

**LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT**

**for July 21, 2004 PLANNING COMMISSION MEETING**

**P.A.S.:** Use Permit #04002

**PROPOSAL:** To develop 112 dwelling units, one lot for future development and one outlot.

**LOCATION:** W. Fletcher Avenue and NW 12<sup>th</sup>/13<sup>th</sup> Street.

**WAIVER REQUEST:**

Front yard setback  
Rear yard setback  
Side yard setback  
Location of sanitary sewer main  
Location of water main  
Lot depth to width ratio  
Sanitary sewer flowing opposite street grades  
Waive the preliminary plat process

**LAND AREA:** 19 acres, more or less.

**CONCLUSION:** With conditions the request is in conformance with the Comprehensive Plan, Zoning Ordinance and Subdivision Ordinance.

**RECOMMENDATION:**

Conditional Approval

Front yard setback	Approval
Rear yard setback	Approval
Side yard setback	Approval
Location of sanitary sewer main	Approval
Location of water main	Approval
Lot depth to width ratio	Approval
Sanitary sewer flowing opposed street grades	Approval
Waive the preliminary plat process	Approval

**GENERAL INFORMATION:**

**LEGAL DESCRIPTION:** See attached.

**EXISTING ZONING:** O-3, Office Park

**EXISTING LAND USE:** Undeveloped

**SURROUNDING LAND USE AND ZONING:**

North:	Undeveloped	I-2, Industrial Park
South:	Public pool, golf course	P, Public
East:	Residential	R-3, Residential
West:	Golf course	P, Public

**COMPREHENSIVE PLAN SPECIFICATIONS:** This area is shown as commercial in the Comprehensive Plan (F-25)

Areas of retail, office and service uses. Commercial uses may vary widely in their intensity of use and impact, varying from low intensity offices, to warehouses, to more intensive uses such as gas stations, restaurants, grocery stores or automobile repair. Each area designated as commercial in the land use plan may not be appropriate for every commercial zoning district. The appropriateness of a commercial district for a particular piece of property will depend on a review of all the elements of the Comprehensive Plan. (F-22)

Maximize the community's present infrastructure investment by planning for residential and commercial development in areas with available capacity. This can be accomplished in many ways including encouraging appropriate new development on unused land in older neighborhoods, and encouraging a greater amount of commercial space per acre and more dwelling units per acre in new neighborhoods. (F-17)

Affordable housing should be distributed throughout the region to be near job opportunities and to provide housing choices within every neighborhood. Encourage different housing types and choices, including affordable housing, throughout each neighborhood for an increasingly diverse population. (F-18)

Require new development to be compatible with character of neighborhood and adjacent uses (F-69).

**HISTORY:**

City Council changed the zone from R-4, Residential to O-3, Office Park on July 1, 1996.  
(Staff recommended denial of office zoning)

City Council changed the zone from R-3, Residential to R-4, Residential on May 23, 1994.  
(Applicant requested O-3 and was denied, City Council approved R-4 zoning)

**TOPOGRAPHY:** Sloping to the south and west.

**TRAFFIC ANALYSIS:** Fletcher Avenue and NW. 12<sup>th</sup>/13<sup>th</sup> are classified as urban minor arterial. NW 12<sup>th</sup> Street is shown in the current CIP for design in 2010, however the proposed CIP does not show NW 12<sup>th</sup> as part of the program. W Fletcher is shown for construction in the current 2004 CIP for a two lane plus turn lanes. The construction is underway presently and includes the re-alignment of NW 13<sup>th</sup> Street. Internal roads are to be private roadways.

There is a trail location identified on the west side of NW 12<sup>th</sup>/13<sup>th</sup> Street extending north to Fletcher and south from this site on the trails map.

**REGIONAL ISSUES:** The change from office use to residential use reduces the amount of available office space in the area. However, it appears that sufficient office space is available in the Technology Park and in Fallbrook, nearby.

**ENVIRONMENTAL CONCERNS:** The south portion of the site is close to an existing golf hole. There is a possibility that errant golf balls may hit the residential buildings and pose some risk for people who may be in the path of any golf balls. The Parks and Recreation Department or golf course plans to install an 8' chain link fence along the perimeter of the golf course.

**AESTHETIC CONSIDERATIONS:** Each building has four attached units, creating a building that is approximately 100 feet in length. The rear of the building is simple, with a flat building face. Due to this, the scale of the building is large and disproportionate. Planning staff asks to reduce the scale of the buildings by orienting the front of the buildings toward NW 12<sup>th</sup> Street. The applicant agreed and submitted a drawing showing added elements that reduce the scale of the building and provide a front facade toward NW 12<sup>th</sup> Street.

