

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for May 9, 2007 PLANNING COMMISSION MEETING

- PROJECT #:** Use Permit No. 154C
- PROPOSAL:** To amend Wilderness Hills Use Permit #154A, to request waivers and adjust the site layout.
- LOCATION:** Southeast of the intersection of South 27th Street and Yankee Hill Road.
- LAND AREA:** 47.64 Acres
- EXISTING ZONING:** B-2 Planned Neighborhood Business District
O-3 Office Park District
- CONCLUSION:** This amendment to Use Permit # 154A is in conformance with the Comprehensive Plan, and Lincoln Municipal Code , Title 27. The waivers to the Design Standards are acceptable in this situation. The parking lot aisle access to the private roadway left very little space to plant both street trees, parking lot trees and instal uninterrupted sidewalks. There are some concerns with site design that will need to be addressed at the time of building permits.

RECOMMENDATION:	Conditional	Approval
<u>Waivers/modifications:</u>		
Title 26, Seciton 26.23.140 (G) A WAIVER TO THE LINCOLN DEVELOPMENT STANDARDS TO ALLOW LOTS WITHOUT FRONTAGE TO A PUBLIC OR PRIVATE ROAD.		Approval
Title 26, Section 26.27.020 A WAIVER TO EXCLUDE SIDEWALKS ALONG THE SOUTH SIDE OF COPPER RIDGE DRIVE AND THE EAST SIDE OF SOUTH 28TH STREET FROM THE PRIVATE DRIVE APPROXIMATELY 125' SOUTH OF CORRAL PLACE TO LOT 22, BLOCK 1.		Approval
Title 26, Section 26.27.090 A WAIVER TO EXCLUDE STREET TREES ALONG THE SOUTH SIDE OF COPPER RIDGE DRIVE AND THE EAST SIDE OF SOUTH 28TH STREET FROM THE PRIVATE DRIVE APPROXIMATELY 125' SOUTH OF CORRAL PLACE TO LOT 22, BLOCK 1		Approval

GENERAL INFORMATION:

LEGAL DESCRIPTION: See attached.

EXISTING LAND USE: Commercial

SURROUNDING LAND USE AND ZONING:

North: R-3, R-4, H-4 Commercial/Office/Residential
South: AG Agriculture & R-3 Residential - Mostly Vacant
East: AG Agriculture & R-5 Residential - Mostly Vacant
West: R-3 Residential - Golf Course & Residential

ASSOCIATED APPLICATIONS: Change of Zone 07024

HISTORY:

August 23, 2006 Administrative Amendment # 06073 to Use Permit 154A was approved to add notes defining the sidewalk corridor and what uses were allowed in that corridor.

June 14, 2006 Administrative Amendment # 06033 to Use Permit # 154A and Administrative Amendment # 06032 to Special Permit #1999A were approved to show the removal of a 1.2 acre pocket park due to the dedication of a conservation easement. The pocket parks were in the Community Unit Plan and had been require as part of a waiver to setbacks in the Use Permit. Waivers to setbacks for the B-2 had been requested for the front along Wilderness Hills Blvd and Yankee Hill Road. A waiver to the rear yard setback between B-2 and R-5 had also been requested. The reduction in setbacks was offset by the inclusion of two private pocket parks. The total reduction in setback amounts to approximately 2.2acres in area, and the applicant agreed to ensure that the combined area of the pocket parks was equivalent. This was an appropriate compromise that allowed for a greater utilization of the land dedicated to commercial use, but still provided an equal area for active recreation in exchange where the overall benefit to the community was roughly the same.

June 7, 2006 Preliminary Plat for Wilderness Hills, 1st Addition approved.

November 7, 2005 Use Permit #154A approved for Wilderness Hills Commercial Center and the southeast corner of S. 27th & Yankee Hill Road, adjacent to this preliminary plat.

January 12, 2005 Special Permit #1999A was approved which modified setbacks from Special Permit #1999.

June 28, 2004

Special Permit #1999 and Use Permit #154 were approved for Wilderness Hills Community Unit Plan and Use Permit at the southeast corner of Wilderness Hills Blvd & S. 27th Street.

