

GENERAL NOTES

1. SANITARY SEWER AND WATER LINES TO BE 8" PIPE UNLESS OTHERWISE SHOWN. STORM SEWER SHALL BE REINFORCED CONCRETE PIPE UNLESS OTHERWISE SHOWN. 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. THE PROPOSED PLAT IS CURRENTLY ZONED AG. PROPOSED ZONING FOR THE PLAT IS B-5 (REGIONAL BUSINESS DISTRICT).
5. SIDEWALKS WITHIN USE PERMIT TO BE BUILT AS SHOWN. SIDEWALKS ALONG S. 84TH STREET AND S. 91ST STREET WILL BE CONSTRUCTED DURING INITIAL CONSTRUCTION. THE WEST SIDE OF 91ST STREET SHALL HAVE A 10' BIKE TRAIL RATHER THAN A 4' SIDEWALK. NO SIDEWALK WILL BE CONSTRUCTED ALONG HIGHWAY #2.
6. ALL DIMENSIONS ALONG CURVES ARE CHORD DISTANCES.
7. DIRECT VEHICULAR ACCESS TO S. 84TH STREET, S. 91ST STREET, AND HWY #2 SHALL BE RELINQUISHED EXCEPT AS SHOWN ON THE PLAT.
8. ALL SIDEWALKS TO BE BUILT 4' MIN. WIDTH.
9. PROPOSED INTERNAL LOT DIMENSIONS SHOWN ARE APPROXIMATE AND MAY VARY UP TO 100 FEET.
10. THE FOUR SIGNS SHOWN ON THE SITE PLAN SHALL BE PERMITTED BEHIND THE 50 FOOT FRONT YARD SETBACK PROVIDED THEY ARE NOT CONSTRUCTED IN INTERSECTION SITE TRIANGLES OR REQUIRED EASEMENTS. GROUND MONUMENT SIGNS SHALL HAVE 100 S.F. MAXIMUM SIGNAGE AREA AND A MAXIMUM HEIGHT OF 8' IDENTIFYING THE SHOPPING CENTER NAME. PERIMETER PAD SITES SHALL HAVE GROUND MONUMENT SIGNS NO LARGER THAN 6' IN HEIGHT AND PROVIDE NO MORE THAN 50 S.F. OF SIGNAGE AREA. PAD SITES MAY HAVE GROUND MONUMENT SIGNS IN CONFORMANCE WITH SECTION 27.69.060 OF THE ZONING ORDINANCE. ALL SIGNS SHALL ALSO MEET THE RESTRICTIVE COVENANTS SET BY THE DEVELOPER.
11. ALL ELEVATIONS ARE TO NAVD 1988.
12. THE EXISTING SEPTIC TANK SYSTEM SHALL BE REMOVED OR ABANDONED IN ACCORDANCE WITH ALL CITY, COUNTY, AND STATE STANDARDS.
13. LOTS MAY BE CREATED WITHOUT FRONTAGE TO A PUBLIC STREET IF THEY HAVE ACCESS TO A PUBLIC ACCESS EASEMENT.
14. UNLESS OTHERWISE SHOWN, BUILDING ENVELOPES FOR INDIVIDUAL LOTS SHALL BE DESIGNATED AS THE LOT LINE. BUILDING STRUCTURES INCLUDING EAVES, OVERHANGS, CANOPIES, PATIOS, ETC. CAN BE LOCATED ANYWHERE WITHIN THE LOT PROVIDED THEY DO NOT ENCROACH ANY REQUIRED EASEMENTS OR EXTEND ACROSS LOT LINES. PARKING LOTS SHALL NOT ENCROACH INTO PUBLIC ACCESS EASEMENTS ALONG ANY DESIGNATED PRIVATE ROADWAY.
15. THE SALE OF ALCOHOLIC BEVERAGES FOR CONSUMPTION ON AND OFF PREMISES IS PERMITTED, AS LONG AS THE LOCATION REQUIREMENTS OF SECTION 27.63.680 AND 27.63.685 OF THE TITLE 27 LINCOLN MUNICIPAL CODE FOR ZONING HAVE BEEN MET.
16. TENT USAGE APRIL 1ST-NOV. 1ST MAX. SIZE OF TENTS 80' X 40' BUT SMALLER CAN BE USED. NO PARKING WITHIN 20 FEET OF TENTS. MULTIPLE TENTS 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 LINCOLN DESIGN STANDARDS.
17. INDIVIDUAL LANDSCAPE PLANS FOR EACH LOT WILL BE SUBMITTED WITH BUILDING SITE PLANS AS THEY ARE DEVELOPED AND SHALL BE APPROVED THROUGH BUILDING PERMIT PROCESS.
18. LOT LAYOUTS SHOWN WITHIN THE BOUNDARY OF THIS USE PERMIT EXCEPT LOTS 5 & 6, BLK 3 ARE CONCEPTUAL. SPECIFIC DETAILED PLANS WILL BE SUBMITTED WITH INDIVIDUAL SITE LAYOUT PLANS AS THEY ARE DEVELOPED AND SHALL BE APPROVED THROUGH THE BUILDING PERMIT PROCESS PROVIDED CIRCULATION ACCESS DRIVES ARE CONSISTENT WITH THE APPROVED PLANS, INTERNAL VEHICULAR CIRCULATION IS PROVIDED BETWEEN ALL LOTS, AND ALL ZONING REGULATIONS AND DESIGN STANDARDS ARE MET.
19. FENCES, DUMPSTERS, TRASH COMPACTORS, DECORATIVE STRUCTURES, AND ACCESSORY BUILDINGS ARE NOT SHOWN ON THE PLANS IF THEY ARE 25' BY 25' OF SMALLER AND ARE OUTSIDE OF THE SITE TRIANGLES, EASEMENTS, AND SETBACKS AND ARE BUILT IN CONFORMANCE WITH ALL APPLICABLE ORDINANCES AND CODES.
20. ADJUSTMENTS IN THE FLOOR AREA OF EACH BUILDING MAY BE MADE AT TIME OF BUILDING PERMIT PROVIDED THE SQUARE FOOTAGE FOR THE SITE IS NOT EXCEEDED BY 10%. TOTAL MAXIMUM SQUARE FOOTAGE ALLOWED IS 940,000 S.F. TIED TO 2,925 PM PEAK HOUR TRIPS.
21. ALL PARKING LOT ISLANDS SHALL BE RAISED, CONCRETE CURB AND GUTTER MEDIANS.
22. PERIMETER PAD SITES MAY CHANGE USES LISTED IN LAND USE TABLE AT TIME OF BUILDING PERMIT PROVIDED THAT PARKING RATIOS MEET REQUIREMENTS FOR TYPE OF USE AND ALL OTHER APPLICABLE CODES AND ZONING REQUIREMENTS ARE MET.
23. THE ENTIRE PLAT IS LOCATED IN FEMA FLOOD ZONE C (PANEL NO. J15273 0045 C).
24. SIGNS FOR INTERNAL CIRCULATION/DIRECTION ARE NOT SHOWN. EXACT LOCATION SHALL BE APPROVED THROUGH THE BUILDING PERMIT PROCESS.
25. EXISTING WATER STORAGE TANK SHALL BE RELOCATED AT A LATER TIME AS APPROVED BY PUBLIC WORKS AND UTILITIES. NO CONSTRUCTION ACTIVITIES SHALL OCCUR ON THE WATER TANK LOT WITHOUT PERMISSION FROM THE WATER DEPARTMENT.
26. TOTAL USAGE: TOTAL BLOCKS - 3
 TOTAL LOTS - 28 (PROPOSED B-5 ZONING)

 OUTLOTS A & B - GREENSPACE AND PRIVATE ROADWAY
 OUTLOTS C & D - GREENSPACE AND PARKING LOT
 OUTLOTS E - PRIVATE ROADWAY
 OUTLOTS F, G, H, J - GREENSPACE
27. ANY RELOCATION OF EXISTING UTILITY FACILITIES WILL BE AT THE DEVELOPERS EXPENSE.
28. EXISTING WELLS WILL BE ABANDONED OR A PERMIT WILL BE OBTAINED FROM THE HEALTH DEPARTMENT.
29. DEVELOPER SHALL COORDINATE WITH PUBLIC WORKS FOR THE INSTALLATION OF THE WATER LINES, THE ABANDONMENT OF THE WATER TANK, AND THE CONSTRUCTION OF PAVEMENT FOR SOUTH 84TH STREET.
30. ANY RELOCATION OF EXISTING LES FACILITIES WILL BE AT THE DEVELOPERS EXPENSE.
31. OLSSON ASSOCIATES IS CURRENTLY COORDINATING WITH PUBLIC WORKS ON THE CONCEPTUAL DESIGN OF SOUTH 84TH STREET AND PINE LAKE ROAD.

LEGAL DESCRIPTION

CHANGE OF ZONE FROM "AG" TO "R-3"

A LEGAL DESCRIPTION FOR A TRACT OF LAND COMPOSED OF A PORTION OF LOT 82 I.T., LOCATED IN THE NORTHEAST QUARTER OF SECTION 23, 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 NORTHEAST CORNER OF SAID LOT 82 I.T., SAID POINT BEING 50.00 FEET SOUTH OF THE NORTH LINE OF SAID NORTHEAST QUARTER, AND 50.00 FEET WEST OF THE EAST LINE OF SAID NORTHEAST QUARTER, SAID POINT BEING THE TRUE POINT OF BEGINNING, THENCE ON AN ASSUMED BEARING OF SOUTH 00 DEGREES 07 MINUTES 15 SECONDS EAST ALONG THE EAST LINE OF SAID LOT 82 I.T., SAID LINE BEING 50.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 50.00 FEET TO A POINT OF DEFLECTION, THENCE NORTH 89 DEGREES 52 MINUTES 45 SECONDS EAST ALONG A NORTH LINE OF SAID LOT 82 I.T., A DISTANCE OF 17.00 FEET TO A NORTHEAST CORNER OF SAID LOT 82 I.T., THENCE SOUTH 00 DEGREES 07 MINUTES 15 SECONDS EAST ALONG THE EAST LINE OF SAID LOT 82 I.T., SAID LINE BEING 33.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 1700.85 FEET TO A POINT, THENCE SOUTH 75 DEGREES 00 MINUTES 41 SECONDS WEST, A DISTANCE OF 1859.86 FEET TO A POINT, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A RADIUS OF 1060.00 FEET, ARC LENGTH OF 13.47 FEET, DELTA ANGLE OF 00 DEGREES 43 MINUTES 42 SECONDS, A CHORD BEARING OF NORTH 27 DEGREES 17 MINUTES 56 SECONDS WEST, AND A CHORD LENGTH OF 13.47 FEET TO A POINT OF TANGENCY, THENCE NORTH 27 DEGREES 39 MINUTES 47 SECONDS WEST, A DISTANCE OF 937.76 FEET TO A POINT OF CURVATURE, THENCE ALONG A CURVE IN A CLOCKWISE DIRECTION HAVING A RADIUS OF 940.00 FEET, ARC LENGTH OF 1928.45 FEET, DELTA ANGLE OF 117 DEGREES 32 MINUTES 41 SECONDS, A CHORD BEARING OF NORTH 31 DEGREES 06 MINUTES 34 SECONDS EAST, AND A CHORD LENGTH OF 1607.62 FEET TO A POINT, THENCE NORTH 00 DEGREES 07 MINUTES 06 SECONDS WEST, A DISTANCE OF 10.00 FEET TO A POINT OF INTERSECTION WITH THE NORTH LINE OF SAID LOT 82 I.T., THENCE NORTH 89 DEGREES 52 MINUTES 54 SECONDS EAST ALONG THE NORTH LINE OF SAID LOT 82 I.T., SAID LINE BEING 50.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 1386.86 FEET TO THE TRUE POINT OF BEGINNING, SAID TRACT CONTAINS A CALCULATED AREA OF 98.79 ACRES, OR 4,303,249.42 SQUARE FEET MORE OR LESS.