**ALTERNATIVE USES:** Office and other permitted uses in the O-3 district.

**ANALYSIS:**

1. This is a request to develop 112 townhomes within the O-3, Office Park district. The applicant requests to reduce front, side and rear yard setbacks. The O-3, Office Park district indicates that townhouses are a permitted use in the district, provided that a use permit is submitted.
2. The history of this parcel indicates that it was previously zoned residential. In both cases of request for office zoning, planning staff recommended denial and indicated this parcel is appropriate for residential. Staff still believes this parcel is appropriate for residential.
3. The applicant has requested setback waivers. It appears that since the lots are situated on a large outlot, that most of these waivers may be unnecessary if the lots are

enlarged. Planning staff does not object to the waivers. Due to the large outlot surrounding the individual lots, the reduction in the setbacks will be unnoticeable.

4. Planning staff believes the new construction will be compatible with the existing houses in the area based on the computer generated elevations submitted by the applicant.
5. The development meets the Comprehensive Plan goal to increase the number of dwelling units per acre and provide more of a variety of housing types in a neighborhood.
6. The Public Works and Utilities Department indicated the requested waivers to construct sanitary sewer opposite of street grades is acceptable provided that the minimum and maximum depths are not exceeded. Public Works and Utilities Department indicated that the request to construct water mains on the south side of the private roadway is acceptable, and approved the request to waive design standards for cul-de-sac geometry to provide a 30' radius turnaround.
7. The applicant needs to show a potential lot layout for Lot 61 and provide for connectivity to the proposed use. Planning staff believes that an easement for future road extension is sufficient, and agrees that extension is only required if Lot 61 develops residentially. The applicant was not opposed to showing this easement on the site plan when staff discussed it with them. The Public Works and Utilities Department indicated that a direct access to W. Fletcher Avenue from Lot 61 would be limited to right in and right out only.
8. The O-3 district does not have specific screening standards for multi-family. This may have been an oversight not anticipating an entirely residential project within an O-3 district. Multi-family developed with a community unit plan would be required to screen the perimeter of the site 50% from 6'-15'. Planning staff believes the screening requirement for CUP's should be extended for this project. Providing this screening will also bring down the scale of the rear building facades. The applicant did not object to the added screening. The applicant and Parks and Recreation Department will coordinate the planting of additional trees on city property, in addition to the screening provided on the applicant's property.
9. The Lincoln Lancaster County Health Department had two advisory comments indicated in their attached memo.
10. The Public Works and Utilities Department had several comments as indicated in their attached memo. Revisions are required to their satisfaction.
11. The Parks and Recreation Department had several comments as indicated in their attached memo. Revisions are required to their satisfaction.

**CONDITIONS:**

Site Specific:

1. After the subdivider completes the following instructions and submits the documents and plans and 6 copies to the Planning Department office, the item will be scheduled on the City Council agenda:
  - 1.1 Revise the plans to show:
    - 1.1.1 Potential layout of Lot 61 with easement for street extension provided that Lot 61 develops into residential.
    - 1.1.2 Extend the 6' high opaque privacy fence to screen the patios from the street.
    - 1.1.3 Provide a 50% from 6'-15' screen around the perimeter of the site, using deciduous plant materials.
    - 1.1.4 Change W. Webster Gales Road to W. Webster Street.
    - 1.1.5 Provide a name for each cul-de-sac within W. Royal Dornoch Court.
    - 1.1.6 Add a note to the plan indicating that this development is within the Airport Environs Noise District and all development must comply with L.M.C. Chapter 27.58 and 27.59.
    - 1.1.7 Provide hydrant locations to the satisfaction of the Fire Prevention/Life Safety Code section of the Building and Safety Department.
    - 1.1.8 Provide utility easements as requested by Lincoln Electric System.
    - 1.1.9 Add the waiver to the preliminary plat process to the waivers table.
    - 1.1.10 Provide changes as requested by Public Works and Utilities Department dated July 7, 2004.
    - 1.1.11 Provide changes as requested by Parks and Recreation Department dated July 9, 2004.
    - 1.1.12 Add a note indicating the city will install an 8' tall chain link fence at the top of the retaining wall along a common property

boundary in the mid and northern areas of the proposed development to be maintained by the city.

2. The City Council approves associated request:
  - 2.1 An exception to the design standards to permit sanitary sewer main and water main in an alternate location and to allow sanitary opposite to flow opposite street grades.
  - 2.2 A waiver to the reduce the front, side and rear yard setbacks as shown on the site plan.
  - 2.3 A modification to the requirements of the land subdivision ordinance to permit lots that exceed the maximum lot depth to width ratio and to waive the preliminary plat process.