COMPREHENSIVE PLAN SPECIFICATIONS:

Future land use plan shows this area as Commercial (19).

The S.E. corner of S. 27th Street and Yankee Hill Road is shown as a Community Center (41).

Community Centers may vary in size from approximately 250,000 to 600,000 square feet of commercial space. Typically, new Community Centers will range from 300,000 to 400,000 square feet, with those meeting the incentive criteria having up to 600,000 square feet. (43)

One or two department stores or “big box” retail operations may serve as anchors (a single store over 50,000 sq. ft.) to the Community Center with numerous smaller general merchandise stores located between any anchors or on surrounding site pads. (43)

Provide a “town center” orientation to the overall center plan. This emphasis is to create a quality shopping environment, by having design elements such as a “main street” environment with a row of parking on both sides, slower traffic speeds, most of the parking at the rear with buildings, sidewalks, benches and other amenities oriented to customers walking from store to store. (49)

Activity Corridors and Centers - These areas tend to be located along arterials, particularly where two major arterials might intersect. These locations often have strip commercial or “L” shaped neighborhood shopping centers. Directness and safety for pedestrians going to, from, and within these corridors and centers should be stressed.(91)

Pedestrian Districts - These areas are typically located in settings where people go to walk around, shop, eat, or conduct business. These districts attract large numbers of pedestrians on a regular basis. They include the Downtown (along with the main campus of the University of Nebraska-Lincoln), University Place, College View, and Havelock. Pedestrian level of service standards in these areas should be high. These areas should have direct, continuous sidewalks with safe street crossings. Visual interest and amenities should serve to attract people to these districts. Future large scale, mixed- use activity districts should be considered members of this category of pedestrian activity centers. (91)

The corner of S. 27th Street. and Yankee Hill Road is shown as a Unbuilt Approved Pedestrian Activity Center. (92)

UTILITIES: Existing

AESTHETIC CONSIDERATIONS: This Use Permit functions as a Community Center and takes advantage of the Incentive Criteria discussed in the Comprehensive Plan. As part of that criteria this development must Provide a “town center” orientation to the overall center plan that creates a quality shopping environment, by having design elements such as a “main street” environment with a row of parking on both sides, slower traffic speeds, most of the parking at the rear with buildings, sidewalks, benches and other amenities oriented to customers walking from store to store.

ANALYSIS:

1. This amendment of Use Permit 154A is to request waivers to street trees and sidewalks along the east side of S. 28th Street from approximately Corral Place to Lot

- 22, Block 1. This waiver is being requested for two reasons. First, construction of a sidewalk along the east side of S. 28th Street would be difficult, due to the need for a retaining wall in the N.W. corner of the parking lot. Second, the sidewalk would have to be constructed in the parking lot islands, causing the pedestrians to cross up to seven parking lot drive aisles to circulate across the site. It will also be difficult to fit both street trees and parking lot trees, which we usually see on these islands, in the space. The applicant has agreed to provide a Landscape plan/ Pedestrian Circulation plan that will meet the City's Landscape Design Standards.
2. Chapter 3.105 Design Standards for Pedestrian Circulation state in Section 2.1 *"Sidewalks may be constructed along one side of private drives if the sidewalk system is continuous and the number of driveway crossings is greatly minimized."*
 3. The applicant is also requesting a waiver to allow for lots not fronting onto a street or private roadway. On the previous site plan lots 9 -13 Block 1 fronted on Crescent Drive. The applicant would like to remove Crescent Drive as a private street from the Site Plan and make it a driveway. This is a common waiver for commercial centers under a use permit. Crescent Drive is designed to function like a drive way and not a private roadway. Although changing Crescent Drive to a driveway would eliminate the requirement for sidewalks under the Subdivision Ordinance, an 8 foot wide sidewalk along the south side of the drive in front of the big box stores will be required per Pedestrian Design Standards and will be shown on the Landscape/ Pedestrian Circulation Plan that the applicant has agreed to provide.
 4. Other revisions to the site plan include:
 - A. Elimination of Catalina Drive and associated street crossing.
 - B. Combine Lots 17 and 18 into one lot labeled Lot 17, Block 1.
 - C. Lot 1, Block 1 zone change from O-3 to B-2 and layout change.
 - D. Lot lines are added for Lot 9, Block 1.
 - E. Land use, square footages, and parking lot configurations modified throughout.
 - F. Updated General Notes.
 - G. Updated Office/Commercial area table on sheet 2 of 12 and deleted the Parking Provided Column.
 - H. Reduced the 2nd floor Office Square footage in town center and overall square footage by 15,000 square feet.