MARCH 6, 2001 (3:00PM)

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**LEGAL DESCRIPTION
CHANGE OF ZONE
FROM "AG" TO "B-5"
USE PERMIT AND
PRELIMINARY PLAT**

A LEGAL DESCRIPTION FOR A TRACT OF LAND COMPOSED OF LOTS 58 I.T., 72 I.T., 84 I.T., 85 I.T., 87 I.T., A PORTION OF LOTS 56 I.T., 71 I.T., 82 I.T., 87 I.T., 90 I.T., 91 I.T., 92 I.T., AND A PORTION OF SOUTH 91ST STREET R.O.W., AND A PORTION OF STATE OF NEBRASKA R.O.W., ALL LOCATED IN THE SECTION 23, TOWNSHIP 9 NORTH, RANGE 7 EAST OF THE 6TH P.M., LANCASTER COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 23, THENCE ON AN ASSUMED BEARING OF NORTH 89 DEGREES 52 MINUTES 54 SECONDS EAST ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 134.76 FEET TO A POINT, THENCE SOUTH 00 DEGREES 35 MINUTES 54 SECONDS WEST, A DISTANCE OF 55.66 FEET TO A NORTHWEST CORNER OF SAID LOT 82 I.T., SAID POINT BEING **THE POINT OF BEGINNING**, THENCE NORTH 89 DEGREES 53 MINUTES 37 SECONDS EAST ALONG THE NORTH LINE OF SAID LOT 82 I.T., A DISTANCE OF 678.06 FEET TO A POINT OF DEFLECTION, THENCE NORTH 88 DEGREES 01 MINUTES 14 SECONDS EAST, ALONG THE NORTH LINE OF SAID LOT 82 I.T., A DISTANCE OF 300.26 FEET TO A POINT OF DEFLECTION, THENCE NORTH 89 DEGREES 52 MINUTES 44 SECONDS EAST ALONG THE NORTH LINE OF SAID LOT 82 I.T., A DISTANCE OF 20.65 FEET TO A POINT, THENCE SOUTH 00 DEGREES 07 MINUTES 06 SECONDS EAST, A DISTANCE OF 9.96 FEET TO A POINT, THENCE AROUND A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A RADIUS OF 940.00 FEET, AN ARC LENGTH OF 1,447.55 FEET, A DELTA ANGLE OF 88 DEGREES 13 MINUTES 56 SECONDS, A CHORD BEARING OF SOUTH 45 DEGREES 45 MINUTES 56 SECONDS WEST AND A CHORD LENGTH OF 1,308.70 FEET TO A POINT, THENCE SOUTH 05 DEGREES 52 MINUTES 22 SECONDS EAST, A DISTANCE OF 47.11 FEET TO A POINT, THENCE AROUND A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A RADIUS OF 935.00 FEET, AN ARC LENGTH OF 431.62 FEET, A DELTA ANGLE OF 26 DEGREES 26 MINUTES 58 SECONDS, A CHORD BEARING OF SOUTH 14 DEGREES 26 MINUTES 17 SECONDS EAST AND A CHORD LENGTH OF 427.80 FEET TO A POINT, THENCE SOUTH 27 DEGREES 39 MINUTES 47 SECONDS EAST, A DISTANCE OF 152.78 FEET TO A POINT, THENCE SOUTH 21 DEGREES 57 MINUTES 08 SECONDS EAST, A DISTANCE OF 50.25 FEET TO A POINT, THENCE SOUTH 27 DEGREES 39 MINUTES 47 SECONDS EAST, A DISTANCE OF 734.98 FEET TO A POINT, THENCE AROUND A CURVE IN A CLOCKWISE DIRECTION, HAVING A RADIUS OF 1,060.00 FEET, AN ARC LENGTH OF 112.60

FEET, A DELTA ANGLE OF 06 DEGREES 05 MINUTES 11 SECONDS, A CHORD BEARING OF SOUTH 24 DEGREES 37 MINUTES 12 SECONDS EAST AND A CHORD LENGTH OF 112.55 FEET TO A POINT, THENCE SOUTH 25 DEGREES 31 MINUTES 11 SECONDS EAST, A DISTANCE OF 53.35 FEET TO A POINT, THENCE AROUND A CURVE IN A CLOCKWISE DIRECTION, HAVING A RADIUS OF 1,065.00 FEET, AN ARC LENGTH OF 657.69 FEET, A DELTA ANGLE OF 35 DEGREES 22 MINUTES 58 SECONDS, A CHORD BEARING OF SOUTH 01 DEGREES 01 MINUTES 13 SECONDS EAST AND A CHORD LENGTH OF 647.29 FEET TO A POINT, THENCE SOUTH 23 DEGREES 28 MINUTES 45 SECONDS WEST, A DISTANCE OF 53.35 FEET TO A POINT, THENCE AROUND A CURVE IN A CLOCKWISE DIRECTION, HAVING A RADIUS OF 1,060.00 FEET, AN ARC LENGTH OF 458.88 FEET, A DELTA ANGLE OF 24 DEGREES 48 MINUTES 13 SECONDS, A CHORD BEARING OF SOUTH 31 DEGREES 56 MINUTES 16 SECONDS WEST AND A CHORD LENGTH OF 455.30 FEET TO A POINT, THENCE SOUTH 44 DEGREES 20 MINUTES 22 SECONDS WEST, A DISTANCE OF 141.87 FEET TO A POINT, THENCE SOUTH 38 DEGREES 37 MINUTES 44 SECONDS WEST, A DISTANCE OF 50.25 FEET TO A POINT, THENCE SOUTH 44 DEGREES 20 MINUTES 22 SECONDS WEST, A DISTANCE OF 178.85 FEET TO A POINT OF INTERSECTION WITH THE WEST LINE OF SAID LOT 71 I.T., THENCE SOUTH 01 DEGREES 07 MINUTES 21 SECONDS WEST ALONG THE WEST LINE OF SAID LOT 71 I.T., A DISTANCE OF 46.10 FEET TO A SOUTHWEST CORNER OF SAID LOT 71 I.T., THENCE NORTH 53 DEGREES 00 MINUTES 18 SECONDS WEST ALONG THE NORTH LINE OF NEBRASKA HIGHWAY NO. 2 R.O.W., A DISTANCE OF 181.47 FEET TO A POINT OF DEFLECTION, THENCE NORTH 53 DEGREES 00 MINUTES 10 SECONDS WEST ALONG THE NORTH LINE OF SAID R.O.W., A DISTANCE OF 171.11 FEET TO A POINT OF DEFLECTION, THENCE NORTH 52 DEGREES 59 MINUTES 28 SECONDS WEST ALONG THE NORTH LINE OF SAID R.O.W., A DISTANCE OF 41.22 FEET TO A POINT OF INTERSECTION WITH THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 23, THENCE NORTH 56 DEGREES 18 MINUTES 21 SECONDS WEST ALONG THE NORTH LINE OF SAID R.O.W., A DISTANCE OF 780.69 FEET TO A SOUTHWEST CORNER OF SAID LOT 84 I.T., THENCE NORTH 52 DEGREES 26 MINUTES 19 SECONDS WEST ALONG THE NORTH LINE OF SAID R.O.W., A DISTANCE OF 844.47 FEET TO THE WESTERN CORNER OF SAID LOT 58 I.T., THENCE NORTH 57 DEGREES 09 MINUTES 03 SECONDS WEST ALONG THE NORTH LINE OF SAID R.O.W., A DISTANCE OF 637.88 FEET TO A POINT OF DEFLECTION, THENCE NORTH 45 DEGREES 55 MINUTES 28 SECONDS WEST ALONG THE NORTH LINE OF SAID R.O.W., A DISTANCE OF 202.24 FEET TO A POINT OF DEFLECTION, THENCE NORTH 53 DEGREES 01 MINUTES 23 SECONDS WEST ALONG THE NORTH LINE OF SAID R.O.W., A DISTANCE OF 200.06 FEET TO A POINT OF DEFLECTION, THENCE NORTH 58 DEGREES 01 MINUTES 53 SECONDS WEST ALONG THE NORTH LINE OF SAID R.O.W., A DISTANCE OF 400.78 FEET TO A POINT OF DEFLECTION, THENCE NORTH 43 DEGREES 05 MINUTES 12 SECONDS WEST ALONG A NORTH LINE OF SAID R.O.W., A DISTANCE OF 117.30 FEET TO A SOUTHWEST CORNER OF SAID LOT 91 I.T.,