General:

3. Final Plats will be approved by the Planning Director after:
  - 3.1 The permittee shall have submitted a revised and reproducible final plan including 7 copies showing the following revisions and the plans are acceptable.
  - 3.2 The sidewalks, streets, drainage facilities, street lighting, landscape screens, street trees, temporary turnarounds and barricades, and street name signs have been completed or the subdivider has submitted a bond or an escrow of security agreement to guarantee their completion.
  - 3.3 The subdivider has signed an agreement that binds the subdivider, its successors and assigns:
    - 3.3.1 to complete the street paving of all streets shown on the final plat within two (2) years following the approval of the final plat.
    - 3.3.2 to complete the installation of sidewalks along both sides of all internal streets and along the west side of NW 12<sup>th</sup>/13<sup>th</sup> Street and the south side of W. Fletcher Avenue as shown on the final plat within four (4) years following the approval of the final plat.
    - 3.3.3 to complete the public water distribution system to serve this plat within two (2) years following the approval of the final plat.

- 3.3.4 to complete the public wastewater collection system to serve this plat within two (2) years following the approval of the final plat.
- 3.3.5 to complete the enclosed drainage facilities shown on the approved drainage study to serve this plat within two (2) years following the approval of the final plat.
- 3.3.6 to complete land preparation including storm water detention/retention facilities and open drainageway improvements to serve this plat prior to the installation of utilities and improvements but not more than two (2) years following the approval of the final plat
- 3.3.7 to complete the installation of private street lights along streets within this plat within two (2) years following the approval of the final plat.
- 3.3.8 to complete the planting of the street trees along streets within this plat within four (4) years following the approval of the final plat.
- 3.3.9 to complete the planting of the landscape screen within this plat within two (2) years following the approval of the final plat.
- 3.3.10 to complete the installation of the streetname signs within two (2) years following the approval of the final plat.
- 3.3.11 to submit to the Director of Public Works a plan showing proposed measures to control sedimentation and erosion and the proposed method to temporarily stabilize all graded land for approval.
- 3.3.12 to complete the public and private improvements shown on the preliminary plat and Use Permit.
- 3.3.13 to retain ownership of or the right of entry to the outlots in order to maintain the outlots and private improvements on a permanent and continuous basis and to maintain the plants in the medians and islands on a permanent and continuous basis. However, the subdivider may be relieved and discharged of this maintenance obligation upon creating, in writing, a permanent and continuous association of property owners who would be responsible for said permanent and continuous maintenance. The subdivider shall not be relieved of such maintenance obligation until the private improvements have been satisfactorily installed and the documents creating the association have been reviewed and

approved by the City Attorney and filed of record with the Register of Deeds.

- 3.3.14 to continuously and regularly maintain the street trees along the private roadways and landscape screens.
- 3.3.15 to submit to the lot buyers and home builders a copy of the soil analysis.
- 3.3.16 to pay all design, engineering, labor, material, inspection, and other improvement costs.
- 3.3.17 to comply with the provisions of the Land Preparation and Grading requirements of the Land Subdivision Ordinance.
- 3.3.18 to properly and continuously maintain and supervise the private facilities which have common use or benefit, and to recognize that there may be additional maintenance issues or costs associated with providing for the proper functioning of storm water detention/retention facilities as they were designed and constructed within the development, and that these are the responsibility of the land owner.
- 3.3.19 to timely complete the public and private improvements and facilities required by Chapter 26.23 of the Land Subdivision Ordinance which have not been waived including but not limited to the list of improvements described above.
- 3.3.20 to post the required security to guarantee completion of the required improvements if the improvements are not completed prior to approval of the final plat.
- 3.3.21 to acknowledge that the land is within the airport environs noise district.
- 3.3.22 to acknowledge this parcel is adjacent a golf course and near one of the golf greens.
- 3.3.23 to grant the city access to the city installed 8' high chain link fence for maintenance purposes.

STANDARD CONDITIONS:

4. The following conditions are applicable to all requests:
  - 4.1 Before occupying the dwelling units all development and construction shall have been completed in compliance with the approved plans.
  - 4.2 All privately-owned improvements shall be permanently maintained by the owner or an appropriately established homeowners association approved by the City Attorney.
  - 4.3 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.
  - 4.4 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
  - 4.5 The applicant shall sign and return the letter of acceptance to the City Clerk within 30 days following the approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The 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.