Revision D is an unnecessary revision. The lot lines can be shown at the time of final plat, but we do not object to them being shown on the Use Permit.

5. According to the final report submitted by the Planning Commission and Board of Health Joint Committee on Health and Land Use, a core recommendation was made to continue efforts to plan, construct, and maintain sidewalks and trails in a manner that is consistent with community design to support a physically active population. To address this recommendation, the Lincoln-Lancaster County Health Department will not support sidewalk or block length waivers. That noted, there has not been a request

to waive the block length. As a condition of the approval of this amendment, the applicant will be required to provide a Landscape/ Pedestrian Circulation plan that should address the Committee's recommendation. It is appropriate to combine these two plans as stated in Section 2.7 of the pedestrian design standards *"Installation of on-site sidewalks shall coincide with and complement required street trees and on-site landscaping requirements."*

6. Note #1 under Site Specific Notes on the Site Plan states "The lot layout on Lots 1 through 22, Block 1 and Outlots "A", "B", "C", and "D" is conceptual and revisions to the layout other than minor lot line adjustments will be by administrative amendment. Otherwise, individual lot site plans for buildings, open space, parking, drainage, and landscaping layout will be approved at the time of building permits. Site plans shall be submitted in accordance with the requirements of Lincoln Municipal code and the City of Lincoln Design Standards unless adjusted elsewhere by this Use Permit." Public Works identified some areas of concern in their memo dated April 24, 2007 where the site plan appears to show that additional waivers to sight distance and other design standards are intended. They request that any such additional intended waivers be formally submitted before applying for any building permits.

CONDITIONS OF APPROVAL:

Site Specific Conditions:

1. This approval permits waivers to Land Subdivision Standards Section 26.23.140 (g) to waive the requirement of lots fronting onto a public street or private roadway and Section 26.27.020 and 26.27.090 to waive sidewalks and street trees along the south side of Copper Ridge Drive and the east side of S. 28th Street from approximately 125 feet south of Corral Place to Lot 22, Block 1.
2. Revise the site plan to show:
 - 2.1 Correct the zoning table to say Lot 17, Block 1 instead of Lots 17 and 18 Block 1.
 - 2.2 Put all waivers in 1 waiver table.
 - 2.3 Provide a Landscape/ Pedestrian Circulation Plan that shows that Design Standards from Chapters 3.50 and 3.10 can be met. It should also include the 8 foot wide sidewalk along Lots 9 thru 13, Block 1 and along both sides of the Private Drive connecting Copper Ridge Drive and Yankee Hill Road.
 - 2.4. Specify square footage limitations for individual buildings in a table on page 2 of 12 and remove square footage from buildings on page 12 of 12.
 - 2.5 Eliminate all redundant notes on the Site Plan.
 - 2.6 Replace Site Specific Note # 12 with "Landscaping will meet City of Lincoln Design Standards."

- 2.7 Add the words "but not including" before Lot 22, Block 1 in the waivers table.
- 2.8 Show the hotel and the square footage on the zoning table or the table required by condition 2.4.
- 2.9 Change General Site Note #16 to say "All City of Lincoln Design Standards shall be met except those specified in the waiver table."
- 2.10 Submit a new grading and utility plan that addresses Public Work's concern # 2 in their memo dated April 24, 2007.
- 2.11 Add to General Site Note #24 "Pole signs are prohibited."
- 2.12 Add to General Site Notes "Design Criteria for the other buildings in the Community Center; other than Town Center, will be developed by the applicant with written approval of the Planning Director prior to issuance of building permits for the buildings in the Community Center other than the Town Center."