THENCE NORTH 10 DEGREES 47 MINUTES 11 SECONDS WEST ALONG THE WEST LINE OF SAID LOT 91 I.T., A DISTANCE OF 132.59 FEET TO A POINT OF DEFLECTION, THENCE NORTH 00 DEGREES 40 MINUTES 41 SECONDS WEST ALONG THE WEST LINE OF SAID LOT 91 I.T., A DISTANCE OF 291.23 FEET TO THE NORTHWEST CORNER OF SAID LOT 91 I.T., THENCE NORTH 00 DEGREES 40 MINUTES 41 SECONDS WEST ALONG THE WEST LINE OF SAID STATE OF NEBRASKA R.O.W., A DISTANCE OF 60.01 FEET TO THE SOUTHWEST CORNER OF SAID LOT 56 I.T., THENCE NORTH 00 DEGREES 40 MINUTES 41 SECONDS WEST, A DISTANCE OF 575.80 FEET TO A POINT, THENCE NORTH 89 DEGREES 19 MINUTES 19 SECONDS EAST, A DISTANCE OF 607.26 FEET TO A POINT, THENCE SOUTH 00 DEGREES 22 MINUTES 12 SECONDS EAST, A DISTANCE OF 139.51 FEET TO A POINT, AROUND A CURVE IN A CLOCKWISE DIRECTION, HAVING A RADIUS OF 336.00 FEET, AN ARC LENGTH OF 167.78 FEET, A DELTA ANGLE OF 28 DEGREES 36 MINUTES 39 SECONDS, A CHORD BEARING OF SOUTH 13 DEGREES 56 MINUTES 08 SECONDS WEST AND A CHORD LENGTH OF 166.04 FEET TO A POINT OF REVERSE CURVE TO THE LEFT HAVING A RADIUS OF 264.00 FEET AND A CENTRAL ANGLE OF 17 DEGREES 00 MINUTES 50 SECONDS; THENCE SOUTHERLY ALONG THE ARC, A DISTANCE OF 78.39 FEET TO A POINT, THENCE SOUTH 11 DEGREES 13 MINUTES 37 SECONDS WEST, A DISTANCE OF 275.82 FEET TO A POINT OF INTERSECTION WITH THE NORTH LINE OF SAID LOT 91 I.T., THENCE SOUTH 89 DEGREES 41 MINUTES 40 SECONDS EAST ALONG THE NORTH LINE OF SAID LOT 91 I.T., A DISTANCE OF 516.67 FEET TO A POINT, THENCE NORTH 08 DEGREES 00 MINUTES 22 SECONDS WEST, A DISTANCE OF 4.18 FEET TO A POINT, THENCE AROUND A CURVE IN A CLOCKWISE DIRECTION, HAVING A RADIUS OF 536.00 FEET, AN ARC LENGTH OF 74.90 FEET, A DELTA ANGLE OF 08 DEGREES 00 MINUTES 23 SECONDS, A CHORD BEARING OF NORTH 04 DEGREES 00 MINUTES 12 SECONDS WEST AND A CHORD LENGTH OF 74.84 FEET TO A POINT, THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 259.02 FEET TO A POINT, THENCE AROUND A CURVE IN A CLOCKWISE DIRECTION, HAVING A RADIUS OF 136.00 FEET, AN ARC LENGTH OF 213.63 FEET, A DELTA ANGLE OF 90 DEGREES 00 MINUTES 00 SECONDS, A CHORD BEARING OF NORTH 45 DEGREES 00 MINUTES 00 SECONDS EAST AND A CHORD LENGTH OF 192.33 FEET TO A POINT, THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 871.82 FEET TO A POINT, THENCE SOUTH 00 DEGREES 10 MINUTES 20 SECONDS WEST, A DISTANCE OF 51.04 FEET TO A POINT, THENCE AROUND A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A RADIUS OF 264.00 FEET, AN ARC LENGTH OF 249.80 FEET, A DELTA ANGLE OF 54 DEGREES 12 MINUTES 52 SECONDS, A CHORD BEARING OF SOUTH 26 DEGREES 56 MINUTES 06 SECONDS EAST AND A CHORD LENGTH OF 240.59 FEET TO A POINT, THENCE SOUTH 54 DEGREES 02 MINUTES 32 SECONDS EAST, A DISTANCE OF 353.89 FEET TO A POINT, THENCE AROUND A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A RADIUS OF 264.00 FEET, AN ARC LENGTH OF 26.66 FEET, A DELTA ANGLE OF 05 DEGREES 47 MINUTES 10 SECONDS, A CHORD BEARING OF SOUTH 56

DEGREES 56 MINUTES 07 SECONDS EAST AND A CHORD LENGTH OF 26.65 FEET TO A POINT OF INTERSECTION WITH NORTH LINE OF SAID LOT 91 I.T., THENCE SOUTH 89 DEGREES 41 MINUTES 40 SECONDS EAST ALONG THE NORTH LINE OF SAID LOT 91 I.T., A DISTANCE OF 141.81 FEET TO THE NORTHEAST CORNER OF SAID LOT 91 I.T., THENCE SOUTH 00 DEGREES 12 MINUTES 46 SECONDS WEST ALONG THE EAST LINE OF SAID LOT 1 I.T., A DISTANCE OF 34.86 FEET TO A POINT, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A RADIUS OF 264.00 FEET, ARC LENGTH OF 67.09 FEET, DELTA ANGLE OF 14 DEGREES 33 MINUTES 36 SECONDS, A CHORD BEARING OF NORTH 80 DEGREES 46 MINUTES 03 SECONDS EAST, AND A CHORD LENGTH OF 66.91 FEET TO A POINT OF INTERSECTION WITH THE WEST LINE OF SAID LOT 82 I.T., THENCE NORTH 00 DEGREES 12 MINUTES 40 SECONDS EAST ALONG THE WEST LINE OF SAID LOT 82 I.T., A DISTANCE OF 939.20 FEET TO A NORTHWEST CORNER OF SAID LOT 82 I.T., THENCE SOUTH 89 DEGREES 44 MINUTES 06 SECONDS EAST ALONG A NORTH LINE OF SAID LOT 82 I.T., A DISTANCE OF 17.09 FEET TO A NORTH CORNER OF SAID LOT 82 I.T., THENCE NORTH 00 DEGREES 11 MINUTES 30 SECONDS EAST ALONG A WEST LINE OF SAID LOT 82 I.T., A DISTANCE OF 167.39 FEET TO A WEST CORNER OF SAID LOT 82 I.T., THENCE NORTH 06 DEGREES 00 MINUTES 54 SECONDS EAST ALONG A WEST LINE OF SAID LOT 82 I.T., A DISTANCE OF 148.61 FEET TO A NORTHWEST CORNER OF SAID LOT 82 I.T., THENCE NORTH 70 DEGREES 07 MINUTES 33 SECONDS EAST ALONG THE NORTHWEST LINE OF SAID LOT 82 I.T., A DISTANCE OF 74.62 FEET TO THE TRUE POINT OF BEGINNING, SAID TRACT CONTAINS A CALCULATED AREA OF 6,372,819.21 SQUARE FEET OR 146.30 ACRES, MORE OR LESS.

APRIL 20, 2001 (10:16AM)

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M e m o r a n d u m

RECEIVED

AUG 14 2001

LINCOLN CITY/LANCASTER COUNTY
PLANNING DEPARTMENT

To: Jason Reynolds, Planning

From:  Dennis Bartels, Engineering Services

Subject: 84th and Highway 2, Appian Way Regional Center

Date: August 13, 2001

cc: Roger Figard
Virendra Singh
Nicole Fleck-Tooze
Nick McElvain

Engineering Services has reviewed the Appian Way Center Preliminary Plat and Use Permit located north of Highway 2, east of 84th Street and has the following comments:

1. Water - The water system for the full build-out of the plat has been revised per previous comments and is satisfactory.

The grading of the area around the exiting water tank must be approved by the Lincoln Water System. The grading plan as submitted shows a large amount of grading adjacent to the tank on ground the developer proposes not to acquire until after the tank is moved. The phasing of the grading and the necessary existing phasing to facilitate the pipe system servicing, the tank staying in service is still in question. I recommend that the grading in the vicinity of the water tank only occur on property owned by the developer.

The cost subsidies for construction of the water system to serve this site will be determined with the zoning and annexation agreement.

2. Sanitary Sewer - The public sanitary sewer system has been revised per previous comments and is satisfactory. The subsidies for the cost of constructing sanitary sewer needed to serve this development will be determined with the annexation and zoning agreement.

3. Drainage and Grading - A 15" storm sewer is shown downstream from drainage area E1 out letting out the side of the embankment. This is unsatisfactory as an outlet.

The grading plan in the southeast corner does not show the grading required for the new 84th Street location.

The detention area in B23 shows a low flow pipe for one branch of the drainage. Both branches need low flow protection.

Jason Reynolds
Page 2
August 14, 2001

I cannot find that the study was revised to show how the Beals Slough drainage matches the Beals Slough Master Plan as required by design standards.

4. Street System - The proposed Eiger Drive street grades needs to be extended west from the relocated 84th west to existing 84th and west 300 feet beyond the plat per subdivision requirements.

Prior to scheduling this preliminary plat on the City Council agenda, the plat drawings must be revised to show the street system, street improvements, right-of-ways and easements in accordance with the tentative "Conditional Annexation and Zoning Agreement." This must include clearly dimensioned site plans and other plans in the plan set (i.e. grading and drainage) in agreement with the site plan.

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INTER-DEPARTMENT COMMUNICATION

DATE June 21, 2001

TO Jason Reynolds, City Planning

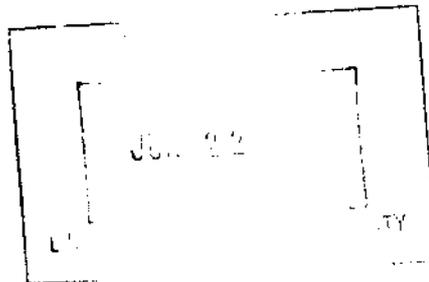
FROM Sharon Theobald
(Ext. 7640)

SUBJECT DEDICATED EASEMENTS
DN #77S-88E

Attached is the Revised Subdivision for Appian Way Regional Center.

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 in the outlots..

ST/nh
Attachment
c:Terry Wiebke
Easement File



City of Lincoln, Nebraska

IMPORTANT

All revisions to plans must include Building Permit # and Job Address.

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 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.

Plan Review Comments

Permit # DRF01053

Address

Job Description: 84TH & HWY 2 REGIONAL CENTER

Location: 84TH & HWY 2 REGIONAL C

Special Permit: N

Preliminary Plat: Y 01006

Use Permit: Y 140

CUP/PUD: N

Requested By: JENNIFER DAM

Status of Review: Approved

4/27/2001 12:58:28 PM

Reviewer: FIRE PREVENTION/LIFE SAFETY CODE

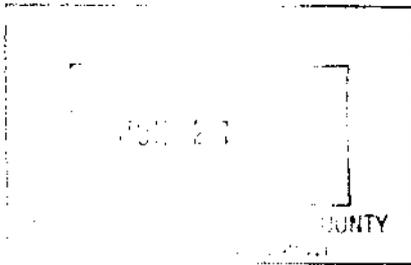
BOB FIEDLER

Comments: Need additional site hydrants. Need meeting to discuss locations.

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

- 1997 Uniform Building 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
- 1997 Uniform Fire Code and Local Amendments
- Applicable NFPA National Fire Code Standards





**LINCOLN PARKS AND
RECREATION DEPT.**

Memo

To: Jason Reynolds, Planning
From: J.J. Yost, Parks & Recreation
Date: 19 June 2001
Re: Appian Way Regional Center (84th & Hwy. 2) – Resubmittal for Preliminary Plat #01006, Use Permit #140

Staff members of the Lincoln Parks and Recreation Department have conducted a plan review of the above-referenced application/proposal and have compiled the following comments:

1. Street trees should be depicted as being located 6 feet behind the curb on typical right-of-way sections. An additional 6-foot wide pedestrian easement should be depicted outside of the right-of-way along the proposed trail. Please depict pedestrian easements on the site plan.
2. Street trees along Highway 2 may be clustered, but should have an average spacing of approximately 70 feet apart.
3. Street trees along private roadways may be clustered, but should have an average spacing of approximately 50 feet apart (e.g. 500 feet of roadway should have 9-10 trees).
4. Please substitute an alternate approved ornamental tree species for the Winter King Hawthorne.
5. Please depict street trees located along South 84th Street within the Public Way Corridor (i.e. 6 feet behind the curb). The suggested street tree is Kentucky Coffee tree.
6. Please confirm that there are no tall trees proposed to be located under LES transmission lines.
7. It is anticipated that the Public Way Corridors Technical Committee will also review the plans.

If you have any additional question, comments or concerns, please feel free to contact me at 441-8255.



MICHAEL WOOLMAN
<lpd737@CJIS.CI.LIN
COLN.NE.US>

06/14/2001 10:45
AM

To: Jason Reynolds <JReynolds@ci.lincoln.ne.us>
cc:
Subject: 84th and HWY 2

Jason,

I fixed the problem with my E-Mail account and I hope this gets to you. Let me know if you received this.

The Lincoln Police Department has no objections to the resubmitted 84th and Hwy 2 plan.

Michael S. Woolman
Planning Sergeant
Lincoln Police Department



Dennis L Roth

To: JReynolds@ci.lincoln.ne.us

06/13/2001 09:32 PM

cc:

Subject: re: 84th & Hwy 2 Regional Center

Project Nam: 84th & Hwy 2 Regional Center, resubmittal for 07/11/01
Prelim Plat: 01006
Use Permit: 140
Project Date: 06/11/01
Planner: Jason Reynolds

Find NO DUPLICATE or SIMILAR SOUNDING NAMES within our geobase for the street names proposed in this project, other than those which are obvious extensions of an existing street.

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

Private: S 86th St, S 89th St, Andermat Dr, Bowman Dr, Eiger Dr and Heritage Lakes Dr.
Public: S 84th St, S 87th St, S 91st St and Nebraska 2 Hwy



June 14, 2001

Jason Reynolds
City-County Planning Department
555 So 10 St
Lincoln NE 68508-3992

SUBJECT: 84th & Hwy 2 Regional Center

Jason,

I have reviewed the above-mentioned request.

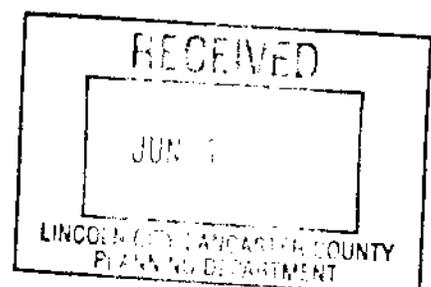
I find no concerns on behalf of the United States Postal Service and would agree with this proposal as submitted.

Please feel free to call me with any questions.

Thank you,

A handwritten signature in black ink, appearing to read "David L. Wampler".

David L. Wampler
Acting Supv. Customer Service Support



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

TO: Jason Reynolds	DATE: 6/20/2001
DEPARTMENT: Planning	FROM: Chris Schroeder Jerry Hood
ATTENTION:	DEPARTMENT: Health
CARBONS TO: Carole Douglas, Director EH File EH Administration	SUBJECT: 84 th & Hwy 2 Regional Center Resub

The Lincoln-Lancaster County Health Department (LLCHD) has reviewed the proposed regional shopping center at 84th and Highway 2 with following noted:

Sewage disposal is projected to be the City of Lincoln collection system. Developers have indicated that an existing septic system on this property will be properly abandoned according to LLCHD standards.

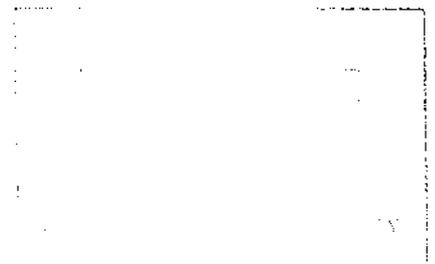
Water supply is projected to be the City of Lincoln municipal supply. Any wells in this area must be properly abandoned.

All wind and water erosion must be controlled during construction. The Lower Platte South Natural Resources District should be contacted for guidance in this matter.

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 vegetable ground cover will also be incorporated as necessary.

Provisions should be made for retaining as much tree mass as possible. Alternately, the applicant will need to plan for disposal of tree waste by burying on site, grinding, offering for firewood or hauling to the landfill. Permits for open burning of tree waste within the city limits will not be approved and applications for burning within the 3-mile zone are unlikely to be approved.

If you have any questions, please contact me at 441-6272.





May 25, 2001

Mr. Jack Lynch
Olsson Associates
1111 Lincoln Mall
Lincoln, NE 68508

RE: 84th and Highway 2 Regional Center Preliminary Plat #01006, Use Permit#140

Dear Jack:

Your preliminary plat has been reviewed by the county staff, the city staff and other agencies involved in land subdivision. The review found the plans will need revisions to bring them into compliance with the regulations. Those revisions include:

1. The infrastructure improvements, annexation and phasing must be coordinated with the Heritage Lakes Preliminary Plat #01004.
2. Submit proposed annexation boundaries and a proposed annexation agreement detailing the responsibilities for infrastructure improvements for the review of the City.
3. Section 27.37.070(e) of the Zoning Ordinance requires that the application be filed in writing by the property owner. The application was filed on behalf of Eiger Corporation. The other property owners within the boundaries of the proposed plat and use permit include Andermatt L.L.C., Westcor L.L.C., David Olsson (currently being contested in court by Realty Trust Group, Inc), the State Department of Roads, the City of Lincoln, and Lancaster County.
4. The existing 91st Street right-of-way owned by Lancaster County and the right-of-way owned by the State Department of Roads must be vacated. Section 26.15.040(b) requires all requests to be submitted to the city for vacations which are required to complete the development.
5. The developer must own all the property included in any final plat. City owned land and public right-of-way of 91st Street are included in this plat.
6. Submit a finalized traffic study for review along with proposed caps on vehicular trips. Revise the plans to include a table detailing the land uses and trip limits.
7. Address the area of land between the existing and proposed new 84th Streets. The resulting parcels appear to be less than 10 acres in size and therefore must be included within this preliminary plat.



8. Revise the plans to show street trees along Highway 2, S. 87th Street, Eiger Drive, and Andermatt Drive.
9. The northern section of proposed S. 87th Street adjacent to Outlot D must be renamed as it is not a north/south road.
10. Revise the plans to clearly identify the lot lines and building envelope lines and the boundaries of the outlots. Provide a legend showing the different lines used, use consistent lines and line weights.
11. Revise the boundaries of the use permit to exclude right-of-way.
12. Revise the boundaries of the preliminary plat to include all of the parcels less than 10 acres that are created as a result of the proposed plat.
13. Revise the plans to relocate the gas station. The existing location appears to create problems with vehicular and pedestrian circulation, stacking and access.
14. Identify the large island shown in the parking lot west of the gas pumps.
15. Identify whether S. 87th Street is a public or private road, show the limits of the right-of-way.
16. Address the possibility of a future grade separated intersection at S. 87th Street and Highway 2.
17. Address the landscaping and screening requirements for parking lots on the landscape plan.
18. Revise the plans to move the signs outside of the front yard setbacks. The sign at the intersection of 91st and S. 87th appears to be located in a detention cell.
19. Revise the plans to provide sidewalks on both sides of the streets and along the main driving aisles.
20. Revise the plans to clearly show the potential layout of the property at the north end of the proposed plat as required by Section 26.23.015(d) of the Subdivision Ordinance.
21. Revise the plans to show street extensions into the abutting property for 300' surrounding the perimeter of the proposed plat as required by Section 26.23.030 of the Subdivision Ordinance.
22. Revise Note 4 to remove the word "entire."
23. Revise note 5 to indicate that sidewalks will be constructed at the time the roads are initially constructed, not at the time of the ultimate width.

24. Revise note 5 to reflect a 10' trail.
25. Revise note 9 to indicate that the lot lines may vary up to 10', not 100'.
26. Revise note 10 to remove the language "shall be permitted within the front yard setback provided they are not constructed in intersection site triangles or required easements.
27. Revise note 10 to indicate that ground monument signs shall have a maximum area of 100 square feet as required by Section 27.69.060(c). Revise the note to indicate that ground monument signs will have a maximum height of 8 feet per the requirements of 27.69.060(d) of the Zoning Ordinance. Indicate the type of sign that will be placed on the site. Refer to the definitions of signs in section 27.60.020 and the requirements of 27.69.060 in the Zoning Ordinance.
28. Revise note 10 to indicate that pad sites may have ground monument signs in conformance with Section 27.69.060 of the zoning ordinance.
29. Revise the plan to grant public access easements over the parking lots, driving aisles and private roadways in order to provide access to each lot from a public street or private roadway.
30. Revise Note 18 to add "provided circulation access drives are consistent with the approved plans, internal vehicular circulation is provided between all lots, and all zoning regulations and design standards are met."
31. Revise Note 20 to specify a maximum amount of square feet allowed for the center and specify the maximum number of vehicular trips that are allowed, and the 5% adjustment is per lot. In other words, each lot is limited to a 5% adjustment provided that the maximum number of vehicular trips established is not exceeded. Any increase over 5% per lot or that exceeds the vehicular trip cap will require an amendment to the Use Permit.
32. Revise note 22 to add that all zoning requirements must be met.
33. Submit the new alignments and geometrics for the 84th and Highway 2 intersection for the review of the Public Works Department. The intersection of 84th and Highway 2 and 87th and Highway 2 shown on the proposed plan are subject to relocation pending the submittal of the new alignments and geometrics.
34. The installation of the water lines, the abandonment of the water tank, and the pavement of S. 84th Street must be coordinated.
35. The water tank property must be declared surplus by the City Council prior to final plats. A request to surplus the property must be submitted, reviewed and approved by the city departments, then forwarded for the review of the Planning Commission and City Council.

36. The water tank must be taken out of service before final plats are scheduled on the Planning Commission agenda.
37. Provide the easements requested by LES. Add a note indicating that any relocation of existing facilities will be at the developer's expense.
38. LES noted that "On May 11, 2001 LES provided Olsson & Associates estimated costs for two corridor options to relocate the 115,000 volt transmission line in the area around the proposed 91st Street between Highway 2 and Pine Lake Road. At this time, the developer has not granted LES a replacement easement or provided authorization to proceed with any relocation work.
39. Revise the landscape plan to show a replacement easement or corridor for the transmission line satisfactory to LES.
40. Revise the landscape plan to show landscape materials satisfactory to LES in and adjacent to easement corridors.
41. LES noted that if the transmission line is relocated at a later date, additional relocation costs may be incurred to restore damage to corridor improvements resulting from construction. LES noted that additional costs could include tree trimming or removal of landscaping materials as necessary to maintain electrical safety clearances.
42. Revise the plans to satisfy the City and County Engineer's concerns about the "free right" at 98th and Pine Lake Road.
43. Provide a "typical section" of the public way corridor (91st/Pine Lake) reflecting the 120' and 130' rights of way. The section should include the location of trails, utilities and landscaping.
44. Revise the landscape plan to show utility easements and the bike trail. The street tree locations need to be coordinated with the utility locations within the corridor.
45. Revise the plans to show the bike trail at least 6 feet behind the curb line. The trail should be 10' wide and meander where possible. Since the trail is in a public way corridor, an additional 6 feet of right-of-way or easement is required.
46. Revise the plans to show a right-of-way landscape plan. A low native ground cover is suggested for minimal maintenance.
47. A minimum 8 foot wide median is required for maintenance.
48. Revise the plans to show reinforced concrete pipe (RCP) at all storm water crossings.

49. Revise the plans to replace Austrian Pine and/or Scotch Pine due to disease problems. Black Hills Spruce, Norway Spruce or Colorado Spruce may be substituted.
50. Revise the plans to address the relocation or abandonment of the existing rural water lines. Provide evidence that the hook-up issues and costs associated with the Rural Water District No. 1 have been satisfied.
51. Revise the plans to show additional fire hydrants to the satisfaction of the Fire Department.
52. Revise the plans to show a recycling drop-off site as part of the regional shopping center.
53. Revise the plans to show street trees located at least 6 feet from the back of curb and no closer than 4 feet to the bike trail.
54. Please add a note indicating that any wells on the property must be properly abandoned or have an annual permit from the Lincoln Lancaster County Health Department to operate.
55. The proposed water system must be revised to meet design standards. Public water mains must be located along public or private roadways. The public mains shown along parking lot aisles and driveways are unsatisfactory.
56. The plat includes a City water reservoir and City owned property. This plat cannot be fully developed without moving the reservoir. Any phased development and grading done on City property must be approved by the Lincoln Water System.
57. The sanitary sewer located north of Lot 5, Block 3 is unsatisfactory. The easement is substandard. The sewer is located between buildings in an area that will be used to serve the buildings and may be paved. If the sewer location is retained, the sewer should be privately owned and maintained.
58. A portion of this site is in the Beal Slough drainage basin. Since Beal Slough is master planned, design standards require that the discharge from this site be compared with the master plan discharges per Section 8.5 of the Stormwater Drainage Design Standards.
59. No provisions are shown through the detention basins to provide for a low flow or pilot channel as required by design standards. Public Works recommends that the requirement not be waived.
60. The 100 year elevation for Basin D16 is above the low point of the street grade low point adjacent to it and is unacceptable.

61. Design standards for detention facilities require minimum slope requirements for side slopes and slope of the bottom. Insufficient information is available to determine if these requirements are met. Interpretation of the contours indicate that some of these requirements are not met.
62. The plans show storm sewer in the surrounding arterial streets. The annexation agreement, plat, or both must indicate how these storm sewers will be built and who will bear the costs.
63. The drainage study and storm water detention analysis includes land that is outside the limits of the plat and use permit. It is also shown on property not under control of this developer. These detention basins are not required for the plat as submitted.
64. Revise the plans to provide additional labeling to clearly indicate the contour elevations.
65. Provide an executive summary of the detention information as previously requested. The information submitted is difficult to review in the format submitted. Engineering Services requests a meeting with Olsson's to discuss this format prior to resubmittal.
66. Revise the plans to show an internal loop road system so that internal traffic does not circulate using parking lot aisles and drives or 91st Street.
67. Revise the plans to address how truck circulation is intended to provide service to the commercial buildings. The paving width and radii must be confirmed in the areas where truck traffic is required.
68. The Phase I storage length for left turns as Eiger Drive at 84th is shown in the impact study at 450 feet. The design of Eiger Drive shows less than 300 feet. The plat design will not allow 450 feet.
69. The Public Works Department recommends sidewalks along both sides of the private roads. Lots are located along both sides of private roads. Crossing the streets at mid-block should not be encouraged by eliminating sidewalks. A sidewalk system should be provided from the private roads to the big box sites and from the future office area to encourage pedestrian movement between uses.
70. Right-of-way stubs need to be provided at all the private road intersections with arterial streets. The depth of the stubs must be sufficient to include space for all traffic control devices. Corner triangles of right-of-way at these intersections are also needed.
71. The driveway west of 91st Street on 87th is too close to 91st Street. The left turn stacking required in 87th Street prevents any left turn stacking at the driveway.
72. A minimum of 4 lanes of pavement is required at the approaches to all intersections of arterial streets.

73. The grades of 84th Street approaching Eiger Drive and Pine Lake Road exceed 4% in the approach of these proposed signalized intersections. This is contrary to design standards. Sight distance due to crest at the approach to these intersections must be confirmed to meet requirements.
74. The final alignment of 84th Street and Highway 2 is still under consideration. The plat may need to be revised to reflect the alignment chosen.
75. In general, it appears the length of turn lanes shown on the plat were designed at minimums, not desirable standards. The length of turn lanes must be considered utilizing the length of queued vehicles, not just the vehicles in the turn lanes.
76. The geometry that is shown on the plat must depict the geometry required to accommodate future traffic volumes and the right-of-way that may be determined in the off site improvement agreement.
77. Dimensions of the proposed arterial pavement along with its dimensional relationship to the proposed right-of-way must be shown to determine if proposed widths are adequate.
78. All right-of-ways must be clearly dimensioned.
79. Revise "required parking ratio". The minimum parking in the B-5 district is 4.5 parking spaces per 1,000 square feet of floor area, except restaurants, hotels and motels.
80. Revise the minimum parking column for "Walmart/Retail". The minimum required parking is 923 based on 4.5 spaces per 1,000 square feet of floor area.
81. Remove the words "preliminary plat" from the City Council approval certificate.
82. Remove trade names (eg. WalMart) from the documents to avoid amendments based solely on a change in the name of the tenant.
83. The following specific comments are made concerning the proposed abutting arterial streets and the proposed intersections:

84th Street at the main entrance south of Pine Lake Road

- a. Southbound dual left turn lanes need to be lengthened.
- b. Northbound right turn lane must be lengthened.
- c. This plat shows a four lane cross section on 84th Street plus dual left turn lanes in Phase I, unfortunately, they could complete Phase I and be open for business long before this cross section is in place. In addition, the impact study determined the length of turn lanes and the intersection LOS with the four lane cross section.

84th Street at Highway 2

- a. Southbound dual left turn lanes need to be lengthened.
- B. 84th Street south of Highway 2 is shown with only one southbound through lane, however, north of Highway 2 there are two southbound lanes shown.

87th Street at Highway 2

- a. Eastbound dual left turn lanes need to be lengthened.
- b. Eastbound right turn lane must be lengthened.
- c. Southbound left turn lane and right turn lanes need to be lengthened. The length of the turn lanes between Andermatt Drive and Highway 2 should be maximized.
- d. Westbound left turn lane must be lengthened.
- e. Westbound right turn lane must be lengthened. If the north leg of the intersection is constructed to ultimate design and the south leg is not constructed concurrently, the developer shall be responsible for the costs associated with the interim closure of the southbound through lane on the north leg of the intersection.

91st Street at Highway 2

- a. The left turn lanes on Highway 2 need to be aligned so that they oppose each other.
- b. Westbound right turn lane must be lengthened.
- c. Southbound right turn lane must be lengthened.
- d. Southbound left turn lane must be lengthened.
- e. The construction of the south leg of the intersection should be constructed concurrently with the north leg of the intersection to not only ensure proper alignment, but also establish the primary access to the village of Cheney.

91st Street at the first entrance north of Highway 2 (Andermatt Drive)

- a. Southbound left turn lane must be lengthened.
- b. Southbound right turn lane must be shown on the plat.
- c. Northbound left turn lane must be lengthened.
- d. Northbound right turn lane must be shown on the plat.
- e. It appears that Andermatt Drive is shown as a three lane cross section, and as a result, will not accommodate dual left turn movements off of 91st Street when they are warranted in the future. Andermatt Drive should be designed as a four lane cross section.

91st Street at the second entrance north of Highway 2

- a. Southbound left turn lane must be lengthened
- b. Southbound right turn lane must be shown on the plat.
- c. Northbound left turn lane must be lengthened.
- d. Northbound right turn lane must be shown on the plat. It appears the second drive north of Highway 2 is shown as a three lane cross section, and as a result, will not accommodate dual left turn movements off of 91st Street when they are warranted in the future. The second drive should be designed as a four lane cross section.

91st Street at Pine Lake Road

- a. Lengthen the northbound left turn lane.
- b. Lengthen the south westbound right turn lane.
- c. Roadway improvements should be continued from the intersection of Pine Lake Road and 91st Street east through the intersection of 98th Street and Pine Lake Road.

In addition you should be aware of the following general requirements:

1. You must complete, or post a surety to guarantee the completion of, the public streets, private roadway improvements, sidewalks, sanitary sewer system, water system, drainage facilities, land preparation and grading, street lights, landscaping screens, street trees, temporary turnaround and barricades, and street name signs, at your own expense, in conformance with adopted design standards and within the time period specified in the Land Subdivision Ordinance.
2. You must agree:
 - 2.1 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.
 - 2.2 To complete the private improvement shown on the preliminary plat.
 - 2.3 To maintain the outlots and private improvements and 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 document or documents creating said property owners association have been reviewed and approved by the City Attorney and filed of record with the Register of Deeds.
 - 2.4 To continuously and regularly maintain the street trees along the private roadways and landscape screens.
 - 2.5 To submit to the lot buyers and homebuilders a copy of the soil analysis.
 - 2.6 To pay all improvement costs.
 - 2.7 To comply with the Land Preparation and Grading requirements of the Land Subdivision Ordinance.

All deviations from the Land Subdivision Ordinance and the adopted Design Standards must be set forth, reasons given for each deviation, reasons given on how the proposal meets the intent of the Land Subdivision Ordinance and why the deviation should be accepted must be submitted with the revised preliminary plat. Refer to Section 26.15.030(d) of the Lincoln Municipal Code.

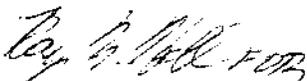
The next step in the review process requires a written response from you indicating agreement or disagreement (including a list of waivers) with each of the preceding revisions and general requirements. The revised preliminary plat and accompanying documents must be submitted 5 Mondays before the Planning Commission hearing.

Following the review of the revised plans and your response to the issues, I will re-evaluate the proposed preliminary plat for compliance with code requirements and design standards..

Please find attached reports from other departments who reviewed your plans.

Jennifer Dam, Ray Hill or Jason Reynolds will be happy to assist you in processing this plan. You may contact them at 441-6362, 441-6371 or 441-7620, respectively, if you have questions.

Sincerely,



Kathleen A. Sellman, AICP
Director of Planning

Attachments

cc: Kelven Korver
Kent Seacrest
Dennis Bartels, Public Works & Utilities
Lincoln Electric System
Alltel Communications
City-County Health Department
Building & Safety
Parks & Recreation
County Engineering
Fire Department
Police Department
Rural Water District No. 1
Ray Hill
File

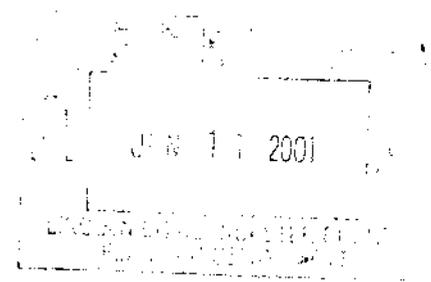
SEACREST & KALKOWSKI, P.C.

1111 LINCOLN MALL, SUITE 350
LINCOLN, NEBRASKA 68508-3905

TELEPHONE (402) 435-6000
FACSIMILE (402) 435-6100
E-MAIL: sk@sklaw.inetnebr.com

KENT SEACREST
DANAY KALKOWSKI

11 June, 2001



Ms. Kathleen Sellman
Planning Director
County-City Building
555 South 10th Street
Lincoln, NE 68508

RE: 84th and Highway 2 Regional Center Preliminary Plat #01006, Use Permit #140

Dear Kathleen:

Our law firm represents Andermatt, L.L.C. , as the landowner and Eiger Corp., as the developer in regards to the 84th and Highway 2 Regional Center Preliminary Plat #01006 and Use Permit #140.

Enclosed please find the following documents:

1. 20 copies of the Site Plan
2. 10 copies of the Grading & Drainage Plan
3. 5 copies of the Street Profiles
4. 10 copies of the Landscape Plan
5. 3 copies of the Highway 2 Interchange (potential)
6. 6 copies of the Drainage Study

The following are Eiger's specific responses to City Staff comments regarding the numbered paragraphs in your May 25, 2001 letter:

1. The infrastructure improvements, annexation and phasing must be coordinated with the Heritage Lakes Preliminary Plat #01004.

Under separate cover last Friday, Eiger proposed to the City in the Conditional Annexation and Zoning Agreement For S. 84th & Highway 2 the necessary public infrastructure improvement for the Andermatt residential and commercial lands as shown in the S. 84th & Highway 2 Subarea Plan. For your information, the applicant of the Heritage Lakes Preliminary Plat has informed Andermatt and Eiger, that Heritage Lakes

Preliminary Plat is no longer a viable residential project. The City's proposed infrastructure improvements abutting the residential project was deemed excessive by the applicant.

2. Submit proposed annexation boundaries and a proposed annexation agreement detailing the responsibilities for infrastructure improvements for the review of the City.

Under separate cover, Eiger mailed the City last Friday a proposed Conditional Annexation and Zoning Agreement For S. 84th & Highway 2 ("Annexation Agreement"). The Annexation Agreement includes a map showing the first phase of the annexation. As soon as the City agrees on this annexation map, Olsson Associates will prepare corresponding legal descriptions. Annexation boundaries and agreements are herein included.

3. Section 27.37.070(e) of the Zoning Ordinance requires that the application be filed in writing by the property owner. The application was filed on behalf of Eiger Corporation. The other property owners within the boundaries of the proposed plat and use permit include Andermatt L.L.C., Westcor L.L.C., David Olsson (currently being contested in court by Realty Trust Group, Inc.), the State Department of Roads, the City of Lincoln, and Lancaster County.

All consenting property owners within the preliminary plat and use permit boundaries will be included. Westcor, L.L.C. is a recorded landowner of Lots 87 and 84. David S. Olson is the record landowner of Lot 58. In addition, there is pending litigation between Olson and Realty Trust Group regarding a disputed purchase agreement for the sale of Lot 58 from David S. Olson to Realty Trust Group. Eiger has prepared and forwarded to Westcor, Olson and Realty Trust coordination agreements and the Annexation Agreement. Our office, along with attorney Mike Morrow, are working with the three parties towards reaching agreement on the key City land use issues and obtaining the three parties consent to the use permit and preliminary plat. As soon as the developer has obtained the three property owners' consents, they will be forwarded to you. In the event the developer is unsuccessful at obtaining an abutting property owner's consent in the next two weeks, then the developer will ask the City to amend our annexation, change of zone, use permit and preliminary plat to exclude the applicable property owner.

In regards to the ownership interest of the State Department of Roads, the City of Lincoln, and Lancaster County, see the next comment.

4. The existing 91st Street right-of-way owned by Lancaster County and the right-of-way owned by the State Department of Roads must be vacated. Section 26.15.040(b) requires all requests to be submitted to the city for vacations which are required to complete the development.

Our office has met with officials from the State of Nebraska, City of Lincoln and Lancaster County regarding the 91st Street realignment, vacation and land transfer issues and solutions for South 91st Street and the Water Tank. Solutions are outlined in the Annexation Agreement. The State of Nebraska has begun its vacation process and the

City Attorney has advised our office of the necessary steps to meet the City's requirements. The developer is in the process of carrying out these instructions and expect to be successful. Vacations of necessary rights-of-way and Water Tank site are underway and will be resolved prior to any final plats.

5. The developer must own all the property included in any final plat. City owned land and public right-of-way of 91st Street are included in this plat.

As part of the Annexation Agreement, use permit and preliminary plat, the developer is proposing a new alignment for S. 91st Street and vacation of portions of the existing S. 91 Street that will no longer be needed with the new alignment. Prior to any final plats, ownership of all parcels will be resolved.

6. Submit a finalized traffic study for review along with proposed caps on vehicular trips. Revise the plans to include a table detailing the land uses and trip limits.

Under separate cover, HWS submitted a final traffic study.

7. Address the area of land between the existing and proposed new 84th Streets. The resulting parcels appear to be less than 10 acres in size and therefore must be included within this preliminary plat.

Subject property has now been included as an outlot.

8. Revise the plans to show street trees along Highway 2, S. 87th Street, Eiger Drive, and Andermatt Drive.

Street trees have been included.

9. The northern section of proposed S. 87th Street adjacent to Outlot D must be renamed as it is not a north/south road.

Street names have been changed.

10. Revise the plans to clearly identify the lot lines and building envelope lines and the boundaries of the outlots. Provide a legend showing the different lines used, use consistent lines and line weights.

Graphics have been modified and legend added.

11. Revise the boundaries of the use permit to exclude right-of-way.

The developer has modified the plans to show two boundaries. A legal description with the right-of-ways is included in the preliminary plat and another legal description without the right-of-ways is included in the use permit.

12. Revise the boundaries of the preliminary plat to include all of the parcels less than 10 acres that are created as a result of the proposed plat.

JUN 11 2001

Boundaries of the preliminary plat have been modified.

13. Revise the plans to relocate the gas station. The existing location appears to create problems with vehicular and pedestrian circulation, stacking and access.

Gas station has been relocated and required stacking has been shown.

14. Identify the large island shown in the parking lot west of the gas pumps.

The large island within the parking lots of Lots 5 and 6 is a landscaped island. Details will be submitted along with building plans.

15. Identify whether S. 87th Street is a public or private road, show the limits of the right-of-way.

South 87th Street will be public and the developer hereby asks for a waiver of required front yard setback for Lot 1, Block 2.

16. Address the possibility of a future grade separated intersection at S. 87th Street and Highway 2.

With the 50 foot setback and the additional 50 feet of landscaped area, there is sufficient room to incorporate an interchange at 87th Street. Grade wise there would need to be some retaining walls and street grades of 5-6%. The enclosed drawing illustrates one proposed alternative.

17. Address the landscaping and screening requirements for parking lots on the landscape plan.

Except for the 91st Street parking area, all other parking lots along the perimeter are generally located 100-feet back from the property line. The applicant is therefore not required to screen them. The one parking area along 91st Street will be screened. Our landscape plan shows extensive landscaping along the perimeter and in addition the property owners will be developing berming along these perimeter areas.

18. Revise the plans to move the signs outside of the front yard setbacks. The sign at the intersection of 91st and S. 87th appears to be located in a detention cell.

Along Highway 2, S. 84th Street and South 91st Street, the plan voluntarily show a 100-foot open area. There is a required 50-foot front yard setback along both S. 84th Street and Highway 2 and a 100-foot front yard setback along S. 91st Street. The plan relocates the signs out of the required 50-foot front yard area abutting Highway 2 and South 84th Street and places the signs into the second 50-foot open space area.

There is a required 100-foot front yard setback along 91st Street. The plans relocate the signs out of the first 50-foot area adjacent to the street and into the second 50-foot area. Since the same developer controls both sides of 91st Street, the developer is agreeable to

this proposed sign waivers along 91st Street.

No signs are located in detention cells.

19. Revise the plans to provide sidewalks on both sides of the streets and along the main driving aisles.

The plan shows a sidewalk along one side of all major driving isles. The property owners will locate the walks along the most appropriate side of each major driving isles. Experience has illustrated that no one walks to and from the out parcels. If they did, they would need to cross the roadways anyway to access the parcels. One side is more than adequate as evidence by Lincoln's other major shopping areas. Therefore, the applicants continues to request the corresponding sidewalk waivers.

20. Revise the plans to clearly show the potential layout of the property at the north end of the proposed plat as required by Section 26.23.015(d) of the Subdivision Ordinance.

Possible layout has been made more clearly.

21. Revise the plans to show street extensions into the abutting property for 300' surrounding the perimeter of the proposed plat as required by Section 26.23.030 of the Subdivision Ordinance.

Plans have been revised as required.

22. Revise Note 4 to remove the word "entire."

Note 4 has been revised.

23. Revise note 5 to indicate that sidewalks will be constructed at the time the roads are initially constructed, not at the time of the ultimate width.

Sidewalks will be constructed initially.

24. Revise note 5 to reflect a 10' trail.

Note 5 has been modified.

25. Revise note 9 to indicate that the lot lines may vary up to 10', not 100'.

During our initial discussions with Planning staff, it was suggested by the City Planning Department and agreed to utilizing 100-feet to eliminate future protracted revision processes. Regardless of where property lines are, the property owners are ultimately governed by total square footage and by P.M. trips.

26. Revise note 10 to remove the language "shall be permitted within the front yard setback provided they are not constructed in intersection site triangles or required easements."

Note 10 has been modified.

27. Revise note 10 to indicate that ground monument signs shall have a maximum area of 100 square feet as required by Section 27.69.060(c). Revise the note to indicate that ground monument signs will have a maximum height of 8 feet per the requirements of 27.69.060(d) of the Zoning Ordinance. Indicate the type of sign that will be placed on the site. Refer to the definitions of signs in section 27.60.020 and the requirements of 27.69.060 in the Zoning Ordinance.

Note 10 has been modified.

28. Revise note 10 to indicate that pad sites may have ground monument signs in conformance with Section 27.69.060 of the zoning ordinance.

Note 10 has been modified.

29. Revise the plan to grant public access easements over the parking lots, driving aisles and private roadways in order to provide access to each lot from a public street or private roadway.

Public access easements will be shown over the private roadway and major driving isles.

30. Revise Note 18 to add "provided circulation access drives are consistent with the approved plans, internal vehicular circulation is provided between all lots, and all zoning regulations and design standards are met."

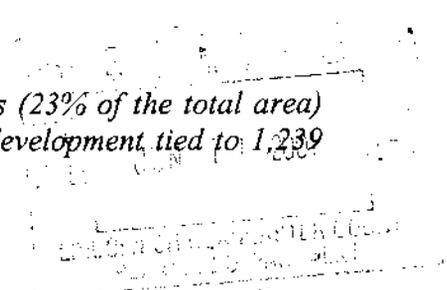
Note 18 has been modified.

31. Revise Note 20 to specify a maximum amount of square feet allowed for the center and specify the maximum number of vehicular trips that are allowed, and the 5% adjustment is per lot. In other words, each lot is limited to a 5% adjustment provided that the maximum number of vehicular trips established is not exceeded. Any increase over 5% per lot or that exceeds the vehicular trip cap will require an amendment to the Use Permit.

As an overview to the issue of square footage and P.M. peak hour trips, there is a total land area bounded by 84th Street, relocated Pine Lake Road, 91st Street, and the railroad tracks south of Highway 2, of 257 acres. The Comprehensive Plan outlines approximately 1,900,000 sq. feet. The traffic study outlines 5850 P.M. peak hour trips. The amount of land and square footage of development amounts to an overall development intensity of approximately 17% or a FAR of .17.

Therefore:

The area south of Highway 2 is approximately 60 acres (23% of the total area) and would be allocated approximately 440,000 s.f. of development, tied to 1,239 P.M. peak hour net vehicle trips.



The area north of Highway 2 is approximately 197 acres (77% of the total area) and would be allocated approximately 1,380,000 s.f. of development tied to 4,611 P.M. peak hour net vehicle trips.

The City desires a good balance of development and trips over the entire project area. Concerns should arise if one area begins to be overly developed to the detriment of the roadway system and the other areas. It would be our recommendation that the flexibility of moving property lines up to 100 feet (Question 25) and the flexibility of 10% (instead of 5%) square footage adjustments is not the critical measurement. It is the overall square footage and the P.M. peak hour trips.

32. Revise note 22 to add that all zoning requirements must be met.

Note 22 has been modified.

33. Submit the new alignments and geometrics for the 84th and Highway 2 intersection for the review of the Public Works Department. The intersection of 84th and Highway 2 and 87th and Highway 2 shown on the proposed plan are subject to relocation pending the submittal of the new alignments and geometrics.

Eiger has proposed the 84th Street realignment and intersection improvement, as well as the S. 87th Street intersection, cost sharing formulas and timetables in the Annexation Agreement. The City Administration is reviewing the Annexation Agreement. Olsson Associates has submitted proposed geometrics for the S. 84th & Highway 2 Intersection. The developer will accommodate any reasonable future modifications proposed by Public Works Department.

34. The installation of the water lines, the abandonment of the water tank, and the pavement of S. 84th Street must be coordinated.

Agreed. These matters are outlined in the Annexation Agreement.

35. The water tank property must be declared surplus by the City Council prior to final plats. A request to surplus the property must be submitted, reviewed and approved by the city departments, then forwarded for the review of the Planning Commission and City Council.

Under separate cover to the City Water Department, the developer has request the water tank property be declared surplus pursuant to the Annexation Agreement. The developer will work closely with the City to ensure timing and coordination are accomplished.

36. The water tank must be taken out of service before final plats are scheduled on the Planning Commission agenda.

We assume that what is being requested is that all appropriate legal transfers of property are carried out such that there are no problems with legals, titles, and/or plats. The property owners do expect to receive a final plat for the various first phase lots prior to the City taking the water tank out of service. All necessary requests have been made to

the Lincoln Water System and coordination will be obtained and addressed in the Annexation Agreement.

37. Provide the easements requested by LES. Add a note indicating that any relocation of existing facilities will be at the developer's expense.

LES has not requested any specific easements. Note has been added.

38. LES noted that "On May 11, 2001 LES provided Olsson & Associates estimated costs for two corridor options to relocate the 115,000 volt transmission line in the area around the proposed 91st Street between Highway 2 and Pine Lake Road. At this time, the developer has not granted LES a replacement easement or provided authorization to proceed with any relocation work.

The LES transmission line is no longer being proposed for relocated along S. 91st Street.

39. Revise the landscape plan to show a replacement easement or corridor for the transmission line satisfactory to LES.

The LES transmission line is not being relocated.

40. Revise the landscape plan to show landscape materials satisfactory to LES in and adjacent to easement corridors.

The LES transmission line is not being relocated.

41. LES noted that if the transmission line is relocated at a later date, additional relocation costs may be incurred to restore damage to corridor improvements resulting from construction. LES noted that additional costs could include tree trimming or removal of landscaping materials as necessary to maintain electrical safety clearances.

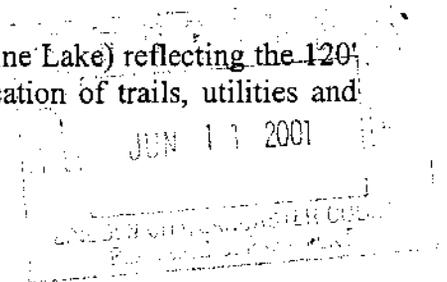
Agreed.

42. Revise the plans to satisfy the City and County Engineer's concerns about the "free right" at 98th and Pine Lake Road.

The intersection of Pine Lake Road and 98th Street is not needed as a part of this project. If the City desires the "free right" movement, the developer has proposed that the City construct the project at the time the City improves Pine Lake Road or South 98th Street north of Pine Lake Road. The developer assumes that the right turn would be associated with some future Capital Improvement Program.

43. Provide a "typical section" of the public way corridor (91st/Pine Lake) reflecting the 120' and 130' rights of way. The section should include the location of trails, utilities and landscaping.

Typical sections are included.



44. Revise the landscape plan to show utility easements and the bike trail. The street tree locations need to be coordinated with the utility locations within the corridor.

Landscape plan has been revised. All walks, trails, and utility easements are within the 120' and 130' rights-of-way. All landscaping will be on private property.

45. Revise the plans to show the bike trail at least 6 feet behind the curb line. The trail should be 10' wide and meander where possible. Since the trail is in a public way corridor, an additional 6 feet of right-of-way or easement is required.

Plans have been modified. Ten foot trail fits within the right-of-way.

46. Revise the plans to show a right-of-way landscape plan. A low native ground cover is suggested for minimal maintenance.

There is no intent by the developer to landscape the rights-of-way.

47. A minimum 8 foot wide median is required for maintenance.

No landscaped areas are proposed in medians less than 8-feet wide.

48. Revise the plans to show reinforced concrete pipe (RCP) at all storm water crossings.

Plans have been revised.

49. Revise the plans to replace Austrian Pine and/or Scotch Pine due to disease problems. Black Hills Spruce, Norway Spruce or Colorado Spruce may be substituted.

Plant material has been revised.

50. Revise the plans to address the relocation or abandonment of the existing rural water lines. Provide evidence that the hook-up issues and costs associated with the Rural Water District No. 1 have been satisfied.

The Annexation Agreement addresss the Rural Water District No. 1 issue and the developer has agreed to meet the legal requirements of the Rural Water District No. 1.

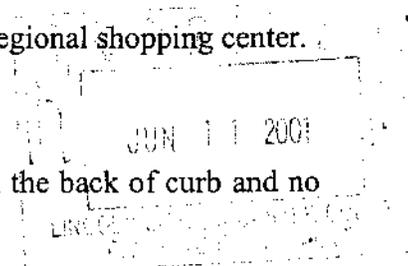
51. Revise the plans to show additional fire hydrants to the satisfaction of the Fire Department.

Fire hydrants have been revised.

52. Revise the plans to show a recycling drop-off site as part of the regional shopping center.

Drop-off site will not be shown.

53. Revise the plans to show street trees located at least 6 feet from the back of curb and no closer than 4 feet to the bike trail.



Location of all plant material have been adjusted.

54. Please add a note indicating that any wells on the property must be properly abandoned or have an annual permit from the Lincoln Lancaster County Health Department to operate.

Note has been added.

55. The proposed water system must be revised to meet design standards. Public water mains must be located along public or private roadways. The public mains shown along parking lot aisles and driveways are unsatisfactory.

Public water system has been modified.

56. The plat includes a City water reservoir and City owned property. This plat cannot be fully developed without moving the reservoir. Any phased development and grading done on City property must be approved by the Lincoln Water System.

All necessary requests have been made to the Lincoln Water System and coordination will be obtained and addressed in the Annexation Agreement.

57. The sanitary sewer located north of Lot 5, Block 3 is unsatisfactory. The easement is substandard. The sewer is located between buildings in an area that will be used to serve the buildings and may be paved. If the sewer location is retained, the sewer should be privately owned and maintained.

Sanitary sewer has been modified.

58. A portion of this site is in the Beal Slough drainage basin. Since Beal Slough is master planned, design standards require that the discharge from this site be compared with the master plan discharges per Section 8.5 of the Stormwater Drainage Design Standards.

The drainage study addresses these concerns.

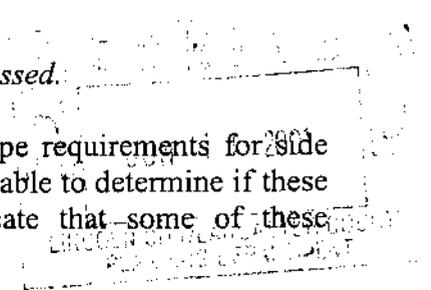
59. No provisions are shown through the detention basins to provide for a low flow or pilot channel as required by design standards. Public Works recommends that the requirement not be waived.

The drainage plan has been modified to show HDPE low flow pipe where needed.

60. The 100-year elevation for Basin D16 is above the low point of the street grade low point adjacent to it and is unacceptable.

Drainage plan has been modified and concerns have been addressed.

61. Design standards for detention facilities require minimum slope requirements for side slopes and slope of the bottom. Insufficient information is available to determine if these requirements are met. Interpretation of the contours indicate that some of these



requirements are not met.

Drainage plans have been modified and concerns addressed.

62. The plans show storm sewer in the surrounding arterial streets. The annexation agreement, plat, or both must indicate how these storm sewers will be built and who will bear the costs.

Storm sewers will be built along with roadways and who pays has been addressed in the Annexation Agreement as part of who pays for the associated streets. Costs of storm sewer has always been assumed within street costs.

63. The drainage study and storm water detention analysis includes land that is outside the limits of the plat and use permit. It is also shown on property not under control of this developer. These detention basins are not required for the plat as submitted.

Drainage plans have been modified.

64. Revise the plans to provide additional labeling to clearly indicate the contour elevations.

Additional elevations have been added.

65. Provide an executive summary of the detention information as previously requested. The information submitted is difficult to review in the format submitted. Engineering Services requests a meeting with Olsson's to discuss this format prior to resubmittal.

Resubmittal includes overview and addresses Engineering Services' concerns.

66. Revise the plans to show an internal loop road system so that internal traffic does not circulate using parking lot aisles and drives or 91st Street.

Interval circulation has been modified to provide a more direct and viable connection between major areas.

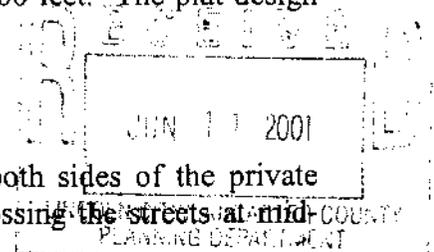
67. Revise the plans to address how truck circulation is intended to provide service to the commercial buildings. The paving width and radii must be confirmed in the areas where truck traffic is required.

Truck turning requirements at loading areas have been included.

68. The Phase I storage length for left turns as Eiger Drive at 84th is shown in the impact study at 450 feet. The design of Eiger Drive shows less than 300 feet. The plat design will not allow 450 feet.

Eiger Drive will be constructed with dual lefts.

69. The Public Works Department recommends sidewalks along both sides of the private roads. Lots are located along both sides of private roads. Crossing the streets at mid-



block should not be encouraged by eliminating sidewalks. A sidewalk system should be provided from the private roads to the big box sites and from the future office area to encourage pedestrian movement between uses.

Sidewalks have been added up the access drives to the big box sites. Also refer to Question No. 19.

70. Right-of-way stubs need to be provided at all the private road intersections with arterial streets. The depth of the stubs must be sufficient to include space for all traffic control devices. Corner triangles of right-of-way at these intersections are also needed.

Right-of-way stubs are provided.

71. The driveway west of 91st Street on 87th is too close to 91st Street. The left turn stacking required in 87th Street prevents any left turn stacking at the driveway.

Drive location has been changed.

72. A minimum of 4 lanes of pavement is required at the approaches to all intersections of arterial streets.

The City has developed a standard design for its arterial streets which can accommodate dual lefts where needed. Regardless of any traffic studies, the City requires the construction of both dual lefts and paints one out until required. Because the major arterials are built providing dual lefts does not mean that they are required. Everywhere the traffic study has indicated an eventual need for dual lefts, the developer has provided two lanes to receive the dual lefts. Where the traffic study indicates there is no need for dual lefts, there is only one lane to receive the single left turn.

73. The grades of 84th Street approaching Eiger Drive and Pine Lake Road exceed 4% in the approach of these proposed signalized intersections. This is contrary to design standards. Sight distance due to crest at the approach to these intersections must be confirmed to meet requirements.

The revised grades are in conformance with design standards.

74. The final alignment of 84th Street and Highway 2 is still under consideration. The plat may need to be revised to reflect the alignment chosen.

Agreed.

75. In general, it appears the length of turn lanes shown on the plat were designed at minimums, not desirable standards. The length of turn lanes must be considered utilizing the length of queued vehicles, not just the vehicles in the turn lanes.

All turn lanes have been designed based upon total build out and the City's Design Standards. The developer knows of no design standard nor City standard practice where designed turn lanes were intentionally lengthened to accommodate queued traffic in the

through lanes. It does not make economic sense from the developer's perspective. If the City desires longer turn pockets, the City could use its funds to extend the turn lanes.

76. The geometry that is shown on the plat must depict the geometry required to accommodate future traffic volumes and the right-of-way that may be determined in the off site improvement agreement.

The property owners have consistently shown the City's typical urban section within 120-foot right-of-way expanded to 130-foot right-of-way at major intersections.

77. Dimensions of the proposed arterial pavement along with its dimensional relationship to the proposed right-of-way must be shown to determine if proposed widths are adequate.

Dimensions have been added.

78. All right-of-ways must be clearly dimensioned.

Dimensions have been added.

79. Revise "required parking ratio". The minimum parking in the B-5 district is 4.5 parking spaces per 1,000 square feet of floor area, except restaurants, hotels and motels.

Required parking ration has been changed.

80. Revise the minimum parking column for "Walmart/Retail". The minimum required parking is 923 based on 4.5 spaces per 1,000 square feet of floor area.

Minimum parking has been changed.

81. Remove the words "preliminary plat" from the City Council approval certificate.

Approval certificate has been modified.

82. Remove trade names (e.g., WalMart) from the documents to avoid amendments based solely on a change in the name of the tenant.

Trade names have been removed.

83. The following specific comments are made concerning the proposed abutting arterial streets and the proposed intersections:

All lengths of turn lanes have been determined through an extensive traffic analysis which recognized the City's build out scenario 2 and total build-out of the commercial and residential areas. The developer does not propose separate right turn lanes, unless the traffic study indicated the need. All interval roads are not designed as four lane roadways. Four lanes are not necessary. (See answer to Question 72). All specific concerns about lane alignments, access to the south property and access to Cheney can be accommodated. This general comment addresses the developer's position regarding

all the following intersection improvements.

84th Street at the main entrance south of Pine Lake Road

- a. Southbound dual left turn lanes need to be lengthened.
- b. Northbound right turn lane must be lengthened.
- c. This plat shows a four lane cross section on 84th Street plus dual left turn lanes in Phase I, unfortunately, they could complete Phase I and be open for business long before this cross section is in place. In addition, the impact study determined the length of turn lanes and the intersection LOS with the four lane cross section.

84th Street at Highway 2

- a. Southbound dual left turn lanes need to be lengthened.
- b. 84th Street south of Highway 2 is shown with only one southbound through lane, however, north of Highway 2 there are two southbound lanes shown.

87th Street at Highway 2

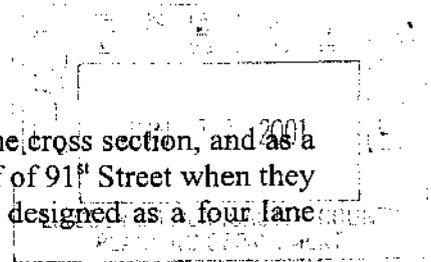
- a. Eastbound dual left turn lanes need to be lengthened.
- b. Eastbound right turn lane must be lengthened.
- c. Southbound left turn lane and right turn lanes need to be lengthened. The length of the turn lanes between Andermatt Drive and Highway 2 should be maximized.
- d. Westbound left turn lane must be lengthened.
- e. Westbound right turn lane must be lengthened. If the north leg of the intersection is constructed to ultimate design and the south leg is not constructed concurrently, the developer shall be responsible for the costs associated with the interim closure of the southbound through lane on the north leg of the intersection.

91st Street at Highway 2

- a. The left turn lanes on Highway 2 need to be aligned so that they oppose each other.
- b. Westbound right turn lane must be lengthened.
- c. Southbound right turn lane must be lengthened.
- d. Southbound left turn lane must be lengthened.
- e. The construction of the south leg of the intersection should be constructed concurrently with the north leg of the intersection to not only ensure proper alignment, but also establish the primary access to the village of Cheney.

91st Street at the first entrance north of Highway 2 (Andermatt Drive)

- a. Southbound left turn lane must be lengthened.
- b. Southbound right turn lane must be shown on the plat.
- c. Northbound left turn lane must be lengthened.
- d. Northbound right turn lane must be shown on the plat.
- e. It appears that Andermatt Drive is shown as a three lane cross section, and as a result, will not accommodate dual left turn movements off of 91st Street when they are warranted in the future. Andermatt Drive should be designed as a four lane cross section.



91st Street at the second entrance north of Highway

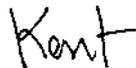
- a. Southbound left turn lane must be lengthened
- b. Southbound right turn lane must be shown on the plat.
- c. Northbound left turn lane must be lengthened.
- d. Northbound right turn lane must be shown on the plat. It appears the second drive north of Highway 2 is shown as a three lane cross section, and as a result, will not accommodate dual left turn movements off of 91st Street when they are warranted in the future. The second drive should be designed as a four lane cross section.

91st Street at Pine Lake Road

- a. Lengthen the northbound left turn lane.
- b. Lengthen the south westbound right turn lane.
- c. Roadway improvements should be continued from the intersection of Pine Lake Road and 91st Street east through the intersection of 98th Street and Pine Lake Road.

You have asked us to designate one contact person for the applicant. After consulting with the Mayor's Office, the undersigned is the designated contact person. Please let us know if you need further information or have further questions. On behalf of Andermatt, L.L.C. and Eiger Corp., we thank you for your time on this very important matter.

Yours very truly,



KENT SEACREST
For the Firm

cc without enclosures:

- Dennis Bartels
- Jennifer Dam
- Rick Peo
- Lynn Johnson
- Greg Sutton
- Kelvin Korver
- Jack Lynch, OA Project No. 99-0677
- Mark Palmer
- Mike Gorman
- Mike Morrow