Prepared by:

Becky Horner, 441-6373, [rhorer@ci.lincoln.ne.us](mailto:rhorer@ci.lincoln.ne.us)  
Planner

**DATE:** July 6, 2004

**APPLICANT:** Cameron Corporation  
3900 Pine Lake Road, Suite 1  
Lincoln, NE 68516  
(402)730-8548

**OWNER:** Highlands Development  
3555 Orwell Street  
Lincoln, NE 68516



**Use Permit #04002  
NW 13th & W. Fletcher Ave.**

Alvo Rd. 2002 aerial

**Zoning:**

- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- R-C Residential Conservation 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

Four Square Mile  
 Sec. 3 T10N R6E  
 Sec. 4 T10N R6E  
 Sec. 33 T11N R6E  
 Sec. 34 T11N R6E



Zoning Jurisdiction Lines  
 City Limit Jurisdiction





JUN 24 2004

**LANDSCAPE NOTES**

1. See site plan for tree locations.
2. All trees to be planted in accordance with the following:
3. All trees to be planted in accordance with the following:
4. All trees to be planted in accordance with the following:
5. All trees to be planted in accordance with the following:
6. All trees to be planted in accordance with the following:

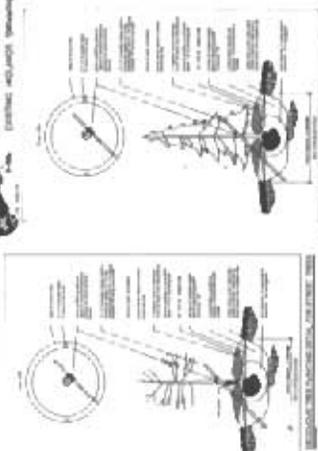
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MIAMI, FL 33136  
TEL: 305.375.1111  
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**HIGHLANDS TOWNHOMES**

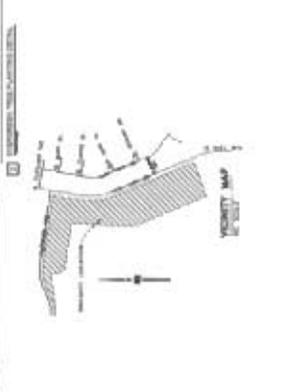
**LIVE PERMIT**

**LANDSCAPE PLAN**

SCALE: 1"=40'  
PROJECT NUMBER: 04-001-001



NO.	SYMBOL	DESCRIPTION	QUANTITY
1	(Symbol)	1" DB PLANTING TREE	10
2	(Symbol)	2" DB PLANTING TREE	10
3	(Symbol)	3" DB PLANTING TREE	10
4	(Symbol)	4" DB PLANTING TREE	10
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NEWVENTURES

# PROPOSED REAR ELEVATION



EXISTING REAR ELEVATION

## LEGAL DESCRIPTION

A METES AND BOUNDS DESCRIPTION OF OUTLOT F, HIGHLANDS COALITION LOCATED IN SECTIONS 3 AND 4, TOWNSHIP 10 NORTH, RANGE 6 EAST AND SECTIONS 33 AND 34, TOWNSHIP 11 NORTH, RANGE 6 EAST OF THE 6TH P.M. AND MORE FULLY DESCRIBED AS FOLLOWS:

REFERRING TO THE INTERSECTION OF NW 13TH STREET AND FLETCHER AVENUE; THENCE: S09°45'32"W, (AN ASSUMED BEARING), ON THE CENTERLINE OF SAID NW 13TH STREET, A DISTANCE OF 36.02 FEET; THENCE: N82°00'13"W, A DISTANCE OF 50.02 FEET TO THE NORTHEASTERLY CORNER OF SAID OUTLOT F AND THE POINT OF BEGINNING; THENCE: S09°45'32"W, ON THE EASTERLY LINE OF OUTLOT F AND THE WESTERLY RIGHT-OF-WAY LINE OF NW 13TH STREET, A DISTANCE OF 299.24 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 32°17'18", A RADIUS OF 770.00 FEET, AN ARC LENGTH OF 433.93 FEET, A CHORD LENGTH OF 428.21 FEET AND A CHORD BEARING S06°20'46"E; THENCE: ON SAID CURVE AND SAID LINE, A DISTANCE OF 433.93 FEET TO THE POINT OF TANGENCY; THENCE: S22°30'37"E, ON SAID LINE, DISTANCE OF 966.49 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 01°48'44", A RADIUS OF 990.00 FEET, AN ARC LENGTH OF 31.31 FEET, A CHORD LENGTH OF 31.31 FEET AND A CHORD BEARING S21°38'43"E; THENCE: ON SAID CURVE AND SAID LINE, A DISTANCE OF 31.31 FEET TO THE SOUTHEASTERLY CORNER OF OUTLOT F; THENCE: S69°15'15"W, ON THE SOUTHERLY LINE OF OUTLOT F, A DISTANCE OF 420.05 FEET; THENCE: N22°29'51"W, ON SAID LINE, A DISTANCE OF 905.25 FEET; THENCE: N01°30'21"E, A DISTANCE OF 739.87 FEET; THENCE: N81°58'45"W, A DISTANCE OF 534.96 FEET; THENCE: N18°58'45"W, A DISTANCE OF 163.96 FEET; THENCE: S81°47'37"W, A DISTANCE OF 192.72 FEET; THENCE: S85°53'36"W, A DISTANCE OF 264.04 FEET; THENCE: N00°00'19"E, A DISTANCE OF 14.00 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF FLETCHER AVENUE AND THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 24°17'59", A RADIUS OF 526.00 FEET, AN ARC LENGTH OF 223.08 FEET, A CHORD LENGTH OF 221.41 FEET AND A CHORD BEARING N77°42'06"E; THENCE: ON SAID CURVE AND SAID LINE, A DISTANCE OF 223.08 FEET TO THE POINT OF TANGENCY; THENCE: N65°39'38"E, ON SAID LINE, A DISTANCE OF 116.33 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 32°22'07", A RADIUS OF 454.00 FEET, AN ARC LENGTH OF 256.48 FEET, A CHORD LENGTH OF 253.09 FEET AND A CHORD BEARING N81°48'00"E; THENCE: ON SAID CURVE AND SAID LINE, A DISTANCE OF 256.48 FEET TO THE POINT OF TANGENCY; THENCE: S82°00'13"E, ON SAID LINE, A DISTANCE OF 813.82 FEET TO THE POINT OF BEGINNING AND CONTAINING A CALCULATED AREA OF 19.372 ACRES MORE OR LESS.