General Conditions:

- 3. Before receiving building permits:
 - 3.1 Upon approval of the use permit by the Planning Commission, the developer shall cause to be prepared and submitted to the Planning Department a revised and reproducible final plot plan including 5 copies with all required revisions and documents as listed above in Site Specific Conditions 2.
 - 3.2 The construction plans shall comply with the approved plans.
 - 3.3 Final Plats shall be approved by the City.

Standard Conditions:

- 4. The following conditions are applicable to all requests:
 - 4.1 Before occupying buildings all development and construction is to comply with the approved plans.
 - 4.3 All privately-owned improvements, including landscaping and recreational facilities, are to be permanently maintained by the owner or an appropriately established homeowners association approved by the City.
 - 4.4 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.
 - 4.5 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.

- 4.6 The applicant shall sign and return the letter of acceptance to the City Clerk within 60 days following the approval of the special permit, provided, however, said 60-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.

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

Prepared by

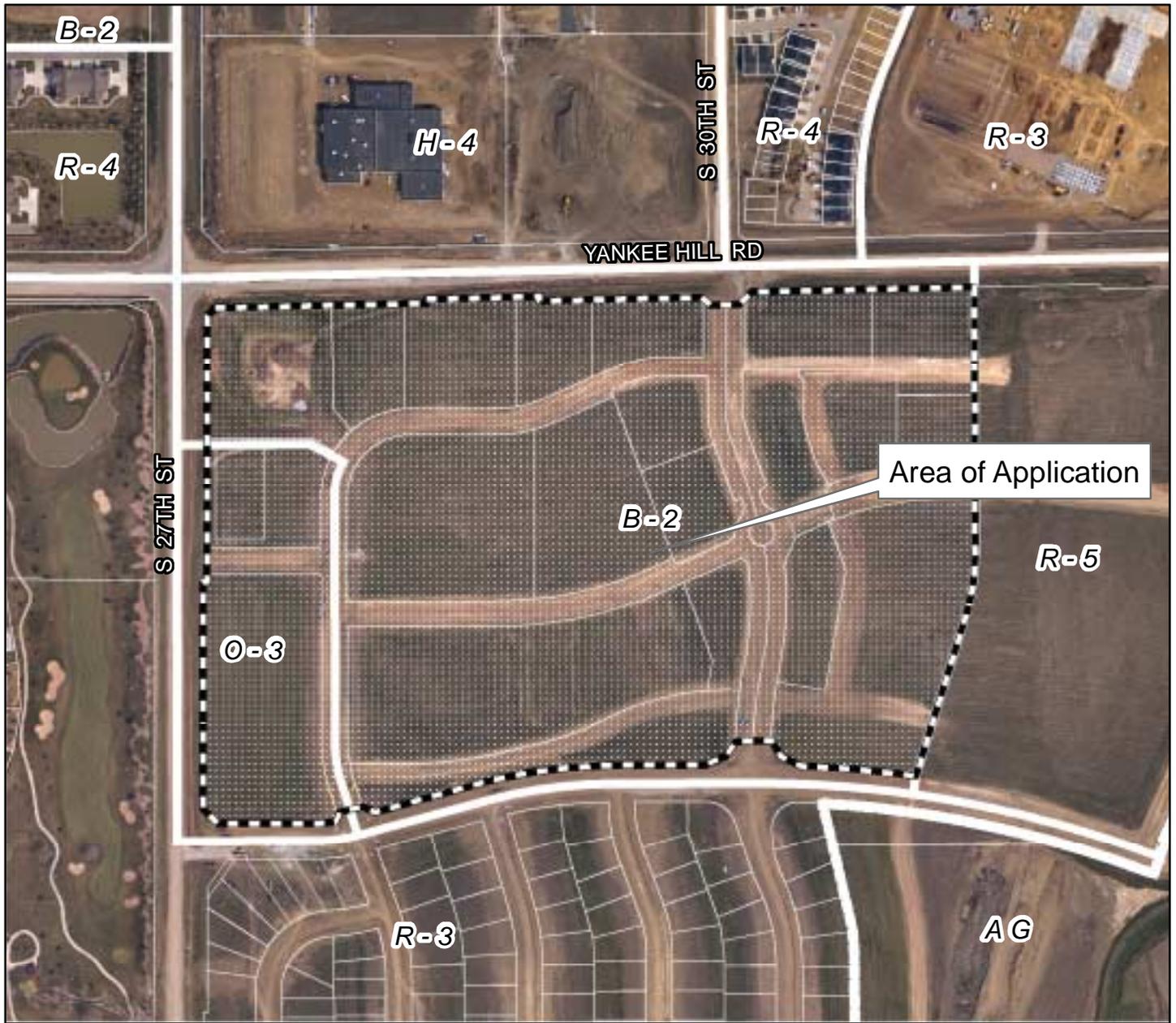
Christy Eichorn
Planner

DATE: April 26, 2007

APPLICANT: Olsson Associates
Don Day
1111 Lincoln Mall
Lincoln, NE 68508

OWNER: Buffalo Grass LLC
Don Linscott
300 N. 44th ST., STE 100
Lincoln, NE 68508

CONTACT: Same as Applicant



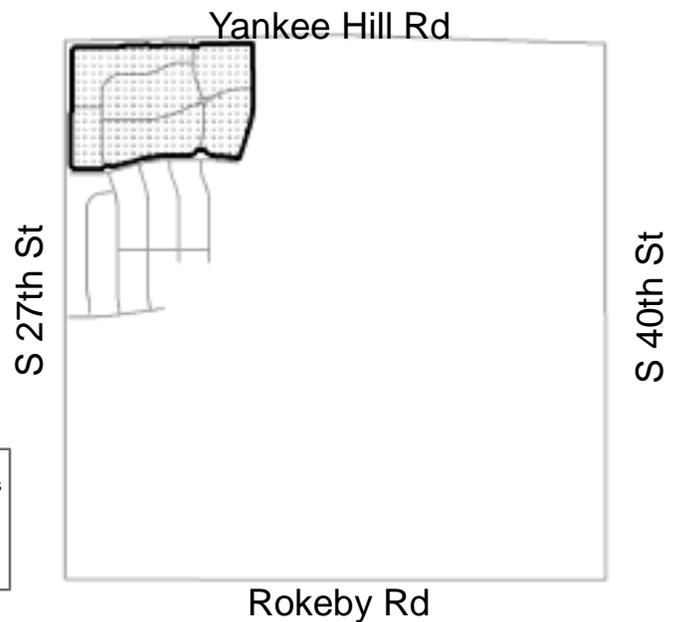
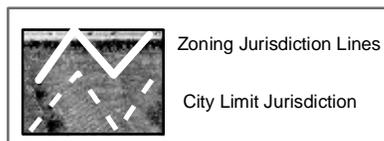
2005 aerial

Use Permit #154C S 27th St & Yankee Hill Rd

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

One Square Mile
Sec. 30 T09N R07E



**LEGAL DESCRIPTION
CHANGE OF ZONE
FROM 0-3 TO B-2**

A LEGAL DESCRIPTION FOR A TRACT OF LAND COMPOSED OF OUTLOT "A", BLOCK 1, WILDERNESS HILLS COMMERCIAL ADDITION, AND A PORTION OF OUTLOT "G", WILDERNESS HILLS COMMERCIAL 1ST ADDITION, ALL LOCATED IN THE NORTHWEST QUARTER OF SECTION 30, 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 SOUTHWEST CORNER OF OUTLOT "B", BLOCK 1, WILDERNESS HILLS COMMERCIAL ADDITION, SAID POINT BEING A NORTHWEST CORNER OF OUTLOT "G", WILDERNESS HILLS COMMERCIAL 1ST ADDITION, SAID POINT BEING **THE TRUE POINT OF BEGINNING**, THENCE EASTERLY ALONG A NORTH LINE OF SAID OUTLOT "G" AND ITS EXTENSION, SAID LINE BEING A SOUTH LINE OF SAID OUTLOT "B" AND ITS EXTENSION, ON AN ASSUMED BEARING OF NORTH 89 DEGREES 50 MINUTES 08 SECONDS EAST, A DISTANCE OF 293.19 FEET TO A POINT OF INTERSECTION WITH THE CENTER LINE OF SAID OUTLOT "G", THENCE SOUTH 00 DEGREES 08 MINUTES 32 SECONDS EAST ALONG THE CENTER LINE OF SAID OUTLOT "G", A DISTANCE OF 446.87 FEET TO A POINT OF CURVATURE, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 17 DEGREES 54 MINUTES 22 SECONDS, A RADIUS OF 360.00 FEET, AN ARC LENGTH OF 112.51 FEET, A TANGENT LENGTH OF 56.72 FEET, A CHORD LENGTH OF 112.05 FEET, AND A CHORD BEARING OF SOUTH 09 DEGREES 05 MINUTES 43 SECONDS EAST ALONG THE CENTER LINE OF SAID OUTLOT "G" TO A POINT, THENCE SOUTH 18 DEGREES 02 MINUTES 54 SECONDS EAST ALONG THE CENTER LINE OF SAID OUTLOT "G", A DISTANCE OF 52.03 FEET TO A POINT OF INTERSECTION WITH THE SOUTH LINE OF SAID OUTLOT "G", THENCE SOUTH 76 DEGREES 03 MINUTES 06 SECONDS WEST ALONG A SOUTH LINE OF SAID OUTLOT "G", A DISTANCE OF 24.06 FEET TO A POINT OF DEFLECTION, THENCE SOUTH 22 DEGREES 24 MINUTES 34 SECONDS WEST ALONG A SOUTH LINE OF SAID OUTLOT "G", AND A SOUTH LINE OF OUTLOT "A", BLOCK 1, WILDERNESS HILLS COMMERCIAL ADDITION, A DISTANCE OF 23.56 FEET TO THE SOUTHEAST CORNER OF SAID OUTLOT "A", SAID POINT BEING A POINT OF CURVATURE OF A NON-TANGENT CURVE IN A CLOCKWISE DIRECTION, HAVING DELTA ANGLE OF 08 DEGREES 19 MINUTES 01 SECONDS, A RADIUS OF 358.00 FEET, AN ARC LENGTH OF 51.97 FEET, A TANGENT LENGTH OF 26.03 FEET, A CHORD LENGTH OF 51.92 FEET, AND A CHORD BEARING OF SOUTH 85 DEGREES 40 MINUTES 37 SECONDS WEST ALONG A SOUTH LINE OF SAID OUTLOT "A", THENCE

SOUTH 89 DEGREES 50 MINUTES 08 SECONDS WEST ALONG A SOUTH LINE OF SAID OUTLOT "A", A DISTANCE OF 219.42 FEET TO THE SOUTHWEST CORNER OF SAID OUTLOT "A", THENCE NORTH 43 DEGREES 52 MINUTES 05 SECONDS WEST ALONG A SOUTHWEST LINE OF SAID OUTLOT "A", A DISTANCE OF 49.10 FEET TO A SOUTHWEST CORNER OF SAID OUTLOT "A", SAID POINT BEING ON THE EAST LINE OF SOUTH 27TH STREET RIGHT-OF-WAY, THENCE NORTH 00 DEGREES 03 MINUTES 06 SECONDS WEST ALONG A WEST LINE OF SAID OUTLOT "A", SAID LINE BEING THE EAST LINE OF SAID RIGHT-OF-WAY, SAID LINE ALSO BEING 60.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 30, A DISTANCE OF 523.69 FEET TO A NORTHWEST CORNER OF SAID OUTLOT "A", THENCE SOUTH 89 DEGREES 03 MINUTES 49 SECONDS EAST ALONG A NORTH LINE OF SAID OUTLOT "A", SAID LINE BEING A SOUTH LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 10.00 FEET TO A NORTHWEST CORNER OF SAID OUTLOT "A", THENCE NORTH 00 DEGREES 04 MINUTES 24 SECONDS WEST ALONG A WEST LINE OF SAID OUTLOT "A", AND A WEST LINE OF OUTLOT "G", WILDERNESS HILLS COMMERCIAL 1ST ADDITION, SAID LINE BEING A EAST LINE OF SAID RIGHT-OF-WAY, SAID LINE ALSO BEING 70.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 79.34 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS A CALCULATED AREA OF 194,521.96 SQUARE FEET OR 4.47 ACRES, MORE OR LESS.

M e m o r a n d u m

To: Christy Eichorn, Planning Department
From: Dennis Bartels, Engineering Services
Subject: Wilderness Hills Commercial Change of Zone #07024
Date: April 24, 2007
cc: Randy Hoskins
Chad Blahak
Buff Baker

Engineering Services has reviewed the amendment to Wilderness Hills Commercial Use Permit #154A and has the following comments:

1. Engineering Services does not object to waiving the requirement for direct lot frontage along a public or private roadway. This will allow for the elimination of Crescent Drive as a private roadway.
2. A waiver is requested to eliminate sidewalk along the east side of a portion of South 28th Street and the south side of a portion of Copper Hill Drive. I question the reason given for the request. A retaining wall is shown and referenced as reason for not building the sidewalk. No revised grading plan has been submitted. The previously approved grading plan did not show a retaining wall. In addition, the retaining wall is shown in the same general location as a public water main and five hydrants. This retaining wall must be eliminated from the public access and utility easement. Another reason given is the numerous parking lot aisles accessing Copper Ridge Road. Although not specifically forbidden, it is not good design to utilize a private roadway intended for public access and through traffic as the end aisle for a parking lot. While there is not specifically object to the proposed pedestrian circulation system shown and the elimination of the requested sidewalk, I do not agree with the reasons stated for the waiver. The concerns raised should be addressed even if the sidewalk waiver is approved. I also request that a drainage and grading plan be submitted that shows the revised storm sewer and grading for Outlot A.
3. I have concerns about the parking lots and access points shown along the north side of Copper Ridge Drive. These drives need to be checked for sight distance requirements because of the close proximity of the proposed parking to the back of walk. Design standards require sight distance for a 25 mph design speed.

The first driveway west of South 30th Street on Copper Ridge Drive does not meet design standards for separation from 30th Street and should be eliminated. There is limited sight distance and potential high turning volumes from South 30th to Copper Ridge Drive.

Sight distance needs to be considered for the pedestrian crossings along South 30th Street. By design, these are high volume pedestrian crossings. Consideration needs to be given to ADA accessibility and sight distance at the various crossings.

Design standards for roundabouts are very specific concerning splitter islands and the locations for pedestrian crossings. It does not appear that the roundabouts meet these requirements. The parking stalls in relationship to the roundabouts appear to be a problem in the operation of the roundabout as well as potential sight distance problems at pedestrian crossings.

Crescent Drive east of South 30th Street is a private roadway where I assumed sidewalks are required along both sides of the street and sight distance requirements need to be met or waivers justified or approved.

I request that various design standard information where standards are not met for all of this commercial area be shown and the application address waivers or the plan be revised to meet standards. It is not reasonable to expect these items to be caught or reviewed at building permit time. Waivers requested should be by a licensed engineer with engineering justification.

4. The 145' wide drive opening from Wilderness Hills Boulevard does not meet design standards and will not be recommended for waiver approval. The first driveway north of Wilderness Hills Boulevard on South 28th Street is a poor design. It appears to be an effort to create a right-in/right-out driveway but the 150' wide opening will allow it to be used for full access. Being on the inside of a curve with a sidewalk across it and a building wall adjacent to the sidewalk, it too has sight distance conflicts.



April 11, 2007

Mr. Marvin S. Krout, Director
Lincoln Lancaster Planning Department
County-City Building
555 South 10th Street, Suite 213
Lincoln, NE 68508

Re: Wilderness Hills Use Permit
Amendment to Use Permit # 154A
Change of Zone
OA Project No. 2007-0490

Dear Mr. Krout,

On behalf of the owner, Buffalo Grass, L.L.C., Olsson Associates is requesting an Amendment to the Wilderness Hills Use Permit #154A and a Change of Zone from O-3 to B-2 for a parcel at Wilderness Hills. The purpose of the amendment is to request waivers and to adjust the site layout as described below.

Requested Waivers

The following waivers are being requested:

1. Waiver to the Land Subdivision Development Standards 26.23.140 (g). The purpose is to waive the requirements of lots fronting onto public or private roads. This allows the elimination of the private roadway called Crescent Drive that runs in front of the big box stores. These lots will still have access to a public or private street by way of an "Outlot" with cross access.
2. Waiver to the Land Subdivision Minimum Improvements 26.27.020 Sidewalks. To waive Sidewalk requirements along the south side of Copper Ridge Drive (Private Roadway) and the east side of South 28th Street (Private Roadway) starting from the drive aisle approximately 125' south of Corral Place to Lot 22, Block 1. This waiver is being requested for two reasons. First, construction of the sidewalk would be difficult due to the need of a retaining wall. Second, the sidewalk would have to be constructed in the parking lot islands and pedestrians would cross up to seven parking lot drive aisles in order to circulate across the site.

3. Waiver to the Land Subdivision Minimum Improvements 26.27.090 Trees. To waive Street Tree requirements along the south side of Copper Ridge Drive (Private Roadway) and the east side of South 28th Street (Private Roadway) starting from the drive aisle approximately 125' south of Corral Place to Lot 22, Block 1. This waiver is being requested because it will be difficult to fit the street trees in along with the number parking lot trees that are required.

Change of Zone

The owner is requesting a change of zone for a parcel from O-3 to B-2 as specifically described in the attached legal description and exhibit. The purpose of the change of zone is to locate a sign for the B-2 development along South 27th Street. In accordance with requirements, of Zoning 27.69.0460 (c) Signs, the zoning district must front onto S.27th Street by 300'.

Use Permit Site Plan Changes

The following site plan changes have been made:

1. Elimination of Crescent Drive (Private Roadway) and Catalina Drive (Private Roadway) and associated street cross sections.
2. Lot 17 & 18 were combined into one lot, Lot 17
3. Lot 1 layout and use modified along with the change of zone for this lot.
4. Lot 9 lot lines were added to graphically show what the proposed tenant lot will be platted to.
5. Lot layouts, land use square footages and parking lot configurations were changed throughout the development.
6. General notes were updated
7. The Office / Commercial Area table on Sheet 2 was updated to reflect lot changes and the parking provided column removed
8. Reduced bonus 2nd floor office square footage in the town center and overall office square footage by 15,000 SF.

During our meetings with Planning Staff, we were asked to update Sheet 12 of 12, Town Center Streetscape Concept / Big Box Design Criteria Plan. Staff has asked for this update to eliminate square footage and parking count numbers for the Town Center portion of the Use Permit. This is to alleviate some confusion at the time of building permit. We have not received the CAD files for this sheet to be able to update it. We anticipate being able to submit the sheet at the time we address Planning Staff comments.

Enclosures

Enclosed please find the following items for the Use Permit Amendment and Change of Zone:

1. Cover Sheet, Sheet 1; 21 copies
2. Site Plan, Sheet 2; 21 copies
3. City of Lincoln Zoning Application; "Use Permit; Amendment"
4. City of Lincoln Zoning Application; "Change of Zone"
5. Change of Zone Legal Description
6. Change of Zone Exhibit
7. Check for filing fees for "Use Permit & Change of Zone"; \$1,480.00
8. Certificate of Ownership
9. 8 1/2" x 11" Reduced Drawings of the Site Plans

Please give me a call if you have any questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "D-R Day", with a long horizontal line extending to the right.

Don R. Day, PE

cc Don Linscott