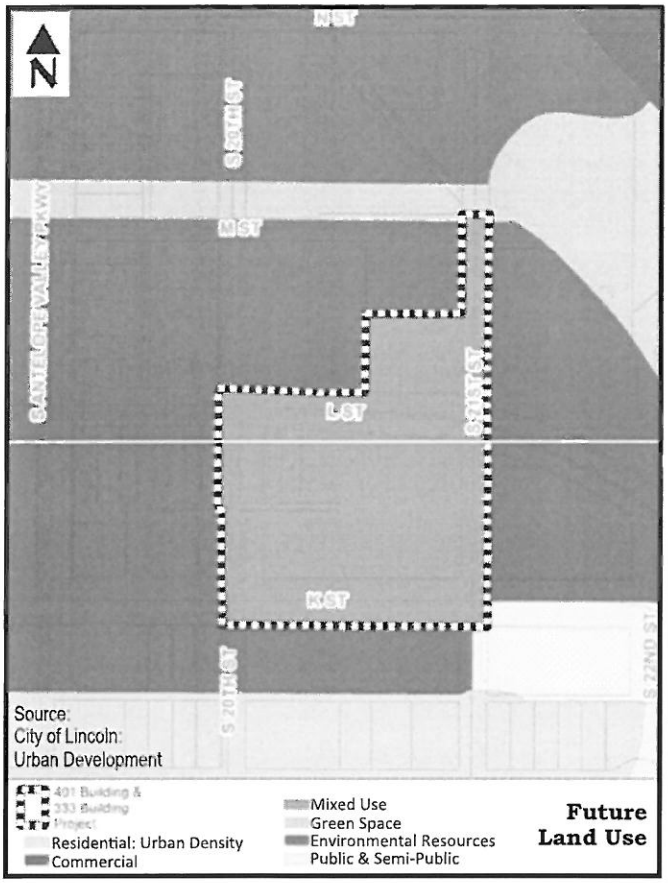
3. Financing and Cost Benefit Analysis

As required by Nebraska Community Development Law (Neb.Rev.Stat. §18-2113), the City has analyzed the costs and benefits of the proposed Project including:

- Public Tax Revenues: Upon completion of the Project, the assessed value of the property will increase by an estimated $5,279,000. This will result in an estimated $825,000 in Tax Increment Financing (TIF) over 15 years for public improvements. The public investment of the projected $825,000 will leverage the private investment of approximately $15,342,965 resulting in more than $18.50 of private investment for every City TIF dollar spent.

The Urban Development Department believes that the public improvements and enhancements proposed in this plan amendment would not occur "but for" the Tax Increment Financing generated by private redevelopment within the project area. Project improvements would not be achievable to the extent shown without TIF.

- Public Infrastructure and Community Public Service Needs Impacts: It is not anticipated that the Project will have an adverse impact on existing public infrastructure or City services. The Project proposes new



public infrastructure.

- Employment Within & Outside the Redevelopment Project Area: The Project will not have any adverse impact on employment within or outside the redevelopment project area. Up to 650 jobs will be relocated to the office building.

- Other Impacts: The "windowless" 401 Building will be transformed into an open building with many exterior windows. Locating hundreds of jobs in the building will create local demand for walk-to-work housing and neighborhood services in the area. Easy access to the Billy Wolff Trail and the new N Street bikeway also make the project a desirable bike-to-work location.

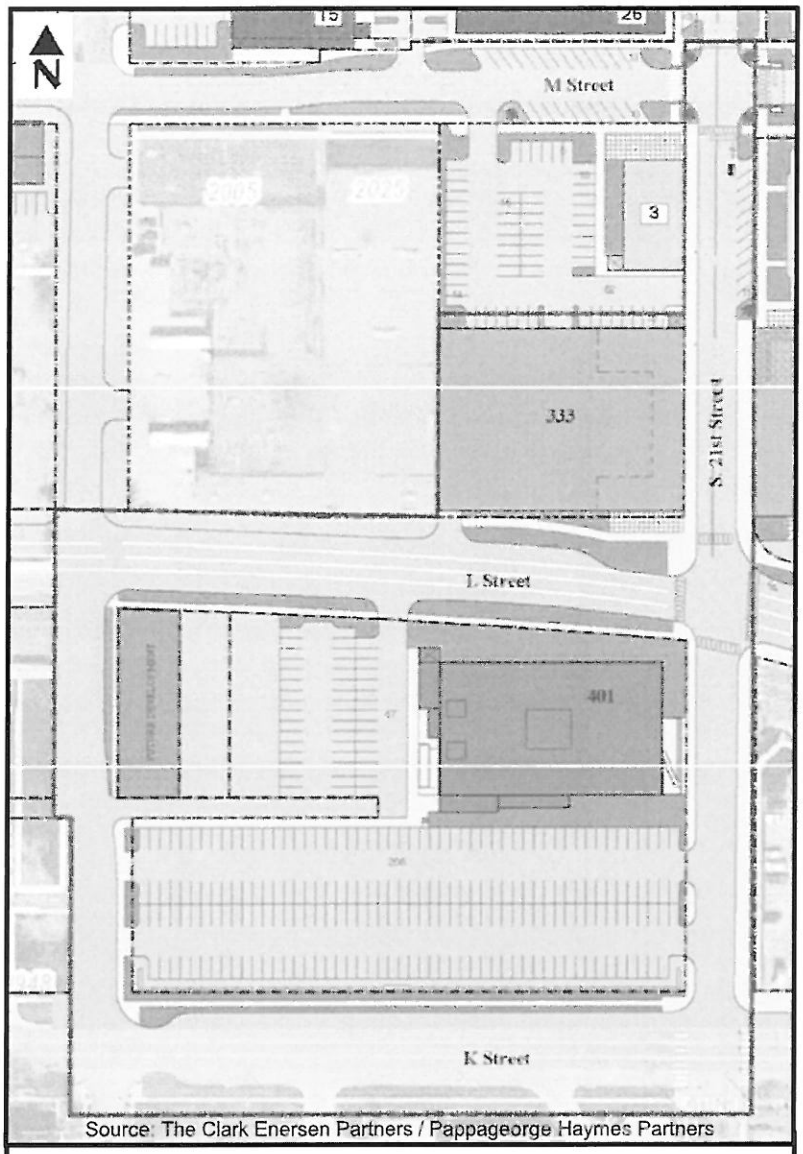
The Project will retain and create new jobs, increase business and tax base without adverse effect on either public or private entities. There will be a material tax shift because of the use of tax increment financing, but there will also be significant personal property tax and other municipal revenue generated for the immediate benefit of the community. The Project will facilitate the redevelopment of underutilized buildings without the

incurrence of significant public cost.

The Project will create tax and other public revenue for the City and other local taxing jurisdictions. While the use of tax increment financing will defer receipt of a majority of new ad valorem real property taxes generated by the Project, the Project will include a substantial amount of personal property that will be on the property tax rolls upon its acquisition and installation. The personal property will generate immediate tax growth to all local taxing jurisdictions. It is projected that approximately $1,000,000 dollars of personal property will be installed at the Project, which at estimated levy rates would generate total new property taxes in the first year of approximately $20,100.

In addition to new personal property tax revenues, the Project will also contribute to municipal revenues through excise taxes, fees, licenses, sales taxes, and other taxes that occur and are paid in the course of the normal operation of a business.

The Project, the first phase of the Telegraph District, should have a positive impact on private sector businesses in and around the area outside the boundaries of the redevelopment project. The Project is not anticipated to impose a burden or have a negative impact on other local area employers, but should increase the need for services and products from existing businesses.



Source: The Clark Enersen Partners / Pappageorge Haymes Partners

Proposed Preliminary Site Plan

and, other public improvements and enhancements allowed under the law.

Funding sources and uses will be negotiated as part of the redevelopment agreement, subject to approval by the Mayor and City Council.

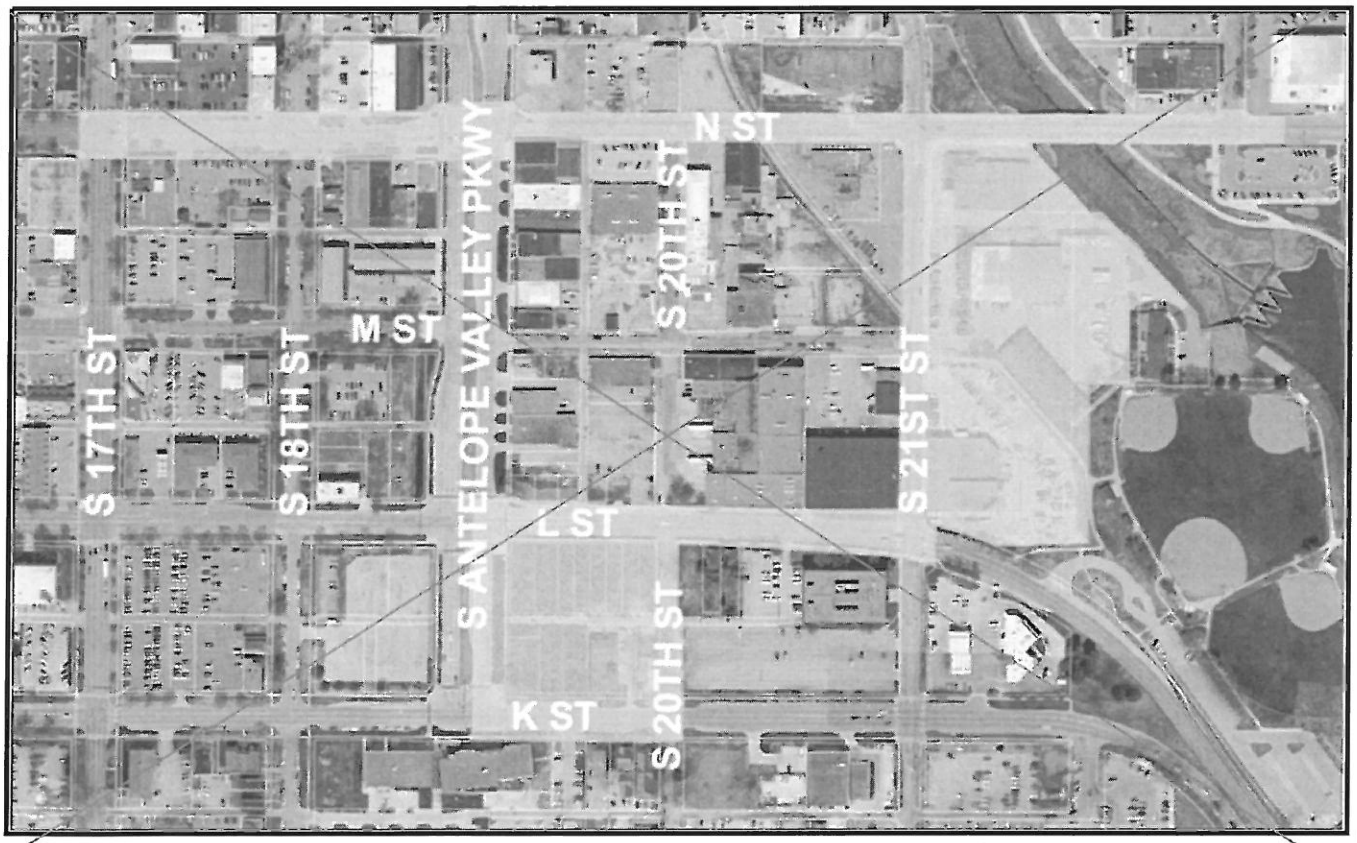
~~N. 21st and N Redevelopment Project: The Exchange at Antelope Valley~~

~~*1. Project Description*~~

~~The Exchange at Antelope Valley project will redevelop the area generally located at 21st and N Streets between L Street on the south, N Street on the north, 21st on the west and the Antelope Valley channel on the east. The City ROW is included; along N Street from S. 17th Street through the intersection at S. 23rd Street and along L Street from S. Antelope Valley Parkway to S. 21st Street. The redevelopment area also includes the block between K and L, 20th to Antelope Valley Parkway. The 21st & N site is currently comprised of three publicly owned structures and a private property, the old LT&T warehouse to the south. The site between K and L, 20th and Antelope Valley Parkway is primarily vacant with two residential structures. The entire area is zoned B-4 and City-owned property has been declared surplus. The project is consistent with the goals of the *Antelope Valley Redevelopment Plan* and the Antelope Valley Future Land Use Map, Figure 18, page 54, which identifies the area as mixed-use.~~

~~The project consists of three parts: Part A is located along N Street and is a mixed-use building, approximately 12,000 square feet, to include first floor retail and two floors of market rate apartments with approximately 28 units; Part B, to the south of the mixed-use building, is comprised of high density row housing. Approximately 67 market rate units will be available for home ownership. Part C is located between K and L, 20th to Antelope Valley Parkway and includes an approximately 40,000 square foot grocery store. All Parts include associated parking.~~

~~The project will include acquisition and demolition of existing structures, relocation of existing Parks and Recreation Department facilities, construction of internal streets, sewer and water, and the vacation of 20th Street. It is in the best interests of the City, in order to facilitate the location of a grocery store in~~



21st & N Redevelopment Area: Project Boundary

~~downtown Lincoln, to vacate 20th Street between K and L Streets and convey the entirety of the right-of-way to the redeveloper. Sidewalks, landscaping and lighting will also be included. Public investment may assist in eligible expenditures which may include acquisition, demolition, site preparation and public infrastructure. Additional public investment includes bikeway improvements along N Street to 17th and may include public art.~~

~~2. *Statutory Elements*~~

- ~~Property Acquisition, Demolition, and Disposal~~

~~Property acquisition and assembly will be required. Public land will be negotiated for sale to the developer through the redevelopment agreement process. The City surplus property process has been completed. A portion of the City-owned land was acquired with Land and Water Conservation Fund assistance. Redevelopment and sale of that property is subject to conversion action which involves approval by the National Park Service and its local administrator, the Nebraska Game and Parks Commission. This process is underway. Demolition will include clearing structures on the property including environmental remediation and any necessary capping, removal or replacement of utilities and site preparation. Removal of existing fuel tanks is the responsibility of the City.~~

- ~~Population Density~~

~~Population density will increase with completion of Parts A and B of the project. Currently, the building adjacent to N Street is vacant. Two Parks and Recreation Department buildings occupy the remainder of the site at 21st & N. These facilities will be relocated to make way for construction of the project which includes approximately 95 new housing units. Population density will increase as a result, but will not significantly impact the overall population density of the city. Part C of the project is primarily vacant. Although two residential uses remain, both are nearly vacant and will be entirely vacant prior to commencement of the project. The grocery store to be constructed at the site is entirely commercial with no impact on population density.~~

- ~~Land Coverage~~

~~Land coverage and building density will be altered with construction of Parts B and C of the project. The row houses in Part B will replace the two existing Parks and Recreation maintenance facilities. The grocery store, Part C, will be constructed on land that is currently vacant.~~

- ~~Traffic Flow, Street Layouts, and Street Grades~~

~~The City's Public Works and Utilities Department has indicated that the project is not likely to result in a significant increase in traffic. There is no impact to street layouts or grades; however, 20th Street will be vacated. There will be construction of private streets within Parts A and B, which will be designated with public access easements: to ensure access to the Antelope Creek Channel for maintenance, to access the remaining Parks and Recreation Department offices located in the old Muny Building to the east of the project area, and to allow access to the buildings for necessary municipal services (i.e., police and fire).~~

- ~~Parking~~

~~The private parking will be developed as an element of the project consistent with B-4 design standards. The project will meet the requirements for parking.~~

- ~~Zoning, Building Code, and Ordinances~~

~~The project area is currently zoned B-4 Lincoln Center Business District. The Downtown Design standards apply and the project will be constructed to meet the standards. A PUD is in process and will retain the underlying zoning. The project area will need to be replatted.~~

~~3. *Proposed Costs and Financing*~~

~~The estimated total cost to implement the project is approximately $32,000,000 which includes approximately $4,400,000 of public financing. The source of public funds for these improvements will be Community Improvement Financing (more commonly known as Tax Increment Financing (TIF)), estimated to be $4,400,000 generated from the private development within the project area. A preliminary cost-benefit analysis has been completed and concludes that the public investment of approximately $4,400,000 in TIF funds will leverage $27,604,000 in private sector financing, resulting in a private investment of more than $6.25 for every City TIF dollar spent.~~

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for December 2, 2015 Planning Commission Meeting

PROJECT #s: Change of Zone No. 15034/Landmark Designation and Special Permit No. 15070 for Historic Preservation of the David. D. & Anna L. Rees House

PROPOSAL: Designation of the property at 4701 Bancroft St. as a Landmark (from R-6 Residential to R-6 Residential with Landmark Overlay) and a Special Permit to allow use as a non-residential healthcare facility

LOCATION: 4701 Bancroft Street

LAND AREA: Less than one acre, more or less.

EXISTING ZONING: R-6 Residential District

WAIVER/MODIFICATION REQUEST:
Allow a non-residential healthcare facility in a residential district, with two parking stalls (in garage)

CONCLUSION: The landmark designation protects a locally rare example of an Art Moderne residence of the 1930s, and also recognizes a historic association with the Rees family, which was significant in College View and the Lincoln Adventist community. Designation provides the opportunity to request the special permit which encourages maintenance and reuse of the proposed landmark. This request complies with the Zoning Ordinance and is consistent with the Comprehensive Plan.

Granting the requested special permit for utilization as the office/clinic for a healthcare staff provides a transition between commercial and residential uses, accommodates a neighborhood service, and supports the continued maintenance of the proposed landmark.

RECOMMENDATION FOR CHANGE OF ZONE/LANDMARK Designation:	Recommendation that City Council approve Landmark designation
RECOMMENDATION FOR SPECIAL PERMIT:	Conditional approval of Special Permit

GENERAL INFORMATION:

LEGAL DESCRIPTION: College View, Block 11, north 22 feet of the west 100 feet of Lot 10 and the west 100 feet of Lots 11 and 12, Lincoln, Lancaster County, Nebraska.

EXISTING LAND USE: Single family residence.

SURROUNDING LAND USE AND ZONING:

East:	Residences and office	R-6 and B-3
West & South	Residential	R-6
North	Parking, Office, Bank	O-2

HISTORY:

1938 House constructed by General Conference (7th-Day Adventist Church) for manager/editor of Christian Record, D. D. Rees, and family

1949 Death of D. D. Rees

UTILITIES: All public utilities

PUBLIC SERVICE:. All urban services

ALTERATIVE USES: Landmark designation does not by itself change the permitted uses in the R-6 District. Permitted uses in R-6 district include single and multi-family residences, churches and schools. The Special Permit requests use of the residence as a healthcare office/clinic.

COMPREHENSIVE PLAN SPECIFICATIONS:

Pg 1.9 - The Future Land Use Map of the Comprehensive Plan designates this area as Residential–Urban Density.

Pg 4.6, 4.9- "Placemaking" chapter encourages identification and protection of broad range of historic resources, and incentives for maintenance and continued use.

ANALYSIS:

Lincoln Municipal Code, section 27.57.120 provides for designation of landmarks that are *"Associated with events, person, or persons who have made a significant contribution to the history, heritage, or culture of the City of Lincoln, the County of Lancaster, the State of Nebraska, or the United States*."

1. The small house at 4701 Bancroft Street is a rare Lincoln example of the Art Moderne style and is associated with a family significant in the College View/Adventist community, especially for lengthy service to the Christian Record braille publishing house. The Historic Preservation Commission reviewed the application for landmark designation at meetings of October 15, 2015 and November 19, 2015 and unanimously recommended approval of the designation (7-0, see attached excerpt from meeting record).

2. The proposed preservation guidelines for 4701 Bancroft St. are based on typical guidelines for Lincoln Landmarks.

3. The Historic Preservation Commission also reviewed the application for a special permit for historic preservation at meetings of October 15, 2015 and November 19, 2015 and unanimously recommended approval of the designation (7-0, see attached excerpt from meeting record).

   A Special Permit for Historic Preservation under LMC §27.63.400 is to be evaluated under the following six criteria:

   - **The significance of the historic structure or site and the degree of variation sought from the permitted uses of the district:**

   The significance of the structure is presented in the associated landmark application and is recommended by the Historic Preservation Commission, based on both architecture and association with significant individuals.

   The requested clinic use is allowed in the district only by special permit.

- **The extent to which economic factors necessitate the change in use:**
  The applicant is seeking to maintain her practice in close proximity to Union College, where a substantial portion of her clients are located. She also is seeking a residential-type setting in association with her theory/style of practice. The landmark has been well maintained in the past and the applicant is not arguing that the building requires her use for continued up-keep.

- **The extent of proposed exterior change to the structure or site:**
  The only substantive proposed exterior change is future transformation of the rear sunporch into a larger sunroom, on the same level as the living room/waiting room. The Historic Preservation Commission recommended approval of this future alteration, with the stipulation that brick be used on the addition, rather than stucco. The applicant concurred with this condition, which is therefore noted on the attached plans.

- **The impact on the surrounding area:**
  The site is zoned R-6 (residential) but is located immediately south of office zoning (parking lot used by Union Bank) and one lot west of commercial zoning. The application describes a medical practice that with a limited number of clients at one time or per day, and availability of off-site parking (on Union College campus) for the office staff. Some additional utilization on-street parking would likely be generated by the proposed use.

- **The compatibility of the proposed use to the structure or site and the surrounding area:**
  The applicant has provided information on the site and the interior and it appears that the use would not preclude the future de-conversion of the office back to residential use. The area is at the edge of several zoning districts and the proposal appears to offer a transitional use between those districts..

- **The manner in which the public will be benefitted by such proposed use:**
  The proposed use would provide maintain a unique building and site and provide needed services in the Union College/College View area.

4. There were not any objections from any City or County agency to the application.

CONDITIONS OF APPROVAL OF SP 15034:

Per Section 27.63.400, this approval permits operation of a healthcare clinic in the existing building of approximately 2000 square feet or a permitted residential use on subject property at 4701 Bancroft.

Site Specific Conditions:

1. The City Council approves designation of the Rees House as a Landmark.

2. The approved clinic will accommodate one, solo-practice healthcare professional and her/his staff.

3. This approval permits (but does not require) modification of the glazed rear (south) porch into a sunroom of 500 square feet according to the attached plan approved by the Historic Preservation Commission.

4. This approval permits installation of one freestanding, two-sided, non-illuminated sign in the northwest portion of the front yard, of no more than 15 square feet and no more than 3 feet tall, to be reviewed and approved by Historic Preservation Commission for a Certificate of Appropriateness.

5. This approval a reduction in parking to two parking stalls for the heathcare use.

6. Before receiving building permits provide the following documents to the Planning Department:

    6.1 Verification from the Register of Deeds that the letter of acceptance as required by the approval of the special permit has been recorded.

Standard Conditions:

7. The following conditions are applicable to all requests:

    7.1 Before occupying the building or buildings all development and construction shall substantially comply with the approved plans.

    7.2 The physical location of all setbacks and yards, and similar matters shall be in substantial compliance with the location of said items as shown on the approved site plan.

    7.3 The terms, conditions, and requirements of this resolution shall run with the land and be binding upon the Permittee, its successors and assigns.

    7.4 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 therefor to be paid in advance by the applicant. Building permits will not be issued unless the letter of acceptance has been filed.

Prepared by:

Ed Zimmer, 441-6360, ezimmer@lincoln.ne.gov
Historic Preservation Planner
November 23, 2015

APPLICANT: Eugena Foster
Wholehearted Healthcare, P.C.
4716 Prescott Avenue / Lincoln, NE
p. 402-858-6130
e. info@wholeheartedhealthcare.com
w. wholeheartedhealthcare.com

OWNER: Edward Sharon
4701 Bancroft.
Lincoln, NE 68506

CONTACT: Same as applicant.

F:\DevReview\SP\15000\SP15070 Rees House with CZ15034.efz.wpd

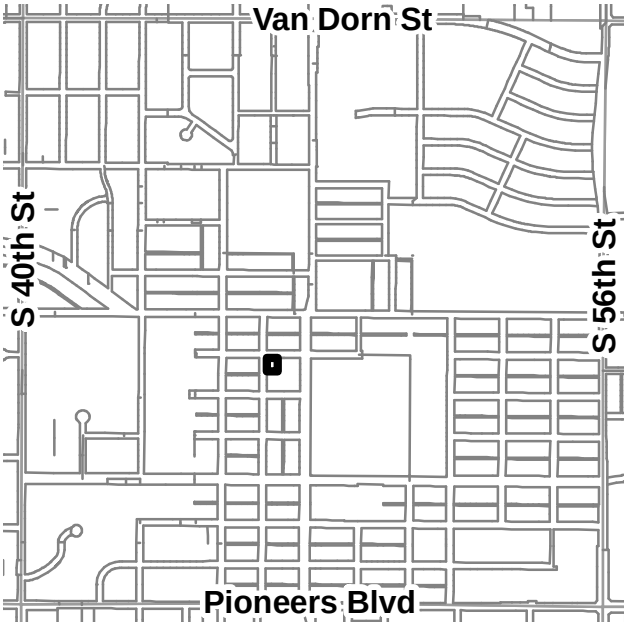
2013 aerial

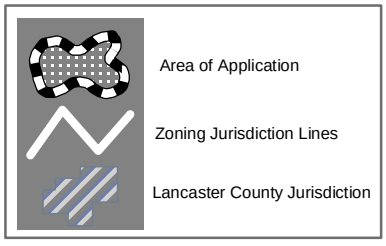
Special Permit #: SP15070 &
Change of Zone #: CZ15034
Historical Landmark Designation
S 47th St & Bancroft Av

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

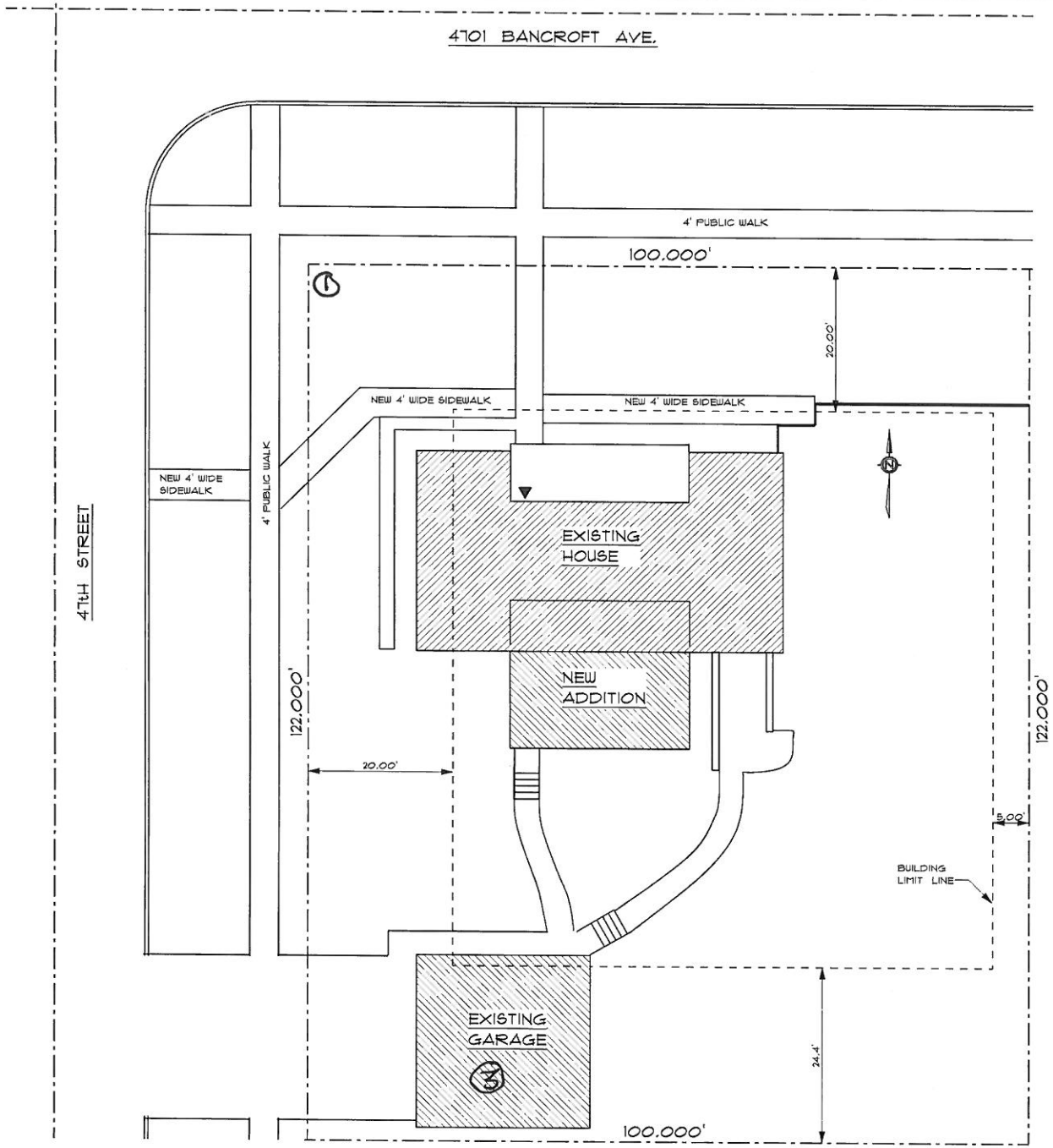
One Square Mile:
Sec.05 T09N R07E





PDF: F:\Boards\PC\Internet\out\

File: F:\DevReview\PlannerPacket\MXD\Agendadrawings.mxd (SP15070)



Notes:

1. Approx. location for sign (to be approved by HPC)
3. 2 stalls in garage

LEGAL DESCRIPTION

BLOCK 11, LOT 10, N22', W100' &
LOTS 11 AND 12 W100'
COLLEGE VIEW
LINCOLN, LANCASTER COUNTY,
NEBRASKA

R - 6 RESIDENTIAL ZONING
20' MIN. FRONT YARD
5' MIN. SIDE YARD
24.4' MIN. REAR YARD

SITE PLAN

KEN KOCH, LLC LINCOLN DESIGNING — BUILDING NEBRASKA	
4701 BANCROFT AVE.	
SCALE: 1" = 10' - 0"	DRAWN BY: KEN KOCH
DATE: 28 SEPT. 2015	SHEET 1 OF 6
LAST REVISION DATE	

APPLICATION FOR LANDMARK OR LANDMARK DISTRICT DESIGNATION
ADDENDUM TO PETITION TO AMEND THE ZONING ORDINANCE
LINCOLN, NEBRASKA

1. NAME
   Historic **David D. & Anna L. Rees House**
   and/or Common
   NeHBS Site **LC13:F03-112**

2. LOCATION
   Address **4701 Bancroft Street, Lincoln, NE 68506**

3. CLASSIFICATION

Proposed Designation	Category	
__Landmark District	__district	__site
_x_Landmark	_x_building(s)	__object
	__structure	

Present Use _x_private residence

4. OWNER OF PROPERTY
   Name **Edward L. Sharon**
   Address **4701 Bancroft St., Lincoln, NE 68506**

5. GEOGRAPHICAL DATA

   Legal Description **COLLEGE VIEW, BLOCK 11, Lot 10, N22' W100' & LOTS 11 & 12 W100'**
   Property ID Number **16-05-305-002-000**

   Number of Acres or Square Feet: **(more or less) 12200 Sq. Ft.**

6. REPRESENTATION IN EXISTING SURVEYS
   Title **Architectural and Historical Survey of Lincoln, NE**
   Date__on-going_____ __State __County _x_Local
   Depository for survey records **Lincoln/Lancaster County Planning Dept.**
   555 S. 10th Street, Lincoln, NE 68508
   Is proposed Landmark or Landmark District listed in the National Register?
   __ yes, date listed
   _x_ no

7. DESCRIPTION AND HISTORY
   Condition

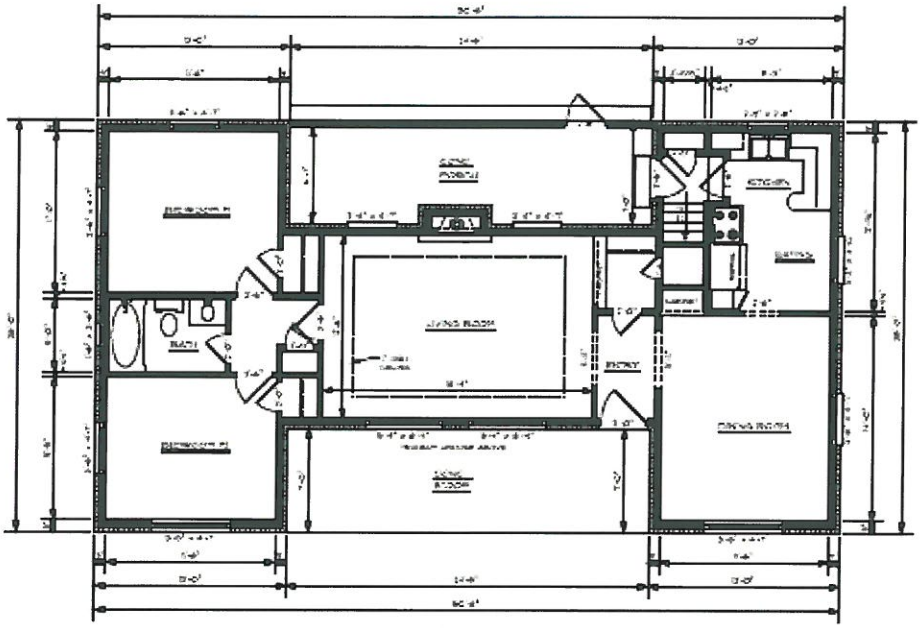
_x_excellent	__deteriorated	_x_unaltered	_x_original site
__good	__ruins	__altered	__moved date
__fair	__unexposed		

DESCRIPTION:
The David D. and Anna L. Rees house is a Moderne style residence of red brick, located in the College View neighborhood of Lincoln, Nebraska. The ample 100'x122' foot corner lot slopes down from front (north) to back (south).

The symmetrical design consists of three flat-roofed blocks, with a taller, recessed centerpiece flanked by two lower wings, embracing an entry "court." The north façade has double-hung windows on the side wings, clustered in groups of three. The central block has a pair of much taller tripartite windows, with double-hung sash topped with transoms.

NORTH ELEVATION

The simple front entrance door is off-set to the right (west). The composition of the recessed entry façade is balanced but subtly asymmetrical, with the windows offset slightly to the left (east) not only to accommodate the entrance door, but also to position the windows symmetrically when viewed from the living room.



FLOOR PLAN

Two sets of paired windows light the west façade, while the east side also includes a small, centered bathroom window. The rear, south façade includes a glazed porch infilling the recess between the side wings. Centered on the tall middle block is a wide chimney. The property is lowest at the southeast corner, allowing for a walk-in basement door at the east side of the rear façade.

The interior is organized with a central living room with a fireplace in the south wall and the tall front windows centered on the north wall. A dining room and kitchen are provided in the west wing and two bedrooms flanking a bathroom in the east wing.

The property includes a simple, frame, gable roofed garage at the south side of the property. The east side yard has been developed with a small pond.

HISTORY:

The General Conference Corp. of the Seventh Day Adventist Church had this house built in 1938 for an estimated cost of $5000. [1] David D. Rees filed the building permit application as the manager of the Christian Record, an Adventist

[1] City of Lincoln application and building permit 28830, 4 Oct. 1938.

publishing house for the blind that had operated in College View since 1904.[2] Christian Record's office was located on the same block, at the corner of 48th and Bancroft, in an Art Deco building designed and constructed just two years before by Felix Lorenz, a local builder. The simple geometric form of that brick and limestone office many have influenced the Rees House, but Lorenz is not identified as involved in the residential project. Instead, the building documents identify "Self" as the contractor—presumably Rees on behalf of the General Conference.

Rees was born in Indiana in 1871. In 1897, he and his wife Anna settled in College View, Nebraska, where he taught English at Union College until 1905. Over the next fifteen years, he taught at Adventist colleges and academies in Ohio (Mt. Vernon College), Washington State (Forest Home Academy in Mt. Vernon, where he taught English, history and Latin as well as serving as "Principal and Manager" of the faculty; and Walla Walla College), and Colorado (Champion Academy in Loveland).[3]

The Rees family returned to College View in 1919 to serve in a variety of administrative roles for the Adventist Central Conference, variously appearing in city directories as secretary, field secretary, and educational secretary between 1921 and 1927.[4] Beginning in 1927, Professor Rees accepted the assignments of manager and editor for the Christian Record, an early introducer of Braille publishing, and he held those posts for 22 years until his death in 1949. His wife Anna served as the organization's librarian.

During Rees's tenure the publisher moved off the Union College campus in 1936 to the southwest corner of 48th & Bancroft, and two years later the Rees House was built at the west end of the same blockface. From that block the Christian Record produced several monthly periodicals as well as Bibles in braille, and circulated a library of braille publications. The monthly *Christian Record* magazine alone required two large mail trucks to transport to the post office, as each edition weighed two tons.[5]

Pearl Rees, sister of David D. Rees, was also a prominent Adventist educator and member of the Union College staff, serving as Dean of Women at her alma mater from 1921 until the 1940s—half of her half century of service to her

---

[2] Ed Zimmer, "Christian Record Building," a nomination to the National Register of Historic Places, listed 1986.

[3] U. S. Census, 1900, 1910, and 1920 for David D. Rees and family; *Who's Who in Lincoln, NE,* 1928, pp. 183-4; 1914 Yearbook of the Seventh-Day Adventist Denomination, Washington, DC: Review and Herald Publishing Co., ca. 1914, p. 164 http://documents.adventistarchives.org/Yearbooks/YB1914.pdf accessed 9 Oct. 2015.

[4] Lincoln City Directories.

[5] "Christian Record: Services for the Blind. Detailed History Compiled in 1999 for the Centennial Celebration," http://www.christianrecord.org/aboutus/history/crshistory.php accessed 7 Oct. 2015.

church. Rees Hall on the Union College campus is named in her honor.[6]

8. SIGNIFICANCE

Period	Areas of Significance-Check and justify	
_prehistoric	_archeology-prehistoric	_landscape architecture
_1400-1499	_archeology-historic	_law
_1500-1599	_agriculture	_literature
_1600-1699	_x architecture	_military
_1700-1799	_art	_music
_1800-1899	_commerce	_philosophy
_x 1900-	_x communications	_politics/government
	_community planning	_religion
	_conservation	_science
	_economics	_sculpture
	_x education	_social/humanitarian
	_engineering	_theater
	_exploration/settlement	_transportation
	_industry	_other (specify)
	_invention	

Specific dates: 1938, 1938-1949

Builder/Architect: David D. Rees for Central Conference (SDA)

Statement of Significance:
The Rees House is one of the very small number of Art Moderne houses constructed in Lincoln, The architectural significance of the house is heightened by its prominent corner site, excellent design integrity, and stylistic clarity. The house is also closely associated with the Rees family, leading members of College View's Adventist community through Union College and the Christian Record braille publishing house.

9. STANDARDS FOR DESIGNATION
(Check one(s) that apply)

_x_ Associated with events, person, or persons who have made a significant contribution to the history, heritage, or culture of the City of Lincoln, the County of Lancaster, the State of Nebraska, or the United States;

_x_ Represents a distinctive architectural style or innovation, or is the work of a craftsman whose individual work is significant in the development of the City of Lincoln, the County of Lancaster, the State of Nebraska, or the United States.

---

[6] Pearl Lane Rees Papers, Adventist Heritage Center, James White Library, Andrews University, Berrien Springs, Michigan. http://www.andrews.edu/library/car/collection/R/Rees,%20Pearl%20L%20Story%20Collection.pdf Accessed 7 Oct. 2015.

10. MAJOR BIBLIOGRAPHICAL REFERENCES

Lincoln Building permit 28830, 1938.

U. S. Census 1880, 1900, 1910, 1920 for David D. Rees and family.

Who's Who in Lincoln, NE, 1928, "David Dee Rees," pp. 183-4.

1914 Yearbook of the Seventh-Day Adventist Denomination, Washington, DC: Review and Herald Publishing Co., ca. 1914, p. 164 http://documents.adventistarchives.org/Yearbooks/YB1914.pdf accessed 9 Oct. 2015.

"Christian Record: Services for the Blind. Detailed History Compiled in 1999 for the Centennial Celebration," http://www.christianrecord.org/aboutus/history/crshistory.php accessed 7 Oct. 2015.

11. FORM PREPARED BY:

Name/Title: **Ed Zimmer, Ph.D., Historic Preservation Planner**

Organization **Lincoln/Lancaster County Planning Dept.** Date Submitted **9 Oct. 2015**

Street & Number **555. S. 10th St.** Telephone **(402)441-6360**

City or Town **Lincoln** State **Nebraska**

Email ezimmer@lincoln.ne.gov

Signature_____

FOR HISTORIC PRESERVATION COMMISSION USE ONLY:

DATE LANDMARK/LANDMARK DISTRICT DESIGNATED

LANDMARK/LANDMARK DISTRICT NUMBER

F:\LongRange\Historic\Landmarks\LMARKS\Rees House\ReesHsLDApp.doc

Approved:

*City Council*_____
(date)

PRESERVATION GUIDELINES FOR
Reed House
4701 Bancroft Street, Lincoln, NE

1. Architectural Review of Landmark:

a. Photographs: On file in Planning Department.
b. Important architectural features:
   Exterior: Single-story, red brick residence, flat roofs;
c. Important landscape features: lawns to north and west, mature blue spruce to east side of front yard, foundation planting
d. Architectural style and date: Art Moderne, 1938
e. Additions and modifications: TV antenna.

2. Notice of Work Needing Certificate:

A. A Certificate for Certain Work can be granted by the Preservation Commission or, in certain instances, by the Director of Planning. The application for the Certificate can be obtained from and should be filed with the Building and Safety Department. The following work to be conducted on the Landmark requires the procurement of a Certificate for Certain Work:

1. Exterior work requiring a Building Permit as defined in the Lincoln Building Code. Before conducting exterior work, check with the City Building and Safety Department to determine whether a Building Permit is necessary;
2. Demolition of a structure or portion of a structure as defined in the Lincoln Building Code;
3. Work involving:
   a. Replacement of exterior material and trim;
   b. Cleaning and maintenance of exterior masonry;
   c. Replacement of doors, storm doors, door frames, windows, storm windows, and screens (excluding seasonal) on north and west facades;
   d. Addition of awnings;
   e. Placement of mechanical systems, such as but not limited to, window air conditioners, solar collectors, etc visible from S. 47th or Bancroft Streets.;
   f. The addition or replacement of signs;
   g. Moving structures on or off the site;
   h. Installation of electrical, utility, and communications services on principal north or west facades;
   i. Placement of high intensity overhead lighting, antennae, and utility poles within the areas of the west or north facades.

B. The following work to be conducted on the Landmark does not require the procurement of a Certificate for Certain Work:

1. Changes involving routine maintenance and repair for the general cleaning and upkeep of the building but which include no direct physical change in design or material;
2. Interior changes involving no exterior alteration.

C. The penalty upon conviction for conducting work which requires a Certificate for Certain Work without procuring the Certificate or for doing work contrary to an issued Certificate is a fine not to exceed $100.00. Each and every day that such violation continues after notification may constitute a separate offense. The City of Lincoln may also pursue the remedies of injunction, mandamus, or other appropriate action to correct a violation.

3. **Standards for Owner and Preservation Commission:**

The following standards serve as a guide to the Landmark property owner in the preservation of their building. It is also intended that these Standards will aid the Commission in making decisions regarding issuance or denial of a Certificate.

When a decision on issuing or denying a Certificate is requested, the more definitive the presentation by the applicant, the easier it will be to convey and comprehend the effect of the proposed change. The owner or representative should plan to attend the public hearing to discuss the proposed work. When an application is being reviewed, it will be the responsibility of the applicant to demonstrate that the new work is compatible with these Standards.

A strict interpretation of these guidelines may be waived by the Preservation Commission if the applicant develops a design solution which meets the spirit and intent of the Historic Preservation Ordinance. In addition, although the owner of the landmark must receive Certificates for work identified above, a broader interpretation of the Guidelines for this property may be allowed by the Preservation Commission.

The Secretary of the Interior's
Standards for Rehabilitation of Historic Buildings

1. Every reasonable effort shall be made to provide a compatible use for a property which requires minimal alteration of the building, structure, or site and its environment, or to use a property for its originally intended purpose.

2. The distinguishing original qualities or character of a building, structure, or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.

3. All buildings, structures, and sites shall be recognized as products of their own time. Alterations that have no historical basis and which seek to create an earlier appearance shall be discouraged.

4. Changes which may have taken place in the course of time are evidence of the history and development of a building, structure, or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.

5. Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, or site shall be treated with sensitivity.

6. Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should match the material being replaced in

composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be physical, based on accurate duplications of features, substantiated by historic, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.

7. The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building material shall not be undertaken.

8. Every reasonable effort shall be made to protect and preserve archeological resources affected by, or adjacent to any project.

9. Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material, and such design is compatible with the size, scale, color, material, and character of the property, neighborhood or environment.

10. Wherever possible, new additions or alterations to structures shall be done in such a manner that if such additions or alterations were to be removed in the future the essential form and integrity of the structure would be unimpaired.

GUIDELINES FOR APPLYING THE SECRETARY OF THE INTERIOR'S STANDARDS FOR REHABILITATION

THE ENVIRONMENT

Recommended	Not Recommended
Retaining distinctive features such as the size, scale, mass, color, and materials of buildings, including roofs, porches, and stairways that give a neighborhood its distinguishing character.	Introducing new construction into neighborhoods that is incompatible with the character of the district because of size, scale, color, and materials.
Retaining landscape features such as parks, gardens, street lights, signs, benches, walkways, streets, alleys and building set-backs that have traditionally linked buildings to their environment.	Destroying the relationship of buildings and their environment by widening existing streets, changing paving material, or by introducing inappropriately located new streets and parking lots that are incompatible with the character of the neighborhood.
Using new plant materials, fencing, walkways, street lights, signs and benches that are compatible with the character of the neighborhood in size, scale, material and color.	Introducing signs, street lighting, benches, new plant materials, fencing, walkways and paving materials that are out of scale or inappropriate to the neighborhood.

BUILDING SITE

Recommended

Identifying plants, trees, fencing, walkways, outbuildings, and other elements that might be an important part of the property's history and development.

Retaining plants, trees, fencing, walkways, street lights, signs, and benches that reflect the property's history and development.

Not recommended

Leaving plant materials and trees in close proximity to the building that may be causing deterioration of the historic fabric.

Recommended

Basing decisions for new site work on actual knowledge of the past appearance of the property found in photographs, drawings, newspapers, and tax records. If changes are made, they should be carefully evaluated in light of the past appearance of the site.

Providing proper site and roof drainage to assure that water does not splash against building or foundation walls, nor drain toward the building.

Not Recommended

Making changes to the appearance of the site by removing old plants, trees, fencing, walkways, outbuildings, and other elements before evaluating their importance in the property's history and development.

BUILDING: STRUCTURAL SYSTEMS

Recommended

Recognizing the special problems inherent in the structural systems of historic buildings, especially where there are visible signs of cracking, deflection, or failure.

Undertaking stabilization and repair of weakened structural members and systems.

Replacing historically important structural members only when necessary. Supplementing existing structural systems when damaged or inadequate.

Not Recommended

Disturbing existing foundations with new excavations that undermine the structural stability of the building.

Leaving known structural problems untreated that will cause continuing deterioration and will shorten the life of the structure.

BUILDING: EXTERIOR FEATURES

Masonry: Adobe, brick, stone, terra cotta, concrete, stucco and mortar

Recommended*	Not Recommended
Retaining original masonry and mortar, whenever possible, without the application of any surface treatment.	Applying waterproof or water repellent coatings or surface consolidation treatments unless required to solve a specific technical problem that has been studied and identified. Coatings are frequently unnecessary, expensive, and can accelerate deterioration of the masonry.
Repointing only those mortar joints where there is evidence of moisture problems or when sufficient mortar is missing to allow water to stand in the mortar joint.	Repointing mortar joints that do not need repointing. Using electric saws and hammers to remove mortar can seriously damage the adjacent brick.
Duplicating old mortar in composition, color and texture.	Repointing with mortar of high Portland cement content can often create a bond that is stronger than the building material. This can cause deterioration as a result of the differing coefficient of expansion and the differing porosity of the material and the mortar.
Duplicating old mortar in joint size, method of application, and joint profile.	Repointing with mortar joints of a differing size or joint profile, texture or color.
Repairing stucco with a stucco mixture that duplicates the original as closely as possible in appearance and texture.	Sandblasting, including dry and wet grit and other abrasives, brick or stone surfaces; this method of cleaning erodes the surface of the material and accelerates deterioration. Using chemical cleaning products that would have an adverse chemical reaction with the masonry materials, i.e., acid on limestone or marble.
Cleaning masonry only when necessary to halt deterioration or to remove graffiti and stains and always with the gentlest method possible, such as low pressure water and soft natural bristle brushes.	Applying new material which is inappropriate or was unavailable when the building was constructed, such as artificial brick siding, artificial cast stone or brick veneer.
Repairing or replacing, where necessary, deteriorated material with new material that duplicates the old as closely as possible.	Removing architectural features such as cornices, brackets, railings, shutters, window architraves and doorway pediments.
Replacing missing significant architectural features, such as cornices, brackets, railings, and shutters.	

Masonry: Adobe, brick, stone, terra cotta, concrete, stucco and mortar-----Continued

Retaining the original or early color and texture of masonry surfaces, including early signage wherever possible. Brick or stone surfaces may have been painted or whitewashed for practical and aesthetic reasons.

Removing paint from masonry surfaces indiscriminately. This may subject the building to damage and change its appearance.

*For more information consult Preservation Briefs: 1: "The Cleaning and Waterproof Coating of Masonry Buildings" and Preservation Briefs: 2: "Repointing Mortar Joints in Historic Brick Buildings." Both are available from Technical Preservation Services Division, Heritage Conservation and Recreation Service, U. S. Department of the Interior, Washington, D.C. 20240

Wood: Clapboard, weatherboard, shingles and other wooden siding

Recommended	Not Recommended
Retaining and preserving significant architectural features, whenever possible.	Removing architectural features such as siding, cornices, brackets, window architraves, and doorway pediments. These are, in most cases, an essential part of a building's character and appearance that illustrates the continuity of growth and change.
Repairing or replacing, where necessary, deteriorated material that duplicates in size, shape and texture the old as closely as possible.	Resurfacing frame buildings with new material that is inappropriate or was unavailable when the building was constructed such as artificial stone, brick veneer, asbestos or asphalt shingles, and plastic or aluminum siding. Such material can also contribute to the deterioration of the structure from moisture and insects.

Architectural Metals: Cast iron, steel, pressed tin, aluminum, zinc

Recommended	Not Recommended
Retaining original material, whenever possible.	Removing architectural features that are an essential part of a building's character and appearance, illustrating the continuity of growth and change.

Architectural Metals: Cast iron, steel, pressed tin, aluminum, zinc ----- Continued

Cleaning when necessary with the appropriate method. Metals should be cleaned by methods that do not abrade the surface.

Exposing metals which were intended to be protected from the environment. Do not use cleaning methods which alter the color, texture, and tone of the metal.

Roofs and Roofing

Recommended	Not Recommended
Preserving the original roof shape.	Changing the essential character of the roof by adding inappropriate features such as dormer windows, vents, or skylights.
Retaining the original roofing material, whenever possible.	Applying new roofing material that is inappropriate to the style and period of the building and neighborhood.
Providing adequate roof drainage and insuring that the roofing materials provide a weather-tight covering for the structure.	
Replacing deteriorated roof coverings with new material that matches the old in composition, size, shape, color, and texture.	Replacing deteriorated roof coverings with new materials that differ to such an extent from the old in composition, size, shape, color, and texture that the appearance of the building is altered.
Preserving or replacing, where necessary, all architectural features that give the roof its essential character, such as dormer windows, cupolas, cornices, brackets, chimneys, cresting, and weather vanes.	Stripping the roof of architectural features important to its character.

Windows and Doors

Recommended	Not Recommended
Retaining and repairing existing window and door openings including window sash, glass, lintels, sills, architraves, shutters, doors, pediments, hoods, steps, and all hardware	Introducing new window and door openings into the principal elevations, or enlarging or reducing window or door openings to fit new stock window sash or new stock door sizes.

Windows and Doors ----- Continued

Duplicating the material, design, and the hardware of the older window sash and doors if new sash and doors are used.

Installing visually unobtrusive storm windows and doors, where needed, that do not damage existing frames and that can be removed in the future.

Using original doors and door hardware when they can be repaired and reused in place.

Altering the size of window panes or sash. Such changes destroy the scale and proportion of the building.

Installing inappropriate new window or door features such as aluminum storm and screen window insulating glass combinations that require the removal of original windows and doors.

Installing plastic, canvas, or metal strip awnings or fake shutters that detract from the character and appearance of the building.

Discarding original doors and door hardware when they can be repaired and reused in place.

Entrances, Porches, and Steps

Recommended

Retaining porches and steps that are appropriate to the building and its development. Porches or additions reflecting later architectural styles are often important to the building's historical integrity and, wherever possible, should be retained.

Repairing or replacing, where necessary, deteriorated architectural features of wood, iron, cast iron, terra cotta, tile, and brick.

Not Recommended

Removing or altering porches and steps that are appropriate to the building's development and style.

Stripping porches and steps of original material and architectural features, such as handrails, balusters, columns, brackets, and roof decoration of wood, iron, cast iron, terra cotta, tile and brick.

Enclosing porches and steps in a manner that destroys their intended appearance.

Exterior Finishes

Recommended	Not Recommended
Discovering the historic paint colors and finishes of the structure and repainting with those colors to illustrate the distinctive character of the property.	Removing paint and finishes down to the bare surface; strong paint strippers whether chemical or mechanical can permanently damage the surface. Also, stripping obliterates evidence of the historical paint finishes. Repainting with colors that cannot be documented through research and investigation to be appropriate to the building and neighborhood.

NEW CONSTRUCTION

Recommended	Not Recommended
Keeping new additions and adjacent new construction to a minimum, making them compatible in scale, building materials, and texture.	Designing new work which is incompatible with the earlier building and the neighborhood in materials, size, scale, and texture.
Designing new work to be compatible in materials, size, scale, color, and texture with the earlier building and the neighborhood.	Imitating an earlier style or period of architecture in new additions, except in rare cases where a contemporary design would detract from the architectural unity of an ensemble or group. Especially avoid imitating an earlier style of architecture in new additions that have a completely contemporary function such as a drive-in bank or garage.
Using contemporary designs compatible with the character and mood of the building or the neighborhood.	Adding new height to the building that changes the scale and character of the building. Additions in height should not be visible when viewing the principal facades.
Protecting architectural details and features that contribute to the character of the building. Placing television antennas and mechanical equipment, such as air conditioners, in an inconspicuous location.	Adding new floors or removing existing floors that destroy important architectural details, features and spaces of the building.
	Placing television antennas and mechanical equipment, such as air conditioners where they can be seen from the street.

MECHANICAL SYSTEMS: Heating and Air Conditioning, Electrical, Plumbing, Fire Protection

Recommended	Not Recommended
Installing necessary mechanical systems in areas and spaces that will require the least possible alteration to the structural integrity and physical appearance of the building.	Causing unnecessary damage to the plan, materials, and appearance of the building when installing mechanical system.
Utilizing early mechanical systems, including plumbing and early lighting fixtures, where possible.	Attaching exterior electrical and telephone cables to the principal elevations of the building.
Installing the vertical runs of ducts, pipes, and cables in closets, service rooms, and wall cavities.	Installing the vertical runs of ducts, pipes, and cables in places where they will be a visual intrusion.
Insuring adequate ventilation of attics, crawlspaces, and cellars to prevent moisture problems.	Concealing or "making invisible" mechanical equipment in historic walls or ceilings. Frequently this concealment requires the removal of historic fabric.
Installing thermal insulation in attics and in unheated cellars and crawlspaces to conserve energy.	Installing "dropped" acoustical ceilings to hide mechanical equipment. This destroys the proportions and character of the rooms.
	Installing foam, glass fiber, or cellulose insulation into wall cavities of either wooden or masonry construction. This has been found to cause moisture problems when there is no adequate moisture barrier.

F:\LongRange\Historic\Landmarks\LMARKS\GDLINES\GuideWesleyanHospital.doc

Historical Landmark Application

4701 Bancroft Street

Lincoln NE, 68506

Wholehearted Healthcare, P.C.

Eugena M Foster, MSN, APRN, FNP-BC

October 23, 2015

October 23, 2015

Dear Commissioners,

I would like to propose that the home at 4701 Bancroft Street become a Historical Landmark in order to serve the community as a holistic healthcare center. This house was built in 1938 by the General Conference Corp. of the Seventh Day Adventist Church for David D. and Anne Rees. David was a former English professor who was editor and manager of the Christian Record Publishing Association, for which Anne was librarian. The house is a rare example of the Art Moderne style applied to a residence. It is significant for its association with the Rees family and for its architecture. The house has a positive healing energy. The air flows through the building in a free manor and the tall windows on the north and the south sides of the house create an environment that is permeated by natural light. The two exam rooms on the east end of the house also are illuminated by natural light, creating lovely rooms in which to engage with patients in dialogue, assessment and healing.

I have been serving the city of Lincoln as a Nurse Practitioner for eleven years and have recently incorporated my own medical practice, Wholehearted Healthcare, P.C. I graduated from Union College in 1999 with my Bachelors of Science in Nursing and then completed my Masters of Science in Nursing, as a Family Nurse Practitioner, from the University of Nebraska Medical Center in 2004. I was a clinical instructor and then an Assistant Professor at Union College for six years, where I taught nursing courses on campus as well as facilitating international medical service trips while instructing nursing and physician assistant students. I have lived in Nebraska for 21 years, served on the boards of two local non-profits and am deeply committed to the health, culture, and education of Lincoln, Nebraska. I love people, and appreciate the goodness inside each of us as human beings.

I would like to utilize the space on 4701 Bancroft Street for my holistic health medical practice. My business, Wholehearted Healthcare, P.C. is committed to compassionate service to the local community with an altruistic and global mindset. I provide healthcare to women and men of all ages and stages of life in an evidence-based primary health setting with an individualized and holistic intimate approach.

My vision for the clinic is to create a community in which patients gain knowledge, connect and restore, as well as give and receive support to achieve optimal health to thrive in life. The surrounding community has demonstrated their support for my endeavors:

- Wholehearted Healthcare P.C. has a contract agreement to provide student healthcare to the students of Union College. I have given my word to Union College to do my best to have my clinic within walking distance of the college campus. Approximately 40% of Union College students do not have their own vehicle, because many of the students who attend the college are from out of state or are international exchange students. The proximity of my clinic to the college will help the students be able to have easier access to their medical provider—giving them greater access to medical care, and thus, greater continuity of care, well-being and security.

- Ed Sharon, the current home owner, would like to sell the house to me with the understanding that I plan to utilize it as a holistic medical clinic. He is very supportive of the space being utilized as a healing space.
- The previous home owner to Ed Sharon, Phyllis Weygandt, is also in support of the house being utilized as a holistic healing clinic. Now in her 80's and 10 years passed being the home's owner she is still very much involved in the upkeep of the charming grounds, per her choice. Often she pulls weeds from the gardens or flower beds and then rest on one of the benches to enjoy her handy work. This generous gift of her time, abilities, gifts and presence will graciously continue to be accepted by myself and appreciated by my patients and I.
- The Dahlman's, home owners and neighbors living adjacently to the south of 4701 Bancroft, are also in support of the house being utilized as a holistic medical clinic.

The existing site plan and building elevations are precise and clear (see Appendix A). The east side yard has been developed with a small pond and water feature with decorative boulders. The proposed changes to the grounds would include:

- A sidewalk to be constructed from the 47th street sidewalk to the front door of the house along with an additional sidewalk from the main entrance sidewalk to the east gate entrance of the back yard. By allowing main level access to the gate on the east side of the house, my patients will be able to easily access this beautiful water works healing environment, present in the back yard.
- In addition to the current seating area at the bottom or backyard level of the water works, I will create a wheelchair accessible seating area at the top, of the water works. This newly created seating area will allow for all of my patients, not limited to their physical ability to climb stairs, to have access to this wonderful outdoor healing water works space.
- I would like to place 3 foot high, blue urns on either side of the front door for showcasing flowers of the season and a metal patio set (table and chairs) on the front porch with a blue umbrella, to add charm and seating.
- I will add house numbers in the "Arts and Crafts" style font to the front of the house just left of the front door as well as on the west side of the house, so the address will be easily visible from both of the main approaches to the house.
- The outside aesthetics of the facility will be enhanced by adding flowers and bushes to the area around the water works garden, to the east of the house.
- I would like to create a space for an herb and butterfly garden in the back yard, behind the garage.
- I would also like to extend the lilac hedge, just east of the sidewalk along 47th street. This would allow the back yard to become more private, so that when patients or employees were outside appreciating and interacting with the outdoor healing spaces they would be able to maintain their sense of HIPPA protection and personal safety. This would allow for interaction with the environment in a vulnerable way that will allow for personal healing.
- The city recently removed two old trees from the front sidewalk area. The city has offered to replant trees in the same location. In the spring I will purchase "David Flowering Crabtree's" which grow to approximately 15 feet high and 15 feet wide. I will plant them in the spring when they are more likely to

thrive. This type of tree has a beautiful white flower that will accent the brick of the house in a lovely way.

- I would like to reside the garage with the same exposed width siding, but made of high quality aluminum (I will keep the same style and color of siding as currently in place).
- The front step will need to be altered to become a handicapped accessible entrance. To achieve this a 2 inch ramp will be added to the main entrance step. It will probably be constructed of a ramp made from concreate.

Regarding parking, employees will park at Union College across 48th street. Two stalls are located on the property, in front of the current garage, which will handle daily client flow. In addition, there is street parking on two sides of the property. The clinic would typically be serving no more than one or two patients at a time, some of whom would arrive as pedestrians or bicyclists. Thus my clinic would not appreciably increase traffic in the residential area.

Maintenance would be performed on the exterior brickwork in order to repair the cracks in the mortar of the house. No structural changes are intended on the primary north (Bancroft St.) and west (S. 47th St.) facades. On the south (rear) side of the house, a glazed sunporch spans between the lower east and west wing of the house. The floor elevation of the sunporch is several feet below the main floor level of the house and about 5 feet above the ground level of the rear yard. (The site slopes down from north to south.) The sunporch is therefore not readily accessible. The windows are drafty and in need of being replaced. In the future, I would like to remove the porch and replace it with a fully glazed (see Appendix B) meditation room, at the regular floor level, or alternately request permission to construct a "greenhouse" type room at ground level attached to the south (rear) of the house. Neither alternative would alter the main elevations of the house. All proposed changes would be in keeping with the existing style of the home.

Again, I would like to assure the committee that the exterior design and architecture will remain intact and will retain the historical significance of the delightfully built 1938 house. The interior will be updated and remodeled to support the function and efficiency of Wholehearted Healthcare, P.C. and to comply with medical and health codes of the city, including a handicap accessible main entrance.

I propose a small, 3 ft x 4 ft, double sided sign, constructed of bronzed steel, to be placed in the lawn on the northwest corner of the house, so as to be visible from both the southeast and west sides of the house. The sign would be a non-illuminated, with raised or cut in lettering (in classic Arts and Craft's style font) stating the facts, as detailed below. In addition to the lettering the clinic logo will also be included. I have commissioned Bohl Iron Works to make such a sign for me. You can view some of their artwork at [illegible] or visit their website at http://bohlironworks.com

Historical Landmark: 1938 Art Moderne Style House

Wholehearted Healthcare, P.C. Established: 2015

Or alternatively:

Wholehearted Healthcare, P.C.

4701 Bancroft Avenue

Est. 2015

"David and Anna Rees House"

Art Moderne Landmark, 1938

This sign will be placed in the lawn on the North West corner of the house, so as to be visible from both the south, east and west sides of the house.

Union College is located 2 blocks to the east and Union Bank & Trust across the street to the North. Union College students make up approximately 30% of the clients of Wholehearted Healthcare, P.C. and they will mostly arrive on foot. There are other businesses along 48th Street near residential areas, so a medical clinic is compatible with the overall composition of the neighborhood.

The space provided by 4701 Bancroft St. would allow Wholehearted Healthcare, P.C. and its four employees to contribute an essential economic and social service to the community. We currently provide medical care to approximately 300 men and women. The property will house Wholehearted Healthcare, P.C. a Nurse Practitioner owned and operated business dedicated to providing specialized gynecologic care for women, support and medical care for men and women of all ages, and educational opportunities to enhance body-mind-spirit integration.

I am passionate about sharing my talents and experience with the community and I am deeply grateful to the committees' consideration.

With gratitude,

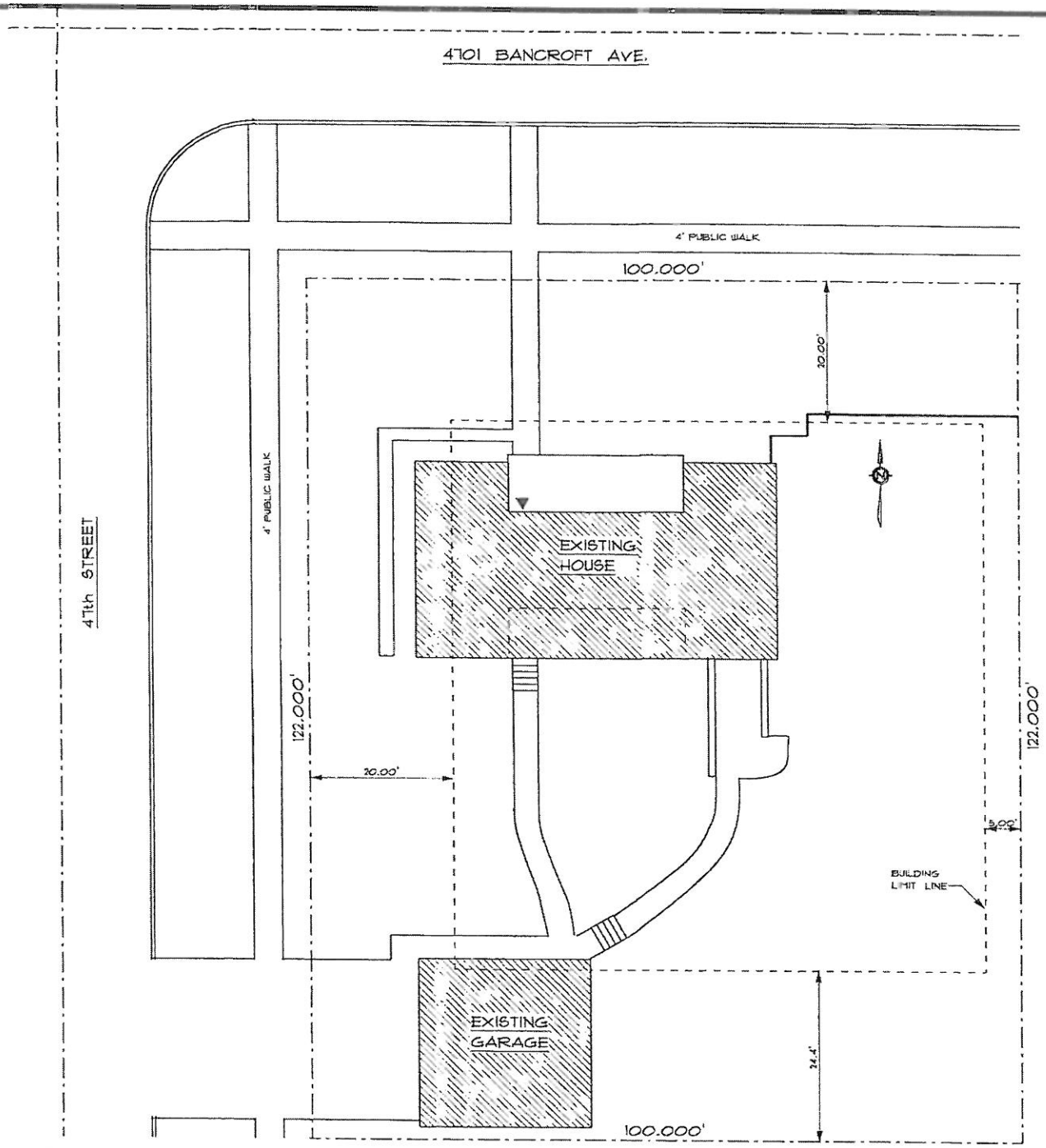
Eugena Foster

Eugena M. Foster, MSN, APRN- FNP

Appendix A

Existing Site Plans

4701 Bancroft Street



LEGAL DESCRIPTION

BLOCK 11, LOT 10, N22', W100' &
LOTS 11 AND 12 W100'
COLLEGE VIEW
LINCOLN, LANCASTER COUNTY,
NEBRASKA

R - 6 RESIDENTIAL ZONING
20' MIN. FRONT YARD
5' MIN. SIDE YARD
24.4' MIN. REAR YARD

SITE PLAN

KEN KOCH, LLC

4701 BANCROFT AVE.

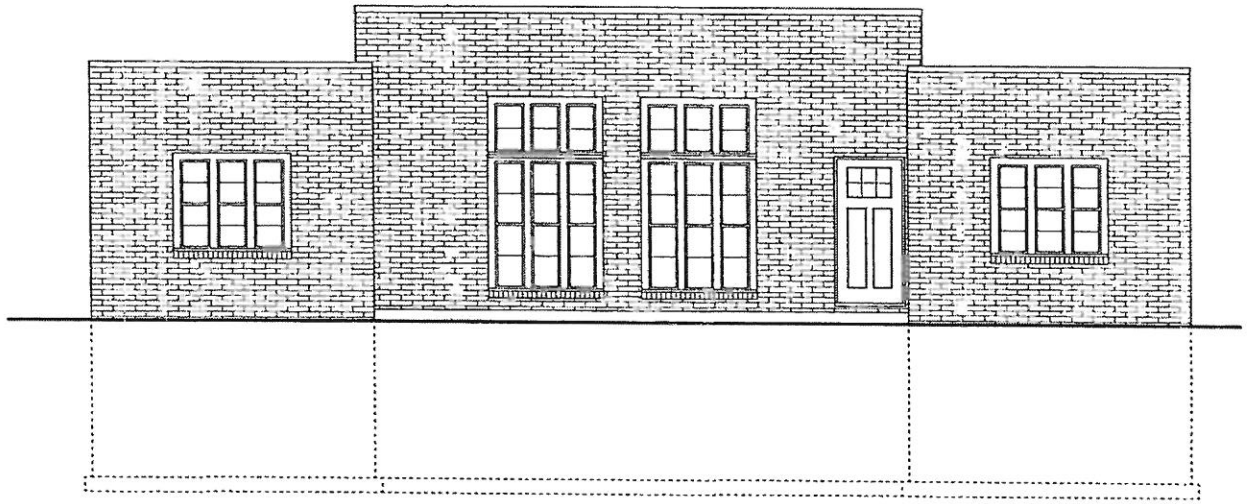
23 SEPT. 16

SCALE: 1" = 10'-0"

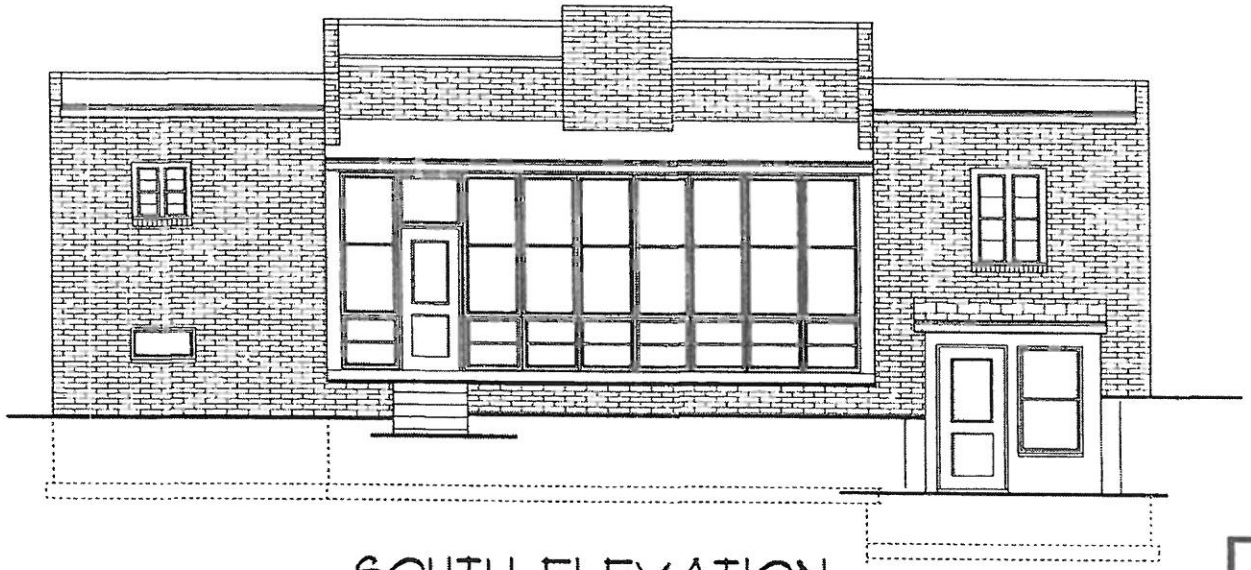
DRAWN BY: KEN KOCH

DATE: 14 SEPT. 2016

SHEET 1 OF 5



NORTH ELEVATION

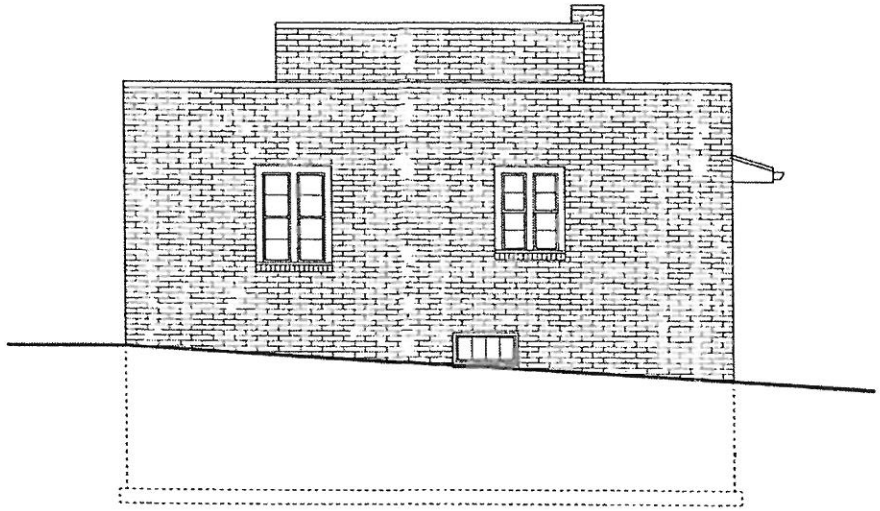


SOUTH ELEVATION

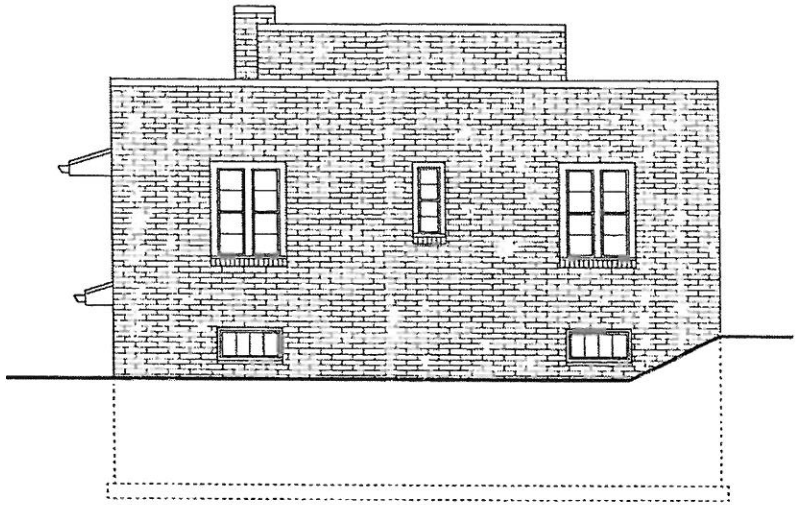
KEN KOCH, LLC

4701 BANCROFT AVE.

23 SEPT. [illegible]	SCALE: 1/4" = 1'-0"
[illegible]	DATE: 14 SEPT. 2015
DRAWN BY: KEN KOCH	SHEET 2 OF 6



WEST ELEVATION



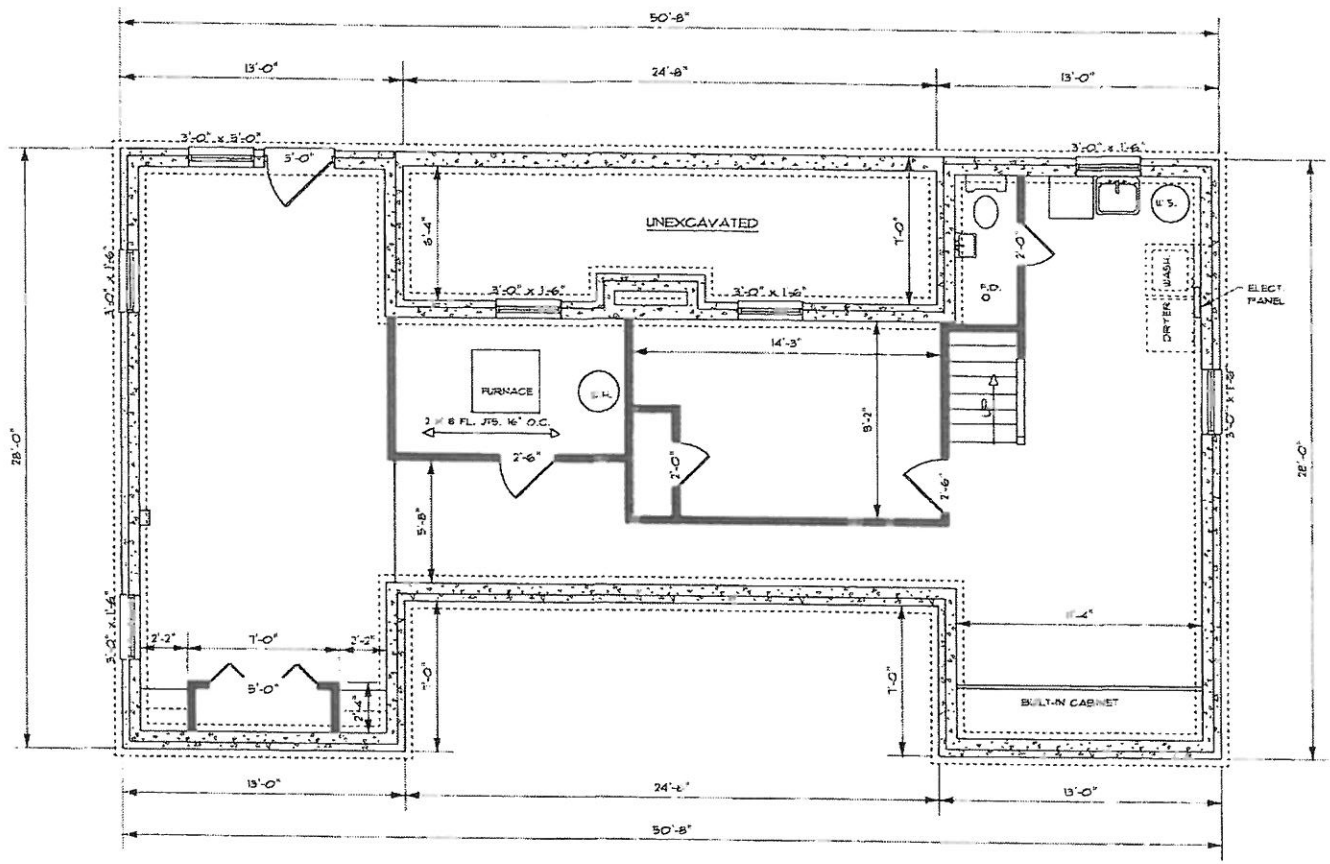
EAST ELEVATION

KEN KOCH, LLC

4701 BANCROFT AVE.

SCALE: 1/4" = 1' - 0"	DRAWN BY: KEN KOCH
DATE: 14 SEPT. 2015	SHEET 3 OF 5

23 SEPT. 2015

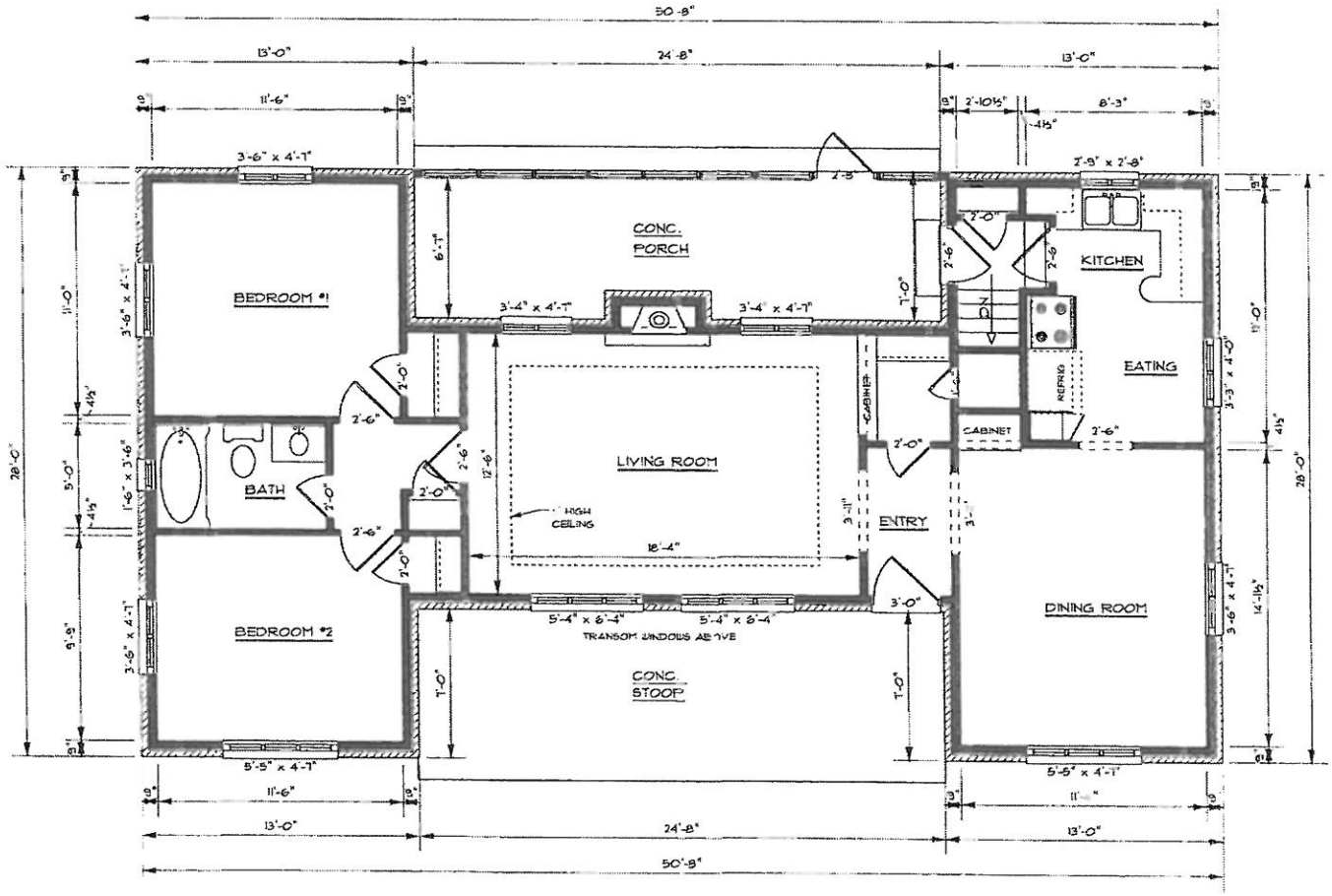


BASEMENT PLAN

KEN KOCH, LLC

4701 BANCROFT AVE.

13 SEPT. 2015



FLOOR PLAN

KEN KOCH, LLC

4701 BANCROFT AVE.

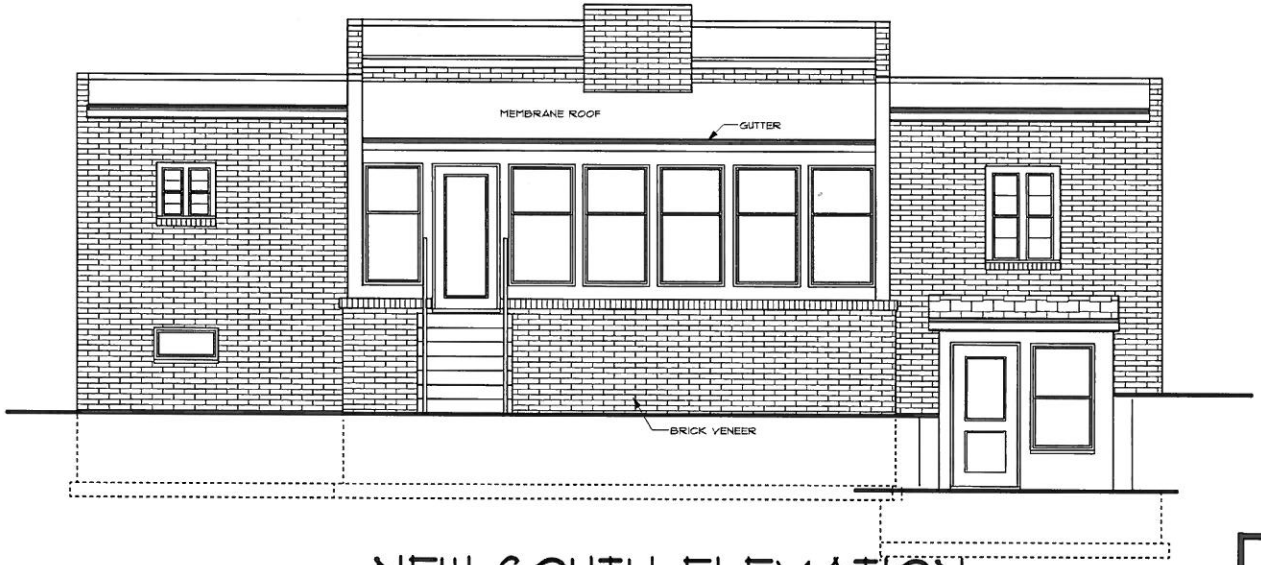
SCALE: 1/4" = 1' - 0"	DRAWN BY: KEN KOCH
DATE: 14 SEPT. 2015	SHEET 4 OF 5
23 SEPT. 2015	

Appendix B

New Site Plans

4701 Bancroft Street

NORTH ELEVATION



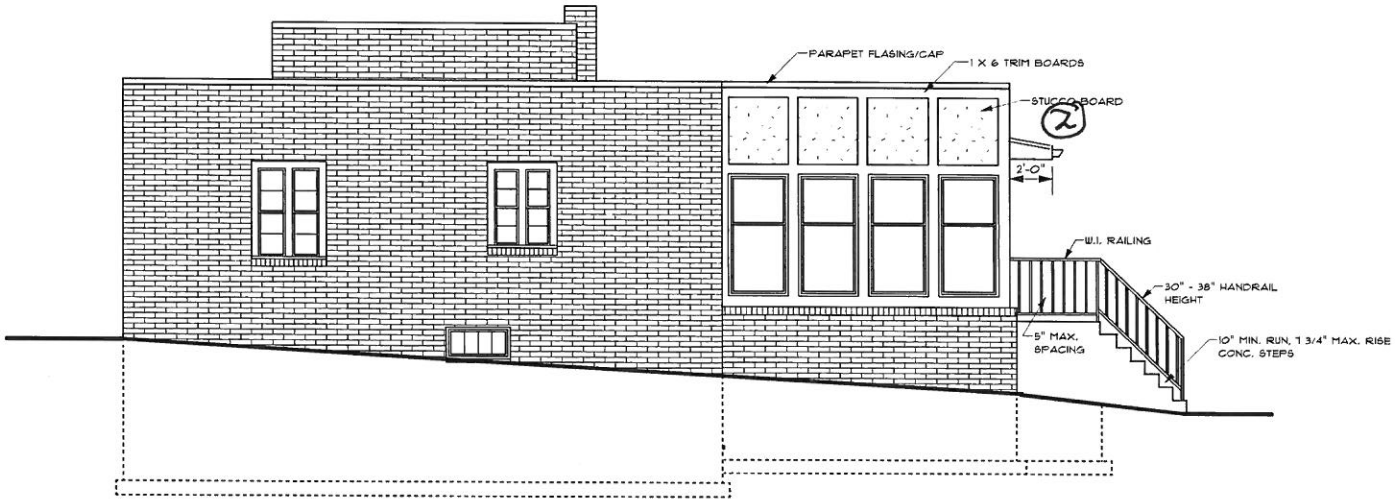
NEW SOUTH ELEVATION

KEN KOCH, LLC
LINCOLN DESIGNING DRAFTING NEBRASKA

4701 BANCROFT AVE.

SCALE: 1/4" = 1'-0" | DRAWN BY: KEN KOCH
DATE: 28 SEPT. 2015 | SHEET 2 OF 6

LAST REVISION DATE:



WEST ELEVATION

Notes:
2
Brick, not stucco board.

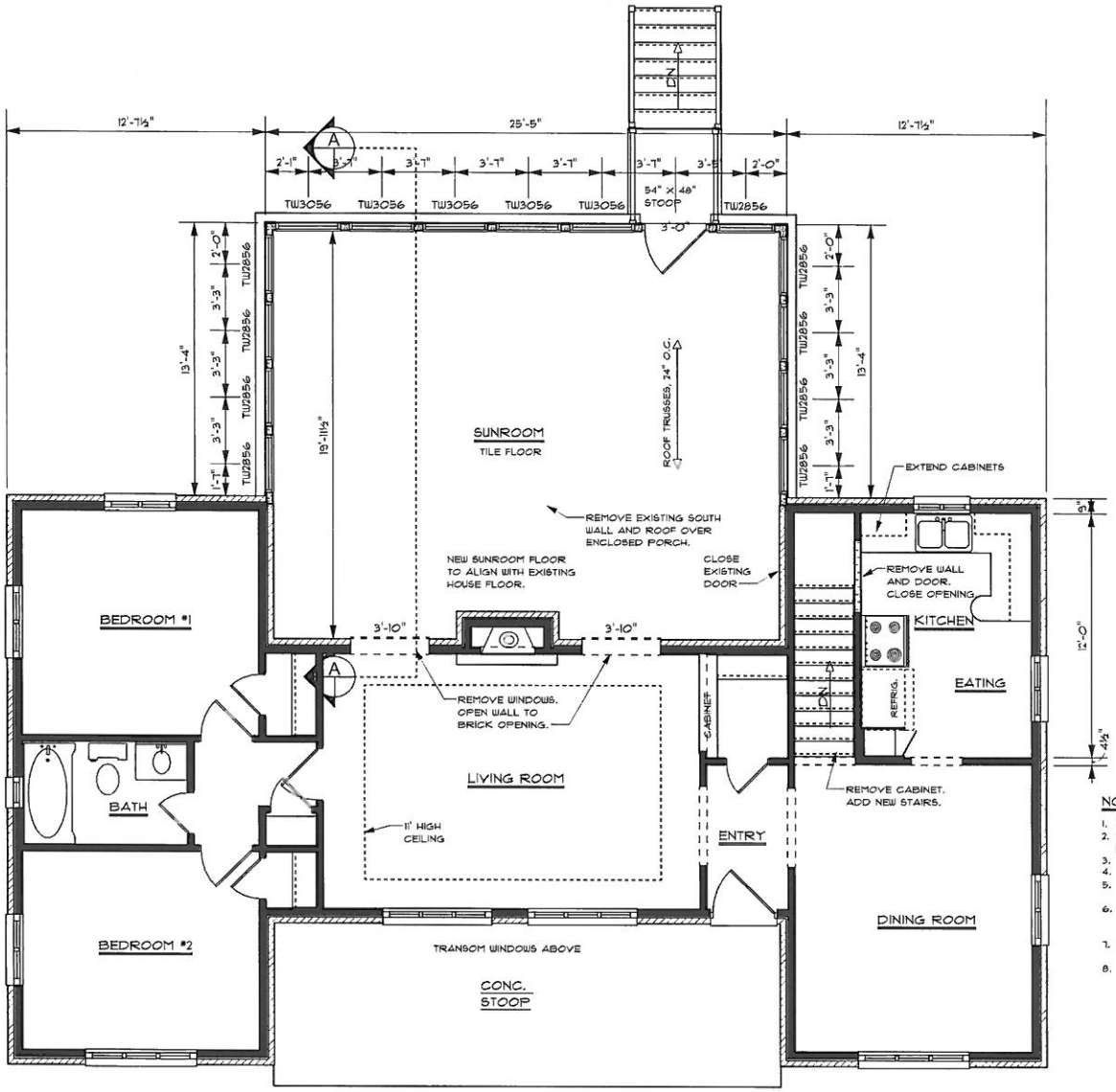
EAST ELEVATION

KEN KOCH, LLC
LINCOLN DESIGNING DRAFTING NEBRASKA

4701 BANCROFT AVE.

SCALE: 1/4" = 1' - 0"	DRAWN BY: KEN KOCH
DATE: 28 SEPT. 2015	SHEET 3 OF 6

LAST REVISION DATE



NEW FLOOR PLAN

NOTES:

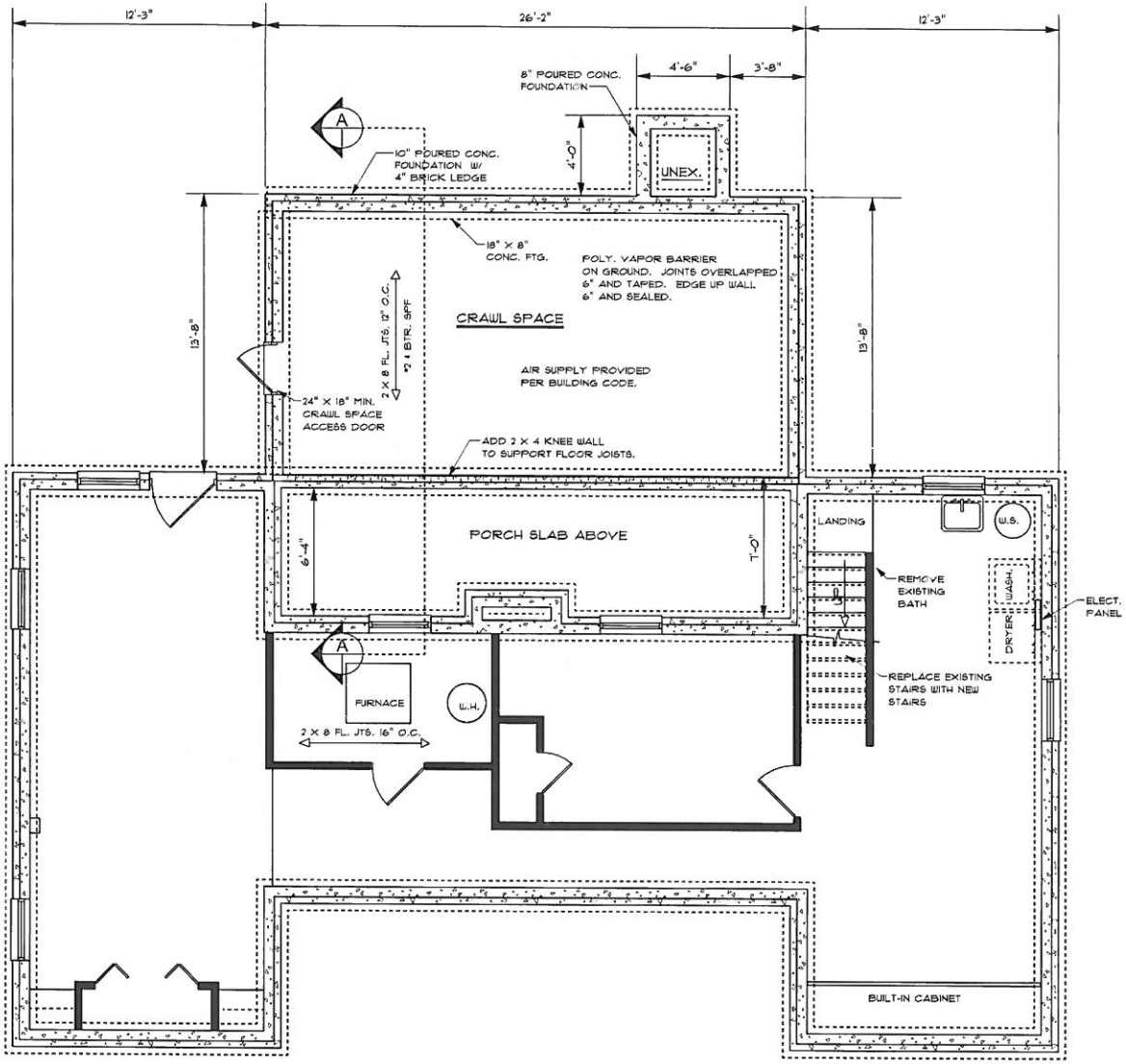
1. DIMENSIONS ARE TO FINISHED WALLS.
2. OUTSIDE DIMENSIONS ARE TO THE SHEATHING DOES NOT INCLUDE THE SIDING.
3. ANDERSEN DOUBLE HUNG WINDOWS.
4. APPROX. 340 SQUARE FEET ADDITION.
5. INTERIOR NON-BRG. HEADERS ARE 2 - 2 X 6 #2 SPF WITH 1/2" PLYWOOD SPACER.
6. EXTERIOR AND LOAD BRG. HEADERS ARE 2 - 2 X 10 #2 SPF WITH 1/2" PLYWOOD SPACER, UNLESS OTHERWISE SPECIFIED.
7. 5" MAX. OPENING BETWEEN BALUSTERS IN STAIR RAILINGS.
8. ALL BEAM END BRG. POINTS TO HAVE 2 - 2 X 4 #2 ESLP VERTICAL FOR DBL. MEMBER BEAMS AND 3 - 2 X 4 FOR TRIPLE MEMBER BEAMS UNLESS OTHERWISE SPECIFIED.

KEN KOCH, LLC
LINCOLN DESIGNING - DRAFTING NEBRASKA

4701 BANCROFT AVE.

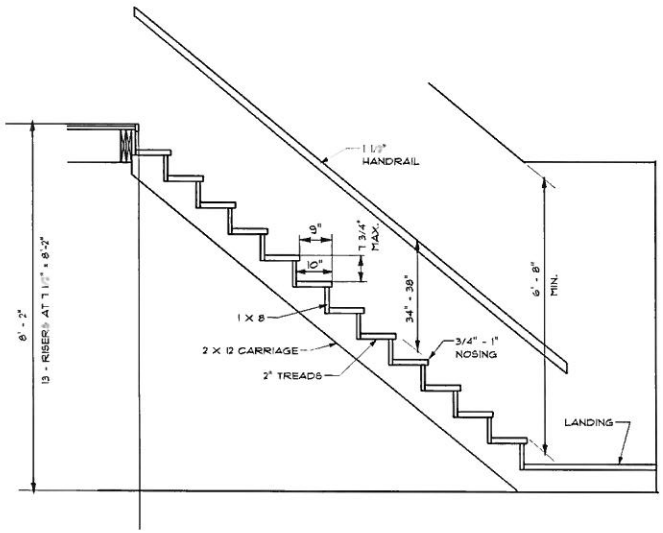
SCALE: 1/4" = 1' - 0"	DRAWN BY: KEN KOCH
DATE: 28 SEPT. 2015	SHEET 4 OF 6

LAST REVISION DATE

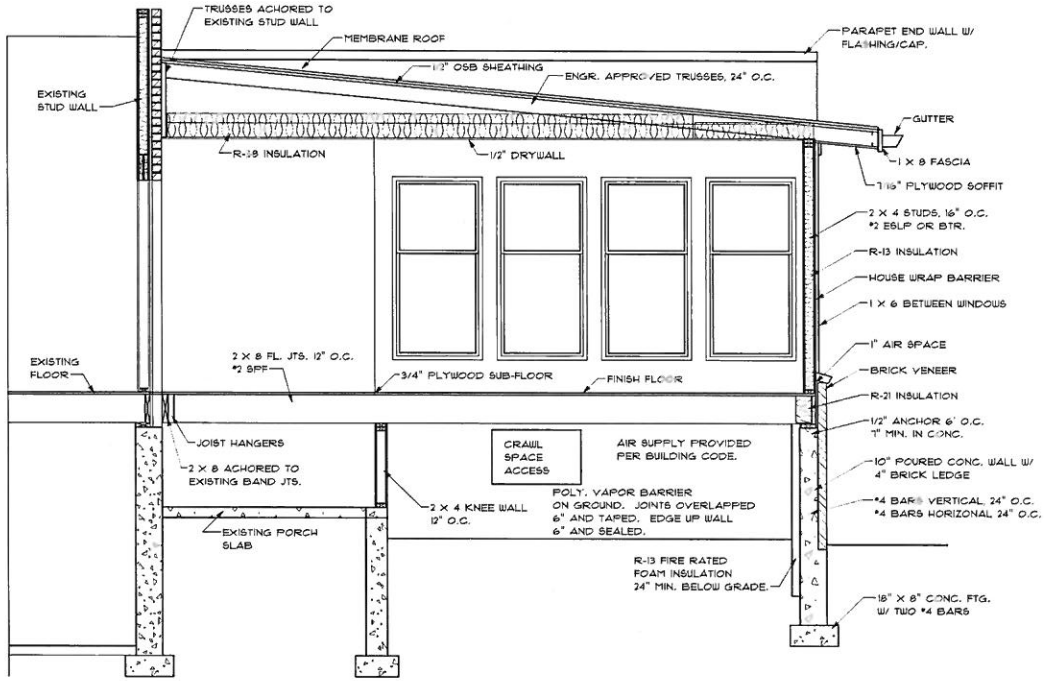


NEW BASEMENT PLAN

KEN KOCH, LLC LINCOLN DESIGNS - BUILDING NEBRASKA	
4701 BANCROFT AVE.	
SCALE: 1/4" = 1' - 0"	DRAWN BY: KEN KOCH
DATE: 28 SEPT. 2015	SHEET 5 OF 6
LAST REVISION DATE	



STAIR DETAIL



SECTION A-A

KEN KOCH DESIGNS - DRAFTING LINCOLN NEBRASKA	
4701 BANCROFT AVE.	
SCALE: NONE	DRAWN BY: KEN KOCH
DATE: 28 SEPT. 2015	SHEET 6 OF 6

MEETING RECORD EXCERPT
re CZ15034 & SP15070
Meetings of 10/15 and 11/19/2015

NAME OF GROUP:	**HISTORIC PRESERVATION COMMISSION**
DATE, TIME AND PLACE OF MEETING:	Thursday, October 15, 2015, 1:30 p.m., Conference Room 214, 2nd Floor, County-City Building, 555 S. 10th Street, Lincoln, Nebraska
MEMBERS IN ATTENDANCE:	Tim Francis, Jim Hewitt, Jim Johnson, Liz Kuhlman, and Jim McKee; (Greg Munn absent). Ed Zimmer and Amy Hana Huffman of the Planning Department; Kevin Abourezk from the *Lincoln Journal Star*.
STATED PURPOSE OF MEETING:	Regular Historic Preservation Commission Meeting

DISCUSS AND ADVISE:

APPLICATION BY EUGENA FOSTER FOR A LANDMARK DESIGNATION AND A SPECIAL PERMIT FOR HISTORIC PRESERVATION FOR THE REES HOUSE, 4701 BANCROFT STREET.

Members present: Francis, Hewitt, Johnson, Kuhlman and McKee; Munn absent.

Zimmer said the next couple items will be for information and guidance purposes only since there are not complete applications submitted at this time.

Zimmer presented the first item, submitted by Eugenia Foster on 4701 Bancroft. Included in this information is a landmark designation application.

Francis said it looks like a neat project. Kuhlman agreed. McKee said he has often wondered about the property.

Zimmer stated he was glad for the chance to learn about it. There are a very small number of similar houses, such as one located at 21st and Sewell Streets. This example is 15 years older but is very much the same three-block configuration. This is a very clean, clear example of art moderne architecture.

Zimmer went on to say that Ms. Foster is a nurse practitioner currently practicing in the College View area in a small, crowded office on Prescott. She has a contract for student care on Union College but would prefer not to be directly on campus for the privacy of her patients. There is commercial zoning immediately north of it on the Union Bank lot, and commercial zoning one lot to the east, the old Christian Record Building

and a small bank office. The landmark special permit process the applicant proposes is the only way for her to practice within the existing building. She would like to double the existing sun porch in size in order to have a more congenial, usable space. That is the only exterior change she is proposing. Zimmer stated he would recommend a free standing sign on the corner because this building does not need a sign attached to it.

McKee asked if it would all be office with no residential? Zimmer said it would be all be office and she would be the only practitioner. Foster says she is typically not stacking up a flight pattern of patients, only a couple at a time. She would not be providing off-street parking except in the driveway.

Zimmer said this application will come before this body in completed form next month. He would not ask for a permit recommendation without the complete permit package in front of Commissioners. If it seems like a landmark, he will keep working with her for the special permit. Those are separate decisions by Historic Preservation Commission and Planning Commission, but she does not have an opportunity for the special permit unless there is a potential for a landmark. It is an interesting building and has strong neighborhood and regional history because of the Seventh Day Adventist connection.

Johnson agreed it looks interesting and it appears that the history merits landmark designation consideration. McKee agreed, stating it looks like a good project.

Zimmer said he will bring more to information to the next meeting.

DATE, TIME AND PLACE OF MEETING:	Thursday, November 19 2015, 1:30 p.m., Conference Room 214, 2nd Floor, County-City Building, 555 S. 10th Street, Lincoln, Nebraska
MEMBERS IN ATTENDANCE:	Tim Francis, Melissa Dirr Gengler, Jim Hewitt, Jim Johnson, Liz Kuhlman, Jim McKee, and Greg Munn; Ed Zimmer and Amy Hana Huffman of the Planning Department.
STATED PURPOSE OF MEETING:	Regular Historic Preservation Commission Meeting

APPLICATION BY EUGENA FOSTER FOR LANDMARK DESIGNATION AND A SPECIAL PERMIT FOR HISTORIC PRESERVATION FOR THE REES HOUSE, 4701 BANCROFT STREET.

PUBLIC HEARING: **November 19, 2015**

Members present: Francis, Gengler, Hewitt, Johnson, Kuhlman, McKee and Munn.

Zimmer said this is a dual application is for a Landmark designation and a Special Permit because the Special Permit can be requested only with the Landmark designation. An Art Moderne house such as Rees House is not completely unique in Lincoln but is quite rare. There are others of the same form are not in brick and are not located at such a prominent corner. It also has a strong association with the Rees family, who were significant educators in College View. Mr. Rees, in his later career, was manager and editor of the Christian Record, the braille publisher just down the block immediately to the east. The Staff recommendation is that the application be forward on to Planning Commission and then to City Council with approval. Ms. Foster can best answer question relating to the special permit request.

Foster said the building is lovely and has a great healing energy, with high ceilings and great air flow, which is why as a nurse practitioner she is interested in the building as a healing space for people to be restored and to connect. She introduced her secretary, Leah Dank, and the current owner, Ed Sharon.

McKee noted that the Commission had first heard about this project at the October meeting and he was favorably impressed at that time. He asked if two motions are needed. Zimmer said it would be appropriated to make two motions. The Landmark designation should be made first because the Special Permit becomes irrelevant without that approval.

ACTION:

McKee moved approval of the Landmark Designation for historic preservation for the Rees House, 4701 Bancroft Street, seconded by Hewitt. Motion for approval carried 7-0: Francis, Gengler, Hewitt, Johnson, Kuhlman, McKee and Munn voting 'yes'.

Munn called for discussion and a motion on the Special Permit.

Zimmer said these items will go to Planning Commission together. If this Commission completes work on them today, they will appear before Planning Commission on December 2, 2015. They vote on the same day as the hearing. The Special Permit will be listed as "Final Action", but that is "final" with a big asterisk because it will have a Condition that the Landmark must be approved first, and that can only be done by City Council. There is just enough time in this calendar year to get to get to City Council for two meetings in December.

The special permit request is to operate Ms. Foster's medical practice in the building, as was described in the application and report. Not all, but many of her patients are from Union College with whom she has a contract. So proximity to campus if favorable both to her practice and to her clients. And also helps meet the lack of onsite parking at this site. It is a large corner property. There is shared on-street parking and a driveway

which may sometimes be used for parking but isn't deep enough to provide required stalls. If the Commission supports the application, my report to Planning Commission will opine that there will not be adverse impact on the neighborhood given the moderate level of activity, the proximity to clients, and the big frontages of this corner lot.

Munn asked if the house was located in the R-2 residential zone. Zimmer clarified that it is an R-6. Much of the area around Union College has apartment type zoning. There is also commercial zoning immediately north across the street and one lot away to the east. He said be believe the department would oppose commercial rezoning of this property because that would leave too broad a range of uses open. Here she can only do what she is asking to do. It is analogous to some of the Landmark Special Permits we have in Woods Park along N Street, from 24th to 25th where there is a law office and Voices of Hope operating in Landmarks along that dividing line between commercial property and a residential area. The building stays in place and the activity is broadened. It has worked well. Munn added that it is then not left wide open for future operations that would be less appropriate in the area. Zimmer noted that the special permit would only allow the use Ms. Foster has requested.

Foster said she spoke with the College View Neighborhood Association last Wednesday and they were in support and did not express any concerns. There were several people from the college there and they seemed eager to be supportive. She also visited with neighbors and they asked about long-term plans. She indicated those conversations have also gone well.

Zimmer added that a sign is posted and all property owners within 200 feet are notified and staff has not received any responses. If any are received, they will be passed on to Planning Commission and City Council.

Zimmer said the application includes a mid or longer range plan which shows a modification to the porch. Foster said the back porch windows need to be replaced. The light from that south view warms the entire interior wall which is at the back of the interior fireplace wall. The entire area is a sun room. She plans to utilize it as an office for now because it is not handicapped-accessible. She would like to make an addition when the windows are replaced in order to have a complete sunroom that has glass all the way around. It could be used as a meditation and yoga room to utilize the sunlight.

Zimmer said the packet shows drawings of the proposed modification. If it is approved here and by City Council, it would be deemed approved. If you feel it is necessary, a condition could be added that it be brought back before this commission, but her request is to approve it at this time.

Munn asked if part of this process is approving that change to the structure? Kuhlman asked if it requires a third motion? Zimmer said it is covered within the Special Permit application. Adding a condition to see final plans could be added in the motion.

Zimmer also stated that no specific design of a requested sign has been presented yet, so he has suggested that when available, it come back before Commissioners for review. It is indicated on the site plan that we are anticipating seeing the sign. He has also suggested it not be placed on the building since this is purely a residential building. It would also serve the business better if it were located out in the yard. A location would be shown on the site plan near the northwest corner of the lot. Foster said the artists who will design the sign are two gentlemen she went to school with who started their own company and do amazing metal artwork. They will design the sign and it will be placed in approximately the same area as the zoning sign. Zimmer said the zoning sign is placed within what is probably public property, so the permanent sign will be farther in.

Kuhlman asked if there is stucco anywhere on the existing building, because the drawing looks like it is introducing that material? Foster said it would not be stucco, but would stay the same elements as the house. The proposed addition is all windows. Zimmer said that the architect has shown stucco above the windows. Foster said she would like it to be as much glass as possible. Munn clarified that there is stucco above a parapet wall that is above the windows. Kuhlman said that would need to be some sort of solid material, whether it's brick or stucco. Munn agreed. Foster said her preference is for the material to be brick. Zimmer indicated he would note that in his report and in the conditions of approval. Kuhlman and Munn agreed. Foster said she was unaware of that detail, but she wants the existing elements and straight lines to remain in the design. Munn added the addition is at the back, so it is not adversely affecting the street view. Zimmer said that it will be visible, but agreed that is properly located and that it remains in the spirit of the design. Munn said the windows are larger since it is a sunroom, but it does retain the original character.

Johnson moved approval of the Special Permit for historic preservation for the Rees House, 4701 Bancroft Street, seconded by Hewitt. Motion for approval carried 7-0: Francis, Gengler, Hewitt, Johnson, Kuhlman, McKee and Munn voting 'yes'.

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for DECEMBER 2, 2015 PLANNING COMMISSION MEETING

PROJECT #: Special Permit No. 04016A

PROPOSAL: A request per Section 27.63.470 to amend the Northern Lights Commercial Center planned service commercial special permit to increase the total floor area to 236,200 square feet andallow building height east of Northwoods Drive to conform with the existing H-4 zoning district of 55 feet

LOCATION: Generally located west of N. 84th Street and north of Holdrege Street

LAND AREA: 11.5 acres, more or less

EXISTING ZONING: H-4, General Commercial

CONCLUSION: The proposed use of a self-storage mini-warehouse is permitted within the H-4 zoning district. The increased floor area for one property should have minimal impact on adjacent land uses given the proposed conditions. The additional structure height is in conformance with the existing height regulations for the H-4 zoning district and should not have a significant impact on adjacent land uses. Subject to the conditions of approval, this request is in compliance with the Comprehensive Plan.

RECOMMENDATION: Conditional Approval

GENERAL INFORMATION:

LEGAL DESCRIPTION: Lots 1 - 4, Block 1, and Lots 1 - 7, Block 2, Northern Lights 14th Addition, located in the SE 1/4 of Section 15-10-7, Lincoln, Lancaster County, Nebraska, generally located at Northwoods Drive and Colby Street.

EXISTING LAND USE: Vacant/Undeveloped, Commercial

SURROUNDING LAND USE AND ZONING:

North: Utility Facility, Open Space; P Public Use
South: Vacant/Undeveloped; B-2 Planned Neighborhood Business
East: Vacant/Undeveloped, Public/Semi-Public; H-4 General Commercial, B-2

	Planned Neighborhood Business
West:	Single Family Attached; R-5 Residential

HISTORY:

1979	The area was zoned AA, Rural and Public Use until it was updated to AG, Agriculture during the 1979 zoning update.
December 1996	Change of Zone No. 2943 from AG to H-4 was approved by the City Council.
November 1999	Northern Lights Commercial Center Preliminary Plat No. 98033 and Use Permit No. 116 were approved by the City Council.
May 2004	Northern Lights Commercial Center Special Permit No. 04016 was adopted by the City Council to develop 103,400 square feet of planned service commercial.
May 2005	Administrative Amendment No. 05046 increased total floor area to 115,200 square feet.

COMPREHENSIVE PLAN SPECIFICATIONS:

Pg 1.9 The Future Land Use Map designates this area for commercial land uses.

Pg 5.2 Seek to efficiently utilize investments in existing and future public infrastructure to advance economic development opportunities.

UTILITIES: Water and sanitary sewer are located on site.

TRAFFIC ANALYSIS: Northern Lights Drive, Northwoods Drive, Dawson Creek Road and Colby Street are local roads, and N. 84th Street is classified as an Urban Principal Arterial.

AESTHETIC CONSIDERATIONS: The proposed self-storage facility is located entirely indoors and the building would generally match the character of surrounding properties.

ANALYSIS:

1. The Northern Lights Commercial Center planned service commercial special permit was adopted in May 2004 to allow 103,400 square feet of total floor area. It was amended administratively in May 2005 to increase the total floor area to 115,200 square feet. This amendment would allow for two lots to increase their total combined floor area from 19,000 square feet to 140,000 square feet to allow for an indoor self-storage facility. Total floor area for the planned service commercial development would increase to 236,200 square feet.

2. Self-storage facilities have a large floor area that produces lower intensity impacts than typical commercial uses of the same size. The increase in floor area for this specific use would not have a negative impact on surrounding properties.

3. Self-storage facilities are classified as a mini-warehouse use, which is permitted within the H-4 zoning district planned service commercial area.

4. The applicant also requests to modify the 35 foot maximum building height limit. This height limitation within the planned service commercial district would increase to 55 feet east of Northwoods Drive, which conforms with the existing H-4 zoning district. Maximum building height would remain 35 feet west of Northwoods Drive. The area west of the Northern Lights Commercial Center is an R-5 district with single family attached dwellings. The increase in building height east of Northwoods Drive is in conformance with existing zoning. A taller structure could obscure the view from 84th Street of adjacent one story commercial buildings; however, the H-4 district allows signage inside the front yard, which provides an option for adjacent businesses to increase their visibility when located near a taller structure.

5. The staff report for the Northern Lights Commercial Center special permit did not include a request for building height limitations in excess of the H-4 zoning district. It is unclear from the record why a 35 foot height limit was designated for the entire center.

6. The city zoning ordinance does not contain a specific parking standard for indoor self-storage facilities. The applicant operates three indoor self-storage facilities in Omaha. The facilities have parking ratios ranging from 42 to 60 storage units per parking stall. The largest facility operated by the applicant in Omaha has 719 units and 12 parking stalls (60 units per stall). Based on experience with similar facilities in Omaha, 18 parking stalls (56 units per stall) would be an appropriate amount to address peak customer traffic at this facility.

7. The requested floor area increase is only appropriate for a mini-warehouse use. If in the future the mini-warehouse use ends, the building would most likely have to be demolished and replaced with a use that requires less floor area and more parking.

CONDITIONS OF APPROVAL:

Per Section 27.63.470 this approval permits an increase in total floor area to 236,200 square feet and modification of Special Permit Note 10 to allow buildings in conformance with the H-4 zoning district east of Northwoods Drive in the Northern Lights Commercial Center planned service commercial special permit.

Site Specific Conditions:

1. Before receiving building permits the permittee shall cause to be prepared and submitted to the Planning Department a revised and reproducible final plot plan including **3** copies with all required revisions and documents as listed below:

   1.1 Change land use table for lots 6 and 10 from "retail/commercial" to "mini-warehouse."

   1.2 Add a note that "a minimum of 1 parking stall per 56 units will be provided for the mini-warehouse use."

   1.3 Update legal description to read:
   Lots 1 - 4, Block 1, and Lots 1 - 7, Block 2, Northern Lights 14th Addition, located in the SE 1/4 of Section 15-10-7, Lincoln, Lancaster County, Nebraska, generally located at Northwoods Drive and Colby Street.

Standard Conditions:

2. The following conditions are applicable to all requests:

   2.1 Before occupying the building all development and construction shall substantially comply with the approved plans.

   2.2 All privately-owned improvements, including landscaping and recreational facilities, shall be permanently maintained by the Permittee or an appropriately established homeowners association approved by the City.

   2.3 The physical location of all setbacks and yards, buildings, parking and circulation elements, and similar matters be in substantial compliance with the location of said items as shown on the approved site plan.

   2.4 The terms, conditions, and requirements of this resolution shall run with the land and be binding upon the Permittee, its successors and assigns.

   2.5 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 Permittee shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds. Building permits will not be issued unless the letter of acceptance has been filed.

   2.6 The site plan as approved with this resolution voids and supersedes all previously approved site plans, however all prior resolutions approving this permit remain in full force and effect as specifically amended by this resolution.

Prepared by

Andrew Thierolf, AICP

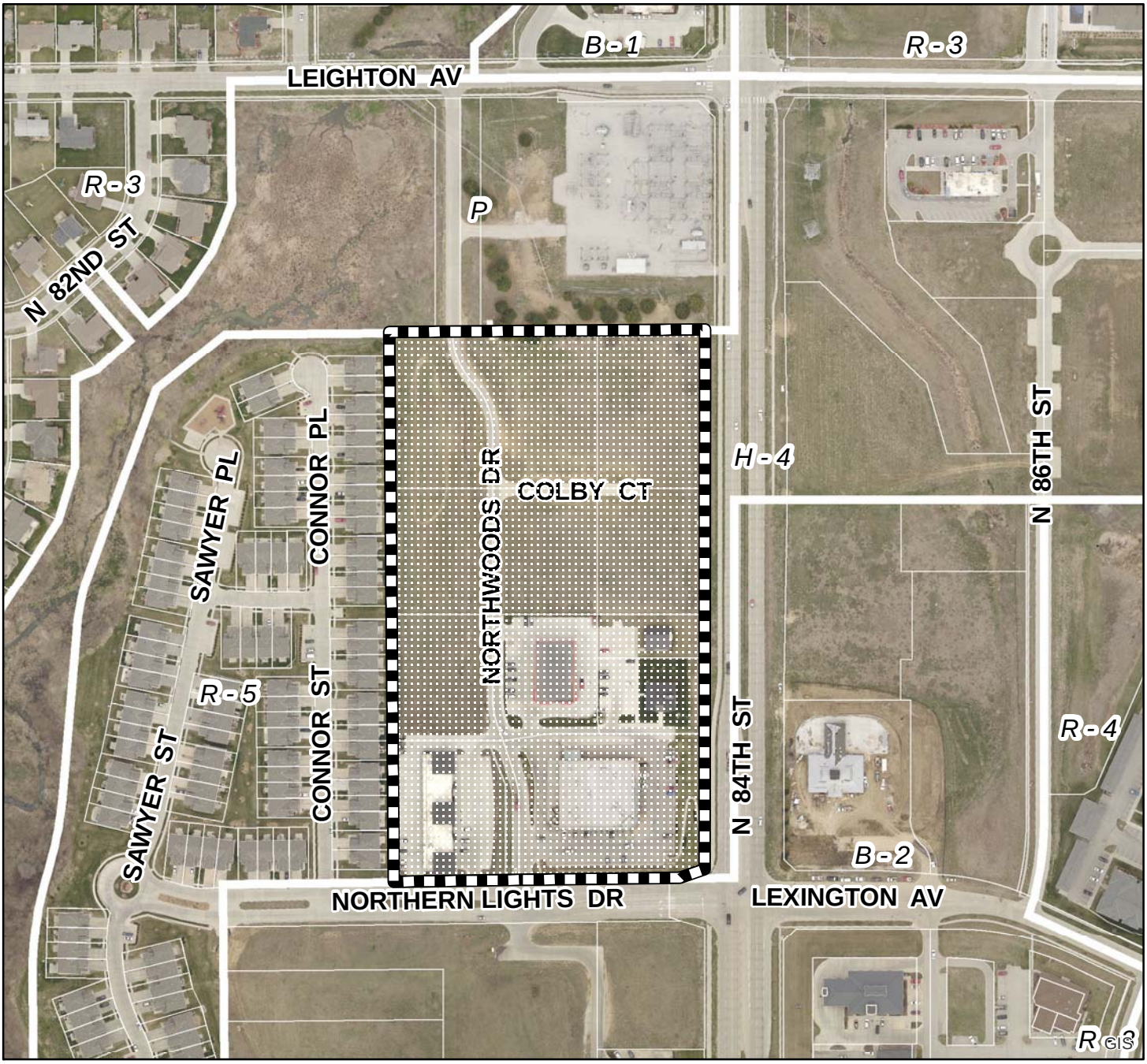
DATE: November 19, 2015

APPLICANT: Dave Paladino
Landmark Group/Dino's Storage
2702 Douglas Street
Omaha, NE 68103
402-672-6566

OWNER: Northern Lights LLC & Yeutter Family LLC
2001 Pine Lake Road, Suite 100
Lincoln, NE 68512
402-817-8600

CONTACT: Dale Clymens
Landmark Group/Dino's Storage
2702 Douglas Street
Omaha, NE 68103
402-968-3950
dale@landmarkmg.com

F:\DevReview\SP\04000\SP04016A Self Storage.adt.wpd



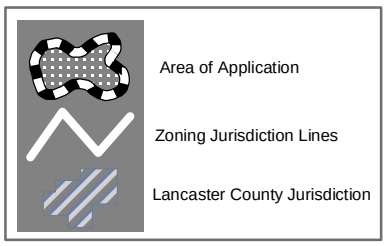
2013 aerial

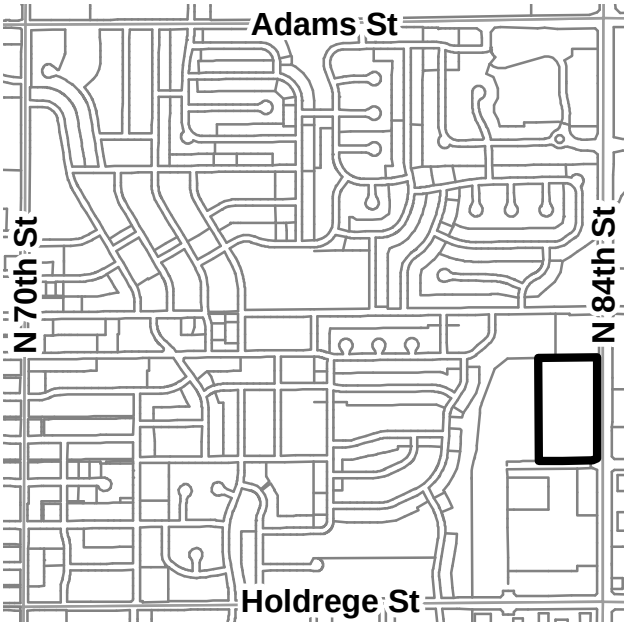
Special Permit #: SP04016A
Northern Lights Commercial Center
N 84th St & Leighton Av

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.15 T10N R07E





PDF: F:\Boards\PC\Internet\out\

File: F:\DevReview\PlannerPacket\MXD\Agendadrawings.mxd (SP04016A)

NORTHERN LIGHTS COMMERCIAL CENTER

ADMINISTRATIVE AMENDMENT TO SPECIAL PERMIT #04016 (PLANNED SERVICE/COMMERCIAL)
SITE PLAN

ENGINEER & PREPARER
OLSSON ASSOCIATES
1111 LINCOLN MALL
LINCOLN, NE. 68501
PHONE: 474-6311

OWNER & DEVELOPER
YEUTTER FAMILY LLC
P.O. BOX 22298
LINCOLN, NE 68542

NORTHERN LIGHTS, L.L.C.
P.O. BOX 22769
LINCOLN, NE 68516
(402)421-9222

THE PLANNING DIRECTOR APPROVES THIS
AA #07096 TO
SP #04016
PLANNING DIRECTOR — DATE 10/16/07

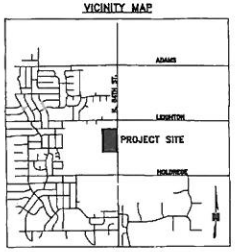
LEGEND

- EXISTING WATER MAIN
- PROPOSED WATER MAIN
- EXISTING SANITARY SEWER
- PROPOSED SANITARY SEWER
- SANITARY SEWER MANHOLE
- FIRE HYDRANT
- WATER VALVE
- EXISTING STORM SEWER
- PROPOSED STORM SEWER
- LIMITS OF SPECIAL PERMIT

CENTERLINE CURVE DATA

A	B	C	D	E
D=43°16'21" R=125.00 L=94.13 T=49.39 LC=92.85	D=43°16'21" R=125.00 L=94.13 T=49.39 LC=92.85	D=18°31'15" R=135.00 L=43.41 T=21.91 LC=43.23	D=18°31'15" R=125.00 L=40.41 T=20.38 LC=40.23	D=90°31'15" R = 300.00 L = 44.61 T = 22.35 LC =44.57

VICINITY MAP



LAND USE TABLE

BLOCK	LOT #	ZONE	LAND USE	FLOOR AREA/ UNITS	AREA (ACRES)	AREA (S.F.)
1	1	H-4	RETAIL/COMMERCIAL/RESTAURANT	10,000 S.F.	1.16	50,289
	2	*	RETAIL/COMMERCIAL	7,900 S.F.	0.85	37,329
	3	*	RETAIL/COMMERCIAL	7,900 S.F.	0.85	37,265
	4	*	RETAIL/COMMERCIAL	5,900 S.F.	0.93	40,925
	5 & 11	*	RECREATION FACILITY OFFICE	33,000 S.F. 1,000 S.F.	2.36	103,583
	6 & 10	*	RETAIL/COMMERCIAL	140,000 S.F.	1.78	77,722
	7	*	RETAIL/COMMERCIAL	7,000 S.F.	0.83	36,538
	8	*	RETAIL/COMMERCIAL	16,000 S.F.	1.82	79,101
	9	*	RETAIL/COMMERCIAL	7,500 S.F.	0.83	37,159
			TOTALS	236,2[illegible] S.F.	11.41	499,381

PLANNING DIRECTOR APPROVAL

THE PLANNING DIRECTOR APPROVES THIS AA TO SPECIAL PERMIT NO. 04016 – NORTHERN LIGHTS COMMERCIAL CENTER – NORTH 84TH & LEIGHTON AVE. – REVISE USE & FLOOR AREA FOR LOTS 1, 6, & 7. ADD SPECIAL PERMIT NOTE #15.

DATE — DIRECTOR OF PLANNING

ENGINEER'S CERTIFICATE

I HEREBY CERTIFY THAT THESE PLANS WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A REGISTERED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF NEBRASKA. THESE PLANS MEET THE REQUIREMENTS OF THE CITY ENGINEER'S OFFICE DESIGN REQUIREMENTS.

10/16/2007 — DATE
MARK C. PALMER — E-9103

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I HAVE CAUSED TO BE SURVEYED THE BOUNDARY OF THE ABOVE PRELIMINARY PLAT AND THAT PERMANENT MONUMENTS HAVE BEEN PLACED OR FOUND AT ALL BOUNDARY CORNERS.

Oct 16th, 2007 — DATE
MICHAEL R. JOHNSON — L.S. NO. 528

LEGAL DESCRIPTION

A LEGAL DESCRIPTION FOR A TRACT OF LAND COMPOSED OF LOTS 1-12, BLOCK 1, NORTHERN LIGHTS 3RD ADDITION, LOCATED IN THE SOUTHEAST QUARTER OF SECTION 13, TOWNSHIP 10 NORTH, RANGE 7 EAST OF THE 6TH P.M., CITY OF LINCOLN, LANCASTER COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 12, BLOCK 1 NORTHERN LIGHTS 3RD ADDITION, SAID POINT BEING THE TRUE POINT OF BEGINNING, THENCE ON AN ASSUMED BEARING OF SOUTH 00 DEGREES 02 MINUTES 13 SECONDS EAST ALONG THE EAST LINE OF LOTS 12 THROUGH 9, SAID LINE BEING 50.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 922.62 FEET TO A POINT OF DEFLECTION, THENCE SOUTH 71 DEGREES 31 MINUTES 42 SECONDS WEST ALONG A SOUTHEAST LINE OF LOT 9, A DISTANCE OF 43.42 FEET TO A POINT, THENCE SOUTH 89 DEGREES 58 MINUTES 38 SECONDS WEST ALONG THE SOUTH LINE OF LOTS 9, 8 AND 1, A DISTANCE OF 485.18 FEET TO A POINT, THENCE NORTH 00 DEGREES 35 MINUTES 47 SECONDS WEST ALONG THE WEST LINE OF LOTS 1 THROUGH 4, A DISTANCE OF 937.25 FEET TO THE NORTHWEST CORNER OF SAID LOT 4, THENCE NORTH 89 DEGREES 18 MINUTES 42 SECONDS EAST ALONG THE NORTH LINE OF LOTS 4, 5 AND 12, A DISTANCE OF 538.51 FEET TO THE TRUE POINT OF BEGINNING, SAID TRACT CONTAINS A CALCULATED AREA OF 11.47 ACRES, OR 499,745.96 SQUARE FEET MORE OR LESS.

GENERAL NOTES

1. SANITARY SEWER AND WATER LINES TO BE 8" PIPE UNLESS OTHERWISE SHOWN. STORM SEWER SHALL BE CONSTRUCTED USING APPROVED PIPE MATERIALS OF THE BUILDING AND SAFETY PLUMBING DEPT. PUBLIC AND PRIVATE UTILITIES TO BE BUILT TO CITY OF LINCOLN SPECIFICATIONS.
2. ALL PAVEMENT RETURN RADII TO BE 20' (MIN.) UNLESS OTHERWISE NOTED.
3. THE DEVELOPER AGREES TO COMPLY WITH THE DESIGN STANDARDS OF THE CITY OF LINCOLN FOR EROSION CONTROL AND SEDIMENTATION DURING AND AFTER LAND PREPARATION.
4. ALL SIDEWALKS SHALL BE 4' WIDE. SIDEWALKS SHALL BE CONSTRUCTED ON THE WEST SIDE OF 84TH, BOTH SIDES OF NORTHERN LIGHTS DRIVE, BOTH SIDES OF NORTHWOODS DRIVE THROUGH THE H-4 AREA TO THE PROPOSED BIKE TRAIL, AND ALONG THE WEST SIDE OF NORTHWOODS DRIVE ADJACENT TO THE ICE SKATING POND.
5. ALL STREET INTERSECTIONS ARE AT 90° UNLESS OTHERWISE NOTED.
6. ALL DIMENSIONS ALONG CURVES ARE CHORD DISTANCES.
7. DIRECT VEHICULAR ACCESS TO NORTH 84TH STREET SHALL BE RELINQUISHED EXCEPT AS SHOWN.
8. ALL ELEVATIONS ARE TO NAVD 1988.
9. ALL PARKING LOT ISLANDS SHALL BE RAISED. CONCRETE CURB AND GUTTER MEDIANS.
10. ALL OUTLOTS, MEDIANS, AND PRIVATE ROADWAYS WITHIN THIS SPECIAL PERMIT SHALL BE MAINTAINED BY AN ASSOCIATION OF PROPERTY OWNERS.
11. UTILITY EASEMENTS TO BE PROVIDED AS REQUESTED BY L.E.S.
12. ORNAMENTAL LIGHTING SHALL COMPLY WITH L.E.S. STANDARDS.
13. THE PROPOSED LOT LINES ARE CONCEPTUAL AND MAY VARY IN THE FINAL PLAT.
14. TOTAL USAGE:
    TOTAL BLOCKS – 1
    TOTAL LOTS – 11

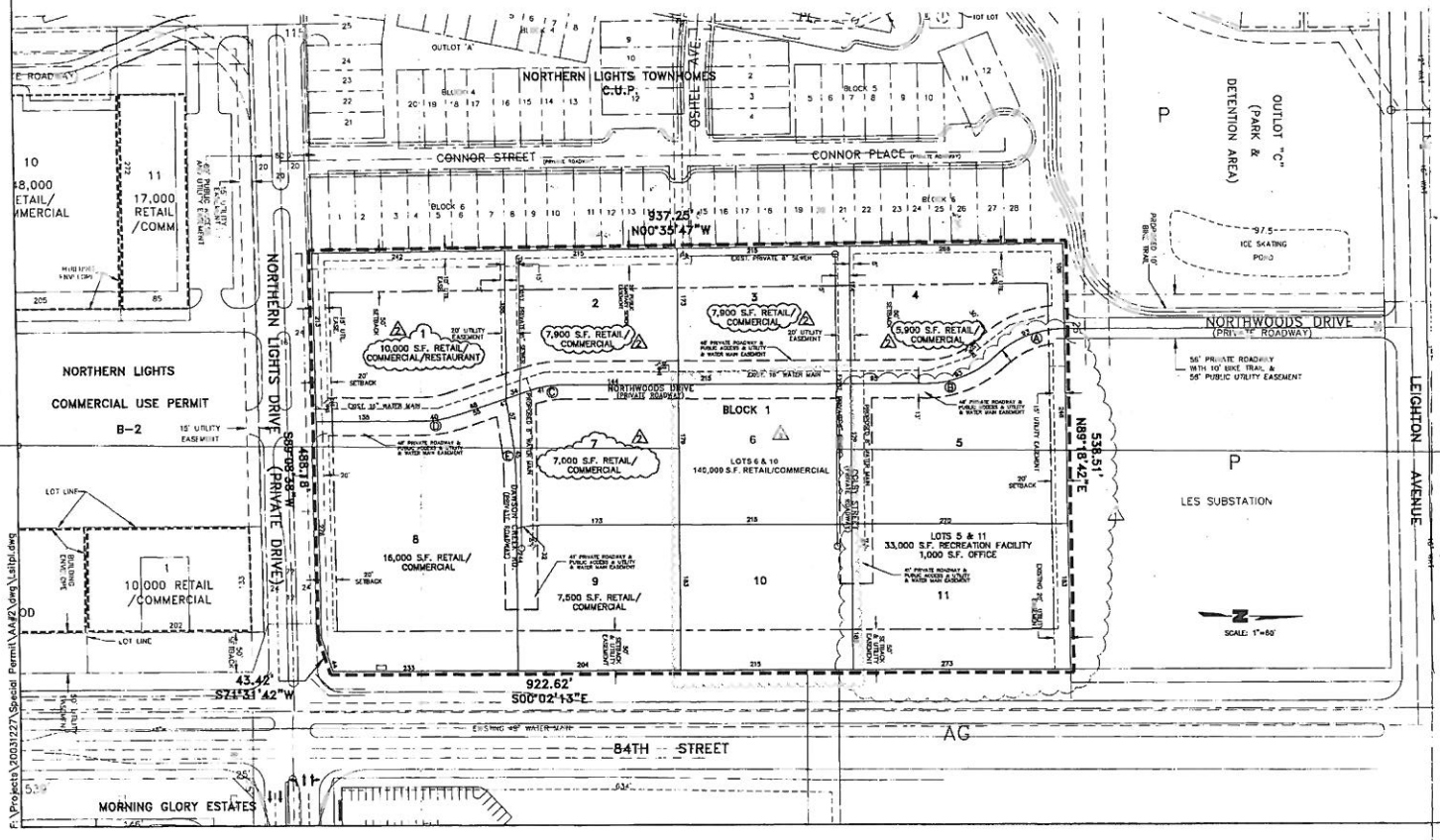
SPECIAL PERMIT NOTES

1. A LANDSCAPE PLAN WILL BE SUBMITTED WITH EACH INDIVIDUAL SITE PLAN BUILDING PERMIT APPLICATION.
2. THE DEVELOPER RESERVES THE RIGHT TO BUILD ANYWHERE WITHIN THE BUILDING ENVELOPES/LOT SHOWN ON EACH LOT.
3. ALL DRIVES SHALL BE 24' WIDE TYPICAL UNLESS OTHERWISE NOTED.
4. SIGNS NEED NOT BE SHOWN ON THE SITE PLAN, BUT WILL BE SHOWN AT TIME OF BUILDING PERMIT & WILL BE PER ZONING ORDINANCE 27.69.
5. ALL DISABLED PARKING STALLS SHALL BE IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, (FEDERAL REGISTER/VOL. 56, NO. 144/RULES AND REGULATIONS.
6. THE SALE OF ALCOHOL SHALL MEET THE ZONING ORDINACE REQUIREMENTS.
7. TENT USAGE APRIL 1ST – MIN. 1ST MAX. SIZE OF TENTS 60' X 40' BUT SMALLER CAN BE USED. NO PARKING WITHIN 20 FEET OF TENTS. MULTIPLE MAY BE UP AT ONE TIME, HOWEVER, TOTAL NUMBER OF TENTS USED AT ONE TIME MAY NOT COVER MINIMUM NUMBER OF PARKING STALLS REQUIRED BY CHAPTER 27.67 OF THE ZONING ORDINANCE.
8. ATM'S, FENCES, DECORATIVE STRUCTURES, & ACCESSORY BUILDINGS ARE NOT SHOWN ON THE SITE PLAN IF THEY ARE 25' X 25' OR SMALLER AND ARE CONSTRUCTED OUTSIDE OF SETBACKS, SIGHT TRIANGLES, EASEMENTS, AND REQUIRED MINIMUM PARKING AND ARE BUILT ACCORDING TO THE ZONING ORDINANCE PROVISIONS, AND ARE IN CONFORMANCE WITH ALL OTHER APPLICABLE CODES.
9. WE ARE REQUESTING A COMMON ACCESS EASEMENT OVER ALL DRIVES & PARKING STALLS.
10. BUILDING HEIGHT SHALL NOT EXCEED 35 FEET (H-4) WEST OF NORTHWOODS DR
11. ALL OUTSIDE LIGHTING SHALL MEET CITY OF LINCOLN DESIGN STANDARDS FOR PARKING LOTS, AND SHALL BE DIRECTED AWAY FROM RESIDENTIAL USES.
12. THE LOCATION AND ALIGNMENTS OF THE PRIVATE ROADWAYS IN THE H-4 AREA WERE PREVIOUSLY APPROVED UNDER THE NORTHERN LIGHTS COMMERCIAL CENTER PRELIMINARY PLAT AND USE PERMIT.
13. INDIVIDUAL SITE PLANS, INCLUDING DETAIL OF PARKING LOT LAYOUT AND BUILDING LAYOUT, SHALL BE SUBMITTED AT THE TIME OF BUILDING PERMIT AND SHALL MEET ALL DESIGN STANDARDS AND ZONING CODES. PARKING LOT AISLES SHALL BE CONTINUOUS BETWEEN LOTS.

OCT 23 2007

REQUESTED WAIVERS

1. A WAIVER TO THE LINCOLN MUNICIPAL CODE TO REDUCE THE REQUIRED FRONT YARD SETBACK ON THE NORTH SIDE OF NORTHERN LIGHTS DRIVE FROM 50' TO 20'.
2. A WAIVER TO THE LINCOLN MUNICIPAL CODE TO ELIMINATE THE INTERNAL SETBACKS WITHIN THE H-4 AREA.



F:\Projects\20031227\Special Permit\AA#2\dwg\sitpl.dwg

OLSSON ASSOCIATES
ENGINEERS • PLANNERS • SURVEYORS
1111 LINCOLN MALL LINCOLN, NEBRASKA 68508 PH: (402) 474-6311 FAX: (402) 474-5160

REVISIONS

DATE	REVISION	BY
10/16/07	REVISE USE & FLOOR AREA FOR LOTS 1, 6 & 7. ADD SPECIAL PERMIT NOTE #15.	
9/13/07	REVISE USE & FLOOR AREA FOR LOTS 1-4 & 5-7. LOTS 2 & 3.	
8/13/07	REVISE PER CITY COMMENTS OF 7/13/07	
7/13/07	REVISE PER CITY COMMENTS OF 7/13/07	
6/13/07	REVISE PER CITY COMMENTS OF 6/13/07	

SITE PLAN

NORTHERN LIGHTS COMMERCIAL CENTER
ADMINISTRATIVE AMENDMENT TO SPECIAL PERMIT #04016
LINCOLN, NEBRASKA

2004

drawn by:	C.A.
checked by:	MCP
approved by:	MCP
04/06 by:	MCP/CA
project no:	03-1227
drawing no:	100148-1
date:	03/18/04

SHEET 01 OF 04

Planning Board
Request Administrative Amendment of Maximum Bldg Size Allowed

Proposed Location: Dino's Storage Facility

Dino's Storage would like to build a multi-story climate controlled indoor self-storage building on what is currently lots 6 & 10 of the Northern Lights 3rd Addition. The property is located southeast of the Northwoods Drive and Colby Street intersection. Based upon the Land Use Requirements in the Northern Lights Commercial Center Administrative Amendment to Special Permit #04016, the allowable commercial/retail use floor area for the lots is 11,000 SF for Lot 6 and 8,000 SF for Lot 10, for a total of 19,000 SF. Dino's Storage is requesting to combine lots 6 & 10 into one lot and to increase the allowable floor area for this combined lot to 140,000 SF.

Unique perhaps to the self-storage industry is the reality that we sub-divide, market and sell "Floor Area". It is our one source of revenue. We respectfully request that the Board allow an increase in the allowed Building Floor Area for these parcels.

Dinos Storage has learned that a larger building size is necessary to offset the hard costs of constructing a multi-level climate controlled modern storage facility. The increase in Floor Area will generate the increased revenues to make this development possible.

The property is zoned H-4 and the Storage Facility, which is considered a Mini-warehouse Use, is a permitted use in that zoning. No waivers are being requested for the site.

Parking Requirements in the Lincoln Zoning Ordinance for Mini-warehouse has a requirement of 2 stalls for manager's office and 1 stall per 200 storage units. The proposed facility would have up to 1000 storage units, requiring 7 parking stalls. However based upon existing Dino's Storage Facilities in Omaha and past experience with customer use, we would propose to increase the amount of parking to 12-16 parking stalls.

Dinos Storage is excited about the possibility of a Lincoln, Nebraska development. We look forward to furthering this effort. We anticipate attending the December Planning board meeting ready to answer any questions and provide more information.

Thank You,

Respectfully,

Dale Clymens

Dinos Storage

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for DECEMBER 2, 2015 PLANNING COMMISSION MEETING

PROJECT #: Special Permit No.15066 Nebraska Shooters

PROPOSAL: A request per Article 13.001(2) for a private school to provide various types of training including personal protection and firearm training with classroom and live fire activities.

LOCATION: 3200 Gage Road

LAND AREA: 20 acres, more or less

EXISTING ZONING: AG Agricultural

CONCLUSION: With the appropriate modifications made to the gun range and having all live fire exercises done under direct supervision, the private school and associated gun range should not have significant negative impact on the adjacent properties.

RECOMMENDATION: Conditional Approval

GENERAL INFORMATION:

LEGAL DESCRIPTION: Lot 12 Irregular Tract. Located in Section 31, Township 7 North, Range 7 East, Lancaster County, NE

EXISTING LAND USE: Single family house and outdoor shooting range.

SURROUNDING LAND USE AND ZONING:

North:	AG Agricultural	Farm ground
South:	Not in Lancaster County.	Farm ground and farm buildings
East:	AG Agricultural	Single family house
West:	AG Agricultural	Farm ground

HISTORY:

April 16, 2014 A letter was sent to the applicant from Building and Safety notifying the owner that he needed to apply for a special permit for his private firearm training school that was in operation.

COMPREHENSIVE PLAN SPECIFICATIONS:
This area is shown as agricultural on the 2040 Lancaster County Future Land Use Plan.

TRAFFIC ANALYSIS: Gage Road is a county gravel road. South 25th Street, a local gravel road, is located approximately ½ mile to the west of the private school.. South 38th Street, a local gravel road is located approximately ½ mile to the east of the private school.

PUBLIC SERVICE: This parcel is in the Cortland Rural Fire District. Law enforcement is provided by the Lancaster County Sheriff's office.

ALTERNATIVE USES: Single family house and farming

ANALYSIS:

1. This application is for a private school to teach classes such as Nebraska Concealed Handgun training, hunter safety education and gun safety. In addition to classroom instruction, there is also a shooting range for live firing practice as part of the traiining.

2. The applicants property is 20 acres, with the shooting range area comprising approximately 9 acres. To the east is a residence approximately 1,300 feet from the nearest shooting station. The property line to the east is approximately 900 feet away. To the north and west is farm ground. South 25th Street and S. 38th Street are each approximately ½ mile from the shooting range.

3. The applicant's letter states that classes are typically held on the weekends between 8:00 a.m. and 8:00 p.m. Although not in the letter, the applicant has said that the live fire exercises are usually only for one hour. All live fire is under the supervision of an National Rifle Association (NRA) certified range safety officer. Only persons enrolled in a class can use the gun range.

4. The site plan identifies three shooting stations. The northeast station which has side by side pistol bays has a front safety berm. A site inspection was conducted by Jeff Rawlinson of Nebraska Game and Parks on November 9, 2015. His comments can be found in the November 12, 2015 e-mail attached to this report. The inspection found that the front safety berm needed to be higher and that there needs to be side berms between the 2 pistol bays and on the outside of each pistol bay. The recommended height for the front berm is 20 feet and the side berms are 8 feet. This is consistent with the 2012 NRA Range Source Book.

5. The northwest station shoots across a pond into a false front of a building. Jeff rawlinson recommends the berm height should be increased to 20 feet or an overhead baffle should be installed. Side berms are not needed for this shooting station due to the distance and shooting direction from the other shooting stations.

6. The southwest station (rimfire range) faces west. The inspection found that the main berm should be increased to 20 feet and that side berms 8 feet tall should be installed.

7. The classroom building was constructed without a building permit. The building will need a building permit and meet any other pertinent codes. All classes should cease until a building permit is issued, the special permit is approved and the berms and shooting stations are built to standards.

8. Although the Nebraska Game and Parks Department inspected the gun range, they have no statutory authority in regulating the gun range. The Planning Department requested their assistance in evaluating the gun range due to their expertise in developing and operating outdoor gun ranges.

9. Noise is always a factor to consider when operating a gun range. As a general guide the following categories were developed by the NRA based on field and text book work:

   (1) Unacceptable: If the sound level exceeds 90 dba for one hour out of 24 or exceeds 85 dba for 8 hours out of 24 and the receiver is less than 1/4 mile from the sound source.
   (2) Discretionary: Normally acceptable if the level does not exceed 75 dba at the property boundary more than 6 hours out of 24 hours and distance from the boundary line and the receiver is over ½ mile.
   (3) Acceptable: If the sound levels at the receiver do not exceed 65 dba more than 8 hours out of 24 or activities do not extend into the nighttime hours of 10:00 p.m. through 7:00 a.m. (2012 NRA The Range Source Book p.1-6-11)

   The nearest property line is approximately 940 feet to the east and the house is approximately 1,300 feet to the east from the closest shooting station.

10. The approval of this gun range will likely cause the property owners to the west and north to not use a portion of their land for a home in the future.

11. The applicant's letter states that he intends to offer sales and fabrication related to firearms. This would be considered accessory to the main use and is allowed.

12. The site plan shows a parking area to the south of the classrooms. This parking area will be gravel. The parking area is sufficient for this use. Given its limited use, a gravel parking lot is acceptable.

13. With the added safety measures and only allowing live fire under direct supervision of a qualified instructor, this gun range should be safe and have minimum impact on the surrounding property owners. The shooting range was not reviewed for use by the general public without direct supervision. Additional improvements beyond what

was recommended by Jeff Rawlinson may have been required for a shooting range open to the general public.

CONDITIONS OF APPROVAL:

Per Article 13.001(2) this approval permits a private school for gun safety classes and live fire activities. All live fire activities must be under the supervision of an NRA certified range safety officer. Use of the range outside of a class instruction and supervision, other than use by the property owner, is prohibited.

Site Specific Conditions:

1. Before starting the operation the permittee shall cause to be prepared and submitted to the Planning Department a revised and reproducible final plot plan including **3** copies with all required revisions and documents as listed below:

    1.1 Show a detailed drawing of the east and southwest berms that includes side walls 8' in height and the main berm 20' in height.

    1.2 Identify that the berm across the pond shall be 20' in height or install a overhead baffle. If an overhead baffle is installed, the berm may be 12 feet in height.

    1.3 Add a note to the site plan that live fire exercises shall only be conducted under the supervision of a NRA certified range safety officer.

    1.4 Add a note to the site plan that hours of operation shall be between 5:00 p.m. and 8:00 p.m Monday - Friday and 8:00 a.m. to 8:00 p.m. on Saturdays. Closed on Sundays.

    1.5 Add a note that no more than 30 students may be in a class or on the gun range at any one time.

    1.6 Add a note to the site plan that the shooting range shall only be used by persons enrolled in classes conducted by Nebraska Shooters or by the property owner.

    1.7 Identify a 50' front yard setback. The parking must be outside of the 50' setback.

2. Before receiving building permits and occupancy provide the following documents to the Planning Department:

2.1 Verification from the Register of Deeds that the letter of acceptance as required by the approval of the special permit has been recorded.

Standard Conditions:

3. The following conditions are applicable to all requests:

3.1 Before starting the operation all development and construction shall substantially comply with the approved plans.

3.2 The physical location of all setbacks and yards, buildings, parking and circulation elements, and similar matters be in substantial compliance with the location of said items as shown on the approved site plan.

3.3 Before occupying this private school City/County Health Department is to approve the water and waste water systems.

3.4 Before occupying the private school written inspection by an engineer verifying that all improvements and safety standards for the gun range as per this permit are completed.

3.5 The terms, conditions, and requirements of this resolution shall run with the land and be binding upon the Permittee, its successors and assigns.

3.6 The applicant shall sign and return the letter of acceptance to the County Clerk. This step should be completed within 60 days following the approval of the special permit. The Permittee shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds. Building permits will not be issued unless the letter of acceptance has been filed.

Prepared by

Tom Cajka
Planner

DATE: November 19, 2015

APPLICANT: Nebraska Shooters LLC
3200 Gage Road
Firth, NE 68358
402-580-5235

OWNER: Justin Grusing
3200 Gage Road
Firth, NE 68358
402-580-5235

CONTACT: Same as owner

F:\DevReview\SP\15000\SP15066 Nebraska Shooters - County.tjc.wpd

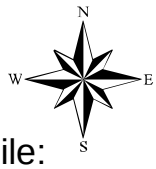
2013 aerial

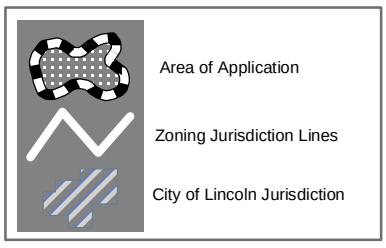
Special Permit #: SP15066
Nebraska Shooters
S 38th St & Gage Rd

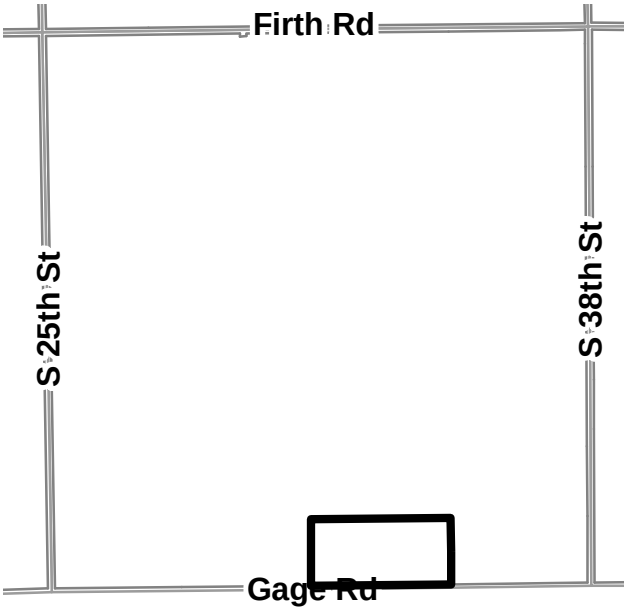
Zoning:

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.31 T07N R07E







PDF: F:\Boards\PC\Internet\out\

File: F:\DevReview\PlannerPacket\MXD\Agendadrawings.mxd (SP15066)

Tom J. Cajka

From: Rawlinson, Jeff <jeff.rawlinson@nebraska.gov> NE Game + Parks
Sent: Thursday, November 12, 2015 4:00 PM
To: Tom J. Cajka
Subject: Range Meeting

Tom
Thanks for meeting me at Justin's facility near Cortland today. Below are my notes from our meeting. While the Commission has not statutory authority in these matters, we are happy to provide comments when requested. The Cortland range has a lot of good safety features already incorporated into it that have likely contributed to safety. Berms for each shooting point, structure separating shooting stations, and distance down range are all positive attributes. For the most part, the area is bordered by non-inhabited agricultural terrain, specifically on the down range sides. The range is also only used while manned by qualified personnel, also contributing greatly to safety.

Berms
Backstops
While berms at the Cortland range are adequate in design to stop projectiles properly fired at them, they would benefit from being brought to a standard height. While 20 foot is the normal standard, that can vary with use and terrain. The Cortland range has at least ½ mile of distance from the berms to the nearest road which makes ricochets less of a concern as they generally fall out within 100 yards. Berm slope also appears to be roughly near the recommended 1:1 slope for ranges. The higher the primary backstop can be the better.

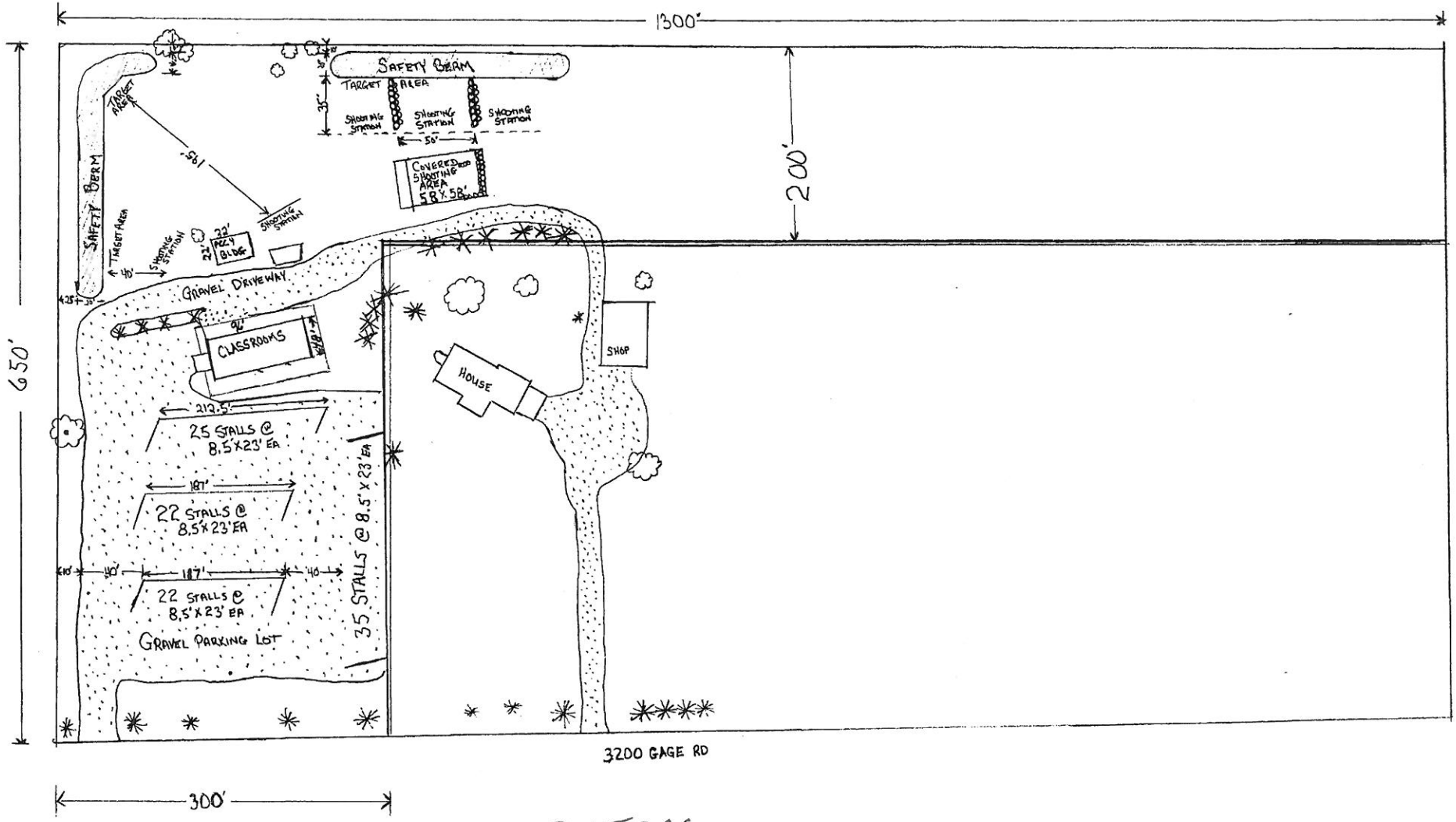
Side Berms
Justin indicated plans to develop side berms for the two 50 foot ranges on the NE portion of the property. Developing such berms at eight foot would be ideal. While the use of rubber tires filled with sand appears to be adequate for the current use as side berms, such berms have little known standards on them and can contribute to bounce back from low velocity weapons (22 rimfire, handguns).

Concrete shooting pad by pond
This area benefits from careful placement of targets so that each round fired impacts the distant berm across the pond. Because the shooting line is more static in this area (or could easily be), an overhead baffle place over and forward of the shooting line so that shooters are forced to direct all fire into the berm would be ideal. Because this is a manned facility, this can also be accomplished through direct supervision.

Two side by side pistol bays
Increasing height of the primary berms would be ideal with a goal of 20 foot being best. If baffled, berm height may be reduced based upon overall design criteria. Side berms of 8 foot would be ideal separating the two ranges and on range ends.

Rimfire range
This range would benefit from enhanced berm height with 20 foot being ideal. The range distance is very short (15 yards?) which contributes to projectile containment. Side berms (8 ft) where necessary to protect adjacent down range areas would be ideal. Berms should be free from clutter, debris or structures that could cause ricochets except for targets.

Shooting House/Bldg.
This area is scheduled for redesign. Past recommendations were followed which brought the targets down closer to the base of the berm. Future design should focus on keeping all targets toward the bottom 1/3 of the berm.



SP 15066

NEBRASKA SHOOTERS

N↑

Nebraska Shooters Range

Special Use Permit Description

The intended purpose of the portion of the property affected by this special use permit will be to provide various types of training including personal protection and firearm training with classroom and live fire activities. We also intend to offer some retail sales and fabrication related to the firearm and shooting industry. Once the classroom is completed, it will be available for outside interests to rent for meetings or classes. The classrooms will be located in the building marked Building 6 on the site map. Public parking will be provided to the South of Building 6. The main entrance to building 6 will be in the center of the South wall. We will provide adequate parking area for up to 100 vehicles, but most events will only be 10-15 vehicles.

The hours of business would be dependent on the schedule of the classes being offered, but would typically be on weekends between 8:00 am and 8:00 pm.

All live fire will be under the supervision of an NRA certified range safety officer and conducted in strict accordance with the Range Standard Operating Procedures. Range Safety officers shall be coordinated and supervised by a NRA certified Chief Range Safety Officer. Firearm courses and instructors will be reviewed and approved or rejected prior to conducting any course. All courses must adhere to the philosophies used in NRA certified courses. Any individual wanting to use the range will be required to make an appointment with an approved range safety officer and shall be supervised at all times.

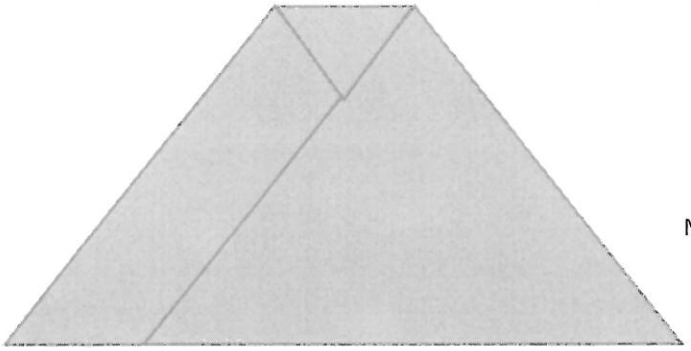
Firearms to be used on the range will be handguns, shotguns and rifles. Most courses will be based on handgun training, but we will occasionally offer the opportunity to sight in deer rifles which could be as large as 7mm magnum or 300 Win Mag.

All live fire will be conducted in the direction of a suitable backstop or safety berm. All shooting areas have had an initial inspection by Jeff Rawlinson from the Nebraska Game and Parks and his recommendations have been noted and we will be making any changes needed to meet his approval. The backstops are designed to contain any fired ammunition in cells filled with sand. These cells should contain any lead from infiltrating into the water table and in the event that lead reclamation is necessary, the modular cells can be disassembled and sifted by a lead reclamation service.

As the owner and operator of this facility, I am a certified NRA Training Counselor with training in all disciplines offered in the NRA training program. I am also a graduate of the Front Sight Training Institute and the Masaad Ayoob MAG40 course. I am an IHEA Certified Hunter Education Instructor, and IBEA Bowhunter Education Instructor. I have completed the Boy Scout Youth Protection Training which is required by the Nebraska Game and Parks to be a Hunter Education Instructor. I was awarded the "Hunter Education Instructor of the Year for the Metro Area" in 2014. I am certified by the Nebraska State Patrol and the Utah Bureau of Criminal Investigation to offer concealed handgun training. I have completed the Smith and Wesson Armorer course. Any or all of these certifications are available upon request.

The instructors conducting a firearm course at this facility shall be certified by the NRA or similar nationally recognized agency in the field being taught before conducting any firearm related courses. We currently have between 20 and 30 instructors approved to instruct various firearm courses based on this criteria. This number could increase or decrease based on the status of their qualifications.

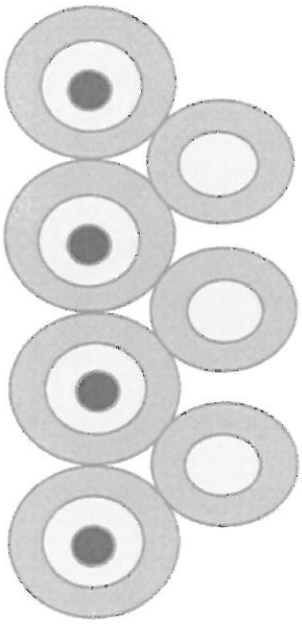
Impact Berm/ Backstop



Minimum 10' height

Minimum 20' width at base

Typical Tee Berm



Tires filled with sand and a power pole in center

Typically 40" OD tires

BERM EXHIBIT
by Applicant

Nebraska Shooters Firearm Training

Mission Statement

- Establish a team of instructors who subscribe to core values based on developing the KNOWLEDGE, SKILLS and ATTITUDE required to safely and effectively use firearms.

Introductions

- Instructor: Justin Grusing

Nebraska/Utah Concealed Handgun Instructor

NRA INSTRUCTOR/COUNSELOR

- Basic Pistol
- Defensive Pistol
- Personal Protection in the Home
- Personal Protection Outside the Home
- Refuse to be a Victim
- Shotgun
- Rifle
- Muzzleloader Rifle and Shotgun

NEBRASKA GAME AND PARKS

- Hunter Education
- Bowhunter Education

Nebraska Shooters Associates

- Dorothy Doeschot
- Bob Howard
- Blain Johnson
- Randy Feese
- Dale Baty
- John Engelhard
- Jim Sears
- Terry Lane Fitzgerald
- Craig Kerr
- Lynn Hagan
- Clark Papke
- Kevin Gleason
- James Potthast

Outlying Associates

Nebraska Shooters West
(Sidney/Chappell)
- Justin Julius
- Jacob James

ClearShot Firearm Training
(Wahoo)
- Gale Jansa
- Ronnie Novak
- Jeremy Jansa

Nebraska Shooters North
(Valentine/Gordon/Ravenna)
Clifford Peterson

Nebraska Shooters Omaha
Dana Taylor

Firth Range Policies

- No Ammunition in Classroom
- No Firearms in Classroom without Permission
- Range is not open to public
- All live fire shall be supervised by certified Range Safety Officers
- All instructors shall be duly qualified to instruct the material
- All course materials shall be consistent with NRA training philosophies.

Typical Courses Offered

- Nebraska Concealed Handgun Training – NSP
- Utah Non-Resident Concealed Handgun Training-BCI
- Nebraska Game and Parks
  - Hunter Safety Education
  - Bowhunter Safety Education
- NRA Courses (Student and Instructor)
  - Basic Pistol
  - Defensive Pistol
  - Personal Protection In The Home
  - Personal Protection Outside the Home
  - Rifle & Shotgun
  - Metallic Cartridge & Shotshell Reloading
  - Refuse to be a Victim
  - Range Safety Officer Training

Hosted Events

- VFW Fundraiser
- Operation Whitetail Fundraiser
- Mason Scholarship Fundraiser

RANGE SAFETY RULES

- Firearms to remain unloaded and cased until directed to remove firearm and holster and/or load it
- Do not anticipate Directions.
- Only approved and safe firearms will be allowed on range.
- Only factory ammo on range
- No horseplay will be tolerated.
- All firearms will be pointed downrange at all times.
- Keep your finger off trigger until directed to fire
- Do not load until directed to do so

RANGE SAFETY RULES

- Everyone must stay behind firing line until range is declared safe/clear by instructor or range officer.
- ANYONE seeing an unsafe act can call a "cease fire"
- Use of eye and hearing protection is mandatory
- Firearms must be unloaded and checked for clear before leaving the firing line.
- All other Standard Operating Procedures Apply

Range Safety SOP

1. **Always** keep the firearm pointed in a safe direction which on the firing line is downrange.

2. **Always** keep your firearm unloaded until ready to shoot.

3. **Always** keep your finger off the trigger until ready to shoot

4. Eye and ear protection **will** be worn prior to entering any shooting range or range area.

5. **Always** treat and handle all firearms as if they were loaded.

6. Know how your firearm operates and follow directions in owner's manual before attempting to load or fire. Our staff members will assist you if needed.

7. In the event of a misfire or malfunction, keep the firearm pointed safely down range, engage the safety and place on the shooting bench with the muzzle pointed down range. Alert Staff member for assistance. **Do not** open the action, or attempt to clear until instructed by a Staff Member.

8. Violation of **any** of the range rules or verbal direction given by Nebraska Shooters Staff may result in the immediate suspension of your range privileges.

9. Shooters must be able to read and understand all written and posted signs, comply with them at all times, and pass the written safety survey and be in possession of a Range Safety Survey card. Range Safety Survey Cards **must** be presented at each range visit, prior to entering any range.

10. Nebraska Shooters requires all shooters and guests to wear a shirt and shoes. Closed-toe shoes offer the best safety protection. Low-cut tops can be a safety risk for spent brass cases or other flying debris. Spent cases can reach temperatures of over 400 degrees. We also recommend long sleeves and ball caps be worn.

11. Children must be under **direct supervision** and control of a responsible adult at all times on the Nebraska Shooters Range.

12. No unholstered handguns can be carried on the Range facility -- the only exception will be while on the firing line in a shooting lane or during training exercises with prior approval from Range Safety Officer or Instructor.

13. Persons under the influence of a controlled substance will be asked to leave the facility for everyone's safety.

14. No alcoholic beverages are allowed on the range, except at special events by specific permission of the General Manager and only after shooting has been terminated for the day.

15. All persons entering any range must sign the Nebraska Shooters liability and release waiver and present a valid Range Safety Survey Card.

16. Anyone using this facility agrees to be financially responsible for **any** damage they cause.

17. When firearms are not in use, they **must** be unloaded, and placed on the shooting bench with the actions open.

18. Only shooters and their instructors or coaches are permitted on the firing line.

19. When going to or from the firing line, or when changing firing positions, firearms must be unloaded, actions opened, and placed in a gun case or bag.

20. Shoot only at designated targets. No cross-range shooting.

21. Nebraska Shooters Staff reserve the right to inspect all firearms, ammunition and targets at any time and to prohibit their use at our facility **for any reason.**

22. No incendiary or armor piercing ammunition can be fired on the Nebraska Shooters Range without permission. Only Nebraska-legal ammunition may be used. Verify you are using the **correct caliber** and ammunition or ask a Staff member for assistance.

23. At **any** cease fire signal, shooters must unload their firearm, place it on the shooting bench and leave the action open for inspection by Staff.

24. Shotgun may only be fired on designated shooting lanes.

25. There are no age limits on any range. Anyone under the age of 18 must be accompanied by an adult and under their direct supervision and control. As a responsible adult, you should verify any children's safety gear and ensure that it is used correctly. Studies have shown that children under the age of eight can have future development problems from exposure to the percussion generated from center fire arms and shotguns. Expectant mothers should refrain from any range or shooting activities.

26. All shooters and spectators should practice good and safe hygiene habits by washing their hands and face with soap and cold water after handling or discharging any firearm or performing or assisting in any firearm cleaning activities.

27. Food and beverages are **prohibited** at any time on the firing line with the exception of water at the ready line.

28. Any shooter may be asked to demonstrate to the satisfaction of a Nebraska Shooters Staff member the ability to safely and correctly operate a firearm.

29. All federal, state and local laws are in effect and it is **your** responsibility to obey them.

30. Only shooters and their instructors or coaches are permitted on the firing line. Spectators **must** remain behind the safely line at all times.

31 A "Cease Fire" may be called at any time. During the cease fire period, **NO person** will remain on the firing line near or in a shooting booth, or handle **any** firearm in the range area.

The "Cease Fire" announcement is –
"Cease fire, Cease fire"
"Unload all firearms and keep actions open"
"Please step behind the red line"
"There is no firearm handling during the Cease Fire."

32. After the Cease Fire, once shooters have returned from the target area and the Nebraska Shooters Staff member (Range Safety Officer) has determined and verified that it is safe to resume shooting, shooters will be informed that they can enter their booth on the firing line and commence firing.

The "Commence Firing" announcement is –

"Eye and ear protection is now required"
"You may step approach the firing line and commence firing"
"The range is now open for shooting"

33. The range lanes are designated for specific firearms. Please inform the Nebraska Shooters Staff Member of the type of firearm you are shooting for proper assignment to correct shooting lanes. Remember **YOU** are responsible for all damage caused by you and your equipment.

34. Shooters are requested to discard their trash and debris in the containers located on the range.

35. If you need assistance at any time, please ask a Nebraska Shooters Staff Member (Range Safety Officer).

Please enjoy your shooting activity!

SAFETY is everyone's responsibility!

If you have **ANY** question or need assistance, please ask a Nebraska Shooters Staff Member (Range Safety Officer).

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for November 18, 2015 PLANNING COMMISSION MEETING

PROJECT #: Special Permit No. 1762E - Vintage Heights CUP

PROPOSAL: Allow the use of a sanitary sewer lift station to serve 84 dwelling units where it was previously prohibited, and to revise the layout for the area of the CUP involved.

LOCATION: Southwest of the intersection of South 98th Street and Old Cheney Road.

EXISTING ZONING: R-3 Residential

CONCLUSION: Serving the sanitary sewer needs of new development via pump stations has long been contrary to City policy, a policy that was formalized, expanded, and adopted by the City Council in 2004. The rationale for adopting the Policy on Temporary Pump Stations and Force Mains in 2004 were several. Primarily, pump stations are inefficient and more costly in the long-term when compared to the City's gravity system, due to the increased maintenance and operational costs.

There has also been no shortage of developable land that could be served by gravity flow sewer to necessitate the annexation of land serviced by pumping systems. Additionally, the city's well-planned growth pattern is largely attributable to annexation of those properties which can equally share in all the City's services and infrastructure. This type of coherent growth has helped make development more predictable and equitable.

For the land involved in this request, the fact that they couldn't be served by gravity sewer flow was known since the development was approved in 1997. What distinguishes this property from multiple others at the edge of the city that would also like to use pump stations, is that the property has already been annexed and re-zoned. Done today, annexation and re-zoning of any area that cannot be served by gravity flow would not be the recommended process. Instead, those areas should remain outside the city limit and only annexed at such time as they can be fully served by the full range of city services, including gravity flow sanitary sewer.

RECOMMENDATION: Conditional Approval

GENERAL INFORMATION:

LEGAL DESCRIPTION: See attached.

EXISTING LAND USE: Vacant.

AREA: 35.6 acres more or less.

SURROUNDING LAND USE AND ZONING:

North:	Residential	AG, R-3
South:	Residential, Vacant	AG, R-3, B-5
East:	Agriculture, Residential	AG
West:	Residential, Vacant	R-3

HISTORY:

Jul 1997 The preliminary plat of Vintage Heights was approved. It included none of the land involved in this request, and any land that could not be served by gravity sewer was excluded from the plat. (See attached)

Jul 1998 The preliminary plat of Vintage Heights 1st Addition was approved, showing development to the south of that approved in the original addition. The limit of gravity sewer was clearly delineated on the plan, and no area was annexed or re-zoned that couldn't be served by sanitary sewer. (See attached)

Sep 1999 The preliminary plat of Vintage Heights 2nd Addition and Special Permit #1762 for Vintage Heights were approved (see attached). The area of Vintage Heights was extended to South 98th Street, including the area that could not be served by gravity sewer. The plat showed large acreage lots and a church site in the area that could not be served, but with the western edge of those lots able to be served by gravity sewer. Individual homes and a church could be located on the western edge of the lots, with the remainder dedicated to large yards, or in the case of the church, play fields and parking areas.

Feb 2003 Special permit #1762A to include an additional seven acres of land expanding the development to the south, along with revisions to the internal lot layout. There was no change in the lot layout where sewer was limited.

Oct 2004 Special permit #1762B was approved. The owner again requested a lift

station but was denied by the City Council. The site plan for the CUP was revised to show a proposed urban density lot layout for those lots beyond gravity sewer flow. While the acreage lots could have developed immediately using septic systems, the developer abandoned them and instead chose to show urban density lots with the understanding they could not be developed until gravity sewer was available. (See attached)

Mar 2005 Special Permit #1762C was withdrawn by the applicant.

Feb 2009 Special Permit #1762D was approved adjusting the setback for all lots adjacent to 98th Street in the event additional right-of-way is acquired.

ANALYSIS:

1. This is a request to amend the Vintage Heights CUP to delete Note #24 from the site plan, and to revise the layout for those lots within the area that can't be served by gravity sewer.

2. Note #24 states that "All lots that cannot be served by gravity sanitary sewer shall not be final platted until such time that gravity sewer is available or the City adopts a policy that allows a pump station.

3. A summary of the history:

   1997 - The original Vintage Heights CUP was approved. All the property within the CUP could be served by gravity sewer.

   1998 - Vintage Heights 1st Addition preliminary plat was approved. The area that could not be served by sanitary sewer was clearly delineated, and passive uses like open space, a park, or school site were shown, and was not annexed nor re-zoned.

   1999 - Vintage Heights 2nd Addition was approved, and the request for a lift station to serve those areas beyond gravity sewer flow was denied. Instead, large acreage lots and a church site were shown.

   2004 - A request for a lift station was again denied by the City Council. However, the layout for those lots affected by lack of sewer was revised to an urban density layout. The owner changed the acreage development plan (which could have be done immediately) for the urban density layout, but with the understanding that the smaller lots could not be developed until sanitary sewer was available.

4. In 2004, the City of Lincoln adopted the Policy on Temporary Pump Stations and Force Mains (see attached). While there had been guidance in this regard in the

Comprehensive Plan, the adoption of a policy statement was deemed important due to the number of requests for lift stations, including this one, that the City had been receiving.

In summary, some of the key points of the policy regarding pump stations includes the following:

A. Allowed on a temporary basis, which is less than six years in duration.
B. In Priority A areas only. That is, areas where city services are anticipate in the near future.
C. A substantial public benefit needs to be demonstrated.
D. How the development allowed by the pump station will impact other services.
E. The sewer system has the capacity to accept the discharge form the pump station.
F. The pump stations should not require the use of storage tanks.
G. The pump and force main should be sized to serve all the land within the sub-basin that drains to the pump, at least 500-1,000 acres.
H. The length of the force should be as short as possible due to maintenance costs.
G. The developer should own the pump station and land, but the City should operate it along with the force mains.

5. The city's growth has long been predicated upon orderly, predictable growth at the edge where all public facilities were available. Once infrastructure is built to standard, the City accepts it for maintenance and the burden of upkeep and is shared by all.

The main disadvantages of lift stations is that they are more costly and less reliable to operate when compared to gravity sewer systems. For efficiency alone, gravity systems are superior.

6. There are currently only five private lift stations in operation within the City today. They are:

a. Lincoln Benefit Life (now Allstate). The lift station was approved to support a major employer.

b. Southwest Village. The lift station was adopted in accordance with the Pump Station Policy.

c. Waterford Estates. A lift station was allowed in accordance with the Pump Station Policy, but has since been decommissioned. The development has been

connected to the City system.

d. Super Target at South 40th Street and Yankee Hill Road - A lift station was allowed because it served one user, and on a temporary basis. It is scheduled for decommissioning in the next 12 months.

e. South 8th and Calvert Streets - A lift station was approved on a temporary basis as the developer failed to connect to a trunk line. It is also scheduled for decommissioning in the next 12 months.

7. In his letter the applicant notes that the subject property is in Tier 1, Priority A, and has already been annexed and re-zoned. This does distinguish this property from most all others at the edge of the City also requesting to develop and use pump stations.

8. The site plan proposes a revised street and lot layout. There were no prior meetings with staff to discuss the layout shown, so there are a number of recommended revisions/changes which are listed below:

A. Due to block length, show a pedestrian easement in a 15 foot wide outlot between Lots 14 and 15, Block 28. Revise the grading plan to show that the easement meets ADA standards.
B. Show a pedestrian easement leading from the cul-de-sac (south of Beaumont Drive) to 98th Street. Revise the grading plan to reflect the sidewalk and show that the easement meets ADA standards.
C. Add a pedestrian easement, in a minimum 15 foot wide outlot, from S. 97th Street Circle to Nappa Ridge Drive to provide for pedestrian access to Kloefkorn Elementary School and as required by block length.
D. The cul-de-sac in Block 28 needs a street name.
E. Label the natural gas pipeline in Outlot B.
F. Identify the Pipeline Planning Area as determined by the Health Department.
G. Identify Outlot B, Vintage Heights 26th Addition on the CUP.
H. Identify those lots on the CUP which are to be served by the pump station.

9. The applicant notes that a waiver to block length is requested for Block 10. This request is not necessary, as the basic street layout was approved by prior amendment. Also, the east portion of the block abuts South 98th Street, an arterial street. The Access Management Policy limits intersections to 1/4 mile intervals, and another connection to South 98th Street is not warranted in this area.

10. If approved, an agreement needs to entered into between the owner and the City. The terms of the ownership, maintenance, operation, and cost

responsibilities of the pump station need to stated so they are clear to all involved. The details of that have not yet been defined, but this should be done prior to this request being considered by the City Council.

11. Moving forward, the City should not annex and re-zone areas that cannot be served gravity sewer in the first place. The fact the property is annexed and properly zoned, however, is unique. If a pump station is allowed to serve the lots in question, it should be made clear that it was allowed due to these special circumstances. Given this, it is clear that a precedent is not established by this action for use by others under different circumstances also seeking to employ pump stations.

CONDITIONS OF APPROVAL:

Standard:

Permits a total of 990 dwelling units within the CUP, 84 of which are to be served by a sanitary sewer pump station.

Site Specific:

1. Before receiving building permits:

1.1 The applicant will submit a revised site plan including 5 copies showing the following revisions:

1.1.1 Due to block length, show a pedestrian easement in a 15 foot wide outlot between Lots 14 and 15, Block 28. Revise the grading plan to show that the easement meets ADA standards.

1.1.2 Show a pedestrian easement leading from the cul-de-sac (south of Beaumont Drive) to 98th Street. Revise the grading plan to reflect the sidewalk and show that the easement meets ADA standards.

1.1.3 Add a pedestrian easement, in a minimum 15 foot wide outlot, from S. 97th Street Circle to Nappa Ridge Drive to provide for pedestrian access to Kloefkorn Elementary School and as required by block length.

1.1.4 Provide a street name for the cul-de-sac in Block 28.

1.1.5 Label the natural gas pipeline in Outlot B.

1.1.6 Identify the Pipeline Planning Area as determined by the Health

Department.

1.1.7 Identify Outlot B, Vintage Heights 26th Addition on the CUP.

1.1.8 Identify those lots on the CUP which are to be served by the pump station.

1.2 Revise the grading and drainage plan to the satisfaction of Public Works and Utilities.

1.3 Prior to scheduling with the City Council:

1.3.1 The applicant enters into an agreement with the City regarding the terms of the ownership, maintenance, operation, and cost responsibilities of the pump station.

General:

2. Prior to final plats:

2.1.1 Provide documentation from the Register of Deeds that the letter of acceptance as required by the approval of the special permit has been recorded.

Standard:

3. The following conditions are applicable to all requests:

3.1 Before occupying the new dwellings all development and construction is to be in substantial compliance with the approved plans.

3.2 All privately-owned improvements are to be maintained by the owner or an appropriately established owners association approved by the City.

3.3 The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.

3.4 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.

3.5 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 therefor to be paid in advance by the applicant. Building permits will not be issued unless the letter of acceptance has been filed.

4. The site plan as approved with this resolution voids and supersedes all previously approved site plans, however all resolutions approving previous permits remain in force unless specifically amended by this resolution.

Prepared by

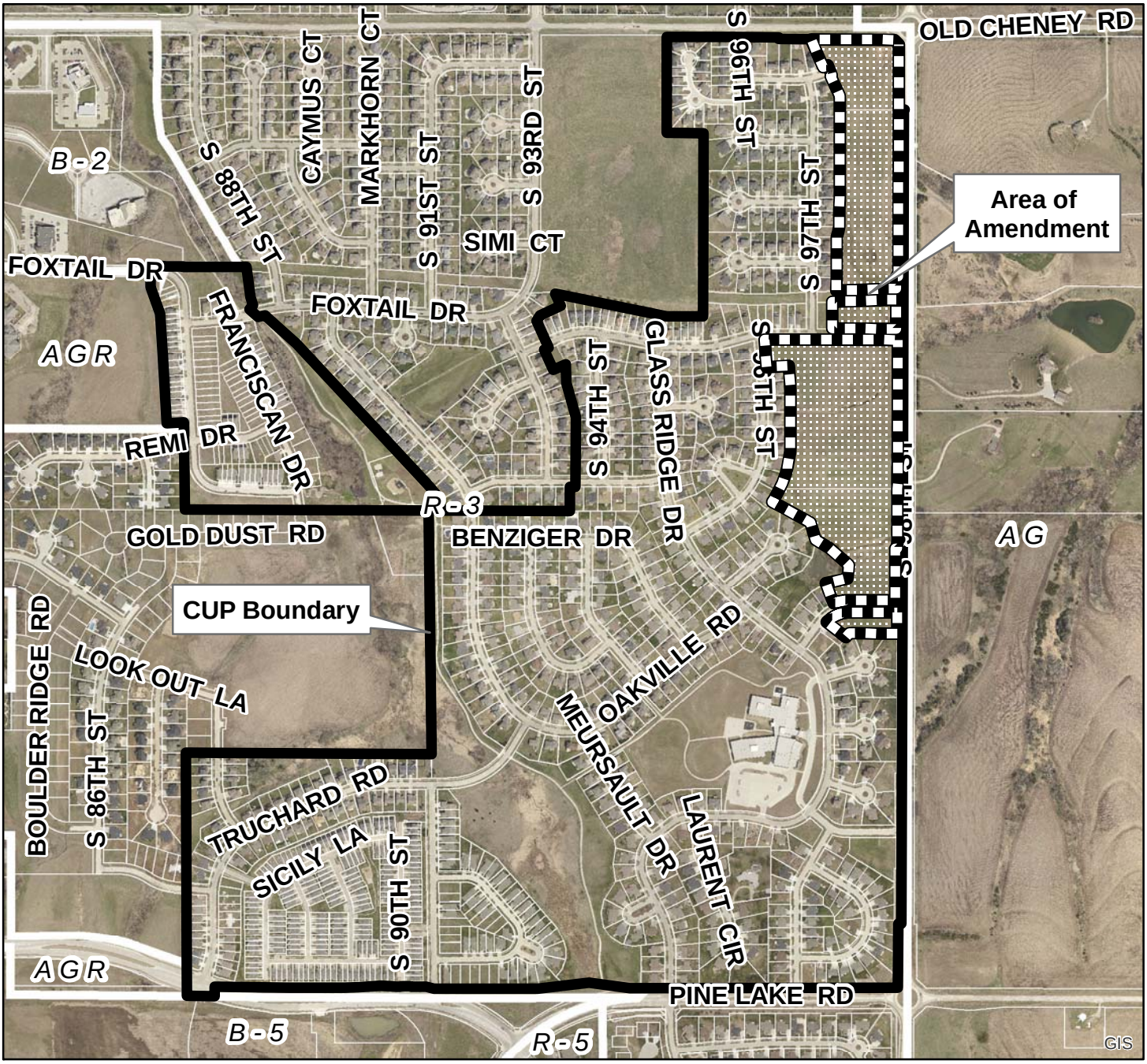
_____
Brian Will, 441-6362, bwill@lincoln.ne.gov
Planner
November 5, 2015

APPLICANT: Tom Smith
4089 South 84th Street
Omaha, NE 68127
402-437-1026

OWNER: Pine Lake Development
4089 South 84th Street
Omaha, NE 68127
402-437-1026

CONTACT: Mark Hunzeker
1248 O Street
Lincoln, NE 68508
402-475-1075

F:\DevReview\SP\1700\SP1762EVintage Heights.bjw.wpd



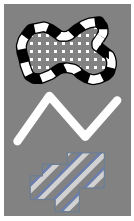
2013 aerial

Special Permit #: SP1762E
Vintage Heights CUP
S 98th St & Old Cheney Rd

One Square Mile:
Sec.14 T09N R07E

Zoning:

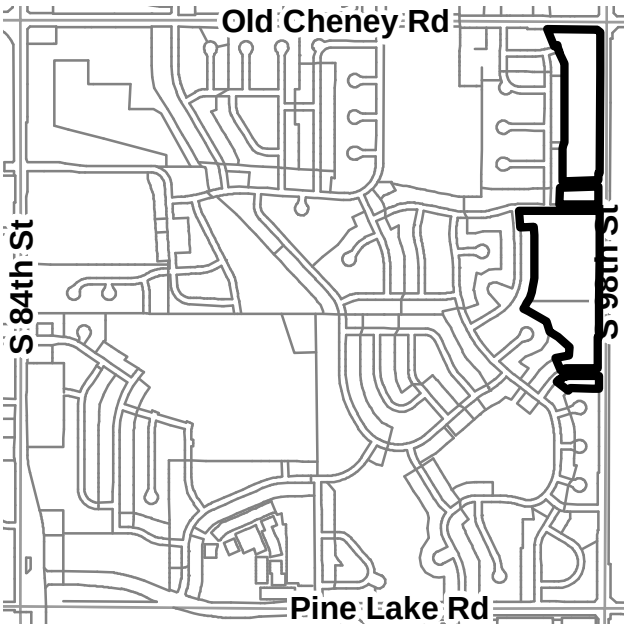
R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	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



PDF: F:\Boards\PC\Internet\out\

File: F:\DevReview\PlannerPacket\MXD\Agendadrawings.mxd (SP1762E)

VINTAGE HEIGHTS 4TH ADDITION

AMENDMENT TO COMMUNITY UNIT PLAN
SPECIAL PERMIT #1762A

GENERAL SITE NOTES

LEGAL DESCRIPTION
AMENDED C.U.P. & SPECIAL PERMIT

REQUESTED WAIVERS (GENERAL SITE)

VICINITY MAP

ENGINEER & PREPARER

OWNER/DEVELOPER

LEGEND

N

SHEET INDEX

1. COVER SHEET - NORTH
2. COVER SHEET - SOUTH
3. SITE PLAN
4. SITE PLAN
5. GRADING PLAN
6. GRADING PLAN
7. DRAINAGE PLAN
8. DRAINAGE PLAN
9. UTILITY PLAN
10. UTILITY PLAN
11. STREET PROFILES
12. STREET PROFILES
13. STREET PROFILES
14. STREET PROFILES

BENCHMARKS

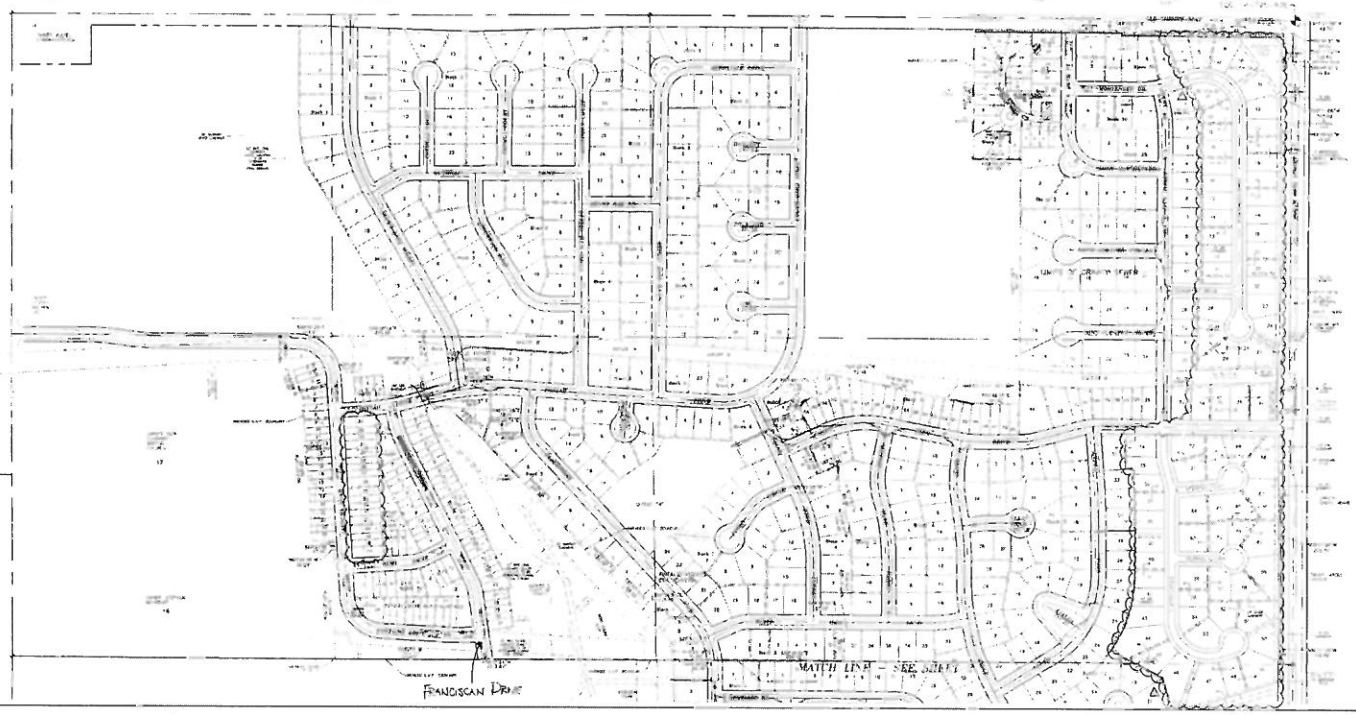
1. BRASS CAP IN EAST END OF CONCRETE HEADWALL SOUTHEAST CORNER OF 84TH & PINE LAKE RD. ELEV. 1397.87

2. TOP CAP IN SECTION CORNER REBAR, SOUTH 1/4 CORNER, SECTION 14, TOWNSHIP 9 NORTH, RANGE 7 EAST ELEV. 1410.30

3. TOP OF CHISELED "D" IN SOUTH END OF CONCRETE HEADWALL NORTHWEST CORNER OF 98TH AND PINE LAKE RD. ELEV. 1413.35

DENSITY CALCULATIONS

ALLOWABLE UNITS 1,561



OLSSON ASSOCIATES

REVISIONS

VINTAGE HEIGHTS 4TH ADDITION - COVER SHEET

AMENDMENT TO SPECIAL PERMIT (C.U.P.) NO. 1762A

LINCOLN, NEBRASKA

SHEET 1 of 14

VINTAGE HEIGHTS 4TH ADDITION

AMENDMENT TO COMMUNITY UNIT PLAN
SPECIAL PERMIT #1762A

LEGEND

- PROPOSED PAVING CENTERLINE
- EXISTING PAVING CENTERLINE
- TIE LINES FOR DUPLEX/TOWNHOUSE PAIRS
- AMENDED C.U.P. BOUNDARY
- SECTION LINE
- EXISTING STRUCTURE
- EXISTING STRUCTURE TO BE REMOVED
- PROPOSED UTILITY EASEMENT
- EXISTING UTILITY EASEMENT
- ADDITIONAL PROPERTY ADDED TO C.U.P.
- R.O.W. DEDICATION
- EXISTING WATER MAIN w/VALVE & HYDRANT
- W6" PROPOSED WATER MAIN
- EXISTING SANITARY SEWER
- S8" PROPOSED SANITARY SEWER
- EXISTING GAS MAIN
- PROPOSED FIRE HYDRANT
- PROPOSED WATER VALVE
- EXISTING STORM SEWER
- LIMITS OF GRAVITY SEWER
- WETLANDS BOUNDARY
- MINIMUM FLOODWAY CORRIDOR EASEMENT
- PROPOSED PAVEMENT

BENCHMARKS

1. BRASS CAP IN EAST END OF CONCRETE HEADWALL SOUTHEAST CORNER OF 84TH & PINE LAKE RD.
ELEV: 1392.97

2. TOP CAP IN SECTION CORNER REBAR, SOUTH 1/4 CORNER, SECTION 14, TOWNSHIP 9 NORTH, RANGE 7 EAST
ELEV: 1400.00

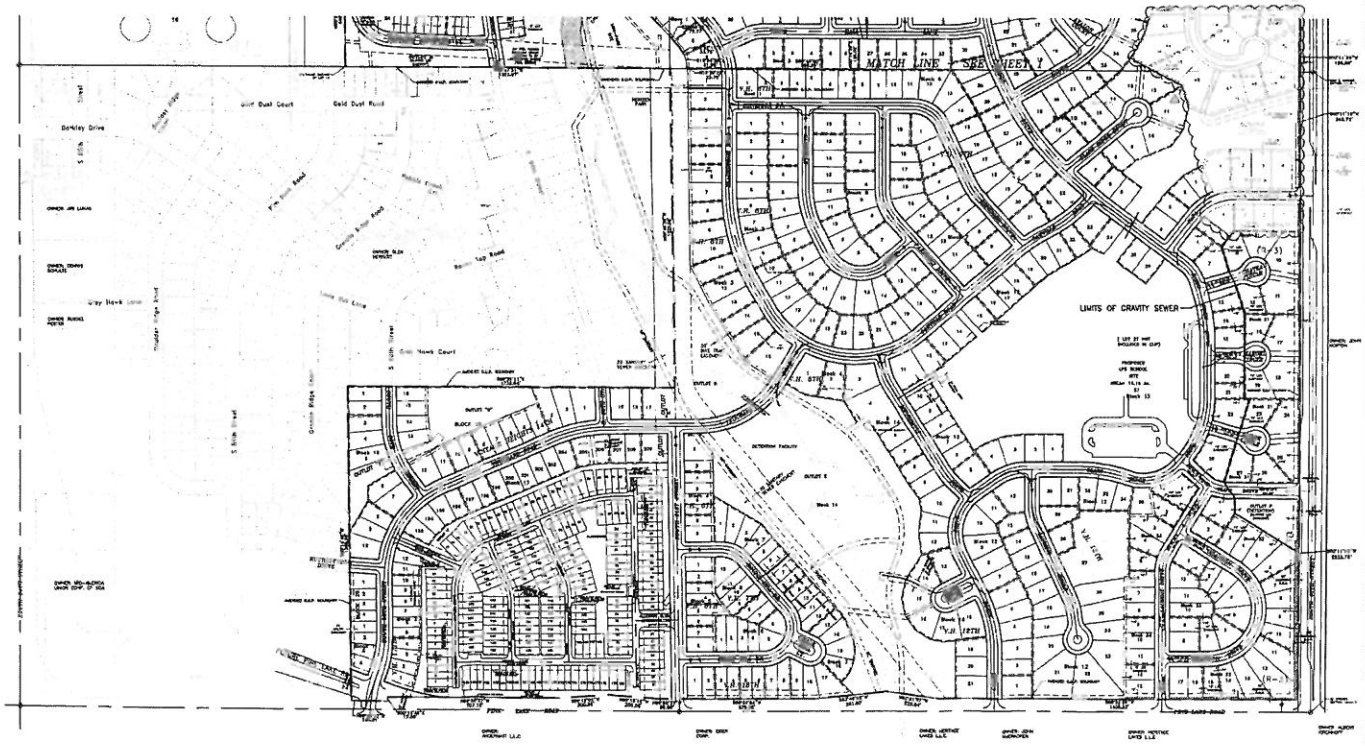
3. TOP OF CHISELED "D" IN SOUTH END OF CONCRETE HEADWALL NORTHWEST CORNER OF INT. 98TH AND PINE LAKE RD.
ELEV: 1413.22

N

SCALE: 1"=200'

ENGINEER & PREPARER

OWNER/DEVELOPER



VINTAGE HEIGHTS 4TH ADDITION

AMENDMENT TO COMMUNITY UNIT PLAN
SPECIAL PERMIT #1782A

CURVE DATA

① Δ=20°44'58" R=450.00' L=202.24' T=102.85' CB=S77°24'50"W LC=200.94'	② Δ=115°39'08" R=150.00' L=302.78' T=238.44' CB=N57°38'29"E LC=251.93'	③ Δ=10°21'54" R=450.00' L=85.33' T=42.79' CB=S05°14'49"E LC=85.20'	④ Δ=40°42'00" R=150.00' L=106.17' T=57.13' CB=S66°[illegible]'44"E LC=103.78'
⑤ Δ=21°34'49" R=200.00' L=76.49' T=38.72' CB=S70°13'47"W LC=76.03'	⑥ Δ=31°10'33" R=150.00' L=81.62' T=41.83' CB=S15°28'15"W LC=80.61'	⑦ Δ=148°49'27" R=203.29' L=527.99' T=[illegible] CB=S15°28'15"W LC=391.07'	⑧ Δ=90°00'00" R=150.00' L=235.62' T=150.00' CB=N44°48'52"W LC=212.13'

LEGEND

- PROPOSED PAVING CENTERLINE
- EXISTING PAVING CENTERLINE
- TIE LINES FOR DUPLEX/TOWNHOUSE PAIRS
- AMENDED C.U.P. BOUNDARY
- SECTION LINE
- EXISTING STRUCTURE
- EXISTING STRUCTURE TO BE REMOVED
- PROPOSED UTILITY EASEMENT
- EXISTING UTILITY EASEMENT
- ADDITIONAL PROPERTY ADDED TO C.U.P.
- R.O.W. DEDICATION
- EXISTING WATER MAIN W/VALVE & HYDRANT
- PROPOSED WATER MAIN
- EXISTING SANITARY SEWER
- PROPOSED SANITARY SEWER
- EXISTING GAS MAIN
- PROPOSED FIRE HYDRANT
- PROPOSED WATER VALVE
- EXISTING STORM SEWER
- PROPOSED STORM SEWER
- UNITS OF GRAVITY SEWER
- PROPOSED PAVEMENT

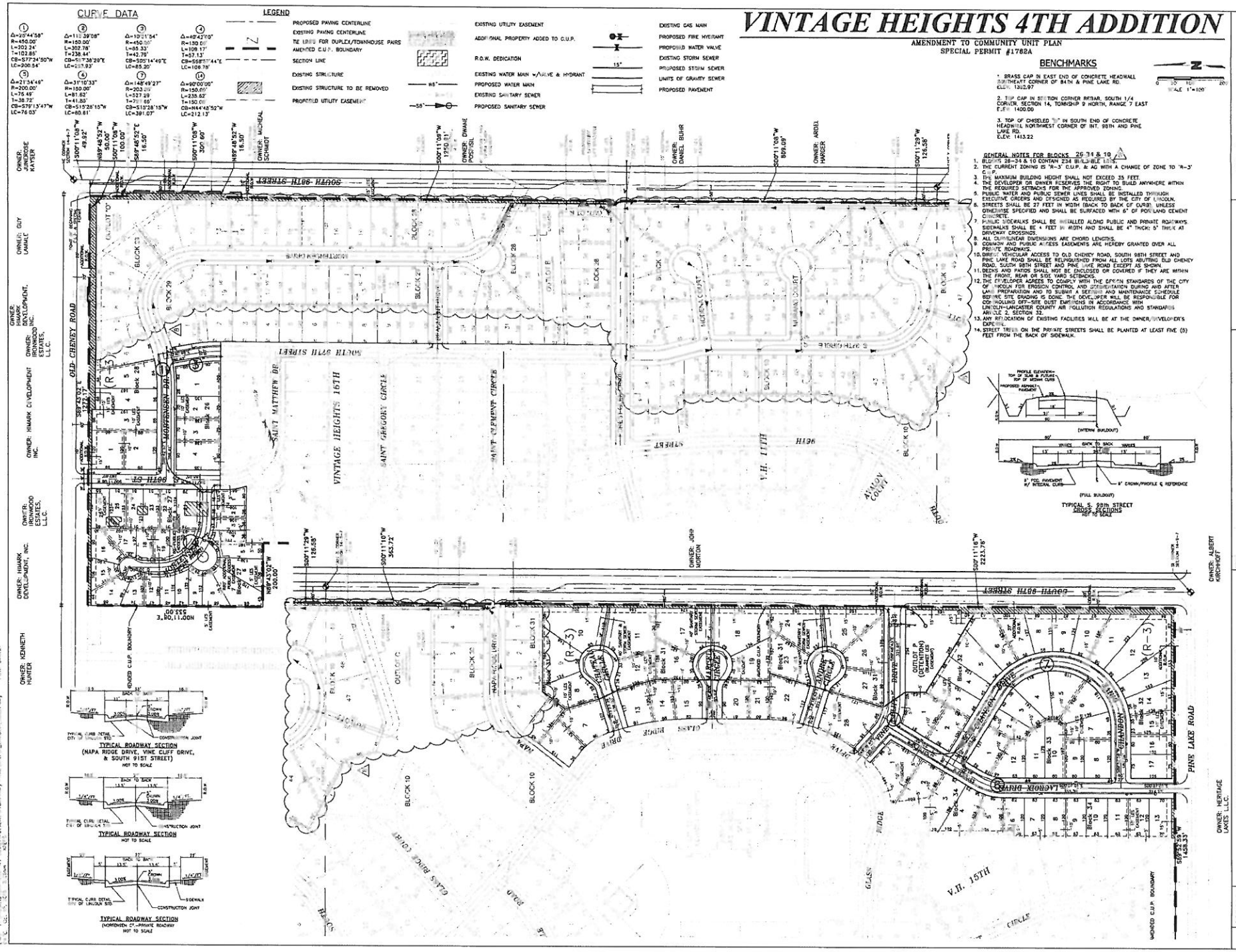
BENCHMARKS

1. BRASS CAP IN EAST END OF CONCRETE HEADWALL SOUTHEAST CORNER OF 84TH & PINE LAKE RD. ELEV. 1312.97
2. TOP CAP IN SECTION CORNER REBAR, SOUTH 1/4 CORNER, SECTION 14, TOWNSHIP 9 NORTH, RANGE 7 EAST ELEV. 1400.00
3. TOP OF CHISELED "X" IN SOUTH END OF CONCRETE HEADWALL NORTHWEST CORNER OF INT. 98TH AND PINE LAKE RD. ELEV. 1413.22

SCALE 1"=100'

GENERAL NOTES FOR BLOCKS 26-34 & 10

1. BLOCKS 26-34 & 10 CONTAIN 234 BUILDABLE LOTS.
2. THE CURRENT ZONING IS "R-3" C.U.P. & AG WITH A CHANGE OF ZONE TO "R-3" C.U.P.
3. THE MAXIMUM BUILDING HEIGHT SHALL NOT EXCEED 35 FEET.
4. THE DEVELOPER OR OWNER RESERVES THE RIGHT TO BUILD ANYWHERE WITHIN THE REQUIRED SETBACKS FOR THE APPROVED ZONING.
5. PUBLIC WATER AND PUBLIC SEWER LINES SHALL BE INSTALLED THROUGH EXECUTIVE ORDERS AND DESIGNED AS REQUIRED BY THE CITY OF LINCOLN.
6. STREETS SHALL BE 27 FEET IN WIDTH (BACK TO BACK OF CURB) UNLESS OTHERWISE SPECIFIED AND SHALL BE SURFACED WITH 6" OF PORTLAND CEMENT CONCRETE.
7. PUBLIC SIDEWALKS SHALL BE INSTALLED ALONG PUBLIC AND PRIVATE ROADWAYS. SIDEWALKS SHALL BE 4 FEET IN WIDTH AND SHALL BE 4" THICK; 5" THICK AT DRIVEWAY CROSSINGS.
8. ALL CURVILINEAR DIMENSIONS ARE CHORD LENGTHS.
9. COMMON AND PUBLIC ACCESS EASEMENTS ARE HEREBY GRANTED OVER ALL PRIVATE ROADWAYS.
10. DIRECT VEHICULAR ACCESS TO OLD CHENEY ROAD, SOUTH 98TH STREET AND PINE LAKE ROAD SHALL BE RELINQUISHED FROM ALL LOTS ABUTTING OLD CHENEY ROAD, SOUTH 98TH STREET AND PINE LAKE ROAD EXCEPT AS SHOWN.
11. DECKS AND PATIOS SHALL NOT BE ENCLOSED OR COVERED IF THEY ARE WITHIN THE FRONT, REAR OR SIDE YARD SETBACKS.
12. 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.
13. ANY RELOCATION OF EXISTING FACILITIES WILL BE AT THE OWNER/DEVELOPER'S EXPENSE.
14. STREET TREES ON THE PRIVATE STREETS SHALL BE PLANTED AT LEAST FIVE (5) FEET FROM THE BACK OF SIDEWALK.



OLSSON ASSOCIATES

REVISIONS

VINTAGE HEIGHTS 4TH ADDITION - SITE PLAN

AMENDMENT TO SPECIAL PERMIT (C.U.P.) NO. 1782A

LINCOLN, NEBRASKA

2015

SHEET 4 of 14

VINTAGE HEIGHTS

1997

PRELIMINARY PLAT
SITE PLAN

ENGINEER & PREPARER

DEVELOPER

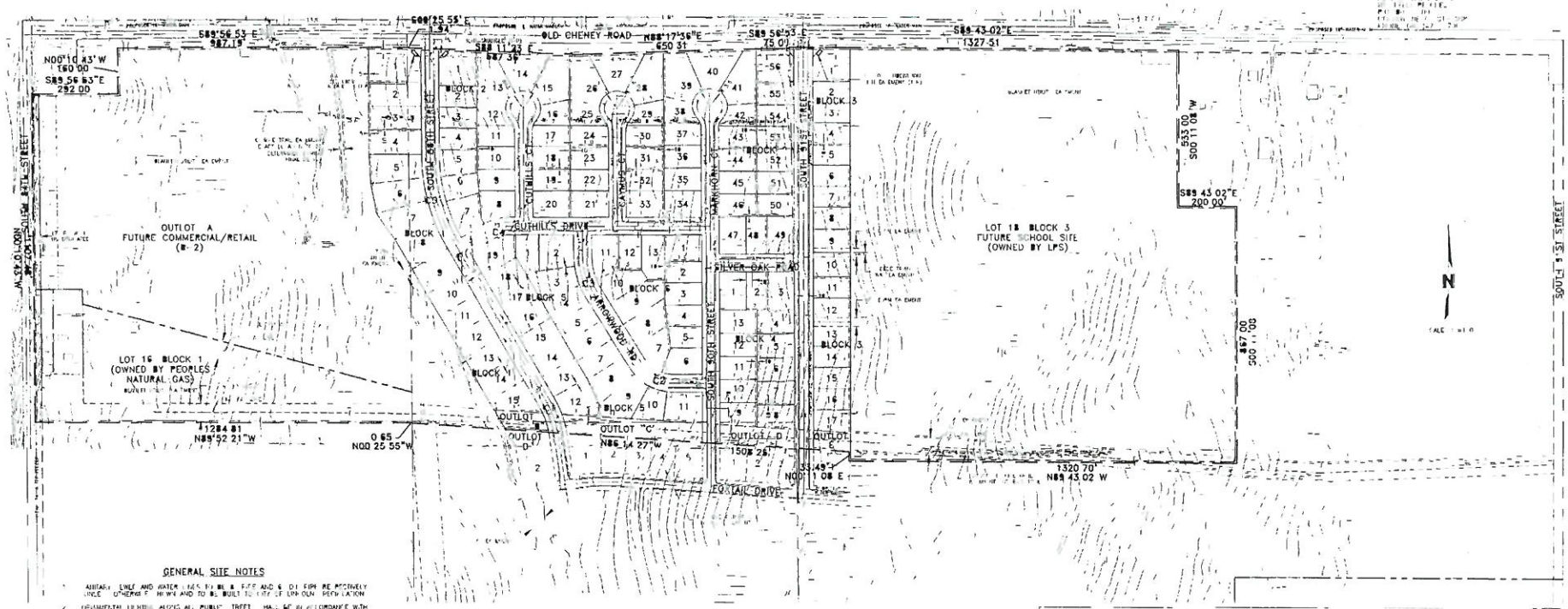
OWNERS

LEGEND

- EXISTING WATER MAIN
- PROPOSED WATER MAIN
- EXISTING SANITARY SEWER
- PROPOSED SANITARY SEWER
- SANITARY SEWER MANHOLE
- FIRE HYDRANT
- WATER VALVE
- EXISTING STORM SEWER
- PROPOSED STORM SEWER

DENSITY CALCULATIONS

TOTAL AREA OF PRELIMINARY PLAT	1 NCO 334
TOTAL R/W	-45,395
ADJUSTED AREA	1 34 939
AREA BEYOND 150	-1423
AREA WITHIN 150	15 #516
AREA BEYOND 150	1423
DEFERRED	18
ADJUSTED BEYOND 150	1 138
AREA WITHIN 150	15 535 16
TABLE FOR AREA	1 39 654
MINIMUM LOT AREA	7 000 SF
ALLOWABLE UNITS	307



GENERAL SITE NOTES

1 ARTERIAL LINE AND WATER LINES TO BE A FIRE AND S D EIPR BE PROPERLY LOCATE OTHERWISE SHOWN AND TO BE BUILT TO CITY OF LINCOLN SPECIFICATION

2 INFORMATIONAL LIGHTING ALONG ALL PUBLIC STREET SHALL BE IN ACCORDANCE WITH INSTALLATION

THE DEVELOPER AGREE TO COMPLY WITH THE DESIGN STANDARD OF THE CITY OF LINCOLN FOR EROSION CONTROL AND SEDIMENTATION CONTROL AND WATER LAND PREPARATION AND FURTHER TO SUBMIT A DESIGN AND MAINTENANCE PLAN BEFORE SITE PLAN IS COMPLETE

4 BUILDING HEIGHT SHALL NOT EXCEED 35 FEET IN HEIGHT

LOT DIMENSION HOWN ARE APPROXIMATE AND MAY VARY UP TO FEET

6 EASEMENT A HOWN SHALL BE GRANTED FOR PUBLIC USE AND FOR SIDEWALK ALL SIDEWALK SHALL BE 4 WIDE AND ALL PEDESTRIAN WAY EASEMENT SHALL BE WIDE (UNLESS OTHERWISE NOTED)

7 DIRECT VEHICULAR ACCESS TO OLD CHENEY ROAD IS RESTRICTED EXCEPT A SHOWN WE DO HOWEVER RESERVE THE RIGHT OF FUTURE ACCESS TO OLD CHENEY ROAD FOR OUTLOT A AND LOT 1B BLOCK 3

8 ALL BEARINGS ALONG CURVE ARE CHORD DISTANCES

9 ALL FRONTAGE MADE TO BE 20 UNLESS OTHERWISE NOTED

10 SIDEWALK TO BE WITHIN ALONG BOTH SIDE OF THE PUBLIC ROADWAY

11 ALL SANITARY SEWER R & WATER MAINS TO BE DONE IN

12 BUILDING SETBACKS
LOT 135
OUTLOT A FUTURE COMMERCIAL
OUTLOT B C D & E GA EASEMENT FUTURE BIKE PATH & GREEN PARK
TOTAL LOT - 140
TOTAL BLOCK - 9

13 ALL INTERSECTION ANGLE SHALL BE 90 UNLESS OTHERWISE NOTED

14 ALL ELEVATION ARE BASED ON CITY OF LINCOLN DATUM

15 THE DEVELOPER AGREE TO COMPLY WITH PROVISION OF THE LAND SUBDIVISION ORDINANCE REGARDING LAND PREPARATION

16 FINAL PLAT FOR LOTS 1-17 BLOCK 1 WILL NOT BE APPROVED UNTIL LINCOLN PUBLIC SCHOOL A THE OWNER OF LOT 1B BLOCK 3 WRITE A LETTER TO THE CITY CLERK THAT IT DOES NOT FAVOR A STREET EXTENSION WITH SIDEWALK BETWEEN THE EAST AREA AND LOT 1B

17 THE DEVELOPER IS CONTINUING TO WORK WITH THE ADJACENT PROPERTY OWNERS ON AN AGREEMENT FOR A PERSONAL DETENTION FACILITY IF A FINAL AGREEMENT CANNOT BE REACHED THE DEVELOPER OF VINTAGE HEIGHT SHALL CONSTRUCT A SIZING WATER DETENTION FACILITY ON OUTLOT A BLOCK 1 AT THE TIME OF DEVELOPMENT OF OUTLOT A

18 THE LOCATION OF THE STREET ACCESS TO 84TH STREET SHALL BE COORDINATED WITH EXISTING DRIVEWAY & ACCESS POINT ALONG THE WEST SIDE OF 84TH STREET

19 OUTLOT B C D & E SHALL BE MAINTAINED BY HOMEOWNER AND DETENTION

CENTERLINE CURVE DATA

CURVE	RADIUS	LENGTH	TANGENT	CHORD	DELTA
C1	300	10	59	108	20 38 53
C2	1 0	1,1	85	145	7 47 50
C3	250	141	72	139	32 12 10
C4	1 0	40	41	73	30 17
C	600	318	163	31	30 17

LEGAL DESCRIPTION

BEGINNING AT THE NORTH QUARTER CORNER OF SAID SECTION 34 THENCE ON AN ASSUMED BEARING OF SOUTH 88 DEGREES 43 MINUTES 02 SECONDS EAST ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 34 A DISTANCE OF 1 327 88 FEET THENCE DEPARTING SAID NORTH LINE SOUTH 00 DEGREES 11 MINUTES 08 SECONDS EAST A DISTANCE OF 533 00 FEET THENCE SOUTH 88 DEGREES 43 MINUTES 02 SECONDS EAST ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 34 A DISTANCE OF 200 00 FEET THENCE SOUTH 00 DEGREES 11 MINUTES 08 SECONDS EAST A DISTANCE OF 867 00 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 34 THENCE SOUTH 88 DEGREES 43 MINUTES 02 SECONDS WEST ALONG SAID NORTH LINE A DISTANCE OF 1 320 70 FEET TO THE NORTH QUARTER CORNER OF SAID SECTION 34 THENCE SOUTH 00 DEGREES 11 MINUTES 08 SECONDS EAST ALONG THE EAST LINE OF SAID SECTION 34 A DISTANCE OF 1 341 FEET TO THE NORTHWEST CORNER OF SAID LOT 3 THENCE SOUTH 00 DEGREES 11 MINUTES 08 SECONDS EAST ALONG THE WESTERLY LINE OF SAID LOT 3 A DISTANCE OF 1 320 FEET TO THE SOUTHWEST CORNER OF SAID LOT 3 THENCE NORTH 88 DEGREES 43 MINUTES 02 SECONDS WEST ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 34 A DISTANCE OF 1 327 88 FEET TO THE NORTHWEST CORNER OF SAID LOT 1 THENCE SOUTH 00 DEGREES 11 MINUTES 08 SECONDS EAST ALONG THE WESTERLY LINE OF SAID LOT 1 A DISTANCE OF 1 341 FEET TO THE SOUTHWEST CORNER OF SAID LOT 1 THENCE SOUTH 88 DEGREES 43 MINUTES 02 SECONDS WEST ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 34 A DISTANCE OF 1 327 88 FEET TO THE NORTHWEST CORNER OF SAID LOT 1 THENCE SOUTH 00 DEGREES 11 MINUTES 08 SECONDS EAST ALONG THE WESTERLY LINE OF SAID LOT 1 A DISTANCE OF 1 341 FEET TO A POINT OF BEGINNING THENCE CONTINUE SOUTH 00 DEGREES 11 MINUTES 08 SECONDS EAST ALONG THE WESTERLY LINE OF SAID LOT 1 A DISTANCE OF 1 341 FEET TO A POINT OF BEGINNING THENCE SOUTH 88 DEGREES 43 MINUTES 02 SECONDS EAST ALONG THE NORTH LINE OF SAID LOT 1 AND LINE BEING 50 00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 34 A DISTANCE OF 1 327 88 FEET TO THE NORTHEAST CORNER OF SAID LOT 1 THENCE SOUTH 00 DEGREES 11 MINUTES 08 SECONDS EAST ALONG THE EAST LINE OF SAID LOT 1 A DISTANCE OF 1 341 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1 THENCE SOUTH 88 DEGREES 43 MINUTES 02 SECONDS WEST ALONG THE SOUTH LINE OF SAID LOT 1 AND LINE BEING 50 00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 34 A DISTANCE OF 1 327 88 FEET TO THE SOUTHWEST CORNER OF SAID LOT 1 THENCE NORTH 00 DEGREES 11 MINUTES 08 SECONDS WEST ALONG THE WESTERLY LINE OF SAID LOT 1 AND LINE BEING 50 00 FEET EAST OF AND PARALLEL WITH THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 34 A DISTANCE OF 1 341 FEET TO THE SOUTHWEST CORNER OF SAID LOT 1 THENCE NORTH 88 DEGREES 43 MINUTES 02 SECONDS EAST ALONG THE SOUTH LINE OF SAID LOT 1 AND LINE BEING 50 00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 34 A DISTANCE OF 1 327 88 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1 THENCE NORTH 00 DEGREES 11 MINUTES 08 SECONDS WEST ALONG THE EAST LINE OF SAID LOT 1 AND LINE BEING 50 00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 34 A DISTANCE OF 1 341 FEET TO THE NORTHEAST CORNER OF SAID LOT 1 THENCE NORTH 88 DEGREES 43 MINUTES 02 SECONDS EAST ALONG THE NORTH LINE OF SAID LOT 1 AND LINE BEING 50 00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 34 A DISTANCE OF 1 327 88 FEET TO THE NORTHEAST CORNER OF SAID LOT 1 THENCE NORTH 00 DEGREES 11 MINUTES 08 SECONDS WEST ALONG THE EAST LINE OF SAID LOT 1 AND LINE BEING 50 00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 34 A DISTANCE OF 1 341 FEET TO THE NORTHEAST CORNER OF SAID LOT 1 THENCE NORTH 88 DEGREES 43 MINUTES 02 SECONDS EAST ALONG THE NORTH LINE OF SAID LOT 1 AND LINE BEING 50 00 FEET NORTH OF AND PARALLEL WITH THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 34 A DISTANCE OF 1 327 88 FEET TO THE NORTHEAST CORNER OF SAID LOT 1 THENCE NORTH 00 DEGREES 11 MINUTES 08 SECONDS WEST ALONG THE EAST LINE OF SAID LOT 1 AND LINE BEING 50 00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF THE NORTHEA

VINTAGE HEIGHTS 1st ADDITION

1998

PRELIMINARY PLAT & C.U.P.
SITE PLAN

CENTERLINE CURVE DATA

RADIUS	LENGTH	TANGENT	CHORD	DELTA
[illegible]	489.67	319.00	427.09	33 31 11
1,000.00	425.45	216.00	422.25	24 22 36
150.00	122.49	64.85	118.12	46 47 16
600.00	1,074	130.85	265.76	24 36 45
150.00	73.58	37.55	72.85	28 06
1,000.00	621.01	31.48	611.57	23 41 16
350.00	422.13	114.95	218.42	39 21 50

GENERAL SITE NOTES

[illegible]

PRELIMINARY PLAT LEGAL DESCRIPTION

[illegible]

C.U.P. LEGAL DESCRIPTION

[illegible]

ENGINEER & PREPARER

GLS [illegible]
1111 UNION MALL
LINCOLN, NE 68501
PHONE 42[illegible]-7311

DEVELOPER

[illegible]

OWNERS

[illegible]

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I HAVE [illegible] THE BOUNDARY OF THE ABOVE PRELIMINARY PLAT AND THAT PERMANENT [illegible] PLACED ON FILE AT ALL BOUNDARY [illegible]

July 27th 1998

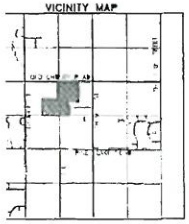
APPROVAL

[illegible]

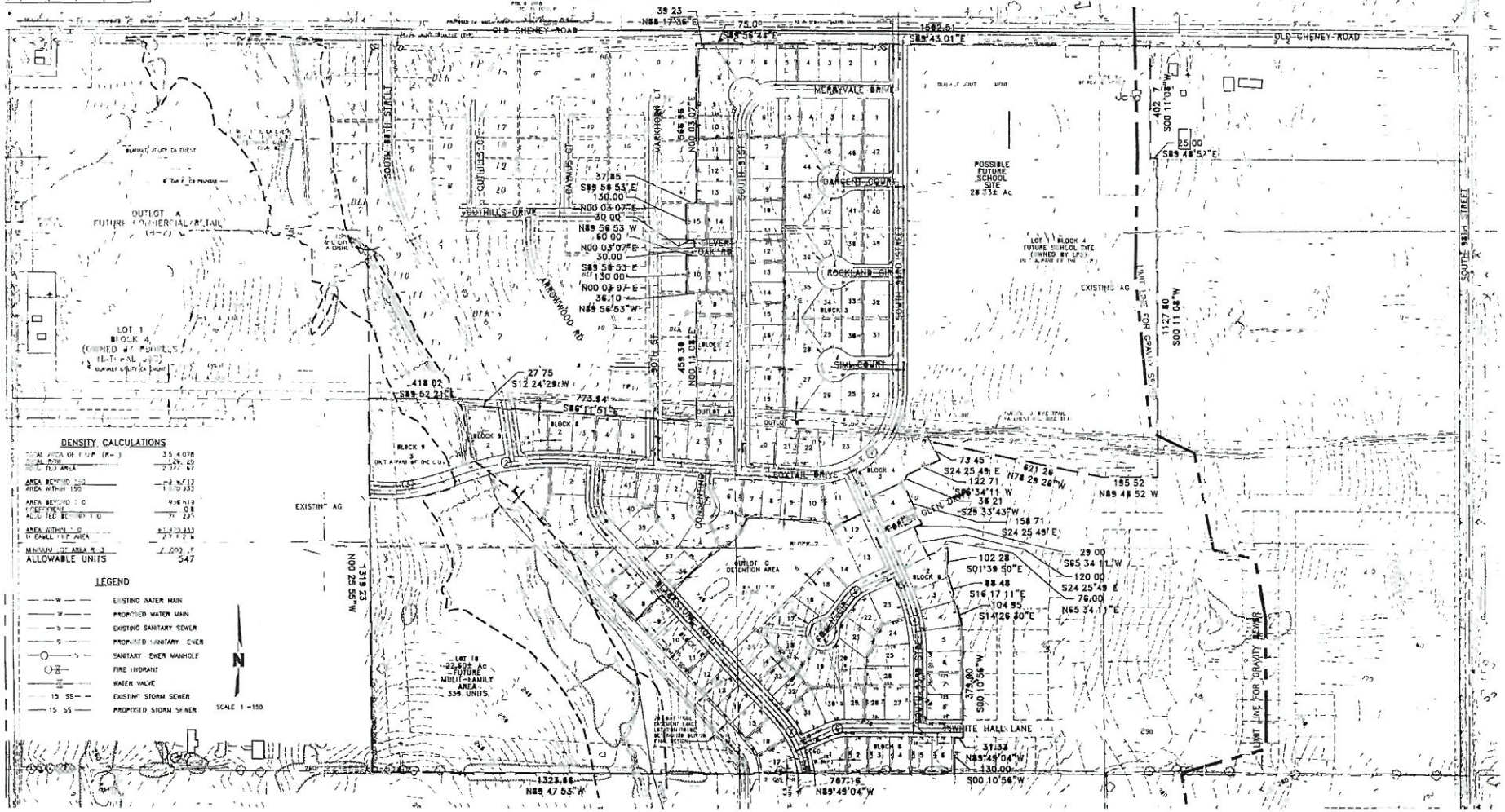
APPROVAL

[illegible]

VICINITY MAP



TYPICAL CONCRETE ROADWAY SECTION
NOT TO SCALE



DENSITY CALCULATIONS

TOTAL AREA OF C.U.P. (R-3)	35.4078
[illegible]	[illegible]
[illegible]	[illegible]
AREA BEYOND 150	[illegible]
AREA WITHIN 150	[illegible]
AREA BEYOND 150 COEFFICIENT	0.8
ADJUSTED BEYOND 150	[illegible]
AREA WITHIN 150	[illegible]
MINIMUM OF AREA R-3	[illegible]
ALLOWABLE UNITS	547

LEGEND

- W — EXISTING WATER MAIN
- W — PROPOSED WATER MAIN
- S — EXISTING SANITARY SEWER
- S — PROPOSED SANITARY SEWER
- S — SANITARY SEWER MANHOLE
- FIRE HYDRANT
- WATER VALVE
- 15 SS — EXISTING STORM SEWER
- 15 SS — PROPOSED STORM SEWER

SCALE 1 = 150

VINTAGE HEIGHTS 2nd ADDITIO

1999

PRELIMINARY PLAT & CUP
SITE PLAN

DEVELOPER

HAMPTON DEVELOPMENT SERVICES
MR. ROBERT HAMPTON
6101 VILLAGE DRIVE SUITE 101
LINCOLN, NE 68516
PHONE (402)434-5650

OWNERS

PINE LAKE DEV. LLC
MR. ROBERT HAMPTON
6101 VILLAGE DRIVE SUITE 101
LINCOLN, NE 68516
PHONE (402)434-5650

LINCOLN PUBLIC SCHOOLS
MR. LARRY HENNINGS
PATRIOTS SUPERVISOR
P.O. BOX 82485
LINCOLN, NE 68501-2889
PHONE (402)436-1072

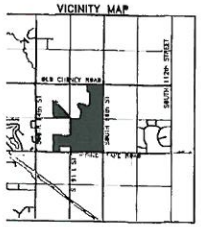
LEGEND

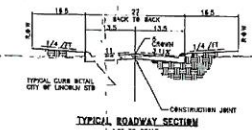
- EXISTING WATER MAIN
- PROPOSED WATER MAIN
- EXISTING SANITARY SEWER
- PROPOSED SANITARY SEWER
- SANITARY SEWER MANHOLE
- FIRE HYDRANT
- WATER VALVE
- EXISTING STORM SEWER
- PROPOSED STORM SEWER

CURVE DATA

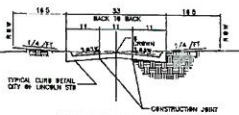
SCALE 1 = 150

VICINITY MAP



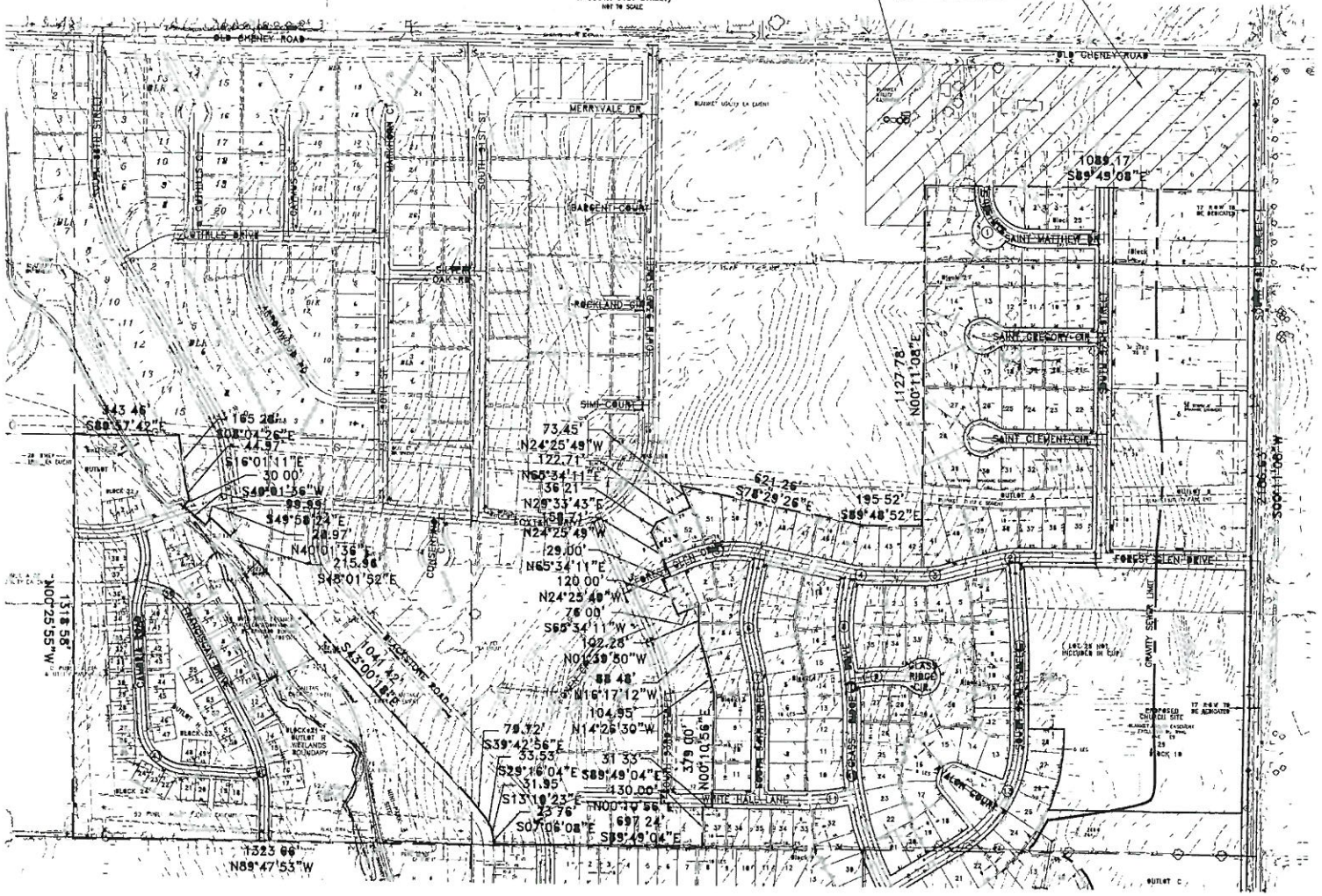


TYPICAL ROADWAY SECTION
NOT TO SCALE



TYPICAL ROADWAY SECTION
(NAPA RIDGE DRIVE VINE CLIFF DRIVE & SOUTH 91ST STREET)
NOT TO SCALE

THIS PARCEL PRIOR TO FINAL PLATTING OF BLOCK1, BLOCK 2 & BLOCK 25 WILL BE CREATED IN ACCORDANCE WITH THE CITY OF LINCOLN SUBDIVISION AND ZONING REGULATIONS



MATCH SHEET 2

LEGAL DESCRIPTION

A LEGAL DESCRIPTION FOR A TRACT OF LAND COMPRISED OF LOTS 41 IT 37 IT 40 IT 42 IT 43 IT 48 IT A PORTION OF THE REMAINING PORTION OF LOT 58 IT LOTS 31 IT 32 IT 36 IT 38 IT AND 39 IT ALL LOCATED IN SECTION 14 TOWNSHIP 9 NORTH RANGE 7 EAST OF THE 6TH P.M. CITY OF LINCOLN LANCASTER COUNTY NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS

COMMENCING AT THE NORTH 1/4 CORNER OF SAID SECTION 14 THENCE SOUTHERLY ON THE EAST LINE OF SAID SECTION 14 ON AN ASSUMED BEARING OF SOUTH 00 DEGREES 11 MINUTES 08 SECONDS WEST A DISTANCE OF 454.54 TO A POINT THENCE NORTH 89 DEGREES 48 MINUTES 52 SECONDS WEST A DISTANCE OF 33 TO A POINT SAID POINT BEING THE TRUE POINT OF BEGINNING THENCE SOUTH 00 DEGREES 11 MINUTES 08 SECONDS WEST ALONG THE EAST LINE OF SAID REMAINING PORTION OF LOT 58 IT AND THE EAST LINE OF SAID LOT 48 IT A DISTANCE OF 2144.63 FEET TO THE SOUTHEAST CORNER OF SAID LOT 48 IT THENCE SOUTH 89 DEGREES 11 MINUTES 16 SECONDS WEST ALONG THE EAST LINE OF SAID LOTS 51 IT 52 IT 54 IT AND 58 IT A DISTANCE OF 1127.78 FEET TO A POINT OF REFLECTION THENCE NORTH 00 DEGREES 48 MINUTES 44 SECONDS WEST ALONG THE SOUTH LINE OF SAID LOT 58 IT A DISTANCE OF 17.00 FEET TO A POINT OF REFLECTION THENCE SOUTH 89 DEGREES 11 MINUTES 16 SECONDS WEST ALONG THE EAST LINE OF SAID LOT 58 IT A DISTANCE OF 358.68 FEET TO THE SOUTHEAST CORNER OF SAID LOT 69 IT THENCE SOUTH 89 DEGREES 52 MINUTES 08 SECONDS WEST ALONG THE SOUTH LINE OF SAID LOTS 69 IT 70 IT 71 IT AND 42 IT A DISTANCE OF 1456.00 FEET TO A POINT OF REFLECTION THENCE NORTH 00 DEGREES 21 MINUTES 07 SECONDS WEST ALONG THE SOUTH LINE OF SAID LOT 42 IT A DISTANCE OF 222.84 FEET TO A POINT OF REFLECTION THENCE SOUTH 83 DEGREES 44 MINUTES 03 SECONDS WEST ALONG THE SOUTH LINE OF SAID LOT 42 IT A DISTANCE OF 281.69 FEET TO A POINT OF REFLECTION THENCE SOUTH 89 DEGREES 52 MINUTES 55 SECONDS WEST ALONG THE SOUTH LINE OF SAID LOT 42 IT A DISTANCE OF 242.89 FEET TO THE SOUTHWEST CORNER OF SAID LOT 42 IT THENCE NORTH 00 DEGREES 48 MINUTES 33 SECONDS EAST ALONG THE WEST LINE OF SAID LOT 42 IT A DISTANCE OF 414.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 48 IT THENCE NORTH 89 DEGREES 38 MINUTES 28 SECONDS WEST ALONG THE SOUTH LINE OF SAID LOT 48 IT A DISTANCE OF 288.83 FEET TO A POINT OF REFLECTION THENCE SOUTH 00 DEGREES 48 MINUTES 32 SECONDS EAST ALONG THE EAST LINE OF SAID LOT 48 IT A DISTANCE OF 414.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 48 IT THENCE NORTH 89 DEGREES 38 MINUTES 27 SECONDS WEST ALONG THE SOUTH LINE OF SAID LOT 48 IT A DISTANCE OF 433.21 FEET TO A POINT OF INTERSECTION WITH THE EAST LINE OF SAID LOT 41 IT THENCE SOUTH 00 DEGREES 11 MINUTES 08 SECONDS EAST ALONG THE EAST LINE OF SAID LOT 41 IT A DISTANCE OF 58.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 41 IT THENCE SOUTH 89 DEGREES 38 MINUTES 27 SECONDS WEST ALONG THE SOUTH LINE OF SAID LOT 41 IT A DISTANCE OF 1323.66 FEET TO THE SOUTHWEST CORNER OF SAID LOT 41 IT THENCE NORTH 00 DEGREES 25 MINUTES 55 SECONDS WEST ALONG THE WEST LINE OF SAID LOT 41 IT A DISTANCE OF 1318.58 FEET TO THE NORTHWEST CORNER OF SAID LOT 41 IT THENCE SOUTH 89 DEGREES 38 MINUTES 11 SECONDS EAST ALONG THE NORTH LINE OF SAID LOT 41 IT A DISTANCE OF 1323.84 FEET TO THE NORTHEAST CORNER OF SAID LOT 41 IT THENCE NORTH 00 DEGREES 48 MINUTES 33 SECONDS WEST ALONG THE WEST LINE OF SAID LOT 42 IT A DISTANCE OF 1323.47 FEET TO THE NORTHWEST CORNER OF LOT 42 IT THENCE NORTH 89 DEGREES 42 MINUTES 30 SECONDS WEST ALONG THE SOUTH LINE OF LOT 56 IT A DISTANCE OF 1323.66 FEET TO THE SOUTHWEST CORNER OF LOT 56 IT THENCE NORTH 00 DEGREES 25 MINUTES 55 SECONDS WEST ALONG THE WEST LINE OF LOT 56 IT A DISTANCE OF 1318.58 FEET TO THE NORTHWEST CORNER OF LOT 56 IT THENCE SOUTH 89 DEGREES 57 MINUTES 42 SECONDS EAST ALONG THE NORTH LINE OF LOT 56 IT A DISTANCE OF 343.46 FEET TO A POINT OF REFLECTION THENCE SOUTH 49 DEGREES 04 MINUTES 28 SECONDS EAST ALONG THE EAST LINE OF LOT 56 IT A DISTANCE OF 165.26 FEET TO A POINT OF REFLECTION THENCE SOUTH 16 DEGREES 01 MINUTES 11 SECONDS EAST ALONG THE EAST LINE OF LOT 56 IT A DISTANCE OF 44.57 FEET TO A POINT OF REFLECTION THENCE SOUTH 49 DEGREES 01 MINUTES 56 SECONDS EAST ALONG THE EAST LINE OF LOT 56 IT A DISTANCE OF 30.00 FEET TO A POINT OF REFLECTION THENCE SOUTH 49 DEGREES 01 MINUTES 52 SECONDS EAST ALONG THE EAST LINE OF LOT 56 IT A DISTANCE OF 99.95 FEET TO A POINT OF REFLECTION THENCE SOUTH 49 DEGREES 01 MINUTES 11 SECONDS EAST ALONG THE EAST LINE OF LOT 56 IT A DISTANCE OF 103.23 FEET TO A POINT OF REFLECTION THENCE SOUTH 19 DEGREES 01 MINUTES 11 SECONDS EAST ALONG THE EAST LINE OF LOT 56 IT A DISTANCE OF 44.97 FEET TO A POINT OF REFLECTION THENCE SOUTH 49 DEGREES 01 MINUTES 36 SECONDS WEST ALONG THE EAST LINE OF LOT 56 IT A DISTANCE OF 99.95 FEET TO A POINT OF REFLECTION THENCE SOUTH 48 DEGREES 58 MINUTES 24 SECONDS EAST ALONG THE EAST LINE OF LOT 56 IT A DISTANCE OF 28.97 FEET TO A POINT OF REFLECTION THENCE NORTH 40 DEGREES 01 MINUTES 36 SECONDS EAST ALONG THE EAST LINE OF LOT 56 IT A DISTANCE OF 215.96 FEET TO A POINT OF REFLECTION THENCE SOUTH 48 DEGREES 01 MINUTES 52 SECONDS EAST ALONG THE EAST LINE OF LOT 56 IT A DISTANCE OF 73.45 FEET TO A POINT OF REFLECTION THENCE SOUTH 29 DEGREES 42 MINUTES 04 SECONDS EAST ALONG THE EAST LINE OF LOT 56 IT A DISTANCE OF 79.72 FEET TO A POINT OF REFLECTION THENCE SOUTH 29 DEGREES 16 MINUTES 04 SECONDS EAST ALONG THE EAST LINE OF LOT 56 IT A DISTANCE OF 33.53 FEET TO A POINT OF REFLECTION THENCE SOUTH 13 DEGREES 19 MINUTES 23 SECONDS EAST ALONG THE EAST LINE OF LOT 56 IT A DISTANCE OF 51.95 FEET TO A POINT OF REFLECTION THENCE SOUTH 07 DEGREES 06 MINUTES 08 SECONDS EAST ALONG THE EAST LINE OF LOT 56 IT A DISTANCE OF 23.76 FEET TO A POINT OF INTERSECTION WITH THE NORTH LINE OF SAID LOT 42 IT THENCE SOUTH 89 DEGREES 49 MINUTES 04 SECONDS EAST ALONG THE NORTH LINE OF SAID LOT 42 IT A DISTANCE OF 697.24 FEET TO A SOUTHWEST CORNER OF SAID REMAINING PORTION OF LOT 58 IT THENCE NORTH 00 DEGREES 10 MINUTES 56 SECONDS EAST ALONG THE WEST LINE OF SAID REMAINING PORTION OF LOT 58 IT A DISTANCE OF 130.00 FEET TO A POINT OF REFLECTION THENCE SOUTH 89 DEGREES 49 MINUTES 04 SECONDS EAST ALONG THE WEST LINE OF SAID REMAINING PORTION OF LOT 58 IT A DISTANCE OF 51.33 FEET TO A POINT OF REFLECTION THENCE NORTH 89 DEGREES 19 MINUTES 08 SECONDS EAST ALONG THE WEST LINE OF SAID REMAINING PORTION OF LOT 58 IT A DISTANCE OF 379.00 FEET TO A POINT OF REFLECTION THENCE NORTH 89 DEGREES 25 MINUTES 26 SECONDS EAST ALONG THE WEST LINE OF SAID REMAINING PORTION OF LOT 58 IT A DISTANCE OF 102.28 FEET TO A POINT OF REFLECTION THENCE SOUTH 65 DEGREES 34 MINUTES 11 SECONDS WEST ALONG THE WEST LINE OF SAID REMAINING PORTION OF LOT 58 IT A DISTANCE OF 78.00 FEET TO A POINT OF REFLECTION THENCE NORTH 24 DEGREES 25 MINUTES 49 SECONDS WEST ALONG THE WEST LINE OF SAID REMAINING PORTION OF LOT 58 IT A DISTANCE OF 29.00 FEET TO A POINT OF REFLECTION THENCE NORTH 24 DEGREES 25 MINUTES 49 SECONDS WEST ALONG THE WEST LINE OF SAID REMAINING PORTION OF LOT 58 IT A DISTANCE OF 122.71 FEET TO A POINT OF REFLECTION THENCE NORTH 65 DEGREES 34 MINUTES 11 SECONDS EAST ALONG THE WEST LINE OF SAID REMAINING PORTION OF LOT 58 IT A DISTANCE OF 36.21 FEET TO A POINT OF REFLECTION THENCE NORTH 29 DEGREES 33 MINUTES 43 SECONDS EAST ALONG THE WEST LINE OF SAID REMAINING PORTION OF LOT 58 IT A DISTANCE OF 58.71 FEET TO A POINT OF REFLECTION THENCE NORTH 16 DEGREES 17 MINUTES 12 SECONDS WEST ALONG THE WEST LINE OF SAID REMAINING PORTION OF LOT 58 IT A DISTANCE OF 104.95 FEET TO A POINT OF REFLECTION THENCE NORTH 01 DEGREES 39 MINUTES 50 SECONDS EAST ALONG THE WEST LINE OF SAID REMAINING PORTION OF LOT 58 IT A DISTANCE OF 88.48 FEET TO A POINT OF REFLECTION THENCE NORTH 14 DEGREES 26 MINUTES 30 SECONDS WEST ALONG THE WEST LINE OF SAID REMAINING PORTION OF LOT 58 IT A DISTANCE OF 79.72 FEET TO A POINT OF REFLECTION THENCE NORTH 39 DEGREES 42 MINUTES 56 SECONDS EAST ALONG THE WEST LINE OF SAID REMAINING PORTION OF LOT 58 IT A DISTANCE OF 33.53 FEET TO A POINT OF REFLECTION THENCE NORTH 29 DEGREES 16 MINUTES 04 SECONDS EAST ALONG THE WEST LINE OF SAID REMAINING PORTION OF LOT 58 IT A DISTANCE OF 51.95 FEET TO A POINT OF REFLECTION THENCE NORTH 13 DEGREES 19 MINUTES 23 SECONDS EAST ALONG THE WEST LINE OF SAID REMAINING PORTION OF LOT 58 IT A DISTANCE OF 23.76 FEET TO A POINT OF REFLECTION THENCE NORTH 07 DEGREES 06 MINUTES 08 SECONDS EAST ALONG THE WEST LINE OF SAID REMAINING PORTION OF LOT 58 IT A DISTANCE OF 697.24 FEET TO A POINT OF REFLECTION THENCE NORTH 89 DEGREES 49 MINUTES 04 SECONDS WEST ALONG THE WEST LINE OF SAID REMAINING PORTION OF LOT 58 IT A DISTANCE OF 130.00 FEET TO A POINT OF REFLECTION THENCE NORTH 00 DEGREES 10 MINUTES 56 SECONDS EAST ALONG THE WEST LINE OF SAID REMAINING PORTION OF LOT 58 IT A DISTANCE OF 379.00 FEET TO A POINT OF REFLECTION THENCE NORTH 89 DEGREES 25 MINUTES 26 SECONDS EAST ALONG THE WEST LINE OF SAID REMAINING PORTION OF LOT 58 IT A DISTANCE OF 102.28 FEET TO A POINT OF REFLECTION THENCE SOUTH 65 DEGREES 34 MINUTES 11 SECONDS WEST ALONG THE WEST LINE OF SAID REMAINING PORTION OF LOT 58 IT A DISTANCE OF 78.00 FEET TO A POINT OF REFLECTION THENCE NORTH 24 DEGREES 25 MINUTES 49 SECONDS WEST ALONG THE WEST LINE OF SAID REMAINING PORTION OF LOT 58 IT A DISTANCE OF 29.00 FEET TO A POINT OF REFLECTION THENCE NORTH 24 DEGREES 25 MINUTES 49 SECONDS WEST ALONG THE WEST LINE OF SAID REMAINING PORTION OF LOT 58 IT A DISTANCE OF 122.71 FEET TO A POINT OF REFLECTION THENCE NORTH 65 DEGREES 34 MINUTES 11 SECONDS EAST ALONG THE WEST LINE OF SAID REMAINING PORTION OF LOT 58 IT A DISTANCE OF 36.21 FEET TO A POINT OF REFLECTION THENCE NORTH 65 DEGREES 34 MINUTES 11 SECONDS EAST ALONG THE WEST LINE OF SAID REMAINING PORTION OF LOT 58 IT A DISTANCE OF 102.28 FEET TO A POINT OF REFLECTION THENCE NORTH 24 DEGREES 25 MINUTES 49 SECONDS WEST ALONG THE WEST LINE OF SAID REMAINING PORTION OF LOT 58 IT A DISTANCE OF 76.00 FEET TO A POINT OF REFLECTION THENCE SOUTH 65 DEGREES 34 MINUTES 11 SECONDS WEST ALONG THE WEST LINE OF SAID REMAINING PORTION OF LOT 58 IT A DISTANCE OF 102.28 FEET TO A POINT OF REFLECTION THENCE NORTH 01 DEGREES 39 MINUTES 50 SECONDS EAST ALONG THE WEST LINE OF SAID REMAINING PORTION OF LOT 58 IT A DISTANCE OF 88.48 FEET TO A POINT OF REFLECTION THENCE NORTH 16 DEGREES 17 MINUTES 12 SECONDS WEST ALONG THE WEST LINE OF SAID REMAINING PORTION OF LOT 58 IT A DISTANCE OF 104.95

VINTAGE HEIGHTS 4TH ADDITION

AMENDMENT TO COMMUNITY UNIT PLAN
SPECIAL PERMIT #1762A

2004

GENERAL SITE NOTES

1. SANITARY SEWER AND WATER LINES TO BE 8" PIPE AND 8" D.I. PIPE, RESPECTIVELY UNLESS OTHERWISE SHOWN AND SHALL BE BUILT TO CITY OF LINCOLN SPECIFICATIONS.
2. ORNAMENTAL LIGHTING ALONG ALL PUBLIC STREETS AND PRIVATE ROADWAYS SHALL BE IN ACCORDANCE WITH L.E.S. REGULATIONS.
3. 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 FURTHER TO SUBMIT A SEEDING AND MAINTENANCE SCHEDULE BEFORE SITE GRADING IS COMPLETE.
4. LOT DIMENSIONS SHOWN ARE APPROXIMATE AND MAY VARY UP TO 10 FEET.
5. EASEMENTS AS SHOWN SHALL BE GRANTED FOR PUBLIC USE AND FOR SIDEWALKS. ALL SIDEWALKS SHALL BE 4' WIDE AND ALL SIDEWALK EASEMENTS SHALL BE 5' WIDE (UNLESS OTHERWISE NOTED)
6. DIRECT VEHICULAR ACCESS TO OLD CHENEY ROAD, SOUTH 98TH STREET, AND PINE LAKE ROAD IS RELINQUISHED EXCEPT AS SHOWN.
7. ALL DIMENSIONS ALONG CURVES ARE CHORD DISTANCES.
8. ALL PAVING WIDTH TO BE 30' UNLESS OTHERWISE NOTED.
9. SIDEWALKS TO BE BUILT ALONG BOTH SIDES OF PUBLIC STREETS AND PRIVATE ROADWAYS.
10. ALL SANITARY SEWERS & WATER MAINS TO BE PUBLIC.
11. ALL INTERSECTION ANGLES SHALL BE 90° UNLESS OTHERWISE NOTED.
12. THE YARD SETBACKS REGULATES STRUCTURAL WALLS ONLY AND DOES NOT RESTRICT OVERHANGS, PATIOS, DOOR SWINGS, WINDOW SWINGS, ETC. FROM ENCROACHING INTO THE SETBACKS. DECKS AND PATIOS SHALL NOT BE ENCLOSED OR COVERED IF THEY ARE WITHIN THE FRONT, REAR, OR SIDE YARD SETBACKS.
13. TOTAL USAGE: (ENTIRE C.U.P.)
    BASE
    87 PROPOSED TWO FAMILY STRUCTURE UNITS
    6 PROPOSED THREE-FAMILY STRUCTURE UNITS
    256 PROPOSED FOUR-FAMILY STRUCTURE UNITS
    50 PROPOSED FIVE-FAMILY STRUCTURE UNITS
    569 SINGLE FAMILY UNITS
    18 OUTLOTS
    TOTAL BLOCKS = 34
    TOTAL LOTS = 978
    956 TOTAL UNITS

    LOTS & USE (AMENDMENT ONLY)
    LOTS 1-18, BLK 11- FOUR FAMILY STRUCTURE UNITS
    LOTS 13-31, BLK 11- FIVE FAMILY STRUCTURE UNITS
    LOTS 1-29, BLK 21- FOUR FAMILY STRUCTURE UNITS
    LOTS 1-12, BLK 22- FIVE FAMILY STRUCTURE UNITS
    LOT 1, BLK 23- SINGLE FAMILY
    LOTS 2-13, 17-20, 31-34, BLK 23- FOUR FAMILY STRUCTURE UNITS
    LOTS 14-16, BLK 23- THREE FAMILY STRUCTURE UNITS
    LOTS 21-30, BLK 23- FIVE FAMILY STRUCTURE UNITS
    LOTS 1-4, 8-11, 13-24, BLK 24- FOUR FAMILY STRUCTURE UNITS
    LOTS 5-7, BLK 24- THREE FAMILY STRUCTURE UNITS
    LOT 12, BLK 24- SINGLE FAMILY
    LOTS 1-4, BLK 25- SINGLE FAMILY
    LOTS 1-26, BLK 27- TWO FAMILY STRUCTURE UNITS
    LOTS 1-41, BLK 28- SINGLE FAMILY
    LOTS 1-11, BLK 29- SINGLE FAMILY
    LOTS 1-8, BLK 30- SINGLE FAMILY
    LOTS 1-17, BLK 31- SINGLE FAMILY
    LOTS 1-12, BLK 32- SINGLE FAMILY
    LOTS 1-13, BLK 33- SINGLE FAMILY
    LOTS 1-13, BLK 34- SINGLE FAMILY

    OUTLOTS & USE (ENTIRE C.U.P.)
    OUTLOT "A" - BLANKET UTILITY EASEMENT/OPEN SPACE
    OUTLOT "B" - BLANKET UTILITY EASEMENT/OPEN SPACE
    OUTLOT "C" - BLANKET UTILITY EASEMENT/OPEN/GREEN SPACE
    OUTLOT "D" - OPEN SPACE
    OUTLOT "E" - OPEN SPACE/DETENTION
    OUTLOT "F" - BLANKET UTILITY EASEMENT/OPEN SPACE
    OUTLOT "G" - BLANKET UTILITY EASEMENT/OPEN SPACE
    OUTLOT "H" - OPEN SPACE
    OUTLOT "I" - OPEN SPACE
    OUTLOT "J" - BLANKET UTILITY EASEMENT/OPEN SPACE
    OUTLOT "K" - GREEN/OPEN SPACE/UTILITY EASEMENT
    OUTLOT "L" - GREEN/OPEN SPACE/UTILITY EASEMENT/MINI-PARK
    OUTLOT "M" - GREEN/OPEN SPACE/UTILITY EASEMENT
    OUTLOT "N" - GREEN/OPEN SPACE
    OUTLOT "O" - GREEN/OPEN SPACE/DETENTION
    OUTLOT "P" - GREEN/ OPEN SPACE/ DETENTION
    OUTLOT "Q" - PRIVATE STREET/PUBLIC ACCESS EASEMENT
    OUTLOT "R" - SANITARY SEWER EASEMENT/OPEN SPACE
14. THE DEVELOPER AGREES TO COMPLY WITH PROVISIONS OF THE LAND SUBDIVISION ORDINANCE REGARDING LAND PREPARATION.
15. THE DEVELOPER AGREES TO PROVIDE AN AREA LIGHTING PLAN AND CALCULATIONS FOR THE PRIVATE ROADWAYS IN ACCORDANCE WITH THE CITY OF LINCOLN STANDARDS.
18. "WITH THE EXCEPTION OF INSTALLATION, REPAIR AND REPLACEMENT OF ROAD IMPROVEMENTS, STORM WATER AND DRAINAGE IMPROVEMENTS, UTILITIES AND PEDESTRIAN SIDEWALKS AND TRAILS APPROVED WITH A PLAT OR COMMUNITY UNIT PLAN, ALL WETLANDS ON THE SITE ARE TO BE PRESERVED, SUBJECT TO ANY WETLAND IMPROVEMENTS OR WETLAND EXPANSIONS FROM OFF-SITE WETLAND MITIGATION"
17. OUTLOT E, G, & R:
    THE WETLANDS, NATURAL DRAINAGEWAY, TREES AND FLOOD PLAIN SHOWN ON THE GRADING/DRAINAGE PLAN SHALL BE PROTECTED AND PRESERVED SUBJECT TO GENERAL SITE NOTE NO. 18 AND FUTURE MAINTENANCE AND STORMWATER/DRAINAGE IMPROVEMENTS CARRIED OUT WITH MINIMUM IMPACT.
18. OUTLOT E, G, & R:
    THE WETLANDS, NATURAL DRAINAGEWAY, FLOOD PLAIN SHOWN ON THE GRADING/DRAINAGE PLAN AND TREES NOT SHOWN TO BE REMOVED ON THE LANDSCAPE PLAN SHALL BE PROTECTED AND PRESERVED SUBJECT TO GENERAL SITE NOTE NO. 18 AND STORMWATER/DRAINAGE IMPROVEMENTS CARRIED OUT WITH MINIMUM IMPACT.
19. BEFORE THE INITIAL FINAL PLAT CREATING LOTS ABUTTING S. 98th STREET IS APPROVED, S. 98th STREET MUST BE PAVED TO A TWO LANE RURAL STREET STANDARD OR SECURITY SUBMITTED TO GUARANTEE ITS COMPLETION.
20. BLANKET EASEMENT, EXCLUDING BUILDING ENVELOPES AND 68' GAS EASEMENT, GRANTED ON OUTLOTS "A" THROUGH "R".
21. NO PORTION OF ANY LOT ABUTTING ANTELOPE CREEK SHALL BE GRADED BELOW THE 100 YR. FLOOD ELEVATION AS SHOWN ON THE GRADING AND DRAINAGE PLANS, SHEETS 5, 6, 7 AND 8.
22. REFERENCE GEOTECHNICAL SERVICES INC. LETTER DATED JULY 13, 1999 REGARDING IMPACT TO THE WETLANDS IN OUTLOT "E" DUE TO THE PROPOSED DETENTION CELL.
23. FINAL PLACEMENT OF HIKER BIKER TRAILS AND PEDESTRIAN EASEMENTS IN THE OUTLOTS HAVE NOT BEEN DECIDED UPON BY THE PARKS AND RECREATION DEPARTMENT AND ARE SUBJECT TO CHANGE UPON COMPLETION OF THEIR FINAL DESIGN. GRADING OF THE HIKER BIKER TRAILS AND PEDESTRIAN WAY EASEMENTS SHALL FOLLOW CITY OF LINCOLN DESIGN STANDARDS FOR HIKER BIKER TRAILS. ANY STORM SEWER PIPE THAT IS IN CONFLICT WITH DESIGN OF THESE EASEMENTS WILL BE RELOCATED OR EXTENDED BY THE DEVELOPER, AT THE TIME OF MAJOR BIKER TRAIL CONSTRUCTION.
24. ALL LOTS THAT CANNOT BE SERVICED BY GRAVITY SANITARY SEWER SHALL NOT BE FINAL PLATTED UNTIL SUCH TIME THAT GRAVITY SANITARY SEWER IS AVAILABLE OR THE CITY ADOPTS A POLICY THAT ALLOWS THIS PUMP STATION.

LEGAL DESCRIPTION
AMENDED C.U.P. & SPECIAL PERMIT

A TRACT OF LAND COMPOSED OF ALLEGRIM TERRACE ADDITION, ALLEGRIM TERRACE FIRST ADDITION, VINTAGE HEIGHTS 6TH ADDITION, VINTAGE HEIGHTS 7TH ADDITION, VINTAGE HEIGHTS 8TH ADDITION, VINTAGE HEIGHTS 9TH ADDITION, VINTAGE HEIGHTS 10TH ADDITION, VINTAGE HEIGHTS 11TH ADDITION, VINTAGE HEIGHTS 12TH ADDITION, VINTAGE HEIGHTS 14TH ADDITION, VINTAGE HEIGHTS 15TH ADDITION, VINTAGE HEIGHTS 16TH ADDITION, VINTAGE HEIGHTS 17TH ADDITION, LOTS 58 & 67 AND A PORTION OF LOT 17 AND VINTAGE HEIGHTS 18TH ADDITION ALL LOCATED IN SECTION 14, TOWNSHIP 9 NORTH, RANGE 7 EAST OF THE 6TH P.M., CITY OF LINCOLN, LANCASTER COUNTY, NEBRASKA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

REFERRING TO THE NORTHEAST CORNER OF SAID SECTION 14; THENCE ON THE EAST LINE OF SAID SECTION 14, S00°11'08"W (ASSUMED BEARING), 49.92 FEET, THENCE N89°48'52"W, 50.00 FEET TO THE POINT OF BEGINNING; THENCE S00°11'08"W, 1[illegible] FEET; THENCE S89°48'52"E, 16.50 FEET; THENCE S00°11'08"W, 300.60 FEET; THENCE N89°48'52"W, 16.50 FEET; THENCE S00°11'08"W, 1,236.[illegible] FEET; THENCE S00°11'08"W, 8[illegible] FEET; THENCE S00°11'29"W, 126.58 FEET; THENCE S00°11'10"W, 353.[illegible] FEET; THENCE S00°11'15"W, 222.76 FEET; THENCE S89°52'59"W, 1,458.33 FEET; THENCE N82°11'07"W, 222.04 FEET; THENCE S83°45'07"W, 281.60 FEET; THENCE S89°34'14"W, 579.30 FEET; THENCE N89°30'37"W, 58.[illegible] FEET; THENCE N89°31'16"W, 508.66 FEET; THENCE S88°12'02"W, 205.36 FEET; THENCE N89°30'37"W, 707.15 FEET; THENCE S00°14'46"E, 17.00 FEET; THENCE N89°30'37"W, 1[illegible].01 FEET; THENCE N00°14'46"W, 1,258.95 FEET; THENCE S89°39'11"E, 1,333.64 FEET; THENCE N00°40'35"W, 1,3[illegible].56 FEET; THENCE N89°47'21"W, 1,322.87 FEET; THENCE N00°[illegible]'10"W, 440.17 FEET; THENCE N00°24'46"W, 34.56 FEET; THENCE S89°3[illegible]'50"W, 93.42 FEET; THENCE N03°[illegible]'10"W, 397.65 FEET; THENCE N19°44'29"W, 153.65 FEET; THENCE N00°11'46"E, 109.00 FEET; THENCE S89°[illegible]'26"E, 174.81 FEET; THENCE S89°50'59"E, 341.48 FEET; THENCE S00°18'44"E, 119.18 FEET; THENCE S07°33'55"E, 46.16 FEET; THENCE S16°01'17"E, 44.87 FEET; THENCE S39°24'08"W, 29.90 FEET; THENCE S49°54'17"E, 89.67 FEET; THENCE N42°01'36"E, 25.97 FEET; THENCE S49°53'17"E, 215.97 FEET; THENCE S43°08'21"E, 16.21 FEET; THENCE S49°53'17"E, 40.63 FEET; THENCE S43°08'21"E, 448.32 FEET; THENCE S43°59'45"E, 339.78 FEET; THENCE S42°17'51"E, 69.53 FEET; THENCE S42°59'17"E, 118.09 FEET; THENCE S39°49'08"E, 39.77 FEET; THENCE S28°37'17"E, 30.[illegible] FEET; THENCE S18°34'39"E, 31.85 FEET; THENCE S07°31'22"E, 23.16 FEET; THENCE S89°48'50"E, 898.65 FEET; THENCE N00°10'56"E, 130.00 FEET; THENCE S89°48'04"E, 31.33 FEET; THENCE N00°10'56"E, 378.00 FEET; THENCE N14°28'30"W, 104.95 FEET; THENCE N18°17'11"W, 88.48 FEET; THENCE N07°39'50"W, 180.08 FEET; THENCE S85°34'11"E, 78.00 FEET; THENCE N[illegible]'49"W, 120.[illegible] FEET; THENCE N63°34'11"E, 29.00 FEET; THENCE N24°25'49"W, 138.71 FEET; THENCE N29°33'45"E, 36.21 FEET; THENCE N85°34'11"E, 122.71 FEET; THENCE N24°25'49"W, 73.45 FEET; THENCE S76°39'26"E, 621.[illegible] FEET; THENCE S89°48'52"E, 195.52 FEET; THENCE N00°11'08"E, 9[illegible].16 FEET; THENCE N89°43'02"W, 206.03 FEET; THENCE N00°11'08"E, 5[illegible].00 FEET; THENCE S89°43'02"E, 1,272.17 FEET TO THE POINT OF BEGINNING, CONTAINING 13,214,983.92 SQUARE FEET (3[illegible].37 ACRES) MORE OR LESS.

SURVEYOR'S CERTIFICATE

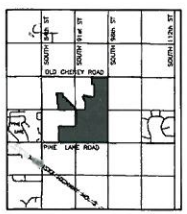
I HEREBY CERTIFY THAT I HAVE CAUSED TO BE SURVEYED THE BOUNDARY OF THE ABOVE PRELIMINARY PLAT AND THAT PERMANENT MONUMENTS HAVE BEEN PLACED OR FOUND AT ALL BOUNDARY CORNERS.

NEBRASKA REGISTERED LAND SURVEYOR 5,154607 LARRY L. ROTHANZL

LARRY L. ROTHANZL, L.S. #607
DEC. 15, 2004
DATE

REQUESTED WAIVERS (GENERAL SITE)

ITEM	WAIVER	LOT #/BLOCK
1.	WAIVE PRELIMINARY PLAT PROCESS	ALL
2.	LOT WIDTH TO DEPTH RATIO PER TITLE 26, SECTION 26.23.140	LOTS 11 & 12, BLOCK 32
3.	MINIMUM LOT DEPTH OF 120' FOR LOTS ABUTTING MAJOR STREETS PER TITLE 26, SECTION 26.23.140	LOT 28 BLOCK 27 LOT 1 BLOCK 28 LOT 5 BLOCK 30 LOTS 1, 11, 12, 18, 19, 25 & 26 BLOCK 31 LOTS 8 & 9, BLOCK 32 LOT 13 BLOCK 34
4.	TRANSFER SANITARY SEWER FROM ONE BASIN TO ANOTHER PER TITLE 2, SECTION 2.3	LOTS 1-4, BLOCK 26 LOTS 1-28, BLOCK 27 LOTS 1-41, BLOCK 28 LOTS 1-22, BLOCK 29 LOTS 1-5, BLOCK 30 LOTS 1-29, BLOCK 31 LOTS 1-17, BLOCK 32 LOTS 1-12, BLOCK 33 LOTS 1-13, BLOCK 34
5.	SANITARY SEWER FLOWING OPPOSITE DIRECTION OF STREET PER TITLE 2, SECTION 2.1 (Lime Dell Drive Between Lacrosse and Gloss Ridge Drive, South 97th Street Adjacent to Block 26)	LOTS 1-4, BLOCK 26 LOTS 22-28, BLOCK 27 LOTS 1-8, BLOCK 28 LOTS 1, BLOCK 29 LOTS 1 - 17, BLOCK 32 LOTS 1 - 12, BLOCK 33 LOTS 1 - 13, BLOCK 34



VICINITY MAP

LEGEND

- PROPOSED PAVING CENTERLINE
- EXISTING PAVING CENTERLINE
- TIE LINES FOR DUPLEX/TOWNHOUSE PAIRS
- AMENDED C.U.P. BOUNDARY
- SECTION LINE
- EXISTING STRUCTURE
- EXISTING STRUCTURE TO BE REMOVED
- PROPOSED UTILITY EASEMENT
- EXISTING UTILITY EASEMENT
- ADDITIONAL PROPERTY ADDED TO C.U.P.
- R.O.W. DEDICATION
- EXISTING WATER MAIN w/VALVE & HYDRANT
- W6" PROPOSED WATER MAIN
- EXISTING SANITARY SEWER
- S8" PROPOSED SANITARY SEWER
- EXISTING GAS MAIN
- PROPOSED FIRE HYDRANT
- PROPOSED WATER VALVE
- EXISTING STORM SEWER
- LIMITS OF GRAVITY SEWER
- WETLANDS BOUNDARY
- MINIMUM FLOOD CORRIDOR EASEMENT

N

0 100' 200' 400'
SCALE 1"=200'

SHEET INDEX

1. COVER SHEET-NORTH
2. COVER SHEET-SOUTH
3. SITE PLAN
4. SITE PLAN
5. GRADING PLAN
6. GRADING PLAN
7. DRAINAGE PLAN
8. DRAINAGE PLAN
9. UTILITY PLAN
10. UTILITY PLAN
11. STREET PROFILES
12. STREET PROFILES
13. STREET PROFILES
14. STREET PROFILES

ENGINEER

ENGINEERING DESIGN CONSULTANTS
2209 FLETCHER AVENUE, SUITE 102
LINCOLN, NE 68521
(402) 436-4014

OWNERS

PINE LAKE DEVELOPMENT, L.L.C.
ROBERT D. HAMPTON
3801 UNION DRIVE
LINCOLN, NE 68516
(402) 434-5650

CATHOLIC BISHOP OF LINCOLN
P.O. BOX 80328
LINCOLN, NE 68501-0328
(402) 488-0941

DEVELOPER

PINE LAKE DEVELOPMENT, L.L.C.
ROBERT D. HAMPTON
3801 UNION DRIVE
LINCOLN, NE 68516
(402) 434-5650

DENSITY CALCULATIONS

TOTAL AREA OF C.U.P. (R-3)	12,011,683
TOTAL ROW	-2,315,580
ADJUSTED AREA	9,696,103
AREA BEYOND 150'	-1,952,266
AREA WITHIN 150'	7,736,81
AREA BEYOND 150'	1,659,286
INTERSECTION	0.96
ADJUSTED BEYOND 150'	1,567,429
AREA WITHIN 150'	+7,736,817
USEABLE CUP AREA	9,304,246
MINIMUM LOT AREA R-3	6,000 SF
ALLOWABLE UNITS	1,861

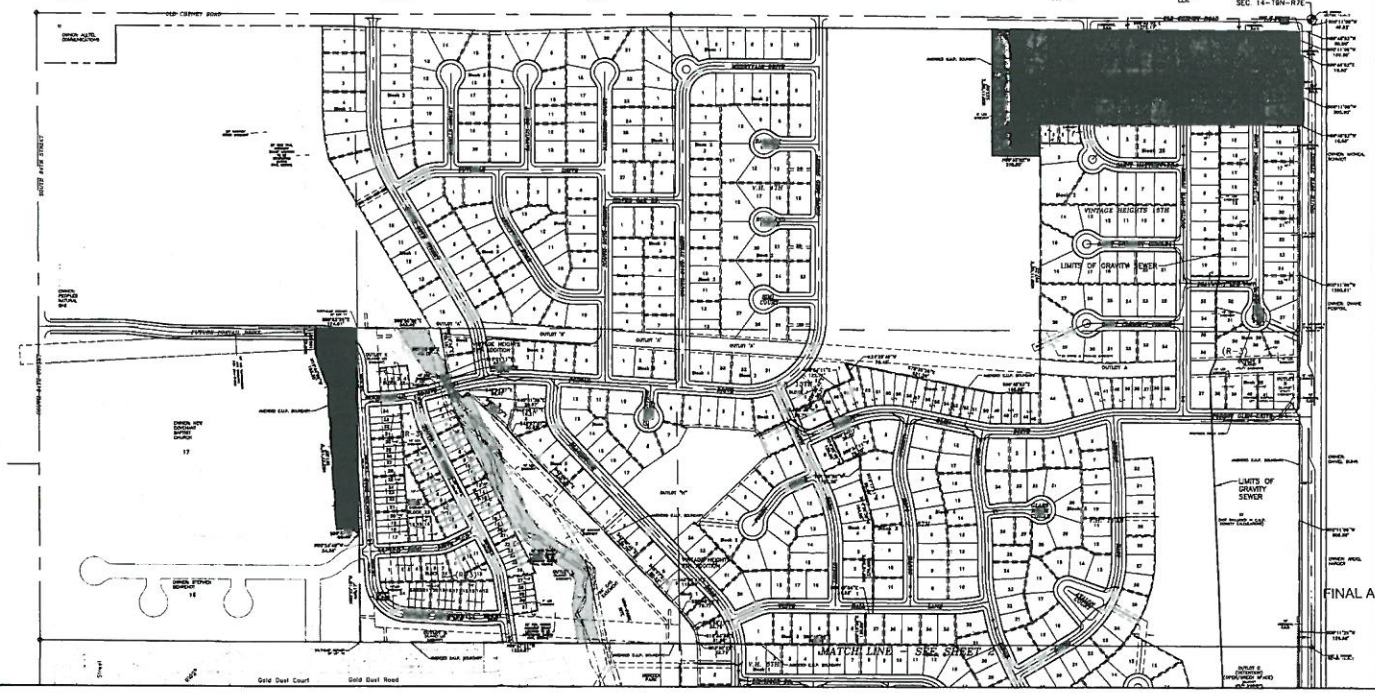
BENCHMARKS

1. BRASS CAP IN EAST END OF CONCRETE HEADWALL SOUTHEAST CORNER OF 84TH & PINE LAKE RD.
   ELEV: 1392.97
2. TOP CAP IN SECTION CORNER REBAR, SOUTH 1/4 CORNER, SECTION 14, TOWNSHIP 9 NORTH, RANGE 7 EAST
   ELEV: 1400.00
3. TOP OF CHISELED "b" IN SOUTH END OF CONCRETE HEADWALL NORTHWEST CORNER OF INT. 98TH AND PINE LAKE RD.
   ELEV: 1413.22

CITY COUNCIL APPROVAL

THE CITY COUNCIL HAS APPROVED THIS PERMIT ON
THIS 23 DAY OF [illegible], 20 04
BY RESOLUTION NO. [illegible]

ATTEST: _____
CITY CLERK



EDC
Engineering Design Consultants
Civil Engineers • Land Planners
Site Development • Surveying
2209 Fletcher Avenue, Suite 102 Lincoln, NE 68521
402-436-4014 Fax 402-436-4037
402-81-1-8434 Fax 402-475-7606

Project #: [illegible]-119
Drawing: PP Cover
Date: 7/16/04

Design By: EDC
Drawn By: MDS
Checked By: EDC

By	Revisions	Date

Vintage Heights 4th Addition - Cover Sheet

Lincoln, NE

Amendment to Special Permit (C.U.P.) No. 1762A

FINAL APPROVED COPY

SHEET
1 OF 14

Policy on Temporary Pump Stations & Force Mains

Approved by the Lincoln City Council on December 6, 2004

Resolution A-83112

For decades the community has been well served by its policy to use a gravity based sanitary sewer system. This policy has led to more efficient and cost effective utility service for the citizens and rate payers. Alternatives, such as relying on pump stations, are more expensive to maintain and operate in the long run.

More importantly, the gravity system is a fundamental tool of the City's infrastructure and community planning that has allowed Lincoln to grow in a more contiguous and predictable manner in order to meet the community's goals.

The 2025 Lincoln/ Lancaster County Comprehensive Plan states:

> *"The City's collection system, in general, will continue to be a gravity fed system that is designed to accommodate urbanization of drainage basins and sub-basins. This system encourages orderly growth within the natural drainage basin boundaries. This policy encourages urban growth from the lower portion of the drainage basin and prohibits pumping of wastewater across basin boundaries. Explore alternative methods, such as lift stations, where practical."*

The adopted City of Lincoln sanitary sewer design standards state:

> *"The various elements of the sanitary sewer system in the City of Lincoln are designed to handle only that wastewater contribution which originates within the natural surface watershed where in the sanitary sewer system is located. The transfer of wastewater from one watershed to another by any means, such as lift station or construction of a sanitary sewer which cuts through the ridge separating the watersheds, shall not be permitted."*

In light of developer requests to waive this standard and permit temporary pump stations and force mains, such requests will be considered based on the criteria on the following pages.

1. **Temporary Basis:** Pump stations are more expensive to maintain and operate than gravity systems and will only be allowed on a temporary basis. Gravity flow sanitary sewer lines are still the best and most cost efficient long term method to provide service. Temporary shall mean a period up to **six years**, at which point the new gravity line is built allowing the facility to be discontinued. As soon as the gravity line is available, the pump station shall be discontinued and removed.

2. **Priority A Areas Only:** Pump stations and force mains shall only be allowed in Tier I - Priority A areas; provided that the gravity trunk line to the service area is in the 6 Year Capital Improvement Program (CIP) with funding clearly identified.

3. **Limited Use:** The City of Lincoln's gravity sewer system policy has served the community well for decades. It is the most efficient and cost effective system for the citizens and rate payers of Lincoln. Pump stations and force mains shall only be used in unusual circumstances for a substantial public benefit. It is anticipated that temporary pump stations may only be used one or two times in the entire Lincoln area. In the vast majority of situations, gravity sewer should be used, even if the trunk line construction is several years away. Pump stations and force mains are to be temporary due to a delay in the construction of the gravity line.

4. **Impact on Other Services:** Use of a pump station to advance development may also impact the provision of other public services. Thus, the developer must address the following information (based on principles for serving Priority B areas before Priority A areas, page F 30 of the Comprehensive Plan):

   a. "Demonstrate how the necessary infrastructure improvements to serve the sub-basin would be provided and financed. The City shall contact other public agencies to obtain their report on the infrastructure necessary to serve the sub-basin including utilities, roads, fire service, public safety, parks, trails, schools and library needs.

   b. The impact that development in the sub-basin will have on capital and operating budgets, level of service, service delivery and Capital Improvement Programs is addressed.

   c. There is demonstrated substantial public benefit and circumstances that warrant approval of the proposal in advance of the anticipated schedule."

5. **Crossing Creeks:** Permanent lift stations to transfer sewage from one side of a creek to the other, as part of gravity system have always been permitted. There are circumstances where a lift station to cross a creek is the best solution instead of siphons. This has been a policy and practice of the city for decades.

6. **Receiving Sewer Line Capacity:** The receiving trunk and/or smaller line must have capacity based on current and projected flows to receive the extra flow during the temporary basis. The projected capacity should assume a full buildout of any land that is already planned to be served in the Comprehensive Plan, then projected capacity should be based on a reasonable buildout of any undeveloped land.

7. **Basins with Sewer Line Capacity**: The following sanitary sewer trunk lines have capacity as of this date (assuming projected Tier I development)

Lines With Capacity	**Lines Without Capacity**
- West O	- Havelock
- Little Salt	- Dead Man's Run
	- East Campus
	- Antelope Creek
	- Beal Slough
	- Salt Creek (south)
	- Middle Creek
	- Oak Creek
	- Lynn Creek

"Lines Without Capacity" is based on current and projected flows and could not be pumped into unless there is capacity based on a reasonable buildout of the area to be served. In some situations, once major improvements to a few of these lines are made, then there may be some capacity.

The new Stevens Creek trunk line, when constructed, would have capacity. The new Salt Valley relief trunk line is designed for a specific service area and will be considered at capacity.

8. **Use of Storage Tanks:** The use of storage tanks is prohibited. Developments have proposed building storage tanks in order to pump the waste out at night in areas where the existing pipes are at capacity. There are compelling technical and operational problems with storing effluent for period beyond a few hours. For example, there are odor problems and the waste when held for a long period can cause corrosion problems in pipe lines. A pump station is typically designed to pump all the waste out every 2 to 3 hours, which is the longest period the waste should be held.

9. **Service Area of Pump Station:** The pump station and force main should be sized to serve Tier I, Priority A land that is in the same sub-basin which naturally drains to the pump station. Pump stations to benefit and serve a single property are discouraged. Small pump stations are inefficient to operate. Pump stations should be designed to serve at least 500 to 1,000 acres. The area to be served by the pump station must be contiguous to the city limits. This policy is not intended to permit "leap frog" or growth that is not contiguous to the city. Any land to be served must be inside the city limits prior to service.

10. **Length of Force Main**: Even if fully funded by a developer, building long force mains rather than a gravity sewer lines is inefficient use of the future homeowner's financial resources. The longer time it takes to transport the waste, the greater potential for problems with respect to corrosion and odor. The transit time must be based on estimated sulfide generating capacity (or offset by chemical addition). The developer must ensure reasonable velocity with at least 4 to 5 feet per second (fps) at least 1x/day. It will be important to make appropriate use of air relief valves, blowoffs, oxygen injection (if needed), in accordance with City design standards. To protect against peak flow impacts of major storm events, the pump station should be sunk in the ground and with an enlarged pipe coming in to the pump station to provide additional storage (Hydraulic Institute Standards 98). Standards will be needed for acceptable chemicals for use in pump station odor control.

11. **Notification of Other Affected Properties:** The City is responsible for contacting all other property owners that may reasonably be served by a pump station, early in the review process. This will allow other owners to have the same information and determine their interest in the potential pump station.

12. **Location of Pump Stations:** The developer is responsible for all costs involved in acquiring suitable land for the pump station and any costs for providing access drives to the facility. Pump stations shall not be in public right-of-way. The developer shall be solely responsible for all costs of any environmental analysis needed to locate the facility.

13. **Obtaining Right-of- Way and Easements:** The developer shall be solely responsible for all costs of obtaining right-of-way and easements without any reimbursement from the City or third parties. Force mains will be allowed to be located in arterial street right-of-way, if space is available. If the force main is to be abandoned after conversion to a gravity system, the developer must prove that there is adequate right-of-way for the unused force main and all other utilities typically found in the right-of-way.

14. **Construction:** The developer shall be solely responsible for all costs of constructing the pump station and force main. Construction plans shall be approved by the Director of Public Works and Utilities Department and be per city standards. Pump stations and force mains are considered temporary facilities and thus are not eligible for reimbursement under the Impact Fee Ordinance. Any construction will be solely at the cost of the developer without reimbursement from the City.

15. **Pump Station Design Specifications:** The developer will conform to the City design specifications for temporary pump stations and force mains as developed by the Director of the Public Works & Utilities Department. Even with the design standards, there may be additional review time required for the pump stations since they are uncommon in Lincoln. All costs for any additional review time, outside of the normal EO process, of the pump station and force main shall be paid for by the developer.

16. **Third Party Connections:** Provided there is downstream capacity, when another party other than the developer connects to the pump station that party shall reimburse the developer for their "fair share" of the cost of constructing and operating the pump station and force main (including design and soft costs.) The method and formula for contribution is to be determined.

17. **Ownership and Operation:** The developer will own the pump station, land and easements, and the City will operate the pump station and force mains once inspections have been completed and the facilities are found acceptable. Pump stations in general are costly to maintain and operate and take staff dedicated to handle some time late night calls on failures and problems. Pump stations should be avoided and the City accepts operation responsibilities only to avoid problems of an inexperienced or inaccessible private operator would inadequately respond to complaints or emergency situations.

18. **Operating, Repair and Maintenance Costs:** There are substantial operation, repair and maintenance costs for a pump station and force main. The City may be required to hire additional staff to operate the facility. This requires specialized training and employees with this training are difficult to find and hire. The developer will be responsible for all costs for operating and maintaining the pump station and force main during the life of the facility. The costs of operating, maintenance, upgrading, permitting, administering, all are costs of the system that must be covered by the developer. The developer will be billed for the cost, who in turn may collect from property owners who connect to the facilities. The City does not want the additional cost of collecting from multiple property owners.

    The developer will need to provide a bond for the operating costs over the full estimated life time of the facility at time of Annexation Agreement. The preliminary estimate for the operating, repair and maintenance costs is $25,000 per year. The bond will be estimated on a case by case basis depending upon the size and operation of the pump station and force main. The amount of the bond may be reduced each year, if the sanitary sewer trunk line progresses forward in the CIP, as long as at least two years of costs is provided.

19. **Closing of the Pump Station:** Once the station is decommissioned, the developer and any third parties will be billed all costs involved in decommissioning the station.

20. **Salvage Rights:** The developer shall fund all costs associated with properly abandoning the temporary pump station and force main, including any costs for restoring all property in or adjacent to the easements. The developer shall fund all costs associated with closing and removing the pump station. The developer shall have full salvage rights to the building, equipment and land for the pump station after it is closed. The future use of the land for the pump station shall be identified prior to approving the station.

21. **Notification:** The developer shall notify all property owners who will connect to the facility of the temporary pump station and cost obligations.

VINTAGE HEIGHTS NOTES

16. WITH THE EXCEPTION OF INSTALLATION, REPAIR AND REPLACEMENT OF ROAD IMPROVEMENTS, STORM WATER AND DRAINAGE IMPROVEMENTS, UTILITIES AND PEDESTRIAN SIDEWALKS AND TRAILS APPROVED WITH A PLAT OR COMMUNITY UNIT PLAN, ALL WETLANDS ON THE SITE ARE TO BE PRESERVED, SUBJECT TO ANY WETLAND IMPROVEMENTS OR WETLAND EXPANSIONS FROM OFF-SITE WETLAND MITIGATION".

17. OUTLOT E, O, & R:
THE WETLANDS, NATURAL DRAINAGEWAY, TREES AND FLOOD PLAIN SHOWN ON THE GRADING/DRAINAGE PLAN SHALL BE PROTECTED AND PRESERVED SUBJECT TO GENERAL SITE NOTE NO. 16 AND FUTURE MAINTENANCE AND STORMWATER/DRAINAGE IMPROVEMENTS CARRIED OUT WITH MINIMUM IMPACT.

18. OUTLOT D, E, & R:
THE WETLANDS, NATURAL DRAINAGEWAY, FLOOD PLAIN SHOWN ON THE GRADING/DRAINAGE PLAN AND TREES NOT SHOWN TO BE REMOVED ON THE LANDSCAPE PLAN SHALL BE PROTECTED AND PRESERVED SUBJECT TO GENERAL SITE NOTE NO. 16 AND STORMWATER/DRAINAGE IMPROVEMENTS CARRIED OUT WITH MINIMUM IMPACT.

19. BEFORE THE INITIAL FINAL PLAT CREATING LOTS ABUTTING S. 98th STREET IS APPROVED, S. 98th STREET MUST BE PAVED TO A TWO LANE RURAL STREET STANDARD OR SECURITY SUBMITTED TO GUARANTEE ITS COMPLETION.

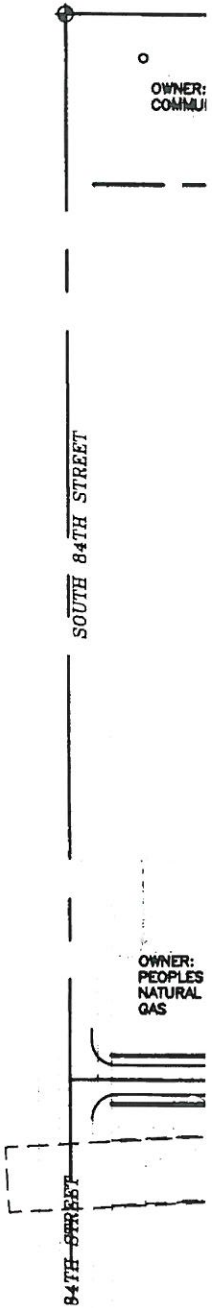
20. BLANKET EASEMENT, EXCLUDING BUILDING ENVELOPES AND 66' GAS EASEMENT, GRANTED ON OUTLOTS "A" THROUGH "R".

21. NO PORTION OF ANY LOT ABUTTING ANTELOPE CREEK SHALL BE GRADED BELOW THE 100 YR. FLOOD ELEVATION AS SHOWN ON THE GRADING AND DRAINAGE PLANS, SHEETS 5, 6, 7 AND 8.

22. REFERENCE GEOTECHNICAL SERVICES INC. LETTER DATED JULY 13, 1999 REGARDING IMPACT TO THE WETLANDS IN OUTLOT "E" DUE TO THE PROPOSED DETENTION CELL.

23. FINAL PLACEMENT OF HIKER BIKER TRAILS AND PEDESTRIAN EASEMENTS IN THE OUTLOTS HAVE NOT BEEN DECIDED UPON BY THE PARKS AND RECREATION DEPARTMENT AND ARE SUBJECT TO CHANGE UPON COMPLETION OF THEIR FINAL DESIGN. GRADING OF THE HIKER BIKER TRAILS AND PEDESTRIAN WAY EASEMENTS SHALL FOLLOW CITY OF LINCOLN DESIGN STANDARDS FOR HIKER BIKER TRAILS. ANY STORM SEWER PIPE THAT IS IN CONFLICT WITH DESIGN OF THESE EASEMENTS WILL BE RELOCATED OR EXTENDED BY THE DEVELOPER, AT THE TIME OF HIKER BIKER TRAIL CONSTRUCTION.

24. ALL LOTS THAT CANNOT BE SERVICED BY GRAVITY SANITARY SEWER SHALL NOT BE FINAL PLATTED UNTIL SUCH TIME THAT GRAVITY SANITARY SEWER IS AVAILABLE OR THE CITY ADOPTS A POLICY THAT ALLOWS THIS PUMP STATION.



msta/neak, 1:1

BAYLOR EVNEN
BAYLOR, EVNEN, CURTISS, GRIMIT & WITT, LLP

RANDALL L. GOYETTE*
STEPHEN S. GEALY
GAIL S. PERRY
DALLAS D. JONES
JILL GRADWOHL SCHROEDER
DAVID A. DUDLEY
BRENDA S. SPILKER
MARK A. HUNZEKER
WILLIAM G. BLAKE
PETER W. KATT

WILLIAM F. AUSTIN
DARLA S. IDEUS
JARROD S. BOITNOTT
TIMOTHY E. CLARKE*
ANDREW M. LOUDON
CHRISTINA L. BALL**
JENNY L. PANKO
CAROLINE M. WESTERHOLD*
JARROD P. CROUSE
ANDREA D. SNOWDEN

DEREK C. ZIMMERMAN
PAUL T. BARTA*
COLIN A. MUES*
TORREY J. GERDES*
BRETT E. EBERT
STEPHEN J. SCHUTZ
THOMAS B. SHIRES*
EMILY R. MOTTO*
MICHAEL D. SANDS ♦

OF COUNSEL:
W. SCOTT DAVIS
WALTER E. ZINK II
DONALD R. WITT
ROBERT T. GRIMIT

ALSO ADMITTED IN:
*IOWA
**KANSAS
♦ IOWA ONLY

October 19, 2015

David Cary, Acting Director
Lincoln/Lancaster County
55 South 10th Street
Lincoln, NE 68508

RE: Vintage Heights CUP

Dear David:

Attached is an application to amend the Vintage Heights Community Unit Plan. The purpose of the application is to develop approximately 92 single family lots west of 98th Street and generally east of the existing developed lots in Vintage Heights.

As you know, the property sought to be developed has been part of the Vintage Heights CUP from its original approval in 1997 and is within the City limits. However, Note 24 of the CUP states: "All lots that cannot be serviced within gravity sewer shall not be final platted until such time that gravity sewer is available or the City adopts a policy that allows this pump station."

Since 1997 the City has adopted a policy regarding the use of pump stations, and there are some which have been installed pursuant to the policy; others have been installed without reference to the policy. Not all points of the policy have been adhered to in all cases, indicating that there is, or has been, some flexibility in applying the policy to the circumstances of each project.

We believe the circumstances existing at Vintage Heights are compelling, and that a pump station is justified by both fair application of the City's policy and common sense.

We request that Note 24 be deleted from the Vintage Heights CUP, and that the developer be permitted to install a pump station as shown on the plans. The developer proposes to install the lift station in accordance with the City standards, at the developer's expense. The pump station will be equipped with a back-up generator for emergency power. Maintenance, repairs and/or replacement of the pump station and generator (and decommissioning when gravity sewer is available) will be paid for by the developer, subject to the developer's right to assign that responsibility to a homeowner's association created for that purpose, and approved by the City Attorney. Prior to the developer being relieved of its obligation, a trust account will be established for the homeowner association and funded in an amount sufficient to replace a pump and/or generator. The covenants will require the homeowner association to contract with a firm, approved by the City, to maintain the pump station, assess annual

OMAHA OFFICE
ONE PACIFIC PLACE
1125 S. 103RD STREET SUITE 400 OMAHA, NE 68124
PHONE 402.934.5468

LINCOLN MAIN OFFICE
WELLS FARGO CENTER
1248 O STREET SUITE 600 LINCOLN, NE 68508
PHONE 402.475.1075 · FAX 402.475.9515

SYRACUSE OFFICE
920 12TH STREET SYRACUSE, NE 68446
PHONE 402.269.3200

dues to cover routine maintenance and repairs, as well as contributions, as needed, to replenish trust funds which may be used for replacement of the pump or generator, and decommission the pump station when gravity sewer is available.

The land proposed to be served with sewer via the pump station is unique. It is designated Tier 1, Priority A in the Comprehensive Plan, and it is already within the City limits. Other projects which have been approved with pump stations were not within City limits when the pump stations were approved, and were not identified as Tier 1, Priority A. Moreover, this area is served with new arterial streets, schools, water and other infrastructure built to City standards. Approval of development of the 92 lots proposed will add approximately $25 million assessed valuation to Lincoln's tax base, at no cost to the City of Lincoln.

We also request a waiver of section 26.23.130 of the subdivision ordinance to allow for a block length of more than 1,320 feet. The undeveloped property south of Forest Glen Drive is bounded by existing homes to the west, a major drainage way to the south and an arterial roadway on the east.

If you need any further information, please contact me.

Sincerely,

Mark A. Hunzeker
For the Firm
mhunzeker@baylorevnen.com

1244983

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for OCTOBER 28, 2015 PLANNING COMMISSION MEETING

REVISED NOVEMBER 24, 2015
(Revisions underlined and italic)
(Revisions highlighted December 1, 2015)

PROJECT #: Special Permit No.15064

PROPOSAL: A request per Article 13, Section 13.001.27 for Expanded Home Occupation for Avalon Event Paradise

LOCATION: 12788 West Roca Road.

LAND AREA: 32.43 acres, more or less

EXISTING ZONING: AG Agricultural

CONCLUSION: This special permit for Expanded Home Occupation to allow large gatherings, such as wedding receptions, should have minimal impact on adjacent properties given the site plan and proposed conditions. The nearest property is approximately 450 feet away. The waiver to exceed the 15,000 square feet limit for outdoor areas is acceptable based on the amount of area needed for parking for most events that would be much smaller. The waiver to allow the parking not be gravel is acceptable since the parking area is grass and any dust would be minimal. In conclusion the use is acceptable with limitation on size and number of large events.

RECOMMENDATION:	Approval
Waivers	
1. To waive the requirement that the parking area be gravel.	Approval
2. Allow the parking and other related business activity to exceed 15,000 sq. ft.	Approval

GENERAL INFORMATION:

LEGAL DESCRIPTION: Lot 27 I.T. located in the SW1/4 of Section 17, Township 8 North, range 5 East; Lancaster County, NE

EXISTING LAND USE: Single family house.

SURROUNDING LAND USE AND ZONING:

North:	AG Agricultural	Single family homes
South:	AG Agricultural	farm ground
East:	AG Agricultural	Single family homes on acreage size lots
West:	AG Agricultural	Single family homes

HISTORY:

September 21, 2010 County Special Permit #10028 for expanded home occupation for a medical office located at 12100 West Roca Road was approved by the Lancaster County Board of Commissioners.

COMPREHENSIVE PLAN SPECIFICATIONS:

Continue to encourage and permit accessory home businesses, and locate businesses within the commercial areas of incorporated towns as they expand beyond the definition of home occupation. (P.5.5)

TRAFFIC ANALYSIS:

This is on and has access to West Roca Road (Highway 33) a two lane paved highway.

PUBLIC SERVICE:

This area is served by the Lancaster County Sheriff's Department

AESTHETIC CONSIDERATIONS:

Light and noise from events.

ANALYSIS:

1. This request is for an expanded Home Occupation to allow the rental of the "boathouse" and adjacent land to allow for gatherings such as wedding receptions and family reunions. The owners of this property have been renting out for large events contrary to zoning.

2. The owner could rent out the boathouse only as a home occupation. Home occupation is a conditional use and would not require this special permit.*. Home occupations allow one person that does not reside on the premises to be employed in the home occupation. The home occupation must be carried on within a dwelling unit or an accessory building. This does not preclude outside activity if it is limited and incidental to the home occupation.* Due to the receptions and other gatherings, *and having more than one employee that does not reside on the premise* the special permit for Expanded Home Occupation is required.

3. *The Lancaster County Zoning Regulations were amended in September 2009 to allow Expanded Home Occupation by special permit. The intent was to allow small family owned businesses to operate out of their homes. The business is to be accessory to the residential use of the property and operated by the family occupying the residence. This condition makes it more likely that the business will be a "good neighbor." The business should not detract from the peace and enjoyment of surrounding properties*

4. The gatherings/receptions take place in the boathouse and the tent area as shown on the attached site plan. The boat house is approximately 450 feet and the tent area is approximately 540 feet from the nearest neighboring property to the east. The properties to the east are buffered by a large number of evergreen trees along the east lot line.

5. The outside gatherings are proposed to be held May through October. On average there would be 12 to 15 events held per year. Some busier months may have an event every weekend.

6. The applicant is requesting two waivers. The first is to waive the requirement that the parking lot be gravel. The parking area is grass. The applicant states that the parking area is not irrigated and remains dry. The second waiver is to allow the outside areas to exceed 15,000 sq. ft. The parking area and the tent area is approximately 35,000 sq. ft. They are showing a large parking area to accommodate the occasional large gathering of 200 to 300 persons. . Typically the events have approximately 75 vehicles. The waivers are appropriate since there is no large reception hall or paved lot on site and will be used infrequently. The site will retain its rural character. Due to its large size and extensive landscaping.

7. The county special permit conditions for expanded home occupation are as follows:

   (b) On-site sales shall be limited primarily to products grown, manufactured, processed, treated or assembled on the premise.
   This would be a service provided by the residents. There are no sales of goods on site. The service being provided is the use of land and one building.

   (c) No more than two (2) persons, who are not members of the family residing on the premises, may be employed to carry out the occupation or activity on the premises.
   Applicant states that they have one outside employee. ~~People who lease the property are responsible for hiring caterers, people to set up tents, bands and any others for a wedding or other gathering. These people are on site infrequently and thus are not considered employees of Avalon Event Paradise and do not count toward the 2 outside employees.~~

The Planning Department, Building and Safety Department and County Attorney's Office discussed what constitutes employed under this provision.

With respect to who should be considered to be "employed" under this provision, we determined that those employed for expanded home occupation should include anyone who is employed to carry out the activity on the premises and who also is not a family member living on the premise, regardless of who is determined to be the employee's employer. Accordingly, employees of the resident family or the LLC as well as employees of the resident family's or LLC's independent contractors who are working on-site to carry out the events should be counted as employees engaged in the home occupation's activity. For example, it is likely that persons setting up a tent, catering, or bartending, would be the employees of one of the independent contractors hired to prepare or operate the site for an event, and therefore they would be "employed" on the premises to carry out the home occupation's activity. Because owners of the LLC would not be considered employees based merely on their status as owners, given the information to date any owner of the LLC could work on site and not be considered to be "employed."

(d) The lot area shall be 10 acres or larger
This is a 32.43 acre premise.

(e) Driveways and parking areas shall be provided with an all-weather (gravel or rock) surface to minimize dust and mud.
Parking is shown on a grass area measuring 300' x 100'. The driveway is asphalt. The applicant is requesting a waiver to the gravel requirement.

(f) No more than 50% of the floor area of the residence may be used for said business. **The residence is 4,068 sq. ft. per the Lancaster County Assessor site. The boathouse is 950 square feet or 23 percent of the floor area.**

(g) The total floor area for all buildings used for said business shall not be more than 10,000 square feet.
The boat house is the only permanent building and it is 950 sq. ft.

(h) Outside area used for work area, storage or other business activity (of vehicles,
equipment, or materials used in the business) and parking shall not exceed 15,000 square feet.
There is an area set aside if the event is to have tents. This area is 4,800 sq. ft. The parking area shown on the site plan is 30,000 sq. ft. The applicant is requesting a waiver to allow more than 15,000 sq. ft.

(I) All outside business related activity shall be located at least 200 feet from all premise property lines and shall be visually screened from public streets and

adjacent property lines. Said visual screening shall be approved as part of the special permit
The boathouse and the tent area is more than 200 feet from the property lines.
The parking area is approximately 60 feet from the lot line adjacent Highway 33. The area is screened with a double row of trees.

(j) Health Department regulations and all other County, State, and Federal rules and
regulations shall apply. The Health Department may require dust control of nearby unpaved roads to mitigate the impact of traffic approaching and leaving the premise.
The only adjacent road is Highway 33.

(k) Building permits will be obtained as required for all new construction and remodeling of existing buildings under this permit.
All buildings must meet code and be approved by Building and Safety.

(l) Only one vehicle/truck over 2.5 tons (gross weight) is permitted on the site. No more than four (4) business vehicles shall be parked or stored outside on the site at any one time.
No auto or truck storage is requested. Only parking for guests.

(m) There is no sign other than one non-animated, non-illuminated, non-reflecting nameplate not more than twenty (20) square feet in area, which name plate designates the home occupation carried on within.
No sign location is shown. There is a current sign located at the entrance drive from Hwy 33.

(n) A site plan for this special permit shall be approved and followed.
A site plan was provided (see attached)

8. Similar uses in the county approved by special permit that have large attendance such as, Camp Gargano, Camp Sonshine *and Prairie Creek Inn* have limitations on the number of participants at any one time**.** *Camp Gargano and Camp Sonshine were approved as "recreational facility" and Prairie Creek Inn was approved through a special permit for Historic Preservation and Expanded Home Occupation.*

9 *Prairie Creek Inn located at 2400 S. 148th Street was approved for a Bed and Breakfast and Expanded Home Occupation by County Special Permit 08021A. As accessory to the Bed and Breakfast wedding ceremonies and receptions were allowed.*

Events are limited to 300 persons except that up to 4 events per calendar

year of up to 500 persons may be allowed through the Lancaster County Amusement License process. Events of over 200 persons must utilize portable changeable message sings warning traffic on S. 148th Street fo turning vehicles.

Although Prairie Creek Inn is similar in its use, there are differences in the surrounding area. The distance between the nearest property line and the area of where events happen is over 1,250 feet. This is more than twice the distance of Avalon Event Paradise to its nearest property line. There are only six houses in proximity to the event area as compared to 24 houses near Avalon Event Paradise.

10. ~~Camp Sonshine was limited to 300 persons and Camp Gargano was limited to 150 persons. Camp Gargano was also allowed to have up to 500 persons 6 time per year if a separate amusement license is granted by the County Board. This limitation was due in part because of the sites being on gravel roads.~~
Camp Gargano located at SW 29th Street and West Wittstruck Road was approved for a Recreational Facility by special permit in June 2012. Originally the camp was for a club that allowed up to 50 persons for a youth athletic club. In 2012 the special permit was changed to "Recreational Facility". Recreational facility is defined as facilities primarily for participation by the public in athletic activities. As accessory to active recreation, they may also have fundraisers, training events and receptions.

Camp Gargano is allowed:
1) a maximum occupancy of 50 persons per day that shall not exceed 5 consecutive days in a given calendar week.
2) A maximum occupancy of 150 persons that shall not exceed 5 events in a 30 day period and no more than 2 events in a calendar week.
3) One day occupancy of 500 persons 6 times in a calendar year, if a separate amusement license is granted by the County Board..

Alcohol may be served for special events by a licensed caterer if a Special Designated Licenses is approved. Alcohol is not considered a land use issue.

The special event area is 600 feet away from the adjacent properties and is buffered by a tree mass and draiangeway. Major events, those over 500 persons, must conclude by 10:00 p.m.

There was substantial opposition to this special permit. 81 letters were sent to property owners within one mile. Of the 81 property owners, 21 were in opposition. Opposition was to the increased size, number of participants, traffic, noise, and alcohol.

11. Camp Sonshine generally located at S. 25th Street and 1/4 mile south of Bennet Road was approved for a recreational facility in May 2012. The recreational

facility is a camp for children. The special permit allows up to 300 campers with a four tier approach.

a. Tier 1: between 80 and 150 campers. Mitigation efforts: spray water or calcium chloride on S 25th from Saltillo Rd to Camp Sonshine entrance, arrange car pools, communicate transportation information to parents via Parent Guide, digital media and print materials, petition for road regrading at County 1&6 Road Plan public hearing.

b. Tier 2: Between 151 and 180 campers. Continue with Tier 1 actions, close existing driveway and begin using new entrance drive to the west of current location.

c. Tier 3: Between 181 and 200 campers. Continue Tier 1 & 2 actions, implement bus transportation option, pick up 40 to 50 campers from 2 or 3 "drop off" sites.

d. Tier 4: Between 201 and 300 campers. Continue Tier 1, 2, & 3 actions, pick up 80 to 100 campers from 3 to 5 "drop off" sites, evaluate traffic situation and address most important concerns affecting traffic impact.

12. Other expanded home occupation special permits approved in the County include a medical office located at 12100 West Roca Road and for outdoor storage at Highway 77 and between Hickman Road and Stagecoach Road. A third expanded home occupation was approved for a counter top business at N. 1st Street and Mill Road.

13. To help minimize the impact to adjacent neighbors the number of large events, those between 100 and ~~350~~ *150* persons, should be limited to no more than ~~15 in any calendar year~~ *two times per month.* Having more smaller events would help reduce traffic and noise. *The business should not detract from the peace and enjoyment of surrounding properties. In order to meet this goal no amplified music should be allowed outside.*

CONDITIONS OF APPROVAL:

Per Article 13, Section 13.001.27 this approval permits Expanded Home Occupation for the site in conformance with the attached site plan to be used for rental of the boathouse and/or designated open space for overnight stays, parties, wedding receptions, family reunions and other such gatherings *with the following conditions.*

1. No limit on the number of events that have no more than 50 people.

2. *Events between 50 and 150 persons are allowed two days in any one calendar month.*

3. *Any outside music is not allowed to use speakers or other forms of amplification.*

4. *Any outdoor event must conclude by 11:00 p.m.*

5. *Fireworks are not allowed except on July 3rd and 4th.*

6. *No more than two persons, who are not members of the family residing on the premises, may be employed to carry out the occupation or activity on the premises.*

~~for less than 100 people per event. Each calendar year 15 events are allowed for 100 to 350 people per event.~~ This special permit also waives the condition that the parking lot be gravel and waives that the outside area used for the business not exceed 15,000 square feet.

Standard Conditions:

1. The following conditions are applicable to all requests:

   1.1 Before starting the operation all development and construction shall substantially comply with the approved plans.

   1.2 The physical location of all setbacks and yards, buildings, parking and circulation elements, and similar matters be in substantial compliance with the location of said items as shown on the approved site plan.

   1.3 The terms, conditions, and requirements of this resolution shall run with the land and be binding upon the Permittee, its successors and assigns.

   1.4 The applicant shall sign and return the letter of acceptance to the County Clerk. This step should be completed within 60 days following the approval of the special permit. The Permittee shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds. Building permits will not be issued unless the letter of acceptance has been filed.

Prepared by

Tom Cajka
Planner

DATE: October 20, 2015

APPLICANT: Viann Martin
2315 Winding Ridge Road
Lincoln, NE 68512
402-540-0792

OWNER: Martin Estates LLC
2315 Winding Ridge Road
Lincoln, NE 68512
402-540-0792

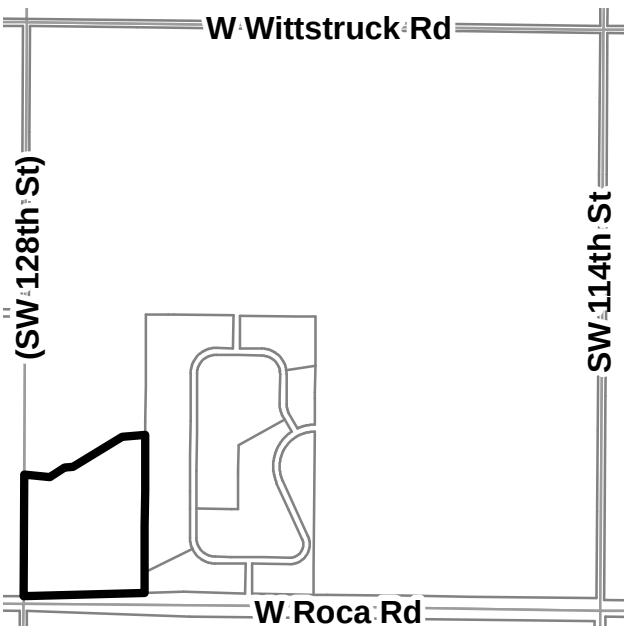
CONTACT: Same as applicant

F:\DevReview\SP\15000\SP15064 REVISED Avalon Event Paradise.tjc.wpd

2013 aerial

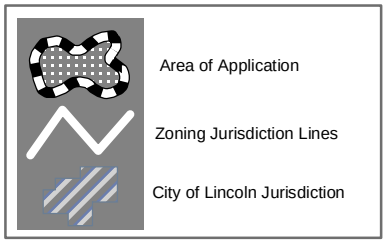
Special Permit #: SP15064
Avalon Event Paradise
SW 128th St & W Roca Rd

One Square Mile:
Sec.17 T08N R05E



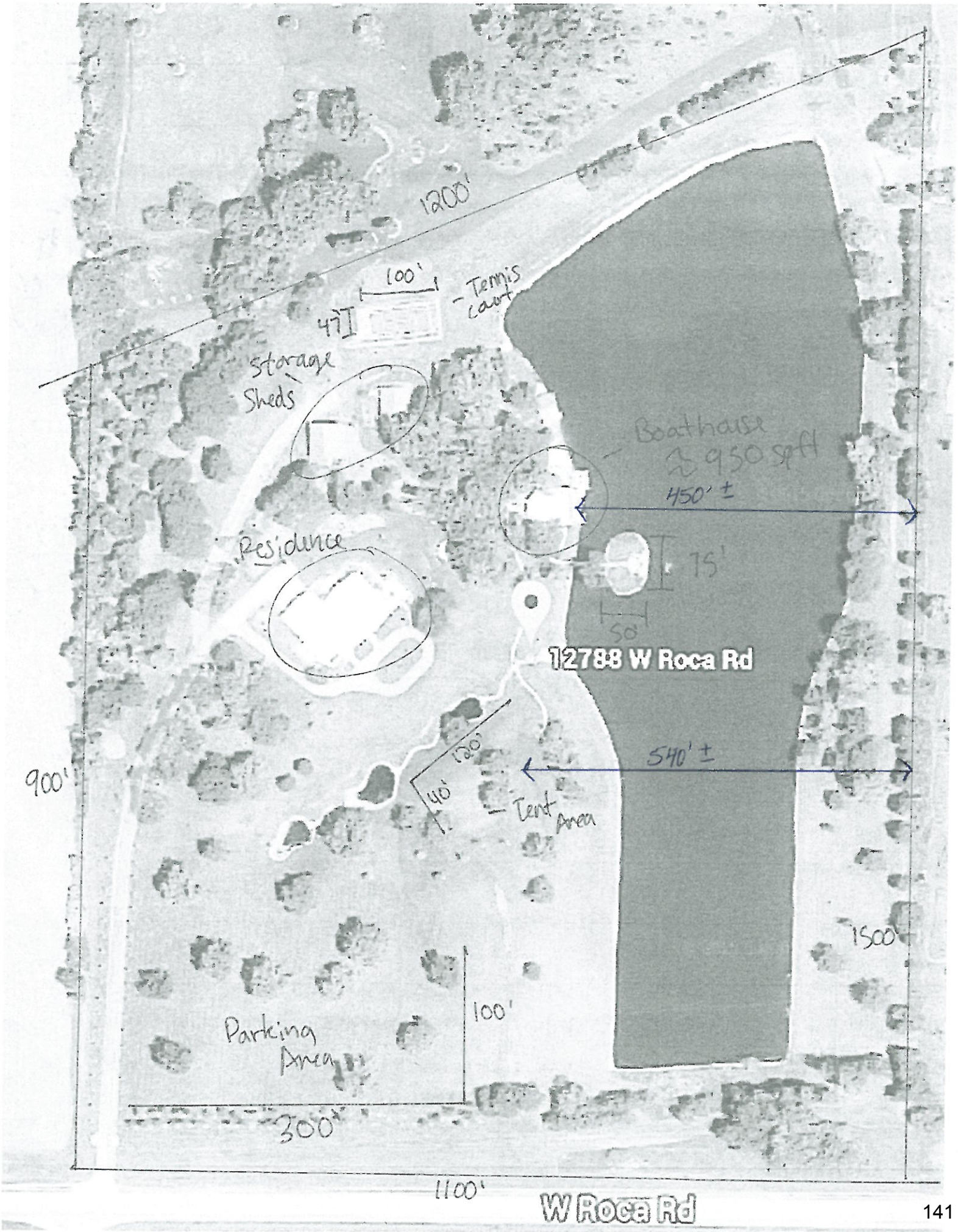
Zoning:

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



PDF: F:\Boards\PC\Internet\out\

File: F:\DevReview\PlannerPacket\MXD\Agendadrawings.mxd (SP15064)


1200'
100'
Tennis court
47'
storage Sheds
Boathouse
≈ 950 sqft
450' ±
Residence
75'
50'
12788 W Roca Rd
540' ±
120'
40'
Tent Area
900'
1500'
100'
Parking Area
300'
1100'
W Roca Rd

September 25, 2015

Lancaster County Planning Department:

This letter is to request that the planning department approve a special permit for the family business, Avalon Event Paradise, a host site for special events, such as, weddings and family reunions. It is our intent to offer the use of our scenic property for such events on a seasonal basis. The property lends itself nicely to such events as it is private and is located a good distance from other residents. Having held a few such events without prior knowledge of the necessity of needing county approval, we can state unequivocally that they have been orderly and without complaint. To the contrary, many local residents of Crete have commented that they are glad to see that we have restored the property and are keeping it looking so nice. Parking has not been a problem as we provide ample space at the front of the property and we also recommend the use of shuttles from the hotels where guests are staying. This greatly cuts down on the amount of traffic and creates easy access for guests. We have hired one person who works as a private contractor to maintain the property and give tours for prospective clients. The property includes a 12 acre lake with an island setting where weddings are held. It also includes a boathouse for the wedding party to use during events. There is also a reception area designated for tent use if the guests choose to rent a tent structure for events. It is our intent to pay close attention to the needs of neighbors as we operate this business for public enjoyment. The closest neighbors reside to the east of the 12 acre lake approximately 400 yards from the event site and are buffered by a large number of trees and shrubs. Therefore, we have never had a complaint of noise disturbance or any other disturbance as the guests do remain on the west side of the lake where the events are held. It is our sincere request that we be allowed to offer this site as a space for future events and to operate peacefully with respect to the neighboring properties. We appreciate your consideration. Thank you.

Viann Martin

Tom J. Cajka

From: Viann2000 <viann2000@aol.com>
Sent: Wednesday, October 14, 2015 1:29 PM
To: Tom J. Cajka
Subject: Special Waiver

I am requesting a waiver to extend the allotted parking area on our property located at12788 W Roca Rd.
Although most of our weddings only require parking for to-75 vehicles, we highlighted a larger area on the site map in order to accommodate the occasionally larger gathering.
A typical parking spot is 8.5x18' and the 100x300' area we have highlighted on the site map could accommodate up to 200 vehicles.
We are averaging only 1 event per month, and therefore, I also request that we not be required to rock or gravel the area for parking. Again this area is not irrigated and is located on a high point of the property, so it remains very dry and suitable for event parking.

Thank you for your consideration.

Viann Martin
(Owner)

Sent from my iPad