RECEIVED

JUN 24 2004

LANCASTER COUNTY  
PLANNING DEPARTMENT

LAW OFFICES OF  
**CLINE, WILLIAMS, WRIGHT, JOHNSON & OLDFATHER, L.L.P.**

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KEVIN J. SCHNEIDER  
ANDREW D. STROTSMAN  
JILL GOSSIN JENSEN  
STEVEN M. DELANEY  
JOHN C. HEWITT  
JOHN L. HORAN  
MICHAEL C. PALLESEN  
TRACY A. OLDEMEYER  
JANIS J. WINTERHOF  
PAMELA EPP OLSEN  
TRENT R. SIDDESS  
JENNIE A. KUEHNER  
ANDRE R. BARRY  
JEFFREY E. MARK  
JOERG W. FREYE  
BETH E. KIRSCHBAUM  
TRAVIS P. O'GORMAN  
DOUGLAS R. ABERLE  
BRIAN J. ADAMS

CHARLES E. WRIGHT, COUNSEL  
RICHARD P. JEFFRIES, COUNSEL

June 24, 2004

**Mr. Marvin Krout, Director of Planning  
Lincoln City/Lancaster County Planning Department  
555 South 10<sup>th</sup> Street, Suite 213  
Lincoln NE 68508**

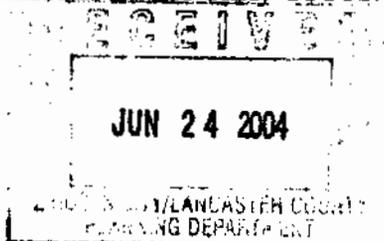
**Re: Highlands Townhomes – Use Permit at N.W. 13<sup>th</sup> Street  
and Fletcher Avenue  
Our File: COB07-RE001**

Dear Mr. Krout:

On behalf of the Cameron Corporation, we hereby submit the application for a Use Permit to be issued under LMC §27.27.020. The subject property is located west of N.W. 13<sup>th</sup> Street, adjacent to the Highlands public golf course, and south of Fletcher Avenue. The Highlands Townhomes project consists of 112 townhome lots. Each townhome unit would be built upon its own platted lot. All of the lots will access the private roads within the development that will ultimately be owned and maintained by a townhome unit owners association. The water and sanitary sewer service will be public. Each two-story townhome unit will contain approximately 1700 square feet and will have a two-stall attached garage and parking for two additional vehicles in the driveway.

The subject property is bordered on the west by Highlands golf course, on the east by N.W. 13<sup>th</sup> Street which is a designated arterial street, and on the north by Fletcher Avenue which is also a designated arterial. The subject property was originally acquired by the City of Lincoln when the Highlands Sanitary Improvement District #9 was annexed by the City of Lincoln in the early 1990s.

L0603796.1



June 24, 2004

Page 2

The property was then sold to the Highlands Coalition and has remained vacant and undeveloped for more than ten years.

The townhomes designed for the subject property are permitted uses under LMC §27.27.020(e). The number of dwelling units evidenced by the Use Permit site plan is less than otherwise would be permitted on a density calculation under the O-3 Office Park district.

The waivers noted on the site plan assist my client in addressing some of the design elements that the Planning Staff asked to be addressed. For example, the private streets within the Use Permit have been designed with some curve to break up the line of sight from the rear of the units. In addition, we enclose five copies of elevation drawings showing some additional exterior changes that were incorporated into the design of the units to further address some of the aesthetic concerns raised by Planning Staff. The new design incorporates a cantilevered hip roof over the rear door of the units and reflects additional shutters added to the rear windows.

During the design process, my client, Brian Carstens & Associates, and I met with Steve Hiller of the Lincoln City Park & Recreation Department. Mr. Hiller raised several concerns which have been incorporated into the design. Initially, the detention cell located on Outlot A has been designed to detain the surface water on site. In addition, the Parks & Recreation Department expressed its desire to install, at a minimum, a six-foot chainlink fence on its property line. Such a privacy fence will limit the access of the residents of the Highlands Townhomes development to the public golf course and will limit the access of patrons of the public golf course to the Highlands Townhomes.

Several weeks ago, we held a meeting with the Highlands Neighborhood Association and explained the project. We have provided a copy of the draft Restrictive Covenants to the Neighborhood Association.

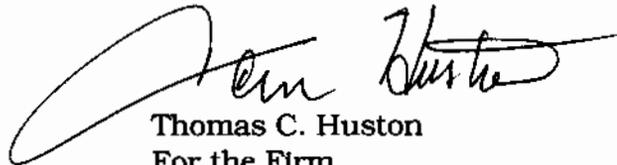
Accompanying this letter are the necessary sets of copies of the site plan for distribution to the various departments. You will also find a copy of the Application for the Use Permit and the application fee.

June 24, 2004

Page 3

Should you have any questions concerning this submittal, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom Huston", written in a cursive style. The signature is positioned above the printed name and title.

Thomas C. Huston  
For the Firm

Enc.

c: Breck Collingsworth

Blake Collingsworth

Tommy Taylor, President, Highlands Neighborhood Assn.

Stephen Hiller, Lincoln Parks and Recreation

# Memorandum

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<b>To:</b>	Becky Horner, Planning Department
<b>From:</b>	Chad Blahak, Public Works and Utilities
<b>Subject:</b>	Highlands Townhomes
<b>Date:</b>	7/07/04
<b>cc:</b>	Randy Hoskins

Engineering Services has reviewed the use permit for Highlands Townhomes, located west of North 12th Street and south of Fletcher Avenue, and has the following comments:

**Sanitary Sewer** - The following comments need to be addressed.

(1.1) There does not appear to be a need for the requested waiver of design standards for sanitary sewer location as the sewer pipe in question is existing and does not generally follow a street alignment.

(1.2) Public Works approves the requested waiver of design standards to construct sanitary sewer opposite of street grades provided that the minimum and maximum depths are not exceeded.

**Water Mains** - The following comments need to be addressed.

(2.1) Public Works approves the requested waiver of design standards to construct water mains on the south side of the private roadway as there are no units proposed on the north side and there is no sanitary sewer required on the south side of the road.

**Grading/Drainage** - The following comments need to be addressed.

(3.1) Additional information needs to be provided. A detail of the outlet structure and culvert for the proposed detention cell need to be shown. Post development flows need to be provided based on the proposed outlet structure to ensure the pre-development flows are not exceeded. Cross-section and capacity information needs to be provided for the swale that is shown to drain Area 'M' to the detention cell. Pre and post development flows need to be provided for the outlet at Area 'Q'.

(3.2) Area 'E' does not appear to have a sufficient emergency overflow for major storm events or if the storm system is blocked. The grading and/or site plan needs to be revised accordingly.

**Streets** - The following comments need to be addressed.

(4.1) Public Works approves the requested waiver of design standards for cul-de-sac geometry to provide a 30' radius turnaround for private roadways.

(4.2) Given the proximity to the NW 12th and Fletcher intersection, any driveway that would be proposed to take access to Fletcher from Lot 61 will be a right in/right out only connection. This

driveway should be shown at the west end of the lot.

**General** - The information shown on the preliminary plat relating to the public water main system, public sanitary sewer system, and public storm sewer system has been reviewed to determine if the sizing and general method providing service is satisfactory. Design considerations including, but not limited to, location of water main bends around curves and cul-de-sacs, connection of fire hydrants to the public main, temporary fire hydrant location, location and number of sanitary sewer manholes, location and number of storm sewer inlets, location of storm sewer manholes and junction boxes, and the method of connection storm sewer inlets to the main system are not approved with this review. These and all other design considerations can only be approved at the time construction drawings are prepared and approved.

# Memorandum

July 9, 2004

TO: Becky Horner, Planning Department

FR: Lynn Johnson, Parks and Recreation

RE: Highlands Townhomes, 04002

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Pursuant to our meeting of earlier today:

- 1) We are no longer opposed to the waiver for the rear yard setback of a number of the proposed residential units with the understanding that resilient building materials, such as concrete siding and tempered glass windows, will be used on the facades of buildings facing the golf course where the rear setback is reduced.

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- 2) We are requesting that the subdivision agreement reference granting of an easement to the City of place an eight-foot tall chain-link fence at the top of the retaining walls proposed along the common property boundary in the mid and northern areas of the proposed development.
- 3) We have concerns regarding the impacts of sedimentation on Highlands Golf and associated irrigation pond during construction. We are requesting that the locations of sub-surface drains under the fairway adjoining the proposed development be noted and addressed on the sedimentation and erosion control plans. Jeff Gasseling, Golf Superintendent at Highlands Golf Course, may be contacted to assist in mapping these locations. We request an opportunity to review and comment on the sedimentation and erosion control plans. We also would like to receive a copy of the approved plans.
- 4) We have concerns regarding the volume and velocity of storm water discharging from the proposed detention pond onto the golf course. There is an area approximately 25 yards in length between the outfall of the detention pond and a 24-inch sub-surface drain under the fairway adjoining the development. We request that the developer and the City work cooperatively to identify and implement an appropriate solution to transmit storm water run-off from the detention pond to and through the sub-surface drain without adversely affecting the condition of the golf course.
- 5) It was suggested that the landscape plan for the screening along the common boundary between the proposed development and Highlands Golf Course be revised to include sufficient plantings to comply with screening requirements.

The developer has indicated a willing to work with the Parks and Recreation Department to fund additional trees to be planted along the eastern boundary of the golf course in the vicinity of the development.



Dennis L Roth

07/01/2004 12:40 AM

To: Rebecca D Homer/Notes@Notes

cc:

Subject: re: Highlands Townhouses

PROJ NAME: Highlands Townhouses  
PROJ NMBR: UP #04002  
PROJ DATE: 06/24/04  
PLANNER: Becky Horner

Finding no DUPLICATE/SIMILAR names in our geobase for the street name proposed in this project, other than those which are an extension of an existing street. Ssee comments.

Dennis "denny" Roth, ESD II/CAD Admin  
Emergency Communications 9-1-1 Center

STREETS: W Carnouistic Ct, W Keating Dr, W Royal Dornoch Ct, W Webster Gales Rd  
and NW 14th St

PRIVATE:

COMMENTS: 1) W Webster Gales Rd does align with the existing W Webster St and we would "prefer" that it be names "W Webster St". 2) W Royal Dornoch Ct appears on BOTH sides of NW 14th St and we would "prefer" that one side of the other be named Place or Circle to avoid any confusion.

**message to Becky Homer**



**MICHAEL WOOLMAN**  
**<pd737@CJIS.CI.LINC**  
**OLN.NE.US>**

06/28/2004 01:39 PM

To: R Homer <RHomer@ci.lincoln.ne.us>  
cc:  
Subject: Highlands Townhomes

Ms. Homer,

The Lincoln Police Department does not object to the Highlands Town Homes UP# 04002.

Sergeant Michael Woolman  
Lincoln Police Department

**message to Becky Horner**



**IMPORTANT**



**Return this report with two sets of corrected plans. The corrections noted below are required to be made to the plans prior to issuance of a permit. Please indicate under each item where the correction is made by plan sheet number or plan detail number.**

**A separate set of plans for review and and final approval must be submitted by the licensed installing contractor/s if fire suppression systems, sprinklers, dry powder, fire alarm systems or underground tanks are installed.**



Permit # **DRF04092**

Address

Job Description: **Development Review - Fire**

Location: **HIGHLANDS TOWNHOMES**

Special Permit:

Preliminary Plat:

Use Permit: **Y 04002**

CUP/PUD:

Requested By **BECKY HORNER**

Status of Review: **Approved**

**07/07/2004 9:42:07 AM**

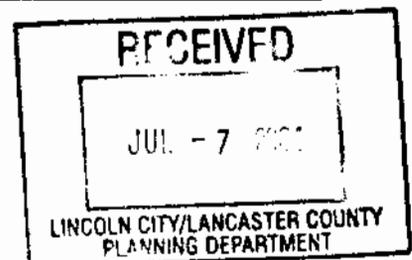
Reviewer: **FIRE PREVENTION/LIFE SAFETY CODE**

**BOB FIEDLER**

Comments: **approved**

**Current Codes In Use Relating to Construction Development In the City of Lincoln:**

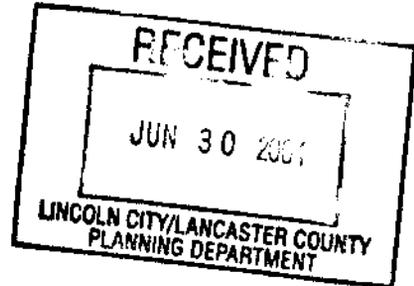
- 2000 International Building Code and Local Amendments
- 2000 International Residential Code and Local Amendments
- 1994 Nebraska Accessibility Guidelines (Patterned after and similar to ADA guidelines)
- 1989 Fair Housing Act As Amended Effective March 12, 1989
- 1979 Zoning Ordinance of the City of Lincoln as Amended including 1994 Parking Lot Lighting Standards
- 1992 Lincoln Plumbing Code (The Lincoln Plumbing Code contains basically the 1990 National Standard Plumbing Code and local community Amendments.)
- 1999 National Electrical Code and Local Amendments
- 1997 Uniform Mechanical Code and Local Amendments
- 1994 Lincoln Gas Code
- 1994 NFPA 101 Life Safety Code
- 2000 Uniform Fire Code and Local Amendments
- Applicable NFPA National Fire Code Standards



INTER-DEPARTMENT COMMUNICATION



**DATE:** June 29, 2004  
**TO:** Becky Horner, City Planning  
**FROM:** Sharon Theobald  
Ext 7640  
**SUBJECT:** DEDICATED EASEMENTS  
DN# 58N-14W



Attached is the Use Permit/Site Plan for Highlands Townhomes.

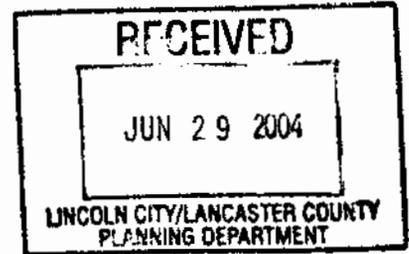
**In reviewing the dedicated transmission line or other electrical easements shown on this plat, LES does not warrant, nor accept responsibility for the accuracy of any such dedicated easements.**

ALLTEL, Time Warner Cable, and the Lincoln Electric System will require the additional easements marked in red on the map, along with blanket utility easements, as noted.

*Sharon Theobald*

ST/ss  
Attachment  
c: Terry Wiebke  
Easement File

June 28, 2004



**Ms. Becky Horner, Project Planner  
Lincoln/Lancaster County Planning  
555 South 10<sup>th</sup>  
Lincoln, NE 68508**

**Subject: Lincoln Airport, Lincoln, NE  
Use Permit 04002  
Highlands Townhomes**

**Ms. Horner:**

**After reviewing the final plat we have the following comments.**

**Since the development is within the Airport Environs Noise District, the developer will need to comply with all provisions of Chapter 27.58 of the Lincoln Municipal Code, including the requirement for an aviation easement.**

**Second, it appears that a significant portion of the development is on property that has an elevation above 1,248'. Please refer to Chapter 27.59 and the associated Lincoln Airport Zoning Map. Per Chapter 27.59, development in the "shaded" areas should be required to go through the height permitting process to ensure they do not exceed allowable structure heights.**

**If you have any questions or comments, please advise.**

**Sincerely,**

**AIRPORT AUTHORITY**



**Jon L. Large, P.E.  
Deputy Director of Engineering**

**JLL/lb**

**cc: Mike Johnson, w/attachments**

**LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT  
INTER-OFFICE COMMUNICATION**

**TO:** Becky Horner

**DATE:** July 6, 2004

**DEPARTMENT:** Planning

**FROM:** Chris Schroeder

**ATTENTION:**

**DEPARTMENT:** Health

**CARBONS TO:** EH File

**SUBJECT:** Highlands Townhomes

EH Administration

UP #04002

The Lincoln-Lancaster County Health Department (LLCHD) has reviewed the proposed development with the following noted:

- Kawasaki Motors Manufacturing Corporation USA is located northwest of this proposed development. Kawasaki Motors Manufacturing Corporation USA emits volatile organic compounds and hazardous air pollutants each of which can be sources for odor complaints. Recognizing the prevailing wind direction in the winter months, the LLCHD advises that odor complaints may be an issue relative to this proposed development.
- During the construction process, the land owner(s) will be responsible for controlling off-site dust emissions in accordance with Lincoln-Lancaster County Air Pollution Regulations and Standards Article 2 Section 32. Dust control measures shall include, but not limited to application of water to roads, driveways, parking lots on site, site frontage and any adjacent business or residential frontage. Planting and maintenance of ground cover will also be incorporated as necessary